



**Fiordland
Marine Guardians**
Beneath the Reflections

SUMMARY DOCUMENT

Proposed Amendments to Amateur Fishing Regulations in the Fiordland (Te Moana o Atawhenua) Marine Area

We encourage submitters to read more information about the Fiordland Marine Guardians proposal in the briefing paper that we submitted to Minister David Parker in November 2021. In that paper, we made several recommendations to the Minister (e.g. regarding the management of Amateur Charter Vessels, electronic reporting etc.), which Fisheries New Zealand are not consulting on as part of this process. The current public consultation process is focused solely on changes to the amateur fishing rules and regulations.

[Download the full briefing paper](#)

Recreational/amateur fishers are one of several key user groups that regularly spend time in the Fiordland (Te Moana o Atawhenua) Marine Area (FMA). In 2019, the Fiordland Marine Guardians began a review of the amateur fishing rules and regulations for the FMA. Our review was triggered by concerns raised by fishers and fishing charter operators about fisheries inside the fiords. Their concerns have reflected the observations of Guardians with many decades of experience in the area.

The FMA continues to become a busier place. As the overall fishing effort increases and more fish (and crayfish, shellfish etc.) are harvested, a point is reached where the amount extracted is greater than what the ecosystem can produce. Our review has led us to conclude that we have reached that point for several species that are commonly targeted by amateur fishers, so we must act.

The Guardians are focused on achieving our vision for Fiordland, which means thinking about not just halting the decline of fish species, but also developing a mindset towards fishing that will leave a positive legacy for future generations.

Our proposal is not perfect as the problem ahead of us is complex, but we need to act now. We encourage you to consider the information that follows and make a written submission to Fisheries New Zealand. Your input will help us strengthen the proposal and make any changes to the amateur fishing rules for the FMA more likely to succeed.

The Fiordland Marine Guardians

The Fiordland Marine Guardians are an advisory committee who works with government agencies on managing the Fiordland (Te Moana o Atawhenua) Marine Area (FMA). We advise government ministers on risks to the FMA and develop mitigation measures.

The Guardians were established in the Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 ("the Act"). The eight appointed members have a collective and diverse knowledge, experience and expertise relating to the FMA.

We are mandated under the Act to ensure "*That the quality of Fiordland's marine environment and fisheries, including the wider fishery experience, be maintained or improved for future generations to use and enjoy.*" Therefore, it is our responsibility to advocate for measures that will rebuild fish stocks impacted by overfishing.

Learning From Past Experience

The passing of the Act in 2005 was ground breaking for how fisheries are managed in Aotearoa New Zealand. The Act, and the fisheries rules and regulations aligned with it, provided an innovative and future-focused means of ensuring this special place was cared for, for future generations. The original concerns that brought the community together focused on depleted fish stocks, attributed mainly to bulk-harvesting practices.

The solutions such as commercial exclusion zones, no-accumulation rules and reduced species take limits were considered conservative, but necessarily so. Everyone agreed that the suite of measures brought in with the Act would bring about enduring sustainable fisheries within the FMA.

Unfortunately, issues faced pre-2005 are with us again. Concerns about how difficult it is to catch fish and gather shellfish throughout the FMA are attributed mainly to a significant increase in the number of fishers visiting the area. What were once seldom-visited parts of the FMA, such as the southern fiords, are experiencing greater fishing pressure.

It is also possible that climate change and resulting increases in water temperature could affect fisheries. We know that visitor numbers and the impacts of climate change on the FMA are set to increase.

The Fishery

The FMA is a shared fishing ground with customary, commercial and amateur interests. Since 2005, commercial fishers withdrew from the Internal Waters (inside the Habitat Lines), and customary permits have not been issued for the internal waters. The net result of these measures is that the Internal Waters of Fiordland are solely an amateur/recreational fishery. It is widely accepted that the internal waters support less-productive fisheries than the outer fiords and open coast, and they are therefore more vulnerable to serial and localised depletion of stocks.

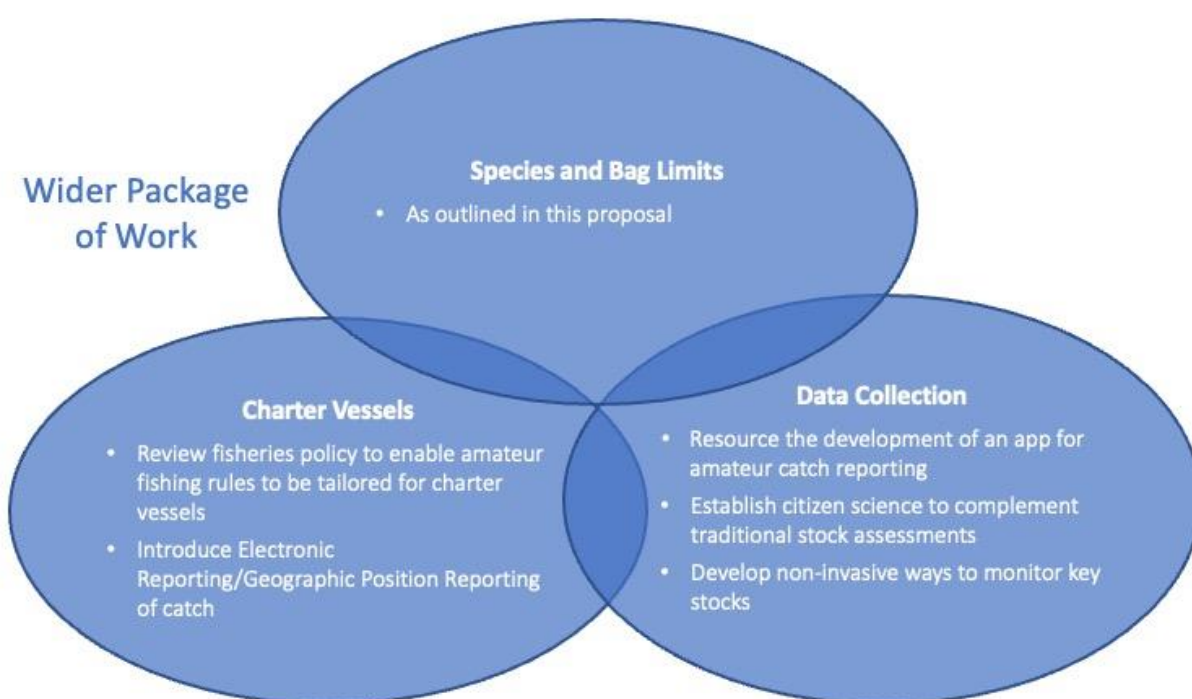
Beyond (seaward of) the Habitat Lines, customary, commercial and amateur fishers share fishing grounds. The majority of commercial fishing effort of finfish occurs on the open coast. Commercial pāua and rock lobster fishing occurs throughout the open coast and outer fiords. The fiord entrances – the areas between the headlands and the Habitat Lines – attract most of the amateur/recreational fishing pressure. The fiord entrances are somewhat protected from the ocean swell and wind and are therefore more desirable to fish than the open waters. Also, species take limits for blue cod/rāwaru and groper (bass)/hāpuku are higher in these areas than in the internal waters. It could be argued that the rules introduced in 2005 had the unintended consequence of condensing fishing effort in the fiord entrances.

Wider package of work

For this round of public consultation, we are focused on daily species limits and bag limits through:

- reducing amateur bag and species limits to align with a “Fish for a Feed” philosophy
- placing temporary closures on some fisheries
- moving the line that demarcates tiered species limits to reduce the pressure on stocks in the fiord entrances.

Further initiatives are underway for the FMA to achieve sustainable fisheries for future generations to use and enjoy. These initiatives are focused on data collection and management of charter fishing vessels, as outlined in the diagram below. The Guardians will continue to advocate for these initiatives and will work with Fisheries New Zealand to advance those already in train.



We are mindful that whilst the proposed solution may halt the decline of some stocks and enable their rebuild, we need to do more work to ensure fisheries sustainability for the long term (rather than just responding to current issues and pressures). The Guardians intend to progress the development of a more holistic fisheries management plan and/or mechanism for the FMA.

Definition of the Problem

We consulted with Ngāi Tahu ki Murihiku, Fiordland's fishing charter operators and the fishing community to define the problem and develop workable solutions. Collectively we have considered all of the available scientific information.

Our engagement has consistently demonstrated concern about the sustainability of fish stocks in the FMA, particularly in the internal waters. Fishers that have a longer history of visiting the fiords have expressed a higher level of concern than those newer to the area, as the decline has been occurring over decades. We

heard that most people appreciate that the regulations must change to reverse the decline and rebuild key fish stocks.

The concentration of fishing pressure in the entrances to most fiords results in serial depletion of key stocks. Based on current trends, it is most likely that visitor numbers and fishing pressure will continue to increase, exacerbating this issue.

The Guardians have concluded that within the FMA, many fish stocks are not being fished sustainably and that several key stocks need rebuilding. The Guardians share a consensus view that there is now sufficient information to support revising amateur rules and regulations for the FMA. Any delay in implementing more restrictive regulations will result in key fish stocks being even more depleted. Consequently, the required rebuilding of stocks will be more challenging and necessitate more drastic measures.

The lack of empirical data relating to amateur fishing pressure (catch, effort, etc.) has seriously compromised our ability to promptly detect and respond to the unsustainability of current practices. The development of tools that will enable amateur fishing and fishery data to be collected is occurring and will significantly improve our ability to manage these fisheries in the future.

The overarching intention of our proposed changes is to align the amateur fishing regulations of the FMA with the philosophy of Fishing for a Feed.

Proposed Solution

The Guardians propose the following amendments to the amateur fishing regulations for the FMA.

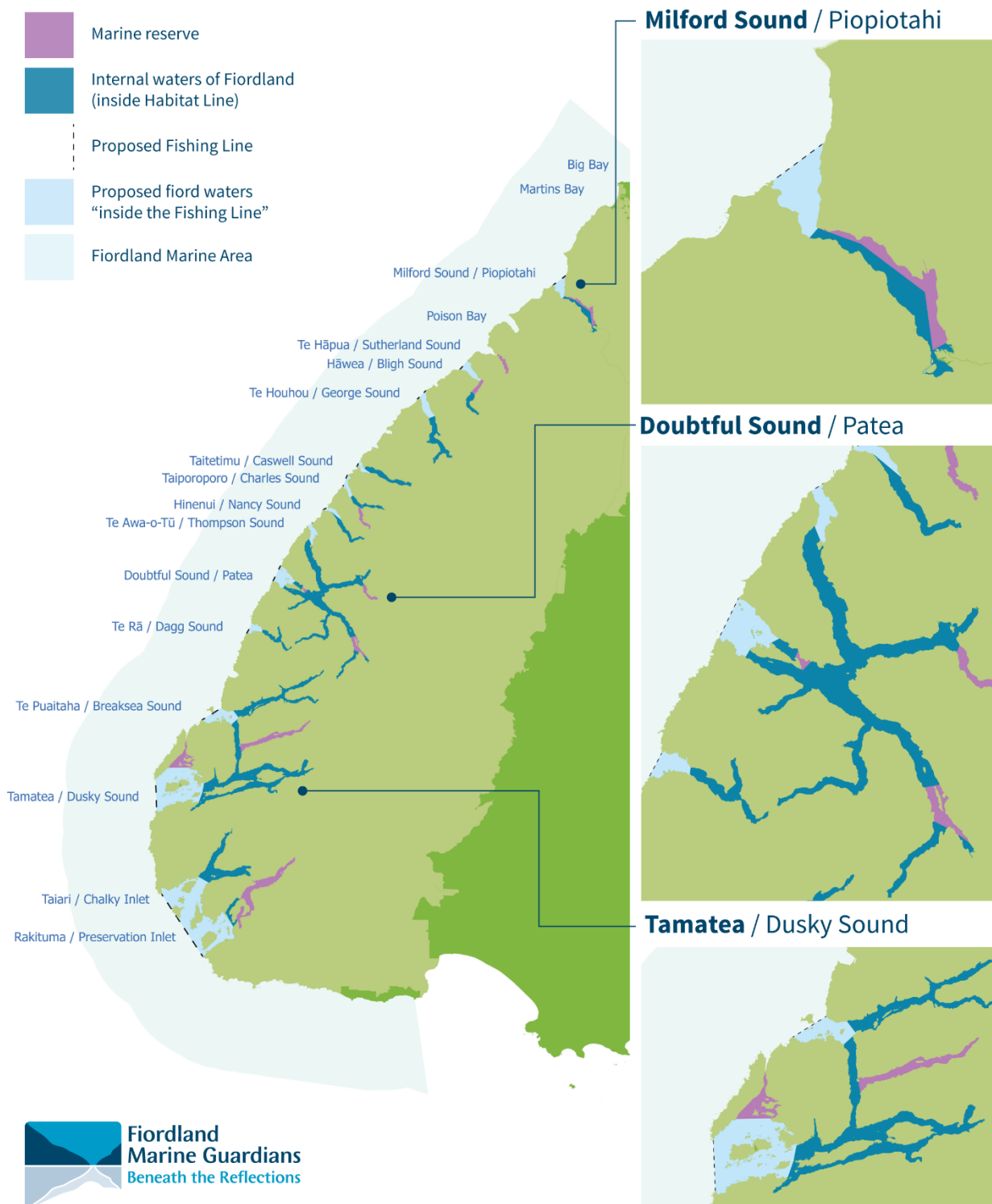
Move the line that demarcates the differential daily species limits

To ensure the management structure results in sustainable management of finfish and shellfish for the long term, we recommend increasing the size of the zones that have more restrictive daily species limits. This would be achieved by changing the demarcation line from the Habitat Lines (referred to in the legislation as the "Internal Waters of Fiordland Lines") to "Fishing Lines" that extend across the natural headland seaward entrances of each fiord.

Habitat lines currently demarcate the two-tier approach to amateur species limits of blue cod/rawaru and groper/hāpuku. In some fiords, the habitat line is many kilometres inside the fiord headland/entrance. The relatively sheltered conditions at fiord entrances and more generous amateur species limits on the seaward side of habitat lines create high-intensity fishing pressure at the entrance of several fiords. The projected future growth in visitors/fishers will exacerbate the localised depletion of stocks in these areas.

Lines that extend across the natural headland seaward entrances of each fiord are established in fisheries legislation as they have been used to restrict specific commercial fishing activities. These lines are defined in the Fisheries (Southland and Sub-Antarctic Areas Commercial Fishing) Regulations 1986, Reg 3 and 3A. We propose that these lines are referred to as "Fishing Lines" and are incorporated into the amateur fishing rules and regulations for the Fiordland Marine Area. Geographically, we refer to rules applying to the fiord waters inside the Fishing Line, or the open coast waters outside the Fishing Line.

Fiordland (Te Moana o Atawhenua) Marine Area: Existing and proposed management zones



Change the Finfish Daily Bag and Species Limits

Change finfish regulations and set amateur bag limits to encourage fishing effort on the productive outer coast zone.

Current status	Proposal
Combined daily bag limit of 30 finfish per person of any combination of listed species. No accumulation beyond the daily limit.	Reduce the combined daily finfish bag limit to 10 finfish per person. No accumulation beyond the daily species limits and the combined finfish bag limit.
Up until 5 May 2022, only listed finfish species were included in the daily combined finfish bag limit. This excluded albacore tuna, southern bluefin tuna, kingfish, and others.	From 5 May 2022, Fisheries New Zealand has amended the Amateur Fishing Regulations to include <u>all</u> finfish species into the daily combined finfish bag limit as a result of the National Daily Bag Limit review.
As of 5 May 2022, Fisheries New Zealand has amended the Amateur Fishing Regulations to now include a new combined baitfish daily bag limit of 50 baitfish. This applies to the following 7 species: Anchovy, Jack/Horse/Chilean mackerel, Koheru/Scad, Pilchard, Piper/Garfish, Slender/Stout sprat and Yellow-eyed mullet. The baitfish bag limit is in addition to the combined finfish bag limit, with no accumulation applying.	To exclude barracouta from the combined finfish bag limit with its own baitfish species limit of 3 barracouta.
Maximum daily limit per person in the Internal Waters of Fiordland (inside the Habitat Line) is 3 groper (hāpuku)/bass. There is no monitoring of groper (hāpuku)/bass stocks in the FMA.	Close groper (hāpuku)/bass fishing in the Internal Waters of Fiordland (inside the Habitat Line) for all fiords for a period of five years. Fisheries NZ to develop a non-lethal methodology for monitoring groper (hāpuku)/bass abundance, so any decision to re-open the fishery in the future is based on robust information.
Fisheries NZ conduct stock assessments for blue cod using an extractive potting method, which places undue pressure on vulnerable inner-fiord fisheries. A citizen science programme is currently under development by Fisheries NZ that will enable Fiordland's fishers to contribute information regarding fish take, gender etc. in a robust manner that complements other sources of scientific information.	Fisheries NZ to develop a non-lethal methodology for monitoring blue cod/rāwaru abundance, so any decision to re-open closed fisheries (i.e. Milford Sound/Piopiotahi) and review bag limits in the future is based on robust information.

Amend the individual species daily bag limits as per below

- Note that the demarcation line for the two-tiered bag limits shifts from the internal waters of Fiordland/Habitat Line (current) to the line that extends across the natural headland seaward entrances of each fiord ("Fishing Line"), with the exception of groper (hāpuku)/ bass.
- Note the proposed introduction of two-tiered species limits for a greater number of species than the status quo.

Finfish species	Current Amateur Daily Limit per Fisher (as of 5 May 2022)		Proposed Amateur Daily Limit per Fisher	
	Internal waters (inside Habitat Line)	External (outside Habitat Line)	Fiord Waters Inside the Fishing Line	Open Coast Outside the Fishing Line
Albacore tuna	30		3	
Barracouta	30		3 ¹	
Blue cod/rāwaru	3	10	1	10
Blue cod/rāwaru – Doubtful/Thompson/Bradshaw internal waters	1		1	
Blue moki	15		1	2
Blue nose	5		1	
Blue shark	1		0	
Bronze shark	1		0	
Butterfish	15		2	
Eels – Shortfin/ Longfin	6		2	
Elephant fish	5		1	
Flatfish (except Sand flounder)	30		2	
Sand flounder	Included in 30 flatfish limit		2	
Gem fish	30		1	
Grey mullet	30		4	
Groper (Hāpuku)/ Bass	3	5	0 (in the Internal Waters of Fiordland/inside the Habitat Line)	1 (in the fiord entrances and outer coast/outside the Habitat Line)
Hammerhead shark	1		0	
Hoki	30		1	
Kahawai	15		2	
Kingfish	3		2	
Lamprey	30		2	
Ling	30		0	1
Mako shark	1		0	

1 Propose that barracouta are excluded from the daily bag limit per fisher as they are primarily a baitfish.

Marblefish	30	1	
Marlin	1	1	
Porbeagle shark	1	1	
Quinnat salmon	2	1	
Red cod	10	2	
Red gurnard	30	2	
Red moki	15	1	
Rig	5	2	
School shark	5	2	
Sea perch/ Jock Stewart	10	1	10
Seven gilled shark	1	1	
Skate ray	5	1	
Snapper	30	1	
Southern bluefin tuna	1	1	
Spiny dogfish	15	2	
Stargazer	30	2	
Tarakihi	15	1	10
Thresher shark	1	1	
Trevally	30	1	
Trumpeter	15	1	4
Warehou	15	1	
Wrasse	30	4	
All other finfish species not listed	30	4	

Change the Amateur Rock Lobster Regulations

The Guardians have been unable to form a consensus view on the details of the proposal for rock lobster. Two proposals are presented, both of which include a reduction in the total take of crayfish per amateur fisher. The key difference between these proposals is the position of the line that demarcates the two-tiered daily take limits. For most recreational vessels access to the outer coast is limited by adverse weather and sea conditions.

Current status	Proposal - Option 1	Proposal – Option 2
	Introduce a two-tier bag limit for rock lobster, with demarcation based around the Internal Waters of Fiordland/Habitat Line.	Introduce a two-tier bag limit for rock lobster, with demarcation based around the line that extends across the natural headland seaward entrances of each fiord ("Fishing Line").
No person may take or possess more than 6 rock lobsters (both spiny and packhorse rock lobster species combined) on any one day within the Fiordland (Te Moana o Atawhenua) Marine Area.	Daily rock lobster take and possession limit for internal waters of Fiordland/inside the Habitat Line (excluding Milford Sound/ Piopiotahi) is 6 (both spiny and packhorse rock lobster species combined).	The daily rock lobster <u>take</u> and <u>possession</u> limit for the fiord waters inside the Fishing Line (excluding Milford Sound/ Piopiotahi), is 6 (both spiny and packhorse species combined).

	<p>The daily rock lobster <u>take</u> limit for the external fiord waters (outside the Internal Waters of Fiordland/Habitat Line) is 6 rock lobsters (both spiny and packhorse species combined).</p> <p>The daily rock lobster <u>possession</u> limit for the external waters (outside the Internal Waters of Fiordland/Habitat Line) is 6 rock lobsters (both spiny and packhorse species combined); with a maximum <u>accumulation</u> limit of 10 rock lobsters (both species combined).</p>	<p>The daily rock lobster <u>possession</u> limit for the open coast waters outside the Fishing Line is 6 (both spiny and packhorse species combined); with a maximum accumulation limit of 10 rock lobsters (both species combined).</p>
<p>No person may take or possess more than 3 rock lobsters on any one-day that are taken from within the Milford Sound/ Piopiotahi internal waters of Fiordland. No accumulation applies.</p>	<p>No change to current daily bag limit of 3 rock lobsters within the Milford Sound/ Piopiotahi internal waters.</p>	<p>No change to current daily bag limit within the Milford Sound/ Piopiotahi internal waters but move the demarcation line from the Habitat Line to the line that extends across the natural headland seaward entrances of each fiord ("Fishing Line").</p>
<p>Within the Fiordland (Te Moana o Atawhenua) Marine Area, a limited defence provision exists to allow possession of accumulated rock lobster taken over 3 or more days in excess of the daily possession limit if:</p> <ul style="list-style-type: none"> ○ not more than 15 rock lobster are possessed; and ○ the daily take limit of 6 rock lobster was not exceeded on any day; and ○ not more than 3 rock lobster were taken from the Milford Sound/ Piopiotahi internal waters of Fiordland; and ○ in the case of rock lobster held on board or landed from a vessel, including rock lobster removed from any holding pot, the rock lobster are held in labelled containers or bags that contain only rock lobster taken 	<p>Limited defence provision exists to allow possession of accumulated rock lobster taken over 2 or more days in excess of the daily possession limit if:</p> <ul style="list-style-type: none"> ○ not more than 10 rock lobster are possessed; and ○ the daily take limit of 6 rock lobster was not exceeded on any day; and ○ not more than 6 rock lobster were taken from the internal waters of Fiordland/ Habitat Line with the balance taken from outside the Habitat Line/internal waters; and ○ not more than 3 rock lobster were taken from 	<p>Limited defence provision exists to allow possession of accumulated rock lobster taken over 2 or more days in excess of the daily possession limit if:</p> <ul style="list-style-type: none"> ○ not more than 10 rock lobster are possessed; and ○ the daily take limit of 6 rock lobster was not exceeded on any day; and ○ not more than 6 rock lobster were taken from the fiord waters inside the Fishing Line with the balance taken from the open coast outside the Fishing Line; and

<p>on a single day, and labled to identity the fisher by name, the date caught and number of fish.</p>	<p>the Milford Sound/ Piopiotahi internal waters of Fiordland; and</p> <ul style="list-style-type: none"> ○ in the case of rock lobster held on board or landed from a vessel, including rock lobster removed from any holding pot, the rock lobster are held in labelled containers or bags that contain only rock lobster taken on a single day, and labelled to identity the fisher by name, the date caught and number of fish. <p>No rock lobster accumulation beyond the maximum 10 possession limit.</p>	<ul style="list-style-type: none"> ○ not more than 3 rock lobster were taken from the fiord waters inside the Fishing Line in Milford Sound/ Piopiotahi; and ○ in the case of rock lobster held on board or landed from a vessel, including rock lobster removed from any holding pot, the rock lobster are held in labelled containers or bags that contain only rock lobster taken on a single day, and labelled to identity the fisher by name, the date caught and number of fish. <p>No rock lobster accumulation beyond the maximum 10 possession limit.</p>
--	--	--

Option 1 – base the demarcation of the two-tiered species limit around the Habitat Line

- Likely to be more appealing to recreational fishers at a time when the rock lobster fishery is in good health
- Alignment with boundaries for commercial fishing activity (allowed up to the Habitat Line)
- Does not align with the Guardians' philosophy of Fishing for a Feed. At an average weight of 2.5 kg per crayfish, 10 crayfish equate to 25 kg of crayfish for each fisher.
- Less likely to result in a sustainable fishery in the face of projected increased number of fishers in the future.

Option 2 - base the demarcation of the two-tiered species limit around the Fishing Line

- Aligned with proposed changes for finfish and other shellfish in terms of the demarcation line, which may ease confusion.
- Fishers' ability to access higher species limits on the open coast will be challenged by weather and sea state
- More closely aligned with the Guardian's philosophy of Fishing for a Feed. At an average weight of 2.5 kg per crayfish, 6 crayfish equate to 15 kg of crayfish for each fisher.
- More likely to be sustainable over the long term as the area faces projections of increased number of fishers.

Change the Amateur Shellfish Regulations

Current status		Proposal	
No daily bag limit for shellfish.		Introduce a daily combined bag limit for shellfish of 150. All shellfish species to be included in this bag, not just those listed. Individual shellfish species limits still apply.	
Individual species limits apply for nine species; (e.g. 10 blackfoot pāua, 50 kina etc.) along with a mixed shellfish species bag limit of 50 for all other shellfish species that are not listed.			
Scallops: Max. daily limit of 10.		Prohibit scallop take from the entire FMA.	
<p>Amend the individual daily species limits as per below.</p> <ul style="list-style-type: none">Note that the demarcation line for the two-tiered shellfish species limits shifts from the Internal Waters of Fiordland/Habitat Line (current) to the line that extends across the natural headland seaward entrances of each fiord ("Fishing Line")Note the proposed introduction of two-tiered limits for pāua (both species) with no accumulation applying			
Shellfish species	Current Amateur Daily Limit Per Fisher	Proposed Amateur Daily Limit Per Fisher	
		Inside Fishing Line	Outside Fishing Line
Cockles	150	20	
Kina	50	20	
Mussels	25	10	
Oysters (Flat/ Dredge oyster)	50	0	
Pāua - Blackfoot	10	1	6
- Yellow-foot	10	2	
Pipi	150	20	
Scallops	10	0	
Tuatua	150	10	
All other shellfish species combined, (whether the same species or different)	50	20	