



SEAFOOD
NEW ZEALAND

SCAMPI FISHERIES
OPERATIONAL PROCEDURES
2023-24

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PART 1: INTRODUCTION

Operational Procedures for Mitigating the Risk of Seabird and Marine Mammal Captures

These OPs stipulate the management measures agreed between Seafood New Zealand - Deepwater Council (DWC) members owning scampi quota and Fisheries New Zealand. They are implemented and administered by DWC.

These procedures apply to all vessels targeting scampi.

Disclaimer

Nothing in these procedures shall be interpreted to replace or override any of the requirements in the fisheries legislation or other regulations, including those for Health & Safety and Maritime Safety. Vessel operators are required to ensure that at all times, both they and their crew understand all regulations that are relevant to these fisheries and to the operating environment that they are in.

Background to these procedures

The scampi fishery has had observed and estimated incidental capture rates of seabirds, New Zealand fur seals and New Zealand sea lions which are sufficient to require a structured approach to understanding and mitigating that risk. The characteristics of scampi fishing which can increase the risk of incidental captures are:

- Multi-rig trawls (two or three nets)
- Operations requiring extended periods during which the gear is on or near the surface
- Attractants from high levels of offal and discards due to bycatch
- Fishing grounds and seasons in some areas well-known for high seabird or marine mammal numbers.

These OPs provide the standards and supporting information for the vessel operator to use along with the vessel's specific Vessel Management Plan (VMP) to reduce risks to protected species, especially seabirds and marine mammals.

National Plan of Action (NPOA-Seabirds)

The National Plan of Action to reduce risk to seabirds in New Zealand fisheries (NPOA-Seabirds) sets the management approach. 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-Seabirds seeks to ensure that effective mitigation methods are applied in New Zealand fisheries, acknowledged risk reduction methods are applied as appropriate, and actions to manage risk to seabirds are prioritised based on the level of risk faced by particular seabird species and posed by the various fishery sectors.

Through Fisheries New Zealand a spatially explicit risk assessment is used to assess the risk to seabird species from particular fisheries. Currently about 10 species are assessed to be in a high-risk category and therefore need continued attention. Four of these species with high risk scores have been observed captured in the scampi fishery: white-capped albatross, Salvin's albatross, southern Buller's albatross and flesh-footed shearwater. White-chinned petrels and sooty shearwaters are also of particular concern due to the relatively high numbers of captures.

Marine mammals

Fur seals are found around the South Island coast line and observed captures are recorded in areas overlapping with scampi fishing areas (particularly East Coast South Island, Chatham Rise, and Auckland Island scampi fisheries).

New Zealand sea lions have been observed captured in the SCI 6A fishery. The sea lions' "nationally critical" threat status means risk in this area needs to be managed closely.

It can be difficult to identify between fur seals, sea lions and other pinnipeds such as leopard seals.

Vessels operating in SCI 6A must report all seal-type captures to DWC within 24 hours. If the animal is dead, two photos (one of head and one of full body) must be taken before it is returned to the sea. These photos are to be sent to DWC so the species can be accurately identified.

Objectives of these procedures and associated VMP

The objectives of these OPs are to ensure that:

- Risks to seabirds and marine mammals from scampi fishing are understood and mitigated
- Every vessel has robust, documented and easy-to-follow vessel-specific seabird and marine mammal mitigation procedures in place, including:
 - One Seabird Mitigation Device deployed at all times and a tori line on board. For vessels >28 m LOA, this must meet the Fisheries New Zealand mandatory design and specification
 - Fish waste control
 - Operators, captain and crew understand the particular risks of seabird net captures associated with the centre net during use of a triple rig
 - Operators, captain and crew understand the particular risks of New Zealand sea lion captures in SCI 6A (Auckland Islands scampi fishery).
- Through implementing these OPs and their VMP, the crew are actively involved in seabird and marine mammal mitigation measures and improvements
- Information regarding significant seabird or marine mammal interactions is provided and reported in real-time to DWC to help incident management.

Legislative framework

The key legislation that underpins the management and protection of marine mammals and seabirds in New Zealand includes:

- **Marine Mammals Protection Act 1978:** the accidental capture of any marine mammal is permitted provided that the capture is reported to the appropriate authority without delay. **It is an offence to accidentally capture a marine mammal and to not report it.**
- **Fisheries Act 1996:** requires that measures are taken to avoid, remedy or mitigate any adverse effects of fishing related mortality on any protected species. **This Act also includes requirements to report captures of protected species.**
- Other relevant statutes include the Wildlife Act 1953 and Animal Welfare Act 1999

Other relevant legislation includes:

- Department of Conservation Regional Coastal Plan for sub-Antarctic Islands

PART 2: RISK

Seabirds and marine mammals are attracted to offal and discards from the vessel or whole fish in the trawl net. Once attracted, they are at risk of injury from the gear or drowning within it.

Risk to seabirds and marine mammals is driven by two factors:

1. **Food** (offal, waste, discards, fish in the trawl) attracts animal to vessel
2. **Fishing gear** may come into contact with the animal
 - **The warps (seabirds):** in particular where the warps enter the water and birds collide with or are struck by them.
 - **The trawl net (seabirds and mammals):** in particular when gear is on or near 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.

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

For seabirds there is also a risk of significant deck-strikes when at anchor. This is exacerbated by poor weather (e.g. storms, low cloud or fog) and bright deck lighting.

Table 1: Main species at risk from scampi fisheries

RISK	MAIN SPECIES AT RISK - PLACE, TIME AND RISK PROFILE
Seabirds	<p>Salvin's albatross</p> <ul style="list-style-type: none">• Chatham Rise year-round• Second highest risk in NPOA Risk Assessment and threat classification 'Nationally Critical'• Aggressive feeder around vessels <p>White-capped albatross</p> <ul style="list-style-type: none">• Auckland Islands year-round but especially spring/summer• Most frequently caught albatross across all fisheries; in top five of NPOA Risk Assessment

RISK	MAIN SPECIES AT RISK - PLACE, TIME AND RISK PROFILE
	<p>Buller's albatross</p> <ul style="list-style-type: none"> • Chatham Rise year-round • Aggressive feeder around vessels; small population; in top ten of NPOA Risk Assessment <p>White-chinned petrel</p> <ul style="list-style-type: none"> • Chatham Rise and Auckland Islands, spring/summer • Strong diver and aggressive feeder around vessels; most frequently caught species <p>Flesh-footed shearwater</p> <ul style="list-style-type: none"> • Bay of Plenty, spring/summer • Strong diver; in top five of NPOA Risk Assessment <p>Sooty shearwater</p> <ul style="list-style-type: none"> • Auckland Islands/Chatham Rise, spring/summer/autumn • High number of captures, risk indicator <p>Black petrel</p> <ul style="list-style-type: none"> • Upper North Island, spring/summer/autumn • Highest risk seabird in NPOA Risk Assessment
Marine Mammals	<p>NZ fur seal</p> <ul style="list-style-type: none"> • Chatham Rise year-round <p>NZ sea lion</p> <ul style="list-style-type: none"> • Auckland Islands year-round • 'Nationally Critical' and observed population decline
Benthos	<p>Corals, sponges and bryozoan</p> <ul style="list-style-type: none"> • Nearly all coral families in New Zealand are listed as protected species • Distributed throughout New Zealand EEZ

PART 3: MANAGING RISK

The following outlines how to implement these OPs and your VMP and what is expected of you.

Remember: LOOK – THINK – ACT to situations occurring around you.

Responsibilities of vessel owner, operator or manager

All vessel owners, operators and managers must:

- Ensure key crew are briefed on these OPs and VMPs as well as the relevant regulations and fully understand the actions required.
- Ensure the crew are familiar with Deepwater InfoPortal and it is pinned to your PC's taskbar for easy access.
- Brief vessel on particular Fisheries New Zealand Operational Plans when relevant
- Ensure materials and equipment needed for fish waste management and mitigation are onboard.
- Advise DWC of the need for any review, refresher or briefing of new (relief) captains or managers.
- Take responsibility for corrective action should the vessel, captain or crew fail to observe the requirements of these OPs.
- Ensure handover to new or relief managers or captains includes a refresher on DWC OPs.
- Have oversight of protected species capture reports.
- Respond to Observer audit reports via DWC.
- Promptly pass on trigger reports to DWC.

Responsibilities of captain and crew

This vessel's captain and crew must:

- Have full knowledge of the requirements of the DWC Operational Procedures and VMPs and ensure that all relevant documents (including other risk plans and Fisheries New Zealand Operational Plans) are accessible.
- Adhere to the requirements of these OPs, noting specific needs for different fisheries.
- Respond to emerging events based on the principles and actions set out in these OPs.
- Be diligent with reporting as per regulations and DWC triggers.
- Seek support from shore management or DWC when needed.
- Captain, senior crew and vessel manager maintain and participate in the DWC environmental risk management information and training programmes as required.

Identified risks and summary of actions to mitigate risk

Table 2: Summary of risk management actions

RISK	ACTIONS TO MITIGATE RISK
Warp Capture	<ul style="list-style-type: none"> • Reduce numbers of seabirds attracted to the vessel by stopping continuous discharge of fish waste • Stop or limit the amount of time fish waste is in the path of the warp/s by <ul style="list-style-type: none"> • Holding waste on board for as long as practicable or until maximum capacity is reached • Prevent or control (batch) fish waste discharge while warps are in the water • Mince fish waste and discharge away from the path of warp • Turn the vessel to move warp away from the path of the fish waste discharge • Ensure warp splices are wrapped, any sprags removed or whipped, and that warp splices are not near the water surface during fishing • Deploy suitable, effective, well-made and maintained mitigation devices
Net Captures	<ul style="list-style-type: none"> • Eliminate fish waste discharge immediately before and during hauling and shooting periods • Where practicable clear the net of stickers before shooting • Minimise the amount of time the net is on the surface with mouth open and posing risk of entry • Use net restrictor on centre net of triple rig or remove this net at times of high-risk
Vessel Deck Lighting	<ul style="list-style-type: none"> • While on anchor, keep deck lighting to absolute minimal level whilst ensuring vessel and crew safety

Seabird mitigation devices

Warp Mitigation: DWC requires all scampi vessels to have a suitable and effective warp mitigation device/s deployed when fishing. It is also mandatory for all vessels over 28 m to deploy a Fisheries New Zealand-approved seabird mitigation device whilst fishing. This needs to be deployed and managed in compliance with Fisheries New Zealand regulations and gazette notices and recommended best practice.

Tori Line/Baffler: All vessels to deploy a suitable warp mitigation device that can reduce the risk of seabirds gaining access into two areas:

1. From discharge chute or batch tank discharge area down side of vessel into the path of the warp
2. General area where the warp enters water.

Additional Mitigation: As a minimum, all vessels must carry on board a tori line, even if another device (e.g. baffler) is deployed as the primary device. When required, deploy your tori line and/or other 'secondary' device after a warp capture and/or during periods of heightened risk.

Net Restrictors: Only required if vessel uses triple rig trawls and if centre net is left in water when hauling. Skippers on all vessels with three trawls must either carry or have materials on board to build net restrictors, if and when required.

Fish waste control procedures and equipment

No continuous or uncontrolled discharge of fish waste when towing. Hold, batch, and/or mince.

Batching: Have a dedicated storage/holding/batching bin/tank/conveyor with the capacity to hold all offal, fish waste and discards. Hold for a minimum of 30 minutes (if possible) and batch discharge in less than 5 minutes when towing. **Do not continuously discharge fish waste when towing.**

Mincing: Mincer or hasher must be able to cut/mince fish waste into small particles that are thumbnail size to discharge/pump. Minced offal and fish waste require large volumes of water, so pumping is generally continuous. The discharge of fish waste must be able to be stopped for hauling and shooting periods (e.g. often pump/water discharge is left running but the in-feed of fish waste into mincer is stopped for hauling/shooting).

Chutes and Conveyors: Reduce accidental spillage to the deck floor from chutes and conveyors by maintaining them in good condition.

Fish Discards: Non-Quota Species Schedule 6 and MLS Discards (sub-MLS*). Any non-quota fish (or Fisheries Act 1996 Schedule 6 species) quantified then discarded from deck will be discarded in a manner that minimises creating risk around warp(s) or net. This is best discharged when the nets are on deck.

*During hauling & shooting, return those fish required to be returned to the sea while still alive. **Ensure you are aware of all regulations regarding discarding of fish.**

Scuppers/Sumps: Open deck scuppers or factory deck sumps with pumps used to clear water from the deck, require a grating or trap system around the area to prevent fish waste or offal accidentally lost to the floor/deck being discharged overboard. Using grates or stoppers to prevent fish waste from leaving the vessel is best practice, provided it can be done while always allowing the required discharge of water to keep the vessel safe.

Contingency procedures & equipment

Batching/Holding/Conveyors: Carry spare parts in the event of equipment failure. All repairs are to be made ASAP if the holding/batching/mincing equipment or procedures fail. If unable to repair, use other equipment that can be used to batch fish waste (e.g. fish bins/Dolab/conveyors) until repairs or changes are made.

Fish Waste System Failure: Notify vessel manager ASAP. Manager to notify DWC ASAP.

Mitigation Devices: Carry spare parts in the event of equipment failure. All repairs to be made ASAP.

Fish Waste Discharge: In the event of gear failure, the fish waste control system must still be able to stop discharging fish waste during hauling and shooting periods.

Night Time Repairs Fish Waste Control System: Repairs to fish waste equipment should be carried out at night if possible, as fish waste discharge will then present less risk to seabirds.

Benthic

- There is concern over impact on benthic organisms (benthos) due to bottom trawling. Broadly these are corals, sponges and bryozoan but include many other species groups.
- These sessile species (attached to seabed) cannot escape from path of a trawl, and maybe both rare and/or have slow growth rates.
- Nearly all coral families in New Zealand are listed as Protected Species under the Wildlife Act
- Avoiding incidental bycatch of benthos is desirable and should be a part of the vessel operator's and skipper's considerations when planning and undertaking fishing.
- All vessels will operate to a principle of avoidance from areas where it is known from prior experience that there was or maybe significant bycatch of benthos and after any significant bycatch event occurs.
- This strategy includes consideration of effects of weather and tide on the vessel's operations and ability to maintain gear on targeted tow lines
- If a 'significant' catch of benthos is encountered, and consider how and where to undertake the next fishing event to mitigate the risk of a similar outcome

Sponge: there is increasing concern over the incidental capture of sponge. Large capture events of sponge should be considered seriously and avoided where possible.

PART 4: 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.

It is an offence to deliberately harass or harm any marine protected species. This includes wilful damage, mutilation or removal of parts of dead animals.

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, especially as 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 guide the animal back to the sea.

Marking dead marine mammals returned to the sea

The entire body of any dead mammal must be returned to the sea, unless a Fisheries New Zealand Observer on board the vessel directs the captain to keep it.

Any dead fur seal or sea lion returned to the sea must be 'marked' to avoid the same animal being counted twice should the body be caught again.

When marking a dead animal:

- Be sure you have made the correct identification between fur seal and sea lion.
- Only use either a cable tie or twine fixed firmly behind the lower or upper jaw canine teeth.

Take two pictures of all dead seal/sea lion captures in SCI 6A

Vessels operating in the SCI 6A area must report each and every seal capture to DWC (within 24 hours) and, if the animal is dead, take two pictures (head and full body photo) before it's returned to the sea. The two pictures are to be sent to DWC so a positive identification between the species can be made.

Seal handling and crew safety issues

Seals and sea lions can carry a number of infectious diseases that 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 when needed.

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

- Whenever handling bodies of drowned sea lions, 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 bodily fluids. It is particularly important to avoid the mouth of the marine mammal as this is a major source of disease. Take special care when marking an animal
- If bitten or grazed by a marine mammal, 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
- After handling any marine mammal, crew should wash their hands and forearms with antibacterial soap and hose down their protective clothing.

Animal welfare

- All practical care should be taken to release animals alive while maintaining the safety of the crew
- Handle all captures with care to minimise harm to the animal and to increase survivability
- Deliberately harassing or harming the captured animal is an offence
- Taking any part and keeping it or cutting or mutilating the body of a protected species is an offence.

PART 5: REPORTING – WHEN CAPTURES OCCUR

DWC reporting requirements

DWC trigger points and vessel action

Once a DWC trigger point is reached (see below), the vessel captain will notify their vessel manager and DWC within 24 hours. The situation is then monitored more closely by DWC, the vessel manager and the captain, and steps are taken to mitigate the risk of further captures.

Trigger points help the crew to assess capture risks and how to minimise these in the future. The crew is required to assess why the captures may have occurred and if a cause can be found take responsive actions to mitigate future risks including where necessary deploying additional mitigation devices.

DWC trigger points

A trigger point is reached when in **any 24-hour period** you capture and land on deck:

- 3 or more large dead seabirds (albatross and mollymawks)
- 5 or more small dead seabirds (petrels and shearwaters)
- 2 or more dead or alive fur seals
- 1 or more dead or alive sea lion
- 1 or more dead or alive basking shark or any dolphin species.

or when in **any 7-day period** you capture:

- 10 or more dead or alive seabirds (all types of seabirds)
- 5 or more dead or alive fur seals.

Trigger reports

Report all DWC trigger point breaches to admin@deepwatergroup.org immediately (within 24 hours).

Emails to this address are automatically forwarded to John Cleal, Environmental Liaison Officer (ELO), and Ben Steele-Mortimer, Environmental Programme Manager.

The ELO will follow up to provide support and may seek additional information.

When fishing in SCI 6A, take two photos (head and whole-body) of all seal/sea lion type animal captures and send them to DWC for identification.

DWC CONTACTS (AVAILABLE 24/7)	PHONE
John Cleal (ELO)	021 305 825
Ben Steele-Mortimer	027 234 3140

Fisheries New Zealand mandatory reporting requirements

It is not illegal to accidentally capture protected species while commercially fishing **but it is illegal to fail to report the capture.**

As required under Fisheries Regulations, all protected species landed dead or alive (then returned to the sea), must be recorded via the vessel's Electronic Reporting System (ERS).

Capture Reports should be made via the Non-Fish and Protected Species part of the daily ERS report, and if a trigger point is reached also to the DWC ELO.

Note: *The ERS has fields to allow reporting of leg-band or flipper tag numbers found on a captured animal. This information is highly valued so please always record and report.*

Always know and meet your legal requirements.

Definition of captures and deck strikes

Captures = animals that have become fixed, entangled or trapped and are prevented from moving freely or freeing themselves (i.e. interactions with fishing gear or tori lines).

Deck strikes = birds that collide with the vessel superstructure or deck and are unable to leave the vessel on their own, either through death, injury or disorientation.

Do **not** report any seabird if it is alive and leaves the vessel unassisted.

Note: *Deck strikes are not included in the Fisheries New Zealand seabird capture estimates but must be reported.*

Seabird identification codes

Unless you can positively identify the seabird species, use the generic/unidentified codes listed here:

XAL - Albatrosses (unidentified) i.e. big birds

XXP - Petrels, prions and shearwaters (unidentified) i.e. small birds

Marine mammal 'common' identification codes

SEA - Unidentified seals

WHT - Unidentified, whale or dolphin

FUR - Fur seal

CDD - Common dolphin

Accurate reporting of all mortalities is the best approach. Having accurate information regarding captures helps better understand and manage the process which in turn helps get the most appropriate risk mitigation measures in place.

Note: The ERS system has fields to allow reporting of leg band or flipper tag numbers found on a captured animal. This information is highly valued so please always record and report.

See Appendix 2 for the 10 Golden Rules for Non-Fish or Protected Fish Species Catch Reporting, which can be printed and displayed for a quick reminder.

Benthic

COU – Corals

ONG – Sponges

COZ – Bryozoans

CSB – Mixed (coral, sponge, bryozoans)

Ensure a crewmember is adequately prepared to identify and carefully estimate weight of each category to be reported, sorted as reasonably able into corals, sponges, bryozoans, and mixed (if you can't properly separate into the previous 3 groups)

Remove all non-biogenic material (i.e., items which are neither, nor ever have been alive such as rocks, wood, or sediment) and return to the sea (these do not need to be reported).

Report using the correct codes in the ERS, and **avoid** the use of generic COB code as this may lead to overestimation or perception of actual protected coral catch.

All protected corals must be returned to the sea as carefully and as quickly as possible (after they have been recorded properly for reporting purposes).

PART 6: AUDIT AND REVIEW

- It is the vessel operator's responsibility to ensure that the relevance of and adherence to the vessel-specific components of each VMP are reviewed annually (the Operator Audit Form can be found in Appendix 6).
- If modifications are made to the mitigation or offal control systems on board, the VMP is to be reviewed. Any changes required to the VMP must first be confirmed by the DWC ELO.
- The DWC ELO will review each VMP during any vessel visits and crew briefings.
- Fisheries New Zealand Observers audit each vessel's at-sea performance against this VMP and a review form is completed by them. Performance is also discussed at the Observer debrief.
- The Fisheries New Zealand review form and Observer's comments are sent to the DWC ELO (Fisheries New Zealand review form in Appendix 5). Any issues (positive and negative) are discussed with the vessel operator and/or Fisheries New Zealand as required.
- DWC produces a summary of each trip VMP audit report. This is logged with Fisheries New Zealand and the review forms are sent to the vessel operator. Any issues raised should be discussed with the captain.

APPENDIX 1: TEN COMMANDMENTS



TEN COMMANDMENTS FOR SCAMPI VESSELS

1. Ensure senior crew have access to the current Scampi Fisheries Operational Procedures (OPs).
2. Ensure the crew understand and follow the OPs and your Vessel Management Plan (VMP).
3. Have a well-managed fish waste control system that ensures no continuous or ad-hoc discharge occurs when towing.
4. Ensure all fish waste, discards and offal is closely managed according to VMP.
5. Always deploy fit-for-purpose seabird mitigation devices as risk dictates.
6. For triple rig trawlers, if there's a risk of multiple captures or the DWC Trigger Point has been reached for net captures, fit net restrictors. If captures continue, remove the centre net until risk reduces.
7. Minimise the time that gear is on or near the surface; shoot and haul the trawls as quickly as practicable.
8. Mark any dead marine mammals with a cable tie or twine and take two photos of all seals captured in SCI 6A before returning to the sea.
9. Advise DWC (same day) when Trigger Point is reached. Email DWC Trigger Point Report to admin@deepwatergroup.org. Assess the event and implement further risk reduction measures.
10. As legally required, report all captures via your vessel's Electronic Reporting System.

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FOR SUPPORT PHONE JOHN CLEAL: 021 305 825 OR BEN STEELE-MORTIMER: 027 234 3140

APPENDIX 2: TEN GOLDEN RULES FOR NFPS CATCH REPORTING



TEN GOLDEN RULES

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

1. It is a legal requirement to report **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* mean 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: tinyurl.com/MPI-logbook

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NON-FISH OR PROTECTED FISH SPECIES CATCH REPORT - SUMMARY INFORMATION

(from Fisheries New Zealand Electronic Catch and Position Reporting Guide August 2021)

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);
- Protected 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 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: [tinyurl.com/DOCseabirdsNZ](https://www.doc.govt.nz/DOCseabirdsNZ)
- A fuller set of invertebrate NFPS material is available at [tinyurl.com/86AEBR](https://www.tinyurl.com/86AEBR)
- A coral guide is available at [tinyurl.com/DOCCoralGuide](https://www.tinyurl.com/DOCCoralGuide)

SEAFOOD NEW ZEALAND | DEEPWATER COUNCIL
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APPENDIX 3: FNZ NFPS CODES

Unless you can positively identify the seabird species, use the **generic/unidentified** codes listed here:

XAL - Albatrosses (unidentified) **XXP** - Petrels, prions and shearwaters (unidentified).

Table 3: Common FNZ Non-fish or Protected Fish Species codes

SPECIES	COMMON NAME	SPECIES CODE
Birds	Antarctic petrel	XAP
	Antarctic prion	XPR
	Antipodean and Gibson's albatross	XAG
	Black petrel	XBP
	Buller's albatross	XBM
	Campbell albatross	XCM
	Flesh-footed shearwater	XFS
	Grey-backed storm petrel	XGB
	Northern royal albatross	XNR
	Salvin's albatross	XSA
	Sooty shearwater	XSH
	Southern giant petrel	XSP
	Southern royal albatross	XRA
	White-capped albatross	XWM
White-chinned petrel	XWC	
Mammals	Unidentified seal or sea lion	SEA
	Unidentified whale or dolphin	WHT
	New Zealand fur seal	FUR
	New Zealand sea lion	HSL
	Leopard seal	LEO
Shark	Basking shark	BSK
Benthic	Mixed (coral, sponge, bryozoans)	CSB
	Corals	COU
	Sponges	ONG
	Bryozoans	COZ

APPENDIX 4: MARINE MAMMAL IDENTIFICATION FOR REPORTING

Remember: Take 2 pictures (close-ups of the head and whole animal) and send them to DWC for identification of the species.

New Zealand fur seal (FUR)



Characteristics

- Sharp pointed nose
- Very long whiskers reaching back to ears
- Dense brown fur
- Ears on side of head
- Length of males = 1.8 m, length of females = 1.2 m

Note: Long whiskers in photos contrast with the short whiskers found on New Zealand sea lions (see below).

Female New Zealand sea lion (HSL)



Characteristics

- Light colouring
- Blunt nose
- Short whiskers – don't reach to or past the ears

Note: If tag on the flipper, always record any tag numbers on the capture report.

Mature male New Zealand sea lion (HSL)



Characteristics

- Very large in size (twice that of fur seal)
- Blunt nose
- Short whiskers
- Dark colouring
- Mane of hair – not fur

Young male New Zealand sea lion (HSL)



Characteristics

- Blunt, square nose
- Short whiskers
- Darker colour than a female sea lion
- No mane like a mature male New Zealand sea lion

Leopard seal (LEO)



Characteristics

- Can be very aggressive
- Large head, massive jaws, long slim body, large fore-flippers
- Long and sleek light grey fur dappled with darker spots
- No external ears

Very unlikely to be taken in trawl fisheries but are found in New Zealand waters

Elephant Seal (EPH)



Characteristics

- Adult males: length 4-5 m, weight 3,600 kg. Long trunk
- Adult females: length 2-3 m, weight 900 kg
- Unlikely to be seen in deepwater fisheries

Dusky dolphin (DDO)

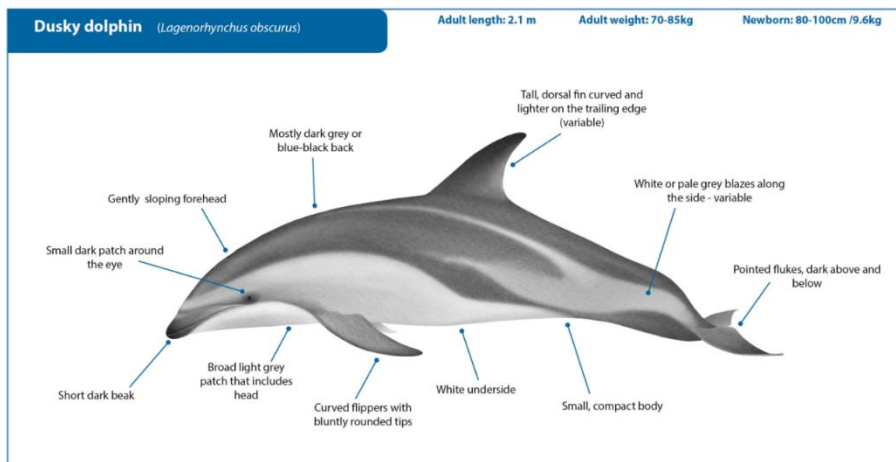


Image credit: IWC (2018) Online Whale Watching Handbook. <https://wwhandbook.iwc.int/en/>

Characteristics:

- Adult length 2.1 m; small, compact body
- Mostly dark grey or blue-black back. White underside. White or pale grey blazes along the side (variable)
- Small dark patch around the eye
- Gently sloping forehead, short dark beak
- Occasional interactions with hoki fishery

Common dolphin (CDD)

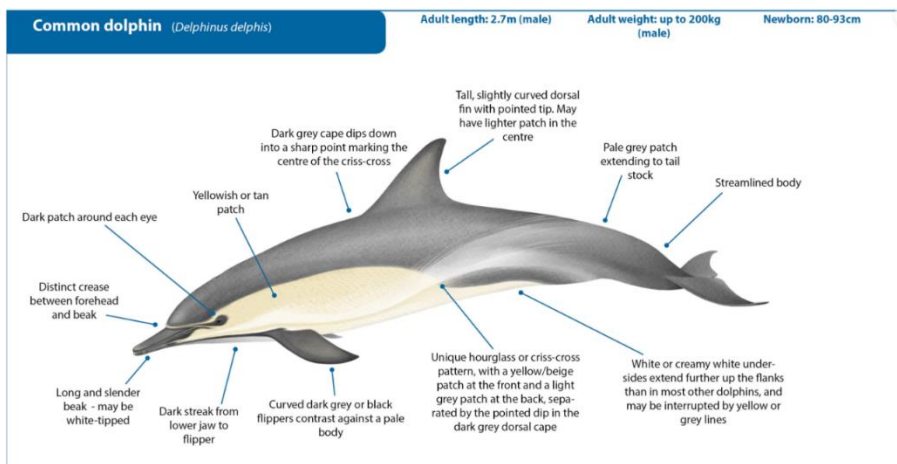


Image credit: IWC (2018) Online Whale Watching Handbook. <https://wwhandbook.iwc.int/en/>

Characteristics:

- Adult length 2.7 m (male); streamlined body
- Yellowish or tan patch on sides. Unique hourglass or criss-cross pattern on sides, with yellow/beige patch at the front and a light grey patch at the back
- Dark patch around the eye
- Distinct crease between forehead and beak. Long and slender beak - may be white-tipped
- Occasional interactions with JMA 7 fishery and hoki spawning fisheries

Bottlenose dolphin (BDO)

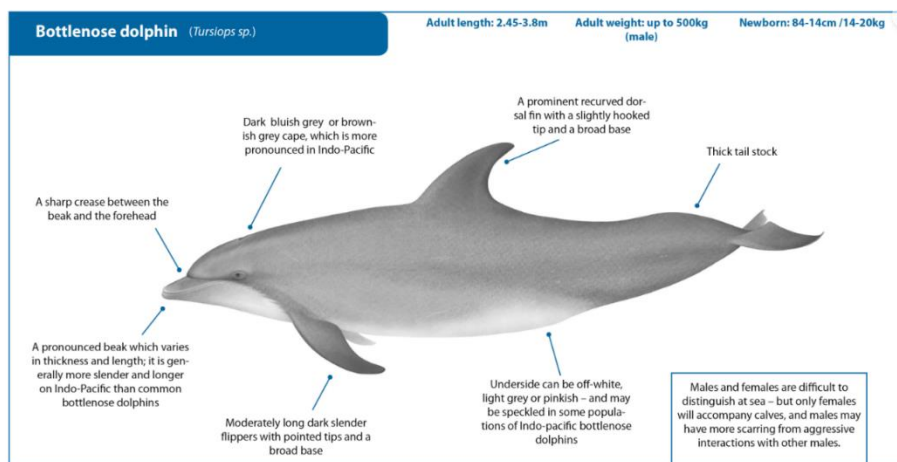



Image credit: IWC (2018) Online Whale Watching Handbook. <https://wwhandbook.iwc.int/en/>

Characteristics:

- Adult length 2.45-3.8 m
- Dark bluish-grey or brownish-grey cape
- Sharp crease between the beak and forehead
- Thick tail stock
- Rarely interact with deepwater fisheries

APPENDIX 5: VMP & MMOP – FISHERIES NEW ZEALAND OBSERVER REVIEW FORM

Deepwater Trawl Vessel Observer VMP Audit
(For Seabird and Marine Mammal Operational Procedures)



Fisheries New Zealand
Tini a Tangaroa

Trip Number	Vessel Name	FMAs fished	Trip start date	Trip end date
			/ /	/ /
Target species	Observer name		Number of tows	
Bottom Trawl(s) 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>	Mid water trawl <input type="checkbox"/>			

Record Yes (Y), No (N), Unknown (U) or Not Applicable (N/A) in the box provided. Make detailed comments on areas of interest and if you answer N or U to any questions, or Y for items 3 or 4.

Item 1) Were copies of the DWG Vessel Management Plan (VMP) and the Trawl Operational Procedures carried onboard and made available upon request?

Item 2) Were the senior crew familiar with and have access to the above documents?.....

Item 3) Were any seabird, marine mammal or protected shark 'trigger points' activated during the trip?.....

Item 4) Did a gear or equipment failure event occur that increased the risk of seabird or marine mammal captures? (If Y detail the event and the action taken by the vessel).....

Item 5) Were there any response in crew behaviour, fishing activity, mitigation devices or gear used following 'trigger-point' events or during high risk periods? (describe in comments any actions taken by crew).....

Seabird/Marine Mammal Mitigation Devices:

Item 6) Record what mitigation devices were carried by the vessel and when they were utilised

Device	Carried on board	Deployed all tows	Deployed on some tows <i>(describe why in comments)</i>
Bird Baffler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tori line	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SLED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other <i>(Describe in comments)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item 7) Were net restrictors fitted into the centre of a triple-rig configuration when required? (SCI only).....

Item 8) Was a Dolphin Dissuasive Device deployed on every JMA7 tow?.....

Fish Waste Management:

Item 9) Was the discharge of fish waste from the vessel managed as per the VMP?.....

Item 10) The main fish waste management strategy employed during this trip was: *(describe in comments)*
 F/Meal Held (for the full tow) Batch (during tow) Mince Other

Item 11) Was all fish waste (including offal and whole fish) held on board during shooting and hauling?.....

Item 12) Was the net cleared, as practicable, of all stickers prior to shooting?.....

Item 13) Was a grating or trap system used to prevent fish or offal accidentally lost to the factory floor or deck from being discharged overboard via scuppers or sump-pumps *(whilst allowing the egress of water)*.....

General Procedures:

Item 14) Were all plastics and netting retained on board?.....

Item 15) Was shooting fishing gear near congregations of marine mammals avoided?.....

Item 16) Was the amount of time the net spent on the surface minimised as much as practicable?.....


Item 17) Were any turns conducted during the tow with the doors fully submerged and a headline depth of less than 50 m? *(excl. coastal trawlers)*

Item 18) Were all protected species captures reported by the vessel?.....

Item 19) Were protected species that were caught alive handled and released with due care?.....

Item 20) **Make comments on the vessels protected species mitigation equipment and risk reduction operations which went well and those that didn't work so well.**

APPENDIX 6: VMP VESSEL OPERATOR AUDIT FORM

 SEAFOOD NEW ZEALAND				VMP Internal Audit Form	
Name of Vessel		Auditor's Name		Review Date	Conforms
					Yes / No
Item		Location / Subject			OK
Report Non-Fish Protected Species Catch	Bridge	Completed and provided to FNZ via the ERS			<input type="checkbox"/>
Trigger Points (report within 24hrs)	Bridge	Was a trigger point reached? If so, did the captain report this to shore management and/or DWC? Did shore management contact DWC?			<input type="checkbox"/>
FNZ Observer Audit/Review	FNZ	FNZ Vessel Management Plan Review audit form(s) received from DWC & feedback given to crew.			<input type="checkbox"/>
Mitigation Methods	Procedure	Check recorded equipment matches equipment being used and on board; check all mitigation gear is being maintained to the correct specification.			<input type="checkbox"/>
	Personnel	Check contingency plans are properly recorded.			<input type="checkbox"/>
Fish Waste Control Methods	Procedure	Check recorded equipment matches equipment being used on board; check VMP procedures are being followed.			<input type="checkbox"/>
	Personnel	Check contingency plans are properly recorded.			<input type="checkbox"/>
Onboard Management	Bridge	Are officers and crew monitoring changing conditions (trigger points reached etc) assessing the risk and making changes to mitigation devices and/or procedures when the risk to seabirds increases?			<input type="checkbox"/>
Training	Personnel	Check crew in key positions are well aware of the VMP, its procedures and are maintaining equipment and management systems to meet the VMP requirements.			<input type="checkbox"/>
Document Control	Bridge	Are the DWC Operational Procedures on board and are the OP versions current?			<input type="checkbox"/>
	Personnel	Is the VMP current, available and displayed?			<input type="checkbox"/>
Corrective Actions taken	Previous Review Form	Check that previous corrective actions have been carried out.			<input type="checkbox"/>
Details of non-conformance and/or recommended changes. Does the vessel-specific VMP need updating? Contact DWC for advice.					
Auditor's Signature			Date Results Advised		
DWC VMP Internal Audit Form - admin@deepwatergroup.org					

\\DWG-FILE-SERVER\Deepwater Group\Operational Procedures\OP Manual 2023-24 & Ten Commandments\VMP Internal Review Form 180724.xlsx\VMP Audit

APPENDIX 7: SEABIRD NET RESTRICTOR FOR TRIPLE RIG

Background

As part of the DOC/CSP project in 2011, it was shown that a very high percentage of net captures occurred in known high-risk seabird foraging areas on vessels with triple rig trawl gear, and that the centre trawl had by far the highest rate of seabird captures. Seabirds have the opportunity of diving into this trawl, which was held partially open by the width of the trawl blocks whilst the other two outside trawls are closed during hauling.

Vessel operators suggested trialling the use of net restrictors to limit the opening of the centre trawl by tying individual lengths of rope from the headline to the ground-rope (length determined by the net's optimum opening) so that during hauling the trawl mouth can't open, the ropes restrict the distance.

Underwater footage showed the headline folds/lays back-down just behind the ground rope, greatly reducing the trawl mouth opening and restricting birds' access in the later stages of hauling. Restrictors were fitted to three vessels, and sea trials with Observer observations, feedback from captains, and underwater footage taken over 6 months were completed with positive results.

Most vessels still use these regularly, others deploy when in high seabird capture risk areas.

- Cheap and easy to make and fit to the centre trawl
- No issues with deployment or use
- Greatly reduces seabird captures in the centre trawl.

Restrictor specifications

- Varied specifications depending on individual vessel trawl and vessel gear with rope fitted between the headline and ground rope of the centre trawling triple rig gear.
- 4 to 6 restrictors (2-3 per side) fitted to the centre trawl when required
- Spacing:
 - First restrictor should be placed a few metres to each side of the headline centre, then approximately every two/three metres (2/3 m) apart on either side
- Each restrictor should comprise a 6 to 10 mm rope or braid, attached to the headline and ground rope (as shown in the photos below)
- The height of the restrictor matches the trawl design headline height. So, the vertical length of restrictor ropes will vary, generally slightly longer than the trawl design opening (so as not to restrict optimal opening)



Restrictor fitted with 'clove hitch'



Trawl with restrictors



Nylon braid restrictor fitted