New Zealand Big Game Fishing Council

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NZ Big Game Fishing Council Submission on the Harvest Strategy Standard

NZ Big Game Fishing Council

1. The NZ Big Game Fishing Council (NZBGFC) was formed in 1957 to act as an umbrella group for sport fishing clubs and to organise a tournament that would attract anglers from around the world. Club membership has grown steadily and we now represent over 30,000 members in 60 clubs spread throughout NZ. We still run the nation wide fishing tournament, which has evolved over time and remains successful.

2. NZBGFC compile and publish the New Zealand records for fish caught in saltwater by recreational anglers and are members of the International Game Fish Association who compile world record catches.

3. In 1996 NZBGFC helped establish the NZ Marine Research Foundation, which aims to sponsor research on marine species and fisheries, for the benefit of all New Zealanders, including participants in ocean recreation.

4. Many of our most established fishing clubs have a focus on fishing for large pelagic species such as marlin, tuna, and sharks. In recent years our membership has expanded beyond the traditional deep sea angling clubs to include many local clubs targeting inshore species.

Introduction

5. The Government is currently consulting on new fisheries standards including a harvest strategy for each stock that will better define what the management target for a stock is and when management measures are required.

6. MFish have been working for some time on a range of 'Standards' that are intended to be clear, specific and measurable statements on the performance of a fishery and the process used to manage it. These are policy statements (rather than legislation) which will be reviewed every 5 years

7. The harvest strategy standard provides an opportunity to increase the level of confidence that fishstocks are being managed sustainably and in a consistent way. It reflects a growing trend internationally toward using explicit target and limit reference points. It is also consistent with trends to manage fishstocks at higher biomass levels, shifting the balance between sustainability and short-term economic gain. A more cautious approach may result in lower catch limits in some instances, but will increase the likelihood that fishstocks are sustainable in the long-term – even in the face of possible, as-yet-unknown, environmental changes.

8. One of the core issues addressed in the new policy is the natural variability in fish stocks. The marine environment is large and dynamic; species have adapted to take advantage of good years but may be knocked back by changes in habitat or increases in competition or predation. Stock size will fluctuate naturally even in the absence of fishing.

9. The current sustainability objective in the Fisheries Act 1996 is to manage at or above the biomass that will support the maximum sustainable yield (BMSY). It is not possible to maintain the stock at that level all the time because of natural variability so BMSY is estimated as a long term average value. Also there are only a few fisheries where there is sufficient reliable information to estimate what the current stock size is and if it is at or above BMSY.

10. The QMS was introduced in 1986 in response to decades of unsustainable commercial catches, with the intention of enhancing New Zealand's depleted coastal fisheries and maintaining viable commercial fisheries.

11. Subsequent negotiations and legislation (Treaty of Waitangi (Fisheries Claims) Settlement Act 1992) provided for better recognition of Maori commercial and customary rights. In 1996 the Fisheries Act was amended and now includes sustainability provisions based on environmental and information principles to achieve the purpose of the Act - of ensuring abundance for future generations while enabling people to provide for their social, economic and cultural wellbeing.

12. The MFish discussion document is divided into three parts with some repetition, our comments and submissions are set out using the headings in part two and three.

Harvest Strategy Standard

13. The overall approach to fisheries management proposed by MFish is a complex table of nine information/productivity levels with 4 component standards for each. Amateur fishers will find this system confusing and will require reassurance that decisions made will indeed manage stocks at or above BMSY as required by the Fisheries Act. This is particularly important in inshore, shared fisheries which must be managed to enable people to provide for their social, economic and cultural wellbeing. We have seen the low abundance of some stocks has a direct effect on the availability of that species to non-commercial fishing methods.

14. For each stock MFish is proposing to set a :
    - *Target* (the desired biomass),
    - *Threshold* (once reached there is a defined management response to reduce fishing mortality),
    - *Soft Limit* (measures to halt a decline and ensure a fast rebuild),
    - *Hard Limit* (if reached the fishery is closed).
    - And for over fished stocks a *Rebuild Strategy* (a set of rebuild measures including: target, time horizon, and probability of rebuild).

15. While amateur fishers agree that the natural variability in stock size must be allowed for, we do not agree that soft limits of 50% B_{MSY} and hard limits of 25% B_{MSY} are acceptable in shared fisheries or that they meet the Minister's statutory obligation to manage at or above B_{MSY} for any stock. In our view it is critical for the success of this strategy that MFish and the fishing

industry are serious about achieving target biomass. They must not drop their sights for political or commercial expediency, and merely try and achieve biomass at the threshold or somewhere above the soft limit. In important inshore shared fisheries the target should be set above B_{MSY} and the soft limit at B_{MSY}.

16. Amateur fishers also support the principle of having clear *Decision Rules* which help define and respond to the various trigger points. It is best to decide beforehand what measure means that a threshold is reached and what management response is required. This can save time and energy and lead to a more responsive management system. However, decision rules are another part of the process that will require negotiation and consultation between MFish, stakeholders and Tangata Whenua. Default decision rules may be required until agreement can be reached.

Harvest Strategy Tiers

Information Tiers

17. Three different harvest strategy tiers are proposed depending on the information available.
    - **Information rich** stocks that have full stock assessment models, may be managed with some certainty, and stock size could be tracked.
    - **Information limited** stocks would have enough information to detect increases or decreases in biomass. A suitable reference point would be selected and the stock managed conservatively because there was less certainty.
    - **Information deficient** stock would be those that have no way of tracking stock size. A constant catch could be set based on historic catch, but at more conservative levels because of the unknown risk.

18. There are few inshore fisheries that could be described as information rich with full stock assessments. Some snapper and crayfish stocks have stock assessments. A number of stocks have data fitted into a stock assessment model but lack a reliable long term index of abundance. Without this there can be no reliable estimate of where the stock is in relation to the virgin biomass. These stocks fit within the information limited tier. The new standard will require better catch and effort (CPUE) information from the sector that harvests the majority of the stock. In most cases this is the commercial sector who report landed catch well but are inconsistent when reporting their target species, gear used and time fished for each fishing operation.

19. Amateur fishers support a greater focus on exploitation rate or FMSY rather than the long term average biomass that will support the maximum sustainable yield (BMSY). With regular monitoring this will take into account fluctuations in biomass and include all fishing related mortality and not just landed catch. Better information is required from all sectors about the total fishing mortality by method. This includes the juvenile mortality, escape mortality, high grading and dumping that occurs.

20. Amateur fishers agree that the less information available to assess or monitor a stock, the more conservative the harvest strategy should be. Under an information-deficient strategy there is likely to be significant uncertainty about what represents a sustainable level of catch, particularly in the absence of any ability to assess biomass reference points or yield levels. A constant catch strategy is inherently risky as it could lead to catch levels that are unsustainable level when the biomass fluctuates downward. In such circumstances, maintaining a constant catch is likely to result in further decline of the stock and lead to a high risk of stock collapse.

Productivity Tiers

21. It is proposed that within each of the three information-based teirs, species will be assigned to one of the three productivity bands (high, medium, and low productivity). The productivity of a species can be assessed from factors like: growth rate, age a first maturity, and maximum age. As a general rule, the majority of species fall within the medium productivity band. Most

shark and deepwater and/or long lived species generally have low productivity. A limited number of New Zealand species have high productivity – most notably forage species like anchovy, pilchards, and squid.

22. The productivity of the species is a key determinant in arriving at the target, threshold, limit, and rebuild strategies for the species. Stocks that are highly productive can as a general rule sustain lower biomass target levels and/or higher levels of exploitation than low productivity stocks. Species with low productivity levels are more susceptible to the risk of over fishing in the sense that they will take longer to rebuild from depleted levels.

23. MFish has not been explicit about what constitutes a medium productivity stock. This may be a case where a decision rule needs to be developed rather than leaving it to stakeholders to decide. An assessment of what we know about a stock including egg production, age and growth, juvenile fishing mortality and distribution will be required to determine productivity and risk.

24. Some of the most productive stocks form important links in the food chain and MFish must also take account of ecological considerations. For example, a high volume low value fishery for pilchards may fall within the minimum requirements of the harvesh strategy standard but would reduce the food available for more valuable species and the flow on effect could be disastrous. A category for ecologically important stocks should be developed to protect these species within the current legislative framework. The harvesh strategy standard must not be used as a justification for developing commercial fisheries at BMSY in every available fish stock in New Zealand.

25. It must be noted that the 1996 Fisheries Act (the Act) requires that the Minister applies the purpose and principles of the Act when managing fish stocks. In particular section 9 states,

> Environmental principles -
> All persons exercising or performing functions, duties, or powers under this Act, in relation to the utilisation of fisheries resources or ensuring sustainability shall take into account the following environmental principles:
>
> a. Associated or dependent species should be maintained above a level that ensures their long-term viability:
>
> b. Biological diversity of the aquatic environment should be maintained:
>
> c. Habitat of particular significance for fisheries management should be protected.

26. Amateur fishers believe that successive Governments have focused on commercial fisheries management objectives to the detriment of fish stocks that have significant social and cultural significance. That imbalance needs to be addressed without further delay. The Act makes it clear that the Minister must maintain the potential of fisheries resources to meet the reasonably foreseeable needs of future generations and avoid, remedy or mitigate any adverse effects of fishing on the aquatic environment.

27. In the recent High Court decision relating to Kahawai Justice Harrison clearly sets out the process the Minister must follow when making management decisions. The High Court judged that the "bottom line is sustainability", that the Minister's first statutory obligation is to set a TAC and then allow for non-commercial fishing interests, where they exist. Plainly, the fishing industry should not have first call on all of New Zealand's fisheries.

28. The proposals suggest that fisheries plans are used as a way of taking account of the social, economic, cultural, and environmental effects of managing a stock at a particular level. Many of these fisheries plans are already underway. Non-commercial recreational and customary Maori fishers have limited capacity to respond to a wave of new proposals. Therefore, MFish

should ensure that it takes the lead on ensuring that the needs of future generations and the environment are well provided for. The Harvest Strategy Standard is a change in approach and a great opportunity to secure good fisheries management in future.

Rebuild Standard

29. Amateur fishers agree that the rebuild rates for over fished stocks are not well defined at present and are not always sufficient (note the failure to rebuild SNA8 following the Minister's decisions in 1998). A formal standard to rebuild depleted stocks to the target level is proposed where a stock reaches the Soft Limit. A minimum and maximum timeframe would be set. The minimum would be within the time period for the stock to be rebuilt with no fishing and the maximum would be twice the minimum (for example in SNA8 rebuild times in the absence of fishing were about 5 years therefore the maximum allowable timeframe would be about 10 years). Amateur fishers agree that a rebuild standard is required and support a maximum timeframe of twice the minimum. Rebuild measures should stay in place until the target biomass is reached. The threshold must not be used as the target.

Fishing Mortality Reference Points

30. Amateur fishers support collecting information on all sources of fishing mortality and using total fishing mortality as reference points. The historical focus on reported landed catch has meant there is little incentive to monitor or reduce other fishing related mortality nor is there any willingness to attribute unnecessary mortality to the sector responsible. There are no current estimates of the number of juvenile fish that are killed or damaged fish that are dumped in commercial fisheries. Even fish caught and deemed in excess of the TACC are not part of any allocation under the TAC in this fishing year or future years. Currently this additional mortality is largely ignored, as is the effect on other sectors sharing the fishery. In fisheries where there is a high proportion of amateur catch then escape and release mortality should be estimated. Identifying fishing practices that are leading to excessive juvenile mortality or waste is the first step towards finding solutions.

31. The Fisheries Act (1996) requires that stocks are maintained, or move towards, a level at or above BMSY. The Act does not say at or below BMSY. An exploitation rate below FMSY is therefore consistent with the Act and will leave more fish in the water. In shared fisheries this will provide for people's wellbeing and can be more cost effective for commercial fishers.

Managing to the Target Level

32. The proposal is to have decision rules based on a 5 year running average of exploitation rate for information rich stocks each time a stock assessment is completed. However stock assessments can be expensive and infrequent. Amateur fishers want better monitoring of stocks to quickly identify stocks that are in decline or approaching threshold levels. There is no point in developing better standards for fisheries management if there is no timely monitoring system to measure performance.

33. Monitoring of information limited species is mainly proposed using the 5 year running average catch per unit effort (CPUE) relative to a target level. Collection of better quality CPUE from commercial fishers should be a high priority. This should be achieved by using better forms and motivating fishers to be more careful and accurate in what they record. Where information is uncertain or incomplete the standards will have to be set more conservatively.

Hard Limits

34. Amateur fishers agree that there is a role for hard limits where there is a risk of stock collapse or where fishing may lead to changes in the food chain (ecosystem). In these situations the stock should be closed to fishing. There may have to be some catch associated with surveys after time has been allowed for a rebuild to occur. By catch of species at or below the hard limit must be avoided or strictly controlled. The hard limit in shared fisheries should be set at 50% of BMSY.

Harvest Strategy Standard Recommendations

- Amateur fishers support having greater certainty that fish stocks are managed sustainably in a clear and measurable way. In order to gain wider support more work is required to make the harvest strategy standard clear and understandable.
- Soft limits of 50% B_{MSY} and hard limits of 25% B_{MSY} are unacceptable in shared fisheries and the do not meet the Minister's obligation to manage at or above B_{MSY} for any stock.
- Targets for inshore shared fisheries should always be above a level that can produce maximum sustainable yield to better allow for non-commercial fishing interests. The threshold should be set at B_{MSY} to ensure that the Minister provides for peoples social, economic and cultural wellbeing as required by the Fisheries Act 1996.
- Amateur fishers support the principle of having clear Decision Rules. To avoid consultation overload default decision rules may be required until agreement can be reached in some stocks. These rules will always be within the bounds of the current Fisheries Act.
- The new standard will require better quality catch per unit effort (CPUE) information from the sector that harvests the majority of the stock. In most cases this is the commercial sector.
- Amateur fishers support a greater focus on exploitation rate or F_{MSY} rather than the long term average biomass that will support the maximum sustainable yield.
- A category for ecologically important stocks, based on the environmental principles in section 9 of the Act, should be developed to protect these species. Fishing down stocks such as pilchard and anchovy will reduce the productivity of more valuable stocks in higher trophic levels.
- Non-commercial recreational and customary Maori fishers have limited capacity to respond to a wave of new proposals. Therefore, MFish should ensure that it takes the lead on ensuring that the needs of future generations and the environment are well provided for.
- Rebuild measures should stay in place until the target biomass is reached. The threshold must not be used as the target.
- Identifying fishing practices that are leading to excessive juvenile mortality or waste is the first step towards finding solutions. Managing at F_{MSY} requires better information on total mortality.
- Amateur fishers agree that there is a role for hard limits. Fisheries should be closed when they reach 50% of B_{MSY}.

Thank you for the opportunity to express our views on the fisheries standards.

Jeff Romeril
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