

Combined Non-commercial Ministerial *Fisheries 2030* Meeting Phil Heatley's Office, Wellington, 3 August 2009

A report for non-commercial fishing and environmental interests

By Trish Rea
6 August 2009

Attendees

- MFish: Phil Heatley (Minister of Fisheries,), Wayne McNee (Chief Executive)
- Ministerial staff: Alex Barr (Political adviser), Don Syme (Private secretary), Nick Bryant (Press secretary).
- Non-commercial: Paul Haddon (Hokianga Accord, Ngapuhi), Kirstie Knowles (Royal Forest & Bird Protection Society of NZ), Barry Torkington (option4), Richard Burch (Guardians of Hawke Bay Fisheries), Cath Wallace (Environmental Conservation Organisations of Aotearoa New Zealand), Geoff Rowling (NZ Recreational Fishing Council), Richard Baker (NZ Big Game Fishing Council), Jim Mikoz (NZ Angling and Casting Assoc.), Duncan Currie (Greenpeace Aotearoa – New Zealand), Trish Rea (Co-ordinator).
- Apologies: Mike Britton (Forest & Bird), Karli Thomas (Greenpeace).
- Duration: 1.5 hours.

Background

In mid 2008 the Ministry of Fisheries (MFish) initiated a project, *Vision 2030*, that sought to develop new institutional arrangements and tools to unlock the potential of the New Zealand fisheries sector and generate a significantly greater contribution to the economy¹.

Non-commercial fishing and environmental organisations were initially supportive, and hopeful the project would help deliver “more fish in the water/kia maha atu nga ika ki roto i te wai”.

Following the March 2009 release of a consultant's report, *Fisheries 2030 – Vision, result areas and action plan*² (*Fisheries 2030, 2030*), non-commercial fishing and environmental interests expressed concerns about the strategy.

The project's focus had changed from seeking a shared vision and direction. In the group's opinion, the new focus was on maximising use and benefits from the marine environment to the detriment of all New Zealander's social, economic and cultural well-being.

Two multi-stakeholder meetings were held with MFish in Wellington, in May, where some of the concerns were raised. The *Fisheries 2030* plan was also discussed at the June Hokianga Accord hui, held at Whitiora marae, Te Tii, Bay of Islands. The Minister of Fisheries (the Minister) attended part of the hui and heard some of the concerns.

After the hui a joint letter from non-commercial fishing and environmental organisations was sent to the Minister advising that we did not support the *Fisheries 2030* strategy in its current form, and requesting a meeting. A draft alternative management strategy was also developed for the Minister.

Representatives from some of the organisations involved in the documents' development were later invited to meet with the Minister. A second joint letter was forwarded to the Minister on July 31st, prior to the Wellington meeting on August 3rd.

¹ http://option4.co.nz/Fisheries_Mgmt/2030.htm

² http://option4.co.nz/Fisheries_Mgmt/documents/PWC_2030_Report_19_02_09.pdf

Discussion

This report covers the August 3rd discussion with the Minister and MFish Chief Executive. In particular, it focusses on their questions and responses to the points raised by the group.

Introductions

This was the first, combined non-commercial fishing and environmental representatives meeting with the Minister, Phil Heatley. The Minister acknowledged the various interests present. An overview of the combined group's current stance was given. The Minister advised he required clarification on some of the recommendations made in the group's second letter, dated 31 July.

Overview of non-commercial position

Trish Rea gave a brief overview of the process to date, including the initial support for the 2008 approach to achieving a shared vision. Following the two May multi-stakeholder meetings with MFish in Wellington, the issue and concerns were discussed in-depth at the Hokianga Accord hui attended by ECO, Greenpeace and the non-commercial fishing organisations.

A resolution was made at this hui to respond collectively to both the Minister and Ministry outlining the concerns and offering an alternative vision and management strategy that would achieve "more fish in the water".

Implementing the alternative strategy would improve the economic return from fisheries, and provide food and jobs for New Zealanders while reducing the environmental risks to the health and abundance of our fisheries and the marine environment.

The Minister was asked to clarify if, and how, the alternative management strategy will fit into the MFish plan for *Fisheries 2030*.

Implementation of this alternative strategy was an opportunity for the Minister to demonstrate inspirational leadership supported by the combined non-commercial fishing and environmental interests.

Conversely, failure to take account of these serious concerns could lead to increased public awareness and disdain of current fisheries management and government processes.

MFish response and next steps

Phil Heatley acknowledged the *Fisheries 2030* project had been "skewed" and very focussed on economic outcomes. "We need to fix that."

Wayne McNee, Chief Executive, explained that MFish had made a number of changes to the *Fisheries 2030* document, following the Wellington meetings and to reflect the feedback received. Changes were made to the "front-end" of the document, to the values and principles and to some of the action points.

Neither Phil nor Wayne would acknowledge if there was any part of the alternative management strategy that would fit into the MFish 2030 plan. Also, while the Minister had a "genuine, open mind" he was not going to discuss, at this meeting, each of the 46 action points.

Fishing industry representatives had already been to see the Minister and expressed some concerns about the action points.

MFish would not be providing any stakeholders with a copy of the current draft plan. In their opinion it had been 'consulted on' twice and the Minister now had to make a decision.

The Minister was due to sign-off the document by the end of next week (14th). It was due to go to Cabinet by the end of August.

General discussion

The Minister advised it was up to the fishing industry to decide how they would add value from the fish they harvested. His job was to maintain the fisheries and make systems less onerous for stakeholders, without risking sustainability.

There were 15 management changes due soon that would both reduce the regulatory burden, thus industry's costs, and provide more value for the government. Another example was the proposed charter boat reporting scheme. The Minister, MFish and charter operators were working together to make the scheme simple but effective.

Clarification of recommendations

1.

We recommend that economic returns be improved by implementing a strategy to increase the yield from each fish, by leaving them in the water to grow older and larger. Maintaining fish populations at higher biomass levels will support catch limits that satisfy both fishing and environmental interest groups. This will also enable us to pass on this same marine abundance and diversity to future generations of New Zealanders.

Minister

Phil noted that kahawai was managed above maximum sustainable yield (MSY) yet the previous Minister's decision had been challenged by recreational fishers. Both CRA7 and CRA8 were being managed above MSY and that seemed to be working well.

He was also taking comfort from the Supreme Court's decision because that judgment had confirmed the Minister has the discretion to manage fisheries at a level he decides.

Response

This recommendation was discussing yield and not necessarily maximum sustainable yield however, while a fishery maybe above MSY, there are variations in abundance and availability within the large management areas. The biomass required to produce maximum sustainable yield (BMSY) ought to be the absolute bottom line, not the management target. Managing at BMSY did not provide enough margin for error. Even the recently released Science report, *Rebuilding Global Fisheries*, had discussed calculating multi-species maximum sustainable yield (MMSY), to add up yield across all species. The paper also concluded that we should be managing our fisheries at a biomass well above BMSY.

There were some doubts as to whether, in practical terms, the Minister would remain unchallenged if he decided to manage a fishery above MSY – given the Act currently states 'at or above'. Phil will seek further advice on this aspect.

2.

We recommend future stock assessment models that integrate habitat and spatial concerns, genetics, multi-species interactions, environmental factors, the effects of harvesting on the ecosystem, model misspecification and socio-economic concerns. In developing such models the limitations of current fisheries science must be made explicit and incorporated at the management, policy and advice levels. Where information is lacking or uncertain, precautionary management procedures and decision-making to protect the environment is crucial.

Minister

The Minister wanted to "skip this recommendation," as in his opinion, it was aspirational and would require so much resources that the entire fisheries research budget could be spent on one fishery.

Response

Minister had misunderstood. Our recommendation is to start recognising the information requirements for an ecosystem approach. In the meantime, a more precautionary approach was required when information was poor, while taking into account factors other than fisheries data. That included considering a number of other matters to maintain the environment and ecosystem. This could be done now in some fisheries, with the available information.

In response to the Minister saying he had section 10 (information principles) of the Fisheries Act 1996 already, we noted multiple unsuccessful legal cases, many of which are failing under s10.

3.

We recommend the development of strategies and practices to both enable the active selection of more productive fish and to reverse the unintended genetic selection pressure on fisheries. Solutions can be adapted to suit both local conditions and the community's aspirations for fisheries management.

Minister

The Minister needed clarification on this recommendation.

Response

Severe external stressors and depletion have been proven to adversely affect the genetic make-up of fish populations. These consequences need to be acknowledged in fisheries assessment and management. There are simple changes that can be made to reduce these effects.

4.

We recommend seasonal and area-based management controls to protect larger, breeding fish thereby ensuring high levels of recruitment and providing insurance for the future health and abundance of New Zealand's fisheries.

Minister

Phil questioned whether the proposed recreational-only areas would achieve this outcome.

Response

The success of the proposed recreational-only areas would depend on their size and location. This was more focussed on controlling fishing during spawning season and possible regulatory changes.

There is some debate whether no fishing during spawning would be useful or ineffective. For some species there are definite advantages of closing some areas and leaving others open.

After this discussion the Minister talked with the Chief Executive about the discard rules, which are under review by MFish. Currently there is no provision in the quota management system for commercial fishers to release legal, but large, breeding females.

5.

We recommend measures that include increasing the minimum legal size (MLS) of fish, where appropriate, to increase the yield from each recruit, and to maximise the earnings from each fish killed.

Minister

Phil wanted further discussion on this recommendation.

Response

There is an optimum yield to be had from fish, depending on the species. It was incongruous there were different size limits for commercial and amateur fishers. Any management changes would need to be

carefully managed to prevent increased dumping and fishing related mortality. Banning fishing in known juvenile areas was a simple measure to protect small fish.

6.

We recommend working towards eliminating destructive fishing practices by providing incentives to switch to alternative, more sustainable fishing technologies that incur higher market value through increased consumer demand for such products.

Minister

Initially the Minister skipped over this point, but later questioned if we were asking for more proactive management.

Response

There were advantages for the industry, our economy and national reputation to be using more environmentally friendly harvesting techniques. Controls could be used to limit and eventually eliminate some methods from certain areas. Even though fisheries such as Hoki had Marine Stewardship Council (MSC) certification, the value of that was questionable given the management of this fishery.

7.

We recommend that the Minister gives effect to the ongoing obligations on the Crown, pursuant to the 1992 Maori fisheries Deed of Settlement and fisheries legislation, to provide for the input and participation of tangata whenua into fisheries and area management while having particular regard to kaitiakitanga. This will significantly improve the health and abundance of our fisheries and be beneficial for all New Zealanders.

Minister

This was a “given” as it was a statutory obligation on all Ministers to comply with the Deed of Settlement and respective legislation. Maori participation in management had been confirmed in recent settlements with Ngati Porou and Tainui, who have an ongoing partnership to manage the Waikato river. The Maori Party was having some success in changing attitudes and settlement deals with Maori.

Response

While there was a statutory duty to have particular regard to kaitiakitanga when managing fisheries there was little evidence of that stewardship in many fisheries. Kaitiakitanga and the views of tangata whenua needed to be intergrated into all levels of fisheries management.

8.

We recommend non-commercial fishing interest groups continue to explore governance models to improve the long-term prospects of maintaining meaningful input and participation in fisheries management processes. This will benefit all sector groups and fisheries managers.

Minister

Phil was very keen to maintain the regional recreational forums if amateur fishers wanted them to remain, although it must also be noted that “MFish are no longer meeting for fun.” There had been some suggestions that a combined meeting of MFish, commercial and amateur fishers was more valuable. There could possibly be regional differences, but if it was a meaningful forum that worked off an agenda, made recommendations then the Minister would consider them to be of value.

Response

Local management is preferable but the Minister would need to clarify if the input from locals would be accepted into management processes. Several regions have had multi-sector liaison committees, with varying degrees of success. If there were to be multi-sector groups, territorial authorities such as regional councils will need to be involved so that land-based activities can be managed.