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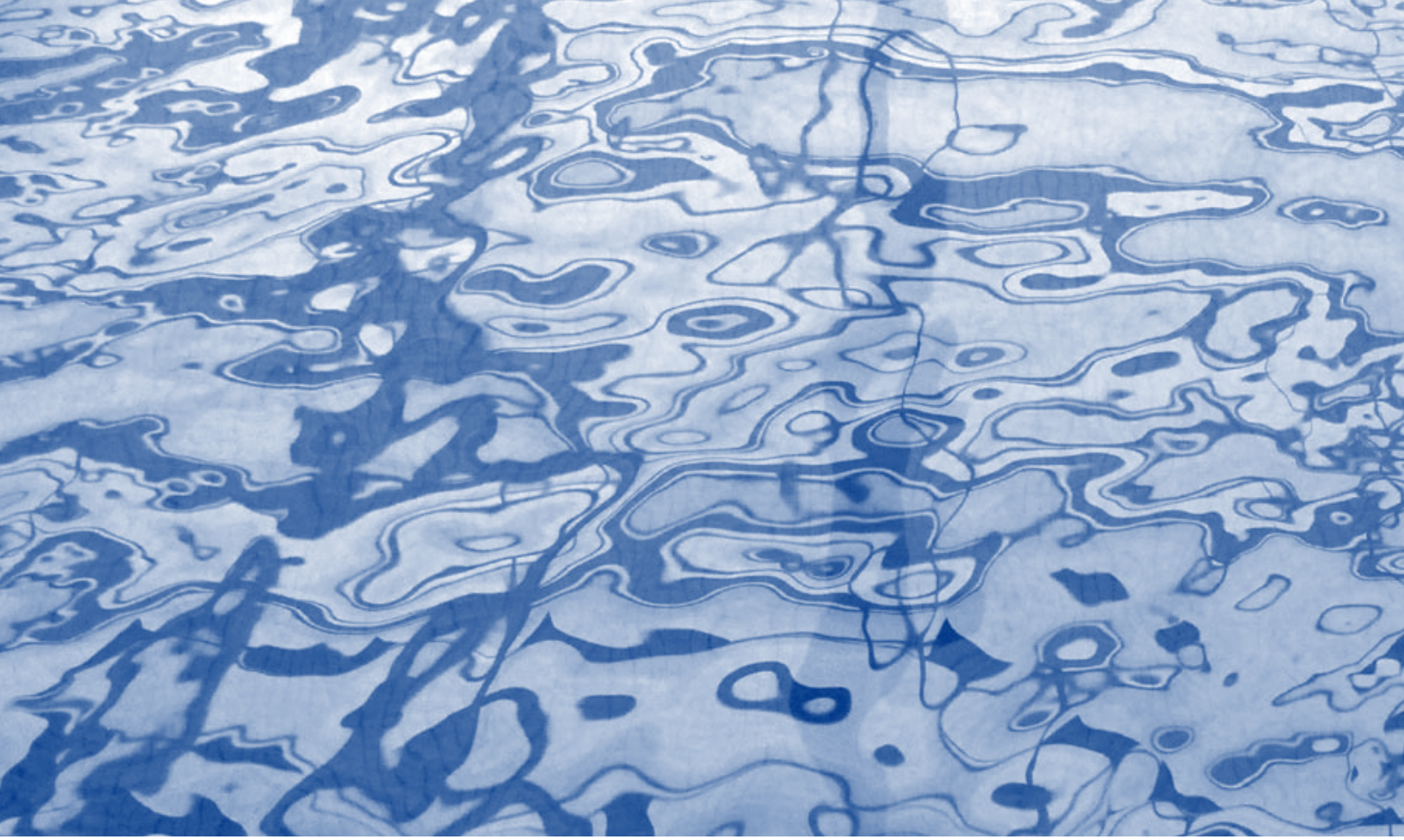

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Keith Ingram, New Zealand Recreational Fishing Council. and
Paul Barnes, 18 Styca Place, Glen Eden, Auckland, NZ.
keith@skipper.co.nz; kites@ihug.co.nz

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The importance of maintaining public access to healthy recreational fisheries

New Zealand's quota management system is a mechanism designed for managing commercial fisheries at or above maximum sustainable yield. Some consider it the best system in the world today. As far as encouraging investment, and managing purely commercial fisheries, that may well be the case. However, I am here today to talk about the hidden costs of the New Zealand model, the mistakes, and the promises made to recreational fishers, which have been broken in order to get the quota management system implemented.

Did you know that around one million New Zealanders fish for food or fun? That's a quarter of the population! You would think these folk would be pretty important, wouldn't you! If they fish seven times a year, that is seven million days of healthy outdoor recreational activity for an otherwise increasingly obese and sedentary population. Imagine that, real activity, voluntarily undertaken, and well away from the coronary artery blocking alternative of sitting in front of a computer, or television screen while gorging on fast food. It is a fact that many troublesome youths often excuse drug taking, vandalism, and other wayward behaviour with the all too familiar excuses "I was bored, there's nothing to do".

If parents teach kids to fish, it gives them much more than just something to do. It's character building. When they catch a decent fish they enjoy a real boost to their self-esteem. Family relationships and communication are strengthened when that fish, provided by them, is cleaned, cooked, eaten, and the catching of it talked about. Most likely the parents of some of these teenagers are sitting in front of me now. Do you have teenagers? I ask you to think about what you would rather have them doing?

In New Zealand, recreational fishers catch around twenty thousand tonnes of fish per annum. The families and friends of the successful anglers eat this catch. The best thing about eating that fish is what is not in it. There are no foreign antibiotics, hormones, preservatives, artificial colours or flavours; it is

completely unprocessed and unadulterated. Indeed a rare treat in this "ready-to-eat-in-two-minutes" world.

Then there are the benefits of what is in it. Omega 3 and other essential oils and vitamins. One only has to look at the life span and low incidence of heart disease in populations that eat lots of fish. The Japanese and Eskimos are two other cultures that come to mind.

A recent research paper showed a diet deficient in omega 3 contributes to various disorders. These include difficulty in concentrating, ADHD and similar ailments. A random sampling of students showed a definite trend, those with low levels of omega 3 were failing at school, and more prone to behavioural problems.

In addition to the health and social benefits, the infrastructure required to support one million recreational fishers, undertaking around seven million fishing trips is immense. Think of the charter boats, accommodation, service stations, ice and bait. And let's not forget the manufacturing sector, the boats, rods, chandlery, tackle suppliers and lure makers to name a few. This in turn, means many people are directly or indirectly employed in servicing recreational fishers. To put it into context, the wealth generated by only twenty thousand tonnes of recreationally caught fish is thought to be almost one billion dollars per annum, according to an outdated estimate from the 1990's

On the other hand, the value generated by the total wild catch of commercial fishers is slightly over one billion dollars. The difference is that the fishing industry has to catch over five hundred thousand tonnes of fish per annum to achieve their figure.

So, just using these rough estimates, recreationally caught fish are likely to be around twenty times more valuable than commercially caught fish. This is not including the savings in health and social expenditure created by a robust and healthy recreational fishery. Undeniably, recreational fishing makes a significant contribution to the economy of New Zealand and to the wellbeing of its people. It is an important part of our culture.

I'll admit, I have made some very broad assumptions to describe my point. However, I am in a room full of experts who are far more capable of accurately determining the true value of recreational fishing than I. What I cannot understand, is why fisheries managers and economists, like yourselves, so often fail to assess and give due weight to these values.

Our quota management system is often promoted as a world leading fisheries management regime. If this is true, then why do we still have such limited knowledge of the true value of recreational fishing? And, why do we still

have a paucity of information regarding their catches? How can fisheries be allocated fairly without first answering the two questions I have just asked? The answer is obvious, they can't! My point is, just because you cannot quantify something, does not mean it does not exist, or that you should ignore it. It is of particular concern to my organisation that no credible attempt was made to quantify the real values associated with recreational fishing before the quota management system was implemented.

Fisheries ministers can only make decisions based on the documents and advice they are provided.

It should be obvious to all here, that to omit, or underestimate, vital information on the importance of recreational fisheries can only lead to questionable allocation decisions, deficient stock management strategies and poor planning decisions. Unfortunately, that is precisely the situation we find ourselves in. The New Zealand fisheries assessment processes are dominated by fishing industry scientists who seem determined that not one single fish should ever die of old age.

Due to fishing industry pressure, and backed by credible economic argument about the value of commercial fishing, we soon have fisheries that are run on the knife edge of maximum sustainable yield simply to appease commercial fishers, and based purely on their economic arguments.

The dearth of information relating to the value of recreational fishing almost guarantees that preference is given to commercial fishers when management decisions are made. Our inequitable system lacks balance and credibility. This is why many of our important shared fisheries are still being overfished twenty years after the implementation of the quota management system. Some of these fisheries are still only at half the level required to produce the maximum sustainable yield while others have commercial quotas set so high they have never constrained commercial catch and, they are never likely to.

We also have other serious issues to address. I am talking about commercial quotas regularly being exceeded…. quotas which have been inflated by external agencies, like the Quota Appeal Authority and never reduced back to sustainable levels. Things like commercial dumping or other illegal activities …. deeming systems which allow commercial fishers to consistently exceed their quotas.

A major cause of conflict between commercial and recreational fishers in New Zealand is that, even when the evidence clearly points to the actual cause of declining fish stocks, our ministry fails to address these issues fairly. Regardless of who has caused the problems in the fisheries, our ministry have a stated preference for cutting the catches by the same proportion. The result is that recreational fishers are often punished for the excesses of the

fishing industry. Recreational catch is cut because commercial fishers have overfished.

Every time our ministry has attempted to address the allocation issue, one of their objectives has been to reduce conflict between commercial and recreational fishers. Yet in reality, it is often the ministry itself that causes the conflict. Commercial fishers simply do what the ministry allows them to do. Our ministry is adamant that neither commercial nor recreational fishers have preference in our fisheries. It is clear to us that this is not true, commercial fishers have indeed been given preference, and for far too long.

Some of you might be aware that my council, is currently taking the New Zealand Minister of Fisheries to court over recent allocation decisions. To resource this action we had to go cap in hand, begging on the streets for public donations. My council believes public confidence in the quota management system is increasingly being undermined by poor allocation decisions. The high level of public support for our court case is a clear example of the widespread lack of faith in the management regime.

Maori have a long history of dependence on seafood to fulfil their spiritual, cultural and traditional needs. Many Maori families still depend upon the sea as a source of food. Mr. Sonny Tau, chairman of Ngapuhi, New Zealand's largest tribe, said: "The Minister of Fisheries has done an excellent job of fooling us into thinking that our rights to fish for food have been catered for under the customary fisheries regulations. This is as far from the truth as one can get, the fact of the matter is, ministry have created, in law, three categories of fishers. Customary fishers, recreational fishers and commercial fishers. Customary fishers are those who collect seafood for a hui, tangi or an occasion of significance for the marae. When we fish to feed our babies, we are categorised as recreational fishers. Therefore 99% of the time Ngapuhi go fishing, we are fishing under the amateur fishing regulations. This is why Ngapuhi have filed an affidavit in support of the legal action taken by recreational fishers."

Broken promises - Moyle's vision shattered

Colin Moyle was the Minister of Fisheries responsible for the introduction of the quota management system in 1986. He had the foresight to see that giving private property rights to commercial fishers in shared fisheries would cause a serious imbalance. Commercial fishing interests, with their new, clearly defined and powerful property rights, would obviously have the most say. However, Moyle decided to proceed with the quota management system because many of our inshore fisheries were so depleted by excessive commercial fishing that something had to be done, urgently. In order to bring balance to the equation, Colin Moyle developed the National Policy for Marine Recreational Fisheries.

I quote Moyle from the 1989 policy he released to my council: "The cornerstone of the policy is presented in the first national objective: To ensure recreational users have access to a reasonable share of fishery resources, government's position is clear. Where a species of fish is not sufficiently abundant to support both commercial and non-commercial fishing, preference will be given to non-commercial fishing. This position reflects government's resolve to ensure all New Zealanders can enjoy and benefit from our fisheries. New Zealand is now recognised as a world leader in commercial fisheries management. This policy ensures we are at the forefront of recreational fisheries policy as well."

We believed in the promise of preference this policy contained. The government has clearly reneged on their commitment to recreational fishers. Now they even deny it was their policy.

So how do we move forward?

Our Ministry of Fisheries has made several attempts at resolving the allocation issue with recreational fishers. All have failed. Six years ago our ministry stated their main objectives were to cap the recreational catch and avoid compensation issues for the Crown.

Quite a different approach was taken with commercial fishers. The government compensated them more than one hundred and twenty million dollars to reduce commercial fishing to sustainable levels.

Settling Maori fisheries claims cost more than twice this amount.

Recreational fishers still cannot understand how the ministry expected to resolve the outstanding recreational allocation issues with no resources. Unless of course, they intended to simply fit us into the leftovers of a poorly implemented quota management system.

To date, there has been no proper process to determine a fair allocation model for shared fisheries. A new process is currently underway. Unless the ministry have changed their objectives, from simply capping the recreational catch and avoiding compensation issues for the Crown, there is little chance of resolution. An opportunity to better realise the social, cultural and economic values of having a healthy recreational fishery will be lost.

If you are recommending the quota management system for your fisheries, do not make the same mistakes we have made in New Zealand.

We have learnt that recreational fishing and commercial fishing are very different. Proportional allocations or shares between competing sectors will inevitably lead to recreational catch becoming subservient to - and subsumed – by commercial interests.

It has become obvious that recreational interests need some form of special protection. Moyle's promise recognised this and it was a grave error to ignore the wisdom contained in it. Currently, we are exploring Moyle's promise and other measures to achieve some form of protection for recreational interests. Our council is adamant, Moyles promise is the blue print for managing shared fisheries and we are determined to have it or something very similar introduced into statute.

A recent concept is to manage shared fisheries above or significantly above the level required to produce the maximum sustainable yield. Our council has yet to investigate or make a decision on whether this alone would be enough. However it would at least ensure recreational access to fisheries is preserved.

One thing is certain, the longer you leave allocation issues unresolved, the more difficult, and expensive, they will be to fix. The hidden costs to society, if fisheries are not allocated fairly, are not only economic. Culturally the population suffers through reduced access to a healthy fishery, lifestyle, diet and recreation.

In conclusion, the New Zealand experiment is a perfect example of how not to implement a quota management system. Failure to take into account all the values associated with recreational fishing can only lead to a poorer society. Mistakes and broken promises have been a reality for recreational fishers in New Zealand. I urge you not to follow our example. The real costs of mistakes are borne by the people of the country. The very people, who often depend on our fisheries to feed their families. Why can't they buy it from the fishmonger, you ask? Simply put they cannot afford the inflated prices being asked. The QMS has more than doubled the price of fish available to the public.

As the sun sets on this day, lets us all make sure that with the new dawning we will ensure the people retain the right to fish for food or fun..

Supporting background information

These notes are to give an explanation to detail as to why New Zealand recreational anglers hold the Moyle promise so dear and naturally feel aggrieved that the promise has never been honoured. For without the blue paper detailing the proposed New Zealand National Policy for Recreational Marine Fishers and the subsequent Moyle promise in 1989, the people of New Zealand would never have supported the introduction and implementation of the quota management system and its tradable rights. Rights that have eroded the public's share both in access and quantum in the subsequent years.

While the term recreational is used to describe non-commercial fishers, most anglers who go fishing are primarily fishing to feed their families. Granted there are some who fish for fun and more who acknowledge the pleasure of relaxing as an important part of the fishing day's activities. I see myself as a recreational sustenance fisher who does not normally go out to play with my food. I take only what we can eat. Apart from the gut nothing is wasted. In this case I am no different to most New Zealanders.

So why is it so important to New Zealanders?

New Zealand is an island nation. Nowhere are you further than 150 km from the coast. A two-hour drive at most. New Zealand is multi-cultural. We have many new, New Zealanders from the Pacific Islands, Asia and the Middle East who have adopted the Kiwi way of life. The right to fish for food or fun is as important to these new immigrants as it is to fifth generation Kiwis.

Did you know that 1.4 million New Zealanders fish for food or fun? A third of the population! You would think these folk would be pretty important.

You would have heard during the Sharing the Fish 06 conference of the many fisheries management initiatives that have been trialled and used in

New Zealand - some good and some not so good and some a quiet failure. You may not hear about these.

Our Fisheries Act 1996 is an act for managing commercial fisheries. Some tout it as the best system in the world today, and yet it is failing the very people it should be protecting - the New Zealand public. It would be fair to say that most amateur fishers in New Zealand still enjoy the opportunity to fish for food or fun. Yes, there remain many who primarily fish for fun, and others who fish for food. Yet few give any thought to just how much of the public's share of our wild marine fishery we have lost and continue to lose, even though we have this large fisheries act to protect us.

Many anglers believe that as New Zealanders, we have a birthright that stems from the beginning of time, and believe our rights are enshrined in the Magna Carta, an international document protecting peoples' rights. Some say we have the Treaty of Waitangi, and still there are more who are blissfully unaware of just what are our rights to our marine fisheries, and just how much we the public have lost in both access and quantity. Yes, the belief that we had the above rights is basically correct. The operative word is "had", because over the years successive governments and ministers of Fisheries have in part enacted legislation and rules that have eroded many of the rights we all thought we enjoyed.

Sure, some of the old hands will remember the 1960s and 1970s, while our grandfathers can still distantly recall the days before the effects of uncontrolled commercial fishing, when getting a feed of fish was easy with the size and quality being what dreams are made of today. Yes, there was waste as the chooks and the garden received its share of the catch. But it was not the destructive commercial waste we witnessed during the late 1960s through the 1970s as our virgin fish stocks were fished down to such a low level that even responsible commercial fishers were forced to acknowledge that it could not last.

This led to the introduction of the New Zealand quota management system as we know it today. The system, while still flawed, is better than what we had, and is now one recognised as being better than most international fisheries management systems. However, the negative result in allocating catch entitlement in the form of a tradeable quota gave commercial operators a property right. A property right in the form of a tradable catch entitlement, which saw most of the quota sold from the small fishermen to the corporate companies in less than a decade. Today we have a situation where nine companies effectively control 90 percent of the quota in most finfish species.

It's worth remembering that this all happened without public consultation in the late 1970s to early 80s, and it was not until 1985, just prior to the

1986 date of implementation that the public found out. The New Zealand Recreational Fishing Council, though still a youngster, raised the public alarm. The ministry was quick to react and developed the draft national policy for marine recreational fishing. The blue paper!

The blue paper was an excellent document for which the ministry authors should be commended. The paper recognised the importance the public placed on its right to fish for food or fun. It acknowledged that licensing of non-commercial fishers was an inappropriate management tool. And it gave the commitment that "the present rights of non-commercial users to fish in any waters will be maintained".

To achieve this goal it developed ten national objectives:

1. Ensure that recreational users have access to an adequate share of fishery resources.
2. Ensure that the recreational catch is shared equitably among recreational users.
3. Improve wherever possible the quality of recreational fishing.
4. Reduce conflict between commercial and non-commercial fishing.
5. Improve participation by recreational users in managing recreational fishing.
6. Improve public awareness and knowledge of the marine environment and the need for conservation of fisheries resources.
7. Improve management of recreational fishing.
8. Develop a comprehensive information base on recreational fishing.
9. Recognise and facilitate the potential contribution of marine resources to tourism, and
10. Recognise the dependence of some local communities on the sea as a source of food in managing both commercial and non-commercial fisheries.

All excellent stuff, you might say. Ten key points that will act as a benchmark, as we progress into this new quota management regime. This policy was consulted on, and with very little change in June 1989 the government released its national policy, with the then Minister of Fisheries, the Hon Colin Moyle, giving the government's commitment in what is now known as the Moyle promise: "The cornerstone of the policy is presented in the first national objective: to ensure that recreational users have access to a reasonable share of fisheries resources. The government's position is clear - where a species of fish is not sufficiently abundant to support both commercial and non-commercial fishing, preference will be given to non-commercial fishing. This position reflects the government's resolve to ensure all New Zealanders can enjoy and benefit from our fisheries".

The public felt secure in the knowledge that the Crown was going to ensure that the public's right to fish for food and fun remained secure. Not only did we have the policy, we also had the personal commitment from the Minister of Fisheries that when a species became insufficiently abundant, preference would be given to non-commercial fishing. The Moyle promise inferred that the public share would remain secure, a share that would have to cater for a growing population, a share that saw no cap.

So what went wrong? With such a fine start, why after 20 years do recreational fishing leaders have to still remind the government of its promise? And why are we still fighting to resolve the public's access and allocation in keeping with the national policy? Some say the problem is that this policy was a hollow government promise. It has never been enacted upon nor repealed by any administration. And yet it remains the one document that maintains peace among the fishing public, the gentle giant as they patiently wait for action.

"Let's get rid of it then" has been suggested in the corridors of power, and then the quiet realisation sinks in that to do so would awaken the sleeping giant. Better let sleeping dogs lie.

Meanwhile, Maori in New Zealand were aggrieved, and rightly so, as they were losing a right encapsulated in our Treaty of Waitangi. The Crown was taken to court in 1987 and Maori won. This led to the Treaty of Waitangi Settlement Act 1992, and the much spoken of Sealord deal, which compensated Maori for their loss and made them the single largest quota owner.

The customary regulations that followed were supposed to secure their customary rights. This was far from the truth. Maori have now realised that 99 percent of the time when they go fishing to feed their families they now do so under the amateur regulations, the same as the rest of New Zealanders. But there is a problem! Clearly the public's share is undefined, and the ability for most fishers to catch a reasonable feed remains on the wish list, because there is not enough fish left in the sea to go round.

On this point the people - Maori, Pakeha and our many new, New Zealanders from the Asia Pacific basin - are united. Even today the government tries its damndest to keep us divided. The Crown will speak with the treaty partner we are told, for you have no place in these discussions. Wrong again, the public representatives through recreational sector groups have opened discussions with a number of Iwi. These include Maori in the north with the largest tribe Te Runanga A Iwi O Ngapuhi. Ngapuhi members have opened their marae with a welcome and have encouraged open discussions on these maters. Ngapuhi leaders are the first to tell us that for 99 percent of the time when Ngapuhi people fish to feed their babies they now do so as recreational fishers. The problem is that

there is no longer enough fish to go round in near-shore waters - a growing problem that the Crown has failed to address, one of access and quantum. Leadership discussions with other tribes nationally have taken place and all are in support of the Ngapuhi stance. The sleeping dog stirs in his slumber.

But where is the danger, you may ask?

What is not fully understood is that while all this has been going on, any shortfall, overfishing or fish theft was collectively eroding the quantity and accessibility of fish stocks available to the public in our near-shore waters. So much so that the New Zealand Recreational Fishing Council, its affiliates and the public action group Option 4 have been raising their concerns with the Minister of Fisheries for some years.

Soundings, part of this process, gave rise to the birth of Option 4, but still our efforts failed, as the Ministry of Fisheries tried to lock the public into a proportional share. To many outside our country, proportional shares might sound fair to you, until you consider - when or what year do you set the benchmark in order to establish the size of the pie to be proportioned?

Do we go back to the 1960s?, which many say would be fair. Do we go to the 1980s, before the quota management system was introduced in 1986? Or do we accept what the industry suggests and look at today's pie?, which has already been heavily fished down and unfairly allocated.

Clearly, recreational fishers have had little control over their questionable share as poor science, commercial deeming or dumping and thievery all continue to contribute to eroding the public's share. The pie continues to shrink as we speak, as the burdening illegal catch takes a greater toll. For 20 years we have managed our fisheries on output controls. We would do well to learn from other nations who manage their fisheries with input controls, in other words, greater enforcement.

Whether the thieves are pseudo-amateurs, commercial or working under the guise of customary take, they are still fish thieves and should be treated as such. Control of the illegal catch can only assist in the rebuilding of our inshore fish stocks that we all strive for.

Has the recreational fishing sector contributed to rebuilding and managing our inshore fish stocks? Clearly the answer is yes, and in all areas. For the past 20 years the recreational sector has seen the introduction of minimum legal sizes, and have taken cuts in their daily bag entitlement. Many stocks have a higher minimum legal size than commercial. These measures have seen a significant reduction in the take home bags for recreational fishers.

Meanwhile, we note that large number of commercial fisheries remain unconstrained by the quota management system and the total allowable catch commercial catch, known as the TACC. This is of concern to us all, especially when these are shared fisheries. Clearly it is an example of the Crown over-allocating quota in 1986, and yet nothing has been done to drive down the TACC in these important fisheries.

Why has it taken so long?

To give credit, the ministry policy staff have been striving to resolve this problem for some years, to no avail. Always when the question of allocation comes and sharing the pie is discussed, and the subject of reallocation from commercial to recreational share to correct past wrongs is muted, any way forward stalls when past ministers have resisted the call for the Crown to pay compensation.

In February the Minister of Fisheries began talks with key recreational, customary and commercial groups about allocating shared fisheries. Minister Jim Anderton, continues the work. MFish staff are currently doing to improve New Zealand's management of shared fisheries, and it is hoped that this will help reduce conflict between the non-commercial and commercial sectors.

"The government wants to get better value from our shared fisheries. To manage fisheries for greater benefit, we need people working together, rather than against each other," says Anderton. "One of our biggest problems in shared fisheries is the allocation between the sector groups – i.e., how much of the catch each sector can take. Unfortunately, current fisheries legislation does not give us a robust framework for resolving allocation issues in shared fisheries" says Anderton. "This has led to a lot of uncertainty, which in turn can lead to conflict and tension between the sectors. Uncertainty produces a bad investment environment for industry" he says.

Important shared fisheries include snapper, rock lobster, paua, blue cod, kingfish and kahawai. How true, and he's right. While the minister needs to be acknowledged for this initiative to resolve long-outstanding public grievances, he will need to ensure that the public is adequately consulted, and that politicians don't shy away when the subject of reallocation and compensation is raised.

So how do we resolve these entrenched problems?

- Clearly there is not enough fish in our near-shore waters to go round at the current levels of extraction.
- The issues of spatial conflict must be recognised and addressed.
- Public consultation and recreational management groups, supported by sustainable funding, must be introduced.
- Implement a stronger compliance regime to drive down the level of illegal catch.
- Fish stocks of key importance must be moved to a level where they are managed above the biomass level that can produce the maximum sustainable yield, or above BMSY. More fish in the sea.
- The government must enact the National Policy for Marine Recreational Fishers and pass it into legislation.
- The Moyle preference promise must be acknowledged and included in statute.
- Implement a rebuilding strategy that will ensure that we see a 10-year rebuild in fish stocks of key public importance.
- Reduce the TACC on sustainable grounds in key fish stocks that clearly are not sustainable at current levels of extractions or will meet the rebuild strategy.
- Reduce the TACC of key fish stocks that were clearly over-allocated to commercial fishers and have shown no signs of rebuilding in the past 20 years.
- Pay compensation at market rates to commercial fishers for surrendering quota where a reallocation is required, and
- Pay compensation at a reduced or penalty rate where industry has not cooperated in shifting stock management of identified key shared fish stocks to above BMSY, necessitating the TACC to be cut for non-sustainable reasons to effect this principle.

The bottom line is that as the TAC goes down, the public allocation share must go up to compensate. If and when the TAC goes up, then and only then can the public's share of its allocation required to meet its growing needs go down. Think about it!

It's quite simple and will encourage the commercial industry to effect a rebuild.

In closing, if we do not speak out now and secure our public rights for future generations, we will be giving away our grandchildren's legacy. The government needs to show leadership now. Past wrongs must be righted. Strength and fortitude is called for. The ability for all New Zealanders to fish for food or fun, to fish from the sea to feed their families, must remain a birthright for all.

To introduce a property rights based fisheries management system without first determining the total quantum of available fish stocks and the prior needs of other legitimate non-commercial stakeholders, as was done in the New Zealand model is fraught with danger.

Equally to now expect the public to pay for what they already owned is not only unfair, it erodes the very basis of the community values we all live by. The public is being penalised further when expected to be capped into a proportional share and then pay a resource rentals to the commercial sector just to allow for a government encouraged population growth. In which case, clearly the government is not capable of acting as an independent agent of the community when managing the public resource for commercial cost effectiveness.

When allocating resources in shared fisheries the non-commercial rights of the people, both now and in the future must take priority over commercial returns.

To retrofit solutions is both time consuming and costly. In our situation the true cost is in the hundreds of millions of dollars. A cost that must be addressed or no satisfactory solution will be found.

Ignore the message at your peril. For the sleeping dog will awaken.