

Ling FMA 2-7 |
Bottom Longline
Operational Procedures

01 October 2016

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Disclaimer: This document has been produced to serve as a guide to the MPI Fisheries Regulations for Bottom Long Lining measures for use by industry. This not intended to be nor should it be used, as a substitute to any statutory, regulatory, and/or non-regulatory requirements for Bottom Long line and deepwater fishing. Before acting in reliance, either wholly or partially, on any information contained in this document- 'guide/manual', readers should seek advice as to how current legislation, rules and regulations may affect their interests. It is the duty of the operator to know and understand the current Regulations that apply

Part 1: Introduction

The following Operational Procedures (OPs) stipulate the management measures agreed between LIN2-7 quota owners, ACE owners and the Ministry for Primary Industries (Ministry). It is implemented and administered by Deepwater Group Ltd (DWG).

Purpose of these Procedures

These OPs have been established so that agreed management measures are clearly communicated to and understood by vessel captains, vessel managers and quota managers.

These non-regulatory management measures are required to give effect to the management objectives implemented for these stocks and are therefore a part of the overarching Ministry and DWG management framework.

The estimated incidental capture rates of seabirds from the ling bottom longline (LIN BLL) fisheries in areas FMA2-7 are sufficient to require a structured risk management approach.

The factors that can increase the risk of incidental captures by BLL are:

- Attraction to setting (and hauling) baits (either on, or if they come off, near the hook)
 - Slow sink rate of hook/bait allowing birds time to 'reach' sinking baits
 - Offal, used-baits and fish bycatch discards around vessel while setting and hauling
 - Day fishing or night fishing with clear skies a full moon
 - Fishing grounds and seasons in some areas well known for high seabird numbers.
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Objectives of these Procedures

The objectives of these OPs are to ensure that:

- Risk of seabird mortalities are mitigated by reducing the risk of capture
 - This vessel has robust, documented and easy-to-follow seabird mitigation procedures in place that meet all mandatory, DWG-required best practice measures
 - Mandatory measures are understood and are adhered to
 - Through implementing these OPs the vessel crew is actively involved in seabird mitigation measures and improvements through ongoing observation, information gathering and procedural review.
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Status of these Procedures

This OP came into effect in 2016 and remains so.

Application of these Procedures

These OPs apply to:

- All companies and vessels targeting LIN2-7 stocks by bottom longline.
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Other Key Operational Documents or Rules & Regulations

These OPs are to be used in conjunction with, but do not replace or override, the following:

- MPI Fisheries Regulations for Bottom Longlining
- DWG Marine Mammal Operational Procedures (MMOPs)
- DWG Reporting Operational Procedures
- All or any relevant laws and regulations pertaining to fisheries activities in New Zealand waters.

National Plan of Action-Seabirds (NPOA-Seabirds)

The NPOA-Seabirds is of particular relevance to these OPs. The NPOA was established as part of New Zealand's obligations under the Agreement on the Conservation of Albatross and Petrels (ACAP), and is linked to UN and FAO processes and guidelines. It sets out objectives for the next five years to guide the management of risk to seabirds in New Zealand fisheries.

The Level 2 Risk Assessment (L2RA) referred to in the NPOA is a useful guide to assess the impact of potential fisheries mortalities on 70 of the seabird species that breed in the New Zealand region. A risk 'factor' is estimated for each seabird species (i.e. the ratio between the estimated annual potential fatalities due to fisheries and the number that the population can withstand to sustain or grow its population). The risk ratios are assessed on a fishery-by-fishery basis where data is sufficient to allow this. A key part of the NPOA is the objective to move seabird species to a lower risk category within the five-year period.

Currently, two species (Chatham and Salvin's albatross) caught by LIN BLL are assessed to be in a risk category (high or very high) that needs a reduction in captures. The other species with high observed capture rates in this fishery are white-chinned petrel.

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Part 2: Responsibilities of Parties

The following outlines the responsibilities of parties to the LIN BLL Operational Procedures.

Commitment to these Procedures

All LIN 2-7 shareholders and ACE owners, and owners or operators of vessels in these ling bottom longline fisheries, are required by DWG to adhere to these OPs.

Vessel Owner and Operator Responsibilities

All vessel owners and operators must:

- Ensure that officers and crews of all bottom longline vessels targeting ling in FMAs 2-7 are aware of and act in accordance with the requirements of these OPs – including ensuring:
 - Fishing operations are meeting mandatory requirements and best practice standards
 - Key crew are briefed on the LIN BLL Operational Procedures and fully understand the actions required
 - Key crew are aware of seabird activity around the vessel, assess the risks and take action to minimise these risks
 - Vessel is either night fishing or carrying sufficient weights to maintain line weighting procedures to mandatory requirements
 - Vessel is supplied with tori line and sufficient parts to maintain and repair in event of loss or damage
 - Mitigation devices are deployed and adjusted to best suit weather, fishing gear and operations, and fish and bait waste discharge conditions to minimise risk
 - Auto-line baiting machine is maintained to best standards to ensure baiting levels are +95%
 - Display a copy of “The 10 Commandments for BLL Vessels” (see Appendix 1) on the bridge
 - Correct reporting (MPI and DWG) and that trigger reports are sent to DWG in real time
 - Communication with DWG Environmental Liaison Officer as required for information or support
 - Any required corrective action is undertaken
 - Crew meet responsibilities below.
-

Vessel Crew Responsibilities

All vessel crews must:

- Ensure all fishing practices and mitigation meet mandatory requirements
 - Fish at night or line weight to mandatory standards
 - Operate an offal control system to ensure no discharge of offal and fish waste occurs when setting and that offal, fish and fish waste is discharged in batches on the opposite side from the hauling station during hauling
 - Hold used baits and batch discharge ensuring no continuous or ad hoc discharge of offal and fish waste occurs when fishing
 - Carry and deploy a vessel-specific tori line that meets the required standards and spare parts to rebuild/replace if damaged or lost
 - Tori lines are deployed and adjusted to best suit weather, fishing gear and operations and fish waste discharge conditions to minimise risk
 - Handle captured seabirds safely and carefully, returning all seabirds to the sea (unless requested otherwise by MPI observer) as per best practice
 - Report to triggers to DWG and report captures in MPI NFPSCR.
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DWG Environmental Liaison’s Responsibilities

- The DWG Environmental Liaison Officer will review each vessel’s adherence to these OPs during any vessel visit and crew briefings.
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Part 3: Risks Associated with the LIN BLL Fisheries

Seabirds are attracted to setting of baited hooks, loose bait, offal and discards from the vessel or whole fish on the hauling line. Once attracted, they are at risk of being caught, injured or drowned.

Risk to seabirds is driven by three main factors which can occur alone or together:

- 1. Food attractant: offal, waste, bait discards, fish on the hauling line**
 - The more food the more birds around the vessel increasing the risk of captures
- 2. Fishing area and calendar period: increased seabird numbers and aggressive feeding**
 - During periods of higher bird numbers (e.g. breeding season, migration periods or moon periods) the feeding behaviour becomes more aggressive and competitive increasing the risk of captures
- 3. Baited hooks during line setting**
 - Seabirds are attracted to baited hooks during line setting and are either beak hooked or get foul hooked when baits come off or become entangled in the line
 - The risk increases the longer the hook is on or near the surface and is made worse by poor sink rate (e.g. if there is not enough line weighting, there are floats on the gear or if the vessel is moving too fast)
 - Risk is also increased if the tori line is poorly designed or deployed and does not provide adequate cover from the gear when setting.

Managing risks associated with these three factors at a vessel level will help minimise interactions and reduce the incidental captures of seabirds.

Table 1 Main Seabird Species at Risk from LIN BLL Fisheries

Seabird Species	Risk Area	Risk Time	Risk Profile
Salvin's albatross	Chatham Rise & Bounty	Aug-May	2 nd highest risk bird in NPOA Risk Assessment; Threat classification 'nationally critical', aggressive feeder around vessels
Chatham albatross	Chatham Rise	Aug-May	High risk classification within NPOA Risk Assessment; aggressive feeder around vessels; small population
White-chinned petrel	Chatham Rise, Snares, Solander Island, Keyhole & Sub-Antarctic	Year round, particularly aggressive during full moon	Most frequently caught bird; very numerous, a strong diver & aggressive feeder around vessels; particularly aggressive during full moon
Sooty shearwater	Snares & Solander Islands	Spring & Summer	High numbers; strong diver

Part 4: Mandatory MPI Seabird Mitigation Requirements

Summary

MPI has implemented regulatory requirements for seabird risk mitigation. These standards are required to be met as described by the regulations. DWG provides guidance below on best practice to meet and implement these requirements on your vessel and has also produced a [summary guide of the Regulations – MPI Seabird Sustainability Measures - Bottom Longlines \(Fisheries Circular 2010 No-F541\)](#). You should also have a full copy of the Regulations on board and understand them.

Streamer (tori) lines: Streamer lines must be deployed day and night during setting and meet design specifications.

Night setting: BLL vessels must set BLL only at night unless line weighting is employed.

Line weighting: Line weighting is required for day setting.

Offal and fish discharge: Offal or fish may only be discharged during hauling provided it is discharged from the opposite side on which the hauling station is located.

Tori Lines (also see Regulations where tori lines are described as streamer lines)

Tori lines are regarded as one of the most effective mitigation measures. **All vessels 7m or longer** in overall length must deploy a tori line during setting.

Common names of parts of a tori line:

- A tori line consists of a backbone that attaches to the vessel,
- has streamers hanging from it and has a drag on its seaward end (streamers are the coloured droppers to deter birds)
- and a drag object which keeps the line under tension and holds streamers up out of the water.

The tori line must also meet the following minimum specifications:

- The tori line must achieve a minimum aerial extent of 50m
- It must be attached at a point no less than 5m above the waterline
- The streamers must be brightly coloured, be spaced a maximum of 5m apart, and extend along the entire aerial extent of the line
- The first streamer must be no more than 5m from the stern of the vessel
- The tori line must be attached to the vessel at least 5m above the waterline and the streamers must reach the sea surface. Streamers will therefore vary in length along the line
- **For vessels over 20m**, the tori line must be a minimum of 150m in overall length.

Best practice for tori lines:

Achieve around 60-70m of aerial extent using a three part system:

1. Vessel attachment; placed as high as possible and recommended 7-8m above waterline. Depending on the position the gear is shot away from, need to be able to adjust or move the tori line or use a bridle place tori in best spot relative to fishing gear
 - A breakaway system fitted so tori line will break free before fishing gear breaks or tangles
 2. Streamer aerial section; Backbone of the tori line with minimum of 10-12 sets of streamers spaced at 4m or 5m intervals
 - Depending on height (off water) of each streamer line, reduce length of each streamer by approximately 30cm going down the backbone
 - Once deployed (without the setting gear) the first time, trim streamers away to stay above the water to reduce drag, tangling gear and birds (i.e. so streamers in the air not in the water)
 3. Drag section; can be either a float(s) or rope or mono. If the vessel is over 20m length, the whole tori line must be 150m long. For vessels under 20m, recommended is 100m long with either rope, float (or both) or mono for drag.
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- Adjust tori line to best suit weather, gear and processing conditions to minimise risk during periods of high seabird interactions
 - Tori lines if not deployed or adjusted correctly often tangle with setting gear. To reduce this maintain height separation for as long as possible between the tori line and setting gear:
 - Fix the tori line as high as possible to vessel (every 1m height will give you 8-10m more aerial extent)
 - Increase the drag (most tori lines don't have enough drag) by increasing size, length or weight of drag object
 - Trade-off: Either mono or very long length of small diameter rope (placed on reel etc) which is less likely to snag with the setting gear but hundred of metres is required to provide enough drag versus adding a float(s) to end of a shorter (20-30m) larger diameter (12-14mm) rope. Trial and error is required as to what suits best
 - Keep streamers out of the water. Only the last section of the backbone without streamers should be in the water back to the drag object
 - Fit a breakaway (weak link) so if a tangle occurs the tori line breaks at the weak spot, then there is no damage to other gear. Have a lazy line back to deck so you regain the vessel end of the tori line and retrieve it.

Line Weighting Measures (also see Regulations)

If setting during daylight hours (see Regulations for detail of day and night), the line must meet the following specifications:

- The mainline is integrated weighted line (IWL) with a lead core of at least 50g/m; OR
- If the mainline is 3.5mm in diameter or greater – a minimum of 4kg of metal weight (or 5kg of non-metal weight) must be attached to every 60m of mainline that has hooks attached; OR
- If the mainline is less than 3.5mm in diameter– a minimum of 0.7kg of metal weight must be attached to every 60m of mainline that has hooks attached
- Floats over 150mm may not be attached to the hook-bearing line, no more than 3 floats may be attached for every 60m of line, unless an additional 1kg of weight is added to the line
- All ropes used to attach weights to the mainline must not be longer than 20m
- If the surface marker buoy is attached directly to the hook-bearing line (i.e. downlines are not used), no hooks can be attached to the mainline within 30 m of the marker buoy.

Vessels that cannot meet mandatory weighting measures must set at night, with tori lines deployed.

- Night setting is a recommended practice as the visibility of the bait is reduced

Best practice for line weighting and good sink rate (around 0.3m per second)

- Weight line to achieve satisfactory sink rate so seabirds have less time to target the baited hooks
- In times of heightened risk, add more weight and/or remove some floats
- Using line setters or slowing vessel's setting speed will reduce tension on the setting line and increase sink rate
- Applying weights at regular intervals will help maintain a steady sink rate
- Do not fit single large weights at wide intervals, this will pull down the backbone in one area while floating the rest of the line behind it
- Integrated Weighted Line (IWL) lead core backbone achieves 0.3m/s sinkrate and is considered world's best practice for steady and consistent sink rate.

Best practice for night setting and sink baited hooks while under the protection of the tori line

- Night setting makes it difficult for seabirds to see baited hooks (except full moon)
- Slower setting speeds, weights and line setters all help the mainline sink more quickly (0.3m/s best practice)
- Mainline diameter and material as well as the distance between weights and numbers of floats all can affect the sink rate
- If it takes ~80-90m astern of your vessel for your hooks to sink to 5-10m depth (safe zone), the tori line therefore requires 80-90m of aerial extent to properly protect baited hooks.

Offal & Fish Discharge Measures (also see Regulations)

The following minimum specifications must be followed:

- During setting, offal or fish cannot be discharged from the vessel
- The only exceptions are:
 1. If the fish are legally undersize (MLS) or
 2. The fish is listed on the Sixth Schedule of the Fisheries Act
- When hauling the line, offal, used bait or whole fish can only be discharged from the opposite side of the vessel to which the line is being hauled.

Best practice for offal control

- No continuous or ad hoc discharge of fish waste, all offal/fishwaste discharge is to be managed (held and batched) at intervals as well as meeting the mandatory standards above
- Offal should be held (in bins, fish pounds, etc.) for as long as practicable and 'batch' discharged when fishing ceases or, if required, during hauling on the opposite side of the hauling station.

Best Practice for Bait

- When hauling, used bait must be held and discharged after hauling has ceased
 - The automatic baiting machine must be well maintained to achieve a high baiting percentage (+95%) Baits falling from the machine or off hooks into the water will attract birds to the setting area and is proven to result in foul hooking of birds. High baiting rate will also help your fish catch.
 - Measure baiting percentage by counting (with a shearing tally clicker counter) 100 hooks as they leave on shooting and adding up non-baited hooks.
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Part 5: Additional Mitigation Measures

Hauling Stations

- During hauling, seabird captures have been observed as birds attack returning baits. While lesser risk than setting, mitigation measures to reduce risk of captures should be in place at the hauling station:
 - Hose spray is often enough to deter seabirds from the area
 - A seabird scaring device can be fitted around the hauling station on larger vessels. Brickle curtains are often used for this purpose and are very effective
 - Used bait and all fish waste should be held for long as possible and/or discharged on the other side of the vessel from hauling station.
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Thawing of Bait

- The use of totally frozen bait is to be avoided as it floats more than thawed
 - Bait must be taken out of the freezer or ice for several hours before setting
 - Partially frozen bait works well as it is firm when cut up and hooked.
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Lighting

- Bright spotlights shining back over the stern well behind the vessel onto the hook setting line should be either off, replaced with lower light output or shielded from shining on the longline
 - Deck lighting around stern should be dimmed during night time setting while maintaining required safety standards for crew.
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High Risk Periods

- **Full moon:**
 - During full moon periods seabirds (esp. diving birds) can enter a feeding frenzy leading to very high capture rates
 - Mitigation options include:
 - Increasing line sink rate (e.g. add weight and/or remove floats)
 - Adding another streamer line
 - Moving from the fishing area
 - On rare occasions, switching to day time setting can reduce capture rates (remember to meet line weighting regulations).
 - **Multiple captures while setting the gear:**
 - Take immediate action to reduce the risk of multiple captures reoccurring
 - Contact vessel manager and/or DWG Environmental Liaison Officer for advice and report seabird triggers (as advised below).
-

Part 6: Seabird Handling/Release and Crew Safety

Release Alive

- Every care should be taken to release animals alive, reduce stress and handle with care minimise any further harm or injury to the animal to increase survivability when it is being returned to the sea alive.
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Bird Release

- Keep the bird calm by covering the head with a cloth. Use two crew; one (Crew 1) to support the bird, while the other (Crew 2) frees the gear from the bird. Use gloves and eye protection (beware large birds can inflict a nasty bite).
- Equipment: using line cutter, bolt cutter, pliers, long handle net
- Reduce drag on bird, pull boat out of gear, bring bird onboard by hand or with long handle net
- Covering birds eyes or head with cloth, this helps keep it calm
- Crew 1: secure bird hold wings gently but firmly to the birds body. Support head, neck etc

Crew 2 isolate tangled gear and or hook, work on removal of gear/hook

Hook Swallowed

- Do not pull or place pressure on the line/hook
 - Crew 2: Cut the line as close as possible to the swallowed hook, leaving the hook untouched in place
-

Hook through body part

- Crew 2: Trim off any line, cut or flatten off the barbs from the hook and reverse the hook out, or
 - Use bolt-cutters, cut the hook in two and thread out
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Gear Tangled

- Crew 2: Remove line, cut away gear, locate hook ensure hook free from bird, all gear free form bird
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Return to sea

- If the bird is waterlogged, put it in a safe space, e.g. an empty fish crate, box, or an open, safe area on deck let the bird dry out when the bird is dry or active again ease the bird back into the water as close to the water surface as possible.
 - Release bird carefully; don't throw seabird into air, place back on the water-surface
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Report capture, to bridge/skipper

- Report the capture to the bridge/skipper
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Part 7: MPI Reporting

It is not illegal to accidentally capture protected species while commercially fishing, but it is illegal to fail to report the capture. It is important that all captures and mortalities are reported accurately. All protected species landed dead or alive (then returned to sea) must be recorded in the *Non-Fish Protected Species Catch Return* form (NFPSCR) and then furnished to MPI as required under the Regulations.

Always meet your legal requirements

NFPSCR Codes

- Use the XAL (unidentified albatross/mollymawk) and XXP (unidentified petrels & shearwaters) species codes, if you are 100% sure of the correct species use the individual species codes supplied by MPI (common species listed in Appendix 2).
- Record any leg band numbers on the form.

Part 8: DWG Reporting

Trigger Limits are the DWG real-time reporting 'threshold' system. Once a 'trigger' is reached, it requires DWG, the vessel manager and captain to monitor the situation more closely and whenever appropriate the vessel crew to take corrective actions (e.g. reassessing the effectiveness of their mitigation and offal control measures, and making any necessary adjustments to prevent further captures).

DWG Triggers & Requirements

If any of the following scenarios are 'triggered' you must report to DWG:

- In **any 24 hour period** you capture and land on deck, **dead**:
 - 3 or more large seabirds (albatross and mollymawks)
 - 5 or more small seabirds (petrels and shearwaters)
- OR in any **7 day period** you capture:
 - 10 or more **dead or alive** seabirds (all types/species of seabirds)

Your onshore Vessel Manager **must notify the DWG Environmental Liaison Officer (ELO) within 24 hours of trigger breaches** so that any necessary corrective actions can be discussed and carried out.

Email all trigger reports to admin@deepwatergroup.org or call (see list below).

Table 2 DWG 24-hour Contacts

Contact Person	Phone	Email
DWG (email goes to both John & Richard)		admin@deepwatergroup.org
John Cleal (ELO)	021 305 825	John.fvms@xtra.co.nz
Richard Wells	021 457 123	Richard@resourcewise.co.nz

“Capture”: An animal (dead or alive) which is brought onboard on/by the fishing gear and requires assistance off the vessel

“Deck-strikes”: Birds that ‘collide’ with the vessel/deck/superstructure and are dead or injured (i.e. unable to leave the vessel of its own accord). If alive and leaves the vessel unassisted, do not report.

Part 9: Sharks

Regulations and practices regarding sharks

- MPI have introduced new regulations (2014) regarding sharks
 - These rules are summarised in the Guide and further outlined in the four MPI Factsheets all in Appendix 3
 - Take every care when releasing live sharks to ensure safety of crew and least harm to the shark.
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Appendix 1: Ten Commandments for Ling Longliners to Save Seabirds

1. Ensure your vessel has the DWG Ling Bottom Longline Operational Procedures and a copy of the current bottom longline seabird regulations.
2. Manage the discharge (i.e. no continuous discharge) of offal, fish waste and used bait. You cannot discharge offal or fish waste while setting.
3. During hauling only discharge offal, fish and used bait from the opposite side of the vessel from the hauling station as law requires.
4. If not weighting the line in accordance with the legal standards set only at night (i.e. only set between nautical dusk and dawn).
5. Know the line weighting legal standards; use integrated lead weighted line (IWL) or for backbone over 3.5mm add minimum 4kg metal weight every 60m of hook bearing line and check rules about adding floats if altering your gear.
6. Ensure the tori line meets legal standard, is deployed when fishing (day & night) and is adjustable over the backbone of your fishing line; carry ample spare parts onboard.
7. Ensure tori line is a correct legal length for your vessel size, well-constructed & when deployed has minimum of 50m aerial extent and the backbone is fitted with a set of brightly colourer streamers spaced at 5m intervals.
8. Autoline vessels must ensure the baiting machine is well maintained and achieving a high baiting percentage; the use of totally frozen bait is to be avoided and ensure unhooked bait is retained and not lost overboard.
9. Record all seabird captures as legally required in the MPI Non fish Protected Species Catch Return (NFPSCR) logbook and furnish to MPI.
10. Advise DWG within 24hrs when seabird captures reach 'Trigger Point' and furnish DWG Trigger Point Report to admin@deepwatergroup.org. Trigger points are:
 - Within a 24hr period; 5 small (e.g. petrel/shearwater) or 3 big (albatross/mollymawk) OR
 - Within a 7 day period; 10 birds; dead or released alive (all species).

For more advice phone John Cleal (021 305 825) or Richard Wells (021 457 123)

Appendix 2: MPI Non-Fish Species Codes

Unless you can 100% identify the seabird species, use the generic/unidentified codes listed directly below:

- **XAL** – Albatrosses (Unidentified)
- **XXP** – Petrels, Prions and Shearwaters (Unidentified)

Table 3 Common MPI Non-Fish Species Codes

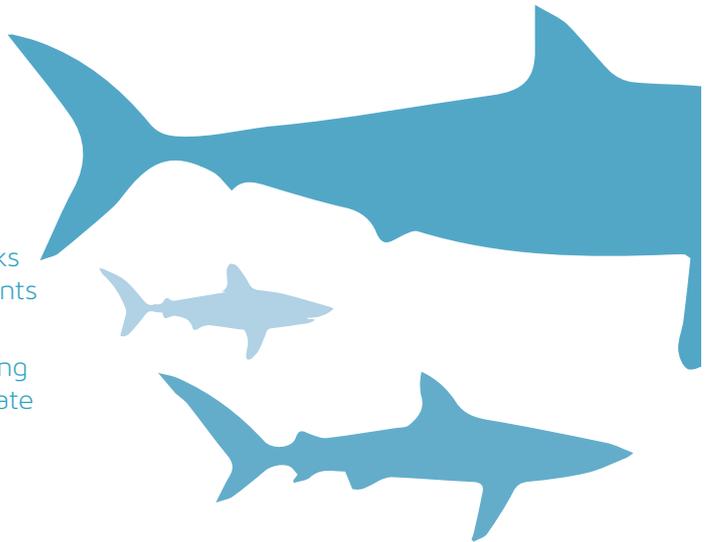
Common Seabird Name	Species Code
Antarctic fulmar	XAF
Antarctic petrel	XAP
Antarctic prion	XPR
Antipodean and Gibson's albatross	XAG
Australasian gannet	XGT
Black petrel	XBP
Buller's and Pacific albatross	XPB
Campbell albatross	XCM
Flesh-footed shearwater	XFS
Chatham Island albatross	XCI
Grey-backed storm petrel	XGB
Northern giant petrel	XNP
Northern royal albatross	XNR
Salvin's albatross	XSA
Sooty-shearwater	XSH
Southern giant petrel	XSP
Southern royal albatross	XRA
White-capped albatross	XWM
White-chinned petrel	XWC

NEW RULES FOR SHARKS

A QUICK GUIDE

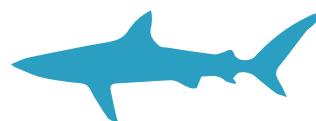
A review of the National Plan of Action-Sharks has led to some major changes to requirements to be met by commercial fishermen.

The key points to be considered when catching or processing sharks are set out here and relate to the four factsheets produced by MPI.



- Protected sharks – you need to know these species, return them to the sea without any processing and report in your NFPSCR (**MPI factsheet #1**)
- Removal of shark fins from any QMS or non QMS species of shark without the landing of the trunk (finning) is now prohibited by law (**MPI factsheet #1**)
- You are not required to land fins unless you wish to but you may not land any fins without the associated trunk
- Use of the reporting code FIN (and the less used FIW and FID codes) is no longer allowed, fins will always be a by-product of the trunk
- If you wish to land fins, the rules and reporting codes allowing this differ by species and you must remember which rules apply to which species
- For blue sharks (BWS) fins can be removed but must be “re-attached” with string, cable tie or similar (**MPI factsheet #2**) and these must be weighed together at the LFR
- For spiny dogs (SPD) and all non QMS sharks the fins must remain totally or partially attached by skin to the trunk (**MPI factsheet #2**)
- For the remainder of the QMS sharks a ratio of expected weight of trunks for a certain weight of landed fins is used (**MPI factsheet #3**)
- All fins must be stored in separate bins by species
- It is always OK to have less weight of fins than the ratio allows but never more
- There are new rules allowing return of QMS sharks to the sea (There are now 6 shark species on Schedule 6: SPO, SPD, POS, BWS, MAK, SCH) and for some species, if they are alive, they do not need to be balanced against ACE. Check out **MPI factsheet#4**.
- If you catch sharks we suggest that you always have on board:
 - NPOA –Sharks
 - MPI Shark Circular
 - MPI shark factsheets #1-4
 - This guide
 - ID guide with pictures of protected shark species.

This is a guide only.
When in doubt, check it out!



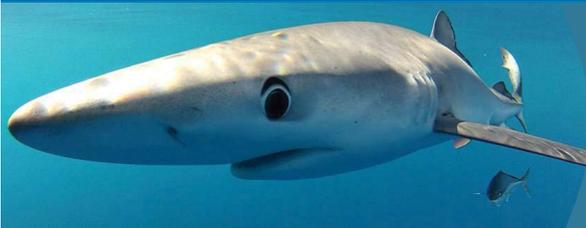


Photo: Mike Bhana.



1 Conservation and management of New Zealand sharks

Over 113 species of sharks have been reported in New Zealand waters. Sharks are now known to be an important part of marine ecosystems and New Zealand's *National Plan of Action – Sharks* (available at www.mpi.govt.nz) recognises this.

SHARK FINNING BAN

From 1 October 2014, it is **ILLEGAL TO REMOVE THE FINS FROM A SHARK AND DISCARD THE BODY OF THE SHARK AT SEA**. The Fisheries (Commercial Fishing) Regulations 2001 require that any shark fins landed must be naturally attached to the body of the shark (see fact sheet 2).

The Regulations provide exceptions to the “fins attached” requirement for eight species of shark. These exceptions take two forms, the first is for blue shark and it allows the fins to be removed from the body but requires that the fins be attached to the trunk after processing (before landing). The second exception is for seven other QMS species, for which the fins may be landed separately but in accordance with a gazetted ratio (see fact sheet 3).

Note that you are not required to land any fins.

Approach	Species	
Fins naturally attached	Spiny dogfish	SPD
	All non-QMS species	
Fins artificially attached	Blue shark	BWS
Ratio	Elephant fish	ELE
	Ghost shark	GSH
	Mako shark	MAK
	Pale ghost shark	GSP
	Porbeagle shark	POS
	Rig	SPO
	School shark	SCH

The management of individual shark species depends on the scale of catch, as well as other factors such as how vulnerable they are to fishing. You are likely to come across the following categories –

• QUOTA MANAGEMENT SPECIES

–Blue shark	BWS
–Elephant fish	ELE
–Ghost shark	GSH
–Mako shark	MAK
–Pale ghost shark	GSP
–Porbeagle shark	POS
–Rig	SPO
–School shark	SCH
–Spiny dogfish	SPD

Nine species of shark are managed under the Quota Management System (QMS). Catches of these species must be retained like any other QMS species, unless they are listed on Schedule 6 of the Fisheries Act 1996. A separate fact sheet is available explaining the conditions under which Schedule 6 applies and providing information on the appropriate recording of Schedule 6 releases (see fact sheet 4).

• NON-QUOTA SPECIES

The remainder of shark species are not managed under the QMS. Reporting obligations still apply for these species, but they do not have to be retained and landed.

You are encouraged to use best practice handling methods to release sharks alive wherever possible.

FOR MORE INFORMATION

Fact sheet 2 – Landing sharks with fins attached

Fact sheet 3 – Landing shark fins subject to a ratio

Fact sheet 4 – Requirements for returning sharks to the sea (Schedule 6)

A copy of the regulations is available at: <http://legislation.govt.nz>

The content of this Fact Sheet is information only. The requirements are set out in the Fisheries (Commercial Fishing) Regulations 2001 and the *Shark (Fin to Greenweight Ratios) Circular 2014*. The Ministry for Primary Industries does not accept any responsibility or liability for any error of fact or opinion, nor any consequences of any decision based on this information.

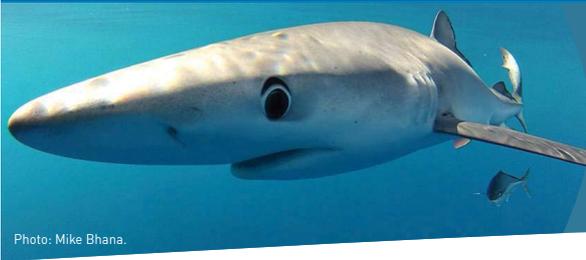


Photo: Mike Bhana.



2 Landing sharks with fins attached

The Fisheries (Commercial Fishing) Regulations 2001 require that for all non-quota management system (QMS) species, spiny dogfish, and blue shark, any fins to be landed must be attached to the remainder of the shark.

Blue shark

If you are planning to land the fins of any blue shark they must be attached to the trunk of the shark.

If you are retaining blue shark fins, you may land the shark either green (whole) or as the new primary landed state of “**SHARK FINS ATTACHED**” (SFA). This landed state is described as the shark being processed to the dressed state (see Figure 1 over the page) and then the fins re-attached by some artificial means. This includes (but is not limited to) stitching them on, or storing both the dressed trunk and the fins in the same bag (one shark per bag).

This rule will allow the small fishery for blue shark meat to continue, by allowing processing at sea to maximise the value of the fish, but still allowing for retention of the fins.

Note that you are not required to land the fins; you may land a different primary landed state of blue shark. It is only if you wish to retain the fins that you must land it in either the “**SHARK FINS ATTACHED**” state or green. You will also be allowed to return unwanted blue shark to the sea under Schedule 6 provisions (see fact sheet 4).

Spiny dogfish and all non-QMS species

For spiny dogfish and non-QMS species, any fins landed must be **naturally** attached to the remainder of the shark. This means that there must be some portion of uncut skin connecting the fins to the body. If you are retaining fins, you may land these sharks either as green (whole) or as the new primary landed state “**SHARK FINS ATTACHED**”. This is defined for spiny dogfish and all non-QMS species as the fish being processed to the headed and gutted state with the primary fins naturally attached (i.e. the pectoral fins, dorsal fins and some or all of the caudal (tail) fin).

You may cut the fins to allow them to be folded flat against the fish, or to allow for bleeding, but they must remain naturally attached to the trunk of the shark if they are being landed.

Note that this does not preclude landing another primary landed state. It is only if you wish to retain the fins that you must land it in the “**SHARK FINS ATTACHED**” state.

Non-QMS species can also be legally returned to the sea (dead or alive) if you don't wish to retain them (reported on landing returns against destination type code 'D'). Spiny dogfish can be returned (dead or alive) and reported on landing returns under the destination type code 'M'.

FOR MORE INFORMATION

Fact sheet 1 – Conservation and management of New Zealand sharks

Fact sheet 3 – Landing shark fins subject to a ratio

Fact sheet 4 – Requirements for returning sharks to the sea (Schedule 6)

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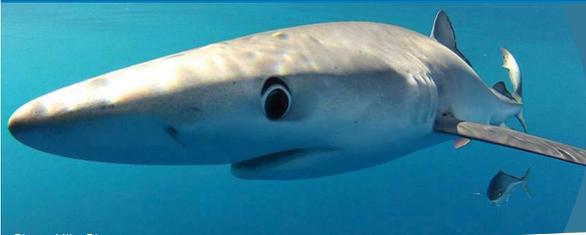


Photo: Mike Bhana.



3 Landing shark fins subject to a ratio

The Fisheries (Commercial Fishing) Regulations 2001 prohibit shark finning and require that any shark fins landed must be naturally attached to the remainder of the shark (or artificially in the case of blue shark). However, an exception to the fins attached requirement is provided for seven QMS species to allow at-sea processing to continue.

These seven QMS species are:

- Elephant fish ELE
- Ghost shark GSH
- Mako shark MAK
- Pale ghost shark GSP
- Porbeagle shark POS
- Rig SPO
- School shark SCH

For these species, the weight of all fins landed must not exceed a specified percentage of the greenweight of the shark. For example, if the ratio for a particular species is set at 3.5, if sharks are landed that have a total greenweight of 100 kgs, the fins of that species landed cannot weigh more than 3.5 kgs. They may weigh less than that. The ratios will be applied to landings on a trip-by-trip basis.

The species which may have fins landed separately, the specific ratios for each species, and the "primary fins" which have been used to set the ratios are defined in a *Shark Circular* which can be found at:

www.mpi.govt.nz

Note that landing other fins may result in being over the gazetted ratio for a species.

How will the ratio work?

For species where you normally process the catch at sea and keep both a trunk (for example, dressed) and

also the fins, not a lot should change, but you will need to **STORE AND LAND THE FINS SEPARATELY BY SPECIES.**

Fins must be landed wet. This will be a legal requirement from 1 October 2014, and will allow monitoring to make sure you are not retaining any more shark fins than the trunks they come from.

Future reviews of ratios will be based on direct sampling over the coming years.

For the main inshore shark species, the ratios have been set so that if you follow normal processing practices, you shouldn't exceed the ratio with your landings of shark fins. The ratios for each species have been set based on statistical analysis of at-sea sampling data. However, you will need to monitor your landings more closely so you can be confident you aren't exceeding the weight ratio, especially as you become familiar with the new rules.

FOR MAKO AND PORBEAGLE, there are some differences in cut and which of the fins are retained across different fleets. **THE RATIO IS SET BASED ON RETAINING THE WHOLE TAIL (CAUDAL) FIN.** This has been done to try and avoid any accidental non-compliance (which could occur if the

ratio was set lower), but you will still need to monitor your landings more closely to ensure you don't exceed it, especially if your vessel normally lands the whole tail. You can choose to land just the lower tail lobe. Close monitoring will occur to make sure no high-grading is occurring within the ratio.

Over the next two years, there will be ongoing monitoring and continued data collection to ensure that the ratios are set appropriately. Monitoring and enforcement will differentiate between slight variation around the ratios, which is to be expected, and a consistent trend of too many shark fins compared to shark bodies.

It is your responsibility to ensure you are within the ratio, but if you think the ratio is set incorrectly for a particular species, talk with MPI and/or a commercial stakeholder organisation such as Fisheries Inshore.

If you land any fins, you will need to report the actual weight of the fins for each species in the "greenweight" column on the landing returns.

Retaining the fins from one shark and the trunk from a different shark (high grading) is an offence under the shark finning regulations.

FOR MORE INFORMATION

Fact sheet 1 – Conservation and management of New Zealand sharks

Fact sheet 2 – Landing sharks with fins attached

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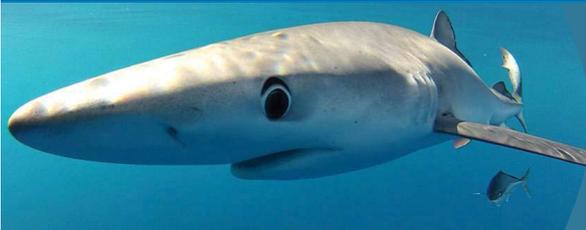


Photo: Mike Bhana.



4 Requirements for returning sharks to the sea (Schedule 6)

Schedule 6 of the Fisheries Act 1996 sets out QMS species that may be returned to the sea, so long as the specified conditions are met.

As part of the regulatory package to ban shark finning, MPI has made changes to Schedule 6 for several species of shark to allow them to be returned to the water. This provides a legal option for fishers who accidentally catch a shark for which they have no market.

In many cases, the best option is to try and avoid catching the sharks altogether if they are not marketable species. There may be different ways to avoid shark catches, depending on the species and the fishery. Some research is currently being done for surface longline fisheries.

Schedule 6 returns to the sea provide another option if you have already caught the shark. This fact sheet has been produced to explain the Schedule 6 provisions for shark species and detail the associated reporting requirements.

Live release only

The following species of sharks may only be returned to the sea **ALIVE**, if they are **LIKELY TO SURVIVE** and returned as soon as practicable:

- Rig SPO
- School shark SCH

Any returns of these species must be reported on landing returns with the Destination Type Code "X" and will not be counted against your Annual Catch Entitlement (ACE).

Live or dead – pelagic sharks

For the following species:

- Mako shark MAK
- Porbeagle shark POS
- Blue shark BWS

Sharks may be returned to the sea **ALIVE**, if they are **LIKELY TO SURVIVE** and returned as soon as practicable. Any sharks returned to the sea **ALIVE** must be reported on landing returns with the Destination Type Code "X" and will not be counted against ACE.

As of 1 October 2014, these sharks may also be returned to the sea if they are **DEAD** or **UNLIKELY TO SURVIVE** provided they are correctly reported. Any sharks returned to the sea dead or unlikely to survive must be reported on landing returns with the Destination Type Code "Z". These returns will be counted against ACE. You need to accurately estimate the weight of the sharks discarded this way.

Live or dead – spiny dogfish

Spiny dogfish may be returned to the sea either live or dead. There is no differentiation between live and dead fish. Any spiny dogfish returned to the sea must be reported on landing returns with the Destination Type Code "M" and will be counted against ACE.

FOR MORE INFORMATION

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