

The Recreational Fishing Alliance of NSW

Promoting Sustainable Fishing



12 August 2020

The Hon. Adam Marshall MP
Minister for Agriculture and Western New South Wales
GPO Box 5341
SYDNEY NSW 2001

Dear Minister,

Re: Stock Assessment of Kingfish

The Recreational Fishing Alliance (RFA) thanks you for answering recent correspondence on the Southern Fish Trawl, Data Protection and Cultural Fishing. As you have recommended, the RFA will now follow up with the DPI staff you have nominated, and if necessary, come back to you for more advice.

One matter that has recently raised our concern is the limited public consultation and available information with regard to Stock Assessment of Kingfish in NSW. Recently an email was sent to what we have concluded is a select group of DPI-nominated Kingfish experts.

The RFA has seen a copy of a survey that NSW DPI Fisheries has been circulating to help determine a Yellowtail Kingfish Stock Assessment in NSW during 2020. The RFA has spoken to a few of those select anglers and has come to the conclusion that the survey is deeply flawed.

The RFA urgently proposes an alternative public process that involves a proper expert panel, involving clearly identified “experts” in the stock assessment process, and defined objectives and processes. Publicly-available reporting would be a positive contribution. Agreed research outcomes with agreed deliverables are also needed to achieve the long-term science and accurate data collection. Even in these challenging times, establishing working groups over Zoom should be a very inexpensive and relatively easy task.

The information Fisheries is looking for can only come from good, long-term science and accurate data collection. DPI has not done this for a long time; it can't do a proper stock assessment unless it has good data. That assessment cannot initially be based on a secret survey sent to a few compliant fishers who can fill it with whatever first comes to mind.

The RFA knows there are serious issues with the management of Kingfish, not least of all the minimum size at first maturity of 75 cm. The Minister must provide a more robust and better management pathway of this important resource if he is to win back the confidence of the state's recreational fishers, especially following on from the flawed Mulloway Recovery Plan which has failed dismally to achieve its stated and agreed research outcomes.

This survey is a flawed attempt to obtain some information about the status of Kingfish stock, where it is obvious that DPI has not done their stock assessment homework. It is clear that either:

- The scientists and managers do not have the necessary data for proper Kingfish stock assessment or,
- This is a very cynical exercise in “industry consultation” to bolster a management decision already made; or both.

The RFA suspects suspect the former, as the attempt to concoct a catch history for the fishery, the mention of fishing effort and the recognition of the need for standardization of Catch Per Unit Effort (CPEU) through calibration of technological advances imply an attempt to estimate the parameters needed for a stock assessment. Nothing in this survey provides any confidence that the information sought will assist or improve that process in any meaningful way.

As the survey has only been sent to selected people “who have been identified as having considerable experience with the Yellowtail Kingfish fishery” the results will certainly be biased and useless for the stated purpose “to help assessment scientists in setting input parameters to the assessment that are as accurate as possible”. The “input parameters” to be determined are not stated, nor is the list of selected survey participants given. The selection criteria for participants are also not provided so there is no way of knowing which way the biases will be inclined.

The survey rightly identifies two of the most important inputs to an assessment process as being total catch and catch rates. But this survey seeks guesswork and hearsay and will not provide any information that will allow these inputs to be defined more precisely.

The survey quite improperly provides a fabricated history of landings by sector, then asks participants to provide their recollections—this is known in legal terms as “leading the witness”. It is well known that commercial landings estimates up until the mid-1990s were based on unverified and unvalidated monthly catch returns which provided erroneous and misleading commercial catch statistics. The hindcasting methodology used to estimate recreational catch prior to 2001 is deeply flawed as there were no reliable estimates of recreational marine fishing effort available for that period and no way that any effort estimates could be meaningfully attributed to particular species such as Kingfish. This is particularly significant as the status of Kingfish changed from a sport-only fish to a sought-after food species over that time, and that changed recreational targeting practices. There can therefore be no reliance placed on the estimates of either commercial or recreational catches used to underpin this survey and to prejudice the survey responses.

Overall, the questions posed are poorly framed and incapable of providing any useful information.

Question 2, which asks “Roughly how many years have you fished for Kingfish?” presumably intends to ask “Roughly how many years have you targeted kingfish”—but it doesn’t. The distinction is significant in attempting to interpret catch rates and CPUE.

Given the flawed catch history graphs provided beforehand, Question 3 must be seen an ingenuous and leading question.

Question 4 asks whether the catch history reconstruction is reasonable. The Department’s scientists are paid to produce as accurate statistics as possible, capable of scrutiny by peer review. Asking a

select and secret group of presumably laymen fishers whether their best scientific effort is “reasonable” is surely a joke. It would seem they are begging the answers “No” and “Scrap it”.

Question 5 is also a leading question. It is well known that the introduction of floating Kingfish traps led to such an increase in commercial catch that they were banned. To confound that confected increase in total landings (see above) in the question with a possible increase in offshore trailer boat fishing is wrong and misleading. A question about increased offshore trailer boat fishing and increased targeting of Kingfish might have been reasonable.

Question 6 about whether the harvest ratios “seem likely” has the same failings as question 4. The RFA does not believe stock assessments should be based on whether some anonymous group of fishers selected by some secret process reckon the concocted data is “reasonable” or “likely”.

Question 6 can only provide hearsay and will result in a biased answer. The only people who have solid information about black marketing are those who were involved in it, or were part of the law enforcement against it. The former are unlikely to reveal the magnitude or its “significance” and the latter will seek to downplay and minimize its significance to minimize their failure to control or prevent the process.

Question 7 implies that the Department’s scientists and managers have no understanding of the changes to the Act and Regulations under which the extensive suite of management changes to the fishery have been applied. Nor have they read the relevant files which detail these changes. Determining “how much” the major changes have affected an individual’s recreational harvest, given the dynamic seasonal and annual changes in natural abundance, would require an unprecedented knowledge of the interacting forces of nature. This is a deeply naïve question.

Question 8 asks whether fishing technology has improved over time. Surely responses to this question are not going to be somehow used to improve the “input parameters” for stock assessment. If this is so, how?

The same criticism goes to Question 9, re “what percentage do you think it has improved the ability to catch Kingfish”. Trying to put a number on the improvement by pulling one out of the air won’t improve the stock assessment.

Question 10 shows the ineptitude or intent of the survey designers. The survey quite improperly prompts with suggestions to influence the answer. Again, the request for estimates of change in harvest can only provide guestimates.

The Supplementary Questions don’t go any further in providing useful information that could be useful in refining a stock assessment.

No information or questions have been included that seek the views that recreational fishers have a choice to practice catch and release fishing, or even assessing those released and tagged fish as value adding to the overall Kingfish spawning biomass and added successful recruitment, either for one year or exponentially for those fish that reach breeding age, then exponentially for each of their successful spawning.

It also seems the Kingfish statistics on recreational catch are extrapolated from Fisheries and Recreational Fishing Trust-funded recreational surveys, and they seem to be comparing these with supposed factual landed/recorded commercial catch figures—with no understanding of the discards and mortality from commercial methods or possible instances of high grading.

There is also nothing mentioned about the illegal catch nor indigenous catch/effort/landings, and these should be included; but this survey appears to be some form of recreational assessment looking at the very-highly-successful recreational catch end, not the average.

The RFA is urgently proposing an alternative public process that involves a properly-convened expert panel, with clearly identified “experts” in the stock assessment process and defined objectives and processes. Publicly-available reporting would be a positive contribution. Agreed research outcomes with agreed deliverables and funding commitments are also needed to get the long-term science and accurate data collection that is needed.

We ask that you review the current process and possibly instruct DPI to commence a public consultation/ education phase to review the Stock Assessment process and allow ample time and sufficient background information to remove any doubt that the process is privileged and controlled by DPI. If the government gets it wrong with Kingfish, then subsequent harvest strategies that are planned for Mulloway, Snapper, Salmon, Bream and Flathead will also fail.

Yours faithfully,

Stan Konstantaras

A handwritten signature in black ink, appearing to read 'S. Konstantaras'.

President
Recreational Fishing Alliance of NSW