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## SUBMISSION ON DRAFT FISHERIES INDUSTRY TRANSFORMATION PLAN

### INTRODUCTION

1. This is a submission on the Draft Fisheries Industry Transformation Plan (ITP) prepared by the Leadership Group.
2. The Environmental Defence Society (EDS) is an independent not-for-profit organisation conducting interdisciplinary policy research and litigation. It was established in 1971 with the purpose of improving environmental outcomes in Aotearoa New Zealand.
3. EDS has a special interest in the marine environment and recently completed the first phase of a multi-year project looking at options for future reform of the oceans management system. This included, among other things, fisheries management.<sup>1</sup> In 2018, EDS led an in-depth review of the national fisheries management system and published findings in a report entitled *Voices from the Sea: Managing New Zealand's Fisheries*.<sup>2</sup> It has also sought to improve fisheries decision-making by submitting on proposals to set sustainability measures for the management of various wild fish stocks.<sup>3</sup>
4. The ITP identifies, as one of the priority areas for action, “strengthening environmental performance”. This is positive as, in EDS’s view, the environmental performance of the fishing industry needs significant improvement. The areas that are then identified for action in the ITP, which we submit on below, include:
  - a. Fishing with care and precision to support healthy ecosystems

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<sup>1</sup> Greg Severinsen and others *The Breaking Wave: Oceans Reform in Aotearoa New Zealand* (EDS, Auckland, June 2022) available from [www.eds.org.nz](http://www.eds.org.nz)

<sup>2</sup> Raewyn Peart *Voices from the Sea: Managing New Zealand's Fisheries* (EDS, Auckland, 2018) available from [www.eds.org.nz](http://www.eds.org.nz)

<sup>3</sup> Copies of EDS’s recent submissions on a range of wild fish stocks are available from [www.eds.org.nz](http://www.eds.org.nz)

- b. Utilising data to fish selectively and with least effort
- c. Reducing carbon footprint and improving resilience to climate change

#### **FISHING WITH CARE AND PRECISION TO SUPPORT HEALTHY ECOSYSTEMS**

- 5. The first action underneath this heading (1.1.1 on page 6) focuses on setting up a joint industry/government project to source and develop technology that “minimises adverse impact on the ocean floor to the maximum extent practicable”. It is not clear what “minimise” or “practicable” would mean in practice and therefore when a certain technology would meet the required standard.
- 6. **The proposal to source and develop new technology is supported, but it needs to “avoid” adverse effects on the ocean floor, not just “minimise” them, thereby applying a clear environmental bottom line and standard for performance.**
- 7. A second limb of this action (1.1.2 on page 6) is to review regulatory settings and operations to “identify and mitigate regulatory barriers to fishing innovation”. EDS supports the review of regulatory settings, but the focus should not just be on addressing regulatory barriers but also on addressing regulatory gaps. The biggest regulatory gap in this area is the lack of restriction on the use of bottom trawl gear (with the ITP stating that this method is used to catch 68% of all catch).
- 8. **Regulation is required to incentivise the development and adoption of less environmentally-damaging fishing gear through providing for a phase out period for bottom trawling (of, say 10 years) before the method can no longer legally be used.** This would provide both an incentive, and fixed time-frame, for the industry to develop and adopt alternative methods. Without such a regulatory incentive, it seems very unlikely that the industry will make sufficient investment to shift away from bottom trawling, given its historical and current record of relying heavily on this method.
- 9. A further action identified under this heading is to incentivise and facilitate fast adoption of proven efficient and environmentally sustainable fishing gear and methods by fishers (para 1.2 on page 6). Further explanation on page 33 indicates that this is intended to take the form of an advisory service for fishers. This sentiment is supported. **However, it needs to be made clear, that even if a method is not efficient, if it is environmentally sustainable, it should be adopted. In addition, as stated above, “incentivise and facilitate” should contemplate the use of regulation along with support to achieve the desired result.**
- 10. The final action in the section refers to investigating opportunities to apply new methods of habitat restoration and enhancement such as sea ranching, artificial upwelling, and seagrass and kelp restoration. EDS submits that such interventionist approaches should only be used as a last resort, and only after traditional approaches, such as establishing marine protected areas have been exhausted. The most effective known way to restore habitat, such as kelp forests is through excluding fishing activity through the establishment of marine reserves. **This action needs to refer to creating additional marine protected areas to achieve habitat restoration and enhancement in the first instance, before any resort is made to interventionist methods.**

#### **UTILISING DATA TO FISH SELECTIVELY AND WITH LEAST EFFORT**

- 11. The actions under this heading focus on the better use of marine and fisheries data and models to support fishers in avoiding unwanted catch and maximising target catch with the least effort. It refers to addressing barriers to the regular and timely release and sharing of data and using

data to better manage effects on the aquatic environment along with helping fishers to better target their efforts. These actions are supported. **As a matter of principle, all fisheries data should be publicly released in a timely manner, unless there are exceptional circumstances warranting withholding it.**

12. EDS submits that Fisheries NZ should adopt the practice of the Icelandic Directorate of Fisheries which uses its computerised catch registration system to collect, store, process and disseminate information on the catches of all Icelandic fishing vessels. The information is posted on the Directorate website and updated every 6 hours. This means that members of the public can monitor the precise quota status of each species and the performance of individual fishing vessels and related fishing companies in close to real time.<sup>4</sup> **Fisheries NZ should be aiming for a similar transparent reporting system.**

#### **REDUCING CARBON FOOTPRINT AND IMPROVING RESILIENCE TO CLIMATE CHANGE**

13. This set of actions refers to decarbonising the fishing sector including establishing an industry benchmarking tool. This is supported. **However, it needs to refer to reducing the impacts of bottom trawling on carbon emissions, both in terms of the high amounts of energy required to drag heavy gear over the seabed, and in releasing carbon as a result of disturbing seabed sediments.**

#### **CONCLUSION**

14. Overall, EDS welcomes the initiative to develop the ITP. However the document needs to be much more ambitious and transformational when it comes to addressing the most significant environmental impact of fishing which is the use of bottom trawl fishing gear. This environmentally-destructive method needs to be phased out through regulation alongside the voluntary methods proposed.

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<sup>4</sup> See The Icelandic Directorate of Fisheries – Responsibilities and main tasks, page 10, at [https://assets.ctfassets.net/8k0h54kbe6bj/61DX8kbEJSkqrzSgFSczms/82e79973fd525595bd68bdcbbffaca398/The\\_Directorate\\_of\\_Fisheries\\_-\\_Brochure\\_in\\_English.pdf](https://assets.ctfassets.net/8k0h54kbe6bj/61DX8kbEJSkqrzSgFSczms/82e79973fd525595bd68bdcbbffaca398/The_Directorate_of_Fisheries_-_Brochure_in_English.pdf)