

## **Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2019**

This circular is issued by the Manager, Offshore Fisheries, of the Ministry for Primary Industries under regulation 58A of the Fisheries (Commercial Fishing) Regulations 2001, after complying with the requirements of regulation 58A(2) of those regulations.

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### **Circular**

#### **1 Title**

This circular is the Fisheries (Seabird Mitigation Measures—Surface Long- lines) Circular 2019.

#### **2 Commencement**

This circular comes into force on XX XXXX 2019.

#### **3 Interpretation**

In this circular,—

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**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

**hook-shielding device** means a device specified in Schedule 1.

**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

**streamer line** means a type of seabird-scaring device also known as a tori line

**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.

#### **4 Restrictions on use of surface longlines**

- (1) 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.
- (2) 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.
- (3) Subclauses (1) and (2) do not apply if a hook shielding device is used on all baited hooks.

#### **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.

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#### **6 Specifications for all streamer lines**

- (1) The streamer line must be attached to the vessel.
- (2) A streamer line must use streamers that are—
  - (a) brightly coloured; and
  - (b) resistant to damage from ultraviolet light.
- (3) A streamer line must be configured so that 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.
- (4) 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 clause 7 and 8 before any further hooks enter the water.
- (5) A streamer line must be strong enough to maintain the aerial extent of the line over the sinking baited hooks.

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

- (1) This clause applies to a vessel that is less than 35 m in overall length and does not use a hook-shielding device.
- (2) A streamer line must—
  - (a) use either:
    - (i) streamers long enough to reach the surface of the sea in calm conditions and streamers with a minimum length of 1m; or
    - (ii) streamers with a minimum length of 1m; and
  - (b) be set in a way that achieves an aerial extent of at least 75 m; and
  - (c) be suspended from a point on the vessel that is—
    - (i) at least 6 m above the surface of the sea in calm conditions; and
    - (ii) as close to the stern as practicably possible; and
  - (d) be deployed in a way that creates sufficient drag to maximise aerial extent and maintain the aerial extent of the line over the sinking baited hooks.
- (3) Streamers that are long enough to reach the surface of the sea in calm conditions must—
  - (a) be attached at intervals of no more than 5 m along at least the first 75 m of the streamer line; and
  - (b) be attached to the streamer line in a way that prevents the streamers from wrapping around the streamer line.
- (4) A streamer may be modified along the first 15 m of the streamer line to minimise the risk of entanglement.
- (5) If 2 streamer lines are used, they must be deployed on opposing sides of the main line of baited hooks.

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

- (1) This clause applies to a vessel that is equal to or greater than 35 m in overall length and does not use a hook-shielding device.

- (2) A streamer line must—
- (a) use streamers long enough to reach the surface of the sea in calm conditions and streamers with a minimum length of 1m
  - (b) be set in a way that achieves an aerial extent of at least 100 m; and
  - (c) be at least 200 m long; and
  - (d) be suspended from a point on the vessel that is—
    - (i) at least 7 m above the surface of the sea in calm conditions; and
    - (ii) as close to the stern as practicably possible.
- (3) Streamers that are long enough to reach the surface of the sea in calm conditions must—
- (a) be attached at intervals of no more than 5 m along at least the first 55 m of the streamer line; and
  - (b) be attached to the streamer line with swivels that prevent the streamers from wrapping around the streamer line.
- (4) If 2 streamer lines are used, baited hooks must be deployed within the area bounded by the 2 streamer lines.

**9 Circular does not apply to additional or secondary device**

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

**10 Revocation**

The Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2018 is revoked.

Schedule 1

**Approved Hook-shielding devices**

Approved hook-shielding devices are those that have been approved for use in WCPFC fisheries and currently include:

Hookpods, which comply with the following performance characteristics

- (a) the device encases the point and barb of the hook until it reaches a depth of at least 10 metres or has been immersed for at least 10 minutes;
- (b) the device meets current minimum standards for branch line weighting as specified in this Circular; and
- (c) the device is designed to be retained on the fishing gear rather than being lost.

Dated at Wellington this XXX day of XXXX 2019.

Arthur Hore,  
Manager, Offshore Fisheries Team, 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 XX XXXX 2019, is made under regulation 58A of the Fisheries (Commercial Fishing) Regulations 2001.

This circular contains mandatory mitigation measures that apply to commercial fishers using the method of surface longlining. These measures are designed to mitigate the effect of fishing-related seabird mortality.

This circular requires that, when setting surface longlines, commercial fishers must—

- use and configure streamer lines in accordance with the specifications in the circular; and
- either set lines at night or weight lines in accordance with the specifications in the circular; or
- Use hook-shielding devices as a stand-alone mitigation option.

Streamer lines meeting the requirements of this circular are approved seabird-scaring devices for the purposes of regulation 58(1) of the Fisheries (Commercial Fishing) Regulations 2001.

This circular replaces the Fisheries (Seabird Mitigation Measures—Surface Long-Line) Circular 2018.

Issued under the authority of the Legislation Act 2012.

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This circular is administered by the Ministry for Primary Industries.