

Report: Meeting with Future Of Our Fisheries Technical Advisory Group, 1 March 2017.

For: Public fishing interests

By: New Zealand Sport Fishing Council Fisheries Management - Marine Protection team.

Date: 3 March 2017



Attendees: Sir Rob Fenwick (Chair Technical Advisory Group, TAG), Lesley Campbell (TAG), Graham Stuart (TAG), Graeme Sinclair (TAG), Harry Burkhardt (TAG), Trish Rea (New Zealand Sport Fishing Council Fisheries Management team), Barry Torkington (New Zealand Sport Fishing Council Fisheries Management team), Richard Baker (Board member New Zealand Sport Fishing Council, Fisheries Management and LegaSea Governance Advisory subcommittees, spokesperson), John Holdsworth (New Zealand Sport Fishing Council), Wane Wharerau (Board member Te Runanga A Iwi O Ngapuhi, Chair Ngapuhi ki Waitemata Takiwa), Fred Holloway (Kaumatua, Te Aupouri), Paul Brislen (New Zealand Sport Fishing Council-LegaSea, communications), Jeff Strang (New Zealand Underwater, strategic planning and communications), Bob Gutsell (Vice President New Zealand Sport Fishing Council, Chair Communications subcommittee), Jim Yeoman (President New Zealand Angling and Casting Association, Secretary and spokesperson LegaSea Hawkes Bay), Scott Macindoe (Board member New Zealand Sport Fishing Council, Fisheries Management and LegaSea Governance Advisory subcommittees, spokesperson), Sam Woolford (LegaSea, support crew).

Apologies: Phil Appleyard (President New Zealand Sport Fishing Council), Peter Campbell (Vice President New Zealand Sport Fishing Council, Chair Fisheries Management – Marine Protection subcommittee), Dave Abercrombie (CEO Yachting New Zealand, letter tabled to TAG Chair), Peter Busfield (CEO New Zealand Marine Industry Association), Brian Hood (CEO Outboard Boating Club of Auckland), Valerie Teraitua (Programme leader Papatuanuku Kokiri Marae), Ben Chissell (Founder New Zealand Fishing Community).

Duration: 64 minutes.

Executive summary

After a Fisheries System Review in 2015 the Minister for Primary Industries initiated the Future Of Our Fisheries (FOOF) programme in November 2016. A 5-member Technical Advisory Group (TAG) was appointed to provide independent advice to the Director-General on the FOOF programme. The NZSFC – LegaSea team was invited to meet the TAG to discuss the recent submission and vision for the future. On 1 March 2017 a team of 12 from various organisations attended and highlighted the following points –

1. There is growing concern that depleted inshore fisheries are threatening ecosystem function and denying public fishing opportunities. More precautionary management is required to rebuild depleted fish stocks to higher levels.
2. Industrial fishing using indiscriminate, bulk harvesting methods (trawling, seining, dredging, large-scale longlining) can continue long after public fishing has collapsed. Industrial fishing for exports needs to be moved offshore, to enable the inshore zone to flourish and provide for public and artisanal, small-scale commercial fishing to support local and regional needs.
3. Adding an Allocation Principle, based on Moyle's Promise, to the Fisheries Act 1996 and using or strengthening the existing Information and Environmental Principles will help to clarify the Minister's decision-making process and relieve tension.
4. A priority is a comprehensive, independent review of the Quota Management System and decision-making. A revamp of MPI is likely after this review.

The TAG expects to develop a report for the Director-General in the next few weeks. If Cabinet decides to proceed with regulatory changes those are expected to be in place later in 2017. Video monitoring of commercial fishing vessels will be phased in from October 2018. MPI will do further consultation on other aspects of the FOOF programme.

1. Background

In August 2015 Nathan Guy, the Minister for Primary Industries, initiated a review of the management system to check that fisheries were being managed for the benefit of all New Zealanders. The New Zealand Sport Fishing Council (NZSFC) and affiliated members, the New Zealand Angling and Casting Association (NZACA), and LegaSea supporters responded with a comprehensive submission in December 2015. That [joint submission](#) offered the Ministry for Primary Industries (MPI) a range of legislative, administrative, and management solutions to restore abundance, productivity, and diversity in the inshore fisheries and marine environment. <https://goo.gl/p1DtTf>

MPI then initiated the Future Of Our Fisheries (FOOF) process in November 2016, to consult and develop enhancements to the fisheries management system. In December the NZSFC and affiliated members, the NZACA, and LegaSea supporters delivered [a submission urging two major reforms](#): 1. More conservative catch levels to deliver more abundant fisheries, and 2. An amendment to the Fisheries Act Principles to guide allocation of fisheries and environmental protection. <https://goo.gl/EdYI33>

MPI received 50 submissions. In December 2016 MPI announced the appointment of the Technical Advisory Group (TAG) chaired by Sir Rob Fenwick. TAG's purpose is to provide independent advice to the Director-General as the FOOF policy is developed, and on any proposed regulatory implementation. On 22 December TAG invited the NZSFC-LegaSea team to a meeting in March 2017 to discuss the collective's vision for the future of our fisheries.

2. Introduction

The TAG team held four days of hearings with various submitters, two each in Wellington and Auckland. A team of 12 attended this meeting with TAG in Auckland, including representatives from the NZSFC and LegaSea fisheries, policy, science, and advocacy teams, iwi and hapu interests, the New Zealand Angling and Casting Association and the NZ Underwater Association.

David Abercrombie, the Yachting New Zealand Chief Executive, had earlier corresponded with the TAG Chairman endorsing the NZSFC-LegaSea team's effort to advocate for the public's non-commercial fishing interests. (Appendix 1)

The TAG offered this meeting as an opportunity for the recreational team to highlight key aspects of the recent [FOOF submission](#) that ought to be considered as they develop their recommendations for MPI.

3. Discussions

ENGAGEMENT

The TAG was advised that a broad range of groups around Aotearoa were embracing the principles and submissions made by the recreational sector represented at this meeting. There is growing concern about depletion in inshore waters and the emphasis that is being placed on managing for industrial and economic outputs rather than protecting the public's non-commercial fishing interests. These concerns were comprehensively considered in the [2015 joint recreational submission](#). TAG members confirmed they had not reviewed the 2015 submission – that process was out of scope in their [Terms of Reference](#); their focus was on the 2016 process and future reforms. TAG members were encouraged to read the 2015 submission.

TAG suggested there is a way to resolve management issues, if the recreational sector was prepared to engage, compromise, and be prepared to discuss 'gifts and gains'.

TAG was advised that the NZSFC-LegaSea teams have a vast amount of experience and are deeply engaged at every opportunity. The sector has devoted time and invested substantial resources into engagement and had become [more organised since 2000](#), and since the [Kahawai Legal Challenge](#) (2005-09).

CURRENT PROBLEMS

Discussion turned to the need to reduce pressure on fish stocks, to enable depleted stocks to rebuild to abundant levels and to increase marine biodiversity. Internationally there is a move toward ecosystem-based fisheries management (EBFM).

It is not necessary to understand all the complex connections between species in the food web to start EBFM. It is enough to know that using a precautionary approach to setting Total Allowable Catches (TACs) will help restore abundance and ecosystem function.

There was a reluctance to reduce Total Allowable Commercial Catches (TACCs), and in most cases commercial interests bitterly defend TACCs even if they are uncatchable. Concepts such as shelving are borne from this defensive attitude. It seems there is an illusion amongst commercial interests that if they do not catch the available fish, recreational fishers will take them instead.

From a public viewpoint the most pressing reforms required are:

- Policy reforms to manage for abundance
- A new allocation principle to guide Ministerial decisions.

The inshore zone includes the most productive marine waters around New Zealand. The QMS enables industrial fishing (trawling, seining, dredging, large-scale longlining) inshore where the most vulnerable habitats and juvenile fish live. The inshore zone is where most recreational fishing occurs.

There is growing concern that industrial fishing is depleting inshore fisheries, threatening ecosystem function, and denying public fishing opportunities. More precautionary management is required to rebuild depleted fish stocks to higher levels.

Excessive and imbalanced Total Allowable Commercial Catches (TACCs) seldom restrict commercial fishing even though there is more social, economic, and cultural value to be derived from small-scale, artisanal commercial, and recreational fishing opportunities.

Industrial fishing using indiscriminate, bulk harvesting methods (trawling, seining, dredging, large-scale longlining) can continue long after public fishing has collapsed. Industrial fishing for exports needs to be moved offshore, to enable the inshore zone to flourish and provide for public and artisanal, small-scale commercial fishing to support local and regional needs.

SOLUTIONS

1. Add an Allocation Principle based on Moyle's Promise to the Fisheries Act 1996, to help clarify the Minister's decision-making process and relieve tension.
2. Apply or strengthen the existing Information and Environmental Principles, to enable a more precautionary approach to be applied.
3. A comprehensive, independent review of the Quota Management System and decision-making. A revamp of MPI is likely after this review.

RECREATIONAL FISHERIES POLICY

The Quota Management System (QMS) was designed to reduce commercial effort and rebuild fisheries. A [national recreational fishing policy](#) was developed in conjunction with the QMS. It was not enshrined in legislation however, the Government at the time committed to protecting non-commercial fishing. A new Allocation Principle based on this commitment, known as [Moyle's Promise](#), needs to be added to the Fisheries Act 1996, to both guide future Ministerial allocation decisions and remove the ongoing tension.

Moyle's Promise -

“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. This position reflects Government's resolve to ensure all New Zealanders can enjoy and benefit from our fisheries.” [Minister Colin Moyle, June 1989]

NO ALLOCATION FOR PUBLIC FISHING

There is a distinct difference between the allocation made to commercial interests and the allowances made for non-commercial fishing, both recreational and customary fishing. The allowances for recreational fishing and customary fishing is set aside by the Minister to 'allow for' those broad interests. The recreational allowance is the Minister's best guess of what will be taken given the controls he places on fishing. The TACC is set after these allowances are made.

PROPORTIONAL ALLOCATION

The public has made it clear during various processes over the past 17 years that a proportional allocation for public fishing is unacceptable. Being fitted into the QMS and given a proportional allocation of the available catch would put public fishing on a par with commercial interests, and not provide for the inevitable population growth. Current legislation requires the Minister to be reasonable when providing for public fishing and before allocating a TACC.

RELIABLE RECREATIONAL HARVEST ESTIMATES

Contrary to statements by commercial interests, there are [reliable estimates of recreational harvest](#). MPI convened an international panel of experts to develop methods for getting reliable estimates of recreational harvest. The result was the Large Scale Multi Species Surveys. These LSMS include the [National Panel Survey, the aerial-overflight survey, and intensive boat ramp surveys](#).

Conversely, large scale voluntary reporting of recreational catch was not supported by the experts as statistically valid and could not be scaled up for management purposes due to the inherent biases associated with self-reported data. The [flaws of self-reported data](#) were publicly exposed during 2016 in the [Operation Achilles](#) and [Operation Hippocamp](#) fiascos.

MAORI FISHING

TAG questioned the relationship between Maori commercial, customary, and recreational fishing interests. From a Ngapuhi viewpoint this relationship was important however, it is acknowledged that 99.9% of the time that Ngapuhi fish to feed the family that fishing is done under the auspices of recreational fishing.

Customary fishing is reserved for tangihanga or large occasions.

There are many whanau in desperate need and managing fisheries resources to ensure abundance and availability was critical.

One of the barriers to success is the inability of the management processes to take account of human knowledge gathered over lifetimes. That evidence is rejected in favour of “science”.

FISHING ECONOMICS

Inshore stocks are being managed for economic outcomes, to the detriment of ecological outcomes. TAG was not aware of how many inshore stocks had latent, uncaught TACCs. These over allocations meant that few, if any, commercial boats were prevented from fishing; they merely change the ‘target species’ on their catch forms and continue fishing for 12 months of the year. The QMS was not constraining commercial effort or catch.

IN CLOSING

As witnessed at many public meetings, recreational fishers are willing to conserve fish to accelerate the restoration of fish stocks for future generations. However, people are opposed to conserving fish if their sacrifice is used to prop up excessive TACCs and enable the continued use of indiscriminate, destructive bulk harvesting methods to harvest fish for low-value export returns.

If the government is serious about restoring public confidence in management and increasing the national benefits from the use of our marine resources it must stop fiddling and implement, as a priority, policies to rebuild fisheries abundance, and amend the Fisheries Act 1996 with an Allocation Principle to clarify the decision-making process and relieve pressure on the Minister.

In summary, there are many issues that need addressing and most are not addressed in the FOOF process. These issues are not new and have been raised in similar processes over the past 40 years; it is unfortunate that the TAG is just another iteration of these processes.

The recreational team offered to respond to any specific issues raised by other 49 submitters. The 2015 submissions are in the public domain, the 2016 submissions are not available yet.

4. Actions

The joint submitters provided TAG with copies of –

1. NZSFC Fisheries Management Annual Report 2015-16.
<http://www.nzsportfishing.co.nz/userfiles/file/FM-Annual-Report-2016-web.pdf>
2. Economic report – Recreational Fishing in New Zealand. A Billion Dollar Industry. March 2016.
<http://nzmrf.org.nz/files/New-Zealand-Fishing-Economic-Report.pdf>

TAG confirmed next steps, they will –

1. Summarise the hearings.
2. Contact submitters if clarification is required.
3. Develop a report for MPI and the Director-General in the next few weeks.

Joint submitters will –

1. Complete and circulate a report of this meeting.
2. Assist TAG with any inquiries or clarification.

Resources –

1. Fisheries system review 2015. <https://goo.gl/p1DtTf>
2. Joint recreational fishing system review submission 2015. <https://goo.gl/Kh0qX4>
3. Summary of joint recreational fisheries system review 2015. <https://goo.gl/YGyIz1>
4. Future Of Our Fisheries process 2016 – 17. <https://goo.gl/EdYI33>
5. FOOF joint recreational fishing submission 2016 <https://goo.gl/cyzMMe>
6. Summary of joint recreational fishing FOOF submission 2016. <https://goo.gl/h5yxqq>
7. Moyle's Promise. <https://goo.gl/mnOmnH>
8. Draft and National Policy for Marine Recreational Fisheries. 1986 & 1989. <https://goo.gl/mnOmnH>

5. Appendix 1 – Yachting New Zealand letter to TAG



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Sail for Life

27/2/2017

Sir Rob Fenwick

The Chair of the Technical Advisory Group

Re: Future of our Fisheries - Technical Advisory Group meeting

Dear Sir Rob,

Yachting New Zealand commits substantial effort and resource to lobby central and local government in respect of environmental and legal issues directly affecting Yachting New Zealand member clubs and New Zealand's recreational boat-owners and operators. We have a nationwide viewpoint; we advocate with a voice of just over 30,000 people from over 110 clubs, 50 class associations and 40 maritime organisations. This carries significantly more weight than an individual submission.

We write to endorse the New Zealand Sport Fishing Council and their efforts to advocate on behalf of their members and, by natural extension, the non-commercial fishing interests of the public at large. Yachting New Zealand have established a warm and trusting relationship with New Zealand Sport Fishing Council representatives. We appreciate the comprehensive nature of the submissions they make. Submissions of this caliber are only possible when written by professionals with many years of experience. Their submissions consistently represent the values and interests of so many of our members who enjoy fishing in the inshore waters of New Zealand.

We regret not being available to attend this briefing with the Technical Advisory Group on the 1st of March 2017. We urge you to take careful note of the Council's input to the review.

We look forward to reading the report on your meeting with the NZSFC and other aligned representative organisations.

Yours faithfully

A handwritten signature in black ink, appearing to read "David Abercrombie".

David Abercrombie
Chief Executive

