

Review of Ministry of Fisheries' Final Advice Paper to the Minister for Trevally 2 (TRE 2).

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<p>The Ministry of Fisheries has reviewed catch limits for Trevally 2 (TRE 2) and the Minister has decided that existing commercial catch limits will continue to apply. Allowances for customary, recreational and fishing related mortality have been set for the first time.</p> <p>An Initial Position Paper (IPP) was issued on 21 June 2010 and submissions were due with MFish by 26 July. The MFish Final Advice Paper (FAP) was finalised on 7 September.</p> <p>The Minister's decision was released on 22 September and conforms with MFish's preference, option 1.</p>	
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Key: Numbers in brackets [] represents paragraph from IPP, or other document as noted. Italics represents a direct quote from the FAP.

Trevally 2 (TRE 2) review due to:

- sustained catches in excess of the total allowable commercial catch (TACC), with no apparent decline in abundance; and
- industry requests, potential for increased utilisation. [paragraph 4¹]

Eleven submissions sent to MFish. Eight commercial, three non-commercial. [8]

Table 1: Proposed TAC, allowances and TACCs with submitters' proposals, where specified in the MFish Final Advice Paper (FAP), and the Minister's final decision.

	TAC* (tonnes, t)	Customary allowance*	Recreational allowance*	Other sources of mortality*	TACC*	Annual Deemed value (\$ per kilo)
Minister's decision	349	1	100	7	241	1.25
Pre-IPP	241	0	0	0	241	1.10
MFish Option 1 (preferred option)	349	1	100	7	241	1.25
MFish Option 2	371	1	100	8	262	
MFish Option 3	402	1	100	9	292	
Joint non-commercial ²	337	10	120	7	200	1.25 +
Area 2 Inshore Finfish Management Company	-	-	42	-	-	
Ngati Kahungunu Iwi Incorporated	-	60-80	-	-	-	
Te Ohu Kaimoana	-	5	20	-	-	
NZ Recreational Fishing Council	-	-	100 +	-	-	
SeaFIC ³	-	-	25	-	-	

Key: *Amounts in tonnes (t). “-” represents an unspecified tonnage in the FAP.

¹ Review of Sustainability Measures and Other Management Controls for the 2010/11 Fishing Year. Final Advice Paper. Ministry of Fisheries. 7 September 2010.

² option4, the Hokianga Accord, NZ Sport Fishing Council and the Council's Zone 3, 4 and 8 Bay of Plenty clubs.

³ The New Zealand Seafood Industry Council.

Comments

Final decision

While the Minister's TRE 2 decision does not increase the total allowable commercial catch (TACC), it does nothing to address the lack of trevally abundance in Area 2 for non-commercial interests. The increased total allowable catch (TAC) represents the amounts set aside as initial allowances for non-commercial interests and fishing related mortality.

It would be convenient to conclude from the latest decisions that non-commercial interests are best served by supporting one of the MFish options in the Initial Position Paper (IPP). However, it is vital that an alternative view is presented based on the 'best available information' from the non-commercial sector, because this encompasses real-life on the water observations by fishers.

Customary interests

The one tonne allowance for customary interests is a puzzling change in approach by MFish. Usually the customary allowance is set as a proportion of the recreational allowance, and is fairly generous. This time MFish are implying that if it is not reported as customary take it will not be 'allowed for'.

Best available information and omissions

Throughout the Final Advice Paper (FAP) there is a strong emphasis on 'best available information'. If non-commercial interests are to be protected, and enhanced, it is essential that a presence is maintained in the Working Group process to ensure balanced information is made available to the Ministry and Minister for decision-making purposes.

MFish has omitted in the TRE 2 Final Advice Paper to advise the Minister of the joint non-commercial submitter's concerns about the deemed value regime. There is no mention of the proposal to account for all mortality caused by fishing within the TACC, by reducing the available ACE in proportion to the excess catch ie. a 110% overcatch in one year is followed by 90% ACE the following year. This is a serious omission.

Industry views

Commercial interests have submitted that the Ministry are being too cautious in their management approach. In their view the only way to test where the maximum sustainable limits are, is to fish stocks down until they are reached. Intentionally or otherwise, most high value stocks have been fished past sustainable limits in the past as management struggled to curb catch. This TRE 2 decision does not support this high risk approach.

Industry also believe MFish ought to be proposing in the IPPs several options for non-commercial allowances, similar to the options presented for TACCs. It is interesting to note the view from some commercial interests that deemed values should only be increased if the TACC is increased.

FAP analysis

1. Views:
 - c. Non-commercial – catch in excess of TACC is no justification for TACC increase, support increased deemed value rates;
 - d. Commercial – lack of data making MFish too cautious when setting the TACC, only increase deemed value rates if TACC increased. [9]
2. Characterisation of FMA2 fishery underway with Catch Per Unit of Effort (CPUE) indices of relative abundance for key species, including TRE 2, by March/April 2011. Future management can be reviewed with this new information. [21]
3. MFish - *On its own, catch is not considered a reliable indicator of abundance or stock status.* [27]
4. MFish - *as CPUE analysis has not been undertaken for FMA2 before, MFish notes the potential risk that the analysis may not be successful or that the working group may not accept the index of abundance results.* [29]

5. MFish acknowledge the variability of catch and the small number of fishers overcatching the TACC. Solution not as simple as increasing the TACC. They suggest the catch variability is driven either by fisher behaviour (variable targeting) or changes in the catchability/availability of TRE 2. [31]
6. A portion of the overcatch could be a response to profits made even after deemed value penalties have been applied. [32]
7. Industry suggest MFish take a consistent approach to reviewing TACCs. They note in 2006 MFish used an average of seven year's catch plus 10%, to set the TACCs. [34]
8. Joint non-commercials asked for a lower TAC. *MFish believes that an option that is lower than the status quo is not supported by currently available information that shows no evidence of decline in abundance of the stock from catches at historic levels. However, there is only limited data available on stock abundance. MFish believes that a TAC set at, or above, status quo is appropriate.* [36]
9. Zone 5 advise their ramp survey results show steady decline in TRE 2 catch – *MFish notes that it is difficult to draw the conclusion of a 'steady decline' from three data points.* MFish also notes there was an increase between the 2008/09 season (0.08 fish) and 2009/10 season (0.11). [37]
10. Minister advised he has *the discretion to make allowances for various sectors based on the best available information.* [61]
11. Allocating the TAC – MFish note submissions from Ngati Kahungunu Iwi Incorporated (NKII), NZRFC and Zone 5 clubs all state that of the three IPP TAC choices, option 1 is the only viable option. [62]
12. MFish propose a 1t customary allowance. NKII recommend an allowance of 60 to 80t, based on consultation with their Kaitiaki, to ensure availability to tangata whenua. [65]
13. Te Ohu Kaimoana (TOKM) suggest a customary allowance of 5t, based on iwi feedback. [66]
14. MFish acknowledges TRE 2 is important to customary interests, but doesn't have any reliable, *quantitative* information to support an allowance higher than 1t. [67]
15. Commercials generally consider the proposed 100t recreational allowance unjustified, and should be decreased. Suggest several allowance options should be proposed in the IPP, similar to TACC options. [70]
16. SeaFIC note *the proposed TACC increases are insignificant when compared with the uncertainty in the recreational catch data.* [71]
17. AFL note that without a full characterisation of the fishery an additional 80t for recreational interests *may increase the sustainability risk of the fishery.* [71]
18. TOKM believe that due to the inaccuracies in catch data the recreational allowance ought to be 20t. [72]
19. MFish notes the concerns about the uncertain recreational catch information. MFish believes 100t represents the best available information. MFish will review the allowances as new quantitative information becomes available. [73]
20. MFish propose an allowance for other mortality at 3% of the TAC. [75]
21. MFish present a table outlining the proposed TACC options and the potential additional annual return to commercial fishers, based on the latest 2010/11 port price of \$2.18 per kilo. Estimated

maximum return, from option 3, is \$111,180 per annum. (Estimates provided in IPP were based on \$1.54 per kilo). [77]

22. MFish support their IPP increased deemed value rates, because it was important to balance the economic returns with the risk of at-sea discards. MFish also propose a new differential deemed value rate structure because of ongoing overfishing in TRE 2, because invoices of \$103,188 were issued at the end of the 2008/09 season, and to remove financial incentive to overfish. [82-84]

23. Views on increasing deemed value rates:

- a. Joint non-commercial – proposed \$1.25 per kilo too low
- b. NKII – proposed \$1.25 per kilo supported
- c. Sanford – supports an increase
- d. AFL – rejects any increase of deemed value or differential rates
- e. SeaFIC, TOKM and Area 2 commercials – deemed value rates should only increase if TACC is increased. [86-90]