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**SUBMISSION ON CONSULTATION DOCUMENT ON FISHERIES RESEARCH SERVICES PROPOSED FOR 2004/05 AND 2004/08 STATEMENT OF INTENT INCLUDING OUTPUT PLAN FOR 2004/05**

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**Consultation document for Fisheries Services for 2004/05**

Thank you for the opportunity to provide feedback on the "Consultation Document for Fisheries Services proposed for 2004/05". This submission is made by The Northern Inshore Fisheries Company Limited (TNIFCL). TNIFCL represents the quota holders of inshore fishstocks in FMA 1 which includes the major Corporates, smaller companies, individual fishers and Te Ohu Kai Moana. It also incorporates the views of The Pagrus Auratus Company Ltd which represents the interests of quota holders for SNA1. The content of this document has been compiled through:

- Participation in a SeaFIC discussion meeting
- Attendance of the MFish Plenary on 4 February 2004
- Feedback from the Directors of TNIFCL, and
- Consideration of the submission prepared by SeaFIC on behalf of the commercial seafood industry.

**Part I – Statement of Intent**

In general we support the submission made by SeaFIC and restrict our comments here to six key issues that relate to TNIFCL. As a general comment we suggest that MFish re-evaluates and cross references with the strategic plan each output class and ensures that the results section contains clearly stated measurable outcomes required to support the transition to the new fisheries management regime.

**Direction**

TNIFCL endorse SeaFIC's concerns that MFish have lost the view of their purpose which is to enable fishing activities whilst ensuring sustainability. There is a perceived bias in the SOI towards environmental protection and the implicit assumption that the industry is automatically guilty of environmental harm. We would prefer an environmental approach that recognises the accommodation of fisheries utilisation as part of an ongoing dynamic environmental system and the need to balance conservation, sustainable use and

the social and economic benefits arising from utilisation of fishery resources. TNIFCL have previously raised their concern to the ad hoc approach been taken by Crown to management of the aquatic environment and the significant number of incomplete policy and statutory frameworks across a range of government departments. The SOI remains silent on the completion of some of these frameworks

### **Achievability**

At a high level the directions and goals of the SOI are clearly articulated. TNIFCL however have reservations that the goals can be achieved without more emphasis been given by MFish to the timely completion and consultation of key building blocks. TNIFCL are further concerned that the proposed timetable set for the transition to the new mode of operation is unachievable and should be revised to allow for good policy development and consultation and equally essential accommodation time for stakeholders to understand, adjust to and adopt the sequential and significant changes proposed.

### **Completion of the rights based framework**

In the inshore fisheries the absence of a rights based framework, particularly with respect to recreational fishers will be a significant barrier to the adoption and uptake of the proposed new directions of MFish. In the absence of the definition of rights and obligations, frameworks to exercise those rights, and cost recovery of the costs of managing and exercising those rights it is almost impossible for commercial and customary rights holders to exercise rights collectively with recreational users in an efficient and transparent manner, particularly for shared fisheries as shown in the TAR1 AMP process.. It is disappointing that the completion of the rights framework has not been elevated in importance in the SOI and furthermore not incorporated as a defined and measurable outcome of the relevant output class (11).

### **Fisheries Intervention Plan**

As discussed at the plenary there is considerable lack of certainty as to the nature of the Fisheries Intervention Plan (FIP) and therefore difficult to make an endorsement or otherwise. The rationale and overall purpose of the FIP is clear. What is absent is detail on the process, guidelines for priority setting and information as to whom sets the priorities. How will the requirements for stock strategies be integrated with the requirements for fish plans? TNIFCL suggest that a discussion document be released for consultation in the near future.

### **Completion of standards**

As performance and process standards are incomplete it is difficult to see how the move from the current situation to the new fisheries management approach can be achieved. TNIFCL has earlier proposed that MFish work through a pilot example so industry can understand better how these standards may be both derived and come into effect. It is of concern that Output 31 does not include completion of standards as a key measurable result (or other important frameworks for the new management approach).

## **Part II: Fisheries Research Services**

TNIFCL endorses the comments in the SeaFIC submission relating to the consultation process on research services. In addition TNIFCL wish to make a general statement regarding its overall dissatisfaction and concerns with the consultation process regarding research services. This relates to direct observation of the process in the inshore finfish, snapper, recreational, and aquatic environment research planning groups and subsequent attendance at the RCC and Plenary.

The current process appears to pay little if no lip service to the medium term research plans and is, with the exception of parts of the aquatic environment area, entirely driven by voluminous research ideas of varying degrees of relevance provided by research providers in the absence of clear priorities from MFish. In many working groups these ideas are presented for the first time at research planning meetings and are not circulated in advance of meetings. This has resulted in chaotic and highly unsatisfactory engagement with the consultation process. It is unclear how this process results in the optimum outcome for responsible fisheries management. TNIFCL submits that MFish need to be taking a more proactive role as responsible fisheries managers. Fishery Managers should:

- Clearly identify the problem definitions for responsible fishery management
- Prioritise those management needs
- Determine what questions are required to solve the problems
- Present the questions to the science working groups and explore how research could be designed to meet them
- Consider the range of options and the cost benefits of each option
- Determine how the data or research outcomes are to be used

The aquatic environment research planning group demonstrated this approach for seamount and seabird research by providing the analysis of the management needs and the research priorities derived from that analysis. It should be a model for future research planning group processes and/or determination of research requirements for MFish stock strategies.

Observer coverage is a significant component of the proposed research services. It is of deep concern and criticism that the discussions of required observer days, the coverage and data collection requirements (from a research perspective) are not covered at the research planning groups and were presented for the first time at the RCC. The consultation documents do not generally include the basis or rationale behind the derivation of the number of days. What is demonstrably absent is a clear definition of the research question posed and how the observer coverage has been designed to provide data (and what type of data) to address the question. It is simply not adequate to present a number of days in the absence of supporting data as to how those days have been derived.

The current process does not allow for industry to present its proposed coverage through industry observer and log book programmes to allow for rationalisation of observer days or any discussion of options e.g. shed sampling and log book programmes or to allow stakeholders to confirm that the observer coverage is designed to provide optimal outcomes for the collection of biological stock data. TNIFCL would like clarity that MFish are confident that the Observer Programme has the ability to deliver all the required observer days and what the strategy is for prioritisation of observer coverage if they do not have the capacity to deliver. We do not wish to be levied for a service that cannot be delivered.

TNIFCL and other members of the industry continue to be frustrated at the lack of clear boundary definition between MFish and DoC for research related to protected species and the poor progress between DoC and MFish to provide clarity on this matter. It is apparent that there had been no consultation with the Department of Conservation on their observer requirements for protected species at the time of release of the consultation document. The draft NPOA for seabirds proposed a joint DOC/MFish management approach to the interaction of protected species with fisheries and a single working group approach. This

was generally supported by all stakeholders as providing clarity and efficiency in prioritising Crown research needs in this area. TNIFCL would like to see this transformation before the next planning round.

TNIFCL support the inclusion of the cost recovery interpretation and indicative cost of the project. We suggest that it would be helpful for multiyear projects if the costs for each year were indicated. The research proposals as presented are inadequate in the view of TNIFCL in most cases in terms of the management issue to be addressed and the research required to meet the management issue and any discussions as to why the proposed research approach is the preferred option. The content for project description is often weak and badly articulated. There are instances of objectives for significant projects in excess of \$1.5 million dollars been covered in four sentences! This poses significant problems under the Agreement if future discussions with scientists result in significant changes of scope to projects.

TNIFCL believe that given the financial issues faced by the industry as a consequence of the high New Zealand dollar that it should consider the effect to the industry of the current proposed levy for the 04/05 year and the future viability of a fishing industry in New Zealand. Where there are significant projects that could be deferred for one year e.g SNA 1 tagging project then TNIFCL believe that these should be deferred and the fishery monitored through existing lower cost sampling projects.

### Comments on specific projects

#### *Estimation of snapper year class strength in SNA 1: SNA2004/02*

We believe that some of the costs of this project could be offset by using the observers covering the SNA 1 longline fishery for seabird interactions through CSP. This would optimise the use of the observers and allow for cost reductions in other areas. This needs to be evaluated when costing this project

#### *Biomass estimation for SNA 1: SNA2004/05*

We believe this project should be deferred for at least one year. This is a significant cost to the industry and we believe that until the analysis has been completed on the outcomes of the SNA 8 tagging project and the lessons learnt on the suitability of this approach for snapper and lessons learnt in project design and implementation that this project should not be initiated. TNIFCL have some concerns over the capacity of the research provider to accommodate the range of projects currently being proposed. We also specifically ask for it to be deferred to provide relief to industry in the current financial environment.

#### *Measurement of abundance of 0+ snapper in SNA8: SNA2004/06*

This approach to evaluating the 0+ abundance of fishstocks for biomass estimates is new for MFish. The value of the approach needs discussion in the technical working groups across a range of inshore fish species and discussion as to how 0+ age class has been used for stock assessment purposes in other parts of the world and a clear understanding gained of the merits or otherwise of such an approach for single and multiple species before this project should even be considered. TNIFCL would like to see it withdrawn from the 04/05 research plan.

#### *Stock assessment of stargazer in STA 7: STA2004/01*

TNIFCL support the concerns over the proposed overlap between AMP requirements and required fisheries services. It is an indication that MFish will require to develop policy that establishes the priorities between services for fish plans, stock strategies and AMPs for the future.

### *Non Commercial Fisheries*

There is an urgent and compelling need for the medium term research strategy for this working group to be fully and rigorously assessed. MFish and stakeholders have lost the way with regard to recreational diary surveys. The current ensemble of five proposed projects in addition to existing projects to address estimates of recreational catch shows a clear lack of focus and objectives in this area that range from spider hunting to straw grasping. It is an important issue for the management of fisheries and therefore the research needs to be placed in some form of strategic context rather than the current ad hoc approach. It would be worthwhile suspending these projects and focusing on the development of a clearer framework (including evaluation of options) to remove stakeholder frustration and set the working group back on a more even keel.

### *Fishery independent survey of paua in PAU2: PAU2004/03*

TNIFCL does not generally comment on areas under the remit of other CSOs. However it raises a point of principle regarding this project (and certain others) in that given MFish is fully aware that it has an annual planning process and the timing does not vary from year to year. In the spirit of good consultation we should not be seeing these and other projects introduced outside the research planning group process. TNIFCL would also like an explanation as to what policy drives the allocation of a recreational fishery only, given the Minister has to give consideration of allowing for the utilisation of fisheries for the social and beneficial benefits of all, which would include commercial and customary interests.

### *Characterisation of seabird captures: ENV2004/04*

We wish to refer to our earlier comments on the lack of resolution on boundary definition between DoC and MFish on protected species research. A similar programme of work is proposed under the Conservation Services Programme. Whilst it may differ slightly in some areas of source data surely it would be better to have a single integrated project than two overlapping projects. TNIFCL believe that caution should be used when using historical data to map future risk scenarios. The industry has made significant commitment to seabird bycatch in the very recent past which has resulted in significant decrease in bycatch in certain fisheries e.g. ling, and mid-water trawl. The cost recovery information does not state which protected species are to be examined and analysis of the risk from New Zealand fishing to those species. We assume that the default allocation of 50% cost for protected species research applies to all MFish projects which relate to protected species.

### *Modelling of impacts on fishing related mortality on New Zealand seabird populations: ENV 2004/05*

We have previously expressed concern over the lack of clarity on this project and uncertainty of the value of the outcomes. We submit that this project should be significantly reduced in scope to a pilot study of three seabirds only. On evaluation of the outcomes and lessons learnt from the pilot study through the working group progress we believe it should be possible to assess the appropriateness of this approach for management of the interaction of seabirds with commercial fisheries. We have requested that these species be identified but this information has not been forthcoming. It is unclear how the cost recovery rules can be applied in the absence of this information. This project should be withdrawn for more serious consideration.

### *Assessment of Maui's dolphin – fisheries interactions: ENV 2004/06*

We dispute the requirement for this project and the associated industry levy and again refer back to concern over boundary definition of the role between DoC and MFish on protected species research. The Minister when setting the levy order is required to consider the extent to which fisheries services are wholly purchased or provided by other persons. This proposal duplicates work specified under an existing DOC

plan for Maui's dolphin research (which suffers from poor consultation) and current work underway on surveying. Whilst we can sympathise with the dilemma faced by MFish in ensuring good information principles are followed for Maui dolphin-fisheries interactions we see the current situation as a failing of the Crown to develop a clear working position in relation to this sub-species. This project should be withdrawn.

*Characterisation of the kahawai fisheries: KAH2004/01*

TNIFCL recognize the importance of this fishstock. However we remain concerned about the value of any information from this project to inform management decision making in the complete absence of biological data. We strongly believe that this project should be dropped and consideration be given over the next year to a pragmatic and rational approach kahwai fishery assessment.

*Developing kingfish stock monitoring and assessment: KIN2004/01*

TNIFCL believe that this study should also include cost/benefit analysis of the various approaches and an indication of the required frequency of any such approach for large scale stock management. It further contends that with good preparedness, organisation and communication from MFish that this project could be replaced by a TWG workshop to explore and evaluate the options. This project should be withdrawn.

*Observer days*

For observer days if the discussions about design and data were more open then it should be possible to allocate observer days to the relevant QMAs for improved cost recovery.

Yours sincerely

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