

Shared Fisheries

Set 1

Getting better information

Setting the TAC

Policy problem

Getting better
information on the
catch and values

Issues:

- **Need good information on catches for output management**
- **Require it from commercial fishers - reporting**
- **Reporting obligations under customary fishing regulations**
- **Information on amateur catch is patchy**
 - mainly gathered by surveys
 - inconsistent results
 - expensive and difficult

Policy proposals

Getting better information on the catch and values

More survey and monitoring work

- **Extend and increase funding for current research programme**
 - **more over-flight/boat-ramp surveys and phone-diary surveys**
- **More effort to link new (reliable) data with existing data to produce improved estimates of catch for difficult species**
- **Develop monitoring of trends in effort over time**
- **Improved estimates for key species may take 5 to 10 years**

Policy proposals

Getting better information on the catch and values

Reporting for recreational charter operations

- **Introduce regulations for catch and effort reporting by recreational charter operators**
- **Build database to collate data by location**
- **Monitor trends in charter fishing and impacts on local populations – e.g. reef fishing**

Policy proposals

Getting better information on the catch and values

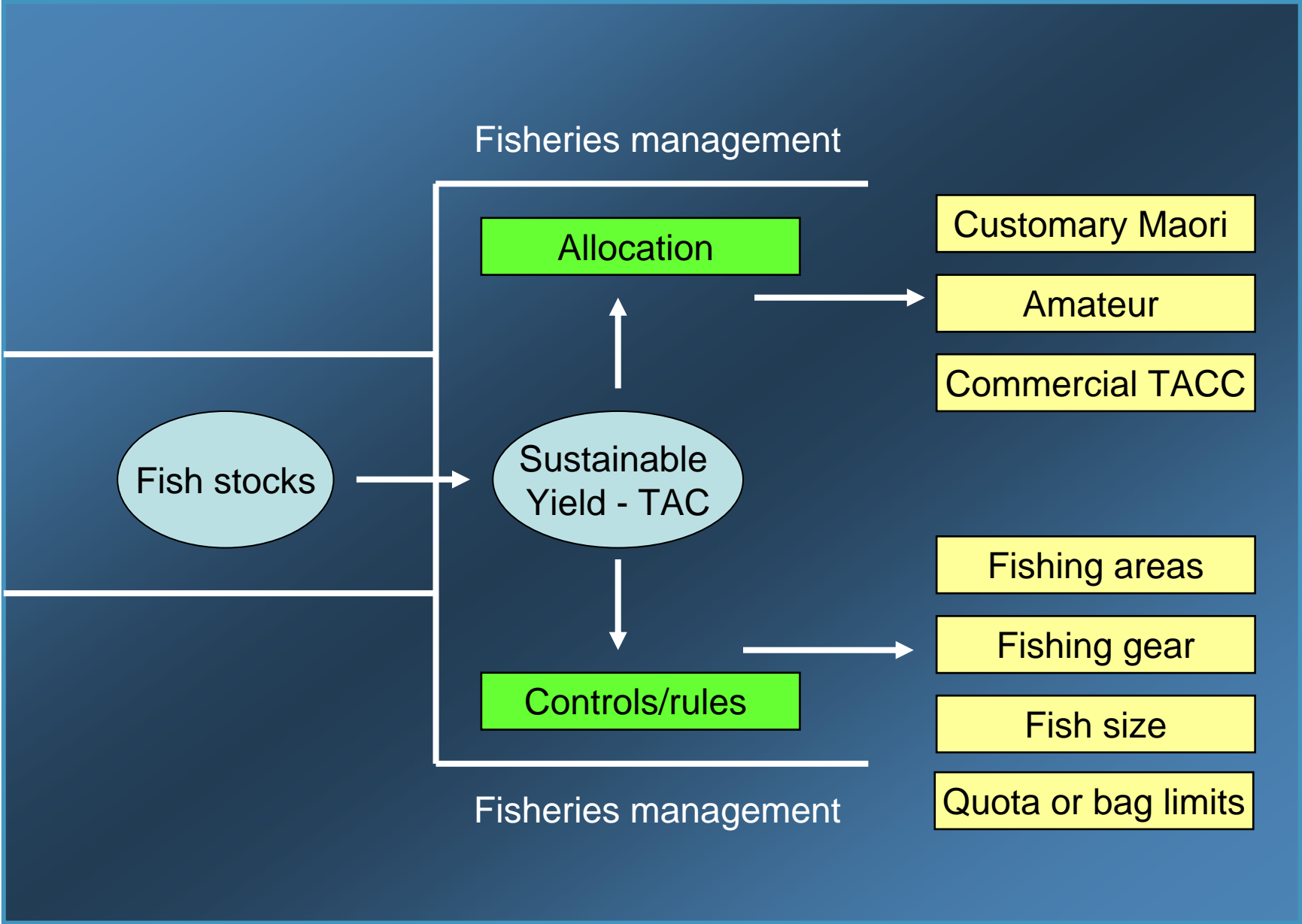
Estimating marginal values for commercial and amateur fishing

- **Development of marginal valuation methods currently used overseas**
- **Compares the value of “the next fish” to each sector**
 - **To maximise value from the use of the resource, it should be distributed so that the marginal value to each sector is equal**
- **Marginal values change with factors such as commercial fish prices or changes in population or popularity of amateur fishing**

Policy problem

Setting the Total Allowable Catch

- The size of the total catch taken each year affects the stock size
- What is the right stock size?
- Commercial fishers tend to want the maximum catch each year
- Non-commercial fishers want more fish in the water and bigger fish size
- These happen at different stock sizes
- The TAC also affects how quickly a depleted stock will rebuild
- What is the right speed for rebuild?



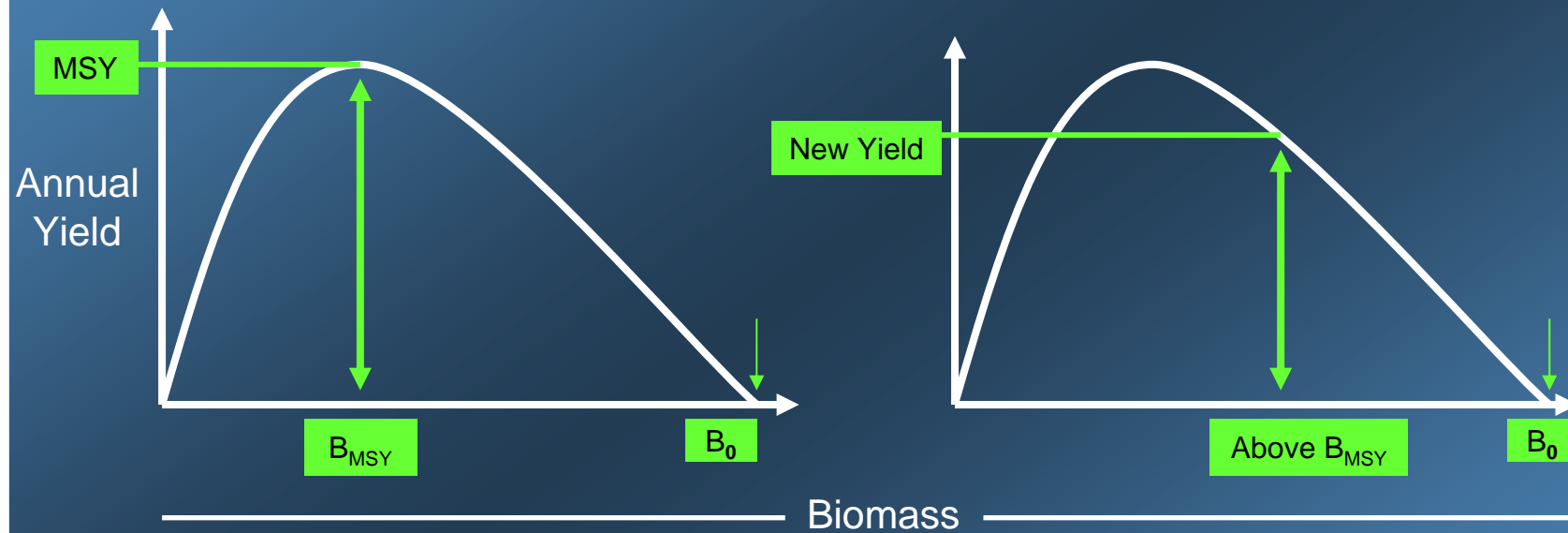
Policy proposals

Setting the Total Allowable Catch

Setting the TAC for a stock target level above that which achieves Maximum Sustainable Yield

- **This proposal would enable setting the TAC so that a stock is maintained at a higher level because of the high values held for greater abundance**
- **This would mean less total catch every year, but there will be more fish in the water**

Setting the TAC above Bmsy



Smaller stock size
Maximum tonnage yield
Smaller fish

Bigger stock size
Less tonnage yield
Larger fish

Policy proposals

Setting the Total Allowable Catch

Setting the TAC in depleted fisheries to allow faster rebuild times

- This proposal would enable setting the TAC so that a depleted stock is rebuilt to target level quickly because of the high values held for abundance by non-commercial fishers
- This will mean larger cuts to the TAC to produce the faster rebuild times – higher short-term impact on commercial fishers
- May require amateur take to contribute to the rebuild

Example: Setting the TAC to rebuild depleted stocks



Shared Fisheries

Set 2

Priorities for allocating the TAC

**Setting and adjusting amateur and
commercial allocations**

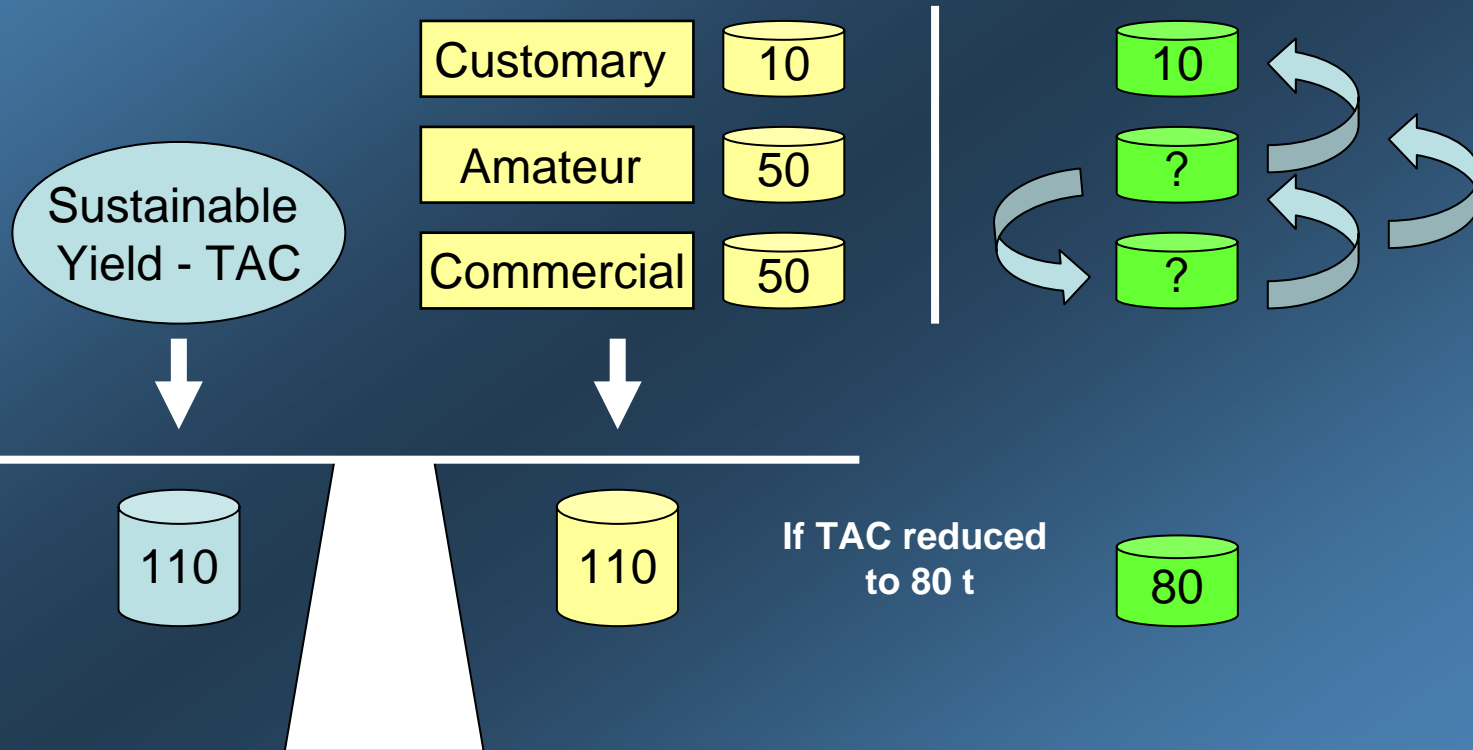
Policy problem

Priorities for allocating
Total Allowable Catch

Issues:

- **Uncertainty over priorities in allocating the TAC**
- **Amateur fishers claim they should have priority over commercial take**
- **Customary fishing right gives priority over other take**
 - **this needs to be clear in the Fisheries Act**

Priorities for allocating TAC



Policy proposals

Priorities for allocating
Total Allowable Catch

Clarify provision for Maori customary take

- **The first priority is sustainability—nobody has priority over sustainability.**
- **Subject to this, the first proposal is to make it clear in the Fisheries Act that Maori Customary fishing (fishing under a customary authorisation or permit) has first priority in allocation of the available yield. Actual customary take must be allowed for in full before other allocations are made.**
- **This reflects current policy and law but removes any ambiguity in the Fisheries Act itself**
- **If customary take increases, the customary allowance would increase**

Policy proposals

Priorities for allocating
Total Allowable Catch

Priority for amateur fishing over commercial fishing

- The second proposal provides for a percentage of the amateur harvest (a set tonnage) to take priority over commercial fishing.
- In practise, if a fishery is in trouble and catches need to come down, part of the amateur allocation would be protected, so that all commercial fishing would be stopped before this was reduced.
- Think of an example like toheroa, where the fishery was way overfished and needed to be shut down. Customary take would only ever be restricted if all other fishing had stopped and there was still a problem with too much fish being taken. If there is enough fish, amateur fishers would be allowed into the fishery next before any commercial harvesting.

Policy problem

Setting and adjusting
sector allocations

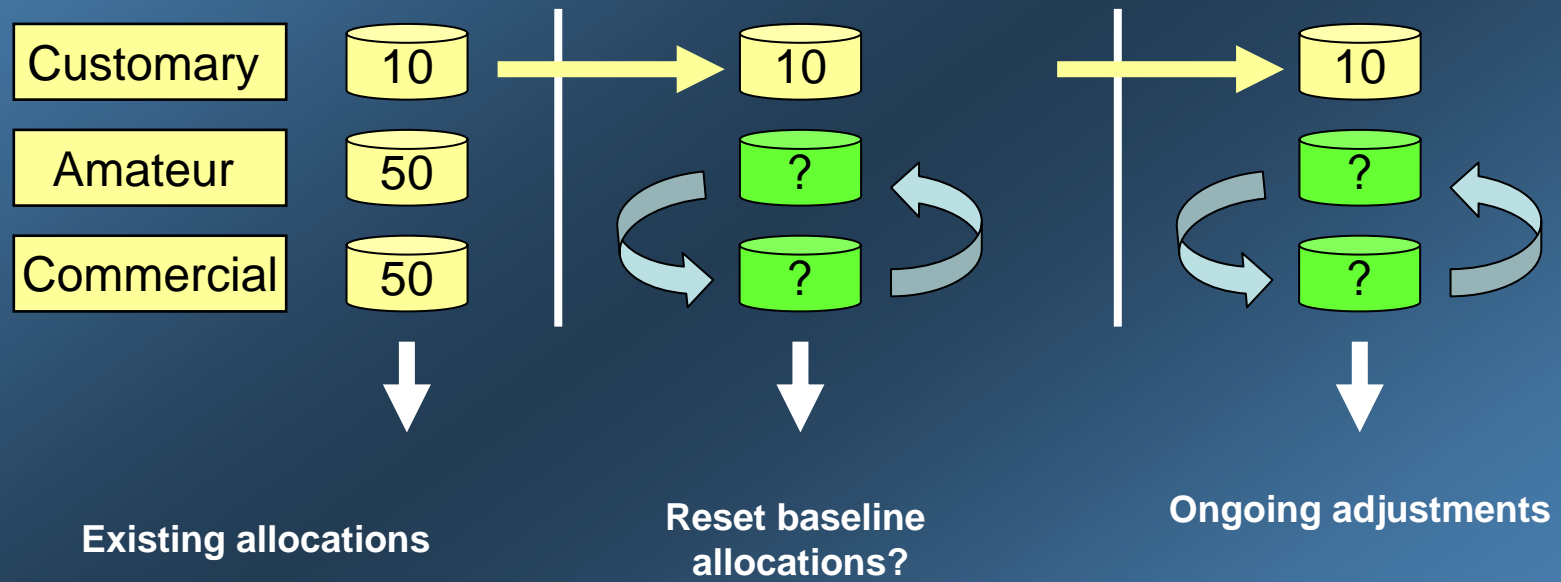
Baseline allocations

- Some fishers have challenged the fairness of current shares of the TAC
- The baseline (or starting point) allocations for important shared fish stocks may need adjustment

Ongoing adjustments

- Changes to TACs mean changes to catches and possibly shares
- Clear rules are needed for how adjustments should be made
- Current problems indicated by litigation

Baseline and ongoing adjustments



Policy proposals

Baseline allocations

Some baseline allocations may need resetting

- Most baseline allocations would be based on current allowances
- New baselines may be set by agreement in Fisheries Plans
- For a short list of key shared fisheries stocks, an opportunity is proposed to reset allocations
- Three options are proposed
 - independent assessment
 - valuation study
 - negotiation process

Policy proposals

Baseline allocations

Re-set allocations following an independent assessment

- Independent authority would review a limited number of key shared fisheries stocks where allocations are considered by stakeholders to be unfair due to historical management decisions
- Authority could be an individual “Commissioner” or quasi-judicial body (review board) appointed by the Minister
- Submissions would be sought and hearings held where stakeholders would present evidence and arguments
- The authority would establish a view as to the appropriateness of current allocations and make recommendations to the Minister

Policy proposals

Baseline allocations

Re-set allocations following a study of value in the commercial and amateur sectors

- **Marginal valuation studies would be carried out on a limited number of shared fisheries stocks to estimate optimal allocations**
- **Minister would reset allocations where marginal valuations were significantly different between commercial and amateur sectors**

Policy proposals

Baseline allocations

Set initial allocations following a negotiation process

- Stakeholders from amateur and commercial sector would negotiate allocation agreements over one or more shared fisheries stocks
- Government would reserve a default mechanism (e.g. valuation) in the absence of agreement

Policy proposals

Ongoing adjustments

Proportional adjustments

- When TACs were changed amateur and commercial shares would change proportionately (i.e. a 10% TAC increase would mean amateur allocation would increase by 10%, and so would the commercial allocation)
- Rules could be made as to when changes could be attributed - that is, if one sector causes an increase or decrease in the TAC by conservation or overcatch, that sector would bear the changes

Policy proposals

Ongoing adjustments

Value-based adjustments

- **Marginal valuation surveys would be carried out on a regular basis with indicator monitoring to track value changes between surveys**
- **Shares would be adjusted when set thresholds are reached (e.g. when marginal values diverge by say 10 or 20%)**

Policy proposals

Ongoing adjustments

Combination model

- Proportional adjustment would be used as a default, with valuation information able to be taken into account where available
- Indexes of value change could be used where studies indicate good linkages (for example: population or participation rate might be established as an indicator of changes in marginal value in the amateur sector)

Shared Fisheries

Set 3

Local area management

Redress

Amateur Fishing Trust

Policy problem

Local area
management

- There are a range of local management tools already
 - Customary: Maitaitai Reserves, taia pure, temporary closures
 - Commercial: QMA changes – area closures
- But the tools available to achieve amateur goals are limited
 - Dispute resolution – requires a conflict and potential to resolve via s311 or through reallocation
 - Difficult to use and not guided by achieving value
 - No value-driven solutions
- Yet management of areas smaller than a QMA may help increase the value of shared fisheries

Policy proposals

Local area
management

Provide for a coastal zone or areas where key species are managed with priority for non-commercial fishing

- **None of the options equates to full coastal management planning**
 - that requires an Ocean's Policy framework
 - many existing forums able to consider options (e.g. MPA forums)
- **First option is new, could differentiate between methods**
e.g. apply to bulk fishing, not to potting or diving
- **Such proposals would come from government and may be large scale**

Policy proposals

Local area
management

Provide for sector-initiated proposals to protect or strengthen specific interests

- **Second option has always been possible, but there is the potential to strengthen**
- **Proposals could be made to exclude methods (commercial and amateur set netting for example) from local areas that could be implemented by regulations**

Policy proposals

Local area
management

Create area-based fisheries plans appropriate to shared fisheries issues

- Fisheries plans could be developed for popular amateur areas such as a harbour or, for example, the Bay of Islands, that applied to all shared fisheries in the area
- These plans may overlay or overlap with other fisheries plans for groups of stocks
- Plans would be developed with participation of MFish and all stakeholders

Policy problem

Redress following
adjustments in
allocations / access

- **Several proposals open up the potential for changes to allocations that would impose costs on commercial fishers and quota owners**
- **The only avenue currently available to affected parties to make claims for redress is through the courts**
 - **this is an expensive process with uncertain results**

Policy proposals

Redress following adjustments in allocations / access

A: Leave redress with the Courts

B: Provide a process to consider redress

- **The alternative to the current situation is to provide an explicit process for consideration of redress when re-allocation is contemplated**
 - **this would incorporate analysis of adjustment costs into decision-making for re-allocation**
- **This could apply to impacts resulting from measures such as resetting baseline allocations, value-based adjustments, or local area management**

Policy problem

Representing amateur
fishers' interests

Issues:

- Important to have effective input into fisheries management
- Needs for input into management likely to increase
- Representation is demanding as voluntary activity
- Current organisations find it difficult to generate funding
- Problems with scope of representation by current amateur sector groups

Policy proposals

Representing amateur
fishers' interests

Creation of an Amateur Fishing Trust

- **Intermediate step toward a future structure to effectively represent amateur fishing interests**
- **Trust staff would work with existing organisations**
 - **act on their behalf when working with other sectors or MFish**
- **Promote development of new representation structure in discussion with current amateur organisations**
- **Perhaps fund projects – governance development, or research**

Policy proposals

Representing amateur
fishers' interests

Creation of an Amateur Fishing Trust...

- **Govt would provide funding for a limited period**
– eg 5 years minimum
- **Need to develop Trust deed and appoint Trustees**
- **Expected to be wound up when new structure takes over**