

Briefing



To: Hon. Stuart Nash, Minister of Oceans and Fisheries

Date: 7 February, 2023

Subject: Final Recommendations: Amendments to Amateur Fishing Regulations in the Fiordland (Te Moana o Atawhenua) Marine Area

Actions sought:

1. Receive the advice of the Fiordland Marine Guardians as documented in this paper;
2. Amend the boundaries for demarcated amateur daily species and bag limits throughout the Fiordland Marine Area as advised;
3. Amend the amateur daily species and bag limits as advised;
4. Introduce boat limits for amateur fishing vessels that restrict the total quantity of fish per vessel, additional to the individual daily species and bag limits;
5. Consult with commercial, customary and amateur fishers about prohibiting the use of set nets, dahn (drop) lines, long lines and blue cod pots inside the fiords;
6. Prohibit the take of scallops in the Fiordland Marine Area for a period of five years;
7. Advise Fisheries New Zealand to actively promote the use the reporting app Mainland Catch when fishing in the Fiordland Marine Area, with a view to making this mandatory in three years' time;
8. Introduce Electronic Reporting and Geographic Position Reporting to the Amateur Charter Vessel fleet.

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INTRODUCTION

1. This paper provides advice and recommendations from the Fiordland Marine Guardians ("the Guardians") that address concerns about the sustainability of amateur fishing in the Fiordland (Te Moana o Atawhenua) Marine Area (FMA).
2. In late 2021 the Guardians advised the Minister of Oceans and Fisheries that amendments were required to address sustainability concerns (paper dated 21 October 2021). Minister Parker received our recommendations and instructed Fisheries NZ to consult the public on the components of our proposal relating to amateur species and bag limits, and fisheries closures.
3. The consultation was valuable in that a wide range and number of Fiordland fishers engaged with the process by participating in several well-attended public meetings held in Southland and Otago and making submissions. Many constructive comments were received as part of this process.
4. The Guardians have considered this feedback and modified the proposal in response to these submissions. We consider that the proposal is now stronger as a result of this process and the recommendations (if supported by yourself) will be more likely to achieve sustainable outcomes. We also think that public support for (and therefore compliance with) the recommendations will be higher than it was for our original proposal.
5. 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).
6. Our intent 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 be effective and sustainable in the future rather than just responding to current issues and pressures.
7. Information regarding the following matters is provided in our 21 October 2021 briefing to Minister Parker, and is not repeated here for reasons of brevity:
 - legislative context
 - history of the existing amateur fishing regulations for the FMA

- ecological and biological context
 - problem definition (data and lived experience)
 - community engagement prior to our October 2021 briefing to you
 - consultation with Te Rūnanga o Ngāi Tahu and southern Papatipu Rūnanga
8. In this paper we outline the key themes emerging from public consultation and provide our response to those themes. We then work through the components of the proposal that was consulted on, and we provide our recommendations on how to proceed with each.

KEY CHALLENGES

9. There are two issues that have caused this review to be particularly challenging. We consider that our final recommendations to you address both of these challenges as much as possible under the current legislative framework.
10. The first major challenge has been trying to tune the amateur fishing rules and regulations to achieve fishing sustainability when there are two main types of fishers that are classified as amateur fishers; those aboard registered fishing charter vessels, and those that fish from private vessels. Of these two we regard the fishing charter industry to currently apply significantly greater pressure on recreational fish stocks, as previously demonstrated. Accordingly, we have carefully considered amendments to the fishing rules and regulations that will effectively decrease the amount of fish taken from charter vessels without unduly detracting from the fishing experience of those aboard private vessels.
11. The other key challenge for us has been trying to provide effective management solutions given the dearth of data on recreational fishing patterns and pressure on and status of key stocks. We regard this lack of timely data as contributing to the gradual decline of these fish stocks throughout the FMA. We strongly support the growing calls from recreational fishers and Fish Mainland to implement reporting of amateur catch as a requirement for all fishers. Data are key, as without robust measurements our ability to manage this fishery area and meet our vision is seriously compromised.

WHAT WE HEARD DURING CONSULTATION

12. The majority of submitters largely agreed with our definition of the problem, the need for sustainable use, and growing concerns about increasing pressure from more and bigger vessels in the area. However, some concern was raised about the lack of empirical fisheries data and the fact that we had to rely mostly on information gathered from peoples' lived experience to form our views.
13. Several themes emanating during consultation caused us to consider the strength of public support for the proposal:
- a. Rock lobster: There was strong opposition to the changes proposed for rock lobster, based on the fishery being in good health. Many submitters referenced the recent increases in the commercial catch making the justification for the proposed changes as unfair and non-sensical. The philosophy of Fishing For a Feed under these conditions was not well understood or supported.
 - b. Open coast vs. Inner fiords: Concerns were raised by submitters that the Guardians were proposing significant reductions to recreational catch on the open coast when these fish stocks are regarded by many submitters as being in good health. The Guardians attribute this feedback to varying interpretations of, and support for, the concept of Fishing For a Feed – i.e. if the stocks are healthy why reduce the take? Many fishers held the view that the weather conditions on the outer coast afforded additional protection for fish stocks outside the fiords. Concerns were raised regarding how effective the proposed species and bag changes would be in moving the fishing effort to the more

productive outer coast (i.e. whether the proposed changes provided a strong enough incentive for fishers to work the outer coast), that would allow the rebuild of stocks in the fiords to begin.

- c. Safety concerns with fishing in open water: Concerns were expressed by many fishers over the risk they perceived in fishing on the open coast. Many believed they would be forced to compromise their safety to catch fish to take home by having to extract them from the outer coast. Recent conditions over the summer months these past few years have shown these fears to be unfounded with record numbers of vessels actively fishing the outer coast for various species of tuna and kingfish. There is no evidence to suggest that the current vessels used by recreational fishers are restricting their ability to reach all parts of the FMA throughout most months of the year.
- d. Shared fisheries areas: Recreational fishers perceived the proposed changes to put them at a disadvantage to commercial fishers in the shared fishery space between the habitat lines and the entrances to the fiords. Submitters were upset that recreational limits would be reduced in these areas whilst commercial fishing could continue unchanged.
- e. Hāpuku/groper/bass closure: Hāpuku/groper/bass are regarded by amateur fishers (aboard charter and private vessels) as a key species. Whilst there was general agreement that take of the species inside the fiords needed to be reduced, a full closure of the fishery was not supported. This position was due to concerns about accidental by-catch of hāpuku/groper/bass when targeting other species, and the loss of an opportunity to collect data on the species (with the Mainland Catch app or citizen science approach) if the fishery was closed. It was also considered by some to be difficult to justify a full closure in the absence of any empirical stock data.
- f. What Fish For a Feed looks like in practise: It became clear that Fishing For a Feed is open to interpretation. Whilst the majority agreed that fishing limits need to be sustainable, there was a range of suggestions from submitters on what constituted a 'feed'. For some, a feed encompassed the needs of their whānau and communities, for others who visit the fiords only occasionally the concept encompassed freezing fish to feed them over a longer time period.

14. The following themes strongly emerged during consultation that were beyond the matters consulted on:

- a. Bulk harvesting methods: There was a consistent message from fishers that the removal of all bulk harvesting methods inside the fiords was required to reduce the pressure on various fish stocks. The exception to this was potting for rock lobster given the healthy state of that fishery. There was strong support for rules to be changed to prohibit the use of unattended line methods such as set nets, dahn (drop) lines, and long lines in the fiords. Cod potting was also seen as an unsustainable practise. There was concern however that the same rules would need to be applied to commercial fishers to ensure bulk harvesting methods such as set nets could not be used in the shared fishery areas at the entrances of the fiords.
- b. Need to report amateur catch: The majority of fishers understood the need for reporting of catch and effort, as without this information timely decisions on changes to the stocks cannot be achieved. Fishers accepted that this lack of information has ultimately led to the decrease in most stocks that are targeted by recreational fishers inside the fiords. Submitters wanted assurances that the effectiveness of any rule changes made would be able to be adequately monitored, detected and reviewed. There was strong feedback that fishers wanted a recreational reporting app to be mandatory in the FMA, as without that measure there would be limited means to assess the effectiveness of reforms.
- c. Amateur Charter Vessel management: private recreational fishers collectively viewed the ACV's as the main contributor in the decline of fish stocks throughout the fiords. Submitters regarded their continual presence and pressure, especially in the Dusky Sound/Tamatea and Breaksea Sound/Te Puaitaha area, to have largely caused in the localised depletion of stocks in that fiord complex. Further, they had concerns that the current effort would eventually be displaced into other areas of the FMA resulting in localised depletion of those fiords. Participants at the public meeting expressed

frustration that fishers aboard ACVs are managed under the same regulations as those aboard private vessels.

- d. Need for increased fisheries compliance: We received strong support for increased fisheries compliance throughout the FMA. Fishers collectively were of the view that compliance was generally lacking especially in Milford Sound/Piopiotaahi but also in other parts of Fiordland.

WHAT WE THINK

15. Change is needed to ensure sustainable management of these fisheries for future generations to use and enjoy. As we are now experiencing some concerning effects of climate change such as marine heat waves, species range shifts, and the establishment of invasive species, it is vital to support intact and resilient ecosystems.
16. We recognise that it is critical that we have strong public support for the changes. There was strong feedback on some elements of the proposal that we need to take onboard if we are to continue to foster public support.
17. We were not surprised that the vast majority of submitters and speakers at the public meetings agreed that the fishery was not being managed in a manner that is likely to achieve long term sustainability, as this was consistent with our previous community engagement. There is a general appreciation that the regulations will need to change to reverse the decline and rebuild key fish stocks.
18. Common sense solutions were proposed by some submitters that we consider to have merit. Some of these have been considered at length by the Guardians in the past but were not included in the public consultation. Where we consider there to be potential for positive outcomes to sustainability and strong public support, we support these ideas.
19. Trying to manage this vast area with a near-absence of fisheries data is extremely challenging. We need to ensure there are innovative and cost-effective ways to obtain data in order for us to be able to review the impact of these amendments in five year's time. To date, the lack of empirical data relating to amateur fishing pressure (catch, effort etc.) has compromised our ability to effectively 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 however now occurring and will significantly improve our ability to manage these fisheries in the future. These tools need to be supported by Fisheries New Zealand, recreational fishing groups and the Guardians as they are absolutely critical in the future management of this area. We would like to use Fiordland as a means to prove this method with a view to making reporting mandatory for amateur fishers in three years time.
20. Currently ACV operators are obligated to provide data to Fisheries New Zealand regarding their amateur catch. These data were instrumental in defining the problem, however it has become apparent that there are significant flaws in the method of data capture that affect the extent to which data can be interpreted. We strongly encourage Fisheries NZ to roll out Electronic Reporting and Geographic Position Reporting to the ACV fleet. ACV operators are supportive of this idea.
21. It is critical that there is strong and ongoing engagement of the amateur fishing sector with the review of fishing regulations. Buy-in from the sector is essential in order to encourage strong compliance and self-policing due to the remote nature of the FMA and its consequential 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.

FINAL RECOMMENDATIONS

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

| Rule | Status quo | Proposed (2022) | Our final recommendation following public consultation |
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| 1. Demarcation line | Differential bag limits for several species based around the Habitat Lines as established in the Fiordland (Te Moana o Atawhenua) Marine Management Act 2005. | That the demarcation line be shifted seaward to extend across the natural headland seaward entrances of each fiord (“Fishing Lines”) | That the demarcation line for amateur fishers be shifted seaward to extend across the natural headland seaward entrances of each fiord (“Fishing Lines”). The Habitat Line remains as several fishing rules/regulations relate to this boundary. |
| 2. Bulk harvesting methods | <p>It is prohibited to use or set any blue cod pot within the internal waters of Fiordland</p> <p>Set line fishing includes the use of any setline, longline and dahn (drop) line but does not include rod and reel or hand lines. Within the Fiordland Marine Area the following line fishing restrictions apply: • surface floats attached to any line must be legibly and permanently marked with the fisher’s initials and surname. A boat name is also useful; • no person may use or possess a line with more than five hooks; • no person may use or be in possession of more than one line (other than a rod and reel line or handline); • where more than one person is using a line from a vessel (other than a rod and reel line or handline), no more than two lines (other than a rod and reel line or handline) may be used or set from, or possessed on-board that vessel.</p> | Not proposed in public consultation document | Consult with commercial, customary and amateur fishers on the prohibition of set nets, dahn (drop) lines, long lines and blue cod pots from inside the Fishing Line. Potting for rock lobster should still allowed. |

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| | It is unlawful to use, set or possess any set net within the Fiordland Marine Area. It is also prohibited to use a drift net for fishing in any New Zealand fisheries waters. | | |
| 3. Boat limits | No limits on the maximum total take of species or size of bags per vessel additional to the daily limits per fisher. | Not proposed in public consultation document | Introduce boat limits for take of finfish and shellfish that are 4-times the daily species limit and 4-times the daily combined bag limits. |
| 4. Finfish daily bag limits | See Appendix 1 | See Appendix 1 <ul style="list-style-type: none"> Note the proposed introduction of two-tiered bag limits for a greater number of species than the status quo. | See Appendix 1 <ul style="list-style-type: none"> Note the proposed introduction of two-tiered bag limits for a greater number of species than the status quo. |
| 4.1. Combined daily finfish bag limit | Combined daily bag limit of 30 finfish per person of any combination of listed species. No accumulation beyond the daily limit. | Reduce combined daily bag limit to 10 finfish per person. No accumulation beyond the daily limit. | Combined daily bag limit of 10 finfish inside the Fishing Line and 20 finfish outside of the Fishing Line. No accumulation beyond the daily limit. |
| 4.2. Inclusion of species in the combined daily 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 all finfish species into the daily combined finfish bag limit as a result of the National Daily Bag Limit review. | Exclude highly migratory species (e.g. albacore, kingfish, Southern bluefin tuna) from the combined bag limit of 10 inside the Fishing Line. |
| 4.3. Treatment of baitfish | 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. | To exclude barracouta from the combined finfish bag limit with its own baitfish species limit of 3 barracouta. |

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| 4.4. Groper (hāpuku)/bass | <p>Maximum daily limit per person in the Internal Waters of Fiordland (inside the Habitat Line) is 3 groper (hāpuku)/bass.</p> <p>There is no monitoring of groper (hāpuku)/bass stocks in the FMA.</p> | <p>Close groper (hāpuku)/bass fishing in the Internal Waters of Fiordland (inside the Habitat Line) for all fiords for a period of five years.</p> <p>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.</p> | <p>Reduce the daily limit for groper (hāpuku)/bass fishing in the Internal Waters of Fiordland (inside the Habitat Line) to 1 for all fiords.</p> <p>Introduce a boat limit for groper (hāpuku)/bass fishing in the Internal Waters of Fiordland (inside the Habitat Line) to 1 for all fiords.</p> |
| 4.5. Monitoring of fish stocks | <p>Fisheries NZ conduct stock assessments for blue cod using an extractive potting method, which places undue pressure on vulnerable inner-fiord fisheries.</p> <p>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.</p> | <p>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/Piopiota) and review bag limits in the future is based on robust information.</p> | <p>Fisheries NZ to develop a non-lethal methodology for monitoring blue cod/rāwaru and groper (hāpuku)/bass abundance, so any decision to re-open closed fisheries (i.e. Milford Sound/Piopiota) and review bag limits in the future is based on robust information.</p> |

| Rule | Status quo | Proposed (2022) Option 1 | Proposed (2022) Option 2 | Our final recommendation following public consultation |
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| 5. Rock lobster bag limits | No tiered bag limits for rock lobster. | 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"). | <p>No change to the status quo for rock lobster:</p> <p>No tiered bag limits for rock lobster.</p> |
| 5.1 Daily limits | No person may take or possess more than 6 rock lobsters (both spiny and packhorse rock lobster | Daily rock lobster take and possession limit for internal waters of Fiordland/inside the | The daily rock lobster <u>take</u> and <u>possession</u> limit for the fiord waters inside the Fishing Line | No change to the status quo for rock lobster: |

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| | species combined) on any one day within the Fiordland (Te Moana o Atawhenua) Marine Area. | Habitat Line (excluding Milford Sound/ Piopiotahi) is 6 (both spiny and packhorse rock lobster species combined). 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). 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). | (excluding Milford Sound/ Piopiotahi), is 6 (both spiny and packhorse species combined). 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). | 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. |
| 5.2 Daily limits for Milford Sound / Piopiotahi internal waters | 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"). | No change to the status quo for rock lobster: 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. |
| 5.3 Accumulation of rock lobster | Within the Fiordland (Te Moana o Atawhenua) Marine Area, a limited defence provision exists to allow possession of | Limited defence provision exists to allow possession of accumulated rock lobster taken over 2 or more days in | Limited defence provision exists to allow possession of accumulated rock lobster taken over 2 or more days in | No change to the status quo for rock lobster: |

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| | <p>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 <p>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 labeled to identify the fisher by name, the date caught and number of fish.</p> | <p>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 the Milford Sound/ Piopiotahi internal waters of Fiordland; and ○ in the case of rock lobster held on board or landed from a vessel, including | <p>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 ○ 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 | <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 <p>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 labeled to identify the fisher by name, the date caught and number of fish.</p> |
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| | | <p>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 identify the fisher by name, the date caught and number of fish.</p> <p>No rock lobster accumulation beyond the maximum 10 possession limit.</p> | <p>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 identify the fisher by name, the date caught and number of fish.</p> <p>No rock lobster accumulation beyond the maximum 10 possession limit.</p> | |
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| Rule | Status quo | Proposed (2022) | Our final recommendation following public consultation |
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| 6. Shellfish limits | No daily bag limit for shellfish | Introduce a daily bag limit for shellfish of 150. All shellfish to be included in this bag, not just those listed. | Introduce a daily bag limit for shellfish of 150. All shellfish to be included in this bag, not just those listed. |
| 6.1 Daily species limits | See Appendix 2 | See Appendix 2 <ul style="list-style-type: none"> Note the proposed introduction of two-tiered bag limits for pāua | See Appendix 2 <ul style="list-style-type: none"> Note the proposed introduction of two-tiered bag limits for pāua and slight changes to these limits compared to those proposed. |
| 6.2 Scallops | Currently max. daily limit of 10. | Ban scallop take from the entire FMA. | Ban scallop take from the entire FMA. |

EXPLANATION

23. Large vessels (registered amateur charter vessels and privately-owned vessels) have the potential to carry more passengers and therefore to apply more fishing pressure, increasing the risk of localised depletion of fish stocks. Boat limits were identified as an effective solution to mitigate this risk, as they will limit the total take of larger vessels (particularly charter vessels) without unduly affecting the fishing experience for those aboard smaller private vessels. This solution would be unnecessary if fisheries legislation were amended to allow specific rules to be applied to amateur charter vessels.
24. Submitters suggested that the prohibition of bulk harvesting methods for finfish inside the fiords (long lines, pots etc.) would have positive outcomes for fisheries' sustainability. These methods result in unnecessary bycatch, wastage and encourage intensification of fishing effort. We consider that in order to be fair and effective this rule change would need to include all waters inside the Fishing Line and apply to recreational and commercial fishers alike. We have not consulted formally on this proposal, yet have discussed the idea with the majority of commercial fishers in the area. Those spoken to have expressed general support for the idea. We recommend that you consult formally on this matter in the near future.
25. The recommended finfish daily bag limits are higher for some species than initially proposed due to the focus going to the species where depletion is a concern. The initial reduction in the finfish daily bag limit was to encourage the concept of a Fish For a Feed. This concept has not been widely supported by the public as it appears that the definition of this concept is not consistent to all. Some people fish once or twice a year whilst others fish frequently, and some provide fish to their wider whānau and communities, so different levels of take are considered as "Fishing For a Feed". There is general consensus for a need to limit take however, so we are still recommending that species and bag limits are reduced, just not quite as drastically as initially proposed. We are also confident that the overlay of reduced bag limits and boat limits will mitigate the risk of over-fishing. We have recommended hāpuku/bass remains open within the internal waters with a very restrictive take. This approach addresses concerns about bycatch while fishing for other species and the ability to gain catch data for hāpuku/bass to better understand the status of the stock.
26. Finfish bag limits can be colour coded to align to the traffic light concept currently utilised for the recreational management of blue cod/rawaru. This system would also align to the Mainland Catch app to help fishers to identify which area they are fishing in.
27. The initial proposal to reduce individual recreational take of rock lobster was not supported by the public due to their current high abundance, which has been reflected in recent increases in TAC and TACC. It was difficult for the Guardians to justify the proposed reduction in this context in order to align take with the concept of Fishing For a Feed. Should depletion in rock lobster be observed in the future we would reconsider the recommended daily limits.
28. The recommendation for shellfish is unchanged from our proposal, with the exception of some slight changes for pāua. We recommend a slight increase in the proposed daily limit for pāua to that proposed inside the Fishing Line, and slightly reduce the proposed daily limit outside of the Fishing Line to align with recent changes in other recreational fisheries. We also recommend the introduction of boat limits for pāua (4 x the daily limit). The Guardians would like to collaborate with PauaMac 5 in the future to consider more effective management activities such as increased minimum size limits, temporary closures of depleted areas and repopulation of depleted areas.

THE NEED FOR ROBUST DATA

29. Strong support was expressed at the public meetings and through submissions for use of the recreational fishing reporting app Mainland Catch. We consider that the strongest benefits would come from the use of the app being mandatory, but appreciate that may not be possible immediately. Ideally all fish

extracted in all areas by all recreational fishers should be recorded, however if this was limited to the key species in the short-term (blue cod/rāwaru, hāpuku/bass, crayfish, and pāua) it would still be beneficial. Widespread use of the app will:

- a. Enable fishers to demonstrate where they got their catch and how they are complying with fishing rules;
 - b. Provide information that will enable more timely and focused management in the future;
 - c. Enable fisheries managers to review the effectiveness of the recommendations in this paper.
30. As previously raised with the Minister of Fisheries and Fisheries NZ there is a strong case for ER-GPR to be rolled out to the ACV fleet. The system should be based on the current paper reporting system and is critical for improving accuracy and ease of reporting. The system should include geographic position reporting to enable more fine-scale catch and effort reporting. The Guardians are confident that these improvements would support more timely and informed management of fish stocks in the FMA.
31. 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.
32. 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 have the potential to provide robust information (such as time series) that can inform adaptive management decisions in a timelier manner than is currently the case.

DIALOGUE WITH COMMERCIAL FISHING BODIES

33. For the proposed recommendations to be fair and equitable, dialogue needs to occur between Fisheries New Zealand, the Guardians and commercial fishing bodies. We have recommended a number of rule changes for amateur fishers in the entrances to the fiords (between the Habitat Lines and the proposed Fishing Lines); these are areas where commercial fishing activity occurs.
34. The Guardians have already held informal discussions with a range of commercial fishers, industry bodies and quota holders. There are several changes to commercial practises that we think would have positive impacts on fisheries sustainability and public support alike:
- a. The use of bulk harvest methods (set nets, dahn (drop) lines, long lines and blue cod pots) inside the Fishing Line;
 - b. Restricting the take of Section 111 catch to outside the proposed Fishing Line;
 - c. A collaboration between the Guardians and Paua Mac 5 to consider other management initiatives that could be applied across the fishery to improve sustainability.

REVIEW OF THE REGULATIONS

35. We recommend that should you accept our recommendations and change the rules and regulations accordingly, a review of the effectiveness of the changes should be carried out after a period of five years. A commitment to this review will be critical for maintaining public support. If we receive evidence that the fisheries rules are insufficient, we will need to make them tighter. But conversely, if we can see that the changes are having a positive impact, then we intend to advise relaxing components of the regulations.

Thank you for taking the time to consider our final recommendations. We appreciate the support of Fisheries New Zealand throughout this review. We would appreciate it if we could meet with you in person to discuss this paper in more detail.

---Ends---

Appendix 1: Daily limits for finfish – status quo, proposed, and recommended

| Finfish species | Status Quo | | Proposed (2022) | | Our final recommendation following public consultation | |
|--|---|---------------------------------|---|-------------------------------------|--|-------------------------------------|
| | Current Amateur Daily Limit per Fisher (as of 5 May 2022) | | Proposed Amateur Daily Limit per Fisher | | 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 | Fiord Waters Inside the Fishing Line | Open Coast Outside the Fishing Line |
| Albacore tuna | 30 | | 3 | | 3 | 3 ¹ |
| Barracouta | 30 | | 3 ¹ | | 3 ² | 3 ² |
| Blue cod/rāwaru | 3 | 10 | 1 | 10 | 1 | 10 |
| Blue cod/rāwaru – Doubtful/Thompson/Bradshaw internal waters | 1 | | 1 | | 1 | |
| Blue moki | 15 | | 1 | 2 | 1 | 2 |
| Blue nose | 5 | | 1 | | 1 | 3 |
| Blue shark | 1 | | 0 | | 1 | 1 |
| Bronze shark | 1 | | 0 | | 1 | 1 |
| Butterfish | 15 | | 2 | | 2 | 4 |
| Eels – Shortfin/ Longfin | 6 | | 2 | | 2 | 2 |
| Elephant fish | 5 | | 1 | | 1 | 3 |
| Flatfish (except Sand flounder) | 30 | | 2 | | 2 | 5 |
| Sand flounder | Included in 30 flatfish limit | | 2 | | 2 | 5 |
| Gem fish | 30 | | 1 | | 1 | 3 |
| Grey mullet | 30 | | 4 | | 4 | 10 |

| 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) | 1 ³ | 3 |
|-------------------------|----|---|---|---|----------------|----|
| Hammerhead shark | 1 | | 0 | | 1 | 1 |
| Hoki | 30 | | 1 | | 1 | 5 |
| Kahawai | 15 | | 2 | | 2 | 3 |
| Kingfish | 3 | | 2 | | 3 ¹ | 3 |
| Lamprey | 30 | | 2 | | 10 | 10 |
| Ling | 30 | | 0 | 1 | 1 | 3 |
| Mako shark | 1 | | 0 | | 1 | 1 |
| Marblefish | 30 | | 1 | | 1 | 5 |
| Marlin | 1 | | 1 | | 1 | 1 |
| Porbeagle shark | 1 | | 1 | | 1 | 1 |
| Quinnat salmon | 2 | | 1 | | 1 | 2 |
| Red cod | 10 | | 2 | | 2 | 5 |
| Red gurnard | 30 | | 2 | | 2 | 5 |
| Red moki | 15 | | 1 | | 1 | 2 |
| Rig | 5 | | 2 | | 2 | 2 |
| School shark | 5 | | 2 | | 2 | 2 |
| Sea perch/ Jock Stewart | 10 | | 1 | 10 | 1 | 10 |
| Seven gilled shark | 1 | | 1 | | 1 | 1 |
| Skate ray | 5 | | 1 | | 1 | 1 |
| Snapper | 30 | | 1 | | 1 | 2 |
| Southern bluefin tuna | 1 | | 1 | | 1 ¹ | 1 |
| Spiny dogfish | 15 | | 2 | | 2 | 2 |
| Stargazer | 30 | | 2 | | 2 | 5 |
| Tarakihi | 15 | | 1 | 10 | 1 | 10 |
| Thresher shark | 1 | | 1 | | 1 | 1 |
| Trevally | 30 | | 1 | | 1 | 5 |
| Trumpeter | 15 | | 1 | 4 | 1 | 5 |
| Warehou | 15 | | 1 | | 1 | 5 |

| | | | | |
|--------------------------------------|----|---|---|----|
| Wrasse | 30 | 4 | 4 | 10 |
| All other finfish species not listed | 30 | 4 | 4 | 10 |

¹ Exclude Highly Migratory Species from the finfish daily bag limit inside the Fishing Line.

² Barracouta to be excluded from the finfish daily bag limit as used primarily as baitfish.

³ Note that the boat limit for hapuku/bass inside the Fishing Line will be set at 1. The recommended demarcation line for this species is the Fishing Line.

Appendix 2: Daily limits for shellfish – status quo, proposed, and recommended

| Shellfish species | Status Quo | Proposed Amateur Daily Limit (2022) | | Our final recommendation following public consultation: Amateur Daily Limit | |
|---|---------------------------------|-------------------------------------|----------------------|---|----------------------|
| | Current Amateur Daily Bag Limit | Inside Fishing Line | Outside Fishing Line | Inside Fishing Line | Outside Fishing Line |
| Cockles | 150 | 20 | | 20 | |
| Kina | 50 | 20 | | 20 | |
| Mussels | 25 | 10 | | 10 | |
| Oysters (Flat/ Dredge oyster) | 50 | 0 | | 0 | |
| Pāua - Blackfoot | 10 | 1 | 6 | 2 ⁴ | 5 |
| - Yellow-foot | 10 | 2 | | 2 | |
| Pipi | 150 | 20 | | 20 | |
| Scallops | 10 | 0 | | 0 | |
| Tuatua | 150 | 10 | | 10 | |
| All other shellfish species combined, (whether the same species or different) | 50 | 20 | | 20 | |

⁴ pāua are not to be taken from inside the existing Habitat Line