

# **REGULATORY IMPACT STATEMENT**

## **Introduction of a new Trawl Catch Effort Return for vessels 6m to 28m**

### **Executive summary**

Current regulations require those vessels 6m to 28m in length that trawl to report to the Ministry of Fisheries (MFish) an overview of their fishing activity on a Catch Effort Landing Return (CELR). In consultation with industry; and external researchers, MFish has identified the need to collect more detailed information on fishing activity in trawl fisheries.

The preferred option is to introduce a new form for these vessels that allows the collection of more detailed information on fishing events, vessel positions, and species. This information will be useful to scientists, fishers, fishery managers, and compliance to support accurate stock assessments and sustainable management of inshore fisheries. The preferred option will increase the reporting effort by fishers and increase data processing costs.

This Regulatory Impact Statement (RIS) has addressed all relevant aspects of the RIS requirements contained in Cabinet Office Circular CO (07) 3. Where a requirement has not been addressed it is considered to be not relevant to this proposal.

### **Adequacy statement**

This Regulatory Impact Statement has been reviewed by the MFish Regulatory Impact Analysis Review Committee and is considered adequate according to the criteria agreed by Cabinet.

### **Status quo and problem**

The Fisheries (Reporting) Regulations 2001 currently require vessels 28 metres and under in overall length to record fishing by trawling (bottom trawl - single, bottom trawl - pair, midwater trawl - single and mid-water trawl - pair) on Catch Effort Landing Returns (CELR).

The CELR is a multi-purpose form that is used to capture information from most methods of commercial fishing and has been used in the same format since it was introduced in 1989. The CELR is designed to be used with specific templates that are overlaid on to the form for different types of fishing. The CELR provides an overview of fishing activity (e.g. total number of shots/tows completed in a day) and allows fishers to provide start positions of fishing as a general statistical area or as latitudes and longitudes (in degrees and minutes). The vast majority of fishers provide statistical areas which are often very large in comparison to the localised spatial management requirements of the fisheries. The CELR provides space to record estimated catch for five species each day of fishing, however sometimes more than five species are caught in a day.

Inshore fisheries and fisheries management practices have evolved since the CELR was first introduced in 1989. In early 2006, the Fisheries Data Working Group (consisting of the MFish, fishing industry representatives, and scientists) identified the need to address information issues relating to the inshore trawl fleet. A form design project team, which included representatives from MFish; representatives from the fishing industry; and

researchers from the New Zealand Seafood Industry Council (SeaFIC) and the National Institute for Water and Atmospheric Research (NIWA), determined that ‘high resolution’ information was essential to support accurate stock assessments and sustainable management of inshore fisheries. “High resolution” information provides a detailed account of each fishing event (tow-by-tow) and the vessel position as latitudes and longitudes (in degrees and minutes). The project team also determined that it would be valuable to record catch estimates for up to eight species for each tow.

Because the CELR was designed to collect low resolution information, it was determined that a different form would be necessary to collect high resolution information within the inshore trawl fishery. MFish proposed four options (including the status quo) and recommended the introduction of a new trip-based form for vessels 6m to 28m in length to record fishing by trawling.

## **Objectives**

The National Fisheries Outcome is “the value New Zealanders obtain through the sustainable use of fisheries resources and protection of the aquatic environment is maximised”.

The relevant goal is “credible fisheries management”.

The relevant objective under this goal is collection of information to support sustainable management of inshore fisheries via forms that are simple and intuitive for fishers to complete.

## **Alternative options**

While similar to the preferred option, the introduction of a new daily form for vessels 6m to 28m in length was considered less effective in meeting the objectives than the preferred trip-based form option. The daily form option would have collected the desired high resolution information on a form that was easy for fishers to complete. It also had space to record catch for up to eight species for each tow. However, it would require fishers to complete a new form for each day of fishing even if they only completed a small number of tows. This would require fishers to fill in more forms on short trips than the preferred option. For this reason, the new daily form option was considered less desirable than the preferred new trip-based form option.

The remaining option would have required vessels 6m to 28m in length to complete a Trawl, Catch, Effort, Processing return (TCEPR). The TCEPR is an existing form that is currently required for trawling vessels larger than 28m. The TCEPR allows the collection of high resolution information. However, it only includes space to record catch information for up to five species and includes a processing section that is of little relevance to inshore trawling operations. For these reasons, this option was considered less desirable than the preferred new trip-based form option.

## **Preferred option**

The preferred option is the introduction of a new trip-based form. Under this option, a new trip-based form that collects high resolution information will be introduced. It has space to record up to eight species for each tow, allows fishers to record tows from multiple days on one form, and has been tested by fishers to ensure it is easy to complete. This is the preferred

option because it best meets the information needs of data users in a manner that minimises the burden on fishers as much as possible. Some benefits of the new trip-based form include:

- scientists will have an improved ability to examine factors affecting fish distributions and stock abundance
- fishers will have the ability to document their fishing history for use in spatial resource planning and allocation.
- will assist fisheries managers to develop/refine appropriate measures to manage the effects of fishing on the environment.
- compliance will have an improved ability to enforce spatial regulations.

The preferred option will increase effort required by fishers to complete forms. Because fishers will be required to complete information for each tow, rather than daily summaries, it is estimated that the effort required by fishers to complete the returns will increase by approximately 80%. Under the preferred option, fishers will need a navigational aid (e.g. Global Positioning System (GPS)) to determine latitudes and longitudes. The price of a GPS ranges from \$100-\$5000. MFish will implement a process whereby fishers who are unable to provide latitudes and longitudes can apply for dispensation from this reporting requirement. Because the amount of information (number of fields) collected will increase with the change to high resolution data under the preferred option, data processing costs will also increase.

The proposal will not make any existing rules redundant, although some consequential changes to reporting regulations will be necessary to take account of the revised situation.

### **Implementation and review**

The implementation of the preferred trip-based return will require amendments to the:

- Fisheries (Reporting) Regulations 2001
- Fisheries (Infringement Offences) Regulations 2001

The new return is proposed to come into effect on 1 October 2007. The introduction and management of commercial returns is administered by Commercial Fisheries Services Ltd (FishServe). FishServe will advise affected fishers of the amended reporting requirements relating to the preferred option and provide them with the new returns.

The information collected under the preferred option will be used in the management of New Zealand fishstocks. The value and usefulness of the information will be assessed and monitored through the MFish Fishery Assessment Working Group process.

### **Consultation**

The information fields and design of the new trip-based form were developed in consultation with a form design project team which included representatives from MFish; representatives from the fishing industry; and researchers from SeaFIC and the NIWA.

In late February, MFish consulted with stakeholders on the new form. Five submissions were received. They were all from the commercial sector and were generally supportive of the need to collect high-resolution information in the inshore fisheries, and of the preferred option. The submissions indicated the need to ensure that the final form design had been reviewed and tested by fishers.

Following consultation, the form was finalised through several rounds of user-testing with actual fishers to ensure it was intuitive and simple to complete.

Departmental consultation was also carried out with Ministry of Justice, Ministry for the Environment, Te Puni Kokiri, Ministry of Economic Development, the Treasury, and Department of Conservation. The Ministry of Fisheries supports this recommendation.