

# Preliminary View - MPI Future Of Our Fisheries (FOOF) proposals

## New Zealand Sport Fishing Council



December 2016

**The Ministry for Primary Industries is reviewing aspects of the QMS that aren't working well and proposing changes. Their proposals are being touted as significant improvements to a world leading management system and is titled *Future of our Fisheries (FOOF) Te Huapae Mataora mo Tangaroa*.**

Throughout the four consultation volumes there is a tone of over-reach and exaggeration of the benefits of these proposals and the gains possible with new technology. However, there are also opportunities for NZSFC to promote a recreational perspective on the proposed changes.

This document is an overview of the proposals using MPI images and our discussion of the most likely options. A list of all the options and MPI questions will be provided in due course. It is very likely that there will be a second consultation process on the detailed changes proposed before they are introduced. The proposals for regulation changes to allow the introduction of electronic reporting and monitoring of commercial catch and the use of different types of trawl gear are more urgent and may proceed in the first half of next year.

The NZSFC seeks your feedback by 19 December to inform a submission. Contact John Holdsworth [bluewater@pl.net](mailto:bluewater@pl.net) or Trish Rea [trish@legasea.co.nz](mailto:trish@legasea.co.nz). **MPI submission deadline is 23 December 2016.**

### Vision

Abundant fisheries and a healthy aquatic environment that provide for all our people, now and in the future

#### Objective 1:

Abundant fisheries in our seas and a healthy aquatic environment

#### Objective 2:

Everyone plays their part in managing New Zealand's shared aquatic resources

#### Objective 3:

Everyone can share fairly in the social, economic, cultural and environmental benefits of our aquatic resources

#### Objective 4:

The fisheries management system is widely trusted in New Zealand and internationally

NZSFC has been promoting increased abundance and more fish in the water for a long time. It is good that is getting picked up but the wording of the FOOF vision is a little strange - we want lots of fish not lots of fisheries.

### Quick summary of FOOF proposals –

1. MPI want to solve the problem of discards and dumping with new rules and cameras.
2. MPI want to maximise the value from fisheries with better information and decision making.
3. Value could come from new and undeveloped fisheries.
4. Integrated Electronic Monitoring and Reporting System (IEMRS) for commercial fishing.
5. Innovative Trawl Technology (ITT) to land fish in better condition.
6. MPI will establish a Technical Advisory Group of independent representatives to act as a reference group to test the next steps of the programme. Graeme Sinclair has been appointed by the Minister to provide advice on what is important to recreational fishers.
7. MPI to increase use of multi-sector collaborative forums to manage shared fisheries such as Marlborough Sounds blue cod, Snapper 1.
8. The economic contribution of recreational fishing to New Zealand, and associated job figures from New Zealand Marine Research Foundation economic report are directly quoted in the FOOF documents.
9. MPI propose the establishment of a National Fisheries Advisory Council that reflects community, tangata whenua and shareholder aspirations for fisheries.

## Strategic Proposal 1.

Maximising Value from our Fisheries

Valuing our marine ecosystems and fish resources to optimise resource use.

### Options

Address discarding of fish;  
Encourage and enable innovative harvest technologies;  
Maximise the value of shared fisheries;  
Build the market position of New Zealand seafood;  
Deliver value from new and underdeveloped fisheries.

## Strategic Proposal 1

The idea of maximising value has been around in MPI plans for a while. This is why it was so important to do our own economic study of recreational fishing. It is worth noting that MPI have quoted the results of the Southwick study in the introduction to this review. Hopefully a precedent for MPI to use these in future advice to the Minister.

The list of FOOF options can be considered individually, in any combination or as a package.

First up: “address discarding of fish”. There has been significant fallout from our stop senseless waste campaigns and the Catch Reconstruction report with subsequent release of compliance documents.

One approach suggested by MPI is **land all catch** for QMS species, removing any size limits and the option of releasing live fish.

This is the status quo for deep water fisheries, but as numerous reports have shown, dumping lower value catch has been rife. Some of the innovation in the inshore fishery has been driven by the need to select marketable size fish and leave the small ones to grow. There is no doubt that commercial fishers will try and

insist on getting extra quota to cover their current catch of undersized fish if they have to keep them.

There may be a slight compliance benefit from having no fish going over the side. This would only work if standards are applied to the fishing gear, in respect of species and size, so that a minimal amount of small and unwanted fish is brought aboard a vessel. Even so there would be a significant increase in the number of kingfish taken commercially.

A second approach would **allow approved release of live fish** of selected species if they are likely to survive. All fish released by commercial fishers would need to be reported but not counted against ACE. Conditions requiring proof that the fish was alive before release could be made, but are complicated and open to abuse.

The third approach would **allow approved release of live fish if they are likely to survive and approved discarding of dead fish** of low commercial value. Minimum legal sizes would be retained. Some new ones could be introduced and conditions placed on when fish could be released. This is similar to the status quo.

**Recommendation 1:** NZSFC do not support land all catch, size limits need to be retained for selected species, support approved release of live fish if they are likely to survive and approved discarding of dead fish (e.g. marlin).

Option Two is to “**encourage and enable innovative harvest technologies**”. NZSFC has and will support innovative harvest technologies that enable unwanted fish to escape before being landed on deck, but note the following:

1. All trawl technologies should comply with a simple and transparent standard that speak to the matters of species selection, size selection and benthic impact.
2. To date we have heard lots of aspirational comments around Precision Seafood Harvesting but have yet to see any hard data around species selection, size selection and benthic impact that would determine an acceptable standard.

Option Three is to “**maximise the value of our shared fisheries**”. This applies to inshore and HMS fisheries. The Fisheries 2030 Plan was supposed to “unlock the value of fisheries”. There is little evidence of this. Instead, it was used to restructure MFish and eventually merge them into MPI. The stumbling block for all rebuild plans is how the reduction in catch is achieved and who benefits when the stock is rebuilt. NZSFC should support rebuild plans in line with the Harvest Strategy Standard. MPI must realise that recreational harvest is variable year on year and that bag limits alone are a blunt way of adjusting amateur harvest. We will also promote Moyle’s Promise for high value recreational species, “Where a species of fish is not sufficiently abundant to support both commercial and non-commercial fishing, preference will be given to non-commercial fishing”.

Option Five is to “Deliver value from new and underdeveloped fisheries” There are some low value stocks that have not been extensively fished. Pilchard, anchovy, sprat etc but these are important forage fish that support fish, birds, and marine mammals higher up the food chain. Other low information stocks have been overfished and remain “unmanaged” like hapuku, bass, and gemfish.

Given the lack of resources to research and manage high value inshore stocks any discussion of managing underdeveloped fisheries or mixed species fisheries must start with improving the current cost recovery process, which is unwieldy and open to industry capture. With better resourcing and fishery independent surveys NZSFC could support better management of low information stocks, but this does not include forage species.

## Strategic Proposal 2. Better Fisheries Information

Identifying and capturing a wealth of information, ensuring its consistency and quality to inform decision-making.

### Options

- Implement IEMRS;
- Gather more information to support decision-making and value-adding;
- Invest in ecosystem-based management;
- Use more externally commissioned research.

## Strategic Proposal 2

The idea of gathering better fisheries information has also been in every review for the last 20 years. The Amateur Charter Vessel reporting has produced a lot of low quality information and the revelations on commercial dumping has called into question much of the catch statistics we currently use in assessment and management.

Option 1 is to “**Implement Integrated Electronic Monitoring and Reporting System (IEMRS)**”. In principle electronic reporting with GPS tracking in near real time and video capture of fishing operations uploaded at the end of a trip is an advance over paper forms and a few trips with observers on board. MPI make some excessive claims about the value of this information for fisheries management.

Catch information will be still be self-reported. The camera trial reports showed that is not possible to validate catch weight using cameras. They only show what happens on deck, effectively what the crew want the monitors to see, but will not work in the dark without deck lights.

Fisheries management relies on CPUE and we have seen in the past a change in data forms or fishing method is a major disruption to this. The MPI belief that IEMRS will restore public confidence in fisheries through improved information-based management decisions is unproven, wishful thinking. The public

will not have any confidence in IEMRS unless there is vastly more transparency around the information produced. Treating the public as if they are not a shareholder in commercial fishing continues to undermine public confidence.

Option 2 is to “**Gather more information to support decision-making and value-adding**”. Not having annual harvest estimates for all non-commercial fishing is (again) a major gripe from industry. This has been picked up by MPI. There is an approach to consider reporting for high-value shared fisheries where catch estimates are important in stock assessment. This is aimed at

recreational and customary reporting for crayfish and paua. This would require registration of fishers and we believe inevitably cost recovery (licences), which we will oppose.

We support the National Panel Survey with associated over-flight survey and boat ramp data collection. The web camera monitoring of fishing activity and catch between major surveys has proven its worth. The notion that refining catch estimates closer and closer to a particular kilo amount will add anything to management is misguided. Stock sizes, yields, productivity, catches, all these encompass quite large amounts of uncertainty. Refining one aspect alone has an insignificant impact.

There are proposals to collect more economic information. For example, the transfer of ownership of quota and ACE must be registered, but there is no requirement to accurately report the price and there is no reporting system for the port price paid for commercial catch. NZSFC will submit that there is no basis for withholding New Zealand catch and price data from the public or potential industry entrants. MPI are the regulator and must demand cooperation.

This proposal would allow some social science inputs into management alongside the marine science inputs. NZSFC should support the collection of information on the value non-commercial fishers place on their fishing experience. People also value fisheries for their own sake (non-extractive or intrinsic value). This type of valuation survey is different to the economic impact type survey by Southwick on expenditure by recreational fishers.

Option 3 is to “**Invest in ecosystem-based management**”. This ties in with some of the thinking on low information stocks and addresses criticism about single species management decisions; another issue that has been raised before and which MPI has done very little to resolve. The research budget is spent on measuring catch and stock assessment of high value species. An understanding of ecosystems requires a lot more basic biology, like who is eating who, what habitats are important, and where are the real boundaries between separate breeding populations etc. This work has had little funding from the MPI cost recovery system, but has had some support from the public good science fund.

We support the need for far wider ecosystem considerations when setting catch limits, as we see no allowance is made for ensuring underlying ecosystems are maintained. Ecosystem Based Fisheries Management framework can lead down a path of increasing complexity and increasing costs and more difficult decision-making unless carefully implemented. Internationally there is a lot of talk about ecosystem based decision-making, but very few working examples.

Option 4 is to “**Use more externally commissioned research**” There is no doubt that there is good work being done by NIWA, Cawthron, and universities from a range of funding sources that is not integrated into MPI Plenary Reports or advice to the Minister. However, it is very clear from industry submissions that they want to direct-purchase research, have more control on costs, and determine what projects are funded. **This is simply another way the fishing industry can capture fisheries management.**

We have commissioned our own economic survey and wanted to control how that was reported and used. So we have some first-hand knowledge of the expectations from organisations that fund their own research.

Far from what MPI claim in their proposals, research data is not publicly available and almost all data of interest is hidden behind industry MPI agreements or MOUs that prevent their public release. There is an urgent need for a review of existing information principles applying to the release of recreational, commercial and customary fishing data. **Any data that is used in the management of fisheries must be publicly available online.**

### Strategic Proposal 3.

Agile and Responsive  
Decision-Making

Fisheries system decisions  
are well informed,  
responsive to need and  
reflect optimal level of risk.

#### Options

Shift decisions to a level  
of accountability that  
reflects the level of risk to  
achieve clearly identified  
management objectives;  
Support independent advice  
through a National Fisheries  
Advisory Council;  
Develop a more flexible  
decision-making framework.

### Strategic Proposal 3

There is a long list of decisions that must be made by the Minister as set out in the Fisheries Act. Option 1 proposes to **delegate some of the more administrative decisions to the Director-General**. Again this is a well-worn theme. Great care is required as we don't believe that TAC or TACC decisions for inshore or HMS stocks should be made by anyone other than the Minister. In fact, the 2013 decision-making process was so controversial the TAC decision was passed by Cabinet before the Minister released the decision.

While we are not wedded to the current decision-making division between the Minister and the Director-General, we approach changing the division with great caution. Generally in fisheries management there is no need for rapid decision-making and for those few occasions where urgency is present, both MPI and the Minister simply make a priority of dealing with it. The Kaikoura quake related closures are an example of rapid decision-making.

There must be an opportunity for public input and oversight for any decision relating to the use of public resources, including fisheries and the marine environment.

Option 2 is to **“Support independent advice through a National Fisheries Advisory Council”** that reflects community, tangata whenua and shareholder aspirations for fisheries. Again, not a new idea. Kim Walshe was on an Advisory Board for a few

years until it was disbanded. Given the current choice by Nathan Guy to appoint Graeme Sinclair to provide advice on what is important to recreational fishers we have no confidence that recreational fishers or clubs will buy into this aspect.

Option 3 is to **“Develop a more flexible decision-making framework”** which is an attempt to address concerns about the lack of local management and be more responsive to stakeholder concerns. Some local solutions could be negotiated. However, as we have seen in Hawke Bay, there has to be as a starting point, an acknowledgement by all involved that a problem exists. This option could be a way of getting MPI to accept the recently released Hauraki Gulf Marine Spatial Plan Sea Change proposals. This aspect will be covered in the NZSFC submission.

### Issues to address in a submission

- It is difficult to take this process seriously when the proposals begin with claims that the majority of “shared fisheries” are in “*good health*”. All fisheries belong to all New Zealanders, so all are shared. What is the definition of *good health*? An ambiguous term that defies reality in many inshore areas such as Hawke's Bay, CRA3 (Gisborne), CRA2 (HG-BOP).
- Proportional share - We have opposed proportional share since the 2000 Soundings document and in every subsequent review. There is almost a celebratory tone as the recent SNA7 decision has resulted in a 50/50 split of available snapper, between commercial and recreational interests. This is promoted as a recognition of the “*importance of the fishery to both sectors*”. However, current legislation obliges the Minister to ‘allow for’ non-commercial fishing interests. He/she must manage fisheries at an abundant level to enable people provide for their social, economic and cultural wellbeings, and to provide for the foreseeable needs of future generations.
- Multi-sector forums – while these may seem like a good idea and can work if there is a good relationship between parties, in most circumstances these achieve little substantive changes as quota shareholders protect their investment and other stakeholders defend

their interests. Marginal benefits if the community is not fully engaged with the discussions and outcomes. Unlikely to succeed if the QMS remains within the near shore zone because quota holders take the stance that they have an area right associated with their shareholding.

- MPI Recreational Fishing Initiative – this team has actively sought to undermine the NZSFC mandate amongst our clubs, covertly and in the public arena. The NZSFC does not consider this initiative as being a positive development for advancing recreational fishing interests.
- Non-commercial fishing – non-commercial fishing includes both Maori customary and recreational interests. Under section 21(1)(a) of the Fisheries Act 1996 the Minister has a statutory obligation to ‘allow for’ these non-commercial interests and other mortality caused by fishing.
- Customary fishing – Maori customary fishing is provided for in the Act and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992. These Acts provide for both harvest and area controls to meet customary needs. The NZSFC has actively supported initiatives by tangata whenua to exercise their customary obligations of guardianship (kaitiakitanga) through both fisheries and area based controls.
- Contributions to the economy – there are around 16,000 jobs associated with all fishing (8,124 recreational), \$4.2B in total economic activity (\$2.5B commercial, \$1.7B recreational). Exports of wild fish and aquaculture are worth \$1.8B annually.
- Interests in fisheries – FOOF acknowledges tangata whenua have special rights and interests in fisheries management. These rights and interests are provided for in legislation. The community also has a strong interest in abundant fish stocks and a thriving marine environment. NZSFC advocate it remains the Minister’s responsibility to provide for our collective interests in marine productivity both now and in the future.