

North Island Coastal Trawler

Operational Procedures - Protected Species Risk Management

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Contents

Background, Rationale and Purpose	3
Managing Risk Associated with the Coastal Trawl Fishery	5
Regions and Periods of Risk for Seabird & Marine Mammal Species	5
Risk Management Plan Responsibilities	7
Reporting Protected Species Captures	8
Trigger Limits & Vessel Action	8
Real Time Reporting Triggers	8
Trigger breach Reporting Contact - 24/7	8
MPI Reporting Requirements	8
Animal Handling/Release and Crew Safety	9
Audit & Review	10

Background, Rationale and Purpose

Background and Rationale – Seabirds and Marine Mammals

The North Island coastal vessels (under 28 m LOA targeting inshore stocks) trawl fishery has, like the offshore trawl fleet, had observed captures and risk assessments of seabirds that require a structured approach to mitigation of that risk.

The characteristics of coastal trawl fishing which increase the risk of incidental captures of seabirds are:

- warps towing from blocks outboard of the vessel hull
- extended periods during which the gear is on or near the surface
- feed attraction from high levels of fish waste - offal and discards
- fishing grounds and seasons in some areas with high seabird numbers.

Marine mammals such as fur seals or dolphins may also be captured in this or other inshore trawl fisheries. Common, and Maui/Hector's dolphins inhabit many parts of the coastal waters where trawling occurs, as do increasing numbers of fur seals.

Increasingly, occasional interactions with marine turtles also occur.

These are species 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 trawler 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, a requirement of the Agreement on the Conservation of Albatrosses and Petrels (ACAP) members (of which NZ is a member) and linked to United Nations Food and Agriculture Organisation processes and guidelines. 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 MPI with support from DOC and industry bodies such as Southern Inshore Fisheries Management Co. (SIFMC) and Fisheries Inshore NZ (FINZ).

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 NI coastal trawl – especially black petrels and flesh-footed shearwaters, and also (more rarely) white-capped and Salvin's 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 – in trawl nets, on warps 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 Common dolphins are the marine mammals most frequently observed caught by coastal trawlers in this region, although bottlenose dolphins have been observed also. While fur seal captures are rarely reported caught, seals are captured in offshore fisheries, vulnerable to trawl nets and increasingly occur around northern coasts.

Around New Zealand, there are Government management regimes in place for Hector’s and Maui dolphins in the form of controls on setnetting and trawling in certain areas. Some marine mammals, e.g. Maui and Hector’s dolphins are also the focus of a DOC Threat Management Plan (TMP).

Similar to seabirds, Government evaluates the risk that commercial fishing presents to marine mammals and is expected to do this on an ongoing basis.

Marine Reptiles There have been no observed captures of turtles in trawl nets, they have been known elsewhere and could be expected to occur.

Purpose The purpose of these North Island Coastal Trawl Operational Procedures is to ensure:

1. risks of protected species mammal mortalities are mitigated by reducing the risk of capture
2. that by implementing this OP and associated vessel specific Protected Species Risk Management Plan (PS-RMP) the vessel crew is actively involved in protected species mitigation measures and undertakes improvements through ongoing on board observation, review and improvement processes, i.e. **Look – Think – Act**
3. 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
4. vessels report as required and as accurately as possible all capture events (MPI reporting) as well as any event triggers required by the OP systems are able to stand up to audit or review by vessel owners, skippers or Government.

Risk Seabirds and marine mammals are attracted to offal and discards (fish waste) from the vessel or whole fish in the trawl net or fish disturbed by the passing of the net. Once attracted, they are at risk of injury from the gear or drowning in it.

Risk to seabirds and marine mammals in your region is driven by these two factors and how they interact:

1. Food attractant: offal, waste, discards from the vessel and fish in the trawl
2. Fishing gear:
 - a. **The trawl net (seabirds and mammals)**: in particular when gear is on or near to the surface as this increases the risk of interactions with marine mammals and seabirds that may easily enter into the trawl mouth and become trapped and drown
 - b. **The warps (seabirds)**: in particular where the warps enter the water and birds collide with or are struck by them.

Managing the risks associated with these parts of the fishing gear at a vessel level will help minimise interactions and reduce incidental captures

Note that lights at night can also attract seabirds to vessels. While seabirds can be injured or killed by impacting fishing vessels, deck strikes are not considered to be fishing-related mortalities. However, the risk of such strikes occurring can be managed by minimising deck lighting at night to only that is necessary for safe operations.

Managing Risk Associated with the Coastal Trawl Fishery

RISK MANAGEMENT		
RISK ITEM	RISK FOR	WAYS TO MANAGE RISK
NET CAPTURES	Seabirds (mostly petrels, shearwaters, shags and penguins), marine mammals and turtles	<ul style="list-style-type: none"> • Net captures occur during both shooting and hauling of the net. Therefore, it is important that the vessel prevents offal discharges both before and during hauling and shooting. • Minimising the amount of time the net is on the surface will also reduce this risk. So, getting the gear to fishing depth and later aboard quickly is important. Avoid trailing the gear in the water while mending. • Avoiding setting the net when large numbers of birds or mammals are present • Ensuring that the net is clean of stickers and other food attractants when being set
WARP CAPTURE	Seabirds (mostly albatross)	<ul style="list-style-type: none"> • Stopping or controlling (batching) offal/waste discharge while warps are in the water will greatly reduce or even eliminate interactions - this is the PRIMARY risk reducing measure • Fit and proper mitigation devices (tori lines, bafflers, deflectors or scarers), well designed, and implemented will serve to keep seabirds away from the warp danger area (see recommended devices at the back of this OP) • Ensuring warp splices are 'wrapped', and any sprags removed and 'whipped'

Regions and Periods of Risk for Seabird & Marine Mammal Species

RISK MANAGEMENT	
RISK ITEM	MAIN SPECIES AT RISK DUE TO OBSERVED FISHERY INTERACTIONS PLACE, TIME and RISK PROFILE
SEABIRDS	<ul style="list-style-type: none"> • Black petrel <ul style="list-style-type: none"> – 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 trawls in region • Flesh footed shearwater <ul style="list-style-type: none"> – Nests on many off lying islands around upper North Island, most common spring, summer and autumn – Aggressive feeder around vessels and observed caught in trawls in region – Third highest risk species in Fisheries NZ Risk Assessment • White capped and Salvin's albatross <ul style="list-style-type: none"> – Occasionally visitors to upper North Island coasts – year round but especially spring/summer – Aggressive feeders around vessels – Both in top 10 in Risk Assessment – Very occasional warp captures • Other petrel species <ul style="list-style-type: none"> – Prone to net capture and deck strikes at night • Penguins and shags <ul style="list-style-type: none"> – Coastal waters near their breeding colonies or roosts onshore

	<ul style="list-style-type: none"> - Can forage well out to sea but usually nearshore - Shags or birds that form rafts, i.e. large flocks, on the sea can pose a risk
<p>MARINE MAMMALS</p>	<ul style="list-style-type: none"> • Dolphins <ul style="list-style-type: none"> - Common dolphin – around all of North Island though more prevalent in north - Some species threatened or with small populations - Found in coastal waters and bays, year round notably - Maui and Hector dolphins – West Coast often in shallow dirty water and off river and harbour mouths, infrequently seen on East Coast • NZ fur seal <ul style="list-style-type: none"> - Coastal waters, year round and reportedly increasing in northern regions

Risk Management

Primary reduction of seabird net capture risk lies in:

- Reducing food attractant in water when gear is near surface
- Shooting and hauling gear quickly
- Removing all food attractant (stickers) from net before shooting
- Ensure shooting and hauling is avoided when risk is high

These measures also reduce risk to marine mammals

To reduce deck strike risk:

- Minimise (with due consideration to ship and crew safety) all unnecessary deck lighting when sheltering or at anchor.
- Ensure crew are meeting their responsibilities listed 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
 - Monitor crew removal of stickers from net prior to shooting
 - Deploy mitigation measures (fish waste management and warp device) whenever seabirds are at risk from warps
 - Deploy and/or adjust mitigation measures to best suit weather, fishing and processing conditions to minimise risk of seabird interactions
 - Regularly inspect warps and ensure they are spliced using methods that do not leave sprags (i.e. splices should be wrapped and sprags whipped)
 - Display a copy of "The 10 Golden Rules for NI Coastal Trawl 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 and marine mammal captures exceed the triggers
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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 net danger zone**
 - Hauling: This period is defined by when the doors reach the surface through until the codend is on deck.
 - Shooting: This period is from when the codends are off the deck until the doors are below the surface.
 - Shoot and haul the net as quickly as practicable and always minimise the time the net remains on or near the surface
 - Remove stickers and food attractant from net before shooting
 - 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
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Reporting Protected Species Captures

Trigger Limits & Vessel Action

Trigger Limits are the FINZ real time reporting 'threshold' system. 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,, 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 FNZ 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.
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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.
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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.
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Turtles

- Release the turtle in the water
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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 FNZ 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 and Maui dolphins.

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.
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Audit & Review

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.
