

Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2019 (Notice No. MPI 1104)

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.

Circular

1. Title

This circular is the Fisheries (Seabird Mitigation Measures—Surface Longlines) Circular 2019.

2. Commencement

This circular comes into force on **10 January 2020**.

3. Interpretation

In this circular—

aerial extent means the distance from the stern 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 that-

- a. encases the point and barb of baited hooks to prevent seabird bycatch during line setting; and
- b. meets the requirements set out in the Schedule.

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 without hook-shielding devices

An operator or master of a vessel must not set a surface longline in New Zealand fisheries waters without using a hook-shielding device, unless at all times when the line is set, a streamer line that complies with clauses 6 to 8 is used, and either:

- a. the line is set only during the period of time between half an hour before nautical dawn and half an hour after nautical dusk on the same day; or
- b. the line is weighted in accordance with clause 5.

5. Weighting of surface longlines

For the purposes of clause 4(b), for each hook attached to a surface longline, the following weights must be attached to that line:

- a. 1 weight equal to or greater than 40g must be attached within 50cm of the hook; or
- b. 1 or more weights equal to or greater than a total of 45g must be attached within 1m of the hook; or
- c. 1 or more weights equal to or greater than a total of 60g must be attached within 3.5m of the hook; or
- d. 1 or more weights equal to or greater than a total of 98g must be attached within 4m of the hook.

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—

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- 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 1m are attached at intervals of no more than 1m 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 clauses 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 35m in length

1. A vessel that is less than 35m in overall length must comply with clause 6 and with this clause.
2. A streamer line must—
 - a. use either:
 - i. streamers long enough to reach the surface of the sea in calm conditions as well as 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 75m; and
 - c. be suspended from a point on the vessel that is—
 - i. at least 6m 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 5m along at least the first 75m 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. Streamers may be modified along the first 15m 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 35m in length

1. A vessel that is equal to or greater than 35m in overall length must comply with clause 6 and with this clause.
2. A streamer line must—
 - a. use both streamers long enough to reach the surface of the sea in calm conditions and streamers with a minimum length of 1m; and
 - b. be set in a way that achieves an aerial extent of at least 100m; and
 - c. be at least 200m long; and
 - d. be suspended from a point on the vessel that is—
 - i. at least 7m 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 5m along at least the first 55m 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.
5. If only 1 streamer line is used, the streamer line must be deployed windward of the baited hooks.

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 (LI 2018/213) is revoked.

Schedule

Requirements for hook-shielding devices

cl 3

A hook-shielding device must -

- a. encase the point and barb of the hook until it reaches a depth of at least 10m or has been immersed for at least 10 minutes; and
- b. comply with clause 5; and
- c. be designed to be retained on the fishing gear rather than being lost.

DOMINIC VALLIERES, Acting Manager, Offshore Fisheries, 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 10 January 2020, is made under Regulation 58A of the Fisheries (Commercial Fishing) Regulations 2001.

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

This circular replaces the Fisheries (Seabird Mitigation Measures-Surface Longlines) Circular 2018 to bring New Zealand into line with international regulatory requirements adopted by the Western and Central Pacific Fisheries Commission in December 2018

The revised measures mean that, when setting surface longlines, operators or masters of a vessel 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. The performance characteristics of approved hook-shielding devices are set out in the Schedule of the circular.

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. The circular contains minor changes to the use of those lines to clarify existing requirements that—

- vessels under 35m in length can use long and short streamers or short streamers only; and
- vessels equal to or over 35m in length must use long and short streamers.

**Corrigendum—Fisheries (Seabird Mitigation Measures—Surface Longlines)
Circular (No 2) 2019 (Notice No. MPI 1111)**

In the notice with the above title, published in the [New Zealand Gazette, 8 January 2020, Notice No. 2020-go30](#), the wording of clause 4 is incorrect. The correct wording for clause 4 is

4. Restrictions on use of surface longlines without hook-shielding devices

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- a. the line is not set during the period of time between half an hour before nautical dawn and half an hour after nautical dusk on the same day; or
- b. the line is weighted in accordance with clause 5.