
Fisheries

Fisheries Act 1996

Fisheries (Seabird Sustainability Measures—Bottom Longlines) Notice (No. 2) 2008 (No. F441)

Pursuant to section 11 of the Fisheries Act 1996, the Minister of Fisheries gives the following notice.

Notice

1. Title—This notice is the Fisheries (Seabird Sustainability Measures—Bottom Longlines) Notice (No. 2) 2008.

2. Commencement—This notice comes into force on 12 April 2008.

3. Interpretation—In this notice, unless the context otherwise requires:

“Act” means the Fisheries Act 1996;

“aerial extent” means the section of the streamer line backbone running from the vessel stern, to where the backbone of the streamer line enters the water;

“bottom longline” means a line to which 7 or more hooks (whether baited or not) are attached, and is sunk using weights;

“hauling” means the period from when line retrieval commences to when all of the hooks are onboard;

“nautical dawn” means the time at sunrise when the centre of the sun is at a depression angle of 12 degrees below the ideal horizon for the location of fishing;

“nautical dusk” means the time at sunset when the centre of the sun is at a depression angle of 12 degrees below the ideal horizon for the location of fishing;

“offal” means solid fish parts, including heads, guts, frames, tails, tentacles and fish trimmings, or parts thereof including minced parts; and

“set”, in relation to a bottom longline, means releasing the bottom longline into the water.

4. Streamer line required—A commercial fisher using bottom longlines as a method of fishing from a vessel 7 metres or greater in overall length must:

(a) carry a streamer line on board the vessel; and

(b) permit inspection of the streamer line at any reasonable time by a fisheries officer or an observer appointed under section 223(2) of the Act.

5. Use of streamer line required during setting of bottom longlines—A streamer line must be used on vessels 7 metres or greater in overall length during the setting of bottom longlines, in accordance with clause 6 of this notice.

6. Streamer line specifications—(1) For vessels over 20 metres in overall length, the streamer line 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 wind;
- (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;
- (e) streamers must be spaced at a maximum of 5 metres apart, beginning not more than 5 metres from the stern of the vessel and extending along the full aerial extent of the line;
- (f) when 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; and
- (g) the streamer line must be suspended from a point on the vessel at least 5 metres above the water in the absence of swell.

(2) For vessels 7 metres–20 metres in overall length, the streamer line must meet the following specifications:

- (a) The streamer line must achieve a minimum aerial extent of 50 metres;
- (b) streamers must be brightly coloured;
- (c) streamers must be spaced at a maximum of 5 metres apart, beginning not more than 5 metres from the stern of the vessel and extending along the full aerial extent of the line;
- (d) when 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; and
- (e) the streamer line must be suspended from a point on the vessel at least 5 metres above the water in the absence of swell.

(3) The specifications in subclauses (1) and (2) do not apply to additional or secondary seabird scaring devices fishers may choose to use (such as a second tori or streamer line).

7. Restrictions on use of bottom longlines—No commercial fisher may set bottom longlines to take fish, aquatic life, or seaweed between the hours of 0.5 hours before nautical dawn and 0.5 hours after nautical dusk, unless line weighting is employed in accordance with clause 8 of this notice.

8. Line weighting—(1) For the purposes of clause 7, lines must be:

- (a) an integrated weighted line with a lead core of at least 50g/m; or
- (b) when externally weighted gear is used and the hook-bearing line is 3.5 millimetres or greater in diameter, every 60 metres of hook-bearing line must have at least 4 kilograms of metal weight or 5 kilograms of non-metal weight attached; or
- (c) when externally weighted gear is used and the hook-bearing line is less than 3.5 millimetres in diameter, every 60 metres of hook-bearing line must have at least 0.7 kilogram of weight attached.

(2) Regardless of the type of line weighting used under clause 8(1):

- (a) any rope or line used to attach weights to the hook-bearing line must not be longer than 20 metres; and
- (b) no more than 3 floats (up to 150 millimetres in diameter) may be attached to the hook-bearing line for every 60 metres of line, unless an additional 1 kilogram weight is added to the line per additional float; and
- (c) floats greater than 150 millimetres in diameter are not permitted to be attached to the hook bearing line.
- (d) When a separate rope or line is not used to attach a marker buoy to the hook-bearing line, and a marker buoy is attached directly, no hooks may be attached to the line within 30 metres on either side of the marker buoy.

9. Restriction of offal or fish discharge while setting and hauling bottom longlines—(1) No person may discharge offal or fish during setting of bottom longlines.

(2) Offal or fish may be discharged during the hauling of bottom longlines provided it is discharged from the side of the vessel that is opposite to the side on which the hauling station is located.

(3) Subclause (1) does not apply to:

- (a) fish that are legally undersize; or
- (b) fish that are listed on the Sixth Schedule of the Fisheries Act 1996 and that are likely to survive.

10. Revocation—The Fisheries (Seabird Sustainability Measures—Bottom Longlines) Notice 2008 (No. F430)* is revoked.

11. The Schedule—(1) The Schedule provides further guidelines on the design and deployment of streamer lines as seabird scaring devices.

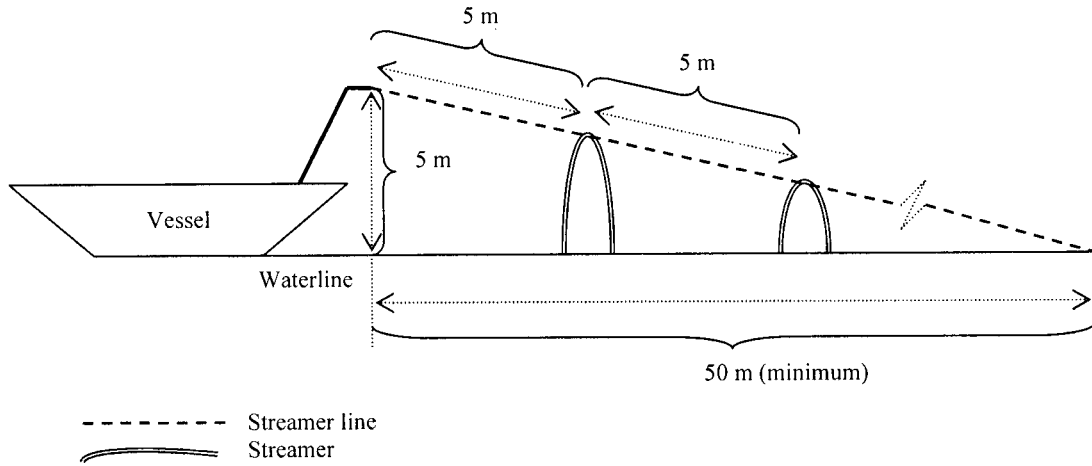
(2) The Schedule is not part of the specifications.

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

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 or more. 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) A complete additional streamer line should be carried as a spare.
- (vii) When externally weighted gear is used, it is not necessary for all the weight specified to be applied at 60-metre intervals along the hook-bearing line. It is equally permissible for multiple weights of smaller sizes to be attached to the hook-bearing line at shorter intervals, as long as the total weight attached along every 60 metres of hook-bearing line meets the requirement. For example, under clause 8(1)(a) of this notice, 4 kilograms of metal weight is required for every 60 metres of line. It is permissible to attach the following combinations, or any other variation that totals 4 kilograms:
 - one 4 kilogram metal weight every 60 metres along the hook bearing line; or
 - one 2 kilogram metal weight every 30 metres along the hook bearing line; or
 - one 1 kilogram metal weight every 15 metres along the hook-bearing line.

Dated at Wellington this 20th day of March 2008.

HON JIM ANDERTON, Minister of Fisheries.

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