

Set net - Protected Species Risk Management Plan

FV	Vessel ID	Home Port
Owner	Skipper/s	Date
Vessel photo	Mitigation photo	Mitigation photo

Purpose of this RMP

This PSRMP documents agreed procedures and actions that skippers of this vessel will follow to reduce risk of protected species captures and includes implementation of best practice as outlined by the Mitigation Standards. **This document is to be prominently displayed onboard.** Skipper(s) and crew must also read and understand the supporting 10 Golden Rules & Operational Procedures.

Regulated measures for protected species reporting

All protected species captures should be reported using the electronic NFPS Catch Report.

Remember it is not illegal to catch a protected species however it is illegal not to report it!

This vessel's measures used to manage the risk of non-fish protected species capture:

Vessel Practices	
1. Fish waste management	- No discharge immediately before or during setting. - While hauling, fish waste is held or batch discharged (minimum of x min intervals) opposite side to the hauling station. All used bait is retained till after haul. <i>- Describe suitable equipment and setup- including storage methods and location of discharge</i> <i>- Describe methods to contain fish waste (e.g. check open scuppers near processing point) and any contingency plans</i>
2. Placement	Spatial placement of set nets does not pose unnecessary risk to seabirds (i.e. near seabird colonies and foraging grounds)
3. Net interaction	Haul as quickly as practicable to minimise time net is at/near surface Nets are not stalled
Stickers	All practicable stickers are removed from the net before each shot.
Gear maintenance/repair	Is conducted while net is onboard or during low risk periods (i.e. night or low seabird abundance) Regularly inspect and maintain all fishing gear/equipment (e.g. winches)
4. Deck landing/impact	Reduce unnecessary deck lighting
Training	Crew know and follow safe seabird-handling procedures and protocols
Other	<i>Any other gear/mitigation? (otherwise omit)</i>

Contact your Liaison Officer when a TRIGGER POINT is reached.

Any 24 hr period

(Alive or Dead) Any great albatross, penguin, dolphin, sea lion or basking shark

(Alive or Dead) First turtle of the fishing year (Oct- Sept)

(Alive or Dead) 3 large (e.g. albatross/mollymawk, giant petrel, gannet), or 5 small (e.g. petrel/shearwater) seabirds, or 2 fur seals

(Dead) Any black petrel or flesh-footed shearwater

Any 7-day period

(Alive or Dead) 10 protected seabirds of any type, or 3 turtles, or 5 fur seals

Contact:	Ph:	Email:
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Information in this plan will be provided to MPI and FINZ for reporting and management purposes

TEN GOLDEN RULES

FOR HARBOUR NET FISHING TO SAVE PROTECTED SPECIES

- 1. Ensure your vessel has onboard the current Harbour Net Operational Procedures (OP), a Protected Species Risk Management Plan (PSRMP), a map of prohibition areas, and that you and your crew are familiar with the regulations and reporting requirements.**
- 2. Avoid setting nets in the vicinity of significant seabird colonies and foraging areas, consider time and season and where seabird/marine mammal activity is particularly high.**
- 3. When set netting, ensure that stalling does not occur, as required by the regulations.**
- 4. Avoid excessive soak time** (only soak as long as needed to maximise catch value – within the maximum soak time outlined in the regulations).
- 5. Ensure your setnets do not cover more than one quarter of a channel, bay, inlet, etc, as required by the regulations.**
- 6. No discharging of offal or fish waste immediately before or during setting** and remove all stickers as practicable from the net prior to each shot.
- 7. While hauling, either hold or batch discharge offal and fish waste.** Return live fish (meeting the legal requirements) to the sea as quickly as practicably possible.
- 8. While ensuring safe operating standards, minimise additional and unnecessary lighting** so as not to attract or disorientate seabirds, especially while sheltering or at anchor.
- 9. Ensure you and your crew are familiar with and follow safe protected species handling procedures** (see DOC Handling and Release Guide). Record and report any bird band numbers to bandingoffice@doc.govt.nz.
- 10. Report all protected species captures by ERS and notify your local Liaison Officer within 24 hours when you've reached a trigger point.**

For support phone your local Liaison Officer

TEN GOLDEN RULES

NON-FISH OR PROTECTED FISH SPECIES (NFPS) CATCH REPORTS

- 1.** The Fisheries (Reporting) Regulations 2017 require reporting of **all** NFPS captures (dead or alive). It is an offence to fail to report.
- 2.** All permit holders and skippers must know the law and be able to file an NFPS catch report using their vessel's Electronic Reporting system.
- 3.** Fisheries New Zealand observers file their own NFPS catch reports, but this does NOT mean the vessel's obligation to report has been removed.
- 4.** *Captures* means that the NFPS has become fixed, entangled, or trapped in such a way that it cannot move freely or free itself from any part of the fishing gear. (includes for example tori lines and paravanes)
- 5.** *Deck strikes* means seabirds injured or dead from colliding with the vessel, or any that need crew assistance to leave the vessel because they are disoriented.
- 6.** Treat all animals with respect and care (dead or alive).
- 7.** Return all NFPS to the sea promptly and carefully unless required to be kept on board by a Fisheries New Zealand observer.
- 8.** Unauthorised retention or any further interference with protected species is an offence under the Wildlife Act 1953.
- 9.** If unsure of the species name (NFPS code) use the generic codes provided.
- 10.** E-logbook Users Instructions and Codes can be found here:
<https://www.fisheries.govt.nz/dmsdocument/37982-Fisheries-E-logbook-Users-Instructions-and-Codes-Circular-2019>

Non-Fish or Protected Fish Species Catch Report - Summary Information

(from Fisheries New Zealand Electronic Catch and Position Reporting Guide July 2019)

You must complete an NFPS Catch Report if there is an interaction with the following by the vessel or gear during a trip:

- Birds;
- Marine mammals (e.g. New Zealand fur seal);
- Marine reptiles (e.g. turtles);
- Protect fish species (e.g. basking shark, great white shark, manta ray, black spotted grouper);
- Selected benthic organisms (corals, sponges, and bryozoans).

You will be prompted for more information about how the capture happened if a seabird is taken during trawling or surface or bottom longlining.

You must take care when choosing codes where there is a group option and a specific option so that you do not accidentally report an organism twice.

If there is more than one NFPS capture during an event, they will all be recorded on the same NFPS Catch Report.

The NFPS Report must be completed and provided at the same time as the Fish Catch Report, if it occurs as part of a fish catch event.

If the capture happens while you were not actually fishing (e.g. while steaming), the NFPS Catch Report will be a standalone report, i.e. it will not be linked to a Fish Catch Report and must be completed and provided to FishServe before the end of the day on which you became aware of the capture.

Online resources to assist you with NFPS identification

- The DOC website has material on coastal and deep water seabird species. Guides include MPI reporting codes and are available in multiple languages: doc.govt.nz/our-work/conservation-services-programme/csp-resources-for-fishers/a-fishers-guide-to-new-zealand-seabirds/
- A fuller set of invertebrate NFPS material is available at: fs.fish.govt.nz/Doc/23020/AEBR_86.pdf.ashx
- A coral guide is available at doc.govt.nz/Documents/conservation/marine-and-coastal/fishing/coral-id-guide-updated.pdf

North Island Harbour Netting Operational Procedures - Protected Species Risk Management

Version 2 June 2022



FISHERIES
INSHORE NEW ZEALAND

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***Disclaimer:** These OPs do not replace or override any fisheries legislation or other regulations including Health & Safety, Maritime Safety, Fisheries, Animal Welfare or the Wildlife Act. Vessel operators are required to ensure that both they and their crew understand all regulations that are relevant to the fisheries and environment that they are operating in, and that crew and vessel safety must always be considered.*

MPI has stated that at-sea inspections will become more directed as a result of the availability of GPR data. Make sure you know what you need to meet legal requirements on protected species mitigation reporting. Please contact your Liaison Officer for support if you need assistance.

1. BACKGROUND, RATIONALE AND PURPOSE

The North Island harbour netting fisheries overlap with areas frequented by protected species including seabirds, marine mammals and sharks. A structured approach is required to mitigate the risk from fishing to these species. The Government will be responsive in ensuring that undue impacts are not occurring to these protected species. It is in the best interests of the harbour netting fleet to take all reasonable steps to acknowledge, understand and reduce impacts on protected wildlife encountered.

These Operational Procedures (OPs) provide supporting information for the vessel operator to reduce risks to protected species. They are relevant to all set net, ring net and beach seine vessels, targeting any species in the North Island harbour regions.

National Plan of Action - Seabirds

The National Plan of Action Seabirds (NPOA) focuses on education, partnering to find innovative solutions to bycatch mitigation, and ensuring that all fishers know how, and are taking all practicable steps, to avoid seabird bycatch. It is drafted in accordance with the requirements of the Agreement on the Conservation of Albatrosses and Petrels (ACAP), to which New Zealand is a signatory.

The NPOA has set objectives to guide management of risk to seabirds in New Zealand fisheries. This management is directed by from Fisheries New Zealand (FNZ) with support from the Department of Conservation (DOC) and industry bodies such as Fisheries Inshore NZ (FINZ), Southern Inshore Fisheries Management Co. (SIFMC) and the DeepWater Group (DWG).

FNZ evaluates the impact of commercial fisheries on New Zealand seabirds through a spatially explicit risk assessment. Currently 13 seabirds are assessed to be in a risk category that warrants prompt and considered attention. **The key seabirds relevant to harbour netting operations include penguins, shags, and petrels.**

Purpose

These OPs have been established so that agreed and required management measures are clearly communicated to and understood by vessel skippers, managers and annual catch entitlement (ACE) providers/Licensed Fish Receivers (LFRs).

These OPs align with the 'Mitigation Standards' developed for set net operations by DOC and FNZ. These standards build on existing statutory requirements to show bycatch mitigation options that are above and beyond minimum regulations.

The purpose of the North Island Harbour Netting Operational Procedures is to ensure:

- The risk of protected species captures and mortalities from the harbour netting are reduced.
 - All mandatory measures are understood and adhered to.
 - Skippers and crew are aware of the Mitigation Standards and work to use them to reduce risk to seabirds as relevant.
 - Vessels report all capture events (FNZ NFPS catch reporting) and contact their Liaison Officer within 24 hours of any Trigger Point events.
 - Vessel crews are actively involved in implementing protected species mitigation measures i.e. **Look – Think – Act**
 - Vessel skippers and crew are aware of systems to manage protected species risk and can bolster confidence in positive audits and reviews by vessel owners, skippers or Government.
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2. MAIN SPECIES AT RISK

Species at Risk	Species Code	Main Risk Area	Threat Classification, Place, Time, Risk Profile
Little Blue Penguin (Korora)	XLB	All Areas	<ul style="list-style-type: none"> • <i>At Risk - Declining</i> • Strongly impacted by adverse climate and oceanic events. • Present year-round on entire NZ Coastline. • Caught nearshore but range up to 25km offshore. • Daylight forager, often rafts, return to land at night.
Pied, spotted, little, and black shags	XPS (pied)	ECNI and WCNI	<ul style="list-style-type: none"> • Pied Shag (<i>Nationally Vulnerable – Recovering</i>), solitary shallow water forager (<10m) in daylight hours. Black feet.
	XPP (spotted)		<ul style="list-style-type: none"> • Spotted shag (<i>Not Threatened</i>), one of only two species of yellow-foot shags in NZ, caught near and offshore, solitary seabed foragers (down to 50 m) in daylight hours.
	XHG (black, little, unidentified)		<ul style="list-style-type: none"> • Little Shag (<i>Not Threatened</i>), widespread in coastal and freshwater environments. Solitary shallow water forager. • Black Shag (<i>Naturally Uncommon</i>), Widespread across NZ, solitary forager in shallow murky water.
Unidentified petrel/shearwater	XXP	All Areas	<ul style="list-style-type: none"> • Occur across the range of fisheries. • A variety of risk profiles for these species, which are impacted by other fisheries too. • Black petrels (high-risk seabird) breed in the Hauraki Gulf. • Flesh-footed Shearwaters (high-risk seabird) breed and forage near New Plymouth and ECNI.
Māui dolphin	MDO	WCNI, particularly between Manganui Bluffs and Mokau	<ul style="list-style-type: none"> • <i>Critically Endangered</i> • Patchy distribution, often in shallow water and off river mouths but range up to 20nm offshore. • Not known to feed from nets, use sonar to detect prey, but not 100% of the time – making them susceptible to captures. • WCNI: New closures in place as of June 2020: See supplemental material for maps.
NZ Fur Seal	FUR	All Areas	<ul style="list-style-type: none"> • <i>Not Threatened</i> • Present year-round on entire NZ Coastline, mainly rocky shores. • Forage both nearshore and offshore (down to 200m deep).
Great White Shark	WPS	All Areas	<ul style="list-style-type: none"> • <i>Nationally Endangered</i> • Most common over summer, particularly Nov-Mar. • Juveniles and females often off Northland coasts and WCNI (Kaipara Harbour).

3. MANAGING RISKS FROM THE HARBOUR NET FISHERIES

It is recognised in New Zealand and globally that mitigating protected species interactions with nets can be challenging, however there are options available to reduce risk. Harbour Net vessels must use a combination of mitigation practices to best address the risks of their individual operations. **Fishers are best placed to develop mitigation techniques, if you have innovative ideas about reducing the probability of protected species interactions contact your liaison officer.**

Risk Item	Ways to Manage Risk
<p>Food Attractant</p> <ul style="list-style-type: none"> Discharging fish waste Species captured in the soak attracting protected species The longer the soak time, the higher the risk of captures 	<ul style="list-style-type: none"> Control (hold or batch) offal/waste discharge immediately before or during setting and hauling. If batching cannot occur, then discharge any attractant on the opposite side from which the hauling station is located. If hauling over the stern, discard offal/waste and live fish in batches on the leeward side of the vessel. Minimise net soak time. Use acoustic or other devices to deter the presence of at-risk marine mammal species to the gear (e.g. dolphin pingers).
<p>Setting</p> <ul style="list-style-type: none"> Poor sink rate (the longer the net is on or near the surface) increases the risk 	<ul style="list-style-type: none"> Avoid discharging of fish waste immediately before or during setting. Ensure that the net is clean of any meshed fish or other potential food attractant when being set. When set netting shoot the net at a lower vessel speed to achieve a faster sink rate. Avoid setting in the vicinity of known or observed seabird and marine mammal colonies/rookeries or known foraging areas. Avoid setting when large numbers of seabirds or marine mammals are present. While ensuring vessel & crew safety, reduce additional & unnecessary lighting on the vessel to a minimum.
<p>Hauling</p> <ul style="list-style-type: none"> Predominantly entangled in the mesh 	<ul style="list-style-type: none"> Ensure the vessel is moving at an appropriate speed to keep the net underwater while hauling. Use acoustic or other devices to deter the presence of at-risk species near the gear. Avoid hauling the net when large numbers of birds or mammals are present. While ensuring vessel & crew safety, reduce additional & unnecessary lighting on the vessel to a minimum.
<p>High Risk Periods and Areas</p> <p>Increased seabird numbers and aggressive feeding during breeding season, migration periods and/or moon periods</p>	<ul style="list-style-type: none"> Avoid known areas of high activity of protected species (e.g. season, area, time of day or night). Discuss these with your Liaison Officer so you are clear about where, what and when. Avoid setting gear near (where possible) rookeries, colonies and foraging areas (see appendices for maps of areas to avoid). Avoid setting gear within any known consistent foraging or transit patterns of penguins (see appendices for maps of areas to avoid). While ensuring vessel & crew safety, reduce additional & unnecessary lighting on the vessel to a minimum (particularly while at anchor).

4. MANDATORY SETNET MEASURES

MPI has implemented regulatory requirements for protected species risk mitigation. The regulations that apply are: *Fisheries (Commercial Fishing) Regulations 2001* - <https://www.legislation.govt.nz/regulation/public/2001/0253/latest/whole.html>

5a. North Island setnet closures for Maui Dolphins

- **Additional Setnet closures came into effect on 1 October 2020, please refer to the MPI Dolphin TMP Fact Sheet in your folder for new measures introduced on the west coast of the North Island.**

5b. Restrictions on setnets in channels

- Setnets must not extend more than one-quarter of the way across the width of a channel, river or stream (measured as distance between the bank of the channel, river, or stream, at right angles at that place at that time).
- Setnets must not extend more than one-quarter of the width of an arm of the sea, including an estuary, inlet, bay or sound (distance measured between a point on the water's edge and a point on the opposing water's edge that at the same point intersect with net, or a wing, leader or other item attached to the net).

5c. Length requirements for setnets

- Fishers must not use setnets if the total length of a net or combination of nets, whether attached together or otherwise is more than 1000m.
- However, if the upper edge of each net is more than 2m below the surface, the set net may be a maximum of 3000m in length or combination of total lengths whether attached together or otherwise.
- Fishers must not use or possess set nets with a total length of more than 500 m if, when the nets are set, they have part of their upper edge more than 2 m from the surface of the water – unless the nets have surface floats attached at intervals of 500 m or less.
- Fishers must not, in rivers, lakes, lagoons or estuaries, -
 - a) Use set nets or a combination of set nets if the total length of a net or a combination of nets, whether attached or otherwise, exceeds 1000 m, or
 - b) Set a set net within 60m of another set net.

5d. Soak time requirements for setnets

- Nets must not be left set in the water for more than 18 hours without underrunning the net and removing fish that have been caught.

5e. Stalling is prohibited

Fishers must ensure stalling does not occur while the nets are set.

5f. Mesh size requirements for setnets

- Fishers must not use or possess nets whose mesh size is smaller than that specified in the table below, as per the regulations. [Find mesh sizes for other species in the web page provided above.](#)
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5. RISK MANAGEMENT PLAN RESPONSIBILITIES

All vessel owner and operators must ensure that:

- All crew are briefed on this OP and the vessel's PSRMP and fully understand their responsibilities.
- All new (or relief) skippers receive proper handover of these OPs, and understand the PSRMP requirements
- Fishing operations meet mandatory requirements as set out in the Regulations.
- Fishing Operations are managed in time and place based on their experience and the information provided in this OP to minimise overlap with protected species.
- Be aware of protected species activity around the vessel and in the area; assess risks and take actions to minimise risk.
- Ensure offal/fish waste is not discharged immediately before or during shooting, and if discharge during hauling is unavoidable, batch discharge from the side opposite the hauling station.
- Ensure correct reporting to FNZ and that trigger reports (section 6) are sent promptly to your local Liaison Officer.
- Ensure crew meet their responsibilities as listed below.
- Address any deficiencies in implementation of the PSRMP as noted by any observer.
- Address the effectiveness and content of the PSRMP if protected species captures reach a trigger point.

Responsibilities of Crew

- Manage offal and fish waste as outlined in this OP to reduce attraction of protected species to the vessel during times of shooting and hauling.
 - Haul the net as quickly as practicable and always seek to minimise the time the net remains at or near the surface.
 - Maintain a watch of protected species activity around the vessel and advise the skipper when there is risk that requires action, including:
 - Not shooting in presence of significant feeding activity.
 - Adjusting hauling speed and operation to reduce risk.
 - Advising if any animal is seen caught and ensure it is appropriately reported (as legally required)
 - Ensuring any protected species caught is immediately released if alive following the DOC Handling and Release Guide.
 - Check and maintain any mitigation equipment (e.g. acoustic pingers).
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6. REPORTING PROTECTED SPECIES CAPTURES - TRIGGER LIMITS

Trigger Limits & Vessel Action

Triggers Points include:

Any 24 hr period:

- (Alive or Dead) Any great albatross, penguin, dolphin, sea lion or basking shark
- (Alive or Dead) First turtle capture of fishing year
- (Alive or Dead) 3 large (e.g. albatross/mollymawk, giant petrel, gannet), or
- (Alive or Dead) 5 small (e.g. petrel/shearwater) seabirds, or
- (Alive or Dead) 2 fur seals
- (Dead) Any black petrel or flesh-footed shearwater

Any 7-day period:

- (Alive or Dead) 10 protected seabirds of any type, or 3 turtles, or 5 fur seals

Actions Required

Report all trigger points to your local Liaison Officer within 24 hours so that any follow-up can be discussed and carried out. Emails from Sat-C or texts are OK.

Your local Liaison Officer's contact details are on your Protected Species Risk Management Plan.

7. AUDIT AND REVIEW

Government fisheries observers on your vessel will audit the implementation of your PSRMP. **You own the plan, and it should reflect what you will do. Do not write anything into the PSRMP that you do not intend doing.** Information they collect will be provided to DOC, FNZ and the Liaison Officer.

If your PSRMP is not being implemented effectively, it means that either the Plan needs updating or practices onboard need to be improved. Your Liaison Officer can work this through with you and update your Plan if necessary.

Your PSRMP may also need updating at other times. For example, if you change gear or target species, or there are changes in any element of your fishing operations that relate to the risk of protected species captures. At these times, please contact your Liaison Officer.

8. FISHERIES NZ REPORTING REQUIREMENTS

All protected species captures

It is not illegal to accidentally capture protected species while commercial 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 captures or deck strikes (defined below) dead or alive (and returned) must be recorded on the Electronic Logbook.

Fisheries observers may decide to keep some protected species caught for necropsy and identification. They are permitted to do so. At the request of DOC, if landing a Hector's or Māui dolphin, we encourage you to follow instructions in the dolphin retention kits provided.

Always meet your legal requirements.

Definitions:

- **Captures:** *An animal (dead or alive) which is brought onboard on/by the fishing gear and requires assistance/help off the vessel.*
- **Deck-Strikes:** *Birds that 'collide' with the vessel/deck/superstructure and are dead or injured and are unable to leave vessel of their own accord; report as 'deck-strikes'.*
- *Not reported if alive and leaves the vessel unassisted, (i.e. landed on vessel).*

NFPCR Codes – Species ID and leg bands/tags

Seabirds

- If you are 100% sure, use the species individual codes supplied by FNZ and listed on pages 3 and 4 of this OP.
- If you are not 100% sure of the species identification, take a photo and send it to your Liaison Officer who may help you ID the protected species.
- If you still cannot ID the species you may use the **XPG** (unidentified penguin), **XHG** (unidentified shag), **XAL** (unidentified albatross/mollymawk) and **XXP** (unidentified petrels & shearwaters) species codes.
- Record any leg band numbers on the form, these are really important and FINZ urges skippers to record any leg bands.

Marine mammals

- If you are able to identify marine mammals, report these captures at the species level as outlined on pages 3 and 4 of this OP.
 - If you are unsure, take photos of the head, whole body and any distinguishing marks on a marine mammal, do this without any crew or vessel features in the picture.
 - Share these photos with your Liaison Officer, who may identify the marine mammal for you.
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9. ANIMAL HANDLING/RELEASE AND CREW SAFETY

Release Alive

Every care should be taken to release animals alive to minimise any further stress, harm or injury, and to increase its survivability back at sea. Refer to the [DOC Handling and Release Guide](#) for further diagrams and instructions. **Deliberately harassing or harming these animals after an incidental capture is an offence.**

Seabirds

- Keep the bird calm by covering the head with a cloth. Use two crew if possible; one to support the bird, while the other frees the gear from the bird. Use gloves and eye protection (some birds can inflict a nasty bite).
 - Carefully isolate the tangled meshes. Peeling the netting back over the tail, feet, and then the wings, while holding the bird firmly. Remove the head from meshes last.
 - Once freed, place the bird gently back into the water. If the bird is waterlogged keep it in a safe place, such as an empty fish case with a clean and dry towel lining the case floor. Cover the case and leave it on deck in the quietest location with the least draft possible, until it has recovered. Do not throw bird in the air, place back on water surface.
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Marine Mammals and Sharks

- If possible, remove animal from net without bringing aboard. This is especially important for sharks as their body structure does not protect their internal organs when hauled on deck or over rails.
- If possible, give seals time and space to leave the vessel. Do not take actions that will antagonise the animal and watch carefully for signs of aggression.
- Do not allow crew to be in the animal's path or escape route. Use netting as a moving barrier or a deck hose to persuade/guide the animal back to the sea.
- Seals can carry a number of diseases infectious to humans. Handling marine mammals should always be kept to a minimum and should only occur if absolutely needed.

When attending to animals landed on deck, the following steps should be followed to ensure crew safety:

- Whenever handling bodies of drowned fur seals, or any other marine mammals, wear waterproof gloves and waterproof protective clothing
 - Avoid direct contact with blood, urine, faeces and other body fluids. It is also important to avoid the mouth of the marine mammal as this is a major source of disease.
 - If bitten or grazed by a marine mammal, wash and disinfect the wound immediately, apply betadine/foban/antiseptic ointment and cover the wound. This minimises the risk of 'seal finger', a chronic and very painful infection caused by bacteria carried by some marine mammals. Visit a doctor once ashore as infection is very common with seal and sea lion bites.
 - After handling any marine mammal, crew should wash their hands and forearms with antibacterial soap and hose down their protective clothing.
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Returning Dead Protected Species to the Sea

The entire body of any dead protected species must be returned to the sea, unless a MPI observer onboard the vessel directs the skipper to keep it (or they themselves keep it) or the skipper has been advised otherwise by DOC or FNZ. Usually, they only keep seabirds, but may take parts of marine mammals or sharks.

Taking any part or cutting or mutilating the body of a protected species is an offence.

NOTE: If you have received DOC authorisation to land a Hector's or Māui dolphin, then you are exempt from this legal requirement for those two species.



Seabird Bycatch Mitigation Standards Guide

Set net

What Are Seabird Bycatch Mitigation Standards?

August 2021

The seabird bycatch Mitigation Standards were developed alongside the NPOA Seabirds 2020. They document the 'best practice' mitigation methods for reducing the risk of seabird captures in New Zealand commercial fisheries. It is expected that by 2025 the majority of vessels will have a Protected Species Risk Management Plan (PSRMP) that is tailored to their operational needs and works towards achieving the best bycatch mitigation options available.

These Mitigation Standards do not replace or override any fisheries regulations, or legislation on workplace health and safety, maritime safety, or other relevant subject.



Legal Requirements

1. Set net vessels must meet all regulations pertaining to size of mesh, the maximum soak times, maximum lengths and net prohibition areas and restrictions.
2. Commercial fishers must ensure that stalling does not occur while the nets are set.

'Best Practice' Mitigation Methods

1. **Control the discharge of fish waste**
 - No discharging of fish waste immediately before or during setting.
 - During hauling, either hold or batch discharge fish waste at intervals of no less than 30 minutes.
 - During hauling, retain all used bait on board until hauling has finished.
 - Return live fish (meeting legal requirements) to the sea as soon as practicable.
 - Document a plan for fish waste discharge should there be any equipment failures. Keep a copy on board.
 - Whilst still allowing the free movement and egress of water, maintain a secondary system that prevents uncontrolled fish waste discharge (*i.e.* equipment to minimise fish waste lost to factory floor or deck, grating and/or trap systems in fish sorting and gutting areas that lead overboard).
2. **Minimise any risk due to the spatial placement of set nets**
 - Nets are not set in the vicinity of known or observed bird colonies or foraging areas (consider time of year).
 - Nets are not set in an area when there is high bird activity, such as feeding/diving. Avoid fishing in known areas where seabirds have recently been caught.
3. **Minimise any attractions or access to the set net itself**
 - All practicable stickers are removed from the net before each shot.
 - Minimise the time the net is at or near the surface of the water. Shoot and haul as quickly as practicable.
 - Ensure net is set in a way that does not risk stalling.
 - Regularly inspect and maintain gear and equipment to reduce the risk of gear failure.
 - Where possible, conduct maintenance during periods of low risk to seabirds and with the net on board.
4. **Minimise deck landings or vessel impacts by seabirds**
 - Keep additional and unnecessary deck lighting to a minimum so as not to attract or disorientate seabirds, especially while sheltering or at anchor.
 - Keep gear and deck clean of any remaining fish waste where possible.
 - Ensure crew are familiar with safe seabird handling procedures (see [DOC Handling and Release Guide](#)).

For More Information

Contact your Liaison Officer for any questions you may have. They will be working with you to try and achieve these Mitigation Standards. The full document is available on the [MPI website](#).

Managing artificial lights to reduce seabird vessel strikes



Aotearoa New Zealand is the seabird capital of the world. Our seabirds are taonga (treasures) and our long coastline is dotted with their colonies. Unfortunately, many of our seabirds are threatened with extinction, so managing threats, including light pollution, is critical to their survival.

Why is light management important?

Many seabirds get disorientated by artificial lights at night, which can lead to collisions with vessels (vessel strikes). Following vessel strikes, seabirds can be contaminated with chemicals on deck (eg oil or fuel), causing loss of waterproofing and subsequent drowning. Vessel strikes can also cause direct seabird deaths. The risk of vessel strike is highest during foggy and rainy nights.

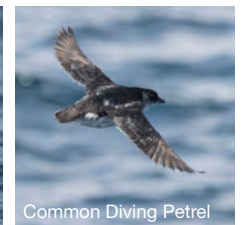
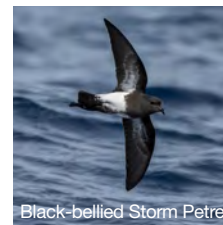
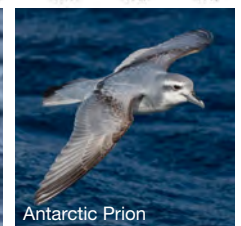
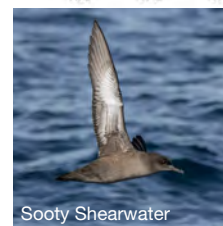
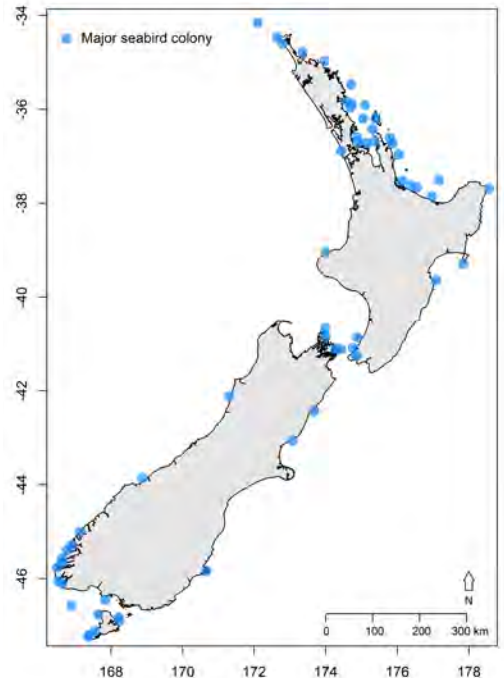
What can you do to help seabirds?

We recommend taking the following actions, while maintaining vessel and crew safety.

- Minimise light use, especially spotlights and floodlights, when you are within 5 km of an offshore island, where most seabird colonies are located.
- Avoid unnecessary movements and activities at night.
- Eliminate unnecessary lights.
- Shield lights to only light areas essential for safe operations.
- Use lights with reduced or filtered blue and violet wavelengths (eg 2200 K).
- Use black-out blinds wherever possible.
- Practice safe seabird handling and release techniques when vessel strikes occur (see diagrams below).
- Record and report vessel strikes.

Commercial fishers

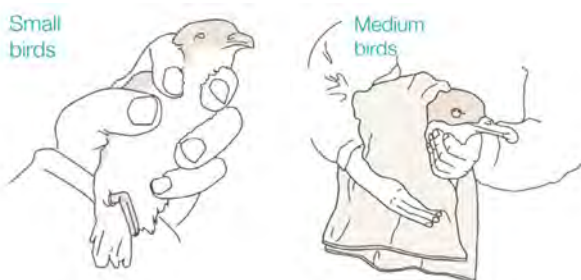
- Follow your Protected Species Risk Management Plan and operational procedures.
- Contact your liaison officer for more information.



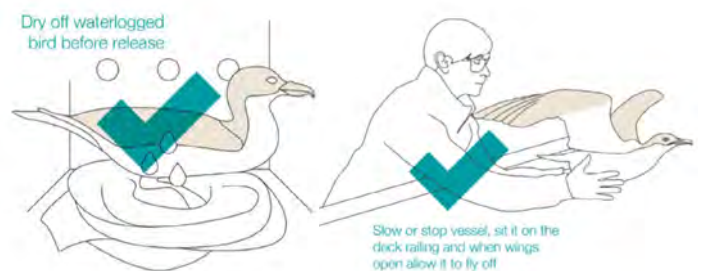
Shearwaters and petrels (including diving petrels, storm petrels and prions) are particularly susceptible to vessel strikes. Photos: Oscar Thomas

For more information contact marine@doc.govt.nz.

Safe seabird handling techniques



Safe release techniques





Protected Species Information for Commercial Fishers

Tākoketai/Black Petrel

Where are black petrels?

Breeding location: Tākoketai/Black petrel breed only in New Zealand. There are two remaining breeding colonies found in the Hauraki Gulf on Aotea/Great Barrier Island and Te-Hauturu-o-Toi/Little Barrier Island.

Breeding time: Tākoketai/Black petrel breed from October through to June each year. When they are not breeding, they migrate to South American waters to forage and feed.

Foraging distribution: Tākoketai/Black petrels forage and feed in the entire inshore area of the East Coast of the North Island from Mahia to Kaitaia. Their distribution is focused on deeper water near the continental shelf, with concentrations found closer to Great Barrier Island where they breed. Offshore they extend and are found on the East and West of the North Island.



How to recognise black petrels

Tākoketai/Black petrels are black or very dark brown, with black feet. The bill is pale yellow with a black tip and a distinctive double tube nostril on top.

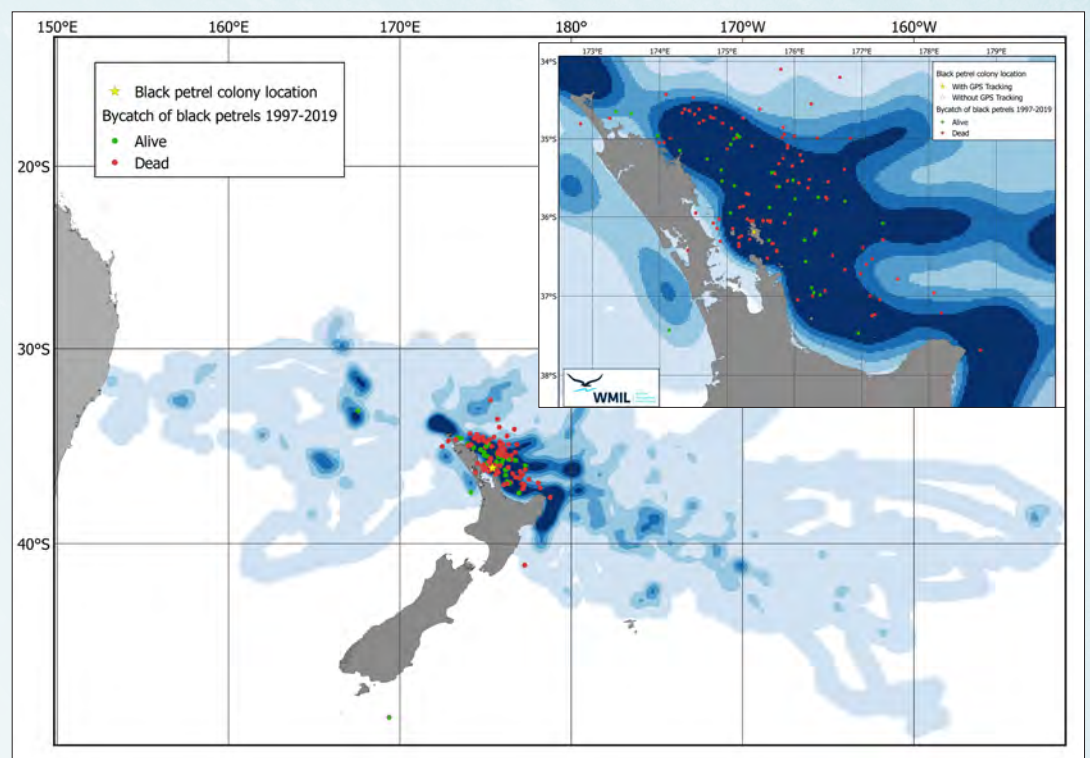
Distribution Map:

The distribution map shows where Tākoketai/black petrels are more likely to be found during the breeding season and where bycatch has occurred.

The dark blue areas indicate where numbers are most concentrated (hot spots) for foraging and feeding. These areas are also where most captures have been reported.

This data was accumulated from 1997 to 2019 breeding seasons.

It is not illegal to capture seabirds. IT IS ILLEGAL not to report captures of seabirds.





Protected Species Information for Commercial Fishers

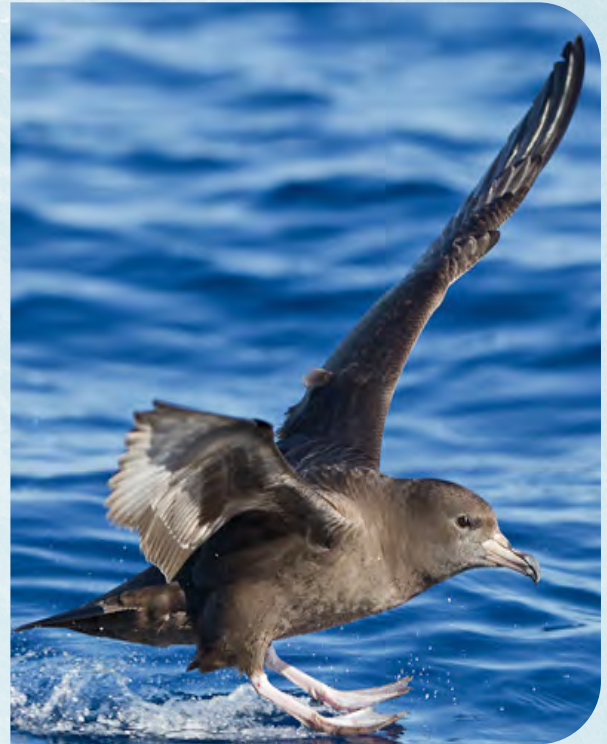
Toanui/Flesh-footed Shearwater

Where are flesh-footed shearwaters?

Breeding location: Toanui/Flesh-footed shearwaters breed on islands off the coast of north of New Zealand and in the Marlborough Sounds, Australia, and on St Pauls Island in the Indian Ocean. Mauima/Lady Alice Island, Northland Ohinai Island, Coromandel and Titi Island, Marlborough also carry large colonies.

Breeding time: Toanui/Flesh footed-shearwaters breed from September to May. When they are not breeding, they migrate to the Northern Hemisphere to forage around Japan, India, and North America.

Foraging distribution: Toanui/Flesh-footed shearwaters forage and feed in the entire inshore area of the North Island and the upper South island, with concentrations found closer to where they breed. Offshore they extend and are found on the East and West of the North Island. They are active at the day and night during their breeding season, with most feeding occurring during the day.



How to recognise flesh-footed shearwaters

Toanui/Flesh-footed shearwaters are approximately 45cm long and are dark brown. They have a light pink coloured bill and white-flesh coloured legs and feet.

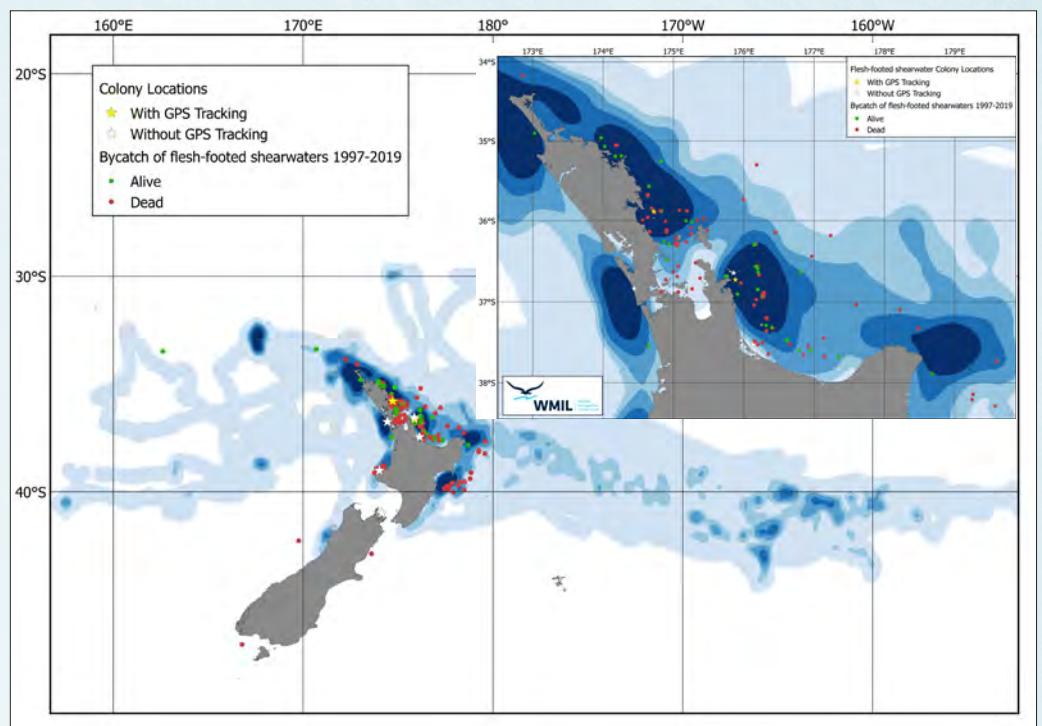
Distribution Map:

The distribution map shows where flesh-footed shearwaters are more likely to be found during the breeding season and where bycatch has occurred.

The dark blue areas indicate where numbers are most concentrated (hot spots) for foraging and feeding. These areas are also where most captures have been reported.

This data was accumulated from 1997 to 2019 breeding seasons.

It is not illegal to capture seabirds. IT IS ILLEGAL not to report captures of seabirds.



Shags

XPP - Spotted shag



Slender grey with long slender brown bill and green facial skin

*yellow/orange feet

XPS - Pied Shag



Black above and white below, long pale bill with pink base, yellow spot by eye and dark underwings

*black feet

XHG Unsure/Other – Shags



XSI - Unknown Otago/Foveaux Shag

XSO - Otago Shag



Large, have pied and bronze phases and orange caruncles during breeding season

*pink feet

XFO - Foveaux Shag



Large, have pied and bronze phases and no orange caruncles

*pink feet



*black, yellow or pink feet

Set Net Vessel: Observer PSRMP Audit



Trip Number	Observer Code	Vessel Name		Trip start date	Trip end date
Target Species		FMA's fished		Number of sets	
Name of Skipper(s)					

Record Yes (Y), No (N), Not Applicable (N/A) or Unknown (U) in the boxes provided. If you answer N or U to any questions, please make detailed comments on the reverse.

- Item 1 Did the vessel carry a copy of the appropriate Operational Procedures and 10 Golden Rules on board that was made available upon request?
- Item 2 Was a copy of the vessel's Protected Species Risk Management Plan (PSRMP) readily available and in a place accessible to all crew?
- Item 3 Were the skipper and crew familiar with the contents of the:
 - (a) Operational Procedures?
 - (b) 10 Golden Rules?
 - (c) Protected Species Risk Management Plan?
- Item 4 Were any protected species capture trigger points reached during the trip? *(If yes, please describe in the comments)*
- Item 5 After a trigger point was reached, did the crew: *(If yes, please describe in the comments)*
 - (a) Make changes to fishing operations?
 - (b) Change the mitigation measures they implemented?
- Item 6 Did a gear or equipment failure contribute to the risk of protected species captures during the trip? *(If yes, please describe in the comments)*
- Item 7 Were all protected species captures reported on the Non-Fish Protected Species Catch Return as required by fisheries reporting regulations?
- Item 8 Were protected species that were caught alive, handled and released according to the DOC Handling and Release Guide?

Fish waste management

- Item 9 Was all fish waste/offal discharge managed as per the vessel's PSRMP?
- Item 10 Was all fish waste held on board immediately before and during setting?
- Item 11 During hauling, was fish waste/offal held or batch discharged at intervals opposite to the side the vessel was hauling?

Placement

- Item 12 Did the skipper demonstrate awareness of high-risk areas in deciding where to fish? (i.e; away from seabird colonies and foraging grounds) *(If yes, please describe in the comments)*

Net interaction

- Item 13 Was the net kept at the surface for an unexpected or unnecessary amount of time? *(If yes, please describe in the comments)*
- Item 14 Was the net cleared of all practicable stickers prior to shooting?

Deck landing/impact

- Item 15 Were all lighting practices managed in a way that avoids attracting or disorienting seabirds?

Please make a detailed comment for each item when required.

Item No:

Item No:

Item No:

Item No:

Item No:

Any further comments/observations:

Hector's and Māui dolphins Threat Management Plan

North Island fisheries measures



Below is a summary of the new fisheries measures to support the Threat Management Plan for Hector's and Māui dolphins, which come into effect on **1 October 2020**.

Hector's and Māui dolphins are only found in New Zealand waters and together are one of the world's rarest dolphin species.

Extensive measures are already in place to reduce fishing-related threats to Hector's and Māui dolphins and more is needed to be done to protect them.

The Government is extending and creating new areas that will prohibit the use of commercial and recreational set-nets in both the North Island and South Island.

While trawl fishing poses a lower risk of fishing-related mortality, given the critically endangered status of the Māui dolphin, the Government is also extending the trawl prohibition within the central Māui dolphin habitat zone.

What does this mean for the North Island?

The west coast North Island, from Cape Reinga down to Wellington, will see new measures introduced.

- New commercial and recreational set-net closures out to 4 nautical miles offshore will be created between Cape Reinga and Maunganui Bluff, and between Hawera and Wellington.
- Set-net closures will be extended between Maunganui Bluff and the Waiwhakaiho River (New Plymouth) from 7 nautical miles to 12 nautical miles offshore, as well as between the Waiwhakaiho River and Hawera from 2 nautical miles to 7 nautical miles offshore.
- Set-net closures within the Manukau Harbour will be extended to Taumatarea Point in the north and Matakawau Point in the south within the harbour.
- An extension to commercial trawl closures between Maunganui Bluff and Pariokariwa Point will be put in place, extending south to the Waiwhakaiho River (New Plymouth) and to 4 nautical miles offshore. This falls within the central Māui dolphin habitat zone.
- Commercial and recreational drift netting will be banned in its entirety in all New Zealand waters.
- A change to the regulations allows the Minister to act immediately to impose further restrictions if a single dolphin is caught in the Māui dolphin habitat within the west coast of the North Island.

How do the measures affect commercial fishers?

The measures will prevent commercial set-net fishing in the areas outlined above, extend closures to trawl fishing in the central Māui dolphin habitat zone, and prohibit drift netting in all New Zealand waters. These changes are significant to fishers who operate between Maunganui Bluff and Hawera, given the scale of the offshore extensions. However, the measures will also be notable in the Northland, Manawatu-Whanganui, and Wellington (Kapiti) regions where there are currently few or no commercial restrictions on the use of set-net.

An additional new measure will enable the use of commercial ring nets in set-net prohibition areas within west coast North Island harbours; this fishing method poses a low risk to Māui dolphins.

Other commercial fishing methods including drag netting and beach seining may continue to be used unless otherwise prohibited.



Fisheries New Zealand

Tini a Tangaroa

Will the new measures impact customary fishing?

Tangata whenua may still authorise customary fishing to be carried out by non-commercial or commercial fishers, with or without a fishing vessel, using any type of gear or method.

What do the measures mean for recreational fishers?

Recreational fishers will no longer be able to fish using set-nets in the areas outlined above, or drift net in any New Zealand waters. The set-net changes will be notable in the Northland, Manawatu-Whanganui, and Wellington (Kapiti) regions where there are currently few or no restrictions on the use of set-net.

Other recreational fishing methods including drag netting and beach seining may continue to be used unless otherwise prohibited.

What does this look like in your area?



For more information, please visit www.fisheries.govt.nz/dolphintmp or contact dolphintmp@mpi.govt.nz