

North Island Bottom Longline

Operational Procedures - Protected Species Risk Management

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Background, Rationale and Purpose

Background and Rationale – Seabirds and Marine Mammals

Bottom longline coastal vessels have observed captures and risk assessments of seabirds that require a structured approach to mitigation of that risk.

The characteristics of bottom longline fishing which can increase the risk of incidental captures are:

Setting large numbers of hooks (24.5 million per annum)

Well known attraction of birds to baited hooks or other attractant near hooks

Fishing grounds and seasons in some areas well-known for high seabird numbers and foraging activity.

The seabird species caught by the BLL fleet are of significant importance to the community and some are rare (i.e. have very small and / or threatened populations). The Government will be responsive in ensuring that undue impacts are not occurring on these species. It is in the best interests of the coastal bottom longline fleet as users of the coastal space to take all reasonable steps to understand, acknowledge and mitigate impacts on protected wildlife encountered.

Seabirds

National Plan of Action (NPOA) and Risk Assessment

The NPOA - Seabirds is part of an internationally visible management framework for the reduction of seabird captures. The NPOA sets out objectives for the next five years to guide management of risk to seabirds in New Zealand fisheries. This management comes mostly from Fisheries New Zealand (FNZ) (used to be MPI) with support from DOC and industry bodies such as Fisheries Inshore NZ (FINZ), Southern Inshore Fisheries Management Co. (SIFMC) and the DeepWater Group.

The Risk Assessment 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' for each seabird species estimated as the ratio between the estimated annual potential fatalities due to fisheries and the number that the population can withstand and stay healthy or grow. The risk ratios are assessed on a fishery by fishery basis where data is sufficient to allow this.

A key part of the NPOA -Seabirds is the objective to move seabird species to lower risk categories (so the populations are not threatened) and a long-term objective is to have negligible impact on seabirds (i.e. few if any seabirds are killed).

Currently 13 seabirds are assessed to be in a risk category that warrants prompt and considered attention. Four of these species have been observed captured by the inshore BLL fleet – especially black petrels and flesh-footed shearwaters, Salvin's and white-capped albatross (Note that the terms mollymawk or albatross are both applied to these birds).

A variety of smaller petrels, shags and shearwaters are also prevalent in these waters. While some seabird populations are identified as being at higher risk than others, they are typically all caught in similar ways – on hooks or colliding with the vessel at night (deck strikes). Therefore, mitigation measures that reduce the risk of capturing one species usually work to reduce the risk of capturing others as well.

Marine Mammals	<p>A risk assessment has been prepared for marine mammals. It indicates certain dolphin species are at higher levels of risk from commercial fishing than other mammals.</p> <p>The BLL fishery has not been observed to capture marine mammals.</p>
Turtles	<p>There are a small number of captures have been reported for the BLL fleet.</p>
Purpose and Process	<p>The process for mitigating the risk to protected species involves:</p> <p>Operating Procedures –background information and fleet-wide mitigation measures;</p> <p>Toolbox of Mitigation Measures – a supplementary guide to mitigation measures considered effective and appropriate for use in a fishery;</p> <p>Vessel Specific Protected Species Risk Mitigation Plans (PS-RMP) – the mitigation processes and measures agreed by the vessel owner/operator that will be used to mitigate fishing risks on that vessel</p> <p>Trigger Reporting – reporting of captures of significant species or numbers that might indicate a mitigation failure or a need to review a vessel plan</p> <p>Monitoring and Audit – observer reporting of vessel use of measures and auditing the performance of mitigation measures by the fleet.</p> <p>These OPs have been established so that agreed and required management measures are clearly communicated to and understood by vessel captains, vessel managers and ACE providers/ fish receivers.</p> <p>The purpose of the Inshore BLL Operational Procedures is to ensure:</p> <p>risks of marine protected species mortalities are mitigated by reducing the risk of capture that by implementing this OP and associated vessel specific Protected Species Risk Management Plan (PS-RMP) the vessel crew is actively involved in seabird and marine mammal mitigation measures and undertakes improvements through ongoing on board observation, review and improvement processes, i.e. Look – Think – Act</p> <p>that all vessels in the fleet have the same information as well as robust and documented systems to manage protected species risk and therefore are working together as a fleet to manage the risks vessels report as required and as accurately as possible all capture events (FNZ reporting) as well as any event triggers required by the OP</p> <p>documented systems to manage protected species risk are able to stand up to audit or review by vessel owners, skippers or Government.</p>

Main species at risk due to observed fishery interactions

Birds 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 four main factors which can occur alone or together. Managing risks associated with these three factors at a vessel level will help minimise interactions and reduce the incidental captures of seabirds.

RISK ITEM	PLACE, TIME and RISK PROFILE
SEABIRDS	<p>Black petrel Nests on Great and Little Barrier, locally common and active in Bay of Plenty, Hauraki and Northland areas during spring, summer and autumn Highest risk seabird in Fisheries NZ Risk Assessment; Threat classification nationally critical, aggressive feeder around vessels and observed caught in longlines in region</p> <p>Flesh footed shearwater Nests on many off lying islands around upper North Island, most common spring, summer and autumn Aggressive feeder around vessels and observed caught on longlines in region Third highest risk species in Fisheries NZ Risk Assessment</p> <p>White capped and Salvin's albatross Occasionally visitors to upper North Island coasts year round but especially spring/summer Aggressive feeders around vessels</p> <p>Other petrel species Prone to net capture and deck strikes at night</p> <p>Penguins and shags Coastal waters near their breeding colonies or roosts onshore Can forage well out to sea but usually nearshore Shags that form "rafts" i.e. large flocks on the sea can pose a risk</p>

Managing Risk Associated with the Coastal BLL Fishery

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

RISK ITEM	RISK FOR	WAYS TO MANAGE RISK
<p>Food Attractant (Offal, waste, discarded baits, whole fish returned to the sea, whole fish on the line) The more food the more birds around the vessel increasing the risk of captures</p>	Seabirds (mostly petrels, shearwaters, albatross)	<ul style="list-style-type: none"> • Stopping or controlling (batching) offal/waste discharge while setting or hauling lines or discharging any attractant on the other side from which the hauling station is located • If hauling over the stern, discard used baits, offal, waste and live fish in batches on the leeward side of the vessel
<p>Baited Hooks- 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) or if the tori line is poorly designed or deployed and does not provide adequate cover over the gear when setting or if the line is clearly visible to birds</p>	Seabirds (mostly petrels, shearwaters, albatross)	<ul style="list-style-type: none"> • Use of a tori line(s) to deter seabirds from accessing baits • Use of weights to ensure a sink rate that mitigates the risk to diving petrels • Slowing the vessel or free-spooling the drum to let the line sink faster • Setting at night to reduce visibility of gear • Avoiding setting the line when large numbers of birds or mammals are present • Reducing lights both on the logline and around the vessel to the minimum possible • Avoiding the full moon when setting lines • Not using frozen bait
<p>Baited Hooks- Hauling Seabirds are attracted to any remaining baited hooks during line hauling and are either beak hooked or get foul hooked when baits come off or become entangled in the line</p>	Seabirds (mostly petrels, shearwaters, albatross)	<p>The risk increases the longer the hook is on or near the surface and is made worse by a slow retrieval rate (e.g. if there is not enough line weighting, there are floats on the gear or if the vessel is moving too fast or caught fish have brought the line to or near the surface)</p> <ul style="list-style-type: none"> • Use of bird scaring device at the hauling station • Hauling as quickly as possible • Avoiding hauling the line when large numbers of birds or mammals are present • Reducing lights both on the logline and around the vessel to the minimum possible

Mitigation methods

Mandatory Mitigation Measures

MPI has implemented regulatory requirements for seabird risk mitigation. These standards are required to be met as described by the regulations. Guidance below on best practice to meet and implement these requirements on your vessel is found in the “endorsed Practices...”. The regulations that apply are: *Fisheries NZ Seabird Mitigation Measure – Bottom Longlines Circular 2018* - <http://www.legislation.govt.nz/regulation/public/2018/0116/latest/whole.html>).

You should also have a full copy of the Regulations on board and understand them.

In summary,

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. Note there are waivers for Schedule 6 or sub - Minimum Legal-Size fish

Tori Lines (also 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.

For vessels less than 7m: no regulations apply

For vessels 7-20m LOA 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. The other conditions above apply

Best design guide for tori lines:

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

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

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/50cm going down the backbone

Once deployed (without the setting gear) the first time, trim streamers away to stay well above the water to reduce drag, tangling gear and birds (i.e. so streamers in the air not in the water)

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 80 m to 100m long with either rope, float (or both) or mono for drag.

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 at least hundred of metres is required to provide enough drag versus adding a float(s) to end of a shorter (20m-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

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 operational guides 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 operational guides 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

The following minimum specifications must be followed:

During setting, offal or fish cannot be discharged from the vessel

The only exceptions are:

If the fish are legally undersize (MLS) or

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 operational guides 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 Operational Guides for Bait](#)

When hauling, used bait must be held and discharged after hauling has ceased

If too many birds are crowding the hauling line, discharge a batch of offal/ waste or whole sea on the opposite side of the hauling station to distract the birds

Additional Mitigation Measures

The following measures may be used to increase the effectiveness of mitigation

[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. For more information call DWG Liaison Officer

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.

[Thawing of Bait](#)

The use of totally frozen bait is to be avoided as it floats more than when 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.'

[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 vessel and crew

[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 and/or reduce setting speed)

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 Liaison Officer for advice and report seabird triggers (as advised below)

Risk Management Plan Responsibilities

Responsibilities of Operator and Skipper

The vessel operator and skipper will:

Ensure all crew are briefed on these OPs, the vessel's PS-RMP and fully understand all the actions required

Be aware of seabird/mammal activity around the vessel, assess risks and take those actions needed to minimise risk

Ensure shooting and hauling carried out as quickly as possible and with regard to protected species activity in immediate area

Batch discharge equipment is available and fish waste is not discharged when shooting and hauling

Deploy mandatory mitigation measures and additional measures as considered appropriate to the risk to seabirds

Deploy and/or adjust mitigation measures to best suit weather, fishing and processing conditions to minimise risk of seabird interactions

Display a copy of "The 10 Golden Rules for NI Coastal Longline Vessels" on the bridge

Ensure correct reporting (MPI) and that trigger reports are sent promptly to the Liaison Officer identified on your PS-RMP.

Ensure crew are meeting their responsibilities listed below.

Address any deficiencies in implementation of the PS-RMP as noted by any observer

Address the effectiveness and content of the PS-RMP if seabird captures exceed the triggers

Responsibilities of Crew

This crew must:

Not discharge offal and fish waste prior to or during hauling and shooting periods to reduce bird numbers in the longline danger zone

Hauling: This period is defined by when the marker buoy is taken on board until the last of the longline is on board.

Shooting: This period is from when the marker buoy is off the deck until the last hook is at fishing depth. Shoot and haul the net as quickly as practicable and always minimise the time the net remains on or near the surface

Maintain a watch of seabird and mammal activity around the vessel and advise the skipper as appropriate when it is clear there is risk that requires action including:

Not shooting in presence of significant feeding activity

Altering hauling speed and operation to reduce risk

Advising if any animal seen caught and ensuring its immediate release if alive

Carry and deploy a fit and proper bird scaring device as described in the vessel's PS-RMP and spare parts to rebuild /replace if damaged or lost

Audit & Review

Government fisheries observers on your vessel will audit the implementation of your PS-RMP. Information they collect will be provided to DOC, Fisheries NZ and the Liaison Officer.

If your PS-RMP 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 PS-RMP 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.

Reporting Protected Species Captures

Trigger Limits & Vessel Action Trigger Limits are the FINZ real time reporting ‘threshold’ system of significant captures. Once a ‘trigger’ is reached, the Liaison Officer, FINZ, and the operator/owner and skipper (noting these might be the same person at times) will review the situation. Whenever appropriate, the vessel crew may need to take additional steps to mitigate risk of further capture events. This is usually by actively and immediately reassessing the effectiveness of their fish waste control and mitigation measures and, where necessary, altering or deploying additional measures.

Real Time Reporting Triggers A trigger has been reached if the vessel captures (dead or alive):

- any penguin, dolphin, sea lion, leopard seal, basking shark, great albatross (wandering, Antipodean, Gibson's, royal); or,

In any 24 hour period:

- 3 or more large seabirds (albatrosses, mollymawks, giant petrels); or
- 5 or more small seabirds (petrels and shearwaters); or
- 2 or more fur seals,

or in any 7 day period:

- 10 or more seabirds of any type; or
- 5 or more fur seals.

Trigger breach Reporting Contact - 24/7 The vessel (directly) or the onshore Vessel Manager must notify the Liaison Officer **within 24 hours** of any trigger breach so that any follow-up deemed necessary can be discussed and carried out.

Emails from Sat-C or texts are OK.

Your Liaison Officer’s contact details are shown on your Protected Species Risk Management Plan.

Fisheries NZ Reporting Requirements

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, see below) dead or alive (then returned to the sea) must be recorded in the Non-Fish Protected Species Catch Return form (NFPSCR) or the Electronic Logbook equivalent.

Fisheries NZ observers may decide to keep some protected species caught for autopsy and identification. They are permitted to do so. The vessel may only do so if it holds a DOC permit.

Capture: *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, unable to leave vessel of its own accord; report as 'deck-strikes' (not reported if alive and leaves the vessel unassisted, i.e. landed on vessel)*

Always meet your legal requirements. Record all captures (dead or released alive) and furnish to MPI as required under the fisheries reporting regulations.

NFPSCR Codes, Species Identification and legbands/tags

Seabirds

Use the XAL (unidentified Albatross/mollymawk) and XXP (unidentified Petrels & Shearwaters) species codes if you are not 100% sure of the species identification. If you are 100% sure, use the species individual codes supplied by MPI.

Record any leg band numbers on the form, these are really important and FINZ urges skippers to record any leg bands. Take a photo if possible and send to your Liaison Officer.

Marine mammals

If you are able to identify marine mammals, report these captures at species level. If you are unsure, use generic codes. You may wish to 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.

Animal Handling/Release and Crew Safety

Release Alive Every care should be taken to release animals alive, reduce stress and handle with care to minimise any further harm or injury to the animal, and to increase survivability when it is being returned to the sea alive.
Deliberately harassing or harming these animals after an incidental capture is an offence.

Birds Keep the bird calm by covering the head with a cloth. Use two crew; one to support the bird, while the other frees the gear from the bird. Use gloves and eye protection (beware large birds can inflict a nasty bite). Carefully isolate the tangled meshes. Peel the netting back over the tail, feet, and then the wings, while holding the bird firmly. Remove the head from meshes last.
 When 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, until it has recovered.

Marine Mammals If possible, give animals time and space to leave the vessel. Do not take actions that will antagonise the animal. Watch carefully for signs of aggression in the animal.
 Do not allow crew to be in its path or escape route, use netting as a moving barrier or a deck hose to persuade/guide the animal back to the sea.

Turtles Release while in the water
 If hooked or swallowed, cut the snood as close to the animal as possible
 If tangled, cut the snood as required to remove the line

Returning Dead Seabirds and Marine Mammals 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, or they themselves keep it or the skipper has been advised otherwise by DOC or Fisheries NZ. Usually they only keep seabirds.
Taking any part and keeping it or cutting or mutilating the body of a protected species is an offence.

Seal Handling and Crew Safety Issues Seals can carry a number of infectious diseases which can infect humans. Live marine mammals can also be potentially dangerous to humans particularly when they are in stressful situations. Handling marine mammals should always be kept to a minimum and should only occur if and when 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
 Where possible, 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, as a first measure wash and disinfect the wound immediately, apply betadine/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 their protective clothing by hose down.
