# Revoked Fisheries (Seabird Mitigation Measures - Surface Longlines) Circular 2014

Pursuant to regulation 58A of the Fisheries (Commercial Fishing) Regulations 2001, the Deputy Director-General, Regulation and Assurance, of the Ministry for Primary Industries gives the following circular.

## Contents

# Circular

## 1 Title

This circular is the Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2014.

## 2 Commencement

This circular comes into force on 1 July 2014.

## 3 Interpretation

In this circular,—

**aerial extent** means the distance from the back of a vessel to the place where the streamer line backbone enters the water under normal setting speed in calm sea

**nautical dawn** means the time at sunrise when the centre of the sun is at a depression angle of 12° below the ideal horizon for the place

**nautical dusk** means the time at sunset when the centre of the sun is at a depression angle of 12° below the ideal horizon for the place

**set**, in relation to a surface longline, means releasing the surface longline into the water

**surface longline** means a line—

(a) to which hooks (whether baited or not) are attached; and
(b) that is suspended by floats; and
(c) that is not attached to the sea floor

**streamer line** means a type of seabird-scaring device also known as a tori line and required to be used in accordance with clauses 6 to 9.

## 4 Restrictions on use of surface longlines

A commercial fisher must not set surface longlines in New Zealand fisheries waters during the period of time between half an hour before nautical dawn and half an hour after nautical dusk on the same day unless the line is weighted in accordance with clause 5.

### 5 Weighting of surface longlines

For the purposes of clause 4, for each hook attached to a surface longline, weights must be attached to that line as follows:

(a) 1 weight equal to or greater than 40 g must be attached within 50 cm of the hook; or

(b) 1 or more weights equal to or greater than a total of 45 g must be attached within 1 m of the hook; or

(c) 1 or more weights equal to or greater than a total of 60 g must be attached within 3.5 m of the hook; or

(d) 1 or more weights equal to or greater than a total of 98 g must be attached within 4 m of the hook.

### 6 Streamer line required if surface longlines set

A commercial fisher must not set a surface longline in New Zealand fisheries waters unless—

(a) the vessel carrying the surface longline also carries a streamer line; and

(b) the streamer line is, at all times, configured and used in accordance with clauses 7 to 9 when the surface longline is set.

### 7 Specifications for all streamer lines

(1) A streamer line must be attached to the vessel.

(2) When deployed, a streamer line must be in a position that protects the baited hooks, including in crosswinds.

(3) A streamer line must use streamers that are—

(a) brightly coloured; and

(b) resistant to damage from ultraviolet light.

(4) A streamer line must be configured so that—

(a) streamers long enough to reach the surface of the sea in calm conditions are attached at intervals of no more than 5 m along at least the first 55 m of the streamer line; and

(b) streamers with a minimum length of 1 m are attached at intervals of no more than 1 m along at least the aerial extent of the streamer line.

(5) The streamers described in subclause (4)(a) must be attached to the streamer line with swivels that prevent streamers from wrapping around the line.

(6) If the streamer line in use breaks or is damaged, it must be repaired or replaced so that the vessel meets the specifications in this clause and clauses 8 and 9 before any further hooks enter the water.

### 8 Specifications for streamer lines on vessels less than 35 m in length

(1) On a vessel that is less than 35 m in overall length, a streamer line must—

(a) be set in a way that achieves an aerial extent of at least 75 m; and

(b) be at least 100 m long; and

(c) be suspended from a point on the vessel that is at least 6 m above the surface of the sea in calm conditions.

(2) If the streamer line is less than 150 m long,—

(a) it must have a towed object attached to the end; and

(b) the towed object must be sufficient to maintain the aerial extent of the line over the sinking baited hooks.

### 9 Specifications for streamer lines on vessels equal to or greater than 35 m in length

On a vessel that is equal to or greater than 35 m in overall length, a streamer line must—

(a) be set in a way that achieves an aerial extent of at least 100 m; and

(b) be at least 200 m long; and

(c) be suspended from a point on the vessel that is at least 7 m above the surface of the sea in calm conditions.

### 10 Circular does not apply to additional or secondary device

This circular does not apply to an additional or secondary seabird-scaring device.

### 11 Best practice guidelines

The Schedule sets out best practice guidelines for—

(a) the configuration and use of streamer lines; and
(b) the weighting of surface longlines.

## 12 Revocation

The Fisheries (Seabird Sustainability Measures-Surface Longlines) Circular 2011 (*Gazette* 2011, p 4923) is revoked.

# Schedule

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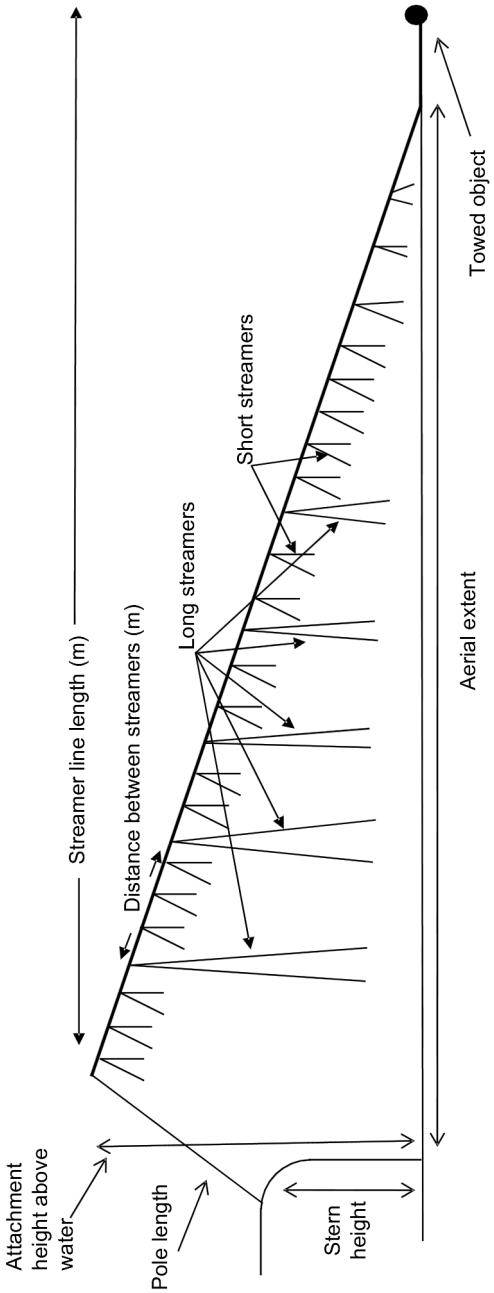
## Best practice guidelines



*Streamer lines*

1 The streamer line needs to protect baited hooks from seabirds. This means that the streamer line should be positioned in such a way that streamers are flapping, in an unpredictable fashion, above the area in which the baited hooks enter the sea, so that seabirds are deterred from attempting to take bait from the hooks. In order to achieve this, even during crosswinds, it is expected commercial fishers will have to make adjustments to the configuration of the streamer line as conditions change.

2 Streamer lines should be made of line that is as light as practical and sufficiently strong.

3 It is generally recognised as best practice to maximise the aerial extent of the streamer line, because this maximises the area in which the baited hooks are protected from seabirds.

4 In order to maximise aerial extent, it is necessary to create tension in the streamer line. Towing an object on the terminal end of the streamer line is viewed as a preferred option for creating tension (and is required in some cases). The object could be a cone or buoy, a section of heavy rope, or any other object that creates sufficient drag to maintain the streamer line's aerial extent. Tension in the line can also be created by doing 1 or more of the following:

(a) towing extra length of streamer line:

(b) having short streamers along the in-water section of the streamer line:

(c) increasing the diameter of the in-water section of the streamer line.

5 In order to be effective at scaring seabirds away from the line of baited hooks, the streamers should not become tangled, either with each other or with the streamer line. In order to prevent streamers from becoming tangled,—

(a) each long streamer should be attached so that it reaches the surface of the sea in calm conditions:

(b) a swivel or similar device should be placed on the streamer line in a way that prevents streamers from twisting around the streamer line:

(c) each streamer should have a swivel or other device at its attachment point on the streamer line.

6 To ensure streamers are visible to birds, streamers should be made of brightly coloured fluorescent rubber or plastic tubing or other material that is resistant to damage from ultraviolet light. Bright colours such as red, yellow, orange, and pink are most effective during day setting. For night setting, the streamers should be of a colour that contrasts with the surroundings. Colours such as blue and green are less likely to be effective because they are less likely to be highly visible to birds.

7 A mixture of long and short streamers should be used. Long streamers (long enough to reach the surface of the sea) should be spaced at 5-m intervals along the aerial extent of the line. Long streamers that are hanging in the water can be prone to tangling. Although it is important that streamers are present to deter birds from taking baited hooks all along the part of the line that remains above water, fishers may not wish to have long streamers the whole way down the line because the far end of the streamer line will frequently be in the water. Short streamers may be used on the in-water portion of the line to increase drag.

8 Short streamers (of at least 1 m in length) should be spaced at 1-m intervals along at least the aerial extent of the streamer line. Short streamers may extend along the entire length of the line, including the in-water portion, as this may help create drag and increase the aerial extent. Short streamers should be made of a material that creates an erratic flapping movement. Weak links (breakaways) should be incorporated into the in-water section of the line to limit safety and operational problems if lines become tangled.

9 If the streamer line that is in use breaks or is damaged, it should be repaired or replaced before any further hooks enter the water. For this reason, a complete additional streamer line should be carried as a spare.

10 Vessels are encouraged to use a second streamer line at times of high seabird abundance or activity. If 2 streamer lines are used, the streamer lines should be deployed on opposing sides of the main line of baited hooks.

*Surface longline weighting*

11 Surface longlines should be weighted to sink the baited hooks rapidly out of the diving range of feeding seabirds. Weights will shorten, but not eliminate, the zone behind the vessel in which birds can be caught.

12 Lead weights (such as safety leads or Lumo Leads) are recommended for surface longline weighting. (Information about Lumo Leads is available at http://www.fishtekmarine.com/lumolead.php)

13 Scientific studies have demonstrated that a surface longline weighting configuration with more mass close to the hook is more likely to reduce seabird mortalities because it sinks the hooks faster and therefore reduces seabird attacks on baits.

14 Initial and final sink rates are important for reducing seabird catches (fast initial rates reduce bait visibility near the surface and fast final rates reduce accessibility at deeper depths). In order to maximise both sink rates,—

(a) lead weights should be placed at the hook (so no leader is used); or

(b) if the commercial fisher considers that shark bite-offs are excessive in the fishery, lead weights should be placed on leaders that are less than 0.5 m long.

Long leaders (2 to 4 m long), even with very heavy weights, have initial sink rates that are very slow due to the lag created by the long leader.

15 The mass of the weight depends on fishery risk to seabirds. Recent advice of the advisory committee for the Agreement on the Conservation of Albatrosses and Petrels suggests that lead weights of more than 60 g should be used where the risk to seabirds is—

(a) medium to high; or

(b) unknown.

16 Surface longline weights can fly back when the line is under tension at hauling. The safety of surface longline weighting may be improved by taking the following actions:

(a) safety leads or Lumo Leads may be used instead of conventional leads. Safety leads and Lumo Leads are designed to slide down the line instead of recoiling:

(b) the risk of injury can be reduced through co-ordination between the skipper and crew members unclipping branch lines from the main line. For example, a skipper may allow the crew time to act when a shark is on the line by clipping the branch line to a low point on the vessel to reduce the chance of it hitting someone:

(c) helmets may reduce the risk of injury and are used in some fisheries (for example, in Australia). There may, however, be practical reasons for not using helmets.

Dated at Wellington this 23rd day of June 2014.

Scott Gallacher,
Deputy Director-General, Regulation and Assurance, Ministry for Primary Industries.

## Explanatory note

*This note is not part of the circular, but is intended to indicate its general effect.*

This circular, which comes into force on 1 July 2014, is made under regulation 58A of the Fisheries (Commercial Fishing) Regulations 2001. It is made by the Deputy Director-General, Regulation and Assurance, of the Ministry for Primary Industries pursuant to an authority delegated under section 41 of the State Sector Act 1988.

This circular sets out mandatory mitigation measures that apply to commercial fishers using the method of surface longlining. The measures are designed to mitigate the effect of fishing-related seabird mortality. The circular requires that, when setting surface longlines, commercial fishers—

- use and configure streamer lines in accordance with the specifications prescribed in the circular; and
- either set lines at night or weight lines in accordance with the specifications prescribed in the circular.

Streamer lines meeting the requirements of this circular are approved seabird-scaring devices for the purposes of regulation 58(1).

The *Schedule* sets out best practice guidelines for—

- the configuration and use of streamer lines; and
- the weighting of surface longlines.

The guidelines do not form part of the specifications set under regulation 58A and do not have the force of law. In the event of any inconsistency with the specifications set out in *clauses 7 to 9*, the specifications prevail.

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