

Fisheries (Commercial Fishing) Regulations 2001

Fisheries (Seabird Scaring Devices Minimum Standard and Procedures) Notice 2007 (No. F414)

Pursuant to Regulation 58 of the Fisheries (Commercial Fishing) Regulations 2001, the Chief Executive of the Ministry of Fisheries gives the following notice.

Notice

1. **Title**—This notice is the Fisheries (Seabird Scaring Devices Minimum Standard and Procedures) Notice 2007.
2. **Commencement**—This notice shall come into effect the day after the date of its notification in the *New Zealand Gazette*.
3. **Interpretation**—In this notice:

“streamer line” means the type of bird scaring device, also known as a tori line, as described in clause 5 of this notice.
4. **Seabird scaring devices (streamer lines) approved by the Chief Executive of the Ministry of Fisheries**—(1) All vessels taking tuna by using longlines from a vessel in New Zealand fisheries waters are required to carry a seabird scaring device in accordance with the specifications set out in this notice.

(2) A seabird scaring device contained in this notice must be deployed while setting surface longlines at all times, in accordance with Regulation 58 of the Fisheries (Commercial Fishing) Regulations 2001.

(3) Streamer lines are currently the only approved seabird scaring device for surface longline vessels.
5. **Seabird scaring device (streamer line) specifications**—(1) The seabird scaring device must meet the following specifications:
 - (a) The streamer line must be attached to the vessel so that when deployed the baits are protected by the streamer line, even in cross winds;
 - (b) The streamer line must be a minimum of 150 metres in length;
 - (c) The streamer line must achieve a minimum aerial extent of 50 metres;
 - (d) Streamers must be brightly coloured, and must be spaced at a maximum of 5 metres, commencing not more than 5 metres from the stern of the vessel and extending thereafter along the aerial extent of the line. When a streamer line is deployed, each of the streamers must reach the sea surface in the absence of wind and swell. Streamer length will therefore vary depending on the height of their attachment point above the water;
 - (e) The streamer line of the seabird scaring device must be suspended from a point on the vessel at least 5 metres above the water in the absence of swell;
 - (f) If the streamer line that is in use breaks or is damaged, it must be repaired or replaced so that it meets these specifications before any further hooks enter the water.

(2) The specifications do not apply to additional or secondary seabird scaring devices fishers may choose to use (such as a second tori or streamer line).
6. **The Schedule**—(1) The Schedule provides further guidelines on the design and deployment of streamer lines as seabird scaring devices.

(2) The Schedule is not part of the specifications.

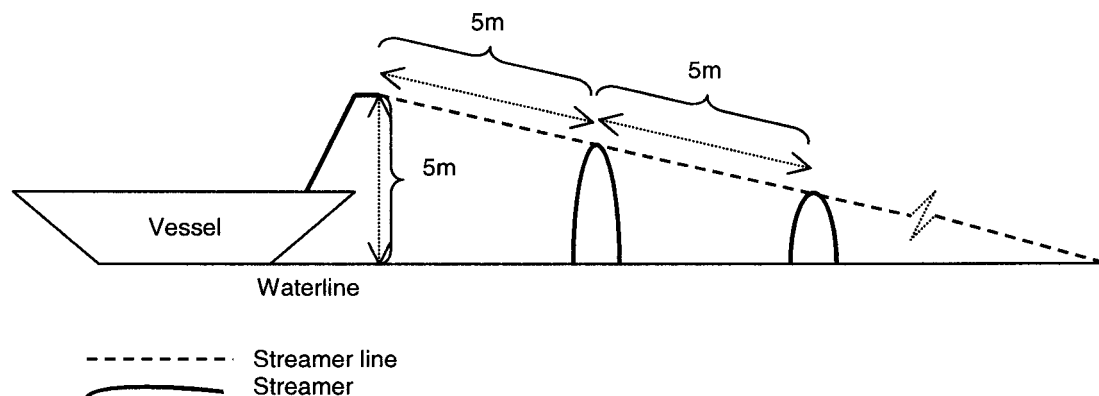
(3) If there is any inconsistency between the guidelines in the Schedule and the specifications, the specifications prevail.

(4) This notice is to be read in addition to the Fisheries (Seabird Sustainability Measures) Notice 2007, published as a Supplement to the *New Zealand Gazette*, 26 January 2007, No. 8, page 176.

Seabird Scaring Device (Streamer line)

Diagram not to scale

Not all specifications illustrated



- (i) 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 cross-winds, it is expected fishers will have to make adjustments to the configuration of the streamer line depending on the conditions.

- (ii) 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. Best practice would be to achieve an aerial extent of 100 metres. In order to maximise aerial extent, it is necessary to create tension in the streamer line. This can be achieved by:
- towing an object on the terminal end of the streamer line; or
 - towing extra length of streamer line; or
 - increasing the diameter of the in-water section of the streamer line.
- (iii) In order to be effective at scaring seabirds away from the line of baited hooks, the streamer lines should not become tangled, either with each other or with the branchline. Each streamer shall be attached to the streamer line in a manner to prevent fouling of individual streamers with the streamer line, and to ensure individual streamers reach the waterline in the absence of wind or swell. Swivels or a similar device can be placed in the streamer line in such a way as to prevent streamers being twisted around the streamer line. Each streamer may also have a swivel or other device at its attachment point to the streamer line to prevent fouling of individual streamers.
- (iv) Streamers are to be spaced at 5-metre intervals along the aerial extent of the line. The total number of streamers in use will vary depending on how the line is configured. Streamers that are hanging in the water can be prone to tangling. Because the far end of the streamer line will frequently be in the water, fishers may not wish to have streamers the whole way down the line. However, 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, as outlined in the specifications.
- (v) To ensure streamers are visible to birds, they should stand out against the surroundings. Streamers should be made of brightly coloured fluorescent plastic tubing or other material. Bright colours such as red, yellow, orange or 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.
- (vi) In order to comply with the regulations, a seabird scaring device (streamer line) must be used when setting surface longlines. If the streamer line that is in use breaks or is damaged, it must be repaired or replaced so that it meets these specifications before any further hooks enter the water. For this reason, a complete additional streamer line should be carried as a spare.

7. Revocation—All previous minimum specifications are revoked.

Dated at Wellington this 5th day of November 2007.

STAN CROTHERS, Acting Chief Executive, Ministry of Fisheries.

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