

# **REGULATORY IMPACT STATEMENT**

## **New Management Measures for the Amateur Paua Fishery in Taranaki**

### **a. Executive Summary**

We have a discrete and sustainable fishery in a defined area of the South Taranaki coast where the adult paua do not grow to such a size that allows the harvesting at the national legal size of 125mm. The scientific surveys have shown that harvesting at a size limit of 85mm is sustainable. As the area is discrete this will allow ease of compliance.

The Ministry of Fisheries (MFish) proposes to:

- Implement a regional amateur minimum legal size (MLS) of 85mm shell length for the area between Awakino River and Wanganui River to enable recreational fishers gather paua;
- Implement an area limitation on possession of paua within an 'Amateur Taranaki Paua Fishery Area' to address compliance risk associated with a smaller regional MLS; and
- Reduce the amateur bag limit to five (5) paua per person for the Taranaki region to mitigate potential impacts of recreational fishing effort on localised paua populations and the customary fishery.

The proposed measures allow recreational fishers to use a highly valuable fisheries resource within the Taranaki region by setting an MLS that reflects the biological characteristics of the fishery.

### **b. Adequacy Statement**

This Regulatory Impact Statement has been approved by the MFish's Regulatory Impact Analysis Steering Committee and is considered adequate according to the criteria agreed by Cabinet.

### **c. Status Quo and Problem**

MFish manages the national amateur paua fishery using two principal tools - a MLS of 125mm shell length<sup>1</sup> and a daily bag limit of 10 paua per person.

The paua along the Taranaki coast attain a maximum size of about 90 - 100mm when measured in the shell. The stunted nature of the Taranaki paua fishery prevents the recreational sector from using a highly valuable fisheries resource. Presently, only those persons operating under customary fishing authorisations are entitled to take paua within this region.

Retaining the status quo will continue to cause a lack of recreational fishing within the Taranaki paua fishery as people gather paua less than the national MLS. There is a low level of compliance with the MLS as people caught in possession of undersized paua commonly exceed the daily bag limit (often considerably) given their disregard for the amateur MLS rule.

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<sup>1</sup> Shell length is measured as the greatest length of the shell in a straight line parallel to the ventral surface. A national MLS of 125 mm also applies to the commercial sector.

A smaller MLS in Taranaki creates additional enforcement risk at both a regional level (ie, PAU 2 fishery) and national level (i.e., New Zealand's other paua fisheries). MFish proposes to implement an innovative 'area limitation on possession' rule to mitigate this risk. This rule will require all recreational fishers taking paua from the Taranaki paua fishery to be in possession of that paua 'inside' an internal 'Amateur Taranaki Paua Fishery Area'.

#### **d. Objectives**

The key fisheries management outcome of this proposal is to enable recreational fishers to legally harvest paua within a defined area of Taranaki.

In general, the objectives that the proposal is measured against are:

- The sustainable utilisation of the resource;
- The value of the resource is maximised; and
- Management of the resource is credible.

This outcome is consistent with the Fisheries Act's purpose to provide for sustainable utilisation and enable people to provide for their social, economic, and cultural well-being.

#### **e. Alternative Option**

There is no alternative option other than the status quo.

#### **f. Preferred Option**

MFish proposes to set a new regional MLS of 85mm shell length for the Taranaki paua fishery. The proposed MLS rule will apply to a defined area between Awakino River and Wanganui River.

The proposed MLS rule is supported by an innovative 'area limitation on possession' rule to mitigate enforcement risk associated with differential MLSs. This rule will require recreational fishers collecting paua under the proposed rule to possess that paua within a defined land-based area within the Taranaki region.

MFish also proposes to reduce the amateur day bag limit from 10 paua per person to five (5) paua per person within the Taranaki region to address potential risk of renewed recreational fishing effort on localised paua populations and on the customary fishery.

The proposed changes are preferred because amateur fishers are unable to lawfully gather paua unless they have access to a customary authorisation. Additionally, the Taranaki paua fishery is subject to illegal fishing, as people regularly gather small paua (and often in excess of the daily bag limit) as a direct consequence of the failure of paua to attain the national MLS. The proposed management measures will enable recreational fishers to gather paua legally within the Taranaki region.

The main impacts of increased harvest levels are possible local depletion and customary access issues in areas where fishing is concentrated.

The proposed MLS rule could also impact on the integrity of the national MLS. MFish proposes to address this risk by requiring all recreational fishers taking Taranaki paua to be in possession of that paua 'inside' an internal 'Amateur Taranaki Paua Fishery Area'.

There is likely to be increased costs under the proposed measures through the need to increase public awareness and understanding of the new rules. Increased costs will arise through modification of existing compliance signage, as well as promotion of the new fishing rules using new posters, pamphlets, and advertising in the local media. These costs can be managed within MFish baselines.

#### **g. Implementation and Review**

The proposed management measures will come into effect on 1 October 2009.

MFish will develop an appropriate enforcement strategy to support the proposed measures. This strategy will include updating existing compliance signage, as well as developing new awareness and educational material such as pamphlets and media articles. MFish will also be working with representatives of the Taranaki recreational sector to investigate ways to better inform fishers about the proposed measures.

MFish also proposes to initiate new research on the Taranaki paua fishery within five years of implementation to evaluate the impact of the proposed measures on the Taranaki paua fishery. MFish will review the effectiveness of these measures once new information is available.

#### **h. Consultation**

MFish has previously discussed this issue with the Taranaki Fisheries Liaison Committee (involving representatives of the main Taranaki fishing clubs and organisations) and believes the proposed measures will be supported by the local recreational sector.

MFish has also discussed this matter with several Taranaki and Wanganui iwi. MFish is aware of the concerns likely to be raised by tangata whenua on the impacts of recreational fishing on the customary paua fishery and has endeavoured to address these concerns through the proposed management measures.