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Sustainable Fisheries

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Service, West Coast Region
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Entity Compliance Guide,
complying with section 212 of the
Small Business Regulatory
Enforcement Fairness Act of
1996.

PACIFIC COAST GROUND FISH FISHERY

Seabird Bycatch Minimization Measures

This rule requires commercial groundfish bottom longline vessels 26 feet length overall and longer managed under the Pacific Coast Groundfish Fishery Management Plan to deploy streamer lines or to set gear between civil dusk and civil dawn when fishing in Federal waters north of 36° North latitude.

Regulations in the rule are effective January 10, 2020. See the sections below for more information. You can read the final rule at:

<https://www.fisheries.noaa.gov/rules-and-regulations>

For Information Contact:

Groundfish Branch (206) 526-6140



Short-tailed albatross (juvenile and adult)

Summary of the Rule

NOAA Fisheries has issued regulations that require commercial groundfish bottom longline vessels 26 feet length overall (LOA) and longer managed under the Pacific Coast Groundfish Fishery Management Plan to deploy streamer lines while setting gear or to set gear at night when fishing in Federal waters north of 36° North latitude. The purpose of the rule is to reduce interactions between seabirds and groundfish bottom longline gear. Seabirds dive on baited hooks near the sea surface when fishing vessels deploy bottom longline gear. Birds can become entangled with, or hooked by, the gear and drown.

Frequently Asked Questions

Why are we requiring vessels to use streamer lines or nightset?

The action is necessary to fulfill terms and conditions of a 2017 US Fish and Wildlife Service Biological Opinion to minimize take of Endangered Species Act-listed short-tailed albatross (*Phoebastria albatrus*) in the Pacific Coast groundfish fishery. Streamer lines, also known as tori lines, bird scaring lines, or bait saver lines, have been shown to deter seabirds from the fishing gear groundline for a distance beyond the stern of the vessel sufficient for the groundline to sink to a depth where bait is no longer accessible to diving birds. Due to their nature of hunting primarily during the day, night setting is an effective method to avoid bycatch of short-tailed albatross.

How does this rule change the Seabird Avoidance Program?

Regulations implemented on December 18, 2015, required vessels 55 ft (16.8 m) and longer to use streamer lines. The new regulations, effective on (January 10, 2020), extend the streamer line requirements to vessels that are 26 ft (7.9 m) to 55 ft (16.8 m) LOA when using bottom longline gear north of 36° N. latitude. The regulations also add an exemption for all Pacific coast groundfish vessels from the streamer line requirements when night setting and when fishing south of 36° N. latitude and exempt vessels that are 26 ft (7.9 m) to 55 ft (16.8 m) LOA from using streamer lines when a small craft winds advisory is declared by the National Weather Service (NWS).

Who is affected by this final rule?

This final rule applies to any non-tribal groundfish vessel using bottom longline gear at least 26 feet in length or longer fishing for groundfish in federal waters (i.e. three nautical miles from shore and seaward). This includes vessels in the limited entry fixed gear fishery with a longline endorsement (including primary sablefish and sablefish daily trip limit participants), open access fixed gear fishery using bottom longlines, and Shorebased Individual Fishing Quota (IFQ) vessels using bottom longlines (i.e., gear switchers). This rule does not apply for vessels fishing exclusively in state waters (0-3 nautical miles from shore) or for any vessels fishing south of 36° N. latitude (regardless of how far off shore).

What is bottom longline gear?

Bottom longline gear is defined as a stationary, buoyed, and anchored groundline with hooks attached, so as to fish along the seabed. Included in this definition is snap gear (where the hook and gangion are attached to the groundline using a mechanical fastener or snap) and floated mainline gear (where floats and weights are attached to the mainline to reduce isopod predation). Bottom longline gear **does not** include pelagic hook-and-line, vertical hook-and-line, or troll gear.

What will I need to do under this final rule?

If you are a vessel included in the requirements (see previous question) fishing in an area subject to the requirements (see previous question), you will need to use a streamer line if you are setting your gear during the day (one hour before local sunrise to one hour after local sunset) or you will need to exclusively set your gear at night.

What is a seabird streamer line?

The streamer line is a line that extends from a high point on a vessel (a mast, pole, or rigging) near the stern of the vessel to a drogue (usually a buoy with a weight, such as a section of chain). As the vessel moves forward, the drogue creates tension in the line producing a span of area from the stern where the streamer line is aloft. The aloft section of the streamer line includes streamers made of UV protected, brightly colored tubing spaced every 16.4 feet (5 m). Individual streamers extend to the water to prevent aggressive birds from getting to the groundline and interacting with hooks. Streamer lines have been effective at reducing seabird bycatch in fisheries throughout the world, including Alaskan fisheries that are similar to Pacific Coast groundfish fisheries.

What is the required length and number of streamer lines?

The length of the streamer lines is different depending on whether you use bottom longline gear (including floated mainline gear) or if you use snap gear. The tables on the next two pages explain the length of streamer line you need. Additionally, most boats only need to use one streamer line. The only boats that need to use two streamer lines are those that are over 55 feet that use bottom longline gear (not snap gear).

What if I don't have a mast, poles, or rigging on my boat?

Vessels without mast, poles, and rigging must deploy at least one buoy bag line. A buoy bag line extends from a high point on the vessel to a drogue. The buoy bag line hangs over the area where baited hooks may be accessible to seabirds, which is generally within 6.5 feet of the sea surface.

What is night setting?

Night setting is deploying gear between one hour after local sunset and one hour before local sunrise. Limiting gear deployment to nighttime is an effective seabird bycatch mitigation

measure due to the day-time foraging patterns of short-tailed albatross. If you are using the night setting exemption from streamer lines, gear can only enter the water starting one hour after local sunset and gear deployment must be completed by one hour before local sunrise.

How does this rule affect gear retrieval?

This rule only creates requirements for gear deployment (setting) because this is part of fishing that is most likely to result in injury or death for seabirds. Gear retrieval is not affected by this rule.

What do I do if I accidentally hook a seabird?

You should release live short-tailed albatross that appear to be uninjured on site. You should retain injured, sick, or dead short-tailed albatross and surrender, as soon as possible, as directed by the U.S. Fish and Wildlife Service (USFWS). Report injured, sick, or dead short-tailed albatross to USFWS at 541-867-4558 x237 or at their general line, 503-231-6179. See the attached flyer for more information.

How do I get a streamer line?

A limited number of free streamer lines are being made available, please indicate your interest using this link: <https://beav.es/ZAA>. Otherwise, streamer lines are available through LFS, Inc and cost around \$130 per line.

Regulations for vessels greater than or equal to 26 ft (7.9 m) and less than 55 ft (16.8 m) when operating within the EEZ north of 36° N. latitude

Vessel Type	Streamer Type	Streamer Performance	Streamer Deployment	Aerial Coverage
Vessels with mast, poles, and rigging and <u>not</u> using snap gear	Must deploy a single streamer line at least 300 ft (91.4 m) in length with streamers spaced every 16.4 ft (5 m)	Individual streamers hang attached to the mainline to 9.8 in (0.25 m) above the waterline in the absence of wind	Deployed before first hook is set in such a way that streamers are in the air for a minimum of 131.2 ft (40 m) aft of the stern and within 6.6 ft (2 m) horizontally of the point where the main groundline enters the water	There must be at least 8 streamers out of the water aft of the vessel
Vessels with mast, poles, and rigging and using snap gear	Must deploy a single streamer line at least 147.6 ft (45 m) in length with streamers spaced every 16.4 ft (5 m)	Individual streamers hang attached to the mainline to 9.8 in (0.25 m) above the waterline in the absence of wind	Deployed before first hook is set in such a way that streamers are in the air for a minimum of 65.6 ft (20 m) aft of the stern and within 6.6 ft (2 m) horizontally of the point where the main groundline enters the water	There must be at least 4 streamers out of the water aft of the vessel
Vessels without mast, poles, and rigging	Must deploy at least one buoy bag	Buoy bag line consists of two components: a length of line (without streamers attached) and one or more float devices at the terminal end.	Buoy bag line should hang over the area where baited hooks may be accessible to seabirds, which is generally within 6.5 feet (2 m) of the sea surface.	N/A

Streamers must be constructed of material that is brightly colored, UV-protected plastic tubing or 3/8 inch polyester line or material of an equivalent density

Regulations for vessels greater than or equal 55 ft (16.8 m) when operating within the EEZ north of 36° N. latitude

Vessel Type	Streamer Type	Streamer Performance	Streamer Deployment	Aerial Coverage
Vessels with mast, poles, and rigging and <u>not</u> using snap gear	Must deploy paired streamer lines at least 300 ft (91.4 m) in length with streamers spaced every 16.4 ft (5 m)	Individual streamers hang attached to the mainline to 9.8 in (0.25 m) above the waterline in the absence of wind	At least one streamer line must be deployed before first hook is set in such a way that streamers are in the air for a minimum of 131.2 ft (40 m) aft of the stern and within 6.6 ft (2 m) horizontally of the point where the main groundline enters the water; second streamer line must be fully deployed within 90 seconds. For vessels deploying gear from the stern, the streamer lines must be deployed from the stern, one on each side of the main groundline. For vessels deploying gear from the side, the streamer lines must be deployed from the stern, one over the main groundline and the other on one side of the main groundline.	There must be at least 8 streamers out of the water aft of the vessel
Vessels with mast, poles, and rigging and using snap gear	Must deploy a single streamer line at least 147.6 ft (45 m) in length with streamers spaced every 16.4 ft (5 m)	Individual streamers hang attached to the mainline to 9.8 in (0.25 m) above the waterline in the absence of wind	Deployed before first hook is set in such a way that streamers are in the air for a minimum of 65.6 ft (20 m) aft of the stern and within 6.6 ft (2 m) horizontally of the point where the main groundline enters the water	There must be at least 4 streamers out of the water aft of the vessel

Streamers must be constructed of material that is brightly colored, UV-protected plastic tubing or 3/8 inch polyester line or material of an equivalent density

The rule includes the following exemptions:

Exemption type	Who it applies to	What the exemption is
Night time setting	Applies to boats of all size classes	Exempt from deploying streamer lines when setting longline gear between one hour after local sunset and one hour before local sunrise
Weather Safety	For vessels greater than or equal to 26 ft (7.9 m) and less than 55 ft (16.8 m)	Exempt from deploying streamer lines fishing in an area under a NWS Small Craft Wind Advisory (winds 21 to 33 knots) or in an area adjacent to such an area; or in wind conditions greater than a small craft wind advisory
Weather Safety	For vessels greater than or equal to 55 ft (16.8 m)	Exempt from deploying streamer lines when fishing in an area under a NWS Gale warning (winds 34 to 47 knots)



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West Coast Seabird Avoidance Measures COMPLIANCE GUIDE

Vessels from 26 to 55 ft. length overall, with mast, poles, or rigging, using non-snap bottom longline gear

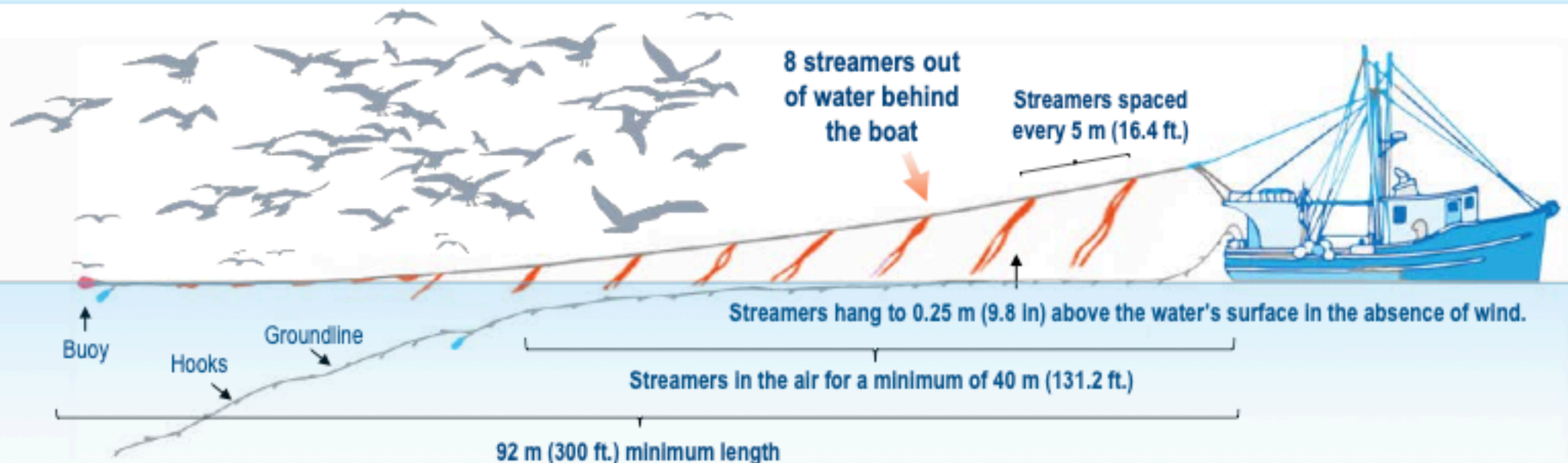
Requirements when setting during the day (1 hour before local sunrise to 1 hour after local sunset)

- **Single streamer line**
- **Deployment:** Before the first hook is set, streamer line must be within 2m (6.6 ft.) of where groundline enters water.

Streamers: Brightly colored, UV-protected plastic tubing or 3/8 inch polyester line or materials of equivalent density

Weather exception: Vessels are exempted from these requirements when operating in an area under, or seaward of an area under, a National Weather Service Small Craft Wind Advisory.

Questions? Call NOAA Fisheries 206-526-6140





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Vessels 55 ft. and greater length overall, using non-snap bottom longline gear

West Coast Seabird Avoidance Measures

COMPLIANCE GUIDE

Requirements when setting during the day
(1 hour before local sunrise to 1 hour after local sunset)

- **Paired streamer lines**
- **Deployment:** At least 1 streamer line must be deployed before the first hook is set, and 2 streamer lines must be fully deployed within 90 seconds.

Streamers: Brightly colored, UV-protected plastic tubing or 3/8 inch polyester line or materials of equivalent density

Weather exception: Vessels are exempted from these requirements when operating in an area under a National Weather Service Gale Warning.

Questions? Call NOAA Fisheries 206-526-6140





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West Coast Seabird Avoidance Measures

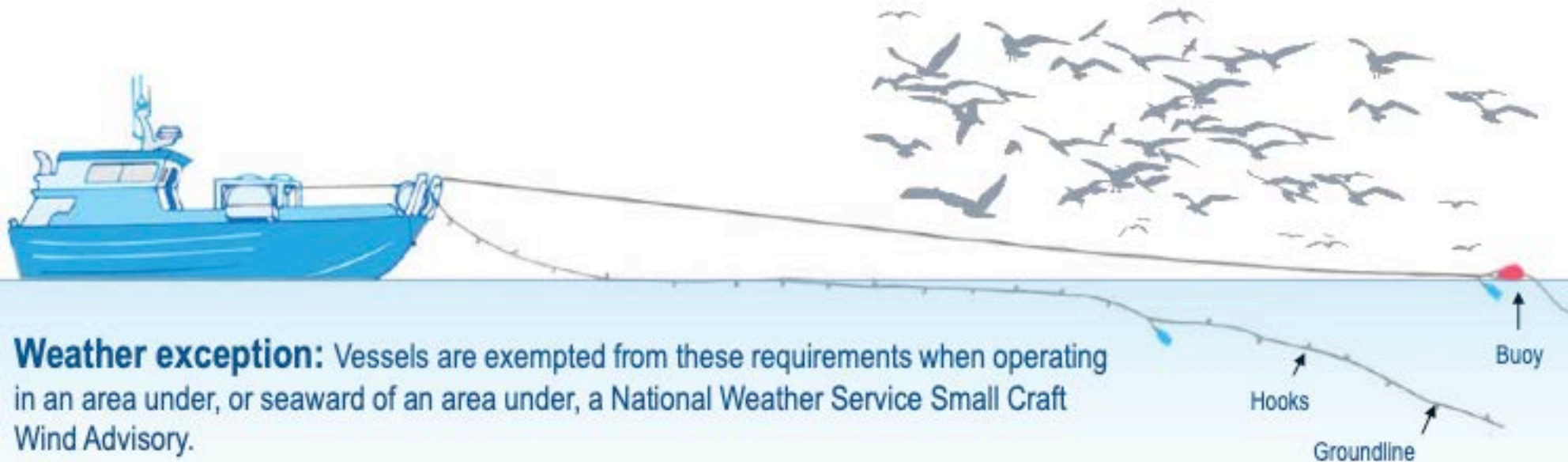
COMPLIANCE GUIDE

Vessels from 26 to 55 ft.
length overall,
without mast,
poles, or
rigging

Requirements when setting during the day (1 hour before local sunrise to 1 hour after local sunset)

- Buoy bag line that hangs over area where baited hooks may be accessible to seabirds.
- Performance and materials standards are not specified.

Questions? Call NOAA Fisheries 206-526-6140



Weather exception: Vessels are exempted from these requirements when operating in an area under, or seaward of an area under, a National Weather Service Small Craft Wind Advisory.



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West Coast Seabird Avoidance Measures COMPLIANCE GUIDE

Vessels 26 ft. and greater length overall, with mast, poles, or rigging, using snap gear

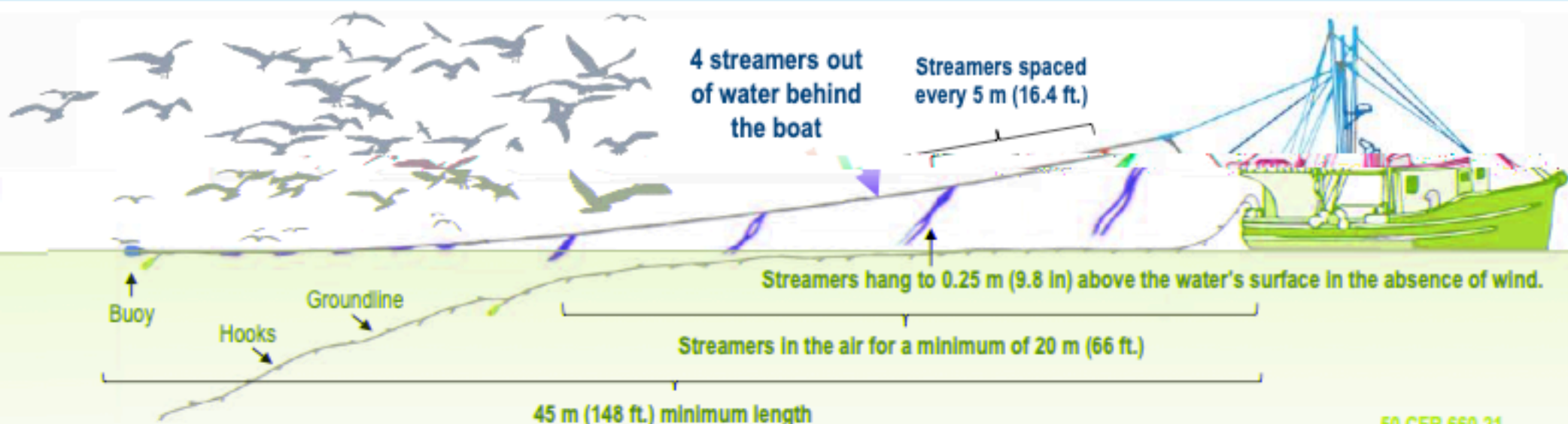
Requirements when setting during the day (1 hour before local sunrise to 1 hour after local sunset)

- **Single streamer line**
- **Deployment:** Before first hook is set, streamer line must be within 2 m (6.6 ft.) of where groundline enters water.
- **Streamers:** Brightly colored, UV-protected plastic tubing or 3/8 inch polyester line or materials of equivalent density

Weather exceptions:

- Vessels between 26 to 55 ft. are exempted from these requirements when operating in an area under, or seaward of an area under, a National Weather Service Small Craft Wind Advisory.
- Vessels greater than 55 ft. are exempted from these requirements when operating in an area under a National Weather Service Gale Warning.

Questions? Call NOAA Fisheries 206-526-6140



Streamer Line Performance Tips

Adherence to the performance standards on the previous pages helps to protect the groundline from seabird attacks and prevent tangling of the streamer line on the groundline. Performance standards can be met by manipulating the height at which streamers are attached to the vessel, the amount of drag at the end of the line, and the weight of streamer line materials.

- Height above the water is the most critical factor in achieving performance standards. As a rule of thumb, attach the streamer line to the point that results in it being at least 20 feet above the water at the stern.
- Be sure to attach a lazy line to the streamer line so that once it reaches its full height off the deck it can be easily retrieved. Dedicated longliners should consider installing streamer line poles or davits at the stern to simplify deployment and make operation more efficient.
- Drag at the end of the streamer line is also important and varies with setting speed. An oblong, ribbed or “skid” buoy with about ten pounds of weight attached tends to provide sufficient drag to achieve the performance standard in most conditions.
- Be sure to snug added weight as close as possible to the nose of the buoy. Dangling weights can snag on the groundline.
- Buoys can be inflated or deflated. Inflated buoys – sometime attached in series – increase disturbance as they bounce from side to side, scaring birds. Deflated and/or water filled buoys are preferred in some cases because they are less likely to float the gear off the bottom or tangle the gear should the streamer line hang up on the groundline.
- Other approaches have included cutting a buoy so that it becomes a sea anchor as it is towed, or drilling holes in the nose of the buoy so that it fills with water as it is towed.
- If using a single streamer line, it is important that it be deployed from the windward side of the vessel so as to position the streamers above the sinking gear. For this reason, you need to be able to vary the attachment point to the vessel with wind direction when using single lines. One solution is to have streamer lines rigged from both sides and to deploy the windward streamer line as you set gear.
- If bird interactions become particularly intense, try slowing the vessel or adding weights to the groundline. Adding weights to the groundline can also reduce gear exposure; however, many weights must be added to make a big difference. Weights added at skate junctions have little effect on the overall sink rate of the gear.
- Using streamer lines for the first time requires thought and practice, but quickly becomes routine. Consider taking some time to place and practice deploying and retrieving streamer lines if this gear is new to your operation.

*Streamer line performance information is from the following publication:
Melvin, EF (2000). Streamer lines to reduce seabird bycatch in longline fisheries. WSG-AS 00-03,
Washington Sea Grant Program, Seattle.*

What to do if you encounter an Endangered Short-tailed Albatross

SAFE RELEASE OF A SHORT-TAILED ALBATROSS

Live birds should be released on site if the bird meets all of the following criteria:

- Looks normal.
- Capable of holding its head erect.
- Responds to noise and motion stimuli.
- Breathes without noise.
- Can flap both wings, and it can retract the wings to a normal folded position on the back.
- Capable of elevating itself to stand on both feet, with its toes pointed in the proper position (forward).
- Feathers are dry.

IF INJURED OR SICK

Fisheries observers or—if no observer is on board—boat captains are responsible for carrying out these instructions.

1. Report to U.S. Fish & Wildlife Service at 541-867-4558 x237, or at their general line 503-231-6179, to a Wildlife rehabilitator.
2. Retain live birds in a safe location.
3. Surrender it as soon as possible (alive or dead) as directed by USFWS

REPORTING A DEAD SHORT-TAILED ALBATROSS

1. Call NOAA Fisheries at 206-526-6140, or
2. Call U.S. Fish & Wildlife Service at 541-867-4558 x237 or at their general line 503-231-6179.
3. Immediately freeze any dead short-tailed albatross (if freezing is not available, keep it as cold as possible)
4. Label with vessel name, latitude and longitude where hooked, and the numbers and colors of any leg bands (leg bands must be left attached)

ID a Short-tailed Albatross: Bright pink bill with thin black line around base



Juvenile



Sub Adult



Adult

Hook Removal from Seabirds

If you hook birds while hauling gear and they come on board alive make every reasonable effort to ensure that they are released alive.

Whenever possible, remove hooks without jeopardizing the life of the bird:

Wrap the bird's wings and feet with a clean towel to protect its feathers from oils or damage. Protect yourself from the bird's beak – wear eye protection and heavy gloves.

- If the hook is visible:
Use pliers (or bolt cutters) to cut off the hook or flatten the barb. Pull the hook back out of the bird.



- If the hook is not visible:
Cut the line as close to the point of entry as possible and leave the hook in the bird.

Offal Discharge Recommendations

During hauling or setting, discharge offal in a manner that distracts from baited hooks, either

- Aft of the hauling station, or
- Opposite side of the vessel

Remove hooks from discharged offal. Eliminate directed discharge through chutes or pipes from the stern. If not setting from the stern, eliminate directed discharge of residual bait and offal over sinking hooks.