

# Briefing



**To:** Minister of Oceans and Fisheries

**Date:** 21 Oct, 2021\*

*NOTE: This paper was updated on 28 July 2022 to accurately reflect current regulations and make minor editorial corrections.*

*NOTE: Several actions were sought in this briefing. The current round of public consultation is focused solely on changes to the amateur fishing rules and regulations (Action 2). The relevant proposed solutions are outlined in paragraphs 50-62.*

---

**Subject:** Proposed Amendments to Amateur Fishing Regulations in the Fiordland (Te Moana o Atawhenua) Marine Area: advice following consultation with fishers.

**Actions sought:**

1. Consider the contents of this briefing
2. Decide whether to proceed with a review of the Amateur Fishing Regulations for the Fiordland Marine Area under the Fisheries Act 1996 based on the advice of the Fiordland Marine Guardians
3. Support the further development of an app that will aid recreational fishers to comply with the regulations in Fiordland and contribute data to inform future fisheries management
4. Agree to introducing sustainable monitoring methods for blue cod/rāwaru and hāpuku in the Fiordland Marine Area
5. Request an update from Fisheries NZ on the review of how Amateur Charter Vessels (ACV) are managed/treated in the Fisheries Act 1996, including the introduction of the ability to designate regions of operation for ACV registrations and to recognise ACV as a subset of amateur fishers under the Fisheries Act 1996
6. Consider placing a temporary freeze on new registrations of ACV in the Fiordland Marine Area
7. Renew the commitment to introducing Electronic Reporting and Geographic Position Reporting to the ACV Fleet

---

## Table of Contents

|   |           |
|---|-----------|
| <b>PURPOSE</b>  | <b>3</b>  |
| <b>LEGISLATIVE CONTEXT</b>  | <b>3</b>  |
| <b>BACKGROUND</b>   | <b>3</b>  |
| <b>COMMUNITY ENGAGEMENT</b>   | <b>6</b>  |
| <b>CONSULTATION WITH TE RŪNANGA O NGĀI TAHU AND SOUTHERN PAPATIPU RŪNANGA</b>           | <b>7</b>  |
| <b>PROBLEM DEFINITION</b>   | <b>7</b>  |
| SCIENTIFIC EVIDENCE   | 7         |
| INPUT FROM OPERATORS OF AMATEUR CHARTER VESSELS (ACV)                                   | 7         |
| INPUT FROM RECREATIONAL FISHERS THAT VISIT FIORDLAND INDEPENDENTLY                      | 8         |
| OBSERVATIONS FROM THE GUARDIANS   | 9         |
| <b>OUR CONCLUSION</b>   | <b>10</b> |
| <b>PROPOSED SOLUTION</b>  | <b>10</b> |
| MOVE THE LINE THAT DEMARCATES THE DIFFERENTIAL DAILY SPECIES LIMITS                     | 10        |
| CHANGE THE FINFISH DAILY BAG AND SPECIES LIMITS   | 11        |
| CHANGE THE AMATEUR ROCK LOBSTER REGULATIONS   | 13        |
| CHANGE THE AMATEUR SHELLFISH REGULATIONS  | 16        |
| ENCOURAGE NO-TAKE AREAS AT POPULAR ANCHORAGES   | 16        |
| <b>CONSIDERATION OF OPTIONS FOR MULTI-TIERED AMATEUR BAG AND SPECIES LIMITS</b>         | <b>17</b> |
| <b>KEY INITIATIVES AND MITIGATIONS OCCURRING ALONGSIDE THIS PROPOSAL</b>                | <b>18</b> |
| <b>REQUEST FOR RE-CONSIDERATION OF OPTIONS TO BETTER MANAGE CHARTER FISHING VESSELS</b> | <b>19</b> |
| PLACE A FREEZE ON NEW ACV REGISTRATIONS   | 19        |
| INTRODUCE ELECTRONIC REPORTING AND GLOBAL POSITIONING REPORTING (ER/GPR) TO ACV FLEET   | 19        |
| RECOGNISE ACVs AS A SUBSET OF AMATEUR FISHERS UNDER THE FISHERIES ACT                   | 20        |
| IMPOSE BOAT LIMITS ON TOTAL FISH TAKE FOR ACV   | 20        |

## Appendices to advice paper

1. Current amateur fishing regulations in FMA
  2. Summary of information supporting review of recreational fishing in the Fiordland Marine Area
  3. Product of ACV workshop (overview notes)
  4. ACV advice to Minister Nash, 2019
  5. ACV Voluntary Code of Practise for Fishing in the FMA
  6. Product of recreational fisher hui (overview notes)
  7. Survey conducted by Fiordland Marine Guardians with Manaaki Whenua
-

## PURPOSE

1. This paper provides advice and recommendations from the Fiordland Marine Guardians ("the Guardians") regarding concerns about the sustainability of amateur fishing in the Fiordland (Te Moana o Atawhenua) Marine Area (FMA). We outline steps we have taken to engage with Mana Whenua and fishers, to define the issues and work collaboratively to develop mitigation measures to address these issues. The product of this mahi is a comprehensive suite of proposed amendments to amateur fishing regulations in the FMA that we believe will ensure that the Guardians vision for the FMA is realised.
2. The Guardians' vision for the FMA, is 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"*** (Preamble (1), Fiordland (Te Moana o Atawhenua) Marine Management Act 2005).
3. Our intention is to ensure sustainable fisheries management so that people can continue to use and enjoy this resource. We have focused our recommendations on solutions that will continue to be effective in the future when a significantly greater number of fishers are expected to access the area.

## LEGISLATIVE CONTEXT

4. The Guardians provide this advice and these recommendations in accordance with Section 13 (1) (a) (i) of the Fiordland (Te Moana o Atawhenua) Marine Management Act 2005. We are concerned about the effectiveness of the current measures in the FMA that manage the extraction of fish from areas inside the fiords. We consider that if these management measures are not amended accordingly, continuing and increasing fishing pressure in the internal waters of the FMA will further erode fish stocks throughout the FMA.
5. Under the Fisheries (Amateur Fishing) Regulations 2013 (amateur regulations), amateur bag and species limits for most finfish species are set on an area basis (Parts 3-7 and Schedules 6-9 of the amateur regulations). The areas used for this purpose are referred to as 'fishery management areas' and are defined in regulation 7 of the amateur regulations. The areas are, in turn, based on the fishery management areas defined in Part 1 of Schedule 1 of the Fisheries Act 1996.

## BACKGROUND

6. The Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 ("the Act") established fisheries regulations specific to the Fiordland Marine Area. These regulations were based on the recommendations of the Guardians of Fiordland Fisheries and the Marine Environment (who developed the strategy realised in the Act). Appendix 1 provides the current regulations.
7. The principle of 'gifts and gains' is embedded into the provisions of the Act. In the process of developing an integrated strategy for the FMA, when one interest or sector benefited at the cost of another, the advantaged party agreed to give something in return. The aim was to ensure that the greater good of Fiordland takes precedence over competing interests.
8. The depletion of fish stocks in the 'inner' fiords was the catalyst for the original group's formation in 1996. There were concerns about localised depletion on fish stocks in areas with a high concentration of fishing effort, specifically the inner fiord systems of Milford/Piopiotahi, Doubtful/Patea, Tamatea/Dusky and Te Puitaha/Breaksea sounds.
9. Since 2005, commercial fishing has been prohibited from the internal waters of Fiordland (Figure 1), and Te Rūnanga o Ngāi Tahu has continued a self-imposed rāhui on customary authorisations in the internal waters. Consequently, the internal waters/inside the fiords have been harvested solely by recreational amateur fishers.



Figure 2. Map showing the internal waters of the Fiordland Marine Area where commercial fishing is prohibited.

10. The concept of Fish for a Feed (and not to fill the freezer) guided the Guardians to develop the amateur fishing regulations in 2005. The regulations were conservative relative to other parts of Aotearoa New Zealand. They included innovative components such as no-accumulation rules for finfish, temporary fishery closures and reduced daily bag and species limits. These are now becoming commonplace around the country (e.g. accumulation rules for amateur catch of blue cod/rāwaru).
11. We know that the habitat and physical environment in the internal waters of the FMA does not support highly productive marine ecosystems. The limited amount of habitat on the reefs along the side of each fiord, coupled with the life history of some species targeted by amateur fishers, results in the fisheries being susceptible to serial and localised depletion.
12. The FMA is characterised by noticeable physical and biological gradients (Wing and Jack, 2014)<sup>1</sup>:
  - productive marine ecosystems in the outer reaches where high light and wave energy supports high growth rates and fecundity of key fishery species; and
  - a transition to less productive ecosystems in the internal waters, where light and wave energy is limited and the primary fuel for marine ecosystems is lower quality forest litter.

These gradients along the fiords result in a source-sink population structure for key species, including blue cod/rāwaru and rock lobster. The outer-fiord populations act as the primary source for recruitment, with some recruits migrating into the internal waters. From a fisheries perspective, these productive outer-fiord areas can support a higher intensity of fishing pressure than the internal waters, where growth and reproduction rates are slower.

<sup>1</sup> SR Wing & L Jack (2014) Fiordland: the ecological basis for ecosystem management, New Zealand Journal of Marine and Freshwater Research, 48:4, 577-593, DOI: 10.1080/00288330.2014.897636

13. Since 2005, fishers have been encouraged to focus their fishing effort on the more productive habitats at fiord entrances and the open coast. This behaviour change has been achieved through a two-tiered daily limit system for several species, including blue cod/rāwaru and rock lobster, with more generous daily limits on the seaward side of the habitat lines (that define the internal waters) (see Amateur regulations in Appendix 1).
14. Fisheries management measures established under the Act were considered sufficient to ensure sustainable fisheries management for the foreseeable future, even with a moderate increase in recreational fishing pressure.
15. Our focus on recreational fishing and engagement over the past few years has led us to the firm position that the current amateur fishing regulations for the FMA are no longer fit for purpose due to an increasing number of people extracting fish from the FMA.
16. Vessel traffic has increased dramatically in the FMA since 2005. This change is particularly apparent in the southern fiords, including Tamatea/Dusky and Te Puaiahua/Breaksea sounds, areas once considered remote. In 2005, visitors to the southern fiords could experience days without seeing another vessel. Data are absent on the total number of vessels operating in the FMA. However, there are good anecdotal accounts of increased vessel numbers and how different groups are using the fiords. One increase in visitor demand is the upwards trend in the number of vessels registered as ACVs in Fiordland (Appendix 2.0, Section 2.0, Fig. 2.1; Note: the effects of the Covid-19 pandemic are evident in the last two years).
17. Despite conservative daily species limits and no-accumulation rules for finfish in the FMA, fisheries decline in the internal waters is evident. It is very likely that the amateur take of finfish and shellfish has been occurring at an unsustainable level for some time. This decline is due to the increasing number of people using extractive fishing practices in an area that has exceeded the total output from these fisheries.
18. This view is supported by data reported by Amateur Charter Fishing Vessels (ACV) operators showing an increase in the number of fishing events aboard ACVs in the FMA since reporting began in 2010-11. Over this period, the number of fishing events has increased steadily, and by 2018-19 had more than doubled (Appendix 2, Section 2.0, Fig. 2.2). Over the same period, the reported catch for all species tripled (Appendix 2, Section 2.0, Fig. 2.4), the number of crayfish retained tripled (Appendix 2, Section 2.0, Fig. 2.7), and the blue cod/rāwaru take more than doubled (Appendix 2, Section 2.0, Fig. 2.9). The catch of groper/hāpuku did not show a consistent trend over time (Appendix 2, Section 2.0, Fig. 2.10); however, of enormous concern is the retention rate of only around 20% for this species (Appendix 2, Section 2.0, Fig. 2.11). We assume that the remainder were returned to the water, but due to the species having a gas-filled swim bladder, it is likely they experience a high rate of post-release mortality. The total annual take of scallops by ACV has trended upwards over time, with more than 1200 scallops taken per annum between 2018 and 2020 (Appendix 2, Section 2.0, Fig. 2.12).
19. There are no data available from recreational fishers visiting the FMA in private vessels. However, we know that improvements in vessel design have allowed recreational fishers to travel further and access once remote southern fiords in relative safety. We regard the measurable increase in pressure from fishers aboard ACVs as representative of the entire amateur sector.
20. Recreational fishers visit Fiordland by private vessel, commercial fishing vessel (Section 111 take), or as a guest aboard an ACV. Whilst individual fishers must abide by amateur fishing regulations, the collective activities of independent fishers and those aboard ACVs differ markedly. Independent fishers and those aboard ACVs have different levels of impact on the fisheries in the FMA. The former generally access the FMA on relatively few occasions each year; the majority on trailer boats from Milford Sound/Piopiota. ACVs operate throughout the year, carry more fishers and the majority of operators facilitate fishing on a daily basis.

## COMMUNITY ENGAGEMENT

21. We have engaged formally with fishers on fisheries sustainability since 2019 when local charter fishing operators and independent recreational fishers raised concerns with the Guardians. Our engagement has focused on gathering user information from Fiordland's fishers to define the issues relating to fisheries sustainability and develop innovative mitigations to these issues.
22. Our engagement has included:
  - 22.1 A 2-day facilitated workshop with operators of Amateur Fishing Charter Vessels that work in the FMA on 8 & 9 August 2019, Te Anau (Appendix 3)
  - 22.2 The Fiordland and Kaikōura Marine Guardians jointly provided advice and recommendations to the Minister of Fisheries (then Minister Nash) on 10 December 2019 regarding the management of Amateur Charter Vessel operations in Fiordland and Kaikōura (Appendix 4).
  - 22.3 A 2-day facilitated workshop with a focus group of recreational fishers who fish in the FMA on 6 & 7 March 2020, Te Anau (Appendix 6)
  - 22.4 We have engaged Fish Mainland, with representatives from Fish Mainland participating in both workshops outlined above. We supported Fish Mainland's bid to develop a recreational fishing app. We believe this app will benefit the fisheries (improved management) and the fishers (improved awareness, greater stewardship of amateur fisheries).
  - 22.5 Further, the Guardians have benefited from the technical support of representatives from Fisheries New Zealand throughout the process.
  - 22.6 Regular updates to the community and requests for feedback via regular newsletters and articles in *The Fishing Paper and Hunting News*.
  - 22.7 Engagement with attendees at boat shows in Southland and Otago.
  - 22.8 We worked with Manaaki Whenua / Landcare Research to commission an independent survey that provides a robust quantitative assessment of people's views and experiences of fishing in the FMA (Appendix 7). We asked fishers about fisheries sustainability, the current health of recreational fish stocks, and their overall fishing experience in the FMA. The breakdown of respondents was as follows:
    - 190 respondents that fish in the FMA
    - 56% have been visiting the FMA for more than 15 years
    - 29% visit the FMA once a year, while 29% visit every 3 to 6 months
    - 61% regularly visit at least two locations in the FMA
    - 81% get onto the water using a private powerboat
    - 87% stay onboard their vessel while on their fishing trips, 20% stay at Department of Conservation huts, 12% stay in Milford township, and/or 11% stay at the Deep Cove Hostel. Respondents could choose multiple places where they stay while on fishing trips.
23. From our engagement, we are confident that the recreational fishing community largely agree that there is a problem with fisheries sustainability in the internal waters of the FMA. They support more restrictive measures being applied to the amateur fishing regulations for the FMA to manage the fisheries in the future.

## CONSULTATION WITH TE RŪNANGA O NGĀI TAHU AND SOUTHERN PAPATIPU RŪNANGA

24. One of the Guardians, Stewart Bull, who is nominated by Te Rūnanga o Ngāi Tahu, has ensured that our work in recreational fisheries reform is visible to Te Rūnanga and that their members have an avenue for providing feedback.
25. We have shared our progress with the southern Papatipu Rūnanga via Tāngata Tiaki hui.
26. The southern Papatipu Rūnanga have reviewed the contents of this paper, including our advice and recommendations and have not raised any concerns to date.
27. Engagement with Te Rūnanga o Ngāi Tahu on this matter is ongoing.

## PROBLEM DEFINITION

28. As a group, the Guardians have no misconceptions on the 'state' of the fish stocks in the internal waters of the fiords. Based on the evidence of this paper there has been a decline in fish stocks. The Guardians have extensive first-hand knowledge of the area (commercial and amateur fishing) and have paid witness to this decline. A wide range of stakeholders are demanding that we address this problem with urgency.
29. There is limited scientific information for us to draw on to define the extent of the problem. Therefore, we place significant weight on user knowledge and information gathered from a diverse range of fishers who frequent the FMA. We have a strong basis of anecdotal evidence upon which to make our recommendations, and particularly when we apply a precautionary principle.

### Scientific evidence

30. A time series of blue cod/rāwaru potting surveys in Tamatea/Dusky Sound enables blue cod abundance to be compared among habitat types (outer coast, fiord entrances, internal waters, marine reserves) and over time (2002, 2008, 2014) (Appendix 2, Section 1.0).
31. These potting surveys found that blue cod are consistently more abundant in the productive outer coast habitat than in the internal waters. Whilst an increase in blue cod between 2002 and 2008 was credited to the implementation of the Act (2005), the cause of the **subsequent decline in blue cod in 2014 and particularly in the internal waters** was unexplained (Appendix 2, Section 1.0).
32. The National Panel Surveys provide an indication of the amateur take of key species in the Southland Fisheries Management Area, but don't enable the estimated take in the FMA to be defined (Appendix 2, Section 4.0).

### Input from Operators of Amateur Charter Vessels (ACV)

33. The key findings of the ACV workshop (relating to fisheries sustainability) were (Appendix 3):
  - Participants regarded fisheries sustainability to be the most important issue discussed during the workshop.
  - Strong anecdotal accounts of localised depletion of valued fish stocks, particularly in the internal waters of the fiords.
  - ACV operators acknowledge that they have contributed to this problem. There is a desire to take leadership and demonstrate good stewardship by looking after this special place for future generations.
  - A desire to take steps to reverse the decline of these stocks and rebuild.

- ACV operators are willing to take immediate steps and move fishing effort to the outer fiords and reduce the internal water take through a voluntary code of conduct.
- Fostering a culture of 'Fish for a Feed' to eat onboard throughout the industry.
- These voluntary approaches could be formalised and embedded through legally binding rules in the longer term.
- It is paramount that the FMGs engage with independent recreational fishers regarding the state of fisheries and options for addressing the issues.
- Operators believed that licensing amateur fishers would provide a means to manage total take in the future.
- Acknowledgement that the use of regulation needs to be matched by compliance and enforcement capacity.

34. Following the workshop, ACV operators collaborated in drafting a Voluntary Fishing Code of Conduct for the FMA (Appendix 5). Key features include:

- The establishment of a fishing line that extends along the outer coast and headlands. Operators are asked to apply the amateur daily species limits for the internal waters inside this line.
- Introduction of more conservative bag and species limits for passengers than those in the amateur regulations.
- Agreement to spread effort and avoid fishing in the same areas frequently.

We were impressed with the leadership taken by ACV operators in developing this code and understand that 11 of 19 operators have signed up to it. However, it is disappointing that observations reported to the Guardians from various sources suggest a minority of signatories are not abiding by the code.

### **Input from recreational fishers that visit Fiordland independently**

35. The key issues identified at the workshop held for recreational fishers were (Appendix 6):

- Lack of good and timely data on recreational fishing effort and targeted fish stocks compromises effective management.
- The fishing experience is changing adversely, with fishing pressure intensifying in many parts of FMA. Fishers finding it harder to catch a feed than they used to and fisheries depletion is particularly apparent in internal waters of the FMA.
- Further pressure from climate change and a growing intensity of human interaction and biosecurity threats are probable – resulting in depleted fish stocks and ecosystems that will be less resilient to these future pressures.

36. Key findings from the survey (Appendix 7) were not as strongly pronounced as those in the workshops. This was expected as participants likely completed the survey independently and could not hear others perspectives and reflect on their observations and experiences as a result.

- Respondents' attitudes towards the current state of fishing in the FMA are relatively positive; however, those with a longer history in the place are less optimistic than those who have been visiting for a lesser time. Of those visiting the FMA for less than 5 years, 63 per cent considered it was easy or relatively easy to catch fish, whilst this was the view of only 35 per cent of fishers who have been visiting the FMA for more than 15 years.
- More respondents felt that it is taking them longer to catch fish in general (41 per cent strongly agree or agree) than those who do not think it is taking them longer (31 per cent strongly disagree or



disagree). This finding was more pronounced in fishers who have been visiting the FMA for a longer period of time.

- Half of the respondents (50 per cent) do not think it has become easier to catch fish inside the habitat lines, while 34 per cent neither agree nor disagree that it has become easier, 8 per cent think it has become easier to catch fish inside the habitat lines while 7 per cent are unsure. Those with a longer history in Fiordland feel this more strongly.
- Strong themes emerging from the survey include:
  - There seems to be an increasing demand on the fisheries over time, with more recreational boats fishing than ever before.
  - Recreational fishers value fishing at the entrance to Milford Sound/Piopiotahi, and believe this area is under pressure.
  - People are concerned about fisheries decline inside the fiords.
  - Groper/hāpuku are a lot harder to catch than previously.
  - People find it harder to catch blue cod/rāwaru than they used to, particularly at popular fishing spots.
  - People are relatively optimistic about the future of recreational fishing in the short-to-medium term but are uncertain about the long-term future of fishing in the FMA.
  - There are reports of crayfish being plentiful.
  - An overwhelming majority of people would be willing to use an app to report their catch.

## Observations from the Guardians

37. Many of the Guardians have considerable experience of fishing in Fiordland that spans multiple decades. These Guardians express their surprise about the consistent increase in the number of private and charter vessels frequenting once-remote areas.
38. The Guardians have observed localised depletion of blue cod/rāwaru, groper/hāpuku, rock lobster and pāua in the internal waters throughout the FMA, with this depletion strongly apparent in and around popular anchorages. We also witnessed the decimation of scallop and pāua beds and dramatic decreases in the ability to catch hāpuku in the internal waters. On multiple occasions in recent years, Guardians have observed recreational fishers using local helicopter services to fly their amateur catch out of Fiordland; such is the quantity of the fish being taken.
39. The overwhelming message to Guardians from the fishing community is that the recreational fisheries in the FMA are in trouble and that the bag and species limits are currently too high. A case in point is rock lobster, which are plentiful due to CRA8 management effectively rebuilding stocks. The Fiordland Amateur Fishing Regulations enable each person to take up to 15 rock lobster, which at an average weight of 3 kg per fish, amounts to some 45 kilograms of crayfish. Fishing in this quantity in no way aligns with the concept of 'Fish for a Feed'.
40. The two-tier daily limit for popular species blue cod/rāwaru encourages recreational fishers to fish on the seaward side of the habitat lines. Although this encompasses the entire outer coast line, recreational fishing effort for blue cod/rāwaru and rock lobster is concentrated in the entrances to the fiords, between the headlands and the habitat line, as these areas offer protection from the ocean swell. This issue was identified during both fishing hui and is demonstrated clearly with maps of fishing pressure generated from ACV returns (Appendix 2, Section 2.0, Figs. 2.13 & 2.14).
41. Whilst the low species limits in the internal waters (inside the habitat lines) are an important means of protecting vulnerable fisheries, concentration of fishing pressure in the fiord entrances is a consequence of encouraging people to shift their effort towards the more productive outer coast. This shift is resulting in localised depletion of stocks in the fiord entrances.

42. The Guardians are focused on revising the fishing regulations to ensure fish stocks are rebuilt, and fishing is sustainable for decades to come. We think it is critical to impose more restrictive measures in the fiord entrances, seaward of the habitat lines, to ensure that cumulative extraction is not further concentrated in these areas.

## OUR CONCLUSION

43. Our engagement has consistently demonstrated a high level of concern about the sustainability of fish stocks in the FMA, particularly in the internal waters. There is also a general appreciation that regulations will need to change to reverse the decline and rebuild key fish stocks.
44. 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.
45. The Guardians share a consensus view that there is now sufficient information available to support revising amateur rules and regulations for the FMA. Any delay in implementing more restrictive regulations will result in key fish stocks being in an even more depleted state. Consequently, the required rebuild of stocks will be more challenging and therefore necessitate more drastic measures.
46. The lack of empirical data relating to amateur fishing pressure (catch, effort etc.) has seriously compromised our ability to detect and respond to the unsustainability of current practices in a timely manner. 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.
47. 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.**
48. To align with the Guardian's vision *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* any **new regulations must be focused on ensuring fisheries sustainability for the long term**, rather than just responding to current issues and pressures.
49. Strong and ongoing engagement of the amateur fishing sector with the review of fishing regulations is critical. Buy in from the sector is needed to encourage strong compliance and self-policing due to the remote nature of the FMA and consequent limitations on fisheries compliance. We have considered carefully the balance between necessary changes to regulations and the time required to build support and understanding for the fishing for a feed philosophy that is central to this mahi.

## PROPOSED SOLUTION

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

### **Move the line that demarcates the differential daily species limits**

51. 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 legislation as the "Internal Waters of Fiordland Lines") to "Fishing Lines" that extend across the natural headland seaward entrances of each fiord.
52. 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 combined with 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.

53. 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.

## Change the Finfish Daily Bag and Species Limits

54. 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 have amended the Amateur Fishing Regulations to now include <b>all</b> 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 have amended the Amateur Fishing Regulations to now include a new <b>combined baitfish daily bag limit</b> 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.<br><br>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.<br><br>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.<br><br>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/Piopiotaahi) 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 <sup>2</sup>   |  |
| 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 ( <i>in the Internal Waters of Fiordland/inside the Habitat Line</i> ) | 1 ( <i>in the fiord entrances and outer coast/outside the Habitat Line</i> ) |
| Hammerhead shark   | 1   |                                 | 0  |  |
| Hoki   | 30  |                                 | 1  |  |
| Kahawai  | 15  |                                 | 2  |  |
| Kingfish   | 3   |                                 | 2  |  |
| Lamprey  | 30  |                                 | 2  |  |
| Ling   | 30  |                                 | 0  | 1  |
| Mako shark   | 1   |                                 | 0  |  |
| Marblefish   | 30  |                                 | 1  |  |

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

|                                      |    |   |    |
|--------------------------------------|----|---|----|
| 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

55. The Guardians have been unable to form a consensus view on the details of the proposal for rock lobster. Two proposals are considered for your consideration, 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.
56. Option 1 – to base the demarcation of the two-tiered bag limit around the Habitat Line – is more closely aligned with the status quo. The rationale is based on the critical importance of maintaining buy-in from the recreational sector. With buy-in comes improved compliance, better reporting through the app that leads to a more robust basis of information to base future management decisions on, and continuing support of and engagement with the Fiordland Marine Guardians.
57. We consider Option 1 will be more palatable for recreational fishers at a time when the rock lobster fishery is in good health and commercial fishers harvest rock lobster in the fiord entrances up to the Habitat Line.
58. However, Option 1 does not align with the Guardians' philosophy of Fishing for a Feed. At an average weight of 3kg per crayfish, 10 crayfish equate to 30 kg of crayfish for each fisher. This option also is unlikely to result in a sustainable fishery in the face of increasing fishing pressure (increasing number of fishers) in the future.
59. Option 2 bases the demarcation of the two-tiered bag limit around the line that extends across the natural headland seaward entrances of each fiord ("Fishing Line"). When combined with the introduction of the no accumulation rule, this change will realistically result in the number of rock lobster being taken by an amateur fisher being reduced from 15 to 6, as weather and sea conditions will limit accessibility to the outer coast in the majority of situations.

60. Option 2 is more closely aligned with the Guardian’s philosophy of Fishing for a Feed. At an average weight of 3kg per crayfish, 6 crayfish equate to 18kg of crayfish for each fisher. This option is also most likely to be sustainable over the long term as the area faces projections of increased visitors.
61. Option 2 is more closely aligned with our proposed changes for finfish and other shellfish in terms of the demarcation line, which may help to ease confusion due to spatially complex regulations.
62. We recommend that both options are included in public consultation by Fisheries New Zealand.

| Current status   | Proposal - Option 1<br>Introduce a two-tier bag limit for rock lobster, <b>with demarcation based around the Internal Waters of Fiordland/Habitat Line.</b>   | Proposal – Option 2<br>Introduce a two-tier bag limit for rock lobster, <b>with demarcation based around the line that extends across the natural headland seaward entrances of each fiord (“Fishing Line”).</b>  |
|--|---|---|
| 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. | <p>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).</p> <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>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> <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> |
| 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.   | No change to current daily bag limit of 3 rock lobsters within the Milford Sound/ Piopiotahi internal waters.   | 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>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"> <li>○ not more than 15 rock lobster are possessed; and</li> <li>○ the daily take limit of 6 rock lobster was not exceeded on any day; and</li> <li>○ not more than 3 rock lobster were taken from the Milford Sound/ Piopiotahi internal waters of Fiordland; and</li> <li>○ 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 labled to identity the fisher by name, the date caught and number of fish.</li> </ul> | <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"> <li>○ not more than 10 rock lobster are possessed; and</li> <li>○ the daily take limit of 6 rock lobster was not exceeded on any day; and</li> <li>○ 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</li> <li>○ not more than 3 rock lobster were taken from the Milford Sound/ Piopiotahi internal waters of Fiordland; and</li> <li>○ 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.</li> </ul> <p>No rock lobster accumulation beyond the maximum 10 possession limit.</p> | <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"> <li>○ not more than 10 rock lobster are possessed; and</li> <li>○ the daily take limit of 6 rock lobster was not exceeded on any day; and</li> <li>○ 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</li> <li>○ not more than 3 rock lobster were taken from the fiord waters inside the Fishing Line in Milford Sound/ Piopiotahi; and</li> <li>○ 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.</li> </ul> <p>No rock lobster accumulation beyond the maximum 10 possession limit.</p> |
|---|---|---|

## Change the Amateur Shellfish Regulations

| Current status  |  | Proposal   |                      |
|---|--|--|----------------------|
| No daily bag limit for shellfish.<br><br>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.   |  | 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. |                      |
| 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"><li>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”)</li><li>Note the proposed introduction of two-tiered limits for pāua (both species) with no accumulation applying</li></ul> |  |  |                      |
| 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   |                      |

## Encourage no-take areas at popular anchorages

63. The Guardians will approach ACV operators and ask them to add a clause to their Voluntary Code of Conduct to ban fishing and harvesting in the main anchorages throughout the FMA.
64. We will review the fishing effort at the main anchorages over time as more fine-scale information becomes available through ACV reporting (ER/GPR) and use of the recreational fishing app is normalised.
65. A future option to mitigate localised depletion at anchorages would be to introduce small spatial closures at popular anchorages under Section 11 of the Fisheries Act.



## CONSIDERATION OF OPTIONS FOR MULTI-TIERED AMATEUR BAG AND SPECIES LIMITS

66. Based on the information provided, we consider that there are four options for how to proceed with respect to tiered amateur bag and species limits. These are outlined in the table below, and the pros and cons of each option are stated. The Guardians preference is to support Option 3, which is to proceed with a more restrictive reform of the Amateur Fishing Regulations for the Fiordland Marine Area, based around the introduction of a Fishing Line and adjustments to the 2-tier limits.

| OPTION  | PROS  | CONS   |
|---|---|--|
| <b>OPTION 1 – No Change to Current Amateur Fishing Regulations</b>  | <ul style="list-style-type: none"> <li>• No cost to implement</li> </ul>  | <ul style="list-style-type: none"> <li>• Fish stocks will continue to deteriorate throughout the FMA</li> <li>• The Guardians' vision will not be achieved</li> <li>• The continued degradation will ultimately lead to the closure of areas of localised depletion</li> </ul>   |
| <b>OPTION 2 – Adjust daily bag and species limits as proposed, but keep fishing regulations zoned around Habitat Line</b>   | <ul style="list-style-type: none"> <li>• Low cost to implement</li> <li>• Relatively easy to communicate to public</li> <li>• Public are already familiar with structure (e.g. species limits related to Habitat Lines), so expect good compliance</li> <li>• Will likely maintain fisheries status in internal waters (inside Habitat Line)</li> </ul>   | <ul style="list-style-type: none"> <li>• Localised depletion at entrances of several fiords expected, affecting future generation's ability to use and enjoy the resource</li> <li>• The Guardians' vision will not be achieved</li> <li>• Over time, loss of confidence in the ability of the Guardians to manage the FMA effectively</li> </ul>  |
| <b>OPTION 3 (RECOMMENDED for Finfish and Shellfish excluding rock lobster) – Introduce Fishing Line and establish 2-tier bag and species limits (more restrictive inside the line, less restrictive outside the line)</b> | <ul style="list-style-type: none"> <li>• Will encourage fishing effort to be focused along productive open coast</li> <li>• Will likely maintain fisheries health inside the fiords</li> <li>• High chance of achieving Guardians' vision for the FMA. Fisheries will be maintained or improved for future generations to use and enjoy</li> <li>• Compliance and engagement can be facilitated by use of new recreational fishing app</li> <li>• Less complex than Option 4, and therefore less confusing for fishers</li> </ul> | <ul style="list-style-type: none"> <li>• Cost in establishing and implementing new regulations</li> <li>• Public may perceive the reduction in species limits in the fiord entrances to be unfairly targeting recreational fishers</li> <li>• May require future discussion with commercial fishing industry bodies about reducing effort in fiord entrances</li> <li>• Potential confusion with movement of species limits (from Habitat Line to Fishing Line)</li> </ul> |

|  |   |  |
|--|---|--|
| <b>OPTION 4 – Introduce Fishing Line in addition to Habitat Line, and establish 3-tiers of bag and species limits (getting progressively less restrictive as you move seaward)</b> | <ul style="list-style-type: none"> <li>• Will encourage fishing effort to be focused along productive open coast</li> <li>• Will likely maintain fisheries health inside the fiords</li> <li>• High chance of achieving Guardians' vision for the FMA. Fisheries will be maintained or improved for future generations to use and enjoy</li> <li>• Compliance and engagement can be facilitated by use of new recreational fishing app</li> </ul> | <ul style="list-style-type: none"> <li>• Complexity with 3-tiered bag and species limits causes confusion and results in low level of compliance</li> <li>• Recreational fishing app would need to be developed so it enables fishers to determine where they are and what limits apply: investment required</li> <li>• Cost in establishing and implementing new regulations</li> </ul> |
|--|---|--|

## KEY INITIATIVES AND MITIGATIONS OCCURRING ALONGSIDE THIS PROPOSAL

67. Fisheries NZ must continue to conduct and ideally increase **fisheries compliance efforts** in the FMA. As a large and remote area, compliance is undertaken on joint-agency voyages into the FMA. We have received considerable feedback for some time that the visibility of fisheries compliance is currently too low.
68. Fish Mainland are working with Fisheries New Zealand to develop an **app that will enable recreational fishers to report their catch**. This work is funded by the Sustainable Foods and Fibres Fund (MPI) and the Myer's Foundation. The Guardians are very supportive of the app development and will support Fish Mainland in the field testing phase. We have received very strong feedback from recreational fishers that there is a lack of robust data to support the management of amateur fish stocks and that they are willing to use an app in the future in the FMA. The app has huge potential to provide an essential mechanism for fisheries compliance monitoring, particularly when applying the two-tier daily species limits to the FMA. The incentive to use the app would be that use would enable fishers to transition through areas with lower species limits.
69. As a result of recommendations from the Fiordland Marine Guardians and the Kaikoura Marine Guardians, the Minister of Fisheries (then Stuart Nash) requested that Fisheries New Zealand **develop an electronic reporting system for ACVs**. The system is based on the current paper reporting system and is critical for improving accuracy and ease of reporting. The system will include geographic position reporting to enable more fine-scale catch and effort reporting. The Guardians are confident that these improvements will support more timely and informed management of fish stocks in the FMA.
70. Fisheries New Zealand is developing a **citizen science programme that will facilitate recreational fishers to contribute meaningful data to support standard fisheries assessments**. For example, collecting size and gender data for blue cod/rāwaru caught in the sensitive internal waters of Fiordland will lessen the need for extractive fisheries surveys in the future. This project is part of the Fisheries New Zealand Research Programme for inshore fisheries, and was pitched with the support of the Fiordland Marine Guardians as a result of feedback from the recreational fishing community consultation process.
71. Due to the isolated nature of the area, the financial cost of conducting scientific surveys of fish stocks throughout the FMA is, for the most part, prohibitive. We are encouraged by the initiatives outlined above and believe that collectively, they will provide robust information that can inform adaptive management decisions in a more timely manner than is currently the case.

## REQUEST FOR RE-CONSIDERATION OF OPTIONS TO BETTER MANAGE CHARTER FISHING VESSELS

72. In December 2019 we joined with the Kaikōura Marine Guardians in providing advice to the Minister of Fisheries on how to better manage the fishing impacts of ACVs in Fiordland and Kaikōura (Appendix 4). Minister Nash was grateful to receive this advice and instructed Fisheries NZ to work with us to progress this advice.
73. Subsequent meetings with senior management at Fisheries NZ resulted in the following feedback on our recommendations:

### Place a freeze on new ACV Registrations

- Guardians: "We suggest a freeze is placed on new ACV registrations to halt any further expansion of the sector. This 'stop gap' measure will provide enough time to develop policy-level solutions to mitigate future risks. We understand that new ACV registrations are being applied for. "

Fisheries NZ: No mechanism in current legislation that would allow this. FNZ will begin a review of how ACVs are managed/treated in the Fisheries Management Act, including consideration of whether registrations could be granted for regional areas and tightening up how annual applications for registration are reviewed against track records reporting and compliance.

What the Guardians think: We would appreciate an update on the progress and outcome of this review. We understand that there is currently no policy direction in Fisheries NZ review of how ACVs are managed/treated in the Fisheries Management Act, despite the Minister of Fisheries requesting this as a result of our mahi in 2020. We urge Fisheries NZ to reconsider placing a freeze on ACV registrations in the FMA. A change to the Southland Regional Coastal Plan in July 2022 has effectively limited expansion of surface water activities throughout the FMA. This has been an interim measure and the appropriate levels of surface water activity in the area will be fully determined in the revised Coastal Plan.

### Introduce electronic reporting and global positioning reporting (ER/GPR) to ACV fleet

- Guardians: "A condition of the freeze on new registrations should be that existing ACVs are required to adopt electronic reporting and global positioning reporting (ER/GPR)."

Fisheries NZ: Agreed to develop ER/GPR for the ACV fleet, based on the current reporting requirements. Considered a good approach to be starting on a voluntary basis and using Fiordland and Kaikōura Marine Areas as a pilot study. FNZ supported funding development of an App to facilitate this, with Guardians and local operators engaged in design and testing. Having high-quality data will, in time, strengthen the arguments and support for more radical and far-reaching changes to policy (e.g. Charter ACE)

What the Guardians think: The data provided by ACV operators (Appendix 2) has been critical to informing our advice and recommendations. However, we are aware of significant data quality issues, which reduces the level of confidence we can place on data products (for example, looking at trends over time is sound, but using empirical numbers carries risk). Introducing an ER/GPR reporting system will be beneficial to operators and fisheries managers. We urge Fisheries NZ to prioritise this work and resource it accordingly.

## Recognise ACVs as a subset of amateur fishers under the Fisheries Act

- Guardians: "We suggest consideration of a new category for charter operations in terms of annual allowances being inclusive in the current amateur TAC. This change would mean that ACVs are formally recognised under the Fisheries Act as a separate sector. This solution would be supported by robust data and developed during the freeze on new registrations."

Fisheries NZ: This proposal would require a complex and lengthy review of legislation/policy and would require nationwide consultation. No appetite to pursue this currently (2020), but there are other mechanisms that could deliver similar outcomes e.g. getting ACV recognised as a subset of amateur fishers in legislation so that specific regulations and rules can apply to them and not all amateur fishers. That was considered a reasonably straightforward thing to achieve.

What the Guardians think: As explained previously (Para 20), the risk profiles differ considerably between amateur fishers aboard ACV and those travelling independently. Applying different rules to ACVs such as boat limits would greatly improve our ability to manage these fisheries to achieve sustainability. We would appreciate Fisheries NZ treating this matter with priority.

## Impose boat limits on total fish take for ACV

- Guardians: "We recommend that you regulate recreational catch by ACV by imposing boat limits on fish take for ACV as soon as possible. This could enable limits to be placed on the total take of each vessel per trip and/or per day, which would mitigate localised depletion of fish stocks by larger vessels (with higher passenger numbers) and/or those that operate multiple trips per day within a short distance of port."

Fisheries NZ: Keen to investigate this idea further, and positive this could be area/region-specific and apply only to ACV vessels if desired. FNZ asked Guardians to consult with the recreational sector on this matter as many fishers can only access the FMA aboard ACV.

What the Guardians think: We consulted recreational fishers on the idea of boat limits. There was general feedback that this might be worthy of pursuing. However, on further consideration, the Guardians felt this approach was too complex, as it would probably require tuning to the size of each vessel/number of passengers. If boat limits could be applied solely to ACVs we would be keen to pursue that, as the risk we are trying to mitigate is localised depletion and potential for short/high turnover fishing trips resulting in cumulatively high fishing extraction. For both of these points, the risk lies primarily with ACVs, not private independent vessels.

74. We would appreciate a progress update on the points raised above from Fisheries NZ.

We appreciate the technical support that has been provided by the Ministry of Fisheries over the course of this review, and are also grateful to Fiordland's fishers for engaging with us. Thank you for considering our advice.

---Ends---