



N Z RECREATIONAL FISHING COUNCIL

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NEW ZEALAND RECREATIONAL FISHING COUNCIL

Submission on

Review of sustainability measures For all Kahawai stocks (KAH 1, 2, 3, 4, 8, AND 10) OCTOBER 2010

“The People’s Fish”

The Council and its Representation

1: The national organisations represented by this body are N.Z. Angling & Casting Association, N.Z. Trailer Boat Federation, N.Z. Marine Transport Association, N.Z. Sports Industry Association and N.Z. Underwater Association. We also support the Ministry led and funded recreational forums of which many of these regional members are now members as individuals.

2: The Council maintains close contact with a number of Iwi representatives. While every effort has been made to consult we do not suggest that this submission is representative of their views.

3: This Council represents over 76,000 recreational and sustenance amateur fishers. In addition by default we represent the public interest in the fishery and those amateur fishers who are non-members. We say by default because we are the only constituted representative body that has been recognised by Government and the Courts of doing so.

4: Over one million people or by recent Ministry of Fisheries figures 20% of New Zealanders fish for sport or sustenance. This does not include those elderly or infirmed amateur fishers who can no longer actively participate in catching seafood for the table. The 1996 research to provide estimates of Recreational and Sustenance Harvest Estimates found that there are approx 1.35 million and increasing recreational and sustenance amateur fishers in New Zealand and therefore we effectively, through

our associated member groups, and lack of any other democratically elected or statutory recognised group represent this number also.

5: The Council has been recognised in three court cases as representing the recreational and amateur fishers of New Zealand. The Council was attached to two of these cases without its prior knowledge and the court papers show it was ordered, “to represent the recreational fishing public of New Zealand”. The first of these was the order of attachment to the High Court Action on the Manukau, Taiapure application. The second relates to the SNA1 challenge of the Minister’s decision that was heard by the High Court. The Council also holds “Approved Party Status” for consultations with the Ministry of Fisheries and is recognised by them and the Minister of Fisheries as a stakeholder group. In the third case this Council along with the NZ Sport Fishing Council (formally NZ Big Game Fishing Council) were the applicants in the recent Kahawai case.

6: The Council has a Board of democratically elected officers and members. The Council consults with its members and the public using various means. These include newsletters, both written and electronic, its web site and various press releases. In addition it consults through the various fishing media and meetings it holds and receives input through those forums.

7: This submission has been prepared and presented after consultation via email and our web site to our members and board members.

8: As previously stated, we are aware that many of our National Affiliates and Regional Members are submitting their own submissions and in most cases we have seen and support these submissions where they are not in direct conflict with this submissions intent or requested outcome.

9: In the submission we talk of both recreational and amateur fishers as these two descriptions are so intertwined. For sake of some clarity recreational fishers referred to are generally those who have an interest in supporting recreational fishing interests while amateur refers to all fishers who exercise their rights to fish under the amateur fishing regulations.

10: Introduction

Once again Recreational fishers have had little or no input into putting together the IPP on Kahawai. Had they, more knowledge of the amateur catch would have been included in the current paper. We would like to put forward more options but realise that Mfish are only consulting on the options available within the IPP and to form another option would mean a whole new consultation round something that the ministry should be considering for amateur fishers to be truly included.

11: The NZRFC has long held the view that high stock abundance is essential for recreational fishers to have access to good quality fish to feed their families and friends. Amateur fishers catch what they catch and with little movement in the commercial tonnage the stock abundance sought has little chance of being achieved. The NZRFC want to see commercial Kahawai catches reduced to by-catch only until sufficient recovery across all Kahawai quota areas has been achieved.

12: When the Quota Management System (QMS) was introduced it was championed as a tool for providing commercial fishers with a “sense of ownership and nurturing” in their fisheries. This has plainly not happened with Kahawai as the bulk of the stock is controlled by a very small number of companies and with much of the fish being taken by two companies using bulk harvesting methods, the smaller operators have been marginalized. This situation is worsened each time there is a TACC reduction as small operators are forced to seek ACE to cover their by-catch.

13: The solution was, and still is, to remove the targeted fishing of Kahawai by bulk fishing methods. This would bring about an increased rate of rebuild, increase available ACE to cover by-catch and greatly increase access and availability for non-commercial fishers.

14: The NZRFC believes that we have witnessed a huge retraction of Kahawai stocks available to recreational fishers. Kahawai were once plentiful as far south as Foveaux Strait and equally on the West coast of the South Island. Although reasonable numbers are still caught off Jackson’s Bay it is nothing like it used to be. The people of Dunedin now rarely see a Kahawai. The local Dunedin fishing club runs a yearly fishing contest with substantial prizes for Kahawai however they have not been claimed for the last eight years approximately and yet this was the place where world records were once held. No rebuild has been noticed in this area at all and yet noticeable rebuild has been seen in northern waters. It is obvious to us that more studies of this species need to occur before any reallocation or review of Kahawai can happen. Mfish state within the IPP that “the pattern of Kahawai movement around New Zealand is poorly understood” We believe that the huge schools that were once seen in northern waters need to return before our more southern fishers can see the Kahawai return to their once abundant numbers. The NZRFC suspects that following the near extermination of Kahawai by commercial purse seine fishing, species replacement effects involving Mackerel and Barracouta may be slowing Kahawai recovery in the south. If this is in fact the case, it points to a total systemic failure of the single species management models currently used by Mfish to set TAC’s

15: The damage done to this fishery during the 80’s by the purse seining of Kahawai has been responsible for the depletion of the Kahawai stocks. Eyewitness accounts of purse seine boats entering areas and scooping up all visible schools, these schools have never been witnessed again. This is a story that every coastal New Zealander could tell. Several references are made in early books on fishing in New Zealand of the splendours of witnessing acres of schooling Kahawai. These days are gone and within the IPP we do not have the options of really improving it to even half of what it was.

16: Recreational Value

In recent times much emphasis has been put on the “value” of any particular fishery to those who use it. Although there has been some work to include more socially conscious ways of measuring “value’ other than simply placing a monetary value on the dead fish, returns measured in dollar terms still appear to be number one criteria.

17: This creates a double-edged sword for amateur fishers in a policy sense, as there are a number of stocks, including Spiny Red Rock Lobster and Paua, which return very high dollar values to commercial fishers. To blindly adhere to some dollar measure system in all stocks will mean it is quite likely that the conversion rate for

social values into dollars will leave us lagging behind when these stocks come up for TAC reviews in the future.

18: While this potential disaster awaits us we do not accept any simple conversion of all “values” into dollar terms for all fish stocks. We believe there are a wide range of “values” that amateur and sustenance fishers hold dear and believe it is demeaning to simply convert them into dollar terms. This is especially so with the present Government policy line of trying to get the best export return for many of our natural resources, fish included.

19: In the IPP Mfish suggests that the purse seiners access must be protected otherwise the overall economic viability of having a purse seine fleet will be adversely affected. This can only be seen as some form of bizarre protectionism and given the destruction that has been wrought on many industries in New Zealand over the last 25 years in the pursuit of the so called “free market”, has no place in this IPP. We didn’t see this kind of rationale applied to the clothing industry for example with thousands of jobs and millions of dollars having been lost within our economy as a result of non-protectionist policy.

20: Given the depletion that is occurring to our Trevally and Skipjack Tuna stocks maybe making the purse seine fleet un-economic would have positive spin-offs for these and other stocks as well. Continuing to decimate Kahawai by purse seining will stop the development of much more lucrative ways of utilizing Kahawai than presently occurs when they are turned into bait.

21: Although it appears a relatively simple exercise with Kahawai to show that amateur fishers value them much more highly than commercial fishers, we will still submit on our own version or estimation of “value”. This we believe will deliver a more rounded view of the 2030 use goal of “New Zealanders maximizing benefits from the use of fisheries within environmental limits”, than that which can be achieved by trying to convert all our values to dollars.

22: For many generations thousands of amateur/sustenance (A&S) fishers went down to our estuary and river mouths to catch Kahawai. While some might claim it was just for fun the truth is it has long been a valued food source providing fresh and smoked fish for immediate and stored use. It is really only in the last thirty or so years this seemingly inexhaustible bonanza, so often signaled by the huge flocks of seabirds sharing the same feed as the Kahawai, have dwindled and this valuable source of food for the soul and the stomach has been harder to access.

23: The value of these often, family orientated outings are virtually impossible to rate, but in an increasingly confrontational society, activities that strengthen families and social ties must not be under-estimated. We find it difficult to compare what has been lost with the paltry value that has been achieved by the commercial sector in the virtually unconstrained bulk harvest that has reduced these fish schools to a small fraction of their former glory. Much of this took place pre QMS but nevertheless the current catch levels and quota values attributed to commercial fishers are in no small way driven by these earlier actions.

24: The use of catch history as a primary allocation tool was reaffirmed by the Supreme Court findings at the end of the Kahawai case. We submit that the recreational allowances initially made when Kahawai were introduced into the QMS

were driven down from our historical catch levels as a result of the earlier over-fishing by commercial operators. Our place and consequently our “value” in the fishery had already been significantly diminished well before Kahawai were introduced into the QMS and Individual Transferable Quota (ITQ) was issued.

25: Not only were A&S fishers displaced, they had their value diminished by a very small group of commercial fishers who took the bulk of the fish, but many smaller mixed trawl commercial operators lost significant chunks of their catch entitlements and consequently have ended up with poorly balanced catch portfolios. The NZRFC submitted at the time of Kahawai being put in the QMS it should have been a by-catch species only and we hold to this today.

26: Because the over-fishing, bulk harvesters were rewarded for their serial depletion by having large “property rights” allocated to them, the A&S fishers and smaller commercial fishers have been significantly disadvantaged. We are now stuck with a real problem in trying to rebuild the stocks that otherwise responsible commercial fishers can no longer access sufficient ACE to cover their by-catch. This is making it difficult for fishery managers to place constraints on fishing where they need to provide a speedy rebuild of the stocks to a size that a higher degree of the “value” that A&S fishers place on Kahawai can be restored.

27: The magnitude of the problems involved in valuation using money alone can be grasped by a simple consideration. Consider oxygen, it is the most important thing in human life, deprive any person of it for just 20 minutes and they become damaged beyond resuscitation. Yet because it is abundant it has no monetary value. Monetary value is a measure of scarcity value. Introducing money into natural systems often turns abundance into scarcity, as this produces the greatest monetary return to those in control of what little is left.

28: Given the significance of Kahawai to recreational fishers from fishing the river mouths for a feed, to catching it for bait to catch something bigger. Kahawai have a huge intrinsic value to amateur fishers.

29: Alternative Economic Use.

If we are concerned about the loss to our economy of reducing the commercial harvest of Kahawai perhaps we could consider other ways of gaining economic activity from the fish.

30: We are all aware of the tremendous value to the New Zealand economy of the hunting and fishing that is available here. We see a developing industry in game hunting with safari park type developments taking place. For many years we have had significant economic activity based around the superb trout fishing enjoyed here with lodges and fishing guides being just a couple of the businesses servicing this industry. Careful management of the trout fisheries has created an abundant and accessible resource that is recognized around the world as being top class. This results in New Zealand being an attractive destination for a discerning clientele who not only pay well but also are extremely aware of the need for preservation of the stocks. To this end a high incidence of “catch & release” is practiced. There is a huge potential to further develop this sport fishing industry by including a reliable and accessible Kahawai fishery in the mix. Kilo for kilo Kahawai will provide a real test to fly fishers and for those who enjoy a feed, a welcome addition to the lunch platter in the form of smoked Kahawai. For this to become a reality we need to rebuild the stocks to

provide a ready supply of large adult fish at our top fishing spots. This will require some investment in the form of foregone catches to allow the stocks to build. At the moment this “benefit” is being denied as a result of poor planning and allocation of the Kahawai stocks.

31: Recreational Allowance

The variations in recreational allowance with actual catch can be displayed in the following table

32: Table 1

Present Recreational Allowance for all New Zealand

	Total Recreational allowance	1 fish = 1 kilo	26% of Total Population Who Fish	Fish allowed per recreational fisher per year
33:	3073 t	3073000	1,122000	2.74

Table 2

New proposed Recreational Allowance (selecting option 1 for KAH1, option 2 for KAH 2,option 2 for KAH3 and status quo for all other areas.)

	Total Recreational Allowance	1 fish = 1kilo	26% of Total Population who fish	Fish allowed per recreational fisher per year
	2603	2603000	1,122,000	2.32

34: This allowance for recreational fishers does not meet our cultural, social or economic well being. Nor is this allowance fair and reasonable. Kahawai are a very important species to recreational fishers and given that it was once New Zealand wide in its range this sort of allowance being made for amateur fishers is totally unacceptable.

35: Kahawai KAH 1

The depletion of the KAH 1 stocks by bulk harvesting methods is within living memory of a huge percentage of New Zealand’s recreational fishers. This started in the late ‘70’s and the worst of it was over by the late ‘80’s. However the damage caused by bulk harvesting methods has continued until quite recently. This responsibility should be taken squarely on the shoulders of those who created the problem.

36: Also reading the IPP and words that keep occurring describing the lack of information on this species are “likely, assumed, not well understood, uncertainties and lacks”. This is just on page 4. Given that the information on the KAH 1 stock status is this unsure. Also given our statement above that needs to be addressed on the contraction of the stocks. The NZRFC requests that Mfish institute management measures to restore Kahawai to a level of abundance that is sufficient to allow amateur fishers to meet their social, economic and cultural needs; and submits that none of the options presented do that

37: The NZRFC believes that it is unacceptable that mismanagement and commercial greed has caused the huge reduction in Kahawai abundance that amateur fishers are experiencing. We would support an option that saw a significant reduction in the TACC, to allow the abundance of Kahawai to increase. We would also support measures to completely ban the use of the purse seine method for Kahawai within 12 nautical miles of the coast. If, as many in the commercial industry claim, there really are abundant schools of Kahawai well offshore, then let them go out there and catch them and allow those few schools that do make it inshore to survive, prosper and rebuild the severely depleted inshore abundance.

38: Mfish contends that the allowance for amateur fishers in KAH1 is an over estimation of our actual catch. This may well be the case but it fails to acknowledge why we are failing to take our allowance. The NZRFC submits that amateur fishers are unable to access their full allowance of 1680 tonnes directly as a result of depletion of the stock by excessive commercial catches in years past.

39: Although reducing the amateur allowance to 900 tonnes may well “balance the books” for Mfish of paper fish, it fails to address the fundamental problem caused by earlier commercial excesses. It is likely that until the targeted fishing of Kahawai by purse seining is stopped in this fishery a proper redressing of the imbalances in each sectors catch will not occur.

40: Unfortunately we are confronted with “Hobson’s Choice” as the only option that proposes any reduction in TACC for KAH1 is option 1 in the IPP. Whether the introduction of this option will do anything material to move the stock to the management goal of 60% of Bo is uncertain.

41: The NZRFC believes that of the three options presented, Option 1 is the best available.

Option 1 (60% of Bo) - TAC based on increasing the spawning stock biomass (SSB) towards 60% of the unfished stock size;

Table 3

	TAC	Customary Allowance	Recreational Allowance	Fishing related Mortality	TACC
Option 1	2,190	200	900	45	1,045

42: Hauraki Gulf Marine Park

Given the significance of this area to the greater population of Auckland, the NZRFC believes that enough information exists to show that this area should be protected for the use of amateur fishers, also bearing in mind the huge population of Auckland who utilize this area. The park area is known to hold large juvenile stocks of Kahawai and we would be investing in the future if the Hauraki Gulf Marine Park was made into a recreational only and managed as a separate entity.

43: TACC and allowance proposals for other KAH stocks

Given that even more uncertainty is surrounding the Kahawai stocks in all other quota management areas and there is no new information on stock size or yields. Taken from the IPP “No accepted assessment for any other stocks of Kahawai is available, it is not known if the current catches, allowances or TACC’s are sustainable and the

status of KAH 2,3,4,8 and 10 relative to Bmsy is unknown”, are all statements taken from the IPP.

44: The NZRFC accepts that Mfish has taken some steps to improve the allowances for amateur fishers in KAH2 & 3 by reassessing and adjusting allocation of the TAC. The increases proposed in option2 of both KAH2 & 3 will go some way to meeting the requirements of findings from the Supreme Court ruling in the Kahawai case that amateur allowances must be seen to be “fair and reasonable”.

45: Given that KAH 2 and KAH 3 are performing at such different levels i.e. the TACC in KAH 2 is 117% caught and yet KAH 3 is only 38% caught. The options just don’t address the issues in these two very different fisheries. We struggle to understand how Mfish has come up with similar options for these fisheries.

46: The NZRFC considers that the options we have selected below are the best available of those presented. Further measures are required these include exclusion zones for purse seining and making the quota available for by catch only.

Table 4

Fish Stock	TAC	Customary Allowance	Recreational Allowance	Fishing Related Mortality	TACC
KAH 2 Option 2	1530	185	800	30	515
KAH 3 Option 2	935	115	510	20	290
KAH 4 <i>Status quo</i>	14	1	4	0	9
KAH 8 <i>Status quo</i>	1040	115	385	20	520
KAH 10 <i>Status quo</i>	14	1	4	0	9

47: Kahawai 2 (KAH2)

With the TACC in this Kahawai fishery over caught in the last fishing year by 118 t we recognize that reducing the TACC if this fishery is already a by-catch only fishery this will create difficulties for commercial fishers to hold balanced portfolios of ACE. What measures is Mfish going to impose to keep commercial fishers within their allocation? Unless there is a significant increase in deemed values for commercial fishers we struggle to see how this reallocation of the TAC is going to rebuild the fishery. With increasing the deemed value on this already very low value fish will we think create this would encourage either trucking or dumping of our fish.

48: Kahawai 3 (KAH 3)

Although the TACC has sat at 410 since the 2005-06 fishing year it has remained uncaught in every year since except for the 2006-07 year where it got as high as 93% caught. Mostly the percentage has been around the early 40’s, the last fishing years actual commercial catch being 157 t. This proposed TACC reduction not going to be affected by the decrease in TACC allocation because it isn’t being caught anyway. We find it absurd that Mfish have reduced the recreational allowance in KAH1 because they think we don’t catch it and yet don’t reduce commercial catch to the actual reported landings of 157 t. This is one of the many anomalies within this IPP. Mfish can put any many paper fish in the IPP as they like, we deal in real fish and

their availability to us has been diminished and we would like real fish back in the water.

49: Summary

We applaud Mfish in attempting to move Kahawai towards a higher biomass and thus improving the abundance however we don't see many of the management actions taken within this IPP achieving the desired outcome.

50: We would like to reiterate what has been said elsewhere in this document recreational fishers were not responsible for the decline in the Kahawai stocks. We do not consider that it can be considered to be reasonable that we appear to take the brunt of the cuts.

Table 5 Present Kahawai allocations

Stock Area	TAC	TACC	Rec Allowance
KAH 1	3315	1075	1680
KAH 2	1530	705	610
KAH 3	935	410	390
Totals	5780	2190	2680

Table 6 Catch spread if our selected options are selected

Stock Area	TAC	TACC	Rec Allowance
KAH 1	2190	1045	900
KAH 2	1530	515	800
KAH 3	935	290	510
Totals	4655	1850	2210

You will note from the above figures that overall commercial suffer a 340 t reduction in allowance and the recreational figure is 470 t. The NZRFC submit that this reduction cannot be considered to be reasonable. Recreational fishers were not responsible for the decline of the Kahawai stocks. If Mfish want to rebuild Kahawai stocks to their former glory significant changes need to be made to the way in which Kahawai are fished for by the commercial sector. The NZRFC suggest that the targeted purse seining of Kahawai be done away with in the near shore area.

51: The information held within the plenary is so incomplete that making any sort of decision is almost impossible. However the NZRFC submit that the minister must take the precautionary approach and also recognize the importance the abundance of Kahawai to the amateur sector and provide for our social, cultural and economic well-being.

52: The IPP acknowledges the linkages between species including seabirds. The NZRFC is also aware of the importance of Kahawai to the mighty pelagic fish that arrive from the tropics during the summer and their importance to a significant number of amateur fishers. It is crucial that we start paying more attention to the needs of the wider marine ecosystem and we could do a lot worse than to use Kahawai as a barometer of our success.

53: We submit that the two words “benefit” and “value” have quite different meanings. We believe that it is wrong to simply measure their meanings in dollar terms. We expect Mfish to apply a wider interpretation in making decisions on this IPP. It’s important that as we define terms used in the 2030 document that we don’t take too narrow a focus.

54: More information needs to be gained on Kahawai as this species is considered to be one of the most important to recreational fishers and given the money spent in pursuit of the Kahawai Legal Challenge the fishers of New Zealand want what is best for the species.

55: The NZRFC want to see the once plentiful numbers of Kahawai return and restore the balance in nature with seabirds flocking as far as the eye can see. The intrinsic value gained from families meeting together at river mouths to enjoy the pleasure of acquiring a feed from the sea.

Yours faithfully,
NEW ZEALAND RECREATIONAL FISHING COUNCIL

Sheryl Hart (Mrs)
Secretary