

22 JUL 2016

Ministry for Primary Industries
Manatū Ahu Matua



OIA16-0267

Graham Carter
C/- fyi.org.nz

Dear Graham Carter

OFFICIAL INFORMATION ACT REQUEST

I refer to your official information request on 1 June 2016 requesting the following:

A copy of the Memorandum of Understanding (MOU) agreed to by the Ministry for Primary Industries (MPI) and commercial fishing industry around the use of onboard camera monitoring systems across ten trawl vessels operating in the snapper 1 (SNA1) trawl fishery as detailed in Hon Nathan Guy's speech May 2014 to the New Zealand Federation of Commercial Fisherman's Conference.

The following information is attached and is released to you under the Official Information Act (OIA) 1982.

- Memorandum of Understanding between the Ministry for Primary Industries, SNA1 Commercial and the vessels owners in the SNA1 EM Programme.

Some of the information is withheld under section 9(2)(a) of the OIA to protect the privacy of natural persons.

Thank you for your enquiry.

Yours sincerely

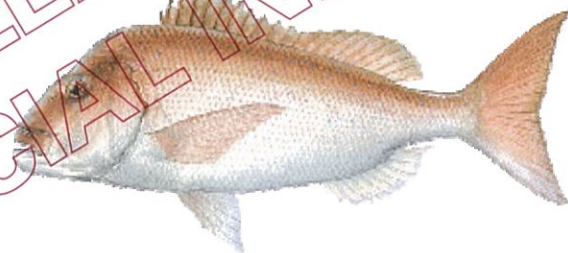
A handwritten signature in black ink, appearing to read 'Dave Turner'.

Dave Turner
Director Fisheries Management

Agreements

of Fishers, Quota Owners and LFRs in

Snapper | Commercial



November 2013

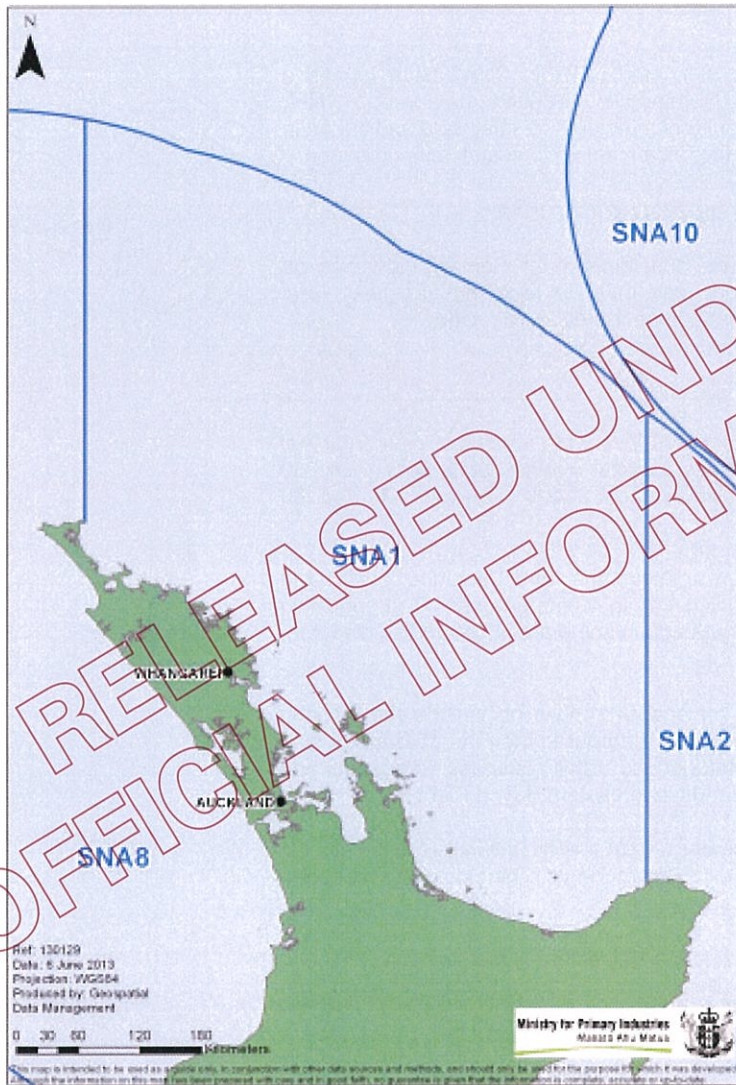
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It is intended that the SNA1 Agreements is an evolving document that will change over time as more information becomes available and our knowledge of the fisheries grows.

SNA1 Commercial

The SNA1 Fish Management Area



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Part 1: Introduction

Briefing paper The Snapper 1 (SNA1) fishery is the largest and most valuable inshore finfish fishery in New Zealand.

Commercial fishers, quota owners and LFRs in SNA1 have formed a working group called SNA1 Commercial. Working as a group SNA1 Commercial has agreed to a suite of measures to safeguard and enhance the snapper stocks as part of their commitment to sustainable utilisation.

These measures will improve the yield from the fishery.

SNA Commercial will work with the Ministry for Primary Industries on developing a joint SNA1 work plan that will feed into the next Total Allowable Catch (TAC) and management procedure review.

Background Snapper in SNA1 are able to thrive in a wide variety of environmental conditions occupying nearly every coastal marine habitat less than 200 meters deep (their highest abundance occurs between 15 and 60 meters).

Snapper spawn usually occurs in November and December, with large schools congregating and moving into spawning grounds. The spawning season may extend to January-March in some areas before fish disperse, often inshore to feeding grounds.

Areas likely to be important for snapper spawning include the Hauraki Gulf (Cradock Channel, Coromandel Harbour to the Firth of Thames, and between the Noises, Tiritiri Matangi and Kawau Islands), Rangaunui and Doubtless Bay, and Bay of Islands, and eastern Bay of Plenty).

The MPI SNA1 stock assessment (2013) identifies two biological stocks; east Northland and Hauraki Gulf - Bay of Plenty. The stocks are managed by one TAC.

There are significant benefits to be gained from rebuilding the fishery. Ministry for Primary Industries analysis suggests that maximum yield from SNA1 could be roughly 12,000 tonnes.

We've stepped up

During the Ministry for Primary Industries 2013 consultation process on the SNA1 Review of Sustainability and Management Controls a number of concerns from the public were expressed in the media about the impacts of commercial fishing.

In response SNA1 Commercial agreed to implement a suite of voluntary agreements to dispel and/or address these concerns and to obtain better information for management of the fishery.

We agreed

SNA Commercial signatories have agreed to:

- Use science to fish smarter
- Adopt a 'move on' rule when areas with a high percentage of small fish are encountered
- Record and report on all snapper caught sub Minimum Legal Size (< *MLS*)
- Install VMS across the SNA1 commercial fleet where catch exceeds 5 tonne a year
- Participate in a tagging programme to better estimate SNA1 stocks
- Share our knowledge with scientists and fisheries managers
- Support the investigation and practicality of electronic monitoring (*EM*) on vessels to address specific management objectives
- Positively contribute to the development of a long term SNA1 management plan.

Our Objectives

The objectives of the voluntary agreement are to:

- Ensure that industry plays its part in assisting the SNA1 stocks to continue to improve
- Address public concerns about commercial fishing related to mortality of small fish (< *MLS*) and discarding
- Work collaboratively with the Ministry to verify the sustainability of the SNA1 commercial catch
- Verify that commercial fishers catching more than 5 tonne of snapper per year follow the practices agreed in the fisher initiatives (*this Agreement*)
- Ensure that more robust information is available on commercial effort and location of catch so that stock biomass can be more accurately assessed
- Bring forward a TAC (TACC) review.

Recording and reporting on voluntary initiatives

SNA1 Commercial agrees to:

- Establish the total commercial catch of SNA1 by recording and reporting on the volume of sub MLS snapper returned to the sea
 - Reduce juvenile mortality by adopting a Move-On rule, and to measure the effectiveness and fisher adherence to this rule
 - Record in fine scale the location of commercial fishing effort
 - Ensure that all vessels catching snapper follow the agreed practices for their type of fishing effort
 - Report on the individual companies and vessel compliance with the Agreement.
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Signatories

This Briefing Paper has been prepared by SNA1 Commercial, which is a regional coalition made up of the commercial fishers, fishing companies, quota owners, ACE holders and LFRs who catch or trade in more than 5 tonne of SNA1 each year.

The members of SNA1 Commercial are detailed in Appendix One collectively they represent:

- More than 96% of commercial SNA1 catch effort
 - 95% of commercial fishing vessels in FMA 1
 - All major fishing companies and processors in FMA 1
 - Six Licensed Fish Receivers (*LFRs*)
 - 90% of the SNA1 quota ownership
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Stewardship Fisheries Inshore New Zealand (*Fisheries Inshore*) will be asked to be the steward of this Agreement and to support the SNA1 Commercial regional group.

The Agreement will reside within the Fisheries Inshore Work Plan and will be delegated to SNA1 Commercial.

All parties to the Agreement commit to notify SNA Commercial if:

- They no longer have a commercial interest in the SNA1 fishery
- There is a gear change on their vessel
- There is a difficulty with abiding to the Agreement
- They become aware of non compliance by any party
- They become aware of new entrants in the fishery that will catch more than 5 tonne of SNA1 a year.

Notification of changes should be sent to:

Fisheries Inshore New Zealand

E-mail: SNA1commercial@inshore.co.nz

Confident

Private and commercially sensitive information will be kept in absolute confidence and managed by the Ministry via FishServe. Use of this information will be under strict protocol that are negotiated with SNA1 Commercial.

Any signatory to the Agreement can help participate in developing the protocol or request of it at any time.

Annual Reporting

SNA1 Commercial working with MPI (and FishServe) will report yearly to its members on the success of the voluntary agreements including the effectiveness of the rules to ascertain, and if necessary reduce, the volume of sub MLS snapper returned to the sea.

Part 2: Responsibilities of Parties

Commitment The signatories expect all parties to the industry initiatives to adhere to the Agreement.

Non compliance will be followed up by an independent representative, agreed to and appointed by SNA1 Commercial.

Quota owners' obligations

Quota owners shall:

- Ensure that any lessee of their quota (or buyer of ACE) is made aware of the Agreement
- Require that any lessee who is not already party to the Agreement, to sign up to it.

Refer to Appendix 2 for a clause recognising the Agreement that quota owners can use and insert into their new ACE contracts.

Vessel owners' obligations

All vessel owners and vessel managers shall:

- Be aware of and actively support the provisions in the Agreement
 - Ensure that their vessel officers and crews are aware of and act in accordance with the Agreement.
 - Where possible ensure that a copy of the Agreement is kept on the bridge of all FMA 1 vessels that catch in excess of 5 tonnes a year of SNA1.
 - Take responsibility for corrective action should vessel officers or crew fail to observe the requirements of the Agreement.
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Skippers' obligations

All skippers shall ensure that:

- Their vessel adheres to the provisions of the Agreement.
 - Their crew cooperate with any observer's monitoring compliance (human or electronic).
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Fisheries Inshore obligations

Fisheries Inshore New Zealand agrees to:

- Keep SNA1 Commercial informed of any national issues that may effect the Agreement, including discussions occurring in the MPI science working group (Northern Inshore)
- Host the Agreement within its Annual Work Plan

Part 3: Industry Agreement (*the rules*)

It is agreed The industry Agreement is supported by rules.

These rules apply to all vessels that are annually catching more than 5 tonne of snapper in SNA1 during the fishing year.

There are six rules.

- **Rule One** – Reporting on the volume of sub MLS SNA1 returned to the sea
 - **Rule Two** – Move on
 - **Rule Three** – Danish seine sets recorded
 - **Rule Four** – Human Observers
 - **Rule Five** – Electronic Observers
 - **Rule Six** – VMS
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The Rules - all vessels catching 5+ tonne of SNA1

Rule One

Monitoring volume of small snapper returned to the sea

Every skipper of a vessel that is expecting to catch more than 5 tonne of SNA1 over the length of the fishing year will report on the volume of sub MLS snapper (<25cm) returned to the sea by tow, set or shot.

Small fish are defined as fish smaller than 25cm fork length.



Avoid small fish by moving on

The skipper shall estimate the volume of small fish as a kilo volume and record this using the code xxx on their catch return form.

- Use code xxxx

Note: This means that the small, sub MLS SNA1 fish, are likely to appear in either the top 5 / top 8 species list.

Rule Two

Avoid small fish by Moving-on

Skippers shall avoid fishing areas that are likely to hold predominantly small, sub MLS snapper. That is, snapper < 25cm in fork length.

In every haul, shot or set if:

- A Snapper is less than 10% of your total catch NO ACTION is required
- B Snapper is more than 10% of your total catch and 15% is under MLS MOVE-ON

Any vessel that Moves-on for all subsequent lines for that trip.

- Shall be more than 1nm from all parts of the line where the small fish were encountered, or
- Action a depth change of at least 10 metres along all points of the line.

Skippers are encouraged to convey information about areas where there are high numbers of small fish to other vessels

Rule Three

Danish Seiners

Danish seiners shall record on their catch return form the latitude and longitude of every set.

Rule Four

Monitoring Human

Vessels operating under this Agreement are asked to carry independent third party observers when requested by the Ministry.

If this would cause operational difficulties this can be discussed with MPI including the possibility of achieving coverage by using electronic monitoring (*EM*) equipment.

Please advise SNA1 Commercial if your vessel is unable to carry a human observer.

Rule Four

EM cameras

Vessels are encouraged to carry EM video cameras if requested by the Ministry as part of their electronic monitoring programme.

One of the aims of EM is to provide a cost efficient way to verify catch, the volume of <MLS snapper returned to the sea and the application of the Move- on rule.

The EM GPS system could also document whether the skipper activated the move on rule appropriately if the catch of small snapper exceeds the threshold.

Rule Five

Vessel Monitoring Systems

Within six months of SNA1 Commercial reaching agreement with the Ministry about the specifications for a suitable Vessel Monitoring System (VMS) to be used, all vessels managers will have installed VMS on their vessels that comply with those specifications, where EM does not provide a suitable alternative tracking system.

Within 12 months the whole fleet will be fitted.

Part 4: Monitoring Requirements

Monitoring of Fleet

SNA1 Commercial working with MPI (and FishServe) will monitor the fleet against this Agreement by:

In March and September each fishing year all participating vessels will be monitored for compliance with the Agreement.

Each vessel operator that is a signatory to this Agreement shall give an agreed and authorised person working on behalf of SNA1 Commercial and MPI the right to download the relevant information (VMS, CELR information and returns to the sea of sub MLS) about their vessel from FishServe data base.

In November each year a working group representing all SNA1 Commercial signatories and MPI will be convened so that the Agreement can be reported on, discussed and if necessary amended.

Part 5: Appendix

Appendix One

This Briefing Paper has been prepared by SNA1 Commercial, which is a regional coalition made up of the commercial fishers, fishing companies, quota owners, ACE holders and LFRs who catch or trade in more than 5 tonne of SNA1 each year.

The members of SNA1 Commercial are:

Commercial fishers:

s9(2)(a)		

Fishing Companies:

s9(2)(a)		

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Licensed Fish Receivers

s9(2)(a)		

SNA1 Quota owners

s9(2)(a)		

Appendix Two

Suggested wording for inserting into ACE contracts:

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