



Review of Sustainability Controls for the 2017 Fishing Year

Proposals to Alter Total Allowable Catch, Allowances, Total Allowable
Commercial Catch and Deemed Value Rates for Selected Fishstocks

Appendix 2: Summary of Submissions

August 2017

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From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: Paua daily take MO"s for Pau 3
Date: Monday, 26 June 2017 7:59:55 p.m.

Hi we have a property in Gore Bay and are regular paua gatherers. We feel that 6 per private gatherer per day is plenty.

The surf does a good job of controlling it. A fishery officer is essential, as the area is becoming more well known.

Ainsley Calcutt

Ainsley Calcutt

Sent from my iPhone

MPI Discussion Paper 2017/17

Re: Deemed Value Review Green-Lipped Mussel (GLM9)

I have been a mussel farmer for over 30 years and the spat supply from 90 mile beach is hugely important for the mussel industry.

The industry has been **recognised** by Government as a priority industry on the Business Growth Agenda for its real potential to help create a more productive and competitive economy with a light touch on the environment and through its Aquaculture Strategy Government has committed to enabling the industry to reach its sustainable potential. Continued unencumbered access to a sustainable harvest of mussel spat from GLM9 is essential for this potential to be realised.

Statement of Submission

I submit that the MPI Discussion Paper 2017/17 has been written in the absence of proper background and understanding of the unique character of the GLM9 fishery or the special context within which it was brought into the QMS¹. I submit that the Deemed Value Guidelines do not properly apply to GLM9 and that there is a case for special consideration by the Minister.

Furthermore I submit that in order to maintain the integrity of the QMS any consideration of deemed value should be made within the terms of the unique agreement and context with which they were written

Background – the Strategic Importance of the GLM9 Fishery for Aquaculture

GLM9 is of strategic importance to the New Zealand mussel industry as it is the source of the majority of the industry's spat and therefore supports the majority of its export earnings. In a number of growing regions mussel farmers are effectively limited to using GLM9 by biosecurity conditions that preclude other major spat sources.

In areas where mussel farmers are able to utilise spat from several regions, accessing GLM9 along with other spat types ensures availability of harvest condition mussels for most of the year. This is because spat sourced from different regions fattens at different times of the year. This in turn enables the industry to support year-round employment in regional New Zealand.

The GLM9 fishery is unique. The availability of spat on beach cast seaweed at 90-Mile Beach arises from the intersection of a variety of biological and physical factors. Because a number of these factors are temporally variable, strandings of GLM9 spat, while they generally occur within a known season, are largely episodic².

¹ Primary Production Committee (2004). *Fisheries Amendment Bill (No 3) 109-1*. Report of the Primary Production Committee

² Alfaro, Andrea (2001). *Ecological Dynamics of the Green-lipped Mussel, Perna canaliculus, at Ninety Mile Beach, Northern New Zealand*. University of Auckland Doctoral Thesis.

Furthermore GLM9 spat can be seeded onto farms and held until needed, before being moved into the final grow out cycle. This provides growers with a natural means of smoothing variability in the availability of spat. As a result, growers need access to GLM9 spat whenever it is available and as such its management within the QMS was not intended to constrain this access.

The New Zealand aquaculture industry has a growth goal of \$1 billion in sales by 2025. Some of this growth is anticipated through innovation, productivity, efficiencies, new products, new markets and new species. However a good proportion of this growth is also anticipated through increasing mussel production and continued access to a proportional increase in spat supply is imperative.

There are no recognised sustainability issues associated with GLM9 as its harvest on beach-cast seaweed has no impact on further recruitment of the adult mussel population. This is because both spat and seaweed originate from south of Ahipara and drift northwards along 90 Mile Beach and then with the prevailing currents around North Cape.

This drift spat does not cycle back into the adult population, south of Ahipara. AQNZ has corresponding research available if MPI does not currently have that to hand.

Background – a Unique Fishery in the QMS

The Ministry of Fisheries brought GLM9 into the QMS in 2004 ‘despite there being no pressing sustainability concerns with the fishery’ in order to ‘provide for efficient utilisation and future development’³. Its introduction enabled repeal of one of the few remaining provisions of the Fisheries Act 1983 (the spat catching permit regime) while continuing to provide for the aquaculture industry’s future needs.

It was recognised at the time that the fishery was unique and its introduction into the QMS ‘required innovation given the particular characteristics of the fishery’. The Minister took the advice of the fishers and the mussel industry regarding the TACC level and recognised that ‘those with an interest in the fishery are in the best position to know what catch level will provide for the most efficient use of the resource.’ The TACC at that time was set ‘to meet the expected demand for juvenile mussels over the next five years’ (ie to 2009).

Importantly the fishery was brought into the QMS as a s14, schedule 3 stock, in recognition that the purpose of the Act would be better achieved by setting an alternative TACC rather than to Maximum Sustainable Yield. This was in the context of knowledge and research that sustainability of the fishery was not a concern.

Please refer to the explanatory note when this was listed as a schedule 3 stock that reads (which lists stocks that are managed with an alternative total allowable catch)

Another important innovation at introduction was setting a low deemed value for GLM9 in order to enable ‘non-quota owners to gain access to the fishery and provide competition to quota holders. This added competition makes it more difficult for quota holders to artificially inflate the price of juvenile mussels and it would encourage quota holders to act collectively to achieve efficiencies so they remain competitive. A low deemed value helps address the concerns of some mussel farmers that the QMS could lead to quota being aggregated and GLM9 quota holders acting anti-competitively.’

A challenge for the introduction of GLM9 was ‘how to measure and report juvenile mussels when they are harvested attached to seaweed’. ‘The Ministry overcame this problem by requiring all fishers

³ Workman, Martin (2004); *Moving to Rights Based Management: Green-Lipped Mussel Case Study*. IIFET 2004 Japan Proceedings.

harvesting seaweed on 90 Mile Beach to report their catch using a set ratio for converting the weight of the material landed into the weight of the juvenile mussels and seaweed. This was based on the 'best estimate of the fishers' at the time, at 50%. The back ground to this was over the preceding 10 years the ratio was cyclic and had varied greatly between 10% and 90% it was agreed that from a management perspective the unit of measure be permanently set at 50% this allowed us to progress with the setting and management of the TACC level and deemed value rate. Over the last few years we have been going through a period of low ratios of mussels to seaweed however changing this ratio now will be problematic in the future when we return to a period of high ratios of mussels to seaweed

Request for Review of MPI Discussion Paper 2017/17

I request a withdrawal of section 6.1 of the MPI Discussion Paper 2017/17 as it was written in the absence of the context provided above. A number of assumptions within the GLM9 section are of particular relevance and concern:

'Landings have been variable but in recent years has increased to exceed the TACC with commercial fishers paying deemed values as a result'. This statement does not recognise the principle at introduction of providing a low deemed value to enable non-quota holders to gain access to the fishery in order to ensure secure and consistent supply of spat across the whole of the Greenshell mussel industry. It also does not recognise that fishers were still paying deemed values even when the TACC was not exceeded which further demonstrates the need to enable continued access through low deemed values regardless of the TACC.

1. 'However, fishers have chosen to land GLM9 mussels and spat in excess of ACE holdings, suggesting that the current deemed value settings, in relation to the reported port price, do not accurately reflect the value of the fishery to industry'. This statement also does not recognise the unique settings in which GLM9 was introduced to the QMS where MPI were mandated to manage this stock by way of varying the TACC and specifically agreed not to increase the deemed value rate.

2. 'No change to the TAC or TACC for GLM 9 is proposed for the 2017/18 fishing year, but ongoing intentional harvest of GLM 9 in excess of the TACC and available ACE could lead to sustainability risks in the long-term'. This statement, and others, are significant in their failure to understand the of the fishery or its introduction into the QMS. As stated above, there are no sustainability issues, risks, vulnerabilities or otherwise that are recognised or sought to be addressed through the QMS and management was never required or intended to constrain access to the Greenshell mussel industry's vital source of spat.

The Discussion Paper makes reference to the MPI Deemed Value Guidelines (2012) which are framed to manage 'most stocks', 'low value stocks' and 'highly vulnerable stocks'. They were not written with the unique GLM9 fishery in mind but do note that there are certain circumstances where it may be appropriate to depart from the principles and that MPI will outline these to the Minister on a case-by-case basis. I submit that GLM9 is such a circumstance and that the proposal should be reviewed in the context of the background provided above.

Summary

In summary I request that MPI;

1. Withdraw section 6.1 of the Discussion Paper 2017/17 as it does not adequately reflect the GLM9 fishery in the context of the QMS.

2. Reduce the deemed value rate back to the level it set to at introduction to the

QMS

3. Increase the TACC by the 11% that we over fished last year.

This would bring MPI back into line with what they are mandated to do and be a considered and responsible interpretation of the law as it stands.

This would keep the industry on a firm footing now and on into the future with MPI only having to adjust the TACC occasionally.

Yours sincerely,

Allan Tester

Aquaculture New Zealand Submission to:

MPI Discussion Paper 2017/17

Re: Deemed Value Review Green-Lipped Mussel (GLM9)

7 July 2017

Introduction

Aquaculture New Zealand (AQNZ) represents the interests of the aquaculture sector in New Zealand. This sector has significant export earnings in excess of \$400 million (total revenues in excess of \$500m) and a growth strategy with a goal of reaching \$1 billion per year in sales by 2025. The New Zealand Greenshell mussel industry makes up around 70% of that value and AQNZ's responsibilities include representing the specific interests of New Zealand's mussel farmers.

The Greenshell mussel industry directly employs more than 2,000 people primarily in regional communities, and Maori investment makes up a significant proportion of the current industry as well as its future potential, creating both cultural and economic benefits for Aotearoa. The indirect economic benefits to regional New Zealand are numerous.

The industry has been recognised by Government as a priority industry on the Business Growth Agenda for its real potential to help create a more productive and competitive economy with a light touch on the environment. Through its Aquaculture Strategy, Government has committed to enabling the industry to reach its sustainable potential. Continued unencumbered access to a sustainable harvest of mussel spat from GLM9 is essential for this potential to be realised.

This submission is lodged on behalf of the Greenshell mussel industry as the industry that relies on the unencumbered availability of GLM9 spat. It is not intended to be read as a submission from quota holders although some AQNZ shareholders do own quota. It is also not intended to undermine the QMS, rather to ensure the ongoing sustainable utilisation of the fishery for the industry.

Statement of Submission

AQNZ submits that there are no recognised sustainability issues relating to the GLM9 fishery and that the MPI Discussion Paper 2017/17 inaccurately reflects that there are. In fact, instead of being over-fished GLM9 is currently over-reported due to the inaccuracy of the current 50% spat/seaweed ratio.

AQNZ submits that it is more appropriate to:

- Consider the new research on the spat to seaweed ratio and then carry out a consultation on reviewing this ratio as appropriate under s188A
- Consider the TACC in light of the lack of sustainability issues and the ongoing and increasing need for spat to sustain and grow the Greenshell mussel

- industry into the future.
- Then, as appropriate, consider the best deemed value.

Background – the Strategic Importance of the GLM9 Fishery for Aquaculture

GLM9 is of strategic importance to the New Zealand Greenshell mussel industry as it is the source of the majority of the industry's spat and therefore supports the majority of its export earnings. In a number of growing regions mussel farmers are effectively limited to using GLM9 spat by biosecurity conditions that preclude other major spat sources.

In areas where mussel farmers are able to utilise spat from several regions, accessing GLM9 along with other spat types ensures availability of harvest-condition mussels for most of the year. This is because spat sourced from different regions fattens at different times of the year. This in turn enables the industry to support year-round employment in regional New Zealand.

The GLM9 fishery is unique. The availability of spat on beach cast seaweed at 90-Mile Beach arises from the intersection of a variety of biological and physical factors. Because a number of these factors are temporally variable, strandings of GLM9 spat, while they generally occur within a known season, are largely episodic¹.

Furthermore, GLM9 spat can be seeded onto farms and held until needed, before being moved into the final grow-out cycle. This provides growers with a natural means of smoothing variability in the availability of spat. As a result, growers need access to GLM9 spat whenever it is available and as such its management within the QMS was not intended to constrain this access.

As outlined above, the New Zealand aquaculture industry has a growth goal of \$1 billion in sales by 2025. Some of this growth is anticipated through innovation, productivity, efficiencies, new products, new markets and new species. However, a good proportion of this growth is also anticipated through increasing mussel production and continued access to a proportional increase in spat supply is imperative.

There are no recognised sustainability issues associated with GLM9 as its harvest on beach-cast seaweed has no impact on further recruitment of the adult mussel population. This is because both spat and seaweed originate from south of Ahipara and drift northwards along 90 Mile Beach and then with the prevailing currents around North Cape. This drift spat does not cycle back into the adult population, south of Ahipara. AQNZ has corresponding research available if MPI does not currently have that to hand.

¹ Alfaro, Andrea (2001). *Ecological Dynamics of the Green-lipped Mussel, Perna canaliculus, at Ninety Mile Beach, Northern New Zealand*. University of Auckland Doctoral Thesis.

Background – No GLM9 Sustainability Issues

The Ministry of Fisheries brought GLM9 into the QMS in 2004 *‘despite there being no pressing sustainability concerns with the fishery’* in order to *‘provide for efficient utilisation and future development’*². Importantly it was brought into the QMS as a s14, schedule 3 stock, in recognition that the purpose of the Act would be better achieved by setting an alternative TACC, rather than one solely dedicated to Maximum Sustainable Yield as for most other stocks. This was in the context of knowledge and research that sustainability of the fishery was not a concern. As outlined in the discussion document, for the past two years the TACC has been ‘overcaught’ (at its current spat/seaweed reporting ratio). There is no rationale to retain the TACC at a level that will limit access to spat for the mussel industry as there are no known sustainability concerns. Therefore, it is appropriate that the TACC be reviewed in this context.

A challenge for the introduction of GLM9 was *‘how to measure and report juvenile mussels when they are harvested attached to seaweed’*. The Ministry overcame this problem by requiring all fishers harvesting seaweed on 90 Mile Beach to report their catch using a set ratio for converting the weight of the material landed into the weight of the juvenile mussels and seaweed. This was based on the *‘best estimate of the fishers’* at the time, at 50%. However, AQNZ is aware that subsequent research is now available to MPI which should prompt a review of that ratio, and that the Fisheries Act s188A supports a setting of the ratio in consultation with appropriate bodies and persons. AQNZ submits that that a spat/seaweed review and consultation should be carried out prior to any further consideration of deemed value.

Request for Review of MPI Discussion Paper 2017/17

AQNZ requests a withdrawal of section 6.1 of the MPI Discussion Paper 2017/17 as it was written in the absence of the context provided above. A number of assumptions within the GLM9 section are of particular relevance and concern:

1. *‘No change to the TAC or TACC for GLM 9 is proposed for the 2017/18 fishing year, but ongoing intentional harvest of GLM 9 in excess of the TACC and available ACE could lead to sustainability risks in the long-term’.*

This statement, and others, are significant in their failure to understand the context of the fishery or its introduction into the QMS. As stated above, there are no sustainability issues, risks, vulnerabilities or otherwise that are recognised or sought to be addressed through the QMS and management was never required or intended to constrain access to the Greenshell mussel industry’s vital source of spat.

2. Furthermore, it is premature to make assumptions about the level of catch against the TACC without an appropriate review of the spat ratio. It may be that the total catch is currently only around half of the current TACC, in which case the deemed value would require further review as any test under

² Workman, Martin (2004); *Moving to Rights Based Management: Green-Lipped Mussel Case Study*. IIFET 2004 Japan Proceedings.

s75(2)(b)(v) would be quite different. It is logical then in light of new '*best available information*' that a s188A spat ratio review be carried out prior to setting any new deemed value.

AQNZ can provide more information and background as necessary to assist MPI in the review.

Summary

In summary AQNZ requests that MPI;

1. Withdraw section 6.1 of the Discussion Paper 2017/17 as it is premature to consider the GLM9 deemed value prior to a review of the spat ratio and the TACC
2. Conduct a review then consultation of the spat ratio under s188A
3. Consider a review of the TACC
4. Then reconsider the deemed value as appropriate in this up to date context.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Rebecca Clarkson', with a stylized, flowing script.

Rebecca Clarkson
Environment Manager

3rd July 2017

Review of Earthquake-affected Fisheries 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011.

To whom it may concern,

Submission RE **Review of Earthquake-affected Fisheries 2017.**

Proposed further closure for Kaikōura and Cape Campbell earthquake-affected fisheries

Barbara Burkhart agrees with MPI positions upon reviewing the emergency closure within the Kaikoura and Cape Campbell Areas.

Barbara Burkhart **supports Option 2 of the management Action plan that being to —**

Replace the emergency closure with a closure under section 11 of the Fisheries Act 1996.

Barbara Burkhart also supports MPI using available resources and methods to attempt to enhance the concept of the Social Responsibility Recreational and other stakeholder user's groups could contribute to the long-term sustainability of the Fisheries Assets everyone shares; especially around this area and until the science supports any further changes.

Kind Regards

Barbara Burkhart

s 9(2)(a)

Email your feedback on the proposed changes by 5pm on 7 July 2017 to FMSubmissions@mpi.govt.nz

From: s 9(2)
To: [FMSubmissions](#)
Subject: Review BNS3
Date: Friday, 23 June 2017 2:19:41 p.m.

We support MPI's opinion that option 3 for TACC allowances & deemed values, is the only choice to keep the rebuild of bluenose on track. Thanks, Bill.

From: s 9(2)
To: [FMSubmissions](#)
Subject: Paua 3 & 7
Date: Friday, 23 June 2017 3:18:15 p.m.

We believe that we have to be cautious because there are so many unknowns at the moment.

With all the displaced effort, due to the effects of the quakes, option 2 (or bigger reduction), is needed. Commercial can be managed by quota, but rec. take needs to be managed by a temporary daily bag reduction, as lowering the TAC for rec's., does not change what the individual fisher can take.

I know this is a separate issue, & comes under rec. fishing regs., but it needs to be looked at.

Thanks, Bill.

We support the proposed extension of no take of shellfish & seaweed that we have at the moment with one modification. We ask that we have access to beach cast seaweed for our gardens.(i.e.I have to sweep the weed off our slipway, but have had mixed opinions whether I can or can't take it home. One opinion is a flat NO!, the other is, if the weed is above mean highwater, it is no longer a MPI issue,& we can take it.)It would be nice if this was clarified.

Thanks,

Bill.

From: s 9(2)
To: [FMSubmissions](#)
Subject: Review of the closure for earthquake-affected fisheries in Kaikoura and Cape Campbell
Date: Wednesday, 5 July 2017 3:24:11 p.m.
Attachments: [image001.jpg](#)

Good Morning MPI

I am a Paua 7 quota owner s 9(2)(a) and have held shares in the fishery since 1989.

As you can see, I have been involved in the fishery for many years and it saddens me to observe the current status of the fishery and the state of my investment. The recent Kaikoura earthquake and impact on the inter tidal zone has further placed pressure on our fishery.

The Minister has delivered a 66% quota cut over several years to the commercial sector, this followed multiple shelving and other industry lead initiatives.

It is my strong view that the Minister does not clearly understand the term and meaning of a "Shared Fishery".

I agree with the moratorium on the extraction of Paua from Cape Campbell to the Clarence River, however:

1. Commensurate with the 66% commercial quota cut
2. Both customary & recreational should share the reduction in the spirit of "A shared Fishery"
3. The coast line between Cape Campbell & Clarence be sub divided into an area with the scientifically recorded extraction shelved. A working precedent with Paua Area 5A, 5B & 5C

This would clearly remove the effort from the remainder of the Paua 7 fishery and allow quota owners to retain a future interest in their original quota holdings.

I attended the recent PauaMac7 AGM and voted to take measures to secure the future sustainability of our fishery.

I am strongly of the opinion that the Minister and his scientific team need to address some of the following key topics as components of a toolbox to manage our fishery.

1. Continue the project of gathering high quality fine scale & timely scientific data to support good decision making
2. Continue a project based fisheries compliance strategy with clear

objectives and outcomes

3. Promote education in both the commercial and recreational sectors
 4. Commensurate with the proposed PAU7 QMS quota reduction, a reduction in the amateur daily bag limit be implemented (See below)
 5. That the Minister by way of Regulation or a Gazette Notice prohibit the transportation of paua meat across the New Zealand border except when associated with the correct LFR documentation. (See below)
 6. When the Minister approves Marine Reserves, MPA's or IWI Reserves, the quota yielded from this coastline shall be purchased from the open market and retired. (See note below)
 7. Work with Regional Councils and the Minister for the Environment to better manage the impact of land use on our fishery e.g. forestry erosion. To improve land use and practices particularly with reference to forestry operations in the Marlborough Sounds and adjoin water ways.
-

Recreational Daily bag Limit

The impact on the fishery and cumulative tonnage annually taken by the recreational sector is now significant.

The Minister needs to de-politicalize this elephant in the corner of the room and reduce the amateur daily bag limit. Being cognizant of the several reductions and shelving's that the commercial sector have absorbed.

An elegant solution would be to mirror the Kaikoura "Te Korowai" initiative of reducing the daily limit from 10 to 6 Paua per fisher per day. Marlborough and Kaikoura are adjoining fisheries and having the same daily bag limit would remove any compliance ambiguity.

Prohibit exporting of amateur Paua take

There is anecdotal evidence that paua meat is being taken within baggage off shore by outward bound tourists.

Many are Asian and clearly have not personally gathered the seafood. The pathway to their possession is dubious.

The Minister should prohibit such activity and make such practice an offence except where appropriate documentation supplied by a licensed LFR is provided. I understand this is the case in Australia.

Spatial Depletion

I support the initiative of Marine Reserves, protected and customary areas.

When making a decision to approve, the Minister must consider and be responsible for the impact on the fishery and to the individual quota owners.

The quota supported from the affected coastline needs to be quantified and retired from the QMS by purchasing from the open market.

Other administrations have this view and even within New Zealand a legal precedents exists. E.g. The Public Works Act where by the Crown acquires land compulsorily from an entity for the common good of the community and enters into a private treaty or by way of an independent valuation to purchase said asset from the disaffected party.

Land Care and Use

There is increasing evidence that the relationship between land use and the marine environment is homogenous. In none of my readings of the MPI reports relating to our fishery does it comment on the sedimentation, water quality and turbidity.

Land use, run off, sedimentation, fresh water quality all impact on the coastal maritime environment.

Interestingly the Cawthron Institute has looked at the negative effect of sedimentation on the respiratory impact of haliotis.irs.

The Ministry for the Environment has standardized the reporting required of Regional Councils on the environment to give an national overview.

Coastal fisheries management needs to interface with the relationship of land and sea.

Summary:

I congratulate the PAUAMAC7 organization on:

- Data Loggers
- Reseeding program
- Diver training and registration
- Quota shelving

- Variable minimum legal size limit
- Dialogue with local Iwi & recreational sectors
- Liaison with MPI and NIWA


However, I strongly feel that Minister needs to open his tool box more fully and moderate the expectation that the commercial sector must accept all of the pain and responsibility for PAU7 fishery.

You will see that I have been involved in the Fishery for many years, attended more meetings that I can count, travelled thousands of kilometers to attend, listened to multiple experts and officials as they come and go with their circular arguments. History would not score them well.

Yours faithfully

Brian Davis

Quota Owner

<p>Sine Wave</p> 	<p>Radio Communications is my Business</p>
<div> <div data-bbox="250 1272 440 1310"> <p>Brian Davis</p> </div> <div data-bbox="250 1335 716 1444"> <p><i>RSM Accredited Radio Engineer (ARE)</i> <i>Radio Frequency Consultant</i> <i>Radio Surveyor/Inspector of Ships</i> <i>Radio Examiner & Callsign Provider (ARX)</i></p> </div> <div data-bbox="250 1514 457 1545"> <p>e-mail: s 9(2)(a)</p> </div> </div> <div data-bbox="1120 1272 1232 1304"> <p>s 9(2)(a)</p> </div>	



28th June 2017

Review of Earthquake-affected Fisheries 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011.

To whom it may concern,

Submission RE **Review of Earthquake-affected Fisheries 2017.**

Proposed further closure for Kaikōura and Cape Campbell earthquake-affected fisheries

Burkhart Fisheries Ltd (BFL) agrees with MPI positions upon reviewing the emergency closure within the Kaikoura and Cape Campbell Areas.

BFL supports Option 2 of the management Action plan that being to —

Replace the emergency closure with a closure under section 11 of the Fisheries Act 1996.

BFL also supports MPI using available resources and methods to attempt to enhance the concept of the Social Responsibility Recreational and other stakeholder user's groups could contribute to the long-term sustainability of the Fisheries Assets everyone shares; especially around this area and until the science supports any further changes.

Kind Regards

Dennis Burkhart
Managing Director

23 June 2017

To: Sustainability Review 2017, Fisheries Management, Ministry for Primary Industries, P O Box 2526, Wellington 6011.

Re: Submission on Review of Sustainability Controls for PAU 4

This is a submission on the MPI document entitled: *“Review of Sustainability Controls for 1 October 2017. Proposals to Alter Total Allowable Catch, Allowances, Total Allowable Commercial Catch and Deemed Value Rates for Selected Fishstocks. MPI Discussion Paper No: 2017/17”* (the Document).

This submission is made by the Chatham Islands Harvesters Forum, which represents the majority of paua harvesters of the Chatham Islands fishery, holding >180 T of current PAU 4 ACE. The Harvesters Forum's main objective is the sustainability and now re-build of the Chatham Islands paua fishery (PAU 4). The contact person for this submission is Val Croon, s 9(2)(a)

The Harvesters Forum endorses the submission of the PauaMAC 4 Industry Association, and agrees with most points made in their submission.

Background

Over the last 10 years, measures have been put in place to improve the sustainability of the PAU4 fishery at the Chathams. These initiatives included:

1. Reducing catch through ACE shelving.
2. Spreading effort through meat weight reporting, use of UBA and spatial datalogging
3. Raising size limits
4. More accurate mapping of catch areas through data logging.

A 10- 20% quota shelving has been in place for the last four years. However, the amount being left uncaught (i.e. left in the water) is being offset by a lower meat weight being recorded this season. Because the PAU 4 fishery is reported by meat weight, not green weight as it is in other NZ paua fisheries, this lower recovery rate has the nett effect of allowing more paua to be landed. This has diminished the effectiveness of the 20% shelving.

The use of UBA was primarily introduced as a safety tool, allowing protection from great white sharks. A secondary benefit is that it allows divers to be more selective of the paua taken, and spread their effort to areas not easily reached without UBA.

An increase in size limit from 125mm to up to 132mm at Pitt Island was introduced to protect the biomass from serial depletion and give paua a longer spawning period before being harvested. This also gave a better yield-per-recruit, and allowed divers to assess progress with recruitment into the larger size class.

Datalogging has been introduced to map the fishery and give spatial CPUE. This will allow for better fine-scale management of the fishery and help the development of a Plan for this fishery.

Status of the PAU 4 Fishery

We unanimously believe that the PAU 4 fishery is in trouble, and we have encouraged a substantial shelving for next season. From the data available to us, and using the dashboard model, we calculate that a commercial harvest reduction of at least 40%, through shelving, is necessary. We agree with the Document's assertion that a reduction in the commercial catch rate is warranted. The Document explains that this is largely based on "*a cautious approach ... that takes into account the anecdotal information from fishers and tangata whenua, as well as the limited quantitative data.*" The Document also frequently refers to "*sustainability concerns*". These are essentially anecdotal information. Given the Minister's responsibility to use the best available information to set a TAC, we submit that the best available information is scientific information, not anecdotal information. Accordingly, the best available scientific information is the data analysis conducted in early 2017. This analysis was accepted by the Shellfish Working Group, with considerable reservations. The analysis pointed to a need for catch reductions in PAU 4. We agree with this conclusion, as it is the best available information; but we do not agree that it is robust enough to force drastic reductions in TACC's.

Accordingly, we do not agree that the use of anecdotal information is appropriate in fisheries management, and we are concerned that any proposed TACC reductions could be subject to legal challenge. For these reasons we prefer that harvest reduction occurs through shelving rather than TACC reduction.

The Document states: "*Shelving of ACE has, however, not addressed concerns that the biomass of the fishery is declining.*" This implies that ACE shelving is not a viable option. This is incorrect. The amount of shelving needs to increase from 10-20% to 40-50% to become effective in recovering the fishery. The benefits of the current 10-20% shelving have also been negated (at least in part) by the problems with meat weight reporting.

The Proposal

We submit the following management controls are implemented:

1. Agree that a Total Allowable Catch (TAC) be introduced, as proposed in the Document.
2. We support the proposed allowances for recreational and customary fishing and other sources of mortality caused by fishing.
3. **We strongly support a PAU 4 harvest reduction of 40%.** We prefer this 40% harvest reduction to be carried out through shelving. A harvest reduction through a 40% TACC reduction is not preferred. This is because there is insufficient scientific information to prevent legal challenge. If TACC reductions are directly imposed, then this also jeopardises the suite of additional (voluntary) management controls already in place to help recover the fishery.
4. We submit that, concurrent with a 40-50% shelving, a decision-rule system is developed to allow authorised management of this fishery. This could be done

through the development of an Industry Management Plan, and eventually a Fisheries Plan, for PAU 4.

5. We submit that an Industry Management Plan is immediately developed. This will describe key measures to address local area and wide-scale depletion. These measures will include more effective ways of spreading effort, addressing serial depletion; shelving; rapid adjustment of catch levels; and provide stronger incentives for quota owner participation in management measures, allowing better local responsibility for the fishery.

Yours faithfully

Valentine Croon

For CHATHAM ISLANDS HARVESTERS FORUM

7 July 2017

Ms T Bock
Manager Deepwater Fisheries
Ministry for Primary Industries
P O Box 2526
Wellington 6011

By email: tiffany.bock@mpi.govt.nz

Dear Tiffany,

DWG Submission on MPI Proposals to Change HAK 7 and ORH 3B TACCs

Deepwater Group Ltd is a non-profit company representing the interests of deepwater quota owners including the owners of 93% of HAK 7 and 95% of ORH 3B quota. This submission has been prepared on their behalf.

1. HAK 7

New Stock Assessment Accepted by MPI in 2017

A new stock assessment was accepted in 2017 with two model runs based on different biomass indices – one is based on commercial trawl CPUE and the other is based on the results from the WCSI research trawl surveys. These two indices show different trends in the HAK 7 biomass trajectory and in stock status. MPI noted in their discussion paper that both runs have been “*accepted by the Deepwater Working Group (DWWG) and considered to be equally plausible*”.

The runs based on the trawl survey results show a decline in stock size with stability over the past nine years. The runs based on commercial CPUE show a decline with an increase during the past nine years. These are shown in the biomass trajectories from the MCMC runs in Figure 1 below.

In summary, the results from the 2017 stock assessment are:

- Trawl survey index: $B_0 = 79,190$ t; $B_{2016} = 20,940$ t; $B_{2016}/B_0 = 26\%$ B_0 (19-37%). The stock is likely to be stable in size, is very likely (>90%) to be below the target of 40% B_0 , is as likely or not (40–60%) to be below soft limit of 20% B_0 , is very unlikely (<10%) to be below hard limit of 10% B_0 .
- CPUE index: $B_0 = 92,100$ t; $B_{2016} = 46,550$ t; $B_{2016}/B_0 = 50\%$ B_0 (35-74%). The stock is likely to be increasing in size, is very likely (>90%) to be above the target of 40% B_0 , is very unlikely (<10%) to be below the soft limit of 20% B_0 , is extremely unlikely (<1%) to be below the hard limit of 10% B_0 .

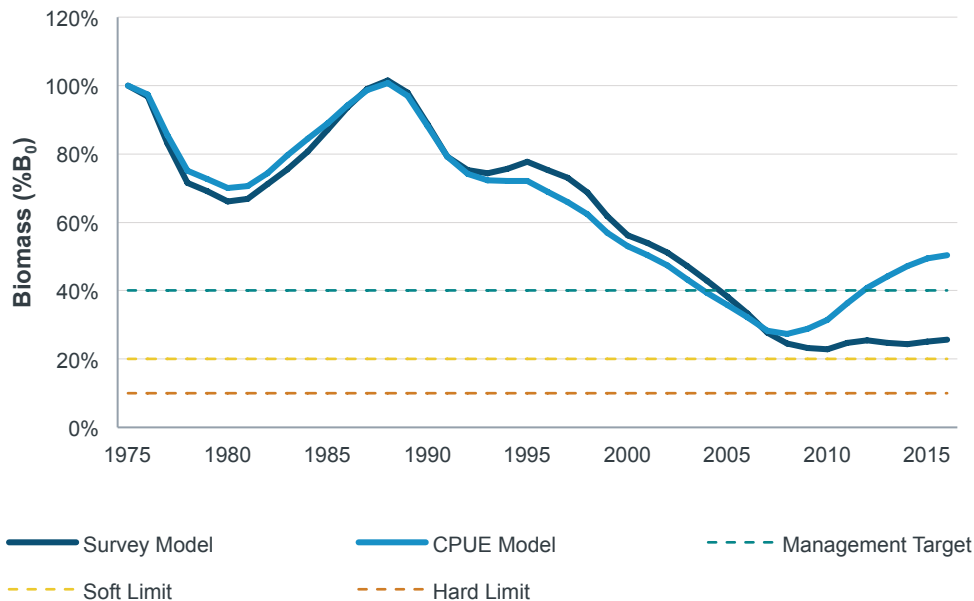


Figure 1: Biomass trajectory of HAK7 stock under each of the biomass indices in relation to the default management target (40% B_0), the soft limit (20% B_0) and the hard limit (10% B_0)

Both biomass indices have major associated issues and assumptions and neither is likely to be robustly indexing the HAK 7 stock:

- The trawl survey was not originally designed with hake as the target species and the surveys have not been covering enough of the known range of hake here, missing a substantial proportion of the grounds in the deeper water. Deeper strata were added to address this in the most recent survey (2016). Future surveys will include strata in the deeper water with the objective improving the reliability of the biomass index for HAK 7.
- The CPUE time series assumes that all included vessels behave in the same way and there is good evidence that this not the case. The hake fishery in this area is described as a 'target and avoid' fishery, where different vessels behave differently at different times. Essentially, some vessels target hake while others avoid hake and the same vessel can show these two behaviours at different times during the year. Thus, the commercial CPUE will include a mix of different fishing modes and is unlikely to be a reliable index of stock abundance.

Recent Recruitment Poor but Signs of Improvement

Recruitment during the period 2000-09 is assessed to have been below the long-term average over 1973-2009. There is evidence from the 2013 and 2016 trawl surveys and from the commercial fishery of that recruitment levels over the last three years may have been greater than during 2000-09, but it is as yet unknown how these compare with the long-term average.

There is a need to continue to monitor the strength of recruitment into this fishery and DWG has asked MPI to ensure there is adequate observer coverage to obtain the required samples from commercial catches during the 2017 and 2018 fishing seasons.

Biomass Projections

Biomass projections have been undertaken over a five-year period (i.e. 2016-21) assuming an annual catch of 4,100 t and average long-term recruitment from 1973-2009, and an annual catch of 7,700 t and average recruitment from 2000-09.

The annual catch of HAK 7 has not reached the TACC of 7,700 t since 2006-07. During the most recent 9 years the annual catch has averaged 4,144 t (ranging between 2,620 t and 6,219 t).

The results of these biomass projections are shown in the figures below (after MPI's 2017 Plenary Report) and in summary are:

- Based on the trawl survey index, there is a high probability that the stock will remain below 40% B_0 ,
- Based on the CPUE index, there is a high probability that the stock will remain above 40% B_0
- If annual catches are set at 4,100 (at the recent average level) and recruitment is at the long-term average, both indices estimate the stock size will increase

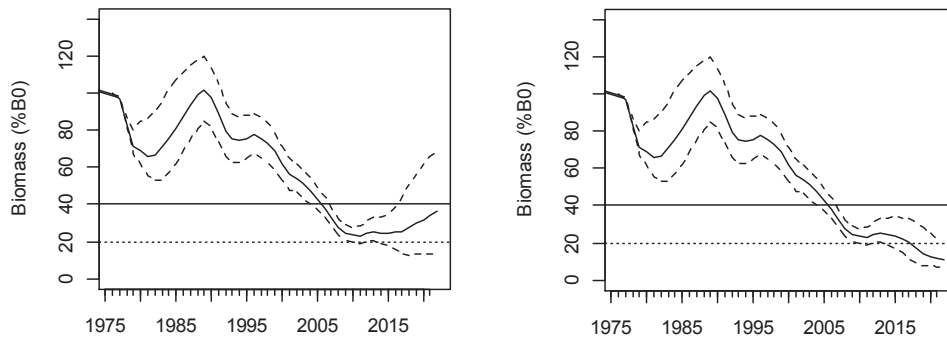


Figure 2: Trawl Survey Index: Estimated median spawning biomass trajectories (dashed lines are 95% credible intervals) as a percentage of B_0 , projected to 2021. LHS with future annual catches set at 4,100 t and average recruitment from 1973–2009. RHS with future annual catches set at 7,700 t and average recruitment from 2000–09.

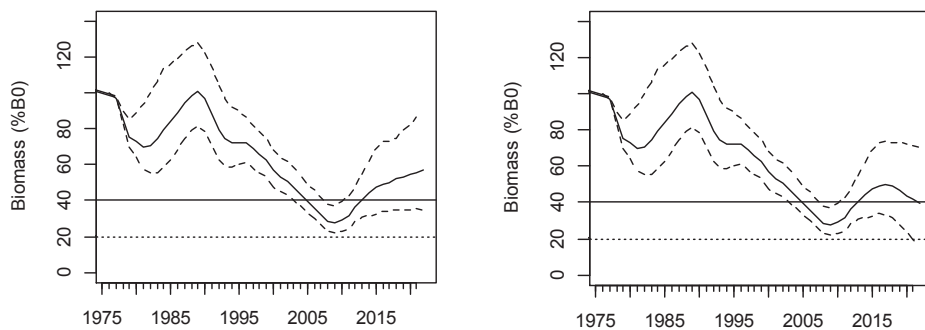


Figure 3: Commercial CPUE Index: Estimated median spawning biomass trajectories (dashed lines are 95% credible intervals) as a percentage of B_0 , projected to 2021. LHS with future annual catches set at 4,100 t and average recruitment from 1973–2009. RHS with future annual catches set at 7,700 t and average recruitment from 2000–09.

MPI have undertaken further analyses to assess two options that would minimise the risk of the stock size declining below 20% B_0 in the short term, pending new information and an updated stock assessment in 2020:

- A TACC of 4,524 t (i.e. the average annual catch over the past five years), assuming recruitment at the long-term average, and based on the trawl survey biomass index. This estimates a probability of 83% that the stock size will be >20% B_0 in 2019. This is MPI's Option 2.
- A TACC of 5,069 t set to provide 80% probability that the stock size will be >20% B_0 in 2019 assuming recruitment at the long-term average allowing for further analyses to be undertaken in 2017-18 and 2018-19. This is MPI's Option 3.

Management Commentary

The 2017 assessment is considered as having greater than usual uncertainty. The results estimate:

- The recent below average levels of recruitment may have resulted in a reduced stock size over recent years,
- Under the catch levels over the past nine years, the stock size is either stable or increasing

Annual catches at the level of the TACC (i.e. 7,700 t) are assessed to not be sustainable using the biomass index from the trawl surveys, and are assessed to be sustainable using the biomass index from commercial CPUE projected out to 2021.

DWG notes that the previous stock assessment for HAK 7 estimated B_{2012} to be 57.7% B_0 and the catch projections from this assessment, for the period 2012-17 estimated:

- With catches of 4,500 t, the stock status would remain above 40% B_0 , increasing to 61.2% B_0
- With catches of 7,700 t, the stock status would remain above 40% B_0 , decreasing to 47.4% B_0

The current management target is set at the default of 40% B_0 .

Deterministic B_{MSY} is estimated to be 26% B_0 (in the 2012 stock assessment).

DWG notes that the HAK 7 stock is assessed (in both 2012 and 2017) to be at, or above, the level that will provide the MSY.

DWG also notes that no stock-specific analysis has been made for this fishery to estimate the appropriate management target and that such an analysis should be undertaken.

In the 2017 stock assessment, the results from the WCSI trawl surveys are driving the assessed decline in the HAK 7 stock size. DWG notes that the four surveys in the time series prior to 2016 were not optimised to sample for hake and that new strata were added in 2016 to improve sampling for hake in deeper water. These strata accounted for 29% of the hake encountered in 2016. On this basis, further information is required and these will be obtained in the next WCSI research trawl survey, scheduled for July/August 2018 and incorporated into the 2019 stock assessment.

Meantime, if annual catches remain at around 4,100 – 4,400 t (i.e. around the recent average levels) and recruitment is at the long-term average (1973-2009), the projections using either index estimate that the stock size will increase.

It is likely that recruitment during the last three years was higher than during 2000-09 but possibly not as high as the long-term average. On this premise, the stock response is likely to be between the two catch-based projections and that the stock status should improve (or at worst, stabilise) in the short-term, avoiding sustainability concerns before more information can be obtained.

Close monitoring of the HAK 7 fishery to assess recruitment is required, with appropriate, representative observer coverage to provide length-frequencies and age-frequencies from the commercial fishery during the next two years being essential.

DWG proposes that a cautious and staged management approach is required:

- The first stage is to stabilise the annual catch to no more than recent levels; collect further information on abundance and recruitment during the next twelve months; determine the appropriate stock-specific management target; and update the stock assessment (based on the new information) in 2019.
- The second stage is to reassess the management and TACC in the light of the 2019 stock assessment and against the stock-specific management target, prior to the 2019-20 fishing year.

Deepwater Group's Submission on HAK 7

DWG submits that:

- The catch during 2017-18 and 2018-19 to be held at a level that will stabilise the stock size or to allow it to continue to increase,
- Quota owners submit that a reduction in the TACC is not required at this time,
- To ensure continued sustainable outcomes, quota owners will collectively manage their fishing operations to ensure the total annual catch does not exceed 4,525 t during the next two years, while further information is collected,
- Information is obtained from the commercial catches during 2017 and 2018 to establish the current levels of recruitment,
- Prior to, or as part of the next stock assessment in 2019, options should be explored that use the information from the core and deep strata to develop one or more biomass indices that are more plausible. For example, the development of separate 'core' and 'deep' indices or the use of 'deep' strata information from recent surveys to create options for a 'core+deep' index, starting in 2012.
- The trawl survey design should be reviewed prior to the next survey to ensure the data pertaining to hake are optimised and can be used in the time series,
- The next WCSI trawl survey is undertaken in 2018, and the next stock assessment of HAK 7 is undertaken in 2019 and includes assessing options for a stock-specific management strategy,
- After establishing the management target for this stock, the medium-term management goals can be set and the TACC can be adjusted, as may be required, prior to the 2019-20 fishing year.

2. ORH 3B Puysegur

New Stock Assessment Accepted by MPI in 2017

A new stock assessment for ORH 3B Puysegur fishery was accepted by MPI in 2017, the first accepted since 1997. This fishery has been closed by quota owners since 1997-98 to promote rebuilding. Since then industry has undertaken acoustic research surveys to measure the biomass in 2005, 2006 and 2015.

The results of the 2017 stock assessment are:

- B_0 is estimated to be 17,000 t (13,000 t – 23,000 t)
- B_{2017} is estimated to be 8,200 t (4,700 – 14,000 t)
- Stock status (B_{2017}/B_0) is estimated to be 49% B_0 (35 - 62% B_0), which is at the top of the management target range (30 – 50% B_0)
- The stock is considered to be fully rebuilt with >70% probability that the stock size is above the lower end of the management target range

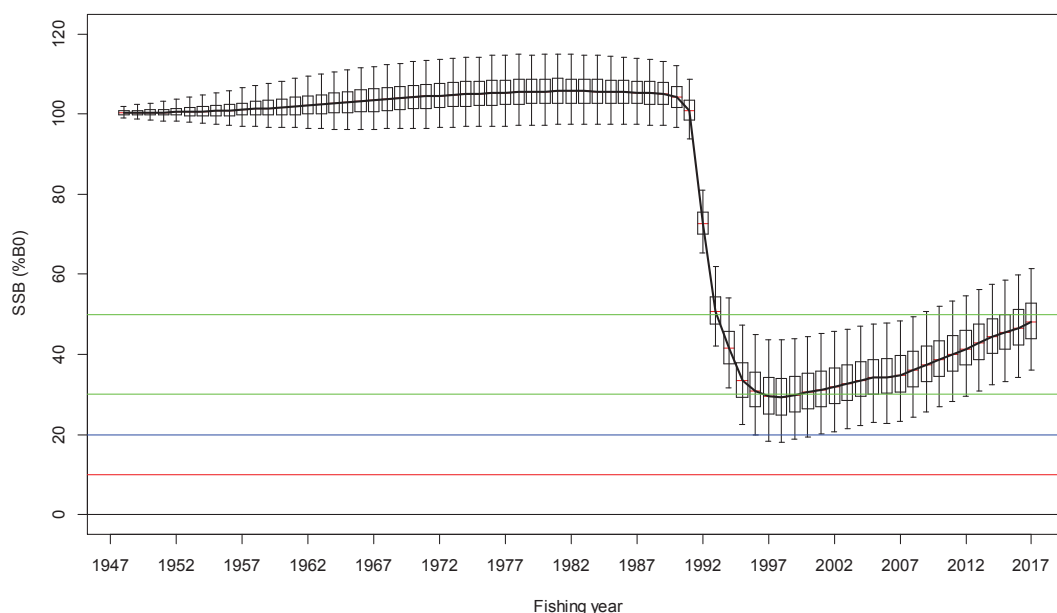


Figure 3: Biomass trajectory of ORH 3B Puysegur stock showing management target range (green lines, 30% to 50% B_0), the soft limit (blue line 20% B_0) and the hard limit (red line 10% B_0)

Biomass Projections and Application of the Orange Roughy Harvest Control Rules

A Harvest Control Rule has been specifically developed for orange roughy fisheries with the objective to maintain the stock size within the management target range (i.e. 30 – 50% B_0) and to ensure that there is no probability that the stock size will fall below the soft limit (i.e. below 20% B_0). This HCR has been applied in two other ORH 3B fisheries (Northwest Chatham Rise and East & South Chatham Rise), as well as in ORH 7A.

DWG submits that the HCR should now be applied in the ORH 3B Puysegur fishery

Application of the HCR to the Puysegur assessment to calculate a catch limit for 2017-18 is complicated because of the poorly estimated selectivity in catches taken outside of the spawning season. The data

suggest orange roughy caught during the non-spawning at Puysegur are much younger compared to those caught during the spawning season. If this is true then a higher catch limit would be appropriate for a purely non-spawning season fishery compared to a purely spawning season fishery. However, if the non-spawning season selectivity is close to the maturity ogive then the calculated catch limit for a non-spawning season fishery could be too high. Given the uncertainty in the estimation of non-spawning selectivity, DWG is of the view that it is prudent to base catch limits on spawning season biomass.

Biomass projections have been undertaken over a five-year period (2017-22).

The results show that there is a clear tradeoff between the level at which the catch limit can be set and the year of the next stock assessment. If an assessment is planned in 2019-20 then annual catches of 600 - 800 t from the spawning stock would pose little risk. If the assessment is planned for 2020-21 then annual catches of 400 - 600 t would similarly pose little risk. These results are contained within the draft FAR and are summarised in the table below (for a stock assessment undertaken in 2020):

Scenario	Model	Non-spawn catch (t)	Spawn catch (t)	$P(B_{20} < 20\% B_0)$	$P(B_{20} < 30\% B_0)$
1	Base	910	0	0.00	0.01
2	Base	0	460	0.00	0.01
3	Base	0	685	0.00	0.05
4	Base	0	910	0.01	0.12
5	Low	0	460	0.00	0.12
6	Low	0	685	0.02	0.24
7	Low	0	910	0.06	0.39

Management Commentary

The long-term annual yield from using the HCR to keep the spawning stock size within the management target range of 30-50% B_0 is estimated to be around 300 t (with a 95% CI of 140 t to 360 t). The exploitation rate is 0.045 (or 4.5%).

The current status of this stock is assessed to be 49% B_0 , near to the upper bound of the management target range. At this level, the exploitation rate from the HCR is 5.5%. In essence, there is a high catch available for a period as the stock is moved from 49% B_0 towards 40% B_0 .

The results of these analyses provide the following plausible catch levels from the current stock assessment:

- Annual catch of 685 t from both spawning and non-spawning season
- Annual catch 460 t from the spawning season alone

Given the paucity of information from this fishery, quota owners have agreed to collect more information from Puysegur catches and, in the meantime, to take a conservative approach to catch levels.

During 2017 and 2018 sampling and ageing of catches taken in the non-spawning season will be undertaken to reduce the currently high level of uncertainty associated with the estimation of non-spawning selectivity.

In the context of setting a catch limit for this newly reopened fishery, quota owners agree that the objective is to apply the orange roughy HCR – in order to keep the stock within the management target range of 30-50%

B_0 , with a low probability of breaching the lower limit of the management target range (30% B_0) and a zero probability of breaching the LRP (20% B_0).

This implies a catch limit following projections from the base case of between 460 t ($P(B_{2021} < 30\% B_0) = 2\%$) and 685 t ($P(B_{2021} < 30\% B_0) = 10\%$).

DWG proposes the catch limit for ORH 3B Puysegur be set at 685 t for 2017-18 and that quota owners will set aside 335 t of ACE to provide for a total catch of not more than 350 t during 2017-18 fishing year. DWG notes the agreement by quota owners to not fish orange roughy from the Puysegur area since 1977-78, other than for research purposes has been honoured.

DWG would then seek to review this arrangement with MPI prior to the 2018-19 fishing year, based on consideration of the results of:

- the new age (selectivity) information, and
- an updated stock assessment and forward projections under the HCR during 2018.

DWG also seeks discussion with MPI on the scheduling of future biomass surveys of and stock assessments for the ORH 3B Puysegur fishery, which we propose be undertaken on a four-yearly cycle (as for other orange roughy fisheries), the next biomass survey being scheduled for 2019 and stock assessment for 2020.

Deepwater Group's Submission on ORH 3B Puysegur

DWG submits that:

- The orange roughy HCR is applied to this fishery, as has been done in each of the two other ORH 3B fisheries,
- From 2017-18, the catch limit for ORH 3B Puysegur be set at 685 t and the ORH 3B TACC be set at 5,535 t accordingly,
- ORH 3B quota owners agree to 'set aside' 335 t of ACE during 2017-18 to provide for a total catch of not more than 350 t from the ORH 3B Puysegur during 2017-18
- DWG and MPI agree to jointly collect and age samples from commercial catches taken during the 2017 spawning and non-spawning seasons and assess these in an updated stock assessment in time to provide management advice for the 2018-19 fishing year.
- DWG and MPI agree to jointly develop a work plan to routinely undertake further biomass surveys and stock assessments from this fishery

DWG and quota owners would be happy to engage in further discussions with MPI on any matters pertaining to this submission before MPI finalise their final advice on the sustainable management of these two fisheries

Regards,



George Clement
CEO
Deepwater Group Ltd

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: RE: Review of fisheries sustainability measures for 1 October 2017
Date: Wednesday, 7 June 2017 11:46:25 a.m.
Attachments: [image001.jpg](#)

Too late for Aston Trawling s 9(2)(a) . We were abused enough by the high deemed value for TRE2 , saw the prospect of similar ripping off by MPI, so we sold & got out of the Fishery. You might say that's good because it seems to me that that is what MPI wants but as people employed to assist with the fish management system , you should be ashamed.

Denis Lander
Director

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From: FMSubmissions [mailto:FMSubmissions@mpi.govt.nz]
Sent: 7 June 2017 11:30 AM
Subject: Review of fisheries sustainability measures for 1 October 2017

Dear stakeholder

Review of fisheries sustainability measures for 1 October 2017

The Ministry for Primary Industries (MPI) is seeking feedback from tangata whenua and stakeholders on proposed changes to sustainability measures and management controls for selected fishstocks.

The 1 October review of sustainability measures and other management controls for selected fishstocks is an annual process.

The proposals for each stock have been assessed in the context of the relevant statutory requirements and the best available information, including the latest scientific information on

the status of the stocks and tangata whenua and stakeholder input.

MPI is consulting on changes to management settings for the following fishstocks:

Proposed amendments to sustainability measures:
Bluenose (BNS 1, 2, 3, 7 & 8)
Red gurnard (GUR 7)
Hake (HAK 7)
Paua (PAU 3, 4 & 7)
Red cod (RCO 2)
Orange roughy (ORH 3B)
Proposed amendments to deemed value rates:
Green-lipped mussel (GLM 9)
Red cod (RCO 2)
School shark (SCH 3)
Skates (RSK 8, SSK 8)
Tarakihi (TAR 8)
Trevally (TRE 2)

The Consultation Document that outlines the proposals for each fishstock can be found on the MPI public consultation webpage at: <https://www.mpi.govt.nz/news-and-resources/consultations/review-of-fisheries-sustainability-measures-for-1-october-2017/>

Alternatively, hardcopies of the Consultation Document may be requested at the email or post address provided below.

Making a submission

All submissions should be received by **5pm, Friday 7 July 2017.**

Written submissions should be sent directly to:

Email

FMSubmissions@mpi.govt.nz

Post

Sustainability Review 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011

Yours sincerely,

FMSubmissions

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REVIEW OF EARTHQUAKE-AFFECTED FISHERIES 2017

Of the two options proposed by the Ministry for Primary Industries for the Kaikoura coastal area affected by the 2016 earthquake, I support Option 2 and will comment on reasons for this selection.

Option 1 Reopen fishery after expiration date in November 2017

Option 2 Kaikoura area remains closed to fishing until further notice

The New Zealand Coastal Policy Statement (2010) gives clear direction to apply a “precautionary approach” to coastal resource management and supports ss9 and 10 of the New Zealand’s Fishery Act (1996). It is in recognition of these principles that I consider Option 2 to be the most prudent approach to fisheries management in the coastal area surrounding the Kaikoura earthquake zone.

ADVANTAGES TO OPTION 2

- 1) Maintaining a fishery closure supports the commercial fishing sector (particularly New Zealand abalone industry) who understand the reproductive requirements of their quota species. Maintaining a closure in the Kaikoura coastal area, provides the maximum opportunity for sexually mature organisms to spawn and re-establish populations.
- 2) Generally, New Zealand marine research outcomes have been undertaken in periods of moderate environmental variation. Minimal marine research exists after chaotic events such as the 2016 earthquake. Maintaining the Kaikoura fishery closure provides an opportunity for current and proposed marine research projects to investigate the spatial and temporal re-colonisation of extant populations endemic to New Zealand coastal waters, after a sudden and catastrophic environmental event.
- 3) Building on the existing body of marine research within this ecosystem is a prudent approach towards meeting the needs of future generations, especially in light of the challenges facing marine organisms (and humans) into the next century.
- 4) While recreational fishers may object to maintaining a fishery closure, it should be noted that this sector are able to relocate to other areas un-restricted by fishery closure and ITQ restrictions.

DISADVANTAGES OF OPTION 1

- 1) The remaining shellfish brood stock, essential for maximum reproductive capacity and optimisation of habitat, are at risk of fishing pressure if the area is reopened to meet commercial, recreational and customary needs. This could ensure the reduction of viable breeding populations, based on the Alee effect and lack of viable adult shellfish ¹, specifically in abalone species, which are regularly harvested in this region.
- 2) Opening the area to fishing pressure diminishes the valuable opportunity to investigate recolonization of shellfish populations on a temporal and spatial scale and subsequent ecological and environmental pressures on these newly established populations.
- 3) Opening the fishery has the potential to affect experimental design and therefore analysis of marine research in the coastal zone, resulting in inferior scientific methodologies, results and conclusions. The flow on effect from this is a lack of confidence in the reliability of fisheries data and management plans.
- 4) Though commercial and customary fishers are willing to reduce their harvest into the future, recreational will be able to remove their TAC for the region which could have a serious effect on population dynamics and structure.

CONCLUDING COMMENTS

Shellfish populations will restore themselves in a natural timeframe. However, that time frame may not be consistent with the expectations of the human populations familiar with access to these marine resources. Reinforcing my choice of Option 2 as the preferred management strategy, I quote from the United Nations Integrated Marine Assessment.² “There is a delay in implementing known solutions to problems [...]. In many fields, it has been shown that there are practicable, known measures to address many of the pressures [...] thereby causing social and economic problems. Delays in implementing such measures, even if they are only partial, will leave more

¹ 2000 Density dependence in marine protected populations: a review.
<https://rua.ua.es/dspace/bitstream/10045/36099/1/densodependenciaEC.pdf>

² 2016 United Nations First Global Integrated Marine Assessment, Theme I and J
http://www.un.org/depts/los/global_reporting/WOA_RPROC/Summary.pdf

to be done, which mean we are unnecessarily incurring those environmental, social and economic costs”.

7 July 2017

Mr M Dunne
Ministry for Primary Industries
PO Box 10420
Wellington

Dear Martyn

COMMENTS ON DRAFT 2017/18 SUSTAINABILITY CONTROLS

1. MPI has issued Discussion Paper No: 2017/17 on Sustainability Controls for 1 October 2017 stocks and invited submissions on the proposals.
2. This submission is presented on behalf of Fisheries Inshore New Zealand Ltd (*Fisheries Inshore*). Any comments or queries should be directed to Tom Clark, Policy Manager, Fisheries Inshore.
3. Fisheries Inshore is the Sector Representative Entity for inshore finfish, pelagic and tuna fisheries in New Zealand. Its role is to deal with national issues on behalf of the sector and to work directly with, and behalf of, its quota owners, fishers and affiliated sector representative organisations. Its key outputs are:
 - a. developing appropriate policy frameworks, processes and tools to assist the sector to manage inshore, pelagic and tuna fishstocks more effectively;
 - b. minimising fishing interactions with protected species and the associated ecosystems; and
 - c. working positively with other fishers and users of marine space where we carry out our harvesting activities.
4. Responsibility for the implementation of these policies, processes and tools falls naturally on quota owners, fishers and Commercial Fishery Stakeholders (CSOs) who collectively choose the best ways to deal with issues in their regions. CSOs will generally deal with all matters pertaining to fishstocks in their region. Fisheries Inshore has the mandate to support this work where requested but does not have the ability to take on this work except where the fishery is managed as a single stock across the country. In that instance Fisheries Inshore must work with all the relevant quota owners, fishers and CSOs in developing appropriate measures and submissions.
5. Unless otherwise noted, the views in this submission represent the views of Fisheries Inshore or its associated parties – Area2 and Southern Inshore Ltd.
6. We note that companies and other quota-holders may also make their own submissions on the proposals.

TAC/TACC REVIEWS

BNS 1, 2, 3, 7 and 8

7. Bluenose is assessed as a single stock and managed at the Quota Management Area (QMA) level. This makes responding to the discussion paper on BNS the responsibility of Fisheries Inshore to ensure full representation of all BNS stocks are presented in the submission.
8. This submission has been developed by Fisheries Inshore on behalf of all Fisheries Inshore members. Fisheries Inshore have also canvassed views from wider BNS quota owners and industry organisations. Notwithstanding Fisheries Inshore's mandate to submit on this proposal, individual companies may choose to provide their own submissions, containing their specific recommendations.

Stock Status and Future Research

9. The 2016 assessment indicates the state of the stock is below the target biomass being between 17 and 27% B_0 (below the 40% B_0 target set by MPI).
10. The 2016 assessment suggests that biomass has either levelled off after 2011 or increased slightly, and is projected to increase at current catch levels. The statement on the recent trend in biomass in the 2016 plenary highlights is "Biomass was estimated to have declined continuously from the 1980s to 2011 and then to have either levelled off or increased slightly. Biomass has been below the default 40% B_0 target since around 2000."
11. We understand that the fishery is rebuilding but not at the rate required to achieve the target biomass within the required timeframe as defined by MPI's Harvest Strategy Standard (HSS);
 - **Objective:** ensure rebuild of the fishery with the timeframe and targets currently set
 - **Target:** 40% B_0
 - **Timeframe:** 2011 assessment $2 \times T_{MIN} = 20\text{-}26\text{yrs} = 2031 \text{ to } 2037$
12. The next stock assessment is currently scheduled for 2021. We propose that the next assessment be brought forward and conducted in the 2017/18 fishing year. This would utilise the most recent length frequency data to address the major sources of uncertainty identified in the 2016 Plenary and thereby provide greater precision about the status of the stock. Notably, the existing model is based on a simple two fishery model (trawl and longline) with deterministic recruitment assumed.
13. Bringing the next stock assessment forward is aligned with industry's reasonable expectation that fisheries management is based on the best available science. An updated stock assessment would therefore enable the MP to be implemented with an updated stock assessment not just an updated CPUE.
14. Fisheries Inshore expect that an updated stock assessment will adequately address industry concerns regarding the impacts of overcatch and alleged misreporting within the fishery. Recognition and inclusion of these data in the next stock assessment will contribute to a more robust and reliable stock assessment and reflect the impact this has had on the fishery.

Management and Monitoring Plan

15. Options 2 & 3 of the discussion paper both mention the requirement for continued information following a TAC reduction. We consider that the discussion paper has not

sufficiently considered or incorporated the current work the industry has done to date to get an agreed Management Procedure (MP).

16. Options 2 & 3 both allude to the continued requirement for data but don't provide any details and there is no clear consideration provided for the ongoing management of the fishery. The information provided implies a 'set and forget' approach. We do not consider that approach to be either appropriate or responsible fisheries management. Where a stock has a sustainability issue, sound fisheries management practice would promote additional information being gathered and the stock status being more closely monitored.
17. BNS quota holders are cognisant that an agreed MP will require TAC reductions as part of its implementation. That notwithstanding, there remains support for implementing an MP. If, after the updated assessment in 2017/18 and the establishment of an agreed MP, it is necessary to proceed with further cuts then industry is committed to this management action to rebuild the stock.
18. An annual review of the MP allows fishery managers to remain certain that the fishery is continuing to rebuild, whilst allowing for more informed decisions to be made about whether to vary the speed of the rebuild by adjusting the TAC, where appropriate.
19. To date MPI's reluctance to endorse the Management and Monitoring Plan appears to rest on one small difference of view; the rebuild target and timeframe. MPI has adopted a default rebuild to 40% B_0 in 26 years, whereas quota owners initially proposed 35% B_0 in 30 years.
20. Our current submission is based on retaining the certainty provided by an MP but one that will rebuild the BNS stocks to MPI's stated biomass target and timeframe.
21. The MP methodology proposed in previous discussions with MPI has been accepted by the MPI Working Group process.

Updated projections

22. To enable time for a Management and Monitoring Plan to be agreed, the 2016 Ministerial decision was to implement an "interim" cut to the total TACC from 1,110 t to 910 t (inclusive of BNS 10). The Minister stated "I want to provide the opportunity for a management procedure/decision rule to be developed".
23. Since this decision, industry has remained committed to a monitoring and research plan and has engaged with Ministry to endorse the Management and Monitoring Plan.
24. As a sign of our commitment to sustainability and the Management and Monitoring Plan, BNS quota owners funded further work to update the MP. This work is consistent with the Ministry's HSS requirements. Industry has already committed to the ongoing monitoring of the stock and have continued to collect data to this end. This work demonstrates good faith investment by industry to the continued sustainable management of the stock to develop an agreed MP.
25. As outlined in our 2016 submission, the MP is the core of the Management and Monitoring Plan. The MP is designed to maintain the rebuilding trajectory to target biomass. The MP is run annually and TACCs adjusted accordingly. The TACC would be reduced if the rebuild is not maintained.

MPI Option 2

26. Fisheries Inshore supports Option 2, pursuant to a MP being agreed with MPI.

27. MPE runs comparable to Option 2 have been conducted by Fisheries Inshore as part of implementing a Management and Monitoring Plan.
28. An MPE incorporating a 100 t TACC reduction in 2017/18 (excluding BNS 10) demonstrated consistency with the 2016 Ministerial decision (Figure 1). The key results of a 100 t TACC reduction shows it meets MPI's Harvest Strategy Standard default;
- TACC reduced by 100 t to 800 t (excluding BNS 10) for 2017/18. In subsequent years the TACC will be reduced gradually before rising again between 2030 - 2040.
 - Probability of achieving 40% B_0 by 2037 is 57% (i.e. greater than the Working Group's required level of certainty).
 - Mean yield 2018 – 2028 is 695 t.

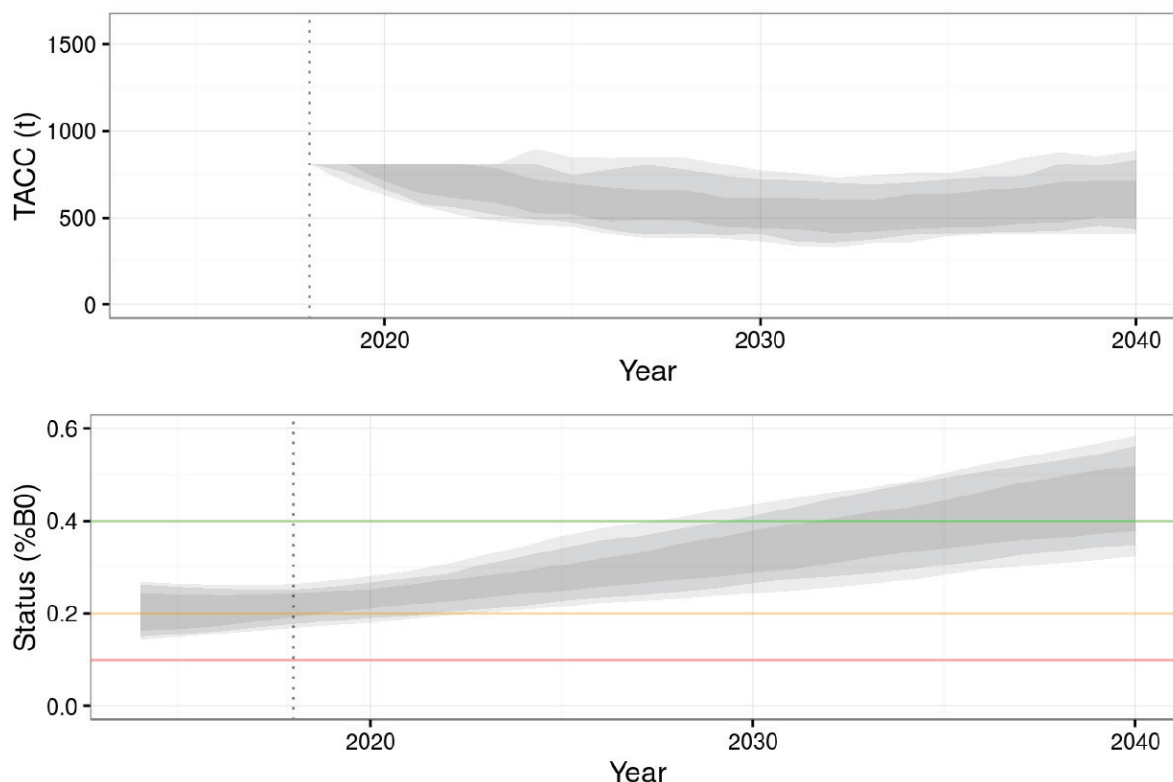


Figure 1 Management Procedure Evaluation results associated with a 100 t TACC reduction in 2017/18 for BNS 1, 2, 3, 7 and 8.

MPI Option 3

29. Fisheries Inshore does not support Option 3 that would reduce the TACCs for BNS 1, 2, 3, 7 and 8 from 900 t to 620 t.
30. As acknowledged by the discussion paper, Option 3 has an impact on the ability to monitor the fishery. We consider that this is not consistent with the Minister's decision letter for 2016/17 which stated, "I am supportive of a management procedure approach in that it provides the opportunity for more certainty around targets, rebuild timeframes and most importantly, when and what management action is required to stay on track." Adopting an MPE in conjunction with a 100 t TACC reduction under Option 2, provides the management requested by the Minister.

31. Reductions to the levels set out in Option 3 would quickly mean that most, if not all, BNS fisheries would become bycatch fisheries. A reduction of this nature would be detrimental to the continued collection of adequate CPUE data to inform a Management Procedure. To effectively monitor and manage BNS stocks it is imperative to have the required data to inform management decisions.
32. Industry's commitment to the sustainability of the BNS fishery is based on evidence-based fisheries management. We are concerned that the discussion paper (paragraph 84) implies a "set and forget approach" to fisheries management. The discussion paper notes that Option 2 is preferable by providing the ability to rebuild the fishery pursuant to an MP and to promote continued data collection and associated understanding of the fishery.

Social, cultural and economic factors

33. Social, cultural and economic factors are difficult to estimate and the consultation paper provides some suggested impacts by computing the value of catch based on port price and export price. Actual impacts are of course more difficult to quantify as they vary depending on the specific nature of fishing operations.
34. The discussion paper states that this will be a loss to New Zealand of \$1,755,600 in commercial revenue based on an average port price. The economic implications of TACC reductions should not be understated, as Table 5 in the discussion paper only relates to predicted revenue costs and doesn't account for wider economic effects.
35. As indicated by the revenue losses detailed in Table 5 of the MPI Discussion paper, further substantial reductions in the BNS TACCs at the scale proposed in Option 3 would result in further rationalisation in the domestic fleet harvesting BNS and has significant implications for maintaining a bluenose target fishery.
36. With severely reduced fishing options available, fishers may be forced to leave the industry. While it may sound simple to change to other species, there are inherent difficulties that mean this may not be practically or economically viable. These include lack of ACE, geographic limitations or lack of specific expertise in a new fishery.
37. Retaining the TACCs at a level provides for sufficient ACE availability to retain target fisheries for the core fleet ensuring their ability to maintain the CPUE series used to monitor the state of the fishery.
38. While Option 3 has a greater probability of achieving target biomass by the target date, Option 2 with an MPE meets the Minister's stated rebuild target and timeframe. The improved probability of Option 3 does not justify the economic impact or the impact on our ability to monitor the bluenose fishstocks.

Specific views

39. As is apparent from this submission, the benefits associated with the Management and Monitoring Plan are the primary concern of quota owners. TACC reductions may well be necessary but any reductions should be considered in terms of a Management Procedure.
40. The response from Fisheries Inshore members provided 100% support for Option 2 and demonstrated a united willingness to invest in science and management.
41. Non-Fisheries Inshore members were canvassed to gauge the wider industry position from BNS quota holders and industry organisations. The overwhelming majority indicated a

preference for Option 2, supporting the mandated Fisheries Inshore position (97% of all industry responses in terms of quota shares supported Option 2).

Allowances

42. It is notable that MPI is not considering any adjustment to the allowances for recreational or customary fishers. Our concern is that MPI is not sending a consistent sustainability message for a shared fishery when it does not proportionally reduce the catching allowance for each sector.
43. The discussion paper states that “MPI believes that reversing the decline in the stock and mitigating risks to sustainability are of primary importance”. Industry supports this view but questions the validity of this statement given Option 2 and 3 only consider reductions to commercial TACCs. Section 3.2.2 identifies that BNS is an important recreational species and that the most recent recreational catch estimates are 34.8 t (i.e. 55% of the current recreational allowance).
44. We consider that ensuring sustainability is everyone’s responsibility. On the basis on the BNS discussion paper, it would appear that MPI hold the view that the commercial sector is solely responsible while it is appropriate not only to provide in full for recreational demand, but to provide more than that demand.
45. Further, by not even consulting on any changes to allowances, MPI is tying the Minister’s hands. The Fisheries Act requires the Minister to consult on TAC and TACC changes which inevitably also include the possibility of changes to the other allowances. By not considering or consulting on changes to allowances, MPI could be effectively making those allocation decisions on the Minister’s behalf. That is not the function of the executive, the Fisheries Act makes it plain that such decisions are for the Minister.

Summary

46. With the demonstration that the most recent MPE meets the Ministry’s HSS, and the continued commitment of industry to maintain a high level of monitoring for all BNS stocks, we consider that the Minister has the best available information to make a decision to adopt Option 2 for the 2017/18 fishing year.
47. Our support for Option 2 is premised on MPI adopting the MPE and bringing forward BNS stock assessment in the 2017/18 fishing year to address the major sources of uncertainty identified in the 2016 Plenary.
48. We strongly recommend Option 2 for the 2017/18 fishing year based on the following:
 - Fisheries Inshore is committed to the Management Procedure process. BNS quota owners seek a commitment from MPI to support the continued implementation of the Management and Monitoring Plan. Industry’s view is that applying an agreed Management and Monitoring Plan will result in a better managed fishery and will set a valuable example that will lead to improvements in other inshore fish stocks.
 - The key benefit of establishing an MP is that it can provide increased certainty for those involved in the fishery. Establishing an MP will also direct what information is required annually to inform and continually review the MP to ensure where the fishery is in terms of the required rebuild.
 - A TACC reduction without effective fisheries management will be detrimental to the continued monitoring and management of the stock. Not being able to maintain the

CPUE series currently used to monitor stock abundance of BNS and make future management decisions significantly less certain.

- The industry acknowledges that changes to TACCs are part of operating in the seafood industry. However, it is vital that those changes are evidence-based and utilise the best available science. In the case of BNS this is pursuant to a Management and Monitoring Plan that allows all stakeholders to understand and support the necessary changes.

GUR7

49. Fisheries Inshore endorses Southern Inshore's support for Option 3 for GUR7. The stock is under no sustainability pressure and the level of increase is low relative to the healthy status of the stock.

RCO2

50. The Area2 regional committee supports a review of the TAC and TACC but are concerned about the consideration provided to changes in allocation.
51. Paragraph 244 states the TAC was up for review, including the TACC, but this is contrary to paragraph 249 which states that 'MPI is proposing to set the TACC at the current level'. The review is solely focused on setting allowances for recreational and customary stakeholders.
52. MPI asserts that no change to the current TACC is required as the in-season review provides for the ability to provide for increased abundance. Since 2013, the Minister has managed RCO 2 under an 'in-season' management procedure. The performance of the management procedure has been severely and significantly compromised by the decision-making processes following the scientific analysis of in-season catch.
53. The 2016/17 in-season management procedure has taken over 6 months, with no decision made at the time of this submission. The timeframes for the current in-season management procedure results in Ministerial decisions being made so late that industry have reduced time to act on the increased TACCs, thereby reducing the intended benefits of the process.
54. The consideration of changing the interim deemed value indicates that MPI consider the TACC to be incorrectly set, with the necessity to incentives fishers to balance their ACE throughout the year. Comments regarding the Deemed Value proposals for RCO2 have been addressed in a later section of this submission.
55. Given the outlined concerns regarding the allocation consideration, the existing in-season increase decision process and the consideration of changing interim deemed values, we propose a wider review of the management processes and their effectiveness for this fishery. A more comprehensive consultation is required to review the current in-season process and the validity of this process in comparison to a higher TACC.

DEEMED VALUE PROPOSALS

56. Industry has commented in previous submissions on deemed values on the need for deemed values to be used as a fisheries management tool in a manner that is appropriate to the stock to which they apply. Deemed values are not an independent process.

57. We remind MPI that the policy approved by the Minister in 2008¹ includes a management review of the circumstances giving rise to the over-catch and an evaluation of the management options available, including TACC reviews, discussions with industry and further science before any decision is made to adjust deemed values.
58. We have repeatedly reminded MPI that where the TACCs are significantly out of balance with the stock abundance in the water, deemed values are incapable of constraining the catch to the TACC. There are simply too many other drivers and motives to allow deemed values to operate effectively in those circumstances. Deemed values are not a substitute for poorly set TACCs. Rather than achieve sound fisheries management, inappropriately set deemed values will engender poor fisheries management practices and impede the performance of the management framework.
59. Sadly, the recommendations in this consultation do not seem to demonstrate that MPI has accepted our previous advice, with the one possible bright light being the reduction of RSK8 and SSK8 deemed values.
60. The advent of an IEMRS framework requires MPI to address the TACC anomalies and inconsistencies that they have long known exist in the inshore fisheries. Over-reliance on deemed values to control incidental over-catch equally will not resolve the issue.
61. It is against that background that we comment on the MPI deemed value proposals for 2017/18.

RCO2

62. The Area2 Regional Committee opposes the introduction of a higher interim rate for RCO2.
63. MPI's rationale for increasing the interim value is based on fishers not covering their catch with ACE in a timely manner with the perceived risk that this will lead to the TACC/total available being exceeded.
64. There is no need to incentivise fishers to balance their ACE throughout the year in this case. The in-season decision-making processes currently in place mitigate these risks.
65. The RCO 2 "in-season" TAC review process means fishers are able to balance early season catches with interim deemed values in the knowledge that they will be able to source ACE based on the in-season increase.
66. With a current annual deemed value of \$0.28 compared to a port price of \$0.75, there is no incentive to over-catch RCO2. RCO2 is not a target and is caught primarily as a by-catch in the ECNI mixed trawl fishery.
67. While we might ordinarily support the move to lift the interim deemed value, in this instance we cannot support such a proposal until the in-season processes are reviewed and streamlined to make the additional catching capacity available at a time when industry can avail themselves of the opportunity.
68. The Area2 Regional Committee does not support the proposal at this time.

¹ http://fs.fish.govt.nz/Doc/13392/DV_Review_decisions.pdf.ashx

SCH3

69. Fisheries Inshore supports the position of Southern Inshore in opposing the proposed increase in deemed values for SCH3.
70. MPI proposes to increase the deemed rate for SCH3 from \$1.80 to \$3.60 per kg. The current port price is \$2.30. MPI contends that the market for SCH fins has improved and the combined price for trunks and fins exceeds the current deemed value price and incentivises fishing on deemed values. Contrary to the MPI view,
- a. the market for school shark fins has not improved and fins currently receive less than 50% of the price received prior to 2014;
 - b. shark fins must be landed in conjunction with the trunks and port prices are based on the joint landing of trunk and fins;
 - c. setting a deemed value in excess of the port price is not sound fisheries management practice.
71. We cannot support the MPI proposal.

TAR8

72. Fisheries Inshore supports the position of Southern Inshore in opposing the proposed increase in deemed values for TAR8.

TRE2

73. Fisheries Inshore (on behalf of the Area 2 Regional Committee) opposes the introduction of a higher interim rate for TRE 2.
74. As noted in our general comments on deemed value proposals we do not consider deemed values as a substitute for poorly set TACCs.
75. The TRE2 TACC is poorly set and needs reviewing based. TRE 2 is included under Group 6 of the National Fisheries Plan for Inshore Finfish and can be monitored by annual commercial landings. Given this a review of the annual landings in relation to the TACC is a more appropriate and responsible fisheries management.

GLM9, RSK8 and SSK8

76. Fisheries Inshore does not have a mandate to comment directly on these stocks but considers it necessary and appropriate to comment on the deemed value proposals in the absence of having an associated party to form a view on the proposals.

GLM9

77. MPI proposes to increase the deemed value for GLM9 to an initial annual rate of \$10.00 per kilo from a current price of \$6.00. The interim deemed value for GLM9 was increased to \$5.40 in 2016 when the fishery was overcaught for the second time since the stock was introduced into the QMS. MPI proposes to set the rate at a level above the prices paid for spat.
78. MPI comments that the high levels of over-catch might threaten the sustainability of GLM9. Given that the product is sourced from beach cast or dislodged seaweed rather than

harvested directly from seaweed attached to the seafloor, the over-catch will not threaten sustainability – it will merely reduce the amount of unharvested mussel spat that would otherwise die on the beach.

79. Green mussel spat has been collected from beach cast seaweed for the last 40 years with no discernible decrease in abundance of spat or abundance of mature green mussel stocks in the wider Northland area. We do not accept the sustainability argument advanced by MPI as the basis for an increase in the deemed value.
80. Increasing deemed values generates Crown revenue. Increasing the TACC would see the revenue on the commercial catch of GLM9 being returned to the quota-holders through their sale of ACE, rather than the revenue being retained by the Crown. We see no reason to augment the Crown's revenue by increasing the deemed values in preference to other management responses.
81. The Minister's 2008 decisions on the deemed value policy approved an initial step of considering all appropriate management responses before addressing deemed values. Other options include commissioning research, reviewing the appropriateness of the TAC, using the Schedule3 provision for an in-season review and also reviewing the deemed values.
82. GLM9 is a Schedule 3 stock and, as such, can have both the normal TAC review as per section 13 of the Act and also an in-season review of the TACC. Under the in-season review provision, the Minister would need to be informed of the abundance during the fishing year as a pre-requisite to any review. An in-season review process has not been developed for the stock and, given that the bulk of the catch is taken from June through to December in the following fishing year and is dependent on weather conditions, it is highly unlikely that an in-season TACC review process can be established.
83. We also understand that there is an issue in respect of the ratio of spat and seaweed. The conversion factor for GML9 spat is currently 50% of the weight of the juvenile mussel and the seaweed to which it is attached. It is believed that the ratio of mussel to seaweed is lower than 50%. Any reduction as such would undoubtedly have an indirect impact on the effective TACC for GLM9.
84. The deemed value guidelines indicate that deemed values should be set at a margin below port prices. GLM9 spat currently fetches around \$8.50 - \$9.00 per kg. A deemed value above the spat price would be inappropriate.
85. However, GLM9 is a fishstock where the catch level can be managed with certainty and there is no justification for any over-catch of the TACC other than financial gain. Ensuring that fishers cannot fish profitably on deemed values is fundamental to protecting the TACC and the sustainability of stocks. An increase in the deemed value for GLM9 is warranted on that principle.
86. In view of the above arguments, while we are not averse to an increase in the deemed value rate, we consider there are other management responses that should be considered.

RSK8 and SSK8

87. This is a long-standing issue. Over-catches of the TACCs have existed since the stocks were introduced into the QMS. At the time of their introduction:

- a. the combined RSK8 and SSK8 TACCs were set at a level lower than the pre-QMS catch levels which were reported on the levels landed and did not include any returns to the sea; and
 - b. the split between RSK and SSK was arbitrary since fishers had previously reported one generic code SKA.
- 88. RSK8 and SSK8 are not target stocks. While a Schedule 6 Return to the Sea provision applies and a significant number are returned to the sea, not all catch can be returned to the sea. The need to avoid the catch of snapper in FMA8 has seen fishers move locations away from snapper grounds but into grounds where there is a higher by-catch of skates. In addition, fishers have noted a steady increase in the abundance of skate in RSK8 and SSK8. We have submitted previously that a review of the TACC is the appropriate response, not tinkering with deemed values.
- 89. The current deemed values are set at the current port price and, when an operating cost is taken into account, the current deemed value levels incentivise catch mis-reporting. Decreasing the deemed values as proposed will reduce that dis-incentive.
- 90. We support the decrease in deemed values as a means to encourage fishers to land excess catch but re-iterate our opinion that the appropriate management response is an increase in the TAC/TACC. The Crown has benefitted by more than \$250,000 in deemed values since the stocks were introduced into the QMS. We submit that it is now time for the TAC/TACCs to be addressed and have that revenue returned to quota-holders.
- 91. Skate are managed as a low value and low information stock and undertaking stock specific research is not warranted. However, we submit that the history of the management of the stocks and the maintenance of consistently high catch levels warrants an increase in the TACC.

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: Shellfish & Seaweed Species Kaikoura.
Date: Monday, 19 June 2017 12:33:04 p.m.

As a recreational fisher and in relation to the present crisis with Paua along the earthquake effected coastline of Kaikoura. I would like to offer my support for an extention of the current emergency closure. Provided all the stakeholders agree, given time, I think we can achive a rebuild of the fishery.
Regards Gerald O'Rourke.

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: Review of earthquake affected fisheries 2017.
Date: Saturday, 1 July 2017 3:23:00 p.m.

Hi my name is Deane Gregg ,managing director of Gregg Fishing ltd.We currently run a commercial crayfishing boat off ward beach in the cape campbell area .I am writing in support of option 2 for a continuation of the closure of the affected coastline until such time as the fishery has had time to recover.My reasoning being having a first hand knowledge of the paua grounds around cape campbell .This is where we also crayfish, the amount of ground lost for them is staggering.It will be interesting how long the process of juvenile recruitment will take as there is still a lot of rock available for the slow process of their habitat rebuild.Crayfish on the other hand is in much better shape due to the amount of habitat available. There is so much deeper ground that hasnt been overly affected by the uplift ie of our grounds that we've traditonally fished the earthquake has affected maybe 20% and even then fishing with the right weather conditions some of that ground will be accessable also.

Deane Gregg,
Gregg Fishing coy ltd,
s 9(2)(a)



7 July 2017

Ministry of Primary Industries
WELLINGTON

Tena ko,

REVIEW OF SUSTAINABILITY CONTROLS FOR PAU4, 1 OCTOBER 2017

Hokotehi Moriori Trust (HMT), is the mandated Imi authority for Moriori on Rekohu and elsewhere. HMT owns 15 tonne of Paua quota in Area 4.

We fully support the submissions made by PAUMAC4 (of which HMT is a member) and also the Ngati Mutunga Asset Holding Company Limited.

Sustainability is extremely important to Moriori and all stakeholders on the Chathams. The paua fishery is at risk and needs local control and management to ensure its recovery and future sustainability via the PAUMAC4 proposed Fishery Plan. This will put control back into the hands of those who are best situated to manage the fishery.

HMT supports a 30% shelving as this is the most preferred option among quota owners and with effective management control this could be increased if this was deemed necessary in the future.

We would be concerned if the Minister imposed a cut to the TACC as, in the event of a future increase, this would result in the allocation of a further 19 tonne of quota to section 28N rights holders which would effectively erode the value of the commercial sea fisheries settlement for Moriori.

HMT submit that the best and most effective way to manage the Paua4 fishery is by managing it via shelving (coupled with effective management tools as proposed in the PauMAC4 submission) and is consistent with section 5 of the Fisheries Act 1996.

44°S 176°W

Hokotehi Moriori Trust
PO Box 188
Rekohu
CHATHAM ISLANDS 8942

s 9(2)(a)

F: (03) 305 49454

HMT would like to appear in support of its submission should there be an opportunity to do so.

Me rongo

A handwritten signature in blue ink, appearing to read 'Maui Solomon', with a large loop at the start and a series of smaller loops and strokes extending to the right.

Maui Solomon
Executive Chairman

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: REVIEW OF SUSTAINABILITY MEASURES OCT 2017
Date: Wednesday, 14 June 2017 11:03:40 a.m.
Attachments: [image001.jpg](#)

Independent Fisheries Ltd hereby make the following comments in regard to the proposed reduction of the HAK7 TACC.

As your document states less activity occurs in this target fishery and the catch is becoming more predominantly a bycatch to hoki.

The main reason that HAK7 catches have declined in recent years is that the fleet of BATM class vessels no longer targets HAK7. In addition a significant amount of HAK7 was caught by three Korean vessels which have ceased fishing in New Zealand.

IFL accepts that the TACC should reduce based on the information presented.

There is little science behind the TACC reductions proposed.

We note that MPI is going to analyse fleet wide CPUE data and modelling expected in the 2017/18 fishing year. Accordingly we believe the TACC reduction in the 2017/18 year should be less than the options proposed until this additional data and analysis is conducted.

We suggest a TACC of approximately 6,000 tonnes.

To date during June 2017 our bycatch of HAK7 while targeting HOK1 is higher than previous years.

A TACC reduction in the order of 40% (as proposed) would financially penalise our Company as we would need to spend significant sums acquiring ACE or paying deemed value if ACE was unavailable.

Given the very limited number of vessels targeting HAK7 we believe there is very little risk in reducing the HAK7 TACC more gradually especially as more information becomes available to MPI.

Thank you for considering this submission.

Stephen

ifl logo



Stephen Bishop | Fleet Operations Manager

Independent Fisheries Ltd

s
n

| w. www.indfish.co.nz

7 July 2017

Inshore Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6140

By email only: FMsubmissions@mpi.govt.nz

Tēnā koe,

REVIEW OF FISHERIES SUSTAINABILITY MEASURES FOR 1 OCTOBER 2017

The Ministry for Primary Industries (MPI) is seeking feedback from tangata whenua and stakeholders on proposed changes to sustainability measures and management controls for selected fishstocks.

The Iwi Collective Partnership (ICP) manages 16,000 mt of ACE derived from our 15 Iwi Member quota owners annually. The respective stocks and ACE volumes for October 2016 are set out in the following table. A list of the 15 Iwi Members and QRN numbers are attached in **Schedule 1**.

Stock	ACE (kgs)
BNS1	3,327
BNS2	10,818
BNS3	2,272
BNS7	1,194
BNS8	567
HAK7	180,188
ORH3B	72,873
RCO2	13,990
PAU4	480
PAU7	350

In terms of the relevant stocks under review, we support the following:

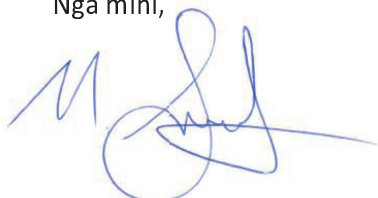
- Bluenose (BNS 1, 2, 3, 7 & 8): We support a 100 mt TACC reduction under Option 2. We have contributed to and support the detailed submission of FINZ.
- Hake (HAK 7): We support Option 3 and a TACC reduction to 5,069 mt with a review on completion of the next stock assessment. We would also support a voluntary shelving reduction to 4,524 mt which is effectively Option 2 but without the TACC adjustment.
- Paua (PAU 4 & 7): We support a 30% reduction to PAU 4 to 228 mt whether that be via a TACC adjustment or voluntary shelving.

We support either of the TACC reductions to PAU 7 but we do not support status quo.

- Red Cod (RCO 2): We urge MPI to improve the in-season adjustment mechanism. We have contributed to and support the detailed submission of FINZ.
- Orange roughy (ORH 3B): We support a minimum TACC increase of 152 mt to the Puysegur sub area.

We make no comment regarding the review of deemed values.

Ngā mihi,



Maru Samuels

General Manager

s 9(2)(a)

s 9(2)(a)

s 9(2)(a)

SCHEDULE 1 – LIST OF ICP IWI MEMBERS

	Iwi Entity	Iwi
	gati Porou Seafoods Limited	Ngati Porou
	e Arawa Fisheries Holding Company Limited	Te Arawa
	gati Tuwharetoa Fisheries Holdings Ltd	Ngati Tuwharetoa
	gati Awa Asset Holdings Limited	Ngati Awa
	e Waka Pupuri Putea Limited	Te Rarawa
	gai Te Rangi Fisheries AHC Limited	Ngai Te Rangi
	hakatohea Fisheries Asset Holding Company Limited	Whakatohea
	aranaki Iwi Fisheries Limited	Taranaki Iwi
	gati Ruanui Fishing Limited	Ngati Ruanui
	e Aitanga A Mahaki Trust Asset Holding Company Limited	Te Aitanga a Mahaki
	ongowhakaata Iwi Asset Holding Company Limited	Rongowhakaata
	e Pataka O Tangaroa Limited	Nga Rauru Kiiitahi
	e Kumukumu Limited	Ngaitai
	gati Manawa Tokowaru Asset Holding Company Limited	Ngati Manawa
	Ngati Whare Holdings Limited	Ngati Whare

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: Review Of Closure For Earthquake-Affected Fisheries
Date: Monday, 3 July 2017 10:44:07 a.m.

To whom it may concern

I Jason Burkhart support the Option 2 of the proposed management action plan. To replace the emergency closure with section 11 Closure of the fisheries act 1996.

I Jason Burkhart strongly urge MPI to use all Available resources to maintain the stocks at a sustainable level for long term utilisation by all sectors..

I am concerned about the effect the displaced effort is having on the non closed areas outside the closed area. I believe daily bag limits need to be reduced on the areas either side of the closed area, otherwise these areas are going to be striped very fast.

Although MPI has recreational allowances and daily limits, there is no way of actually constraining the recreational catch to these limits. I strongly urge MPI to impliment a mandatory reporting system for all Other sectors Recreational, Maori, commercial already has mandatory reporting of catch..

This is in the best interest of the long term management of fish stocks..

This is the only way scientist can get a true indication of the stocks being taken..

Jason Burkhart

s 9(2)(a)

3rd July 2017

Review of the Earthquake-affected Fisheries 2017
Fisheries Management
Ministry for Primary Industries
PO Box 2526
Wellington 6011

To whom it may concern,

Submission RE **Review of Earthquake-affected Fisheries 2017**

Proposed further closure for Kaikoura and Cape Campbell Earthquake-affected Fisheries

I Jeremy Phipps agree with the MPI positions upon reviewing the emergency closure within the Kaikoura and Cape Campbell areas.

I Jeremy Phipps support Option 2 of the Management Action Plan that being to - Replace the emergency closure with a closure under section 11 of the Fisheries act 1996.

I Jeremy Phipps also support MPI using available resources and methods to attempt to enhance the concept of the Social Responsibility Recreational and other stakeholder user's groups could contribute to the long-term sustainability of the Fisheries Assets everyone shares, especially around this area and until the science supports any further changes.

Kind Regards

Jeremy Phipps

s 9(2)(a)

Submission on Sustainability of Earthquake damaged area Paua 7

Having been a commercial stake holder of Paua 7 and active diver for 25 years I would like to submit the following:

1. I firmly believe the earthquake damaged area Cape Campbell to Clarence River should remain closed for a further 3 years.
2. Support for Commercial shelving 10% Area 7 from MPI.
3. Reduced recreational catch area 7.
4. Ongoing evaluation by Science provider and Commercial sector jointly over a 3 year period.
5. Government (MPI) co-operation to any viable proposal to assist with earthquake recovery to assist rebuild of fishery. Translocation maitaitai fish down on West Coast in consultation with top of South IWI would assist immensely.

Point 1.

Minimum 3 year closure period of effective areas, to allow for recruitment of juvenile stock and observation, together with undisturbed spawning and rebuilding of stock bio-mass.

Point 2.

T.A.C.C. set has reduced from 267 Tonne to 93 Tonne. The reduction has come solely from the commercial sector with no contribution from recreational or Iwi. Illegal take is still an unknown quantity.

Point 3.

Reducing recreational bag limits, would assist the increased effort that has been exerted on the fishery due to an increase of boating ownership and water sport activities over the last decade.

I have been an accommodation provider for 30 years, on questioning recreational Diver's on Paua fishing bag limits, the responses have been that the Paua limit at 10 is excessive whereas 5-6 is acceptable to their needs. Their focus is more on their ability to enjoy the activity of catching Paua.

Introducing a tagging system for recreational gatherers similar to the Australian concept, would give figures to evaluate recreational catch data.

Point 4

Ongoing Evaluation:


The evidence of Caroline Algae already rejuvenating to effected earthquake damaged areas is encouraging. The tidal splash zone area is extremely important for Paua larvae settlement.

The Joint input from the Commercial sector and Science provider's evaluation is important for providing a balanced view point.

Summary

Along with the voluntary commercial shelving of Quota the Government and MPI must help financially and recognise and support ongoing efforts to rebuilding the fishery.

Customary IWI should be encouraged to assist by allowing a fish down on the West Coast area to alleviate pressure on remaining area 7. Also support from IWI on translocation efforts currently being conducted by Paua 7 management group.


7/7/2017

Yours faithfully

John Scheerhoorn

s 9(2)(a)

MPI Discussion Paper 2017/17

Re: Deemed Value Review Green-Lipped Mussel (GLM9)

I am a second generation mussel farmer having grown up around the industry all my life. The spat supply from 90 mile beach is hugely important for the mussel industry and the affordable efficient allocation of the resource is essential for the economic well-being of the industry and its participants.

The industry has been **recognised** by Government as a priority industry on the Business Growth Agenda for its real potential to help create a more productive and competitive economy with a light touch on the environment and through its Aquaculture Strategy Government has committed to enabling the industry to reach its sustainable potential. Continued unencumbered access to a sustainable harvest of mussel spat from GLM9 is essential for this potential to be realised.

Statement of Submission

I submit that the MPI Discussion Paper 2017/17 has been written in the absence of proper background and understanding of the unique character of the GLM9 fishery or the special context within which it was brought into the QMS¹. I submit that the Deemed Value Guidelines do not properly apply to GLM9 and that there is a case for special consideration by the Minister.

Furthermore I submit that in order to maintain the integrity of the QMS any consideration of deemed value should be made within the terms of the unique agreement and context with which they were written

Background – the Strategic Importance of the GLM9 Fishery for Aquaculture

GLM9 is of strategic importance to the New Zealand mussel industry as it is the source of the majority of the industry's spat and therefore supports the majority of its export earnings. In a number of growing regions mussel farmers are effectively limited to using GLM9 by biosecurity conditions that preclude other major spat sources.

In areas where mussel farmers are able to utilise spat from several regions, accessing GLM9 along with other spat types ensures availability of harvest condition mussels for most of the year. This is because spat sourced from different regions fattens at different times of the year. This in turn enables the industry to support year-round employment in regional New Zealand.

The GLM9 fishery is unique. The availability of spat on beach cast seaweed at 90-Mile Beach arises from the intersection of a variety of biological and physical factors. Because a number of these factors are temporally variable, strandings of GLM9 spat, while they generally occur within a known season, are largely episodic².

¹ Primary Production Committee (2004). *Fisheries Amendment Bill (No 3) 109-1*. Report of the Primary Production Committee

² Alfaro, Andrea (2001). *Ecological Dynamics of the Green-lipped Mussel, Perna canaliculus, at Ninety Mile Beach, Northern New Zealand*. University of Auckland Doctoral Thesis.

Furthermore GLM9 spat can be seeded onto farms and held until needed, before being moved into the final grow out cycle. This provides growers with a natural means of smoothing variability in the availability of spat. As a result, growers need access to GLM9 spat whenever it is available and as such its management within the QMS was not intended to constrain this access.

The New Zealand aquaculture industry has a growth goal of \$1 billion in sales by 2025. Some of this growth is anticipated through innovation, productivity, efficiencies, new products, new markets and new species. However a good proportion of this growth is also anticipated through increasing mussel production and continued access to a proportional increase in spat supply is imperative.

There are no recognised sustainability issues associated with GLM9 as its harvest on beach-cast seaweed has no impact on further recruitment of the adult mussel population. This is because both spat and seaweed originate from south of Ahipara and drift northwards along 90 Mile Beach and then with the prevailing currents around North Cape.

This drift spat does not cycle back into the adult population, south of Ahipara. AQNZ has corresponding research available if MPI does not currently have that to hand.

Background – a Unique Fishery in the QMS

The Ministry of Fisheries brought GLM9 into the QMS in 2004 ‘despite there being no pressing sustainability concerns with the fishery’ in order to ‘provide for efficient utilisation and future development’³. Its introduction enabled repeal of one of the few remaining provisions of the Fisheries Act 1983 (the spat catching permit regime) while continuing to provide for the aquaculture industry’s future needs.

It was recognised at the time that the fishery was unique and its introduction into the QMS ‘required innovation given the particular characteristics of the fishery’. The Minister took the advice of the fishers and the mussel industry regarding the TACC level and recognised that ‘those with an interest in the fishery are in the best position to know what catch level will provide for the most efficient use of the resource.’ The TACC at that time was set ‘to meet the expected demand for juvenile mussels over the next five years’ (ie to 2009).

Importantly the fishery was brought into the QMS as a s14, schedule 3 stock, in recognition that the purpose of the Act would be better achieved by setting an alternative TACC rather than to Maximum Sustainable Yield. This was in the context of knowledge and research that sustainability of the fishery was not a concern.

Please refer to the explanatory note when this was listed as a schedule 3 stock that reads (which lists stocks that are managed with an alternative total allowable catch)

Another important innovation at introduction was setting a low deemed value for GLM9 in order to enable ‘non-quota owners to gain access to the fishery and provide competition to quota holders. This added competition makes it more difficult for quota holders to artificially inflate the price of juvenile mussels and it would encourage quota holders to act collectively to achieve efficiencies so they remain competitive. A low deemed value helps address the concerns of some mussel farmers that the QMS could lead to quota being aggregated and GLM9 quota holders acting anti-competitively.’

³ Workman, Martin (2004); *Moving to Rights Based Management: Green-Lipped Mussel Case Study*. IIFET 2004 Japan Proceedings.

A challenge for the introduction of GLM9 was 'how to measure and report juvenile mussels when they are harvested attached to seaweed'. 'The Ministry overcame this problem by requiring all fishers harvesting seaweed on 90 Mile Beach to report their catch using a set ratio for converting the weight of the material landed into the weight of the juvenile mussels and seaweed. This was based on the 'best estimate of the fishers' at the time, at 50%. The background to this was over the preceding 10 years the ratio was cyclic and had varied greatly between 10% and 90% it was agreed that from a management perspective the unit of measure be permanently set at 50% this allowed us to progress with the setting and management of the TACC level and deemed value rate. Over the last few years we have been going through a period of low ratios of mussels to seaweed however changing this ratio now will be problematic in the future when we return to a period of high ratios of mussels to seaweed

Request for Review of MPI Discussion Paper 2017/17

I request a withdrawal of section 6.1 of the MPI Discussion Paper 2017/17 as it was written in the absence of the context provided above. A number of assumptions within the GLM9 section are of particular relevance and concern:

'Landings have been variable but in recent years has increased to exceed the TACC with commercial fishers paying deemed values as a result'. This statement does not recognise the principle at introduction of providing a low deemed value to enable non-quota holders to gain access to the fishery in order to ensure secure and consistent supply of spat across the whole of the Greenshell mussel industry. It also does not recognise that fishers were still paying deemed values even when the TACC was not exceeded which further demonstrates the need to enable continued access through low deemed values regardless of the TACC.

1. 'However, fishers have chosen to land GLM9 mussels and spat in excess of ACE holdings, suggesting that the current deemed value settings, in relation to the reported port price, do not accurately reflect the value of the fishery to industry'. This statement also does not recognise the unique settings in which GLM9 was introduced to the QMS where MPI were mandated to manage this stock by way of varying the TACC and specifically agreed not to increase the deemed value rate.

2. 'No change to the TAC or TACC for GLM 9 is proposed for the 2017/18 fishing year, but ongoing intentional harvest of GLM 9 in excess of the TACC and available ACE could lead to sustainability risks in the long-term'. This statement, and others, are significant in their failure to understand the of the fishery or its introduction into the QMS. As stated above, there are no sustainability issues, risks, vulnerabilities or otherwise that are recognised or sought to be addressed through the QMS and management was never required or intended to constrain access to the Greenshell mussel industry's vital source of spat.

The Discussion Paper makes reference to the MPI Deemed Value Guidelines (2012) which are framed to manage 'most stocks', 'low value stocks' and 'highly vulnerable stocks'. They were not written with the unique GLM9 fishery in mind but do note that there are certain circumstances where it may be appropriate to depart from the principles and that MPI will outline these to the Minister on a case-by-case basis. I submit that GLM9 is such a circumstance and that the proposal should be reviewed in the context of the background provided above.

Summary

In summary I request that MPI;

1. Withdraw section 6.1 of the Discussion Paper 2017/17 as it does not adequately reflect the GLM9 fishery in the context of the QMS.
2. Reduce the deemed value rate back to the level it set to at introduction to the

QMS

3. Increase the TACC by the 11% that we over fished last year.

This would bring MPI back into line with what they are mandated to do and be a considered and responsible interpretation of the law as it stands.

This would keep the industry on a firm footing now and on into the future with MPI only having to adjust the TACC occasionally.

Yours sincerely,

A handwritten signature in black ink, appearing to read "J. Tester". The signature is written in a cursive, flowing style with a large initial "J" and a stylized "T".

Jonathan Tester

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: Glm9
Date: Thursday, 15 June 2017 12:06:01 p.m.
Attachments: [Screenshot_2017-06-15-11-17-04.png](#)

Please note that glm9 is a scedule 3 stock Management of this stock is by variation of the
tacc not by variation of the deemed value
Thanks kirk

From: s 9(2)(a)
To: s 9(2)(a)
Cc: s 9(2)(a) [FMSubmissions](#)
Subject: Glm9
Date: Monday, 19 June 2017 11:14:10 a.m.

Glm9 was brought in to the quota system by way of a special agreement with the ministry of fisheries

This agreement specified how the quota was to be allocated and how the stock was to be managed

Firstly the stock was put on the 3rd schedule with no sustainability issues. This was because the tacc was set by industry demand and allowed for the tacc to be increased as industry required. we were initially asking for a tacc twice the size.

Glm9 was only 'also added ' to the 6th schedule for practical reasons namely us being able to return the seaweed we sorted out back to the beach

Section 382 of the proposal shows mpi is mistakenly managing this stock as a schedule 6

The law states that mpi must manage this stock by altering the tacc. Increasing the deemed value rate is not a tool available to them because of the fact that it was brought into the quota system by special agreement.

Kirk

Sent from my Samsung device

MPI Discussion Paper 2017/17

Re: Deemed Value Review Green-Lipped Mussel (GLM9)

I have been a self employed mussel spat collector for the last 23 years and was heavily involved with the extensive consultation process when it was brought into the QMS

The industry has been recognised by Government as a priority industry on the Business Growth Agenda for its real potential to help create a more productive and competitive economy with a light touch on the environment and through its Aquaculture Strategy Government has committed to enabling the industry to reach its sustainable potential. Continued unencumbered access to a sustainable harvest of mussel spat from GLM9 is essential for this potential to be realised.

Statement of Submission

I submit that the MPI Discussion Paper 2017/17 has been written in the absence of proper background and understanding of the unique character of the GLM9 fishery or the special context within which it was brought into the QMS¹. I submit that the Deemed Value Guidelines do not properly apply to GLM9 and that there is a case for special consideration by the Minister

Furthermore I submit that in order to maintain the integrity of the QMS any consideration of deemed value should be made within the terms of the unique agreement and context with which they were written

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GLM9 is of strategic importance to the New Zealand mussel industry as it is the source of the majority of the industry's spat and therefore supports the majority of its export earnings. In a number of growing regions mussel farmers are effectively limited to using GLM9 by biosecurity conditions that preclude other major spat sources.

In areas where mussel farmers are able to utilise spat from several regions, accessing GLM9 along with other spat types ensures availability of harvest condition mussels for most of the year. This is because spat sourced from different regions fattens at different times of the year. This in turn enables the industry to support year-round employment in regional New Zealand.

The GLM9 fishery is unique. The availability of spat on beach cast seaweed at 90-Mile Beach arises from the intersection of a variety of biological and physical factors. Because a number of these factors are temporally variable, strandings of GLM9 spat, while they generally occur within a known season, are largely episodic².

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Furthermore GLM9 spat can be seeded onto farms and held until needed, before being moved into the final grow out cycle. This provides growers with a natural means of smoothing variability in the availability of spat. As a result, growers need access to GLM9 spat whenever it is available and as such its management within the QMS was not intended to constrain this access.

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It was recognised at the time that the fishery was unique and its introduction into the QMS ‘*required innovation given the particular characteristics of the fishery*’. The Minister took the advice of the fishers and the mussel industry regarding the TACC level and recognised that ‘those with an interest in the fishery are in the best position to know what catch level will provide for the most efficient use of the resource.’ The TACC at that time was set ‘to meet the expected demand for juvenile mussels over the next five years’ (ie to 2009).

Importantly the fishery was brought into the QMS as a s14, schedule 3 stock, in recognition that the purpose of the Act would be better achieved by setting an alternative TACC rather than to Maximum Sustainable Yield. This was in the context of knowledge and research that sustainability of the fishery was not a concern.

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A challenge for the introduction of GLM9 was 'how to measure and report juvenile mussels when they are harvested attached to seaweed'. 'The Ministry overcame this problem by requiring all fishers harvesting seaweed on 90 Mile Beach to report their catch using a set ratio for converting the weight of the material landed into the weight of the juvenile mussels and seaweed. This was based on the 'best estimate of the fishers' at the time, at 50%. The back ground to this was over the preceding 10 years the ratio was cyclic and had varied greatly between 10% and 90% it was agreed that from a management perspective the unit of measure be permanently set at 50% this allowed us to progress with the setting and management of the TACC level and deemed value rate. Over the last few years we have been going through a period of low ratios of mussels to seaweed however changing this ratio now will be problematic in the future when we return to a period of high ratios of mussels to seaweed

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1. 'However, fishers have chosen to land GLM9 mussels and spat in excess of ACE holdings, suggesting that the current deemed value settings, in relation to the reported port price, do not accurately reflect the value of the fishery to *industry*'. This statement also does not recognise the unique settings in which GLM9 was introduced to the QMS where MPI were mandated to manage this stock by way of varying the TACC and specifically agreed not to increase the deemed value rate.
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context of the fishery or its introduction into the QMS. As stated above, there are no sustainability issues, risks, vulnerabilities or otherwise that are recognised or sought to be addressed through the QMS and management was never required or intended to constrain access to the Greenshell mussel industry's vital source of spat

The Discussion Paper makes reference to the MPI Deemed Value Guidelines (2012) which are framed to manage '*most stocks*', '*low value stocks*' and '*highly vulnerable stocks*'. They were not written with the unique GLM9 fishery in mind but do note that there are certain circumstances where it may be appropriate to depart from the principles and that MPI will outline these to the Minister on a case-by-case basis. I submit that GLM9 is such a circumstance and that the proposal should be reviewed in the context of the background provided above.

Summary

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1. Withdraw section 6.1 of the Discussion Paper 2017/17 as it does not adequately reflect the GLM9 fishery in the context of the QMS.
2. Reduce the deemed value rate back to the level it set to at introduction to the QMS
3. Increase the TACC by the 11% that we over fished last year

.This would bring MPI back into line with what they are mandated to do and be a considered and responsible interpretation of the law as it stands.

This would keep the industry on a firm footing now and on into the future with MPI only having to tweek the TACC occasionally

Yours sincerely

Kirk Denison

3rd July 2017

Review of Earthquake-affected Fisheries 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011.

To whom it may concern,

Submission RE **Review of Earthquake-affected Fisheries 2017.**

Proposed further closure for Kaikōura and Cape Campbell earthquake-affected fisheries

Lanfar Holdings (No4) Ltd (Lanfar) agrees with MPI positions upon reviewing the emergency closure within the Kaikoura and Cape Campbell Areas.

Lanfar supports Option 2 of the management Action plan that being to —

Replace the emergency closure with a closure under section 11 of the Fisheries Act 1996.

Lanfar also supports MPI using available resources and methods to attempt to enhance the concept of the Social Responsibility Recreational and other stakeholder user's groups could contribute to the long-term sustainability of the Fisheries Assets everyone shares; especially around this area and until the science supports any further changes.

Kind Regards



Dennis Burkhart
Director

6th July 2017

Review of Earthquake-affected Fisheries 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011.

To whom it may concern,

Submission RE **Review of Earthquake-affected Fisheries 2017.**

Proposed further closure for Kaikōura and Cape Campbell earthquake-affected fisheries

Larnce Wichman supports Option 2 of the management Action plan that being to —

Replace the emergency closure with a closure under section 11 of the Fisheries Act 1996.

I support the work and effort Puamac 3 & 7 are undertaking to recruit more seeded Paua stock in to the coastal environment, I believe MPI should work collaboratively with commercial to achieve a better outcome for New Zealand.

I also support MPI using available resources and methods to attempt to enhance the concept of the Social Responsibility with Recreational and other stakeholder user's groups could contribute to the long-term sustainability of the Fisheries Assets everyone shares; especially around this area and until the science supports any further changes.

Kind Regards



Larnce Wichman

s 9(2)(a)

[Redacted]
[Redacted]
[Redacted]

4th July 2017

Review of Earthquake-affected Fisheries 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011.

To whom it may concern,

Submission RE Review of Earthquake-affected Fisheries 2017.

Proposed further closure for Kaikōura and Cape Campbell earthquake-affected fisheries

I Lester Gregg agree with MPI positions upon reviewing the emergency closure within the Kaikoura and Cape Campbell Areas.

I support Option 2 of the management Action plan that being to —


Replace the emergency closure with a closure under section 11 of the Fisheries Act 1996.

I also support MPI using available resources and methods to attempt to enhance the concept of the Social Responsibility Recreational and other stakeholder user's groups could contribute to the long-term sustainability of the Fisheries Assets everyone shares; especially around this area and until the science supports any further changes.

Regards


Lester Gregg

s 9(2)(a)



s 9(2)(a)

s 9(2)(a)

s 9(2)(a)

s 9(2)(a)




s 9(2)(a)



Gary Rountree
Financial Controller
MacLab (NZ)

s 9(2)(a)





7th July 2017

Sustainability Review 2017
Fisheries Management

MFA Submission on the GLM9 Deemed Value Rate Review

1. The Marine Farming Association (MFA) is a subscription based organisation representing marine farmers in the top of the South Island of New Zealand. The MFA has 130 ordinary members who own, lease or sublease Greenshell mussel, oyster and King Salmon farms in the upper South Island. Marine farmers in the MFA's growing area grow 70% of the marine products farmed in New Zealand.
2. Sales from those farms exceed \$270 million per year. Marine farms in Marlborough contribute around 5.7% of Marlborough's GDP (from farming and processing). The industry accounts for approximately 250 FTEs in farming and approximately 600 FTEs in processing in Marlborough.
3. The MFA was set up with the objective to promote, foster, advance, encourage, aid and develop the rights and interests of its members and the marine farming industry in general. The MFA works alongside other industry bodies to see the New Zealand Aquaculture sector recognised within New Zealand and around the world as producing healthy, high quality, environmentally sustainable aquaculture products.
4. The top of the South region of New Zealand produces between 65 and 70% of the Greenshell mussels farmed in New Zealand. The average annual tonnage harvested is around 70,000 tonnes. To support this achievement mussel farmers in the top of the South require substantial amounts of mussel spat. Traditionally this spat comes from Kaitia (GLM9, 75%), Golden Bay/ Tasman Bay (20%) and the Marlborough Sounds (5%). Although not all mussel farmers in the top of the South are GLM9 quota owners, they are certainly 'stakeholders' in the GLM9 fishery. The MFA is their representative body and therefore has an interest in the current Deemed Value Review.
5. This submission is lodged on behalf of non GLM9 quota owning members whose businesses rely on the unencumbered availability of GLM9 spat at a price that makes their businesses sustainable/ profitable.
6. The GLM9 mussel spat fishery is unique. It was brought into the QMS in 2004 '*despite there being no pressing sustainability concerns with the fishery*'. The introduction of GLM9 into the QMS was done with the knowledge that it '*required innovation given the particular characteristics of the fishery*'. At that time the Ministry of Fisheries noted '*those with an*

interest in the fishery are in the best position to know what catch level will provide for the most efficient use of the resource'. The basic premise has not changed since 2004.

7. The historic catch of mussel spat from 90 Mile Beach has been based on the spat to seaweed ratio of 50:50 which was based on *'the best estimate of fishers'* at that time. There is a strong likelihood that his figure is incorrect and because of this the current reporting system probably over reports GLM9 catch.
8. The MFA has a long standing policy on the *'utilisation of Kaitaia spat'* (Annex 1). In principal the MFA *'supports industry wide access to and the availability of Kaitaia spat at a reasonable cost and without encumbrances'* and the *'MFA supports any change in the quota based on sound science which would result in increased supplies of Kaitaia Spat'*.
9. In respect of the Section 6.1 review of GLM9 mussel spat harvest the MFA :
10. AGREES that there are no current short or medium term sustainability risks in this fishery (para 383). The MPI document talks of the possibility of long term risk, however this is presented as conjecture only.
11. NOTES that there is no science information to support the suggestion that there *'could'* be long term sustainability risks.
12. NOTES that no science data has been presented to inform and update the current spat : seaweed ratio (and subsequent TACC).
13. SUGGESTS that rather than over fishing the TACC, there has been an over statement in landed catch due to the incorrect spat ratio being used.
14. Because of these points the MFA DISAGREE with the proposed increase in Deemed Values as presented in Table 1 (para 358).
15. The proposed increase in Deemed Value Rates are excessive, not based on science, do not reflect the quest for innovation and availability (as originally proposed by the Minister of Fisheries) and can be seen as a cash grab by MPI which will only result in an increase in the cost of Kaitaia Spat to mussel farmers in the top of the South (for no proven good reason).
16. The MFA therefore requests that MPI delays the decision of the Deemed Values for GLM9 until the question of the spat : seaweed ratio have been agreed to by quota owners and stakeholders.
17. The MFA supports the submission made by Aquaculture New Zealand Ltd.

Thank you for providing us the opportunity to respond to your Deemed Value Rates proposal. We are available to further discuss concerns should you wish to meet with us.

Yours Sincerely



Jonathan Large

MFA President

26: UTILISATION OF KAITAIA SPAT POLICY

1. BACKGROUND

At the MFA Executive Committee Meeting on the 17th April 2015 it was noted that:

- It was desirable to optimise the availability and access to Kaitaia spat to all farmers.
- A review of the spat/weed ratio was a worthwhile initiative.
- There was an ownership issue created through the GLM 9 quota rights and that the MFA supported an increased ratio, however, the weed quota tonnage was a matter for negotiation between the GLM 9 shareholders and MPI.

2. POLICY

1. The MFA supports the position of AQNZ in respect of the weed/spat ratios.
2. The MFA supports industry wide access to and the availability of Kaitaia spat at a reasonable cost and without encumbrances.
3. In respect of the rights of GLM 9 quota owners, the MFA supports any change in the spat ratio which would result in increased supplies of Kaitaia spat.
4. Any increase in GLM9 quota is a matter to be agreed between MPI and the GLM9 quota owners, however the MFA supports any change in the quota based on sound science which would result in increased supplies of Kaitaia Spat.

From: S
To: [FMSubmissions](#); [Nicole Heybourn](#); [Mark Geytenbeek \(Mark Geytenbeek\)](#)
Subject: Fwd: Proposed extension of emergency closure to take any shellfish or seaweed.
Date: Thursday, 6 July 2017 1:31:44 p.m.
Attachments: [Conchocelis at depth a review ETM-1.pdf](#)
[Conchocelis at depth a review ETM-4.docx](#)
[The Reproductive Cycle and Structures of Pyropia-1.docx](#)

----- Forwarded Message -----

Subject: Proposed extension of emergency closure to take any shellfish or seaweed.

Date: Mon, 23 Jan 2017 14:04:31 +1300

From: s 9(2)(a)

To: FMsubmissions@mpi.govt.nz

To FM @MPI

06/07/2017

My submission for this round of submissions is a copy of my first on 23/1/17.

This season I have carried out surveys on areas of the coast, and found that regrowth is occurring in the areas that I harvested last year and previous years.

I have met with Mark Gutenberg from MPI and spoken with John Parker from University Of Canterbury who is carrying out the Coastal Survey, regarding Porphyra (Karengo), they sounded positive of regeneration within its tidal zone area from what has been seen to date this season.

The tidal zone where Porphyra grows, is not in the area that paua are situated, and should not be included with the seaweeds that were devastated in the earthquake uplift that the inshore fisheries depended on.

I also enclose papers on the regeneration of porphyra.

My concern was that the uplift may have affected one section of the sporing cycle, the papers supplied to me by Eliot Masters from Nelson Marlborough Institute Of Technology have clarified the depths that conchocelis occurs and clears the concern I had.

To include Porphyra (Karengo) in a total closure without the knowledge of how it performs this season, the information from my two remits, and the information that will be provided from Mark Gutenberg MPI, Dr John Parker from Canterbury University who has been contracted by the Ministry to advise it, local MPI resident Fisheries Inspectors, local IWI, and myself would be very very disappointing.

Thanks Martina MacDonald

To FM @ MOI,

23/1/2017

I have a Permit to harvest Porphyra (Karengo) seaweed between the Huranui River mouth, south of Kaikoura to Waipapa Bay north of Kaikoura.

My Permit allows me to harvest 10 wet tons per year between 1st July to 31st October.

The areas that are excluded for harvesting in my Permitted area are defined in the Kaikoura Marine Area

I have had a permit to harvest Porphyra since 1979.

I have only harvested what I thought an area would sustain.

The proposed closure area would shut my operation down.

My concern also is that MPI and all the names that it has had, in the last 37 years that I have been involved with Porphyra, have not had a great deal of knowledge about the seaweed, The exception to this was between 1980 / 1984 when the Hon Duncan McIntyre had the Dept of Ag & Fish carry out a Karengo survey, the scientists were Mike Bradstock, and Dr Wendy Nelson and her

team and I was asked to assist as required.

The outcome of the survey was that there was a sustainable supply on the coast to grant my permit.

In the survey it was also found that the Life Cycle of Porphyra was quite different to others on the coast.

Porphyra (karengo) grows from spores which are released by a plant that bears no physical resemblance to the porphyra blade. This plant called conchocelis, is the summer phase of the Porphyra life cycle. It is a microscopic filamentous plant which develops from spores released by the mature Porphyra blade. In nature the conchocelis filament burrows and grows beneath the surface of mollusk shells. The filaments branch and develop inside the shell, forming a plant mass that will eventually be visible to the naked eye as a darkly stained area on the shell surface. In the fall, as water temperatures drop and day length shortens, the conchocelis spore bearing branches, called sporangia, mature and release spores. These spores will float into the high intertidal and attach to rocks or any other suitable substrate, developing into Porphyra blades and completing the life cycle.

At the time of the earth quake I had stopped harvesting and the life cycle of the Porphyra was in the conchocelis stage, by mid May 2017 it will be possible to do a Monospore survey of the areas of Kaikoura, South Bay and Peninsular / Seal Colony, Mangamanu, and Rakautara as I do every year to determine the areas to harvest, if the survey showed good coverage a further survey would be done July, and harvesting would start August. I would be harvesting seven tonne this season.

The area the Porphyra grows on a normal tide is approx between the High and Low Tide mark, generally there are no other types of seaweed that grow in this region, which eliminates any bycatch. At times toward the end of harvest time Alva will grow between the low tide mark and the start of the Porphyra growth zone, also the only creature that inhabits the seaweed is a small hopper which is found in all other kelp in the area, because Porphyra is only on the rocks for six months then disappears, I do not see it as a seaweed dependent by other marine species.

I would hope that the information I have provided will assist any decisions made on a total ban of all seaweeds or only those that would be required to sustain other species.

I am not opposed to sustainable management and await your decision on my submission.

I would also add that I am disappointed that I had not received any correspondence from MPI or FishServe on the above and only found out about what was being proposed by talking to a friend yesterday.

Thanks

Martina MacDonald s 9(2)(a)

Mechanisms for regeneration of karengo on the Kaikoura coast, 2017: A Review

Given the extreme geophysical and evident biotic impacts of the 2016 Kaikoura earthquake on the nearshore marine environment, an abundance of caution would seem to be justified in restricting harvest of all benthic organisms by a blanket moratorium.

However, recent observation and review of the literature suggests that inclusion of karengo (*Pyropia* syn. *Porphyra* spp.) in such a moratorium is not justified by the complexities of reproduction in the species. The leafy thallus which is harvested from rocks at the tide line is annual growth, seeded by a microscopic conchocelis phase which bores into shell sediment at some depth. Recent observations seem to indicate that karengo along the earthquake-affected area of the Kaikoura coast has been effectively repopulated by its annual cycle of sporulation. A comprehensive review of the literature indicates that the microscopic conchocelis phase occurs in calcareous substrate (mainly scallop shells) at greater depth that may be immediately apparent, effectively constituting a generative (and genetic) reserve of sporulating conchocelis.

Since the conchocelis phase was definitively linked to the genus in 1949, it has been extensively studied under laboratory conditions, but only rarely documented in its natural environment (i.e. *in situ*). The relevant literature describes a resilient benthic organism which has been found to be well established within a range of over 80 meters of depth, from above to well below the mean low water.

Among the first *in situ* observations of conchocelis depth, Bird (1973) found conchocelis of *P. linearis* at a depth of 9 m in the sub-littoral zone near Sandy Cove, Halifax County, Nova Scotia.

With considerably greater focus on the limits and implications of its range in two successive studies, the conchocelis phase was sampled at a depth of 78 m in the Firth of Clyde, Scotland, by Clokie et al. (1979) and Clokie and Boney (1980). The authors identified *Pyropia conchocelis* as ‘usually the deepest growing plant’ – and proposed it as a ‘form range organism’ in that the maximum depth of its occurrence represents ‘the lower limit of the photic zone’ (ibid).

More recently, Tribollet et al. (2017) documented occurrence of living conchocelis in coral at depths of between 2 and 35 m in Indonesia, and, at the upper extreme, conchocelis was noted up to 1.4 m above mean low water at San Juan Island, Washington State, USA (Martinez 1990).

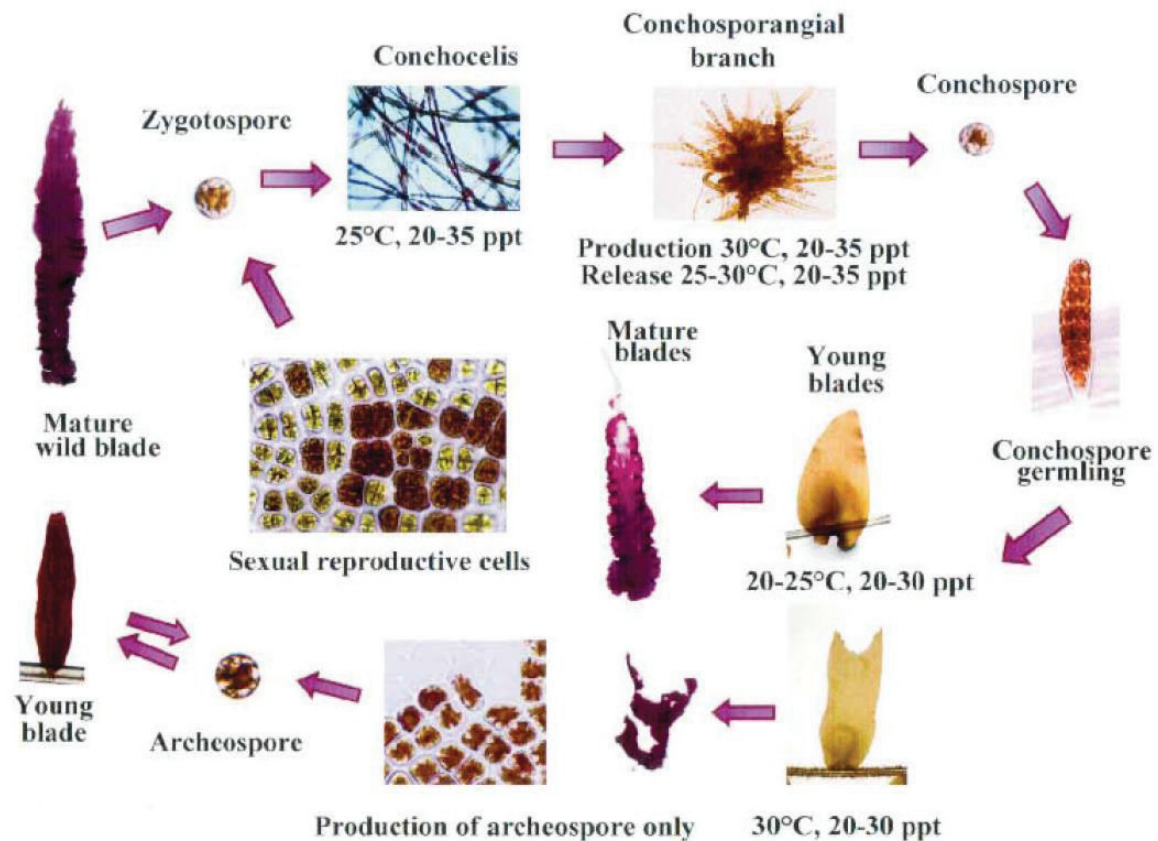
Although the mechanism by which conchospores released by the conchosporangia at depth rises to reach the tidal zone, it may be supposed that the along-shore advection and upwelling noted at Kaikoura provides such a mechanism, as described by Chiswell and Schiell (2001). It seems evident that conchospores have been effectively generated and transported to littoral substrate since the Kaikoura earthquake, where they have anchored and grown into leafy thallus at densities proximate to pre-event levels.

Eliot Masters
Nelson Marlborough Institute of Technology
(NMIT)

[REDACTED]
[REDACTED]
[REDACTED]

References:

- Bird, C. J. (1973). 'Aspects of the life history and ecology of *Porphyra linearis* (Bangiales, Rhodophyceae) in nature'. *Canadian Journal of Botany* 51(12): 2371-2379. Online at: <https://doi.org/10.1139/b73-304>
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- Tribollet, A.; D. Pica, S. Puce, G. Radtke, S. E. Campbell and S. Golubic (2017). 'Euendolithic *Conchocelis* stage (Bangiales, Rhodophyta) in the skeletons of live stylasterid reef corals'. *Marine Biodiversity*



The Reproductive Cycle and Structures of *Pyropia* syn. *Porphyra* spp.

from: Ruangchuay, R. and M. Notoya (2003). 'Physiological Responses of Blade and Conchocelis of *Porphyra vietnamensis* Tanaka et Pham-Hoang Ho (Bangiales, Rhodophyta) from Thailand in Culture'.

In: *Algae* 18(1): 21-28, 2003

Ministry of Primary Industries
Wellington
By email to FMSubmissions@mpi.govt.nz
7 July 2017

Submission of Moana New Zealand in relation to the Review of Sustainability Controls for 1 October 2017 for Bluenose Stocks

This submission has been prepared by Aotearoa Fisheries Limited, trading as Moana New Zealand (Moana), in response to pages 12 to 21, Part B, of MPI Discussion Paper 2017/17 Review of Sustainability Controls for 1 October 2017 (the Discussion Paper).

1. Moana is 100% Iwi owned with all Iwi r holding shares in the Company. Moana was established by the Maori Fisheries Act 2004 (the MFA). The company operates processing facilities in Bream Bay, Auckland, Whitianga, Coromandel, Palmerston North, Wellington, and Waitangi on the Chatham Islands. Moana markets fresh, live, and processed seafood and other food products to customers in all parts of the world. Moana is committed to, and is reliant on, the sustainable management of fisheries.
2. Moana is a significant holder of BNS quota and is a major participant in the BNS target fishery in on the east coast of the north island. Moana holds 30% of BNS1 and 27% of BNS2 quota shares, approximately 200 t ACE equivalent at the current TACC. BNS makes a valuable contribution to Moana's product portfolio in fresh markets in Australia and North America. Sustainable management of the BNS fishery is essential to Moana's future profitability. Moana is committed to supporting whatever actions are necessary to secure the long term future of the BNS fishery.
3. Moana is a member of Fisheries Inshore New Zealand (FINZ). Moana supports the submission of FINZ in response to the BNS sustainability controls proposed in the Discussion Paper.
4. Specifically Moana supports:
 - a) Responsive management of the fishery through the use of Management Procedures (MP) as have been discussed by MPI and FINZ over the past 18 months.
 - b) A reduction in the TACC from 900t to 800t conditional on completion of a new stock assessment during the 2017/18 fishing year and the implementation of a MP approach to management of the fishery.
5. Moana does not support:
 - a) A reduction in the TACC to 620t. A reduction of this size simply to increase the likelihood of achieving the target rebuild time is not tenable. The resulting economic and social disruption is disproportionately excessive in relation to the unquantified benefits of increasing the likelihood of achieving a default rebuild timeframe. A reduction in the TACC to 620t will result in the BNS fishery becoming largely a bycatch fishery restricting the ability to collect data to monitor and manage the fishery.
 - b) Reducing the TACC without committing to active management of the fishery during the rebuild of the stock. A "set and forget" approach to management of the BNS fishery, or for that matter any other economically important fishery, will not deliver optimal use of our marine resources.

- c) Leaving the recreational allowance unchanged. All fishers who benefit from utilising the fishery should invest in its future. Recreational fishers should be encouraged to invest in the sustainability of the BNS fishery and should not be insulated from the need to reduce current consumption in order to maintain future consumption.

This submission is made by Steve Tarrant, Chief Operating Officer, Moana New Zealand.

Contacts

Steve Tarrant s 9(2)(a)

Nathan Reid s 9(2)(a)

To Ministry of Primary Industries

F.M. Submission. Pau3.

From. N & L Boyd Family Trust.

Fish Serve Client No:

s 9(2)(a)

Contact. Linda Boyd

s 9(2)(a)

s 9(2)(a)

Noel Boyd.

s 9(2)(a)

Received by post
29/6/17

While I have viewed first hand and fully appreciate the devastation and losses incurred to Paua & their habitat both North & South of Kaikoura, I feel that just closing with TAC reductions / shelving etc, should be rigorously debated & all options pursued.

From a statistical area point of view, I suggest discussing the following:-

1: Area 304.

Have there been any substantial losses here? Mangamanu – Hapuku was a very good resource. From the Cemetery to Hapuku River, extending well offshore, I feel has perhaps been unaffected.

2: Area 309 (Mikonui South) & 310.

These areas do not appear to be greatly affected (as viewed from the air)??

3: Area 312/313/314.

These are all areas that are underutilised due to dirty water.

4: Area 316 – 321 (South of regularly dived NapeNape area).

There's a large area, virtually untouched due to dirty water which has known Paua beds. Probably the biggest untapped resource in Area 3.

5: All of Banks Peninsula.

Stunted stock here – I believe there are still many areas that have not been adequately explored. Also stunted stock with 'Fishdowns' being debated for several years.

6: Area 338.

I understand there are Paua here but in dirty water.

I suggest that we discuss & agree or disagree, on a system to explore and take conservative amounts from these (or some of these) areas, in the form of a commercial catch / survey for one season with the aid of air. (See the Chatham Island concession for UBA) to negate the dirty water issues - all rigorously monitored by data loggers & or camera data!

OR – Another, completely 'outside the square' thought – There are some large & untouched (apart from the 'burglars' who have a field day there!) areas:- Wellington Coast & the West Coast of the South Island both have a large & untapped resource. Compensate any cuts or shelving losses with 'Special Permits' to take the equivalent stock from these areas until ours recovers.

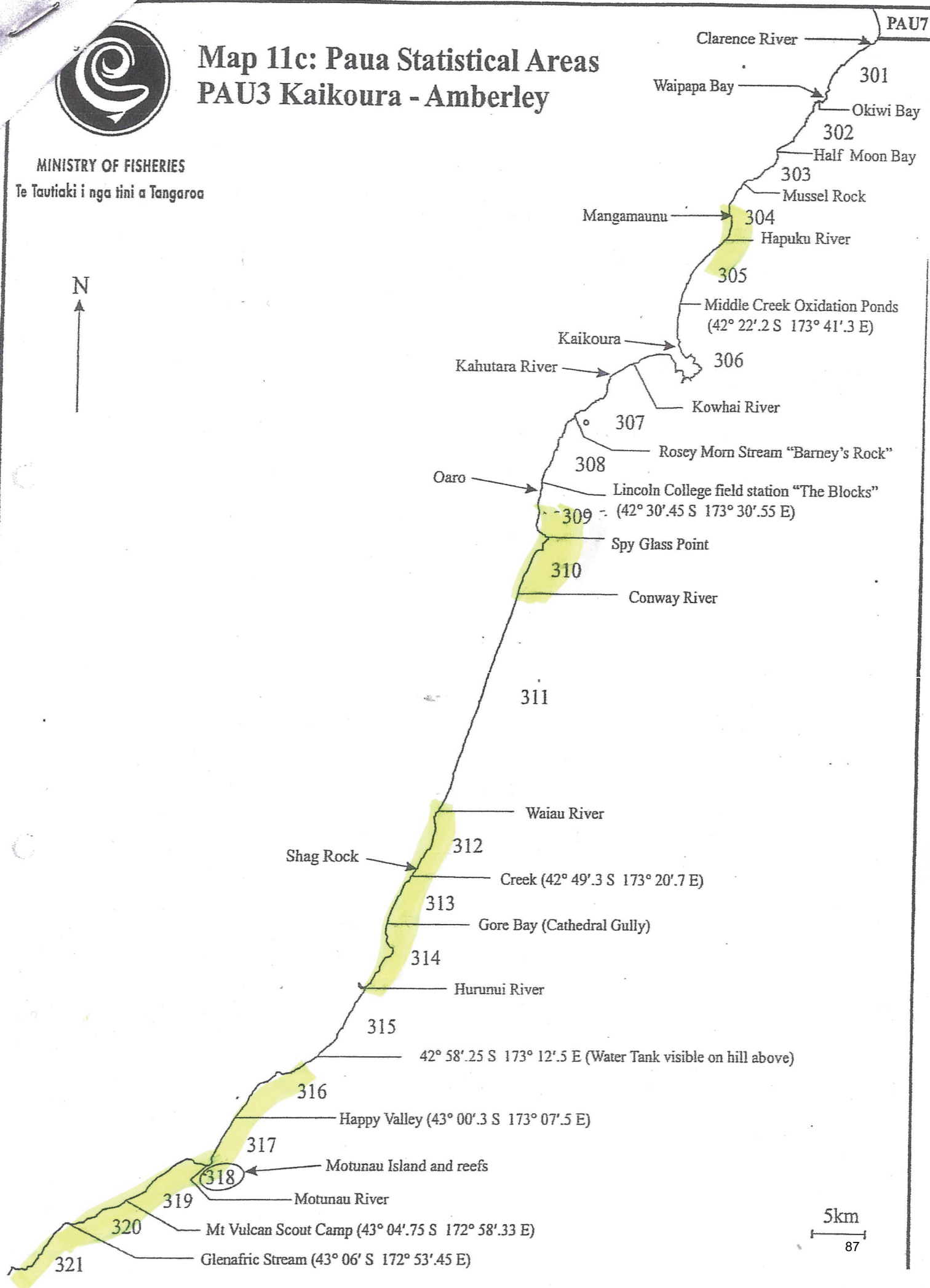
Above all we need to remember that all (& more than) the Area 3 TAC used to be taken basically from The Clarence to Conway! This of course was probably not sustainable long term. The 'Dirty Water' coastline would possibly equate to an approximately similar area as above, although with (at this stage), unknown total stock levels.



Map 11c: Paua Statistical Areas PAU3 Kaikoura - Amberley

MINISTRY OF FISHERIES

Te Tautiaki i nga tini a Tangaroa

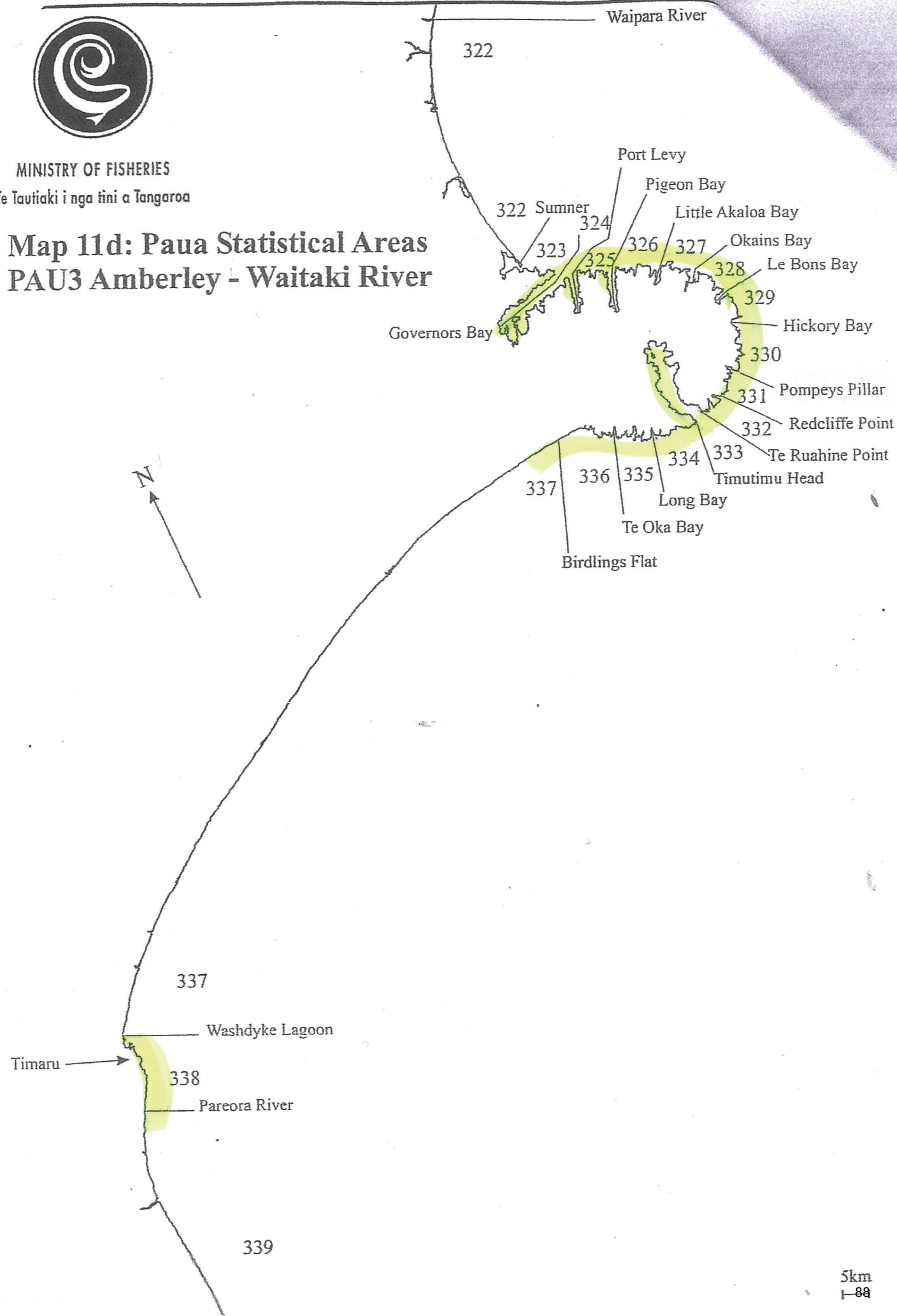




MINISTRY OF FISHERIES

Te Tautiaki i nga tini a Tangaroa

Map 11d: Paua Statistical Areas PAU3 Amberley - Waitaki River



Phil Appleyard
President
NZ Sport Fishing Council
PO Box 207-012
Hunua 2254
secretary@nzsportfishing.org.nz



Sustainability Review 2017
Ministry for Primary Industries
P O Box 2526
Wellington 6011
FMSubmissions@mpi.govt.nz

7 July 2017

Review of sustainability measures for 1 October 2017 – Inshore Stocks DP 2017/17

Review of closure for Earthquake-affected Fisheries DP 2017/21

Submission:

- NZSFC support Option 3 for Bluenose, with a 704 tonne combined TAC for the five main areas.
- NZSFC supports Option 2 for Gurnard in GUR 7, a 65 tonne increase in the TAC.
- NZSFC support Option 2 in Red Cod in RCO 2, a 61 tonne increase in the TAC.
- NZSFC support Option 2 for the proposed Kaikoura closure, full closure under Section 11.
- NZSFC supports Option 1 for PAU3, 50% reduction in TACC.
- NZSFC support Option 2 for PAU7, 10% reduction in TACC.

The submitters

1. The New Zealand Sport Fishing Council and supporters of our public outreach LegaSea, (the submitters) appreciate the opportunity to submit feedback to the Ministry of Primary Industries (MPI) on the 2017 Review of sustainability controls for inshore stocks for 1 October, and the Review of closure for earthquake affected fisheries. MPI released their proposals on 7 June 2017. Submissions are due by 7 July 2017.
2. The New Zealand Sport Fishing Council is a National Sports Organisation with over 33,000 affiliated members from 56 clubs nationwide and a growing number of contributing supporters to LegaSea. Our representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this review and would like to be kept informed of future developments. Our contact is Dave Lockwood, secretary@nzsportfishing.org.nz.
3. We are committed to ensuring that sustainability measures and management controls are designed and implemented to achieve the Purpose and Principles of the Fisheries Act 1996, including maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations and ensuring sustainability.

Proposal to decrease Total Allowable Catch for Bluenose

Background

4. Bluenose is a long-lived, low-productivity stock which means it is less responsive to management changes than some other species. Significant concerns arose in 2011 when a stock assessment indicated that the combined biomass for the five Bluenose QMAs was between 14 and 27% of the virgin (unfished) biomass (B_0).
5. In 2011 the Minister agreed to a three-year reduction plan aimed at rebuilding Bluenose stocks to 40% of B_0 by 2031-2037. The first two planned reductions of the rebuild plan happened in 2011 and 2012. On the basis of positive signs from the fishery the final phase of catch reductions in 2013 was deferred to allow for further investigation of new information.
6. After three subsequent years of declining CPUE, and an updated stock assessment in 2016, new management action was deemed necessary to meet the rebuild target. The TACC was reduced by 200 tonnes in 2016. This was an interim measure until an agreed Management Procedure was developed to guide Bluenose management into the future. As a Management Procedure has not been agreed upon, further management action is proposed to help ensure the stock reaches the agreed target within the Minister's timeframe.

Proposals

7. MPI proposes to review the total allowable catch (TAC), including allowances and the total allowable commercial catch (TACC) for Bluenose in all quota management areas (QMAs). Reductions, if applied, could be spread proportionally across TACCs for the five QMAs. MPI considers that, at this time, there is no new information to suggest recreational allowances should be changed.

Table 1: Proposed management settings in tonnes (t) for BNS 1, 2, 3, 7 & 8 combined from 1 October 2017

Option	Total Allowable Catch (t)	Total Allowable Commercial Catch (t)	TACC tonnage decrease and % change	Allowances		
				Customary Māori (t)	Recreational (t)	All other mortality caused by fishing (t)
Option 1 (<i>Status quo</i>)	990	900	-	9	63	18
Option 2	888 ↓	800 ↓	100 t ↓ (11%)	9	63	16 ↓
Option 3	704 ↓	620 ↓	280 t ↓ (31%)	9	63	12 ↓

Submission

8. In 2011 our members considered that the Bluenose stock had been significantly fished down and that an immediate, or staged, reduction of the combined TACs to 787 t or below was required to produce a timely rebuild to target biomass.
9. The NZSFC submission in 2016 again expressed concern about the state of the stocks and supported a combined TAC of 704 t, as per the rebuild plan signed off by the Minister in 2011.
10. We highlight the collapse of the Australian fishery for this species as a clear warning that a precautionary approach is needed.

11. NZSFC support Option 3 for Bluenose, with a 704 t combined TAC in the five main areas because half-measures implemented to date have consistently failed to turn this fishery around and start rebuilding the stock to the target level (The 2016 stock assessment results are summarised in Figure 8 from the May 2017 Fishery Assessment Plenary document, below).

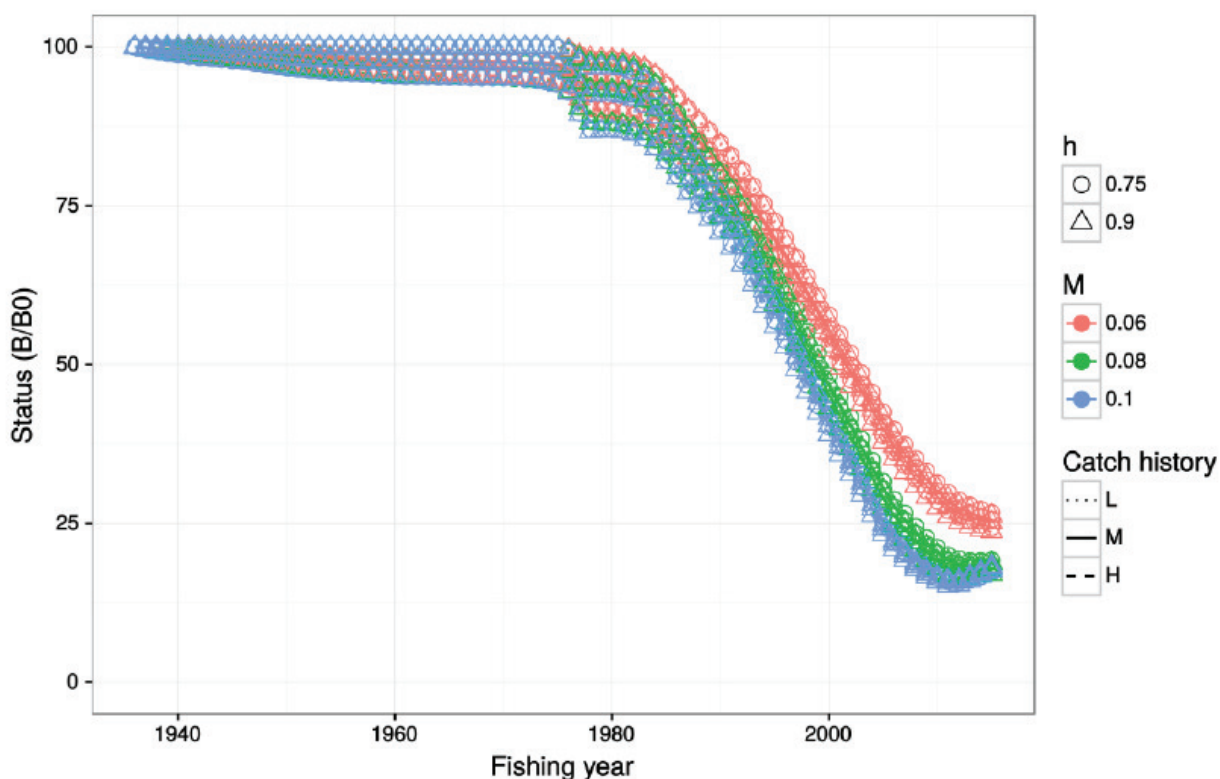
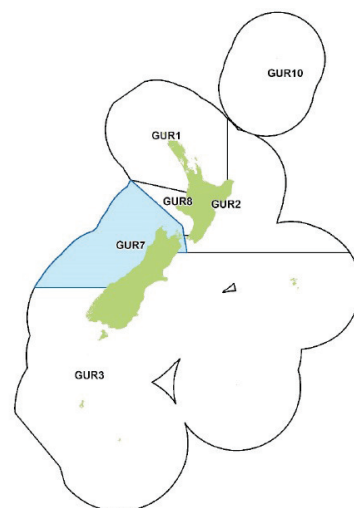


Figure 8: Results of the national Bluenose stock assessment showing the change in biomass as a proportion of the unfished biomass using three different values for natural mortality (M) and two estimates for steepness (h).

Proposal to increase Total Allowable Catch for Red Gurnard in GUR 7

Background

12. Red Gurnard have a fast growth rate and relatively short lifespan, and fluctuations in recruitment may result in large fluctuations in stock biomass.
13. The catch limits for Red Gurnard in GUR 7 were last reviewed in 2014 when results from the West Coast South Island trawl survey showed an increasing index of abundance. The TAC was increased from 855 to 919 tonnes and the TACC was increased from 785 to 845 tonnes.
14. The Fisheries Assessment Working Group has set a management target of the average West Coast South Island trawl survey biomass estimate from 1992 to 2013. This is 436 t from the area surveyed.



Proposals

15. MPI proposes the following options for the total allowable catch (TAC), total allowable commercial catch (TACC) and associated allowances for Red Gurnard in GUR 7 (Table 1). These proposals include TACC increases of 7% or 15%.

Table 1: Proposed management settings in tonnes (t) for GUR 7 from 1 October 2017

Option	Total Allowable Catch (t)	Total Allowable Commercial Catch (t)	TACC tonnage increase and % change	Allowances		
				Customary Māori (t)	Recreational (t)	All other mortality caused by fishing (t)
Option 1 (<i>Status quo</i>)	919	845	-	10	22	42
Option 2	984 ↑	905 ↑	60 t ↑ (7%)	11 ↑	24 ↑	44 ↑
Option 3	1062 ↑	975 ↑	127 t ↑ (15%)	12 ↑	25 ↑	50 ↑

MPI rationale for increasing the TACC

16. MPI rationale for reviewing Red Gurnard 7 includes:

- Red Gurnard stock size can be highly variable from year to year.
- Updated information in 2017 shows that the WCSI trawl survey relative biomass is three times higher than the target level and is likely to remain high in the short term as a result of good recruitment.
- Two different options are proposed to allow for consideration of the uncertainty in the available information and the management of sustainability risk. The Information Principles in the Fisheries Act require that caution be applied when making decisions.
- Ongoing monitoring of the stock using trawl surveys (the next is in 2019) will enable responsive management and appropriate adjustments to address risk and possible opportunity.

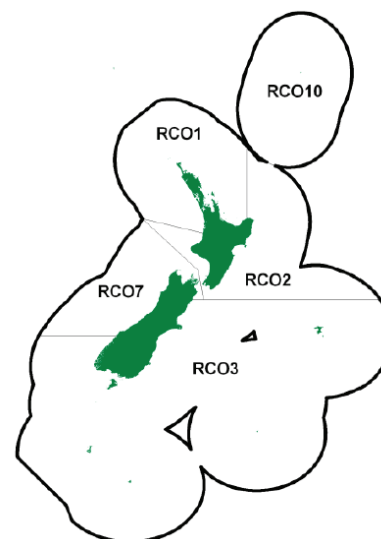
Submission

17. It is incorrect for MPI to claim there has been a steady increase in the Trawl Index since the 2014–15 review, and a greater opportunity for sustainable utilisation now exists. There has only been one trawl survey since 2015 which shows that the index is effectively at the same level.
18. NZSFC supports the use of data from fishery independent surveys and believes they will become increasingly important as technology changes.
19. It is common that fish stocks have natural cycles in abundance. Significant increases in catch allowances when abundance is at a peak may exacerbate the decline when it comes.
20. NZSFC supports the more precautionary of MPI's proposals for GUR 7, Option 2, a 65 tonne increase in the TAC providing a 7% increase to the TACC in addition to the other two increases in recent years.

Proposal to increase Total Allowable Catch for Red Cod in RCO 2

Background

21. Red Cod are a fast-growing, short-lived species with highly variable recruitment. These factors result in pulses of recruitment leading to variable stock abundance and a large variation in catches between years.
22. Red Cod is a relatively low value species in commercial terms and in RCO 2 they are mostly taken as bycatch in the inshore bottom trawl fishery off the East (FMA 2) and West Coast (FMA 8) of the lower North Island.
23. Primarily, RCO 2 commercial catch comes from fisheries targeting tarakihi (35.7%), flatfish (24.2%) and Gurnard (19.8%). Approximately two-thirds of commercially caught RCO 2 has been taken in and around Hawke Bay in recent years.
24. Since 2013, the Minister has managed RCO 2 using a Management Procedure which uses commercial catch rates in October and November to estimate the likely annual catch and propose an 'in-season' increase in the TAC. In a separate review, MPI is proposing to increase the TAC for 2016–17 and to set non-commercial catch allowances for this year only.
25. To date, no baseline allowances for Māori customary fishing, recreational fishing, and all other mortality caused by fishing in the RCO 2 fishery have been set.
26. In the 2011–12 National Panel Survey of recreational harvest more Red Cod were reported from FMA 2 and FMA 8 (RCO 2) than other quota areas. The total recreational harvest estimate for RCO 2 was 20,000 fish with an estimated weight of 24 tonnes.



Proposals

27. MPI proposes the following options for the total allowable catch (TAC) allowances for Māori customary fishing, recreational fishing, and all other mortality caused by fishing for Red cod in RCO 2. (Table 1).

Table 1: Proposed management settings in tonnes (t) for RCO 2 from 1 October 2017

Option	Total Allowable Catch (t)	Total Allowable Commercial Catch (t)	Allowances		
			Māori Customary (t)	Recreational (t)	All other mortality caused by fishing (t)
Current (baseline) settings	500	500	-	-	-
Option 1	554 ↑	500	5	24	25
Option 2	561 ↑	500	5	31	25

MPI rationale for increasing the TAC

28. MPI rationale for reviewing Red Cod 2 includes:

- For the 2017–18 fishing year, MPI is proposing to set the TACC at the current level. The initial setting of the baseline non-commercial allowances would necessitate an increase to the baseline TAC.
- The best available information suggests that both options proposed (see Table 1) for setting the baseline TAC could provide for an appropriate baseline allowance for the non-commercial harvest and all other mortality caused by fishing of Red Cod in RCO 2.

Submission

29. Information in the discussion document on the proposed in-season increase in the TAC for RCO2 suggests that Red Cod abundance is currently high. NZSFC accepted this, but opposed the increase because it was unlikely to be caught in the time remaining in the 2016–17 fishing year, and if it was caught, it would be because trawl fishing effort had significantly increased. Any increase in trawl effort will be counter-productive to the effort by our Hawke's Bay team to negotiate meaningful inter-sector agreements and reduce trawling inshore in Hawke Bay.
30. MPI need to be more careful about implying that the allowance for "all other sources of mortality from fishing" is part of the non-commercial allowances (Paragraph 263). Clearly this is set at 5% of the TACC, which consists largely of trawl catch. This language is also creeping into the rock lobster discussion documents and will be challenged.
31. NZSFC support Option 2 in RCO 2, a 61 tonne increase in the TAC. The Minister has a statutory duty to 'allow for' non-commercial fisheries within the TAC, and if stock abundance is increasing it is essential that any increase in availability is considered when making these allowances.

Proposal Closure of Earthquake effected fisheries in the Kaikoura Region

Background

32. On 20th November 2016, a magnitude 7.8 earthquake caused large portions of seabed to be raised by up to 6 metres in the Kaikoura region. This caused parts of the coast to be raised out of the water, affecting the marine inhabitants of these areas and their reproductive capabilities.
33. The Minister used the emergency closure powers held in Section 16 of the Fisheries Act 1996 to immediately close the fishery to all harvest. After one month the rock lobster fishery was reopened, after research showed it was unlikely this event caused any real damage to the fishery.
34. After consultation in February, the Minister extended this closure of the shellfish and seaweed fisheries to the maximum period allowed under section 16. This closure will expire on 20th November 2017, allowing harvest at the same levels as before the earthquake. It is believed that the stocks would be unable to handle this level of harvest and may lead to further decline.

Proposals

35. MPI proposes to enact another closure of the Kaikoura area (Figure 1) under section 11 of the Fisheries Act 1996. This closure would prohibit all harvest except customary. The local iwi have voluntarily agreed to limit their harvest to tangi only. This proposal would allow the Minister to manage the closure of individual species as science reveals when/if these can be reopened and the management that would be required to facilitate this.

Table 1: Proposed options for the earthquake-affected fisheries in Kaikōura and Cape Campbell

Management action	
Option 1	Take no action. The current emergency closure will expire at 5pm 20 November 2017 and the affected shellfish and seaweed fisheries will be reopened.
Option 2	Replace the emergency closure with a closure under section 11 of the Fisheries Act 1996.



Figure 1 - Proposed Kaikoura closure

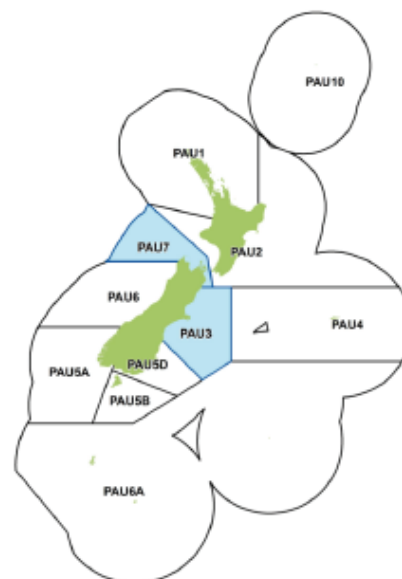
Submission

36. The NZSFC support the full closure of shellfish and seaweed fisheries in this area until such a time that the best available science deems it safe to reopen.
37. We acknowledge the cooperation from local iwi to refrain from the harvest during this closure, the need for all users to allow this at-risk fishery to recover is clear.

Proposal to decrease Total Allowable Catch for PAU3 and PAU7

Background

38. The continued closure of the earthquake affected areas has the potential to cause problems for the surrounding areas by shifting the pua catch effort from the closed areas.
39. To combat this problem, the Minister proposes a reduction in the Paua TAC to remove effort from the fishery.
40. The Minister has proposed two changes, representing reductions equal to the maximum and minimum estimate harvest in the closed area over the last 15 years.



Proposals

41. MPI proposes the following options for the total allowable catch (TAC), total allowable commercial catch (TACC) and associated allowances for Paua in PAU3 (Kaikoura – Christchurch) and PAU7 (Marlborough/Tasman/Cape Campbell)

Table 1: Proposed management settings in tonnes (t) for PAU 3 and PAU 7 from 1 October 2017

Stock	Option	Total Allowable Catch (t)	Total Allowable Commercial Catch (t)	TACC tonnage decrease and % change	Allowances		
					Customary Māori (t)	Recreational (t)	All other mortality caused by fishing (t)
PAU 3	Current settings	-	91.615	-	-	-	-
	Option 1	79.3	45.8 ↓	45.8 t ↓ (50%)	15	8.5	10
	Option 2	57.6	27.5 ↓	64.1 t ↓ (70%)	15	5.1	10
PAU 7	Option 1 (Status quo)	133.6	93.6	-	15	15	10
	Option 2	121.8 ↓	84.2 ↓	9.4 t ↓ (10%)	15	12.6 ↓	10
	Option 3	116.5 ↓	79.6 ↓	14 t ↓ (15%)	15	11.9 ↓	10

Submission

- NZSFC supports Option 1 for PAU3, 50% reduction in TACC.
 - NZSFC support Option 2 for PAU7, 10% reduction in TACC.
42. The above options are based on the previous 15 years harvest, and represents the minimum and maximum estimated harvest from within the closed area.
43. NZSFC notes that the last assessment of PAU7 revealed an estimate of 18% B0. It is important that caution is taken when dealing with a fishery that has recently been under pressure.
44. It is our understanding that a system was put in place in 2001 to spread commercial effort more evenly across PAU3. This system meant that closer to 50% of the commercial harvest was taken from inside the closed zone.
45. NZSFC is aware that there is some concern for the displacement of recreational pressure. While we agree there will be some displacement, paua abundance and accessibility in other areas is lower for recreational fishers than it was in many areas on the Kaikoura coast. NZSFC believe there will be a significant decrease in recreational fishing effort and harvest in these QMAs due to the closures.
46. New estimates of recreational harvest and information on areas fished will be collected during the next National Panel Survey in 2017–18.
47. NZSFC has discussed the proposals with the Paua Industry Council (PIC) and acknowledge their views and efforts to restore this fishery. However, the NZSFC do not support shelving as a first-choice management option as the TAC represents all available catch. If catch is not available, the TAC needs to be reduced.

Ngāti Mutunga O Wharekauri Asset Holding Co Ltd

s 9(2)(a)

7 July 2017

MPI REVIEW OF SUSTAINABILITY CONTROLS FOR 1 OCTOBER 2017 – PAU4

By email: FMSubmissions@mpi.govt.nz

1. This submission, in relation to the Ministry of Primary Industries (MPI) review of the catch limits and allowances for pāua in the Chatham Islands ('PAU4'), is made by Ngāti Mutunga o Wharekauri Asset Holding Company Ltd ('NMOW AHC'), the commercial subsidiary of the Ngāti Mutunga o Wharekauri ('NMOW') iwi of the Chatham Islands.
2. NMOW and NMOW AHC are fully committed to the sustainable management of its fisheries and ensuring their protection and continued productivity for future NMOW and Chatham Island generations to come. This is paramount to NMOW's and the Island's own sustainability.
3. NMOW AHC has invested heavily into the PAU4 fishery and will own 11,336,942 PAU4 quota shares at 1 October 2017.
4. NMOW AHC is a member of PauaMAC4. One of the NMOW AHC directors is also a member of the PauaMAC4 committee.
5. NMOW AHC fully supports in its entirety the PauaMAC4 submission in relation to the MPI review of sustainability controls for PAU4. NMOW AHC will continue to work closely with PauaMAC4 and key stakeholders to ensure the PAU4 Fishery Plan, referred to within the PauaMAC4 submission, is developed and implemented with urgency.

6. In addition to the PauaMAC4 submission, NMOW AHC asserts that not only is shelving the best way to manage this fishery but it is, in fact, the only course of action available to MPI that is consistent with Section 5 of the Fisheries Act 1996.

Nga mihi nui

A handwritten signature in blue ink, consisting of a large loop followed by several sharp, overlapping strokes.

Joseph Thomas

Chair

Ngati Mutunga o Wharekauri Asset Holding Company Limited

From: S
To: [FMSubmissions](#)
Subject: Review of earthquake-affected fisheries 2017
Date: Thursday, 6 July 2017 10:02:18 p.m.

Submission on Review of Sustainability Controls for 1 October 2017 and Review of Closure for Earthquake-Affected Fisheries

1 This submission concerns:

- 1 MPI's review of the catch limits and allowances for paua in Marlborough/Golden and Tasman Bays (PAU 7); and
- 2 MPI's review of the closure for earthquake-affected fisheries.

2.

3. My name is Nicholas Coll. I am a quota holder in PAU7

4.

Recommendations

3. I support the submission of PauaMAC 7 Industry Association. In particular, I support the following management measures:

- For the TACC, **option 1** (retain current TACC) together with a formal shelving of 10% of PAU 7 ACE;
- For the recreational allowance, **7.5 tonnes** (a 50% reduction) or, failing that, **option 3** (11.9 tonnes), together with a package of measures to reduce recreational catch so that it remains within the reduced allowance;
- For the closure of earthquake-affected fisheries, **option 2** – i.e., replace the emergency closure with a closure under section 11 of the Fisheries Act.

Support for ACE shelving

4. While I agree that commercial harvest levels should be adjusted so as to avoid displacing catch from the earthquake-affected closed area, I support ACE shelving rather than a TACC reduction as the mechanism for reducing commercial catch.
5. I support 10% shelving rather than a TACC cut because it is a well-established successful management practice in PAU7, PAU7 quota owners already took a big hit last year with a 50% TACC reduction.

5.

Managing recreational catch

5. Measures must be put in place urgently to address recreational catch that has been displaced from the closed area.

7.

7. I agree with PauaMAC 7's proposal to reduce the daily bag limit to 6 paua (with an accumulation limit of 12 paua) throughout PAU7, and increase MLS of 128mm in the area from Cape Koamaru to the mouth of the Wairau River.

3.

Continued closure of earthquake-affected fisheries

3. I support the replacement of the emergency closure with a closure under section 11 of the Fisheries Act.

3.

Yours Sincerely
Nicholas Coll

Submission on Review of Sustainability Controls for 1 October 2017 and Review of Closure for Earthquake-Affected Fisheries

1. This submission concerns:

- 1) MPI's review of the catch limits and allowances for pāua in Marlborough/Golden and Tasman Bays (PAU 7); and
- 2) MPI's review of the closure for earthquake-affected fisheries.

Tidesong Family trust is a family owned fishing business, owned by Nigel and Janet Laing and party managed by son Geoff. We own quota in pau7 and have also been large harvesters here for many years.

Recommendations

2. We support the submission of PauaMAC 7 Industry Association. In particular, we support the following management measures:

- For the TACC, **option 1** (retain current TACC) together with a formal shelving of 10% of PAU 7 ACE;
- For the recreational allowance, **7.5 tonnes** (a 50% reduction) or, failing that, **option 3** (11.9 tonnes), together with a package of measures to reduce recreational catch so that it remains within the reduced allowance;
- For the closure of earthquake-affected fisheries, **option 2** – i.e., replace the emergency closure with a closure under section 11 of the Fisheries Act.

Support for ACE shelving

3. While we agree that commercial harvest levels should be adjusted so as to avoid displacing catch from the earthquake-affected closed area, we support ACE shelving rather than a TACC reduction as the mechanism for reducing commercial catch.

Managing recreational catch

4. Measures must be put in place urgently to address recreational catch that has been displaced from the closed area. We have already seen a large amount of displaced recreational effort move into Pau7 around the easier to access areas such as Port Underwood. We feel that this needs to **urgently** be addressed before the start of summer.

This management could be done through reducing daily recreational take to 6 paua per person per day as well as lifting the minimum harvest size to 128 in areas such as Port Underwood.

Continued closure of earthquake-affected fisheries

5. We support the replacement of the emergency closure with a closure under section 11 of the Fisheries Act as we feel this is the best option to aid in the recovery of the paua fishery and for it to be in place as long it is needed for research to be done and for recovery to be made.

Regards,

Nigel, Janet and Geoff Laing

Contact details

Geoff Laing

s 9(2)(a)

Our Fishing FUTURE

- a healthy marine environment enjoyed by all
- taking pride in an abundant and healthy marine environment where our community extends manaakitanga over our fisheries and oceans
- unity and inclusion within the recreational fishing community
- equity of access through stakeholder engagement
- understanding and valuing our marine environment and its resources so we can all be responsible for a better future

Hello

Our Fishing Future supports the attached submission from TASFISH in relation to red gurnard (GUR 7). The red gurnard fishery in FMA7 is a shared fishery of significant recreational interest. We endorse the comments about the importance of providing adequate and fair allocation to the recreational sector and enabling management of the stock for higher abundance.

Geoff Rowling
President

administration@ourfishingfuture.org.nz

7th July 2017

Sustainability Review 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011
Via email to: FMSubmissions@mpi.govt.nz

Re MPI Discussion Paper 2017/17 Deemed value Review Green Lipped Mussel (GLM9)

Pare Hauraki Kaimoana is a member of the Coromandel Marine Farmers Association. Pare Hauraki is one of the largest mussel waterspace consent holders in the Coromandel region. Pare Hauraki Kaimoana fully support the submission made by CMFA regarding this deemed value review.

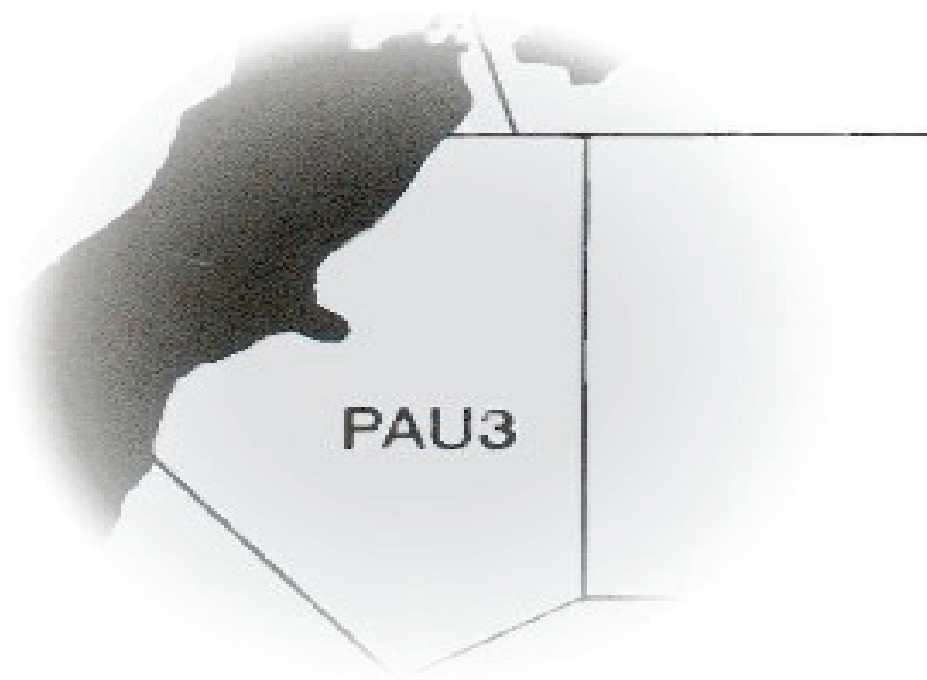
Yours Sincerely



Stephen Hand
General Manager

s 9(2)(a)

Pau3 Industry Association Incorporated



1. Submission on MPI Discussion paper No:2017/21

Review of Closure for Earthquake-affected Fisheries

2. Submission on MPI Discussion paper No:2017/17

Review of Sustainability Controls for 1 October 2017

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Introduction

1. Pau3 Industry Association Incorporated represents paua quota shareholders, paua Annual Catch Entitlement (ACE) holders, contract workers and associated industries in the Quota Management Area PAU3.
2. The society's rules of association require it to hold an Annual General Meeting in which a committee is selected. The committee is denoted PAUAMAC3.
3. The committee operates under the rules of association. On matters where a decision is likely to affect the Total Allowable Commercial Catch (TACC) the committee is to conduct a general meeting. That meeting was held in Kaikoura on 31 May 2017. One of the objectives at that meeting was to derive a mandate that gives PAUAMAC3 the ability to submit on behalf of its membership.
4. Engagement between MPI and PAUAMAC3 has been very good. The committee has been well informed prior to the consultation period which has enabled research and duties of constitution to be carried out. PAUAMAC3 was consulted on the initial emergency closure under section 16 in the week before 20 November 2016 and again prior to extension of emergency closure on 20 February 2017. On both occasions the committee has driven the closure to be maintained. We support the closure because the current fragility of the fishery and lack of information has produced uncertainty that the remaining biomass cannot be utilised in a sustainable manner.
5. The timing of the closure in mid-November was early in the 2016/17 fishing year. This resulted in PAUAMAC3 needing to address the problem of ACE in that year. The committee held a special general meeting on 6 December 2016 to deal with this problem. It was unanimous at that meeting that any ACE held in the closed area should not be displaced into the remaining open area of PAU3. Through this action industry has proven that a closure must not be detrimental to surrounding fisheries.
6. Closure of the fishery has been widely accepted by all stakeholders in the community. This is partly due to the fact that all stakeholders to date have been included in the closure. It is recommended that all stakeholders stay united throughout the recovery and refrain from fishing within the closed area whether it is initiated by legislation or from a voluntary initiative.

Part 1 – Review of Closure for Earthquake-affected Fisheries

Option 1

'Take no action. The current emergency closure will expire at 5pm 20 November 2017 and the affected shellfish and seaweed fisheries will be reopened'.

7. PAUAMAC3 **opposes** Option 1 for the following reasons:

- a) The remaining paua biomass must be preserved to populate newly forming habitat. It is currently unknown when juvenile habitat will be re-established and stable enough to receive larvae settlement and promote population growth. In the interim period whilst science is developing information there should be no fishing/harvesting; and
- b) The consequence of fishing/ harvesting before information is available could set recovery back exponentially. Any level of utilisation without good management based on accurate information will jeopardise the recovery of the fishery.

Option 2

‘Replace the emergency closure with a closure under section 11 of the Fisheries Act 1996’.

- 8. PAUAMAC3 **supports** Option 2.
- 9. It was decided by resolution at Pau3 Industry Association Incorporated Annual General Meeting on 31 May 2017 that:

Resolution: Paua3 members support the current closure in its current state to continue under Section 11. PauaMAC3 will do a submission.

Moved: Jason. Seconded: Mark Barcello. All in favour: Yes.

Motion Carried

- 10. The continuation of the closure under section 11 gives rise to three issues on which PAUAMAC3 would like further engagement with MPI – i.e., review periods, displacement of recreational catch, and compliance.

Review Periods

- 11. We understand that section 11 allows more general management as it is more flexible than section 16. However, it is unclear from the discussion document how a review of the closure would be initiated – for example, would a review be undertaken at a set time (e.g., annual or biannual) or would it be information-based (e.g., using a decision rule)?
- 12. PAUAMAC3 would like to work with MPI and other stakeholders to develop a framework for reviewing the closed area.

Displacement of Recreational Catch

- 13. The extension of the closure under section 11 will cause continued increased fishing pressure on the surrounding fisheries.
- 14. The PAU3 industry has taken measures to mitigate the threat of displaced commercial catch from the closed area to surrounding open fisheries but so far recreational catch remains unquantified and unaltered. This has been recognised by North Canterbury residents and runanga. We understand that changing the recreational bag limits is a separate regulatory

process but we are nevertheless disappointed that consultation has not already been initiated on specific regulatory proposals to reduce recreational catch.

15. PAUAMAC3 recommends that the reduction of daily bag limits for pāua in areas to the north and south of the closed area should be a management priority. Responsible management of the surrounding areas requires a reduction in the recreational bag limits before the busy summer holiday period.

Compliance

16. PAUAMAC3 recommends that the penalties for possessing paua within the closed area unlawfully must be increased to reflect the level of commitment and investment all stakeholders have in the recovery of the fishery.
17. There are places that due to the uplift paua populations are now very accessible. As time goes on temptation will get the better of people. The right message needs to be initiated early so that word can circulate that the recovery of the fishery is serious and non-compliance will be dealt with severely.
18. The problem is likely to become more evident as the road becomes available to users. Funding must be directed to signage as changing the closure to section 11 provides more certainty that the closure will be long term.

Part 2 – Review of Sustainability Controls for 1 October 2017

Effective Management

19. In the early years of the quota management system the PAU3 TACC was caught mainly in the Kaikoura area – that is, the Conway River north. It wasn't until the turn of the millennium and the creation of PAUAMAC3 that divers and quota owners saw the need to spread the TACC across as much of the QMA as possible. This was to protect the resource as much as possible from serial depletion. Other factors that drove the need to spread the catch were 'loss of access to productive fisheries due to Marine Protected Area closure or Customary Protected Area closure' and population growth proportionally increasing unquantified recreational catch.
20. The initiative was given the term 'subdivision' and is a voluntary practice set annually by AGM to be adhered to in an Annual Operating Plan (AOP). Initially it was difficult to gain industry compliance with the subdivision. Even when subdivision was unanimously supported by members, total buy-in to compliance took many years. Because subdivision is voluntary, there is simply no sanction for non-compliance. However it can be said with confidence now that all members agree that the spreading of catch is a very good management tool.
21. Fine scale information obtained by the use of data loggers has also been a voluntary practice adopted in PAU3. The goal is to improve management by obtaining better data. Though

voluntary, individual operators have purchased data loggers and we have to date achieved almost 100% data logger usage.

22. The PAU3 fishery has benefited from other voluntary measures put in place by PAUAMAC3. Increased minimum harvest size (MHS) has been used with good effect to enhance an area. Increasing MHS has the benefit of leaving younger individuals longer in the reproductive cycle and reducing individuals required to produce the TACC. Where juvenile population has reduced PAUAMAC3 has used reseedling as an enhancement tool to lift biomass. This has been at great expense to shareholders. PAUAMAC3 continues to budget for reseedling every year, even though its effectiveness is not yet quantified. Together with reseedling PAUAMAC3 has invested time and money into a facility to produce swimming larvae. This can be used as an alternative to or in conjunction with reseedling. MPI are aware of and have been cooperative with these projects.
23. Another concept on our radar is to utilize stunted stock. At present there are habitats in PAU3 that consist of biomass below the MHS. It is the intention to conduct a survey that assists science. When information has developed a possible strategy could also be developed to utilize some of this stock.
24. Community engagement in the management of the paua fishery has also been a focus of PAUAMAC3. Our organisation has always had a voice around the table at Te Korowai o te tai o Marokura. The nine long years before the 'Kaikoura Marine Strategy' was passed in August 2013 spanned 3 reigns of PAUAMAC3 Chairmen. One of our chairmen, John Nicholls, was himself chairman of Te Korowai.
25. All of this effort to manage our fishery was evident immediately following 14 November 2016. Media coverage all over the world showed our resource (corresponding hard work) high and dry in places for people to see. This was and is a well-managed fishery. PAUAMAC3 emphasises that this review of the TACC must be used to manage the affects from the earthquake only. It should not be an opportunity for groups to target the commercial industry for whatever reason.
26. PAU3 consists of 42 entities holding 100 000 000 shares of a TACC of 91,615 kg. Pre earthquake value of 1000kg worth of shares was \$380-400,000. When we are discussing reducing the TACC consideration must be given to the capital loss these entities will suffer on their asset.
27. It is the belief of our membership that MPI has legitimate concern for the sustainability of the remaining open area of PAU3. The generation of 91,615kg of ACE come 1 October 2017 could not be absorbed sustainably by the remaining open area. It is accepted that commercial harvest must be reduced to meet the requirements of the Act.

Providing Certainty

28. It has been a tough sell to membership that a TACC reduction is the preferred way to deal with the threat to sustainability. Some members viewed voluntary shelving as a method in which the sustainability issue can be addressed without the loss of property right.
29. We have been informed that the policy team at MPI cannot recommend shelving as a method to address sustainability in these circumstances. PAUAMAC3 conceded that shelving is not the appropriate tool given the complexity of the situation.
30. However, the use of a TACC reduction rather than shelving creates uncertainty for PAUAMAC3. Our members have a genuine concern that once the TACC has been reduced, the industry will never get the reduced catch back, even if the fishery supports an increase in utilisation at some future time. We are concerned that increased abundance could simply be absorbed by or reallocated to the growing recreational fishing sector, or set aside in marine protected areas. Possible change in government adds to our uncertainty that the efforts we put in today to protect and rebuild the fishery will not be rewarded by commensurate benefits for the industry in the future.
31. Although PAUAMAC3 is demonstrably committed to the sustainability of the fishery, we must provide certainty to our members that when the fishery has been rebuilt, the TACC will be increased to allow increasing utilization.
32. We therefore recommend that PAUAMAC3 and the Minister for Primary Industries should enter into a Memorandum of Understanding (MOU) to provide greater certainty to the industry that the TACC will be increased again (and not reallocated to other uses) once the fishery can sustain it. While we are prepared to reduce our harvest levels in the interests of rapid recovery from the earthquake-related effects on the fishery, it is unreasonable to expect us to also reduce our harvest levels in order to provide for other uses of fisheries resources.
33. In the medium term, PAUAMAC3 intends to develop and obtain community support to develop a formal fisheries plan to be approved by the Minister under section 11A of the Fisheries Act. A fisheries plan will also improve certainty, but in the meantime an MOU is required. Our recommendations in the remainder of this submission are subject to the development of this MOU.

Setting the TAC and allowances

34. Under s13(2A) the Minister is required to use the best available information to set a TAC. There is currently no TAC set for PAU3. The information that the Minister has at his disposal on non-commercial catch has a high degree of uncertainty. The setting of a TAC based on information that is known to be uncertain could be creating future problems.
35. The TACC (and commercial harvest levels) is the only certain figure. It must be recognised that in setting a TAC for the first time, the Minister is establishing an allocation ratio even though there is no reliable information on recreational catch.

36. In order to create appropriate incentives for all fisheries sectors to look after the fishery, it is important that the allocation ratio set by the TAC, TACC and allowances is upheld by maintaining the proportionality of harvest shares in the future. If future surveys are conducted and prove that non-commercial harvest exceeds the allowances, measures must be taken to keep it within limits. PAUAMAC3 considers that it is unacceptable for the Crown to transfer shares of the fishery from commercial to non-commercial allowances as a consequence of incorrect information being used to set the first PAU3 TAC in 2017.
37. We also consider that the allocation of 10 tonnes to other mortalities realistically may not be adequate to include road side and illegal harvesting.

TACC Option 1

38. MPI proposes two options for setting the TACC – Option 1 is for a 50% reduction to 45.8 tonnes.
39. This option in the discussion paper is termed the less conservative approach. However PAUAMAC3 considers that a 50% reduction contains a degree of conservatism, as demonstrated in the following tables.
40. Table 1 shows the PAUAMAC3 voluntary catch allocation from 2009 to 2016. Areas 3A and 3B encompass the current closed area from Clarence River to the Conway River. The other two areas encompass the remainder of the QMA. PAUAMAC3 has been consistent with efforts to spread the catch from the Kaikoura area.

Table 1 – PAUAMAC3 Voluntary Allocation 2016-2009

	3A	3B	3D	3E
2016	29000	16000	25615	21000
2015	29000	16000	25615	21000
2014	29000	17000	29615	16000
2013	29000	17000	29615	16000
2012	29000	17000	29615	16000
2011	33000	17000	29615	12000
2010	30000	14000	27615	20000
2009	30000	14000	27615	20000

41. Table 2 was compiled by Trident for PAUAMAC3. It revises catch information from each statistical area outside the closed area over the last 10 years. The maximum catch from the individual stat area is shown. The average catch for the stat area over the 10 year period is also shown. The report was based on the last 10 years as further back and our catch spreading program was only really being trialled. Also a figure of 10 years is broad enough to draw some conclusions. It is worth noting that due to confidentiality requirements some catch is not shown on the table, but these catches must be also considered when setting a TACC.

Table 2 – Maximum and Average Catch by stat area for open area of QMA

Stat Area	Maximum Catch (kg)	Average Catch (kg)
311	1315.0	1315.0
312	3512.0	1866.6
313	2620.0	1755.3
314	2630.0	1627.5
315	7240.0	3655.3
316	3695.0	2210.0
317	1020.0	946.7
318	14772.0	9821.6
319	1110.0	837.3
320		
321		
322		
323		
324		
325		
326		
327		
328		
329		
330	4420.0	2628.8
331	830.0	830.0
332	610.0	509.0
333	1529.0	1099.0
334	12885.0	7897.9
335	9195.0	4502.7
336		
337		
338		
339		
Total	67383.0	41502.6

42. The total maximum catch outside the area of the current closure totals 67,383kg. This figure is 21,575.5kg greater than MPI's option 1. The maximum figure could be termed full utilisation but a level of conservatism is preferable.
43. The total average catch totals 41,502.6kg. This figure is 4,304.9kg smaller than MPI's option 1. The difference can be absorbed easily in the hidden information due to the confidentiality requirements and the possible scope of underutilised or unfished biomass in the open area. The difference gives PAUAMAC3 room to explore and utilise more of the fishery.

44. In summary, PAUAMAC3 **supports** Option 1 because:

- 50% has been aimed at by PAUAMAC3 over the last 10 years plus as a desired spread of catch outside the Kaikoura area;
- The setting of 50% for the remaining open area of PAU3 has a level of conservatism;
- In addition to the primary sustainability measure of the TACC, PAUAMAC3's voluntary management practices, including catch spreading, will help ensure the sustainability of the fishery; and
- Option 1 (a 50% TACC reduction) provides better utilisation and less financial burden to members.

45. The following resolution was made at the recent AGM held in Kaikoura:

Resolution: Motion: Submit in our consultation to MPI that we are all in favour of a 50 per cent TACC reduction.

Moved: Jason. Seconded: David R. All in favour: Yes.

Motion Carried

TACC Option 2

46. MPI's option 2 is a 70% TACC reduction to 27.5 tonnes.

47. PAUAMAC3 **opposes** option 2 because:

- It does not allow for good utilisation of the fishery;
- Catch information has been derived from a voluntary practice and does not reflect the true potential of the open area;
- It does not allow for further development and exploration of the open area of the fishery; and
- It places unnecessary additional financial pressure on members.

48. The Fisheries Act's purpose is to provide for utilisation while ensuring sustainability. Providing for utilisation requires an examination of factors that have influenced the past catch levels. These factors are mainly based around the spreading programme 'sub division' only being a voluntary practice. Though fully endorsed by members now, this was not always the case in the early 2000s. With no sanctions for non-compliance some members may have chosen to catch their ACE in Kaikoura. The number of diving days available in a fishing year comparatively between Kaikoura and the area south of Conway is often different. It has taken time for members to develop the capability to determine good weather conditions outside of Kaikoura. Poor turbidity in southern areas due to land run off from big flow rivers such as the Waiau River, Hurunui River and Ashley River make diving conditions more difficult than the Kaikoura area. However weather patterns in Banks Peninsula are becoming better understood and members are utilising conditions better down there now.

49. As most of the ACE holders for PAU3 reside in Kaikoura or Blenheim it has really been a work in progress to get divers to travel. It is difficult to base a reduction on what has been a

voluntary practice and better utilisation will occur once divers are forced to catch outside the Kaikoura area by the regulatory closure. The weather patterns for some habitats combined with a voluntary catch spreading programme have resulted in catch not being achieved for several consecutive years at times.

50. In summary, historic catch patterns (especially over ten years ago) do not match the true sustainable harvest potential of the PAU3 area south of Conway.
51. The figure of 70% reduction does not allow for utilisation of the fishery to grow in a sustainable manner. As noted above, the 70% figure is derived from a poor catch years driven by a voluntary practice. In future years with better practices and better utilisation of weather this figure will be far too low and result in underutilisation. Also PAUAMAC3 sees opportunity to explore initiatives that may occur from voluntary reseedling and translocation projects.
52. The financial impact of the earthquake on our membership is severe. Many members will be needing financial assistance. It must be accredited to membership that total support has been given to continue the closure in the Kaikoura area and ensure the most rapid recovery of the resource. Members know that in doing so their pockets are affected dramatically. Also mortgage/equity arrangements will be affected. To set a TACC reduction at 70% would increase the level of financial burden beyond point of survival for some.

Longer term management approach

53. The PAU3 industry wants to work in partnership with all other stakeholders and MPI to protect the paua resource in our QMA.
54. It is apparent that within PAU3 there are now two distinctively different areas that have different management needs. These areas are:
 - Pau3N (North) – Statistical Areas 301-310. The current closed area, Clarence river to the north and Conway river to the south; and
 - Pau3S (South) – Statistical Areas 311-339. The remaining open area, Conway river to the north and Waitaki river to the south.
55. It is the intent of PAUAMAC3 to apply to the Minister to subdivide the QMA as above under s25A of the Fisheries Act (industry initiated subdivision). We would have preferred to have the subdivision in place before TAC and TACC decisions were made, but we realise this is not achievable in 2017. Our aim is therefore to achieve a subdivision by 1 October 2018.
56. Coupled together with the subdivision it is the intent of PAUAMAC3 to create Formal Fisheries Plan under s11A of the Fisheries Act for both the new QMAs.
57. We look forward to working with MPI and others on these initiatives.



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Paua Industry Council submission on Review of Sustainability Controls for 1 October 2017 and Review of Closure for Earthquake-Affected Fisheries

Introduction

1. This submission concerns MPI's reviews of:
 - The TACs, TACCs and allowances for pāua in PAU3, PAU4 and PAU7; and
 - The closure for earthquake-affected fisheries.

PIC support for PauaMAC submissions

2. PauaMACs are incorporated societies which operate under rules of association. These rules provide that on matters affecting TACCs or shelving, the PauaMAC's position is determined by quota owners in the stock. Each of the PauaMACs in areas 3, 4 and 7 has a mandate from quota owners for the recommendations presented in its submission. PIC therefore supports the submissions of the PauaMACs, i.e.:
 - For PAU3:
 - reducing the TACC by 50% (option 1); and
 - setting appropriate allowances and a TAC;
 - For PAU4:
 - retaining the current TACC, shelving 30% of PAU4 ACE, and implementing fine-scale management under an Industry Management Plan; and
 - setting a TAC of 334 tonnes, with allowances as provided in the discussion document;
 - For PAU7:
 - retaining the current TACC (option 1) and shelving 10% of PAU7 ACE;
 - reducing the recreational allowance by 50% to 7.5 tonnes or, failing that, option 3 (11.9 tonnes), together with the urgent implementation of a package of measures to reduce recreational catch so that it remains within the reduced allowance;

- For the closure of earthquake-affected fisheries:
 - replacing the emergency closure with a closure under section 11 of the Fisheries Act (option 2).
3. We also wish to emphasise three generic points related to the 2017 sustainability measures in so far as they affect pāua stocks – these are:
- The need to consider decisions on annual sustainability measures in the context of longer term management approaches for the fishery;
 - The validity of shelving as a measure to achieve a secure reduction in commercial harvest levels; and
 - The urgent requirement to implement measures to remove displaced recreational fishing effort from the areas surrounding the closure of earthquake-affected fisheries.

Longer term management approaches for paua fisheries

4. Two of the PauaMACs affected by the 2017 sustainability reviews are developing industry management plans, with a view to gaining community support for the plans and then submitting them for approval by the Minister as fisheries plans under section 11A of the Fisheries Act. PIC strongly supports these initiatives as they provide:
- Certainty about how paua fisheries will be managed in future, for the benefit of all fisheries stakeholders;
 - A more secure basis for implementing non-regulatory industry management measures such as fine-scale catch spreading (which is critical to avoid local area depletion for sedentary species such as paua);
 - A mechanism for operationalising decision rules which the paua industry is developing to guide TACC adjustments in all paua stocks;
 - Better integration of Fisheries Act and Resource Management Act matters (e.g., to reduce adverse effects on paua habitat from sedimentation of terrestrial origin) by virtue of the requirement for RMA decision makers to have regard to fisheries plans prepared under the Fisheries Act; and
 - A platform for the paua industry to work together with MPI and other fisheries stakeholders in the management of the paua fisheries at a regional level.
5. PIC considers that it is important to view the 2017 decisions in light of the longer term management approaches for these fisheries, as set out in industry management plans. The 2017 decisions should support and encourage industry responsibility for management measures such as fine-scale catch spreading in PAU4 and QMA subdivision in PAU3, rather than cutting across these initiatives by creating uncertainty and poor incentives for participation in the rebuilding of the fisheries.

6. Certainty is particularly important for the PAU3 industry. The PAU3 fishery has suffered unprecedented impacts from the November 2016 earthquakes, resulting in considerable cost and uncertainty for quota owners, divers and the Kaikoura community. In these circumstances, a structured and secure approach to the rebuilding of the fishery is absolutely critical. PIC would vigorously oppose the use of earthquake-related management responses as a mechanism for reallocating (whether passively or actively) the PAU3 fishery from commercial to recreational users or to MPAs. Yet this remains a real possibility, particularly in light of proposals in MPI's *Future of our Fisheries* for "optimising TAC allocation across sectors" by reallocating catch from commercial to recreational fishers where recreational demand is strong.
7. We don't want uncertainty about fisheries allocation to create a roadblock for beneficial industry initiatives such as QMA subdivision and fine-scale catch spreading. While a fisheries plan will help provide certainty, there are also other measures which MPI and the Minister could progress in the interim to give the PAU3 industry confidence to invest in the rebuilding of the fishery – for example, a Memorandum of Understanding (as recommended in PauaMAC3's submission) or a letter of assurance. We urge MPI to give positive consideration to practical ways in which certainty can be improved without fettering future Ministerial discretion.
8. We also note that the PauaMAC submissions comment on the challenges of implementing industry management measures in the absence of a statutory framework for collective decision making and enforceable industry rules. PIC considers that the development and implementation of an "authorised management" regime should be a priority for MPI's *Future of our Fisheries* work programme. In our view the concerns that are being expressed about the PAU4 fishery would not have arisen had authorised management been in place.

Support for shelving

9. Quota owners in PAU4 and PAU7 propose the use of ACE shelving, rather than a TACC cut, to achieve the required reductions in commercial harvest levels. PIC supports this approach. Provided a shelving arrangement is robust, it makes no difference from the perspective of ensuring sustainability whether a stock is moved towards its management target using a reduced TAC/TACC or a shelving arrangement. All paua ACE shelving is robust because the ACE is shelved by way of forward ACE transfers to an independent entity (FishServe).
10. We draw MPI's attention to the analysis in PauaMAC4's submission describing how shelving is a mandatory relevant consideration for the Minister when setting sustainability measures under section 11 and section 13 of the Act. It is particularly relevant to note that both PAU4 and PAU7 have substantial tonnages of preferential allocation rights (i.e., section 28N rights). In PAU4 the 28N rights are currently equivalent to 6.04% of the TACC, but this would increase to 10.06% under MPI's option 2. In PAU7 the 28N rights are currently equivalent to 9.43% of the TACC and would increase to 11.1% under MPI's option 3.
11. While PIC supports the continued protection of 28N rights under the Fisheries Act, the existence of preferential allocation rights of this magnitude will permanently alter the ownership of quota

shares if the TACCs of PAU4 and PAU7 are reduced then subsequently increased. This has serious implications for all non-28N rights holders in the affected fisheries:

- Firstly, it permanently reduces the amount of Settlement Quota shares in the fishery in a manner that is likely to be inconsistent with the requirements of section 5 of the Fisheries Act (Application of... Treaty of Waitangi (Fisheries Claims) Settlement Act 1992); and
- Secondly, quota owners cannot be expected to contribute voluntarily to the rebuilding of a fishery (e.g., through fine-scale management initiatives) if the fruits of their efforts are then permanently allocated to another quota owner at their expense.

12. PIC submits that these are relevant social, economic and cultural factors that support shelving rather than a TAC/TACC reduction in PAU4 and PAU7 for the purposes of section 13(3).

Control of recreational fishing effort

13. Although reliable information is not available, it is highly likely that recreational fishing effort is being displaced to areas north (Marlborough Sounds) and south (Motunau, Banks Peninsula) of the closed area. Immediately after the earthquakes the paua industry implemented ACE shelving and effort spreading in PAU3 and PAU7 to prevent commercial fishing effort being displaced from the closed area. Quota owners in PAU3 are now facing a 50% TACC cut and in PAU7 a further 10% shelving on top of 2016's 50% TACC cut – but no reductions to recreational catch have been put in place, or even proposed, for either fishery.

14. In these circumstances PIC cannot comprehend why MPI is not currently consulting on measures to reduce the impact of displaced recreational catch. We appreciate that recreational fishing regulations are amended through a separate process, but nevertheless consider that controls on recreational fishing should have been proposed at the same time that decisions are made on TACs and allowances. When setting a recreational allowance, the Minister must make a judgement on the anticipated and allowable level of recreational catch which is directly dependent on the regulatory settings for recreational bag limits and other controls.

15. We recommend that reductions in the recreational daily bag limits for the remaining open areas of PAU7 and PAU3 must be implemented as soon as possible, and certainly before recreational fishing pressure increases even further in summer 2017.

Yours sincerely



Storm Stanley

Chairman – PICL



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7 July 2017

Ministry for Primary Industries

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PauaMAC 4 Industry Association submission on Review of Sustainability Controls for 1 October 2017

Tena koutou katoa

Introduction

1. This submission concerns MPI's review of the catch limits and allowances for pāua in the Chatham Islands (PAU 4).
2. PauaMAC 4 Industry Association Incorporated (PauaMAC 4) represents the commercial pāua industry in PAU 4. Our members include owners of PAU 4 quota and Annual Catch Entitlement (ACE), commercial harvesters, and associated industry personnel such as licensed fish receivers.
3. PauaMAC 4's Rules of Association provide that decisions on matters related to TACs, TACCs and shelving are made by class 1 members (i.e., quota owners). A postal ballot of PAU 4 quota owners demonstrated majority support of those who voted for the position presented in this submission.
4. Our submission addresses management responses for PAU 4 at three levels:
 - Short term/immediate – from 1 October 2017 to 1 October 2019;
 - Medium term – from 1 October 2019 onwards; and
 - Longer term.
5. PauaMAC 4 considers that it is essential to view the current management decisions in light of the proposed management approach for PAU 4 in the medium and longer term. The measures we propose in this submission establish an effective and coherent package and sequence of management measures to ensure the sustainability of the Chatham Islands' pāua stocks and provide for their utilisation now and into the future.

Summary of PauaMAC 4's position

6. In the short term, PauaMAC 4:

- **Supports** setting a TAC for PAU 4 for the first time;
- **Supports** MPI's proposed allowances for recreational and customary fishing and other sources of mortality caused by fishing;
- **Opposes** a TACC reduction; and
- **Supports** a formal shelving of at least 30% of ACE for at least three years together with an Industry Management Plan for fine-scale management of the PAU 4 fishery.

7. In the medium term, PauaMAC 4 will:

- **Develop** the Industry Management Plan into a community-endorsed fisheries plan that provides the basis for fine-scale responsive management of the PAU 4 fishery; and
- **Seek approval** of the fisheries plan from the Minister for Primary Industries under section 11A of the Fisheries Act, with a view to the fisheries plan being implemented by 1 October 2019 at latest.

8. In the longer term, PauaMAC 4:

- **Supports** legislative change to provide for "authorised management", under which a super-majority of quota owners in a stock can make and implement binding rules about commercial harvesting and ACE management within government-set standards.

Detailed submission – short term/immediate measures

9. PauaMAC 4 proposes a package of two management measures to be implemented by 1 October 2017 – i.e., shelving and a fine-scale Industry Management Plan to address local area depletion and associated issues.

Shelving

10. PAU 4 quota owners are committed to establishing forward ACE transfers totaling at least 30% of PAU 4 ACE to an independent entity (FishServe) by 31 August.

11. PauaMAC 4 intends that ACE shelving will be maintained at no less than 30% for at least three years. The level of shelving will be reviewed annually and will be adjusted if required.

Industry Management Plan

12. PauaMAC 4 has developed a PAU 4 Industry Management Plan which identifies objectives, strategies and measures to be implemented from 1 October 2017 (**attached**).

13. The strategies and actions in the plan support the effectiveness of shelving by directly addressing and reversing the risk of local area depletion. The primary mechanisms to address local area depletion are:

- Fine-scale effort spreading to be implemented by:
 - Setting harvest targets for every PAU4 statistical area (which may include setting targets of zero for areas known to be subject to local depletion);
 - Monitoring actual sub-area catch on a timely basis; and
 - Implementing in-season closures of sub-areas if catch levels exceed the sub-area target by a specified percentage; and
 - Reviewing sub-area targets on an annual basis and adjusting if necessary; and
- Further protecting and enhancing the fishery at a local scale by:
 - Improving information on spawning;
 - Adjusting minimum harvest size at an appropriate spatial scale;
 - Implementing a seasonal spawning closure; and
 - Undertaking translocation and reseedling programmes.

14. The Plan also sets out associated management strategies, such as:

- Improving the comprehensiveness and accuracy of harvest information;
- Developing and implementing a harvest control rule;
- Timely adjustments to commercial harvest levels using ACE shelving;
- Improving the performance of harvesters in relation to PauaMAC 4's general operating procedures and best practice rules and enhancing quota owner responsibility for harvester performance; and
- Encouraging a community-based approach to the management of Chatham Islands' fisheries by establishing and participating in a Chatham Islands Fisheries Forum, together with iwi, imi and recreational fishers.

Rationale for industry submission

15. PauaMAC 4 considers that shelving is a **valid and legally appropriate mechanism** to reduce the commercial harvest of PAU 4 by at least 30%. Furthermore, the shelving and fine-scale Industry Management Plan outlined in this submission are matters that the Minister is obliged to take into account when setting a TAC and TACC for PAU 4. In particular:

- When deciding whether to exercise his discretion under section 11 to set or vary a TAC, the Minister must take into account the effects of fishing on any stock (s11(1)(a)), which necessarily includes the effects (present and future) of shelving and industry fine-scale effort spreading on the stock; and
- Sections 13(2), (2A) and (3) together provide an obligation on the Minister to move a stock towards/above B_{MSY} , and when deciding on the *ways* and *rates* (i.e., timeframes) to achieve that

statutory objective, the Minister must consider all relevant social, cultural and economic factors. The Minister is obliged to take into account PauaMAC 4's shelving and fine-scale effort spreading when considering these section 13 provisions because:

- Shelving can constitute a “way” in which, and affects the “rate” at which, a stock can be moved towards/above B_{MSY} ;
- Shelving also affects whether (and the way and rate) a TAC at any given level enables the level of the stock to move towards/above B_{MSY} ; and
- Social, economic and cultural factors may support a shelving arrangement in place of a TAC/TACC reduction for the purposes of section 13(3).

16. PauaMAC 4 considers that shelving and a fine-scale management plan **better achieves the purpose of the Act** (i.e., providing for utilisation while ensuring sustainability) than a TACC reduction. The available science provides no certainty on trends of PAU 4 stock abundance and the fishery still supports good CPUE by New Zealand standards. There is no evidence to suggest that PAU 4 has fallen below the soft limit in MPI's harvest strategy standard (20% B_0) which would trigger a rebuilding strategy. However, there is general agreement that local area depletion is a pressing management issue from a utilisation perspective but also potentially in terms of ensuring sustainability.
17. A TACC cut alone is not an effective mechanism to address local area depletion. While it may be possible to implement industry fine-scale management alongside a TACC cut, PauaMAC 4 considers that it would be challenging (if not impossible) to obtain adequate quota owner support for the necessary voluntary management measures if the TACC is reduced by 30 or 40% (see below for further discussion of this point). In comparison to a TACC reduction, the combination of shelving and fine-scale control of fishing effort will provide a more effective way of addressing serial depletion and will also reduce overall catch to the same level as MPI's proposed TACC reductions. Provided a shelving arrangement is robust, it makes no difference from the perspective of ensuring sustainability whether a stock is moved towards its management target using a reduced TAC/TACC or a shelving arrangement.
18. PauaMAC 4 has a **successful track record of shelving** (20% for four years and 10% for two years). While historically quota owner support for shelving has not always been unanimous, it has nonetheless been adequate to achieve the desired levels of catch reduction. Catch reporting data suggest that quota owners who have not formally shelved ACE have nevertheless refrained from harvesting their full ACE entitlement. It should be noted that PauaMAC 4's proposed shelving of 30% of ACE is framed in terms of achieving a specified level of shelving and is not dependent on 100% quota owner support.
19. Shelving provides better opportunities for **timely adjustments** to commercial harvest levels in the future if monitoring of the fishery indicates that a larger or smaller level of catch reduction is required. This is particularly relevant in light of PauaMAC 4's intention to develop a decision rule to inform catch adjustments, as set out in the Industry Management Plan.
20. Shelving **maintains proportionality** in the PAU 4 fishery more effectively than a TACC reduction. It enables the TAC and recreational and customary allowances to be set at a level that is proportional to the current PAU 4 TACC (and which therefore reflects actual catch shares among fishing sectors) rather

than a reduced PAU 4 TACC (which would reduce the overall fishery share allocated to commercial fishing). Furthermore, by continuing to use shelving rather than TACC adjustments, proportionality will be retained as commercial harvest levels are adjusted in future. The use of shelving insulates all sectors (and the Minister) from risks associated with unprincipled reallocation of catch shares among fishing sectors.

21. The existence of **preferential allocation rights** in PAU 4 is a relevant social and economic factor that supports shelving rather than a TAC/TACC reduction for the purposes of section 13(3). Six PAU 4 quota owners hold 28N rights (i.e., preferential allocation rights that are specified in section 23 of the Fisheries Act). If the PAU 4 TACC is reduced, incentives for the majority of quota owners who are not 28N rights holders to participate in management measures to rebuild the fishery and prevent serial depletion will be reduced.
22. The reason for this is that the first 19.7 tonnes of any subsequent TACC increase will be allocated to the 28N rights holders. If the TACC is increased incrementally (as is likely), the first increase will therefore be allocated substantially or possibly entirely to 28N rights holders (who may have minimal current quota ownership). The preferential rights of 28N rights holders can be given effect only by removing quota shares from those without these rights and reallocating those quota shares to the 28N rights holders. This reallocation of quota shares not only increases the catch entitlement of the 28N rights holder following the TACC increase, but permanently alters the proportionate shares of all quota owners in the stock (including quota allocated under the Fisheries Settlement). A TACC reduction will therefore create a mismatch between those who contribute to the sustainable management of the fishery and those who will ultimately receive the benefits of industry management measures.
23. Finally, PauaMAC 4 notes that shelving is a **demonstration of industry responsibility** and concern for the status of fish stocks. This is particularly important in light of ongoing industry concern at the way the PAU4 TACC was increased to well above historic catch levels following quota allocation appeals. Although this is now “old history”, it is part of the reason that the industry has implemented shelving and other associated measures in recent years. Shelving is a real illustration of how the industry would operate under an “authorised management” approach and is therefore aligned with PauaMAC 4’s longer term strategy of establishing a devolved management regime for the Chatham Islands fisheries.

Detailed submission – medium term measures

Fisheries plan

24. PauaMAC 4 will work with iwi, imi, other sectors of the Chatham Islands community and MPI to expand and evolve the attached Industry Management Plan into a community-endorsed fisheries plan approved by the Minister under section 11A of the Fisheries Act.
25. The aim is, by 1 October 2019, to have a plan in place that provides a basis for fine-scale and responsive management of the PAU 4 fishery via agreement between MPI and PauaMAC 4 on a set of enforceable commercial harvesting rules that will apply on an annual basis. We envisage that a fisheries plan would

identify the parameters for the fishery that would be adjusted on an annual basis (e.g., sub-area catch limits, variable MHS) and would set out an annual process whereby:

- PauaMAC 4, in consultation with quota owners and divers, proposes settings for the identified parameters;
- PauaMAC 4 consults with other fisheries stakeholders and the local community and seeks endorsement of the proposed industry management measures for the upcoming fishing year; and
- MPI and PauaMAC 4 agree on the management measures, which then become ‘rules’ within the fisheries plan for the next fishing year.

Rationale for industry submission

26. PauaMAC 4 supports the development of a formal fisheries plan because this will:

- Provide greater certainty for the PAU 4 industry and the Chatham Islands’ community about the long-term approach to provide for the utilisation and ensure the sustainability of the PAU 4 fishery;
- At the same time, enable more flexible and responsive management measures to be developed and implemented on a year-to-year basis;
- Align the aspirations and actions of the pāua industry, iwi, imi, other fisheries stakeholders and MPI on the Chatham Islands and support a community-based approach to management of the PAU 4 fishery; and
- Improve the integrated management of fisheries resources by establishing a plan that will have statutory status under other legislation including the Resource Management Act 1991.

Detailed submission – longer term measures

Legislative change

27. PauaMAC 4 recommends that priority should be given under MPI’s *Future of our Fisheries* work programme to put in place legislative changes to provide for “authorised management”. Authorised management is described in detail in the Initial Seafood Industry Contribution to Fisheries Management Review 2015/16 *Creating Value ‘Beyond Sustainability* and was supported in PauaMAC 4’s submission on the fisheries management review (both submissions made in December 2015).
28. Under an authorised management approach, a group of quota owners (authorised by the Minister) is able to purchase specified fisheries services and perform specified management functions for the commercial share of a fishery within government-set standards. The quota owners use a statutory decision making tool to make rules by super-majority, subject to statutory checks and balances to prevent inappropriate behaviour. The rules would bind all quota owners and commercial harvesters in a

fishery so as to provide MPI and fisheries stakeholders with confidence that industry management measures will be implemented in a transparent and enforceable manner.

Rationale for industry submission

29. PauaMAC 4 supports authorised management because it enables quota owners to adopt and implement more sophisticated fine-scale management measures for commercial fishing. It will enable PauaMAC 4 to build on our current voluntary management initiatives, strengthen our relationships with other fisheries stakeholders, and enhance the value of the PAU 4 fishery. Most importantly, authorised management will help overcome some of the challenges that we have experienced with the implementation of voluntary industry management measures, including:

- The free-rider effect, whereby quota owners or harvesters who do not comply with industry rules (e.g., in relation to ACE shelving or effort spreading) nevertheless receive the full benefits from the implementation of those rules by others;
- The lack of sanctions for non-compliance with voluntary industry rules; and
- The general lack of structure, accountability, and checks and balances when operating in a purely voluntary environment.

30. We consider that the PAU 4 fishery (and Chatham Islands fisheries in general) are ideal candidates to trial the authorised management approach. In comparison with most New Zealand fisheries, PAU 4 has a number of attributes which facilitate effective delegated management. Most Chatham Islands fisheries stakeholders have multiple interests, which makes it easier to obtain support for management measures. There is comparatively little recreational catch due to the low population and the relatively small number of visitors and tourists. Imi (Mori) and Iwi (Ngāti Mutunga) have strong links to the fishery through their commercial and customary interests. Of the primary sector groups, fishing is the main income earner for the Chatham Islands. The scale of illegal fishing is not high compared to other areas in New Zealand. This means that management measures for the commercial pāua fishery can be even more effective at ensuring sustainability and delivering value because the industry is able to fine-tune management to a greater extent without the gains being confounded by other sectors or activities.

31. The geographic isolation of the Chatham Islands also helps make it a good test case for a more decentralised model of fisheries management whereby those with a direct interest in and proximity to the fishery are able to exercise a greater level of responsibility. There are examples overseas of successful decentralised fisheries governance approaches being applied in remote island communities – such as the industry self-management regime which has operated in the Shetland Islands’ inshore shellfish fisheries for the last sixteen years.¹

¹ Gibbs, N. (2016). *Successful Industry Self-Management in the Shetlands*. Seafood New Zealand, Volume 24 No. 6 (December 2016) pp26-27.

Conclusion

32. PauaMAC 4 supports the implementation of a package of measures – short term, medium term and longer term – to safeguard sustainability and provide for the utilisation of the Chatham Islands pāua fishery.
33. Given the significance of the pāua fishery to the Chatham Islands, PauaMAC 4 would appreciate an opportunity to discuss this submission and attached plan with MPI and other stakeholders in our community. We look forward to further engagement to ensure that this package of measures can be delivered to provide further value to the Chatham Islands community and to New Zealand.

E noho ra

A handwritten signature in black ink, appearing to read 'Albert Tuuta', with a large, sweeping flourish extending to the right.

Albert Tuuta

Chairman – PauaMAC4

Draft PAU4 Industry Plan

Measures to be implemented from 1 October 2017

Objectives

Objective 1: Timely adjustments to commercial harvest levels, based on reliable information.

Objective 2: Support and enhance the sustainability of the pāua fishery.

Objective 3: Improve industry performance.

Objective 4: Community engagement.

Strategies

Strategies for Objective 1: Timely adjustments to commercial harvest levels, based on reliable information

Strategy 1.1 Comprehensive harvest information: Improve the comprehensiveness and accuracy of harvest information by:

- 1.1.1 Requiring 100% data logger use;
- 1.1.2 Requiring at least one shell sample every dive event; and
- 1.1.3 Making use of electronic catch data from IEMRS.

Timing: From 1 October 2017

Strategy 1.2 Harvest control rule: Develop and implement a harvest control rule (decision rule) for adjusting commercial harvest levels in PAU4 based on comprehensive harvest information.

Timing: By 1 October 2019

Strategy 1.3 ACE shelving: Implement shelving as follows:

- 1.3.1 Maintain at least 30% ACE shelving for at least three years;
- 1.3.2 Review the level of ACE shelving on an annual basis and adjust when necessary using a harvest control rule.

Timing: From 1 October 2017

Strategy 1.4 Diver information: Incorporate diver-provided information into decision-making, including anecdotal information and formal local-area abundance surveys undertaken by divers.

Timing: Ongoing

Strategies for Objective 2: Support and enhance the sustainability of the pāua fishery

Strategy 2.1 Effort spreading: Reduce the risk of serial depletion by:

- 2.1.1 Setting harvest targets for every PAU4 statistical area (which may include setting targets of zero for areas subject to local depletion) based on the previous five years of catch reporting data and information from the Harvester Forum;
- 2.1.2 Monitoring actual sub-area catch on a timely basis using the PAU4 Dashboard website;
- 2.1.3 Implementing in-season closures of sub-areas if catch levels reach 150% or more of the sub-area target;
- 2.1.4 Reviewing sub-area targets on an annual basis and adjusting if necessary.

Timing: Sub-area targets agreed by 1 October 2017 (and become part of this plan), implementation from 1 October 2017

Strategy 2.2 Spawning opportunity: Protect and enhance pāua spawning opportunity by:

- 2.2.1 Research and monitoring:
 - Tag pāua in at least two sites per year for the PAU4 Growth and Maturity project; and
 - Monitor spawning times through information from harvesters and LFRs.

Timing: Ongoing

- 2.2.2 Minimum Harvest Size (MHS) adjustments:
 - Implement a single MHS of [size to be confirmed] for Chatham Island and [size to be confirmed] for Pitt Island for the 2017/18 fishing year;
 - Subsequently adjust the MHS at an appropriate spatial scale in response to the results of the Growth and Maturity project.

Timing: From 1 October 2017

- 2.2.3 Seasonal spawning closure:
 - Close all areas during the main spawning period from [dates to be confirmed]

Timing: From 1 October 2017

Strategy 2.3 Fishery enhancement: Implement translocation and reseedling programmes, including:

- 2.3.1 Translocation in at least two sites each year to establish spawning banks/founder populations in areas subject to localised depletion that previously supported strong pāua populations;
- 2.3.2 Translocation of stunted stock to areas that allow for further growth to MHS;
- 2.3.3 Reseeding where this is practical and justified by analysis of costs and benefits.

Timing: From 1 October 2017

Strategies for Objective 3: Improve industry performance

Strategy 3.1 Professional and responsible harvest crews: Improve the performance of harvest crews by:

3.1.1 Requiring all harvesters to comply with PauaMAC 4's general operating procedures and best practice rules, including procedures related to:

- Harvesting and handling of pāua
- Landing of pāua
- Biosecurity
- Protecting the fishery from theft
- Recreational take by commercial operators
- Use of data loggers
- Commercial use of UBA
- Access over private property
- Shark incident reports

3.1.2 Implementing and maintaining a regular harvester training programme covering matters such as best pāua handling practice, data logger use, and compliance with industry and government rules.

Timing: Ongoing

Strategy 3.2 Quota owner responsibility for harvest crew performance: Obtain agreement from PAU4 quota owners not to provide ACE to harvesters who fail to use data loggers, fish in sub-areas which are closed under this plan, or breach other industry rules for the harvesting and handling of pāua.

Timing: By 1 October 2017

Strategy 3.3 Industry capability: Maintain and build the necessary capacity and expertise to support the Chatham Islands pāua fishery by:

3.3.1 Ensuring PāuaMAC4 continues to be appropriately resourced; and

3.3.2 Maintaining and expanding a group of local divers who have “scientific diver” certification.

Timing: Ongoing

Strategy 3.4 Implementing industry rules with certainty: Work with PIC and the Chatham Islands Fisheries Forum to advocate for the establishment of a statutory delegated decision making capacity on the Chatham Islands so that quota owners may, by majority decision, make binding industry rules within government-set standards – potentially as a pilot programme for *Authorised Management*.

Timing: On-going, with aim for legislative change to be initiated in 2018

Strategies for Objective 4: Community engagement

Strategy 4.1 Community Forum: Encourage an active community management approach to the Chatham Islands' fisheries by establishing and participating in a Chatham Islands Fisheries Forum, together with iwi, imi and recreational fishers.

Timing: Forum established by December 2017, then ongoing

Strategy 4.2 Fisheries Plan: Work with the Chatham Islands Fisheries Forum and MPI to develop this plan into a community-endorsed fisheries plan that can be approved by the Minister under section 11A of the Fisheries Act.

Timing: Plan development from January 2018, fisheries plan to be approved and implemented by 1 October 2019

Strategy 4.3 Review of fisheries closures: Work with the Chatham Islands Fisheries Forum and MPI to consider whether the fifteen regulated commercial fishing closures around Chatham Island and Pitt Island should be amended to more appropriately meet their original purpose.

Timing: By December 2018



PauaMAC 7 Industry Association submission on Review of Sustainability Controls for 1 October 2017 and Review of Closure for Earthquake-Affected Fisheries

6 July 2017

Introduction

1. This submission concerns:
 - 1) MPI's review of the catch limits and allowances for pāua in Marlborough/Golden and Tasman Bays (PAU 7); and
 - 2) MPI's review of the closure for earthquake-affected fisheries.
2. PauaMAC 7 Industry Association Incorporated (PauaMAC 7) represents the commercial pāua industry in PAU 7. Our members include owners of PAU 7 quota and Annual Catch Entitlement (ACE) and commercial harvesters operating in the PAU 7 fishery.

Summary of PauaMAC 7's position

3. PauaMAC 7 **supports** the following management measures:
 - For the TACC, **option 1** (retain current TACC) together with a formal shelving of 10% of PAU 7 ACE;
 - For the recreational allowance, **7.5 tonnes** (a 50% reduction) or, failing that, **option 3** (11.9 tonnes), together with a package of measures to reduce recreational catch so that it remains within the reduced allowance by:
 - reducing the daily bag limit to 6 pāua;
 - reducing the accumulation limit so that it remains equivalent to two daily bag limits; and
 - increasing the MLS for recreationally-harvested pāua to 129mm in the area from Cape Koamaru to the mouth of the Wairau River;
 - For the closure of earthquake-affected fisheries, **option 2** – i.e., replace the emergency closure with a closure under section 11 of the Fisheries Act.

Formal shelving of 10% of PAU 7 ACE

4. PauaMAC 7 agrees that there is a need to adjust commercial harvest levels in PAU 7 so as to avoid displacing into the remainder of the fishery catch that would previously have been taken from the earthquake-affected area which is now closed.
5. Following the earthquake, industry voluntarily stopped harvest on the East Coast before the emergency closure was put in place. PAU 7 quota owners have recognised the need to manage this displaced catch and, at the recent PauaMAC7 AGM, voted unanimously to implement a shelving equivalent to the tonnage generally harvested from the closed area.
6. PAU 7 quota owners are committed to establishing forward ACE transfers totaling not less than 10% of PAU 7 ACE to an independent entity (FishServe) by 11 August. PauaMAC 7 intends that ACE shelving will be maintained at no less than this level until monitoring indicates that the rebuild of the fishery will not be compromised by reducing the level of ACE shelving.
7. PauaMAC 7 supports ACE shelving rather than a TACC cut to reduce the level of commercial harvest for the following reasons:
 - Shelving is a valid and legally appropriate mechanism to reduce the commercial harvest of PAU 7;
 - Provided a shelving arrangement is robust, it makes no difference from the perspective of ensuring sustainability whether a stock is moved towards its management target using a reduced TAC/TACC, a shelving arrangement or a combination of the two. PauaMAC 7's shelving will be robust because it entails forward ACE transfers to an independent entity;
 - PauaMAC 7 has a successful track record of shelving. Quota owners implemented catch reductions of 20% to 28% over the last four fishing years to support a rebuild in pāua abundance and enhance catch per unit effort. While historically quota owner support for shelving has not always been unanimous, it has nonetheless been adequate to achieve the desired levels of catch reduction;
 - PAU 7 suffered a 50% TACC reduction on 1 October 2016. Quota owners actively supported the TACC reduction as part of the rebuilding plan for the fishery and, in doing so, demonstrated responsibility for the future health of the fishery. The cost of the TACC reduction has been significant for quota owners and harvesters, particularly as other fishing sectors were not affected by the 2016 sustainability decisions. In these circumstances the industry wishes to continue to demonstrate responsibility for the future health of the fishery, but in a way that maintains the book value of quota and mitigates costs for industry.
8. PauaMAC 7 supports a total shelving level of 10% of ACE because we consider this to be a reasonable (and conservative) estimate of the level of catch taken from the closed area in recent years. In support of a 10% shelving we note that:

- The discussion document states that between 4% and 12% of the PAU 7 commercial catch has been taken over the past 15 years from the earthquake affected area. Under the current TACC, a 4% reduction equates to a TACC of 89.86 tonnes and a 12% reduction equates to a TACC of 82.36 tonnes. We see these two figures as the possible maximum and minimum levels of shelving – not the 10% and 15% proposed in MPI’s discussion document which bear no relationship to the proportion of historical catch taken from the closed area;
- The MPI discussion document options are based on fine-scale reporting over the past 15 years. A 15 year time series is too long as it includes years that are not relevant to recent fishing patterns;
- Over the last 10 complete fishing years, an average of 7.5% of the catch was taken from the closed area. In only two of these years did catch from the closed area exceed 10% of total catch, and then only by a small margin.¹ PauaMAC 7 therefore considers a shelving of 10% of ACE to be a conservative management response to the continued closure of the earthquake affected area.

Recreational allowance and associated management measures

9. PauaMAC 7 recommends that the recreational allowance should be reduced to 7.5 tonnes. The TACC was reduced by 50% in 2016 but the recreational allowance remained unchanged. A 50% reduction of the recreational allowance in 2017 would restore proportionality between the TACC and recreational allowance. This would send a persuasive signal to all fisheries stakeholders about shared responsibility for the fishery, and create stronger incentives for all fisheries stakeholders to participate in the rebuilding of the PAU 7 fishery.
10. We do not intend to revisit the arguments in support of a 50% reduction in the recreational allowance here, but instead refer you to PauaMAC 7’s submission on the *Ministry for Primary Industries discussion document: Review of Management Controls for the Paua 7 Fishery (PAU 7) in 2016*. If a 50% reduction in the recreational allowance is not accepted, PauaMAC 7 supports a reduction of at least 15% - i.e., MPI’s option 3 (11.9 tonnes).
11. The best available information strongly suggests that recreational harvest was exceeding the current allowance prior to the earthquakes.² On top of this, anecdotal reports indicate that recreational fishing effort has been displaced from the area of the emergency closure to the fisheries south and north of the closure. This displaced fishing effort is placing additional pressure on the PAU 7 fishery in the Marlborough Sounds. In particular, we are aware that displaced recreational fishing effort from the Cape Campbell area is placing tremendous pressure on pāua

¹ 2015: catch from the closed area was 10.7% of total catch; 2013: catch from the closed area was 11.2% of total catch.

² See MPI 2016 discussion paper page 15: “MPI considers the uncertainty and likely underestimate of recreational harvest levels in the PAU 7 fishery are important to note. There is potential that recreational harvest is exceeding the current allowance, however, there is insufficient information to determine the degree of any additional harvest.”

stocks in Port Underwood. MPI's acknowledgement that the best available information on recreational harvest is highly uncertain reinforces the notion that a precautionary approach should be adopted to controlling recreational removals in the post-earthquake fishery. There is an urgent need to remove excess recreational fishing effort from PAU 7 and to ensure that recreational harvest remains within the new recreational allowance.


12. PauaMAC 7 is extremely disappointed that measures to reduce recreational fishing pressure are not included in MPI's current discussion document. It is critical that measures to reduce recreational catch are put in place before recreational fishing pressure increases even further in summer 2017. Education and compliance with new bag limits and other recreational management measures will also be more effective if the changes are made as part of a package of post-earthquake measures (rather than months or years later).
13. We strongly recommend that the Minister puts the following new recreational fishing controls in place by December 2017 at the latest:
 - 1) A daily bag limit of 6 pāua throughout the PAU 7 area. We note that the Kaikōura Marine Area (now closed) has a daily bag limit of 6 pāua but the areas to which recreational fishing effort is being displaced have a higher limit of 10 pāua, increasing the potential volume of displaced catch;
 - 2) An accumulation limit of 12 pāua (equivalent to two daily bag limits);
 - 3) An increased minimum legal size (MLS) for recreationally-harvested pāua in the Cook Strait area (Cape Koamaru to the mouth of the Wairau River) of 129mm. The increased MLS would facilitate the rebuild of the PAU 7 stock and is consistent with the industry's 2017/18 Minimum Harvest Size (MHS) for the Cook Strait area; and
 - 4) We strongly encourage MPI to develop more accurate ways of monitoring recreational harvest so that recreational management measures for PAU 7 may be designed and implemented with more certainty and effectiveness.
14. If measures to remove displaced recreational fishing effort are not implemented until 2018, even more significant bag limit reductions will be required – for example a daily bag limit of 2 or 3 pāua – and, in the meantime, there is a serious risk that the Port Underwood fishery will become depleted to the extent that it is effectively closed.

Closure of earthquake-affected fisheries

15. PauaMAC 7 supports the replacement of the emergency closure with a closure under section 11 of the Fisheries Act because maintaining the closure will:
 - Enable earthquake-affected fish stocks to recover at the fastest possible rate; and
 - Allow for research to be undertaken to determine the medium and long term impact of the earthquakes on direct mortality of pāua and changes to pāua habitat and recruitment.

16. PauaMAC 7 wishes to ensure that there is an inclusive and timely process for reviewing the closure and removing it (either generally or for particular species) when it no longer serves the intended purpose. We would welcome further engagement with MPI on this matter so as to provide certainty for all users of the PAU 7 fishery.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Barry Chandler", with a long horizontal stroke extending to the right.

Barry Chandler

Chairman

PauaMac7 Industry Association Inc.

s 9(2)(a)

Peter Family

Cape Campbell Farm

'Proposed Further Closure for Kaikoura and Cape Campbell Earthquake Affected Fisheries'

Since the November 2016 Earthquake the coastline along From Marfells Beach south to Kaikoura has dramatically changed. The Access from Marfells Beach has become alot easier and now 4wd vehicles as well as ATVs and 2wheel motorbikes can drive right down the coastline, some 30kms to Chancet Rocks.

We have huge concerns about this and have formed a 'East Coast Protection Group' and hope to be able to shut down access to at least the 4wd vehicles. The vehicle traffic is damaging the rock platforms, dunelands and disturbing birdlife and driving over the newly forming high tide zone including plantlife and dunes. Apart from this, if the fisheries is opened up in November the resource of paua and crayfish will be devastated, seaweed has not yet begun to regrow and there is a real unknown as to when this will start. This is an extremely sensitive area requiring an unknown time to recover.

We would definately recommend that the fisheries are closed for futher study and recovery.

Sally, Rob Thomas, Jimmy Peter.

Cape Campbell Farm

s 9(2)(a)

From: s 9(2)(a)
To: [FMSubmissions](#)
Cc: s 9(2)(a)
Subject: Shellfish closure, Kaikoura and Cape Campbell area
Date: Thursday, 8 June 2017 6:55:13 p.m.

Review of Earthquake-affected Fisheries 2017,
Fisheries Management,

Following is my feedback on the above topic,

OPEN the fishery up again, but with a reasonable daily quota ??? And NO Customary Permits issued for this Fishery ??? Let us NOT forget, since the Earthquake, who made a very shabby decision/job of managing that fishery ??? There could have easily been a mass paua recovery operation, at very short notice. So, because of MPI inadequacies, (not forgetting the Eathquake), the seafood gatherer is penalised, once again ???

Phil Russ,

s 9(2)(a)



Virus-free. www.avast.com

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: Cape Campbell to Kaikoura shellfish closure
Date: Saturday, 1 July 2017 1:20:22 p.m.

Good day there, my opinion would be to go with option 1. But with conditions, look at 6 paua per day ??? Also, NO "Customary Permits" issued, especially for this area ???

Phil Russ,

s 9(2)(a)



Virus-free. www.avast.com

Sustainability Review
Fisheries Management
Ministry of Primary Industries
PO Box 2526
Wellington 6011



Review of the emergency closures for earthquake- affected fisheries along the Kaikōura and Cape Campbell coastlines.

Author: Geoff Mullen (Te Arahanga Consulting) on behalf of Rangitāne o Wairau

Date: 7 June 2017

Rangitāne has reviewed option 1 and 2 and will support option 2.

Rangitane acknowledges the right of iwi to a customary harvest in this area and will support Te Runanga o Kaikōura, as the permit issuer and Kaitiaki of that rohe.

Rangitāne have concerns that Rock Lobster are not included in the species as they are part of the ecosystem. Rangitāne appreciates that this would affect people's income potential and would support a reduction in the TAC for both recreational and commercial fishers for that species.

As outlined in in Sec 13 of the Fisheries Act (1996) the Minister can reduce TAC for sustainability measures and Rangitāne is not convinced that a sufficient stock assessment has been done on Rock Lobster to ensure their sustainability.

Rangitane would also like to see a plan developed to take a measured approach when the Fisheries is re-opened for all species based on sustainability.

Mauri ora

Geoff Mullen

Rangitāne o Wairau

s 9(2)(a)

Submission for Pauamac 7 proposal

Date: 4 July 2017

Author; Geoff Mullen (Te Arahanga Consulting) on behalf of Rangitāne o Wairau)

Cultural Association and Historical Connections:

Rangitāne have resided in the northern South Island for many generations since the arrival of their tupuna Te Huataki in the sixteenth century. Rangitāne have close whakapapa connections with other Kurahaupo Iwi (Ngāti Apa Ki Ra Toa and Ngāti Kuia).

Rangitāne occupied and used resources within a territory stretching from the Waiau-toa (Clarence) River in the south to the Wairau (Marlborough), including the Nelson Lakes, and north to Kaituna and the Marlborough Sounds and west into the Whakatu (Nelson) area.

Rangitāne customary rights often overlapped and intersected with Kurahaupo and other Iwi, especially in the Waiau-toa, Nelson Lakes, Marlborough Sounds and Whakatu districts. Non-exclusive and shared occupation and use rights in these areas were governed by whakapapa connections and customary protocols between the Iwi.

Rangitāne continued to live on the land, retained their tribal structures and chiefly lines, and maintained their ancestral connections with the whenua. There was also opportunity for the recovery of status and the revival of rights as British rule began to take effect after 1840. The British later found that the Rangitāne Chief Ihaia Kaikoura sought recognition of Rangitāne rights and autonomy.

The Coastal area from Waiau Toa to Kahurangi Point was used as a ara nui (main path) for all the Iwi of Te Taihu. On this route were Pa sites and Kainga (settlements). The whole coastal area was also a mahinga kai mataitai (food gathering place).

Environmental and Cultural Impact;

As a commercial quota holder Rangitāne is very aware of the implications of shelving, cutting or even closure of the fisheries for a fixed term to allow recovery. However, to allow a return to a sustainable fishery Rangitāne believe that a two to three-year closure of the Paua Fishery for commercial. Rangitāne would also support a recreational take reduction to 6 paua per person and a restriction on customary take (Iwi will advise on this criteria).

Rangitāne would also strongly encourage a carefully controlled opening of the fishery and suggest that in may be an opportunity to consider a slot size limit for paua that maximises the breeding stock in the water.

The mana of Māori is reflected in their ability to feed they manuhiri, both in their marae and in their homes. Systematic depletion of the Paua beds for commercial gain has reduced that ability. The Kaitiakitanga obligation of Iwi of Te Taihū is to ensure the sustainability of the Paua 7 Fishery

Social effects:

Rangitāne supports the official industry position of a shared Paua fishery however Rangitāne is aware of the large elements within the Paua industry that blame both recreational and customary for the depletion of the stock.

In reply to this criticism Rangitāne would suggest that; Firstly, the quantity of customary take is measured and recorded and has not exceeded the TAC (total allowable catch) limits set. And secondly with a 10 paua limit weighing between 2 and 2.5 Kg the recreational sectors influence is going to be minimal compared to the commercial sector. Anecdotal evidence from recreational divers within the Iwi of Te Taihū advise that in most places it is almost impossible to find 10 legal sized paua.

It is suggested that all sectors need to be open and transparent in their catch recording and that remedy should be proportional equal between all users of the Fishery.

Commercial Effects:

Rangitāne acknowledge that the depletion of the Paua stocks has affected them as customary Fishers, recreational fishers and holders of commercial quota. Figures supplied by Rangitāne o Wairau representation acknowledge the efforts of Pauamac 7 has had, voluntarily shelved down to 93.6 tonne of the TACC (Total Allowable Commercial Catch) in 2016 and is suggesting a further shelving of 14.8 tonne in 2017 and that it is proposing a voluntary size limit increase of between 126 and 130 size limit for the commercial sector.

However, it is the view of Rangitāne that the over allocation of TACC in Paua 7 has resulted in the depletion of fisheries in the first place and that to effectively recover the shelving of quota should be a cut rather than a shelving. Rangitāne would also like a robust, independently informed, discussion on the current state of the Paua Fisheries.

Summary:

To return the sustainability to the Paua 7 fisheries Rangitāne would support:

- A closure of the paua fisheries for commercial catch for two years
- A reduction of customary take (Iwi will advise on the criteria)
- A controlled reopening of the fisheries after a two-year period
- That the Pauamac 7 fishery becomes a slot fishery and an introduced with an upper and lower limit that maximises the breeding stock in the water.

From: S [REDACTED]
To: [FMSubmissions](#); [kirkandheather](#)
Subject: MPI Discussion Paper 2017/17
Date: Wednesday, 5 July 2017 11:23:33 a.m.
Attachments: [Kirk submission updated-3.pdf](#)

Please note my support for the attached submission. I have been collecting mussel spat since 1994 both in partnership with my son Kirk, and independent of him. I was involved in both the introduction of the Quota Management System as a fisherman, and the introduction of GLM9 into that system. I believe that Kirks submission is a correct interpretation of the law as intended at that time.

I have recently sold my business to him and retired but have a close interest in developments. I have read Kirk's submission and discussed it with him. I don't think I have anything to add apart from the fact that major players in the mussel industry have, as feared, monopolised the industry by controlling the GLM9 ACE, preventing the spat catchers from selling to anyone but them. This has the effect of:

- 1 Preventing those growers with no access to ACE selling to any other entity.
- 2 Preventing new spat catchers in the industry selling to anyone but them.

The decision to place a low value on deemed value was a deliberate one, aimed at preventing monopolization. It was possible because GLM9 is not under threat. Its total catch is controlled by nature, and any spat not collected and used by the industry is lost. It does not cycle back to the parent stock.

Yours sincerely

Robbie Denison (Spat Supply Ltd.) s 9(2)(a) [REDACTED]
[REDACTED]

24th June 2017

To whom it may concern

My submission on paua closure. Instead of closing Kaikoura coastline for the take of paua completely there must be a fair and viable solution. If it is closed for up to 5 yrs it would put a massive strain on other north and south areas. Some ideas to consider.

- 1 Open for the take of paua one weekend a month (5 paua per fisher)
- 2 Buy a annual take licence as in Tasmania from the local MAF office for this area, money going into a fund for reseedling of paua .
- 3 Put a Rahui on certain areas north of Kaikoura as peninsula and south coast was not affected as badly as the north until the stocks recover.
- 4 Put all three ideas together. Pirating of paua would become massive if closed for a long period of time, this way it could be more controlled. Policing of paua will have to happen as soon as road is opened so patrols would be the same.
- 5 Commercial take could be reduced as the quota system was designed for until stocks recover .It is not too long ago quota holders tried to shelve their quota as there market and prices made it not worth catching. The average kiwi and local only wants the privilege of taking a feed of paua and there is a very small percent of some peoples greed that destroys that privilege for the rest of us, please consider

Regards

Robert Ellis

Rough Waters Ltd

s 9(2)(a)

s 9(2)(a)

7.7.2017

MPI Discussion Paper 2017/17

Re: Deemed Value Review Green Lipped Mussel (GLM9)

To whom it may concern,

We are in support of Kirk Denisons Submission to MPI in regards to the Deemed Value GLM9.

The Arthur & Dawn James family are founding members of the Coromandel Mussel Industry. We are still one of the smallest privately owned Mussel Farming family business's left today. Our family started with the original 3ha block back in the 80s. We built the first purposely built alloy mussel boat in the Coromandel Industry for the Industry in 1985 after working on a small macrocarpa barge purposely built for the new industry out of my Grandfathers trees at the back of his house.

We had to go contracting to help support our income as the Industry markets were very small back then.

In 1995, we built a second purposely built alloy boat for our Coromandel Mussel Industry as it was starting to grow into the export market. All this while still just owning the one 3ha inshore block.

Area B in Wilsons Bay was mapped for an AMA. My family applied for 60ha back in 1994. It was reduced by 20% to 32ha.

Seventeen years later, it was granted. My wife and I became the proud owners of our first water space to farm our own mussels after 23 years of farming others.

In 2008 we think, there had been an allocation of GLM9 quota for sale from the Government.

Our family had not been given notice of this opportunity as we were to find out several years later when trying to acquire some GLM9 quota for our new mussel farming venture in Wilsons bay. We were told there was none left to buy?? We enquired with our own CMFA, blank faces there as well?? (apparently our CMFA were notified though??)

We were the first to put lines in Area B in Wilsons Bay, Firth of Thames. Just 6 lines is all we could afford. This was 2012. Still contracting where we could as the work was running out fast with the bigger farmers making alliances with the smaller famers thus reducing our contract work, we managed year by year for the last five years to develop 24ha of the 32ha. It has been a huge task for our small family business.

All this has been based on Deemed Value GLM9.

We have tried everywhere to purchase quota, but alas, there is none. The big companies who were allowed to buy up all the quota won't sell any. They have conditions on their quota if you want to buy their spat. Pretty tough for us as we have only just become Mussel Farmers after being in the Industry for over 30 years.

Last year we called around the Spat pickers up North in Houhora, left messages, just the one picked up our phone call, it was Kirk Denison. He is the son of Robbie Denison who picked the spat for my father 30 years ago who was farming the 3ha block. Kirk and Heather have helped our small family business grow to where it is today.

We are in debt to Kirk and Heather. Our family will never forget the support the Denisons have given us.

After 30 years on the boats helping build our Coromandel Mussel Industry to where it is today, I stepped off the boat and handed the same wheel I had stood at for 20 years to my Son in Law. He grew up building wooden replicas of the boat he is in charge of today.

We have another son in law on the boat and now our only son. He is about to do his Skippers ticket at the age of 21. My eldest daughter in charge of most of the admin and now while attending to her new born son.

We have another daughter who helps out in the yard when times are busier than usual by filling stocking tubes for seeding. We are Mussel Farmers.

To penalize our family for doing the only thing they have done for the past 30 years by increasing the Deemed Value price of GLM9 would be very disappointing. We have helped build this Industry to where it is today but at the same time, only just become Mussel Farmers.

The financial cost could cripple everything we have worked for.

We would have had our own GLM9 quota if it hadn't been allowed to be allocated to just one or two buyers. Westpac hold a huge majority of GLM9 quota with only having a very small percentage of water space. This is ethically wrong. We have tried to do business with Westpac, twice, we would rather tough it out.

Our Family are in support of Kirk Denisons submission.

Rough Waters Ltd
James Marine Ltd
Kakariki Mussel Farm Ltd

Yours sincerely

Peter James



s 9(2)(a)

Contact:

David Baker

Ph s 9(2)(a)

Fax s 9(2)(a)

Mobile s 9(2)(a)

Jason Baker

s 9(2)(a)

s 9(2)(a)

s 9(2)(a)

To The Ministry for Primary Industries,

Regarding the **Review of Sustainability Controls for 1 October 2017 and Review of Closure for Earthquake-Affected Fisheries**, the following is Saavid Diving Ltd.'s submission.

1. This submission concerns:

- 1) MPI's review of the catch limits and allowances for pāua in Marlborough/Golden and Tasman Bays (PAU 7); and
- 2) MPI's review of the closure for earthquake-affected fisheries.

Saavid Diving is a family owned and operated fishing Business owned by David and Sandra Baker and myself, Jason Baker, and my wife Sarah Perano.

We are and have been the largest commercial Paua harvester in Pau7 for at least the last decade.

We support the submission of PauaMAC 7 Industry Association. In particular we support the following management measures:

- For the TACC, option 1 (retain current TACC) together with a formal shelving of 12% of PAU 7 ACE;
- For the recreational allowance, 7.5 tonnes (a 50% reduction) or, failing that, option 3 (11.9 tonnes), together with a package of measures to reduce recreational catch so that it remains within the reduced allowance;
- For the closure of earthquake-affected fisheries, option 2 – i.e., replace the emergency closure with a closure under section 11 of the Fisheries Act.

While we agree that commercial harvest levels should be adjusted so as to avoid displacing catch from the earthquake-affected closed area, we support ACE shelving rather than a TACC reduction as the mechanism for reducing commercial catch in the short to medium term while more information is gathered on the state of the closed area.

Shelving is a well-established management practice in PAU7. PAU7 quota owners already took a big hit last year with a 50% TACC reduction. Most importantly shelving gives Pau7 quota owners the opportunity to manage their own fishery.

We also believe that the Earthquake affected area should be subdivided from Pau7 to form a new QMA (7B). This would allow for much better management of the area moving forward as the stocks recover from the effects of the earthquake.

In this scenario we would want to see all current Pau 7 quota share owners have their shares mirrored in the new QMA but of course not generating any ACE until a time when the stocks have reached a level where some sustainable harvest could be taken.

Managing recreational catch

- Measures must be put in place urgently to address recreational catch that has been displaced from the closed area.
- We have noticed a large increase in recreational pressure **throughout Pau7** since the earthquake and in particular the easily accessible Port Underwood area. We have already observed a decline in these stocks over the last summer post the earthquake due to this increased recreational effort.
- It is absolutely vital that this displaced effort be addressed **before** the coming summer when recreational fishing pressure is at its highest.

Recreational management measures

We recommend and support the following management measures;

- Reduce the daily bag limit to 6 Paua per person and the accumulation limit to 12 Paua
- Increase the MLS to 129mm in the area from Cape Koamaru to the mouth of the Wairau River and 126 in the area Cape Koamaru to Farewell Spit. This would match industry MHS setting for the coming commercial season (starting October 1).
- We strongly feel that there needs to be some type of overall enforceable recreational limit put in place over the whole of the QMA 7. How can any stock be managed sustainably when one of the largest stake holders in this shared fishery have no limit on their overall catch?
 1. This could be achieved by recreational licencing, reporting and with the issue of recreational tags.
 2. The allocation of a rec licence would come with a set amount of tags, with an overall but limited amount of tags being issued across the fishery.
 3. This would then set the limit of rec catch and give the fishery a much better chance of being managed at a sustainable level.

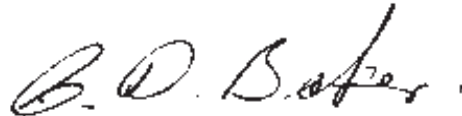
There are very good examples of this in overseas Abalone fisheries. Unfortunately in most cases these have been implemented only once a stock has collapsed, let's make this management change here now before it is too late.

Regards,

Jason John Baker

A handwritten signature in black ink, appearing to be 'JJB', written in a cursive style.

Antony David Baker

A handwritten signature in black ink, appearing to be 'A.D. Baker', written in a cursive style.

SAAVID DIVING LIMITED

Submission on the Review of Sustainability Controls for 1 October 2017

MPI Discussion Paper No. 2017/17

7 July 2017

1. Thank you for this opportunity to submit on the Ministry for Primary Industry Review of Sustainability Controls for 1 October 2017.
2. Southern Inshore Fisheries (Southern Inshore) represents shareholders of 104 fishstocks in quota management areas 3,5,7 & 8 which encompasses inshore fisheries of the South Island and into the Taranaki region. The shareholders are also represented nationally through the company's membership of Fisheries Inshore New Zealand (FINZ).
3. We remain concerned with an apparent lack of resourcing that MPI attribute to the annual and ongoing review of fisheries stocks as well as the continued reliance on a draft fisheries plan and medium-term research plan that poorly reflect fisheries management requirements.
4. Southern Inshore proposed a number of other stocks for review earlier this year. Some of those relied on the pending contracted science presentations to the working group and the preliminary results of the West Coast South Island trawl survey.
5. We are disgusted to see that MPI are yet again incapable of addressing more Southern Inshore fish-stocks that were essentially backed up by either trawl surveys, regular science updates and/or that have continued increasing trends both long-term and consistent with recent catch history. We believe these warranted a review and that MPI need to start adopting a more responsive and adaptive management approach to allow consistent utilisation and better information gathering whilst minimising unnecessary penalties through deemed values.
6. In addition, we are continually concerned with the lack of a principled approach to deemed value setting which neglects the review of all causal effects within a fishery and reasons why it may have been overcaught in the first instance. To review a deemed value based on the market price of a product, not the port price, is inappropriate, given that deemed values are mostly passed onto the fishers.

TACC REVIEW

Bluenose (all BNS stocks and including BNS3)

7. Southern Inshore are represented by our shareholders on the FINZ BNS Working Group and defer to the decisions made by that group.

Red Gurnard (GUR7)

8. We agree with **Option 3** to increase the TACC by 127 tonnes. This figure reflects the increased abundance in the fishery and is confirmed by the regular monitoring delivered through the West Coast South Island trawl survey and updated CPUE information provided by Southern Inshore.
9. The sustainability of this fishery is not compromised by an increase to the TACC of 127 tonnes as the biomass in this fishery is far in excess of the MPI harvest strategy target level.

DEEMED VALUE REVIEW

10. We note that while MPI professes to be unable to process TACC reviews, it continues to unnecessarily tinker with the deemed value regimes. Using one-off instances of catch exceeding TACC's to review the interim deemed value rates to the new standard (90% of the annual rate) when the existing deemed value regime is operating effectively and efficiently to achieve catch balancing seems unnecessary and unproductive. Why waste resource on this type of tinkering when there are more productive activities to undertake. This was most evident in TAR8.

Tarakihi (TAR8)

11. Southern Inshore made a request for a review of the TACC for TAR8 based on the increased catches in this fishery and the shift in dynamics to maintain its catch within a SNA8 bycatch situation. We were however presented with a deemed value review that is designed to further constrain catch and will place more pressure on fishers.
12. Fishers operating in the Taranaki region have been experiencing increasing bycatch of SNA8 in their traditional trevally and john dory fishery. With an increasing lack of ACE available to them to cover their SNA8 catch they have progressively moved into the deeper water to avoid snapper but at the same time have experienced better catches of tarakihi. They are working in an area not traditionally fished and have found increased catches of tarakihi. This information is readily available to MPI from reported catch and effort data which includes the depth fished and spatial extent of the fishery, and should have been reviewed before proposing a deemed value review only.
13. The TAR8 fishery has a TACC of 225 tonnes. The MPI Inshore Team Manager suggests that an increase in the TACC is not warranted based on a lack of science. We maintain that TAR 8 is included under Group 6 of the National Fisheries Plan for Inshore Finfish and can be monitored by annual commercial landings. This grouping

also provides for development opportunities while minimising management costs and monitors catch to ensure sustainability of the stocks.

14. The TACC is relatively low and the cost of assessing just the TAR8 fishery would not be cost effective. We request that MPI use the current data they have to review the extent of the TAR8 fishery within and beyond the SNA8 fishery.
15. We see no reason why a conservative/precautionary increase to the TACC by 20% (or 45 tonne) may not be applied, allowing for the development of this fishery whilst increased monitoring of catches is maintained over the next 2-3years.
16. This is a developing fishery and should be allowed to proceed as such without the impediment of increased deemed value on the basis of a very small increase in overcatch recently, due to changes in fishing dynamics. There is no reason why a monitoring approach cannot be adopted for this fishery.

School shark (SCH3)

17. We do not agree with the proposed increase to the deemed value for SCH3.
18. It would appear there is some confusion with the port price of \$2.30 received by the inshore fishermen compared to the licensed fish receiver receipts who may market the fins separate to the trunk (or fillet).
19. It is not illegal to market fins separately to the trunk or fillet of SCH if they have been already accounted for in the conversion factor for the processed state with fins attached naturally or retained with the carcass as required. This processing is no different to a whole snapper having the fillets sold at a premium with the heads marketed separately at a lesser price, nor the extraction of the collagen fining agent from fish skin and used in the beer and wine industry. It is simply value-adding which is encouraged by the Minister for Primary Industries.
20. The port price reflects not only the handling and processing costs but can include a factor for the LFR market value of the fins, passed back to fishers within the overall port price paid on receipt of the fish.
21. A niche market may well have developed (if not already there previously) for SCH fins as the main market for a number of shark species fins has been reduced or eliminated in accordance with the provisions required under the National Plan of Action – Sharks 2013, and return to the sea allowance under Schedule 6 of the Fisheries Act 1986.
22. The increase in the deemed value is not warranted in this case as there is no sustainability concern for this stock. Whilst the TACC may have been exceeded on 3 occasions over the last 12 years, the landing of SCH3 has been constrained in the most part to the TACC and is therefore not indicative of an increase in targeting of SCH3 to accommodate a market for fins only.

Proposed Need for Regional Deemed Value Setting Process

23. Southern Inshore (and previously as Challenger Finfish Mgmt. Co.Ltd) has for a number of years advocated that deemed values should be set on a regional basis that reflects the port price index within the region, rather than an average index which can be majorly influenced by higher market values from the North Island and beyond.
24. In the absence of incorrectly set TACC's a more meaningful deemed value system is essential. We are doing the fishers of NZ a major disservice by not treating this matter with more seriousness. We should be providing a system that encourages the landing and recording of all fish and we should be using this information to guide us in making better management decisions. To do otherwise is to just ignore Governments continued claims regarding economic opportunity.
25. We again would like to propose to work with MPI to review the deemed value regime and include the development of a schedule of regional deemed values. It needs to recognise that Industry is not looking for 'something for nothing' here. We want to participate in a very important process that sees Industry and MPI develop a far more workable environment.
26. Also within this approach, is the recognition that the differential deemed value regime that is meant to promote obtaining ACE, is problematic when companies within this Industry choose not to release it. Philosophically, no deemed value should be paid on a stock where the TACC has not been caught. All of these matters need to be discussed. We certainly welcome the opportunity.

LACK OF RESOURCING FOR FISHTOCK TACC REVIEW

27. Each year, Southern Inshore promote a number of fishstocks for TACC or deemed value review on the basis of ongoing trends, science analyses or trawl survey information. That request was sent to Allen Frazer, Team Manager, Inshore Fisheries, and we respond below to his email of 14 June 2017.
28. This year we are presented with only one stock for review (GUR7) along with a consistent MPI excuse that they lack the necessary resources to do further stocks within our representative portfolio. They propose to review a total of 7 stocks (including all BNS) and one area closure off Kaikoura for PAU. Two of those stocks are under the deepwater fisheries.
29. With around 670 stocks in the quota management system, something drastic has to happen within fisheries management to ensure that there is more timely reviews and responsive management to all our commercially and recreationally important and low knowledge fishstocks.
30. The commercial sector has substantial investment in our fisheries but it is also significantly cost recovered against each year for trawl surveys, fisheries management and compliance etc. Annually, we see a negligible commitment to fisheries management from the annual levy process and don't see why the Crown component of those projects and management levies should be increased to compensate for the lack of resourcing towards effective fisheries management. Why should we be obliged to pay for something that is clearly not being implemented? This is especially evident in the lack of use of the trawl survey information for management. The surveys collect a lot of fishstock information for a number of species but yet only one fishstock

(GUR7) under one survey (West Coast) is used within this years fishstock review process.

31. Each trawl survey (West Coast or East Coast South Island) costs approximately \$1M which is significantly cost recovered against the commercial sector. The fishstock abundance information is used across all sectors and for the public good, not just the commercial sector, and therefore warrants a review and an increase to the Crown component.
32. The main focus of our concerns centre around the inability of MPI to review more than one Southern Inshore Fisheries fishstock this year and the constant lack of resourcing MPI apply to the sustainability review annually. MPI continue to say that the sustainability rounds are an important part of their core business yet they still review minimal stocks per year.
33. A number of Southern Inshore stocks sit under Group 6 of the fisheries plan and whilst we invest in science for some of our commercially important stocks within that grouping, others have been reviewed previously for a TACC increase based simply on commercial landings which is the main management response for Group 6 stocks.
34. It was noted that this sustainability round required MPI to review some high priority stocks in response to the Kaikoura earthquake. Surely the response to these stocks was initiated some months ago with a lot of the management approach and information being supplied in collaboration with the Paua Industry Council? The closure was a rollover of the previous closure consulted on in January this year. How did that take resourcing away from the June consultation when the next closure is a repeat of the first one?
35. The ORH3B and HAK7, were these not under the purview of the deepwater team and not inshore? How can it be that the whole inshore team can only concentrate on so few stocks?
36. The only Southern Inshore Fisheries stock being reviewed for a TACC adjustment is red gurnard 7 (GUR7). The status of this stock is so far above the harvest strategy target level that it was always a given it had to be addressed. "A no-brainer" one would say! It is the remaining stocks we proposed that give us concern, not to mention you directing me to the *Future of Our Fisheries* (FOOF) programme that will supposedly change systems and processes so that MPI can be more responsive to new information. How?
37. We fail to see how FOOF is going to make MPI more responsive when we are continually being told that you do not have the resourcing for sustainability reviews. Catch/effort and science information is reported now with little MPI response, how will electronic reporting make MPI be more responsive. Industry have grown tired of MPI's continued excuses and non-performance.
38. We would hope that in conjunction with FOOF that MPI would be prioritising the review of the draft National Fisheries Plan for Inshore Finfish as well as ensuring that

the Medium-Term Research Plan fully integrates the requirements of the fisheries planning process with the research planning for inshore fishstocks. We still have two separate processes. Research needs to be informed by management needs, this is still not evident. A number of stocks get included in the MTRP each year with no clear guidance on what the management requirements are.

39. Southern Inshore remain committed to contracting science in response to monitoring in our fisheries but are annually disappointed with the lack of positive action from MPI in reviewing our stocks. Southern Inshore do not present stocks for review lightly. We always ensure that each request is supported by good science and monitoring and the review having minimal risk to sustainability. MPI need to adopt a more adaptive responsive approach to fisheries management and work more closely with the commercial sector. The interpretation of just catch information does not inform management unless you question why some trends are happening. The lack of response to a proposed increase in the TAR8 TACC is an example. To say there is no science to back it up and then propose an increase in the deemed value is simply unacceptable.
40. The fishstocks I am most concerned that MPI had the inability to address are discussed below.

Elephantfish 3 (ELE3) – Increase TACC (1000t) to 1150t

41. MPI response – *“Preliminary stock assessment modelling for ELE3 estimates that the stock abundance has increased substantially from a low level in the 1980s and that current biomass levels are probably at or about the default target biomass, which is where we want the biomass to be. There is no new scientific information to support an increase in catch limits. Further information will become available from the ECSI trawl survey”.*
42. The most recent ECSI trawl survey was conducted in 2016 and is therefore the most recent scientific information along with the preliminary stock assessment modelling presented to the working group in 2016 as well. The most recent fishing years catch is also in excess of the TACC.

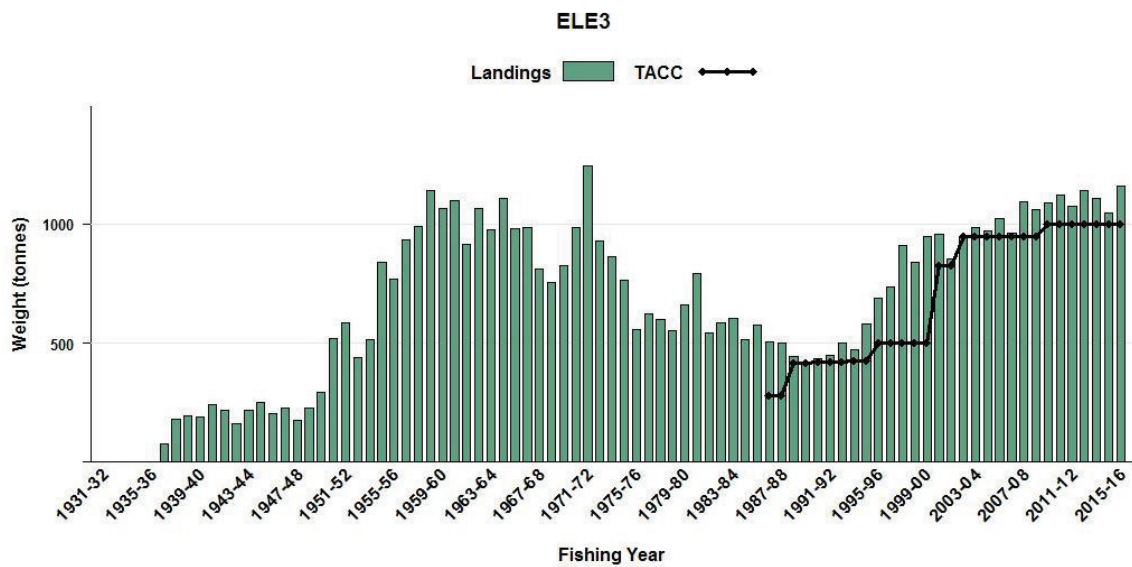


Figure 1. Current landings to TACC for ELE3.

43. Although there is high inter-annual variation, the winter ECSI trawl survey index shows a trend that is consistent with the ELE3(MIX) CPUE index (Figure 3). The Plenary rates the Catch and Effort data as high quality and the winter ECSI trawl survey data as medium or mixed quality.

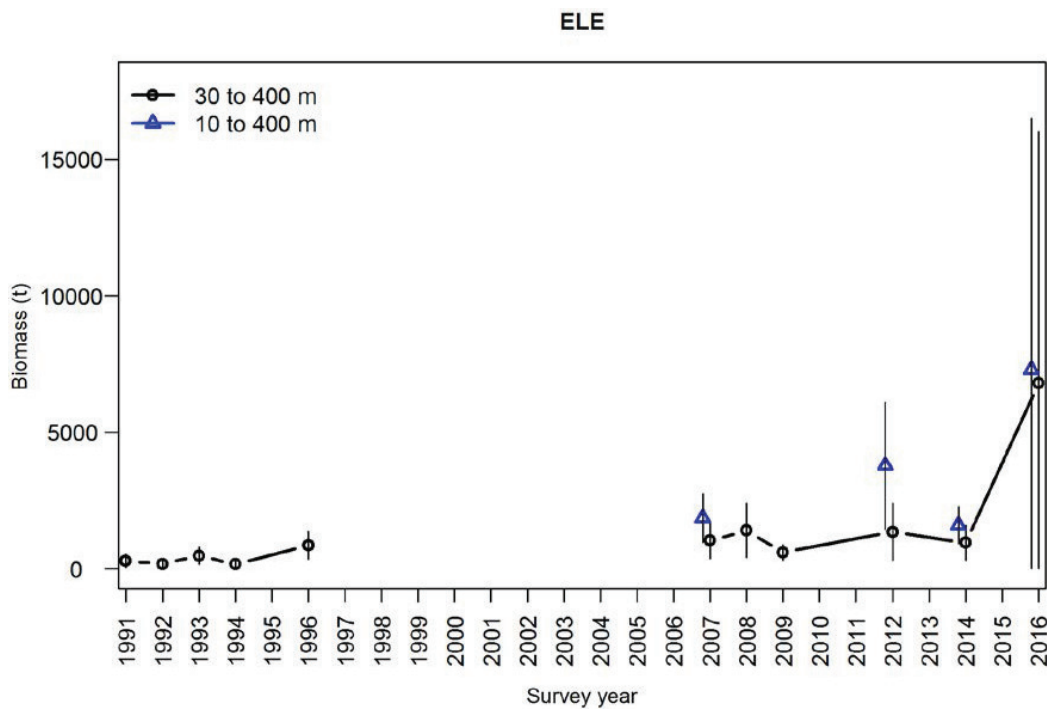


Figure 2. Target species total biomass and 95% confidence intervals for the all ECSI winter surveys in core strata (30–400 m), and core plus shallow strata (10–400 m) for species found in less than 30 m in 2007, 2012, 2014, and 2016.

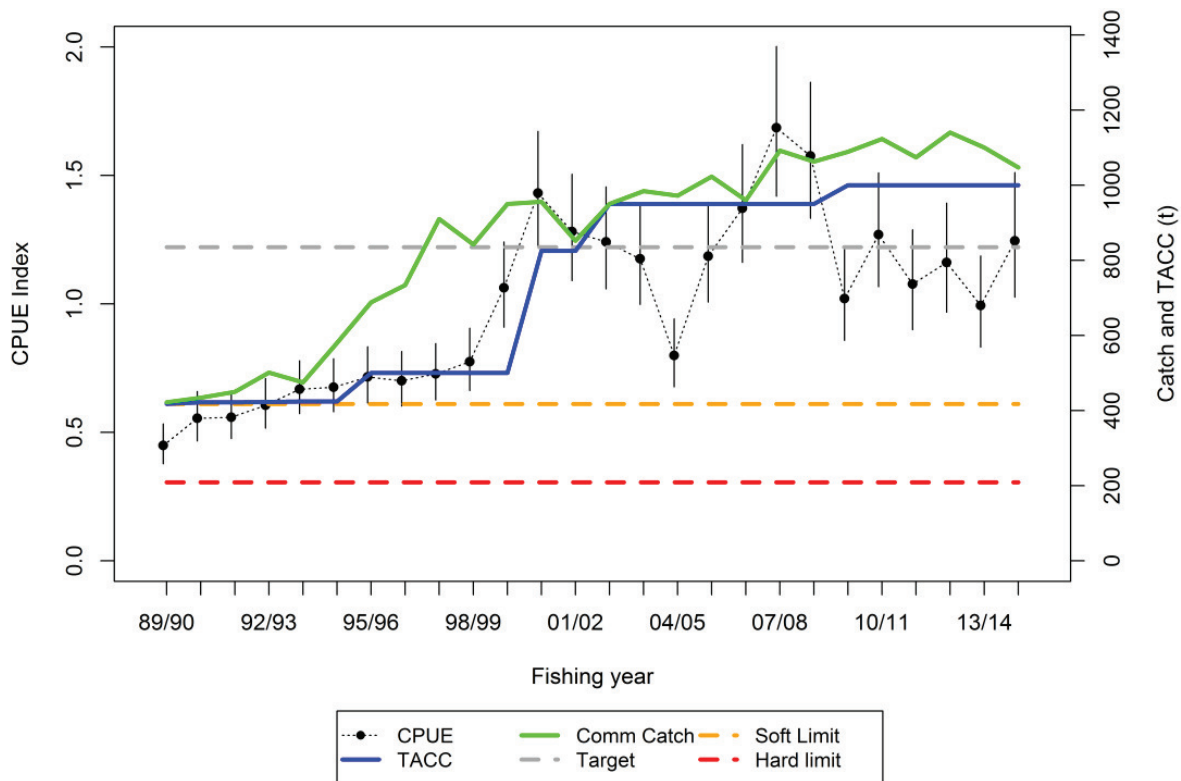


Figure 3. Comparison of the mixed target species bottom trawl CPUE series (ELE 3(MIX)) with the trajectories of catch (ELE 3(QMR/MHR)) and TACCs from 1989–90 to 2014–15. The dashed lines represent the interim target and corresponding soft limit and hard limit.

44. The CPUE trend has been hovering around the target reference level because of the constraints of the TACC and deemed value effects. We still believe the avoidance of ELE in this fishery is impacting the catch and effort information. Fishermen report that they are still having to avoid ELE3 and try to fish elsewhere for other species.
45. We have requested a conservative increase in the TACC for ELE3 as an adaptive management process to ensure that the sustainability of this fishery is not greatly impacted by large increases. To continually wait for trawl survey results to show a trend in a fishery that is not fully optimised by the results of the survey is inappropriate. There needs to be a better management approach to this fishery than just joining the dots.
46. What is the risk to this fishery of an increase in the TACC of 150t? The justification for just waiting to next year's trawl survey is not enough from MPI management. The expectation of IEMRS to solve a problem in this fishery is also not justified. IEMRS will not solve fisheries management issues when the TACC settings are inappropriate.
47. We request that MPI adopt an adaptive management approach to enhance the continued access and utilisation from this fishery.

Gurnard 3 (GUR3) – increase TACC (1220t) to 1350t

48. MPI response – *“The TACC for GUR3 was increased by 120 tonnes in 2015 in response to new scientific information. Recent trawl ECSI survey results do not support a further increase in*

catch limits, however, updated CPUE analysis is scheduled for 2018 and will allow for consideration of a review next year”.

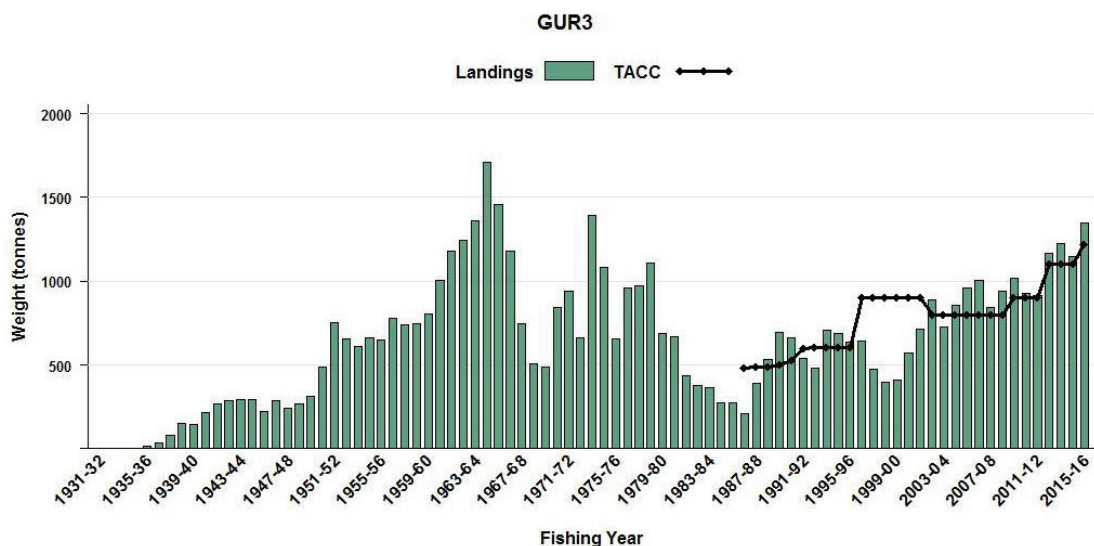


Figure 1. Current landings to TACC for GUR3.

49. Whilst we accept that the reliance on the trends from trawl surveys is informative it does not totally consider the correlation in the assessed biomass from that fishery to the current TACC or the CPUE MSY proxy or target reference level.

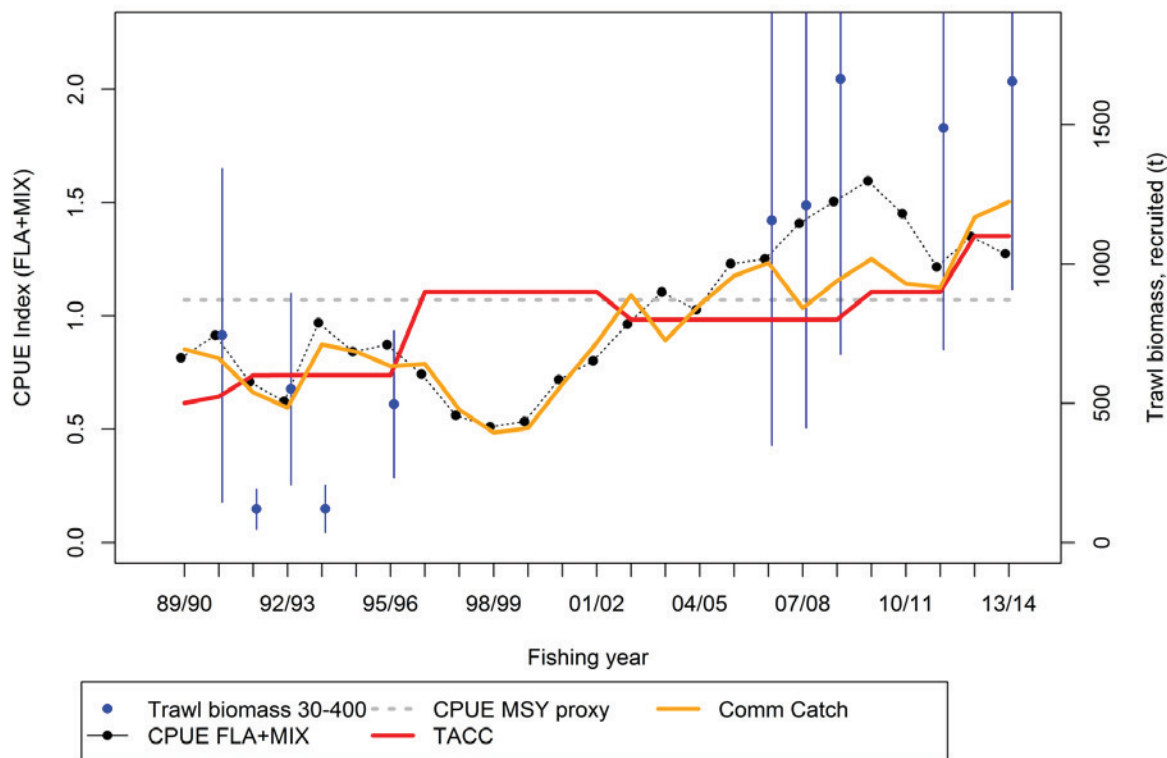


Figure 2. Winter ECSI trawl survey series with CPUE MSY proxy

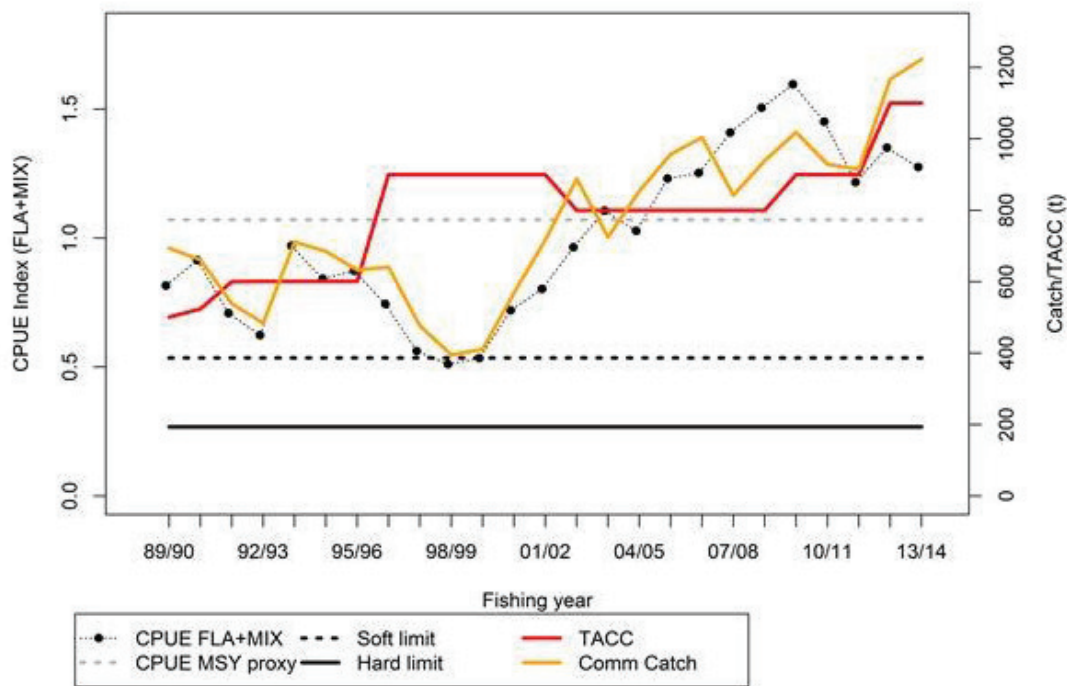


Figure 3. Comparison of east coast South Island winter trawl survey recruited biomass and CPUE indices (average FLA and MIX) and the trajectories of catch and TACCs from 1989–90 to 2013–14. The horizontal grey line represents the MSY proxy relative to the CPUE series. The black dotted and solid lines represent the soft and hard limits, respectively.

50. The caption and plot in the above Figure 3 was taken directly from the Plenary and clearly did not have the ECSI trawl survey recruited biomass information overlaid on it.
51. Figure 2 above overlays the ECSI trawl survey information in relation to the CPUE MSY proxy (from the GUR3 working group presentation) but does not have the soft or hard limit lines. Both graphs need to be read in relation to each other until an updated plot is inserted in the 2018 Plenary.
52. Whilst there was a decline in the trend from the 2016 ECSI winter trawl survey series, the total biomass was 2420 tonnes (CV 15) which is well above the catch from this fishery and the proposed increased TACC of 1350t.
53. Our proposal is that whilst the trawl survey is a useful tool it needs to be used in the context of the overall fishery. A decrease in the trend of the trawl survey does not necessarily mean an issue with the total biomass of the stock. If the biomass estimate is in excess of the target level then why can the TACC not be increased to a level that is still substantially under the total biomass?

Rig 7 (SPO7) – increase TACC (246t) to 300t

54. MPI response – *“The TACC for SPO7 was increased by 25 tonnes in 2015. The additional 56 tonnes requested by Southern Inshore suggest that the increase was too conservative. MPI considers that given the characteristics of rig a cautious approach should be taken and further monitoring is needed to inform additional increases. Rig is on Schedule 6 and can be returned if likely to survive”.*

55. I am appalled with your view that asking for a conservative TACC increase of 25 tonnes in 2015 was a misjudgement on our part. In the first instance, we were taking a responsible management approach to a fishery that was reduced from 350t to 221t in 2007. We asked for only 25 tonnes to see what effect that might have in subsequent years of catch and effort. Our point was proven to be right with the continued abundance increase in this fishery with no impact from the first TACC increase approach, therefore prompting the ability of a further increase to the TACC of 54 tonnes which is warranted within the current biomass limit. The increasing abundance had to be enhanced by fisheries closures.
56. As a consequence of the setnet closures on the West Coast South Island out to 2Nm for Hector's dolphin in 2008, the closure of Farewell Spit for spawning females, and the reduction in the TACC, we saw some set netters either move or relinquish set netting as a catching method. Also, with the increasing abundance in subsequent years the bycatch of rig by trawlers and the optimising of ACE by these vessels has also impacted the set net vessels. This saw the decline of the indices for SN (038) and SN(WCSI), and an increase in the bottom trawl BT(All) index.

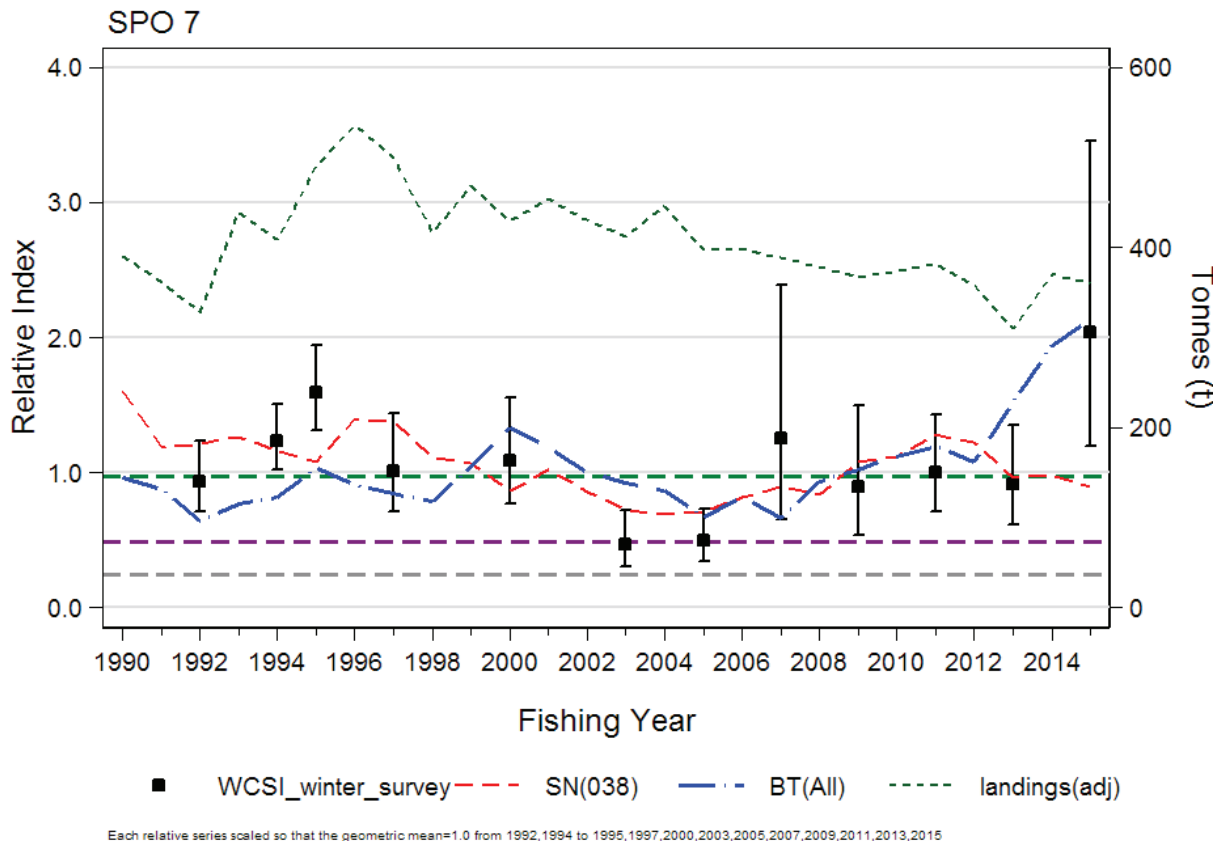


Figure 1. Comparison of the West Coast South Island (WCSI) trawl survey and two accepted CPUE indices BT(All) and SN(038) with the adjusted QMR/MHR landings for SPO 7. Adjustments were made to ensure that all values in every year are based on a common conversion factor. The agreed Soft Limit (average: 2003 and 2005 WCSI survey biomass estimates=0.49) is shown as a purple line, and the calculated B_{MSY} proxy ($=2 \times \text{Soft Limit}$) is shown as a green line and the calculated Hard Limit ($=0.5 \times \text{Soft Limit}$) is shown as a grey line.

57. Coupled with the set net closures for dolphins and pupping females, and the ability to return live fish to the sea under Schedule 6, we have seen a very positive increase in the abundance of rig on the West Coast South Island and in statistical area 038

(Tasman & Golden Bays). These results have shown up in the 2015 West Coast South Island trawl survey. Size composition data from the WCSI trawl survey catches suggests strong recruitment in recent years. The trawl survey and bottom trawl CPUE do not adequately sample large mature females, they do however cover most of SPO7.

58. We note that your response did not relate to any indicative results from this year's WCSI trawl survey which should have informed your decision. Whilst the presentation of the survey results is later this year we do however know that you use the indicative results within the same year of the survey to inform the review of stocks. This year's review of GUR7 indicated that, and we know that SPO7 results were also available.
59. We have been conservative in our requests and do not see a problem in maintaining that approach by only asking for an additional 54 tonnes this year. We are aware of the sensitivity in this fishery having seen it perform under the adaptive management programme and have maintained investment in research through a stock assessment and subsequent science updates.

Tarakihi (TAR8) - increase TACC

1. MPI response – *"No scientific information is available to inform a management review"*.

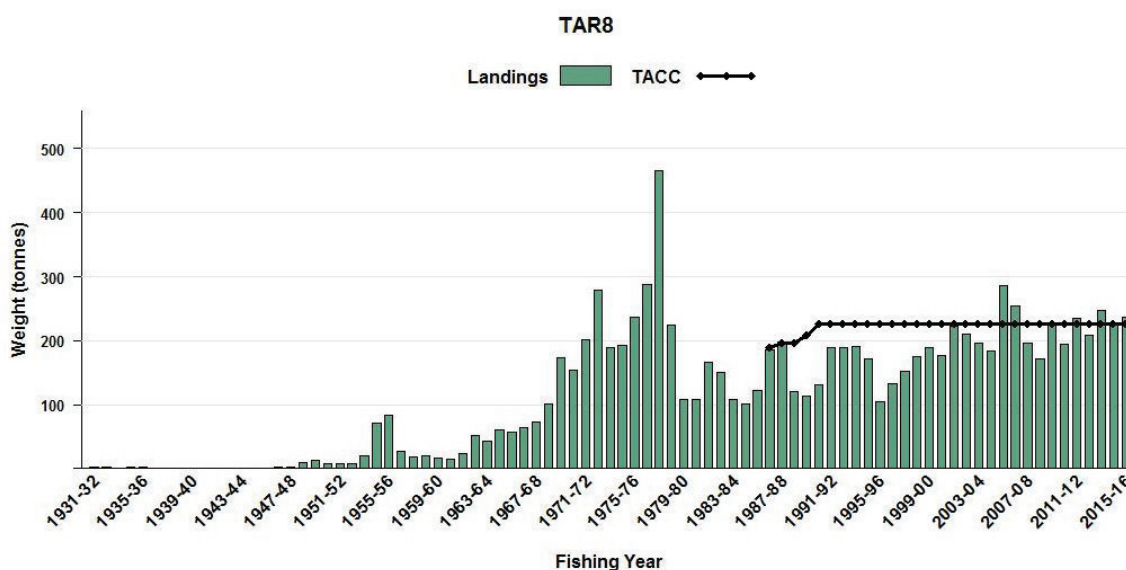


Figure 1. Current landings to TACC for TAR8

60. Southern Inshore made a request for a review of the TACC for TAR8 based on the continued increased catches in this fishery and the shift in dynamics to maintain its catch within a SNA8 bycatch situation.
61. Fishers operating in the Taranaki region have been experiencing increasing bycatch of SNA8 in their traditional trevally and john dory fishery. With the increasing lack of ACE available to them to cover their SNA8 catch they have progressively moved into the deeper water to avoid snapper but at the same time have experienced better catches

of tarakihi. They are working in an area not traditionally fished and have found increased catches of tarakihi. This information is readily available to MPI from reported catch and effort data which includes the depth fished and spatial extent of the fishery.

62. The TAR8 fishery has a TACC of 225 tonnes and it was expressed to us by the Inshore Team Manager that an increase in the TACC is not warranted based on a lack of science. TAR 8 is included under Group 6 of the National Fisheries Plan for Inshore Finfish and can be monitored by annual commercial landings. This grouping also provides for development opportunities while minimising management costs and monitors catch to ensure sustainability of the stocks.
63. The TACC is relatively low and the cost of assessing just the TAR8 fishery would not be cost effective. We request MPI use the current data they have and also to review the extent of the TAR8 fishery within the SNA8 fishery.
64. We see no reason why a conservative/precautionary increase to the TACC of 20% (or 45 tonne) could not be applied to allow for the development of this fishery whilst increased monitoring of catches is maintained over the next 2-3years.
65. This is a developing fishery and should be allowed to proceed as such without the impediment of increased deemed value on the basis of a very small increase in overcatch recently due to changes in fishing dynamics.

Kingfish 3&7 (KIN3&7) – increase KIN3 (1t) to 12t and KIN7 (12t) to 30t with DV review

66. MPI response – *“No scientific information on the abundance of KIN3 has been presented to support catch limit increase for these kingfish stocks. Without such information it is not appropriate to reduce DVs for stocks that are already over caught, particularly for stocks like kingfish which are managed as commercial unavoidable bycatch only. MPI will continue to work with fishers in KIN3 to look for operational solutions to unavoidable bycatch of kingfish.*
67. Both KIN3 and KIN7 were introduced into the QMS in 2003 with nominal TACCs of 1 and 7 tonnes respectively. KIN7 was reviewed in 2013 with an increase to the TACC to 15 tonnes, but no consideration for KIN3. KIN7 has been overcaught for the majority of the years since QMS introduction and catch has trended upwards as the TACC has been increased.
68. The lack of adjustment to the KIN3 TACC is hindering the utilisation in this fishery. Set net operators are not allowed to return their KIN3 to the sea under Schedule 6. If caught by other methods they can return it under this schedule. This is an inconsistency that we request MPI address within the upcoming regulatory round.
69. The initial setting of a 1 tonne TACC for KIN 3 was arbitrary and does not consider the difficulty of management. A number of low knowledge fishstocks were considered for TACC review for the 2006-07 fishing year. Part of the advice included:
 - a. ***“MFish recommends a minimum TACC of 5 tonnes for these low knowledge stocks. Five tonnes was selected as an arbitrary minimum on the basis that it is difficult to manage a TAC below this level. Therefore, no TACC was set below this figure, irrespective of the analysis of previous landings.***

70. Given this guideline and analogy for management was proposed previously there is no reason why it should not be applied to KIN3 in this instance as a low knowledge fishstock.
71. We request that MPI address the need for an adjustment to Schedule 6 to allow set net vessels to return live KIN to the sea, and halt the continued delays to adjusting the TACC because of some proposed shared fishery framework that has not yet surfaced although decisions are assumedly being made on allocation by referencing it. The recreational sector is catching upwardly of 3 times the TACC.

Leatherjacket (LEA 3) – increase TACC (130t) to 155t

72. MPI response – *“The TACC for LEA3 was increased by 30 tonnes in 2013, the request for an additional 25 tonnes of commercial catch is not supported with updated scientific information”.*

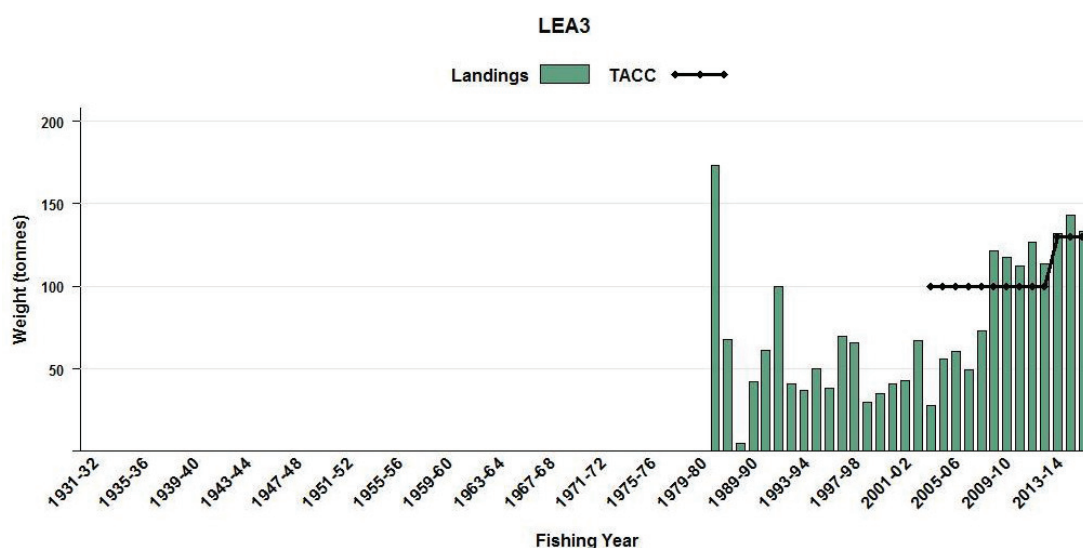


Figure 1. Current landings to TACC for LEA 3

73. Leatherjacket were not caught in significant numbers on the ECSI winter trawl survey until 2007 when the shallow strata were included in the survey design. The length distributions in the core plus shallow strata (10-400m) in 2007 and 2012 show at least three clear modes at about 10cm, 16cm and 23cm (combined males, females, and unsexed). The core plus shallow strata survey is monitoring both pre-recruited cohorts, and fish in the recruited size range. Given that the maximum age of LEA is about 7 years at 19-22cm it is feasible that the pre-recruited fish are fully recruited and showing up in this fishery.
74. The latest science is available and the 2016 ECSI winter trawl survey (Figure 2) clearly shows that the biomass in the fishery is far in excess of the current and proposed TACCs.
75. The current catch is being constrained by the TACC and limiting the utilisation in this fishery. MPI need to become more responsive, interrogate the data more and review the trends occurring in these low knowledge fishstocks.

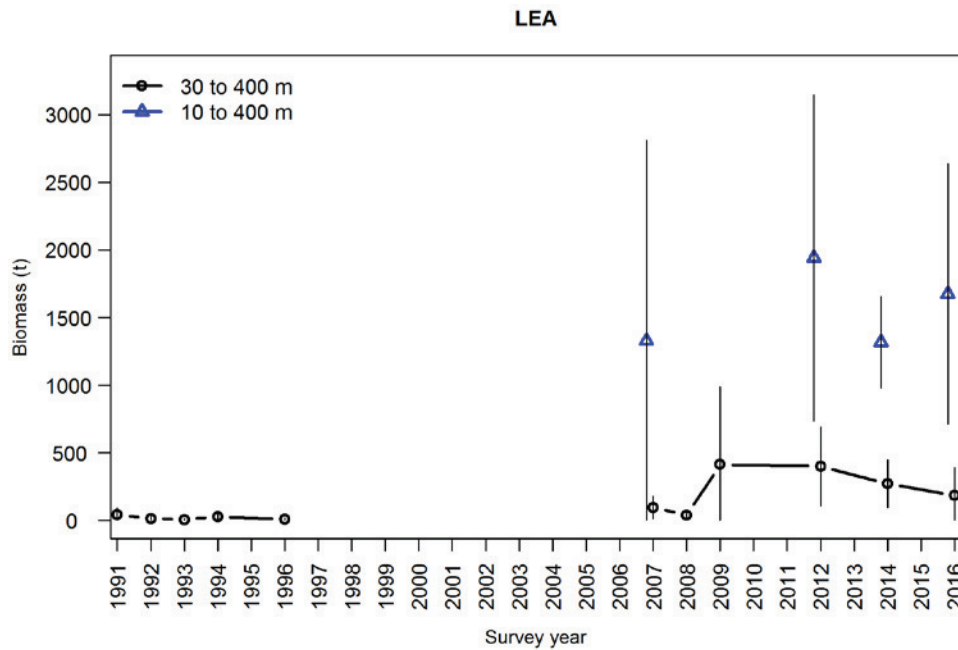


Figure 2. Leatherjacket total biomass for the ECSI winter surveys in core strata (30-400m), and core plus shallow strata (10-400m) in 2007, 2012, 2014, 2016. Error bars are 2 SD

Snapper 7 (SNA7) – Review possible

76. We do not believe that the MPI could not have addressed a further increase in the TACC for SNA7 this year. The biomass in the fishery and the increasing trend has been proven by the previous stock assessment in 2015. In addition, the West Coast South Island trawl survey was altered to allow for the sampling of the juvenile fish in the shallower strata between 10m and 20m, with the latter being the previous inshore limit for the survey. The 2017 survey has again captured juvenile fish within the Tasman and Golden Bay region.

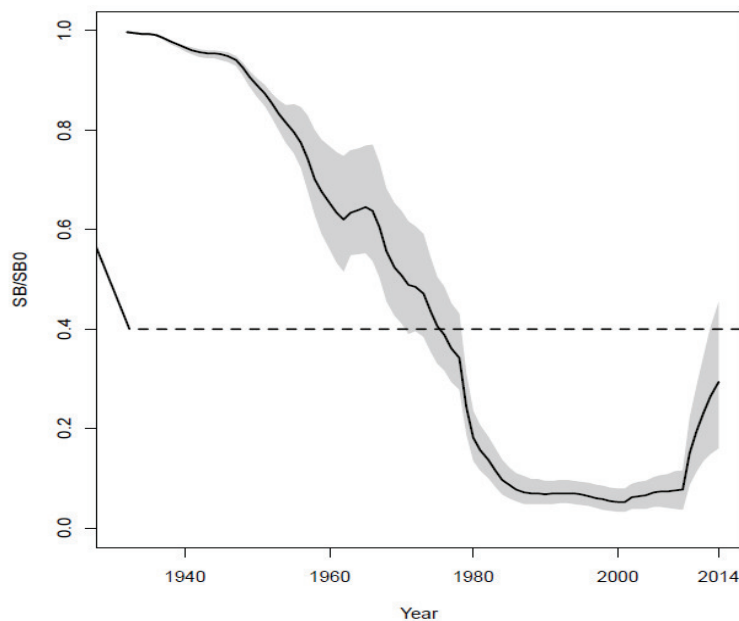


Figure 1. Annual trend in spawning biomass relative to the 40% SB_0 interim target biomass level for the base model. The line represents the median and the shaded area represents the 95% confidence interval. The dashed line represents the interim target level.

77. In 2016 an analysis of the recreational catch for SNA7 was assessed and presented to the MPI working group. The initial Hartill presentation over-estimated the recreational catch and this was rectified to then assume a catch estimate of around 83 tonne. Given that the recreational allowance was increased in 2016 prior to this analyses, it shows that there is more available catch in the fishery as the setting for the recreational allowance was set at 250 tonnes. There is no reason other than a political will that the TACC and recreational allowance have to be the same and to separate it out from other species catch to call it a shared fishery. In a shared fishery environment the catch should be representative of the capacity of each sector, but within the agreed limits of extraction from the biomass, not an arbitrary 50/50 split.

Elephantfish 5 – Review possible

78. Southern Inshore updated the CPUE for ELE5 to assess the status of this fishery firstly from the previous TACC increase but also that it is not monitored through the East Coast South Island trawl survey as it does not extend that far south.

79. We do not believe that the latest science presented to the MPI working group in 2017 does not represent the ability for a TACC increase.

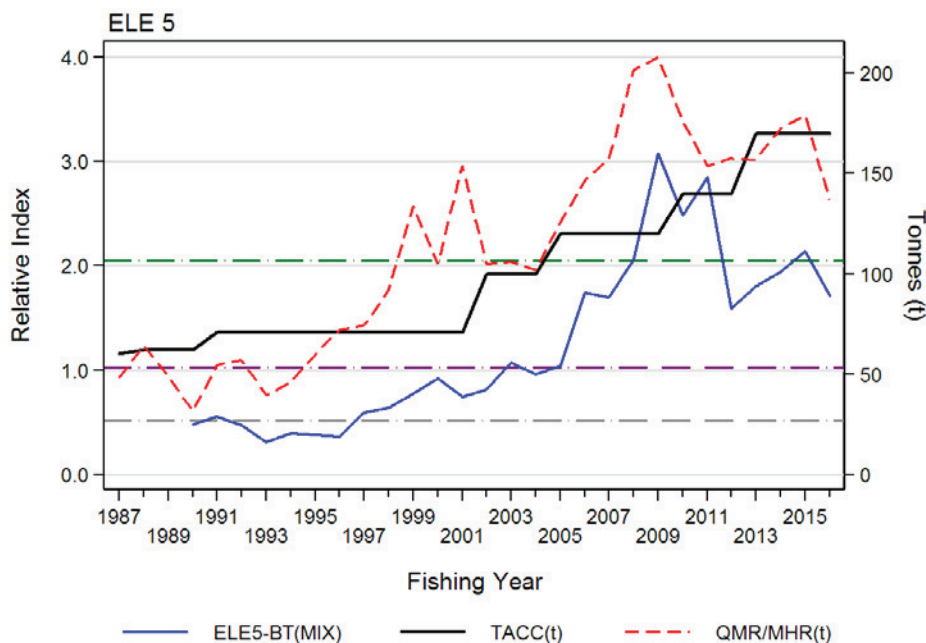


Figure 1. Comparison of the ELE 5-BT(MIX) CPUE series with the TACC and QMR/MHR landings for ELE 5 The agreed BMSY proxy (geometric average: 2006–2016 ELE 5-BT(MIX) CPUE indices=2.051) is shown as a green line; the calculated Soft Limit (=0.5x BMSY proxy) is shown as a purple line; the calculated Hard Limit (=0.25x BMSY proxy) is shown as a grey line.

80. The science shows from 1990 that there has been an increasing trend in the biomass of the fishery and that it correlates closely with the increases to the TACC over those years.

81. The dynamics in the fishery have shown a shift since 2012 where the CPUE dropped but then increased steadily up until 2015. Whilst it has shown a minimal drop in 2016 this is not an indication that the fishery is under stress. The landings are down and therefore the CPUE. It is not as if the effort has increased with minimal catch which

would show a problem in the fishery. The fishery has been above the target level for some time.

82. We contest that a minimal increased could have been applied to this fishery with further close monitoring and CPUE update in 2019.

Elephantfish 7 (ELE7) – Review possible

83. ELE7 is a fishery that has been overcaught five times in the last 10years and has been very close to the TACC in the other years for the same period. The TACC has become a limiting factor to the utilisation within this fishery and is forcing fishers to try and avoid it in their mixed trawl fishery on the coast. Fishers should not be pushed to avoid fish.

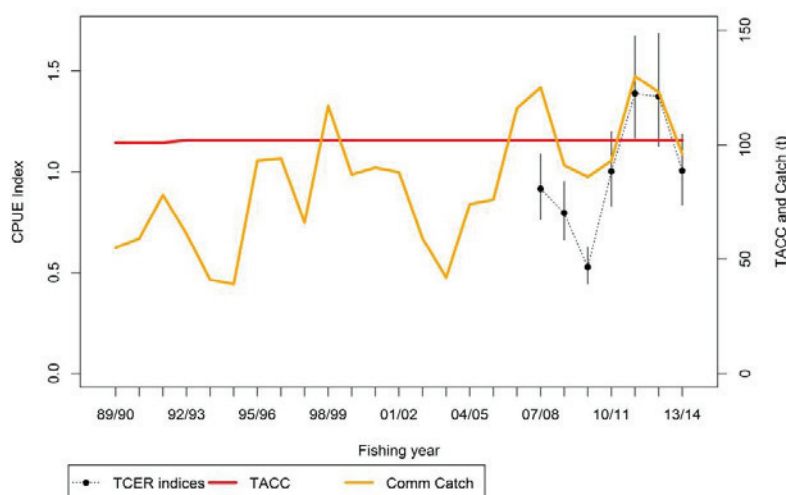


Figure 1. Standardised TCER CPUE index for ELE 7 (black dots), commercial landings (yellow line) and TACC (red line).

84. Whilst ELE7 is not optimised under the West Coast South Island trawl survey they are however able to be monitored to some extent by it. This is a fishery that MPI need to stop just 'joining the dots' and make a determination based on the restriction of the TACC to the catch and CPUE and the projection and trend from the trawl survey.
85. This fishery is becoming more dominant in the catch in the mixed trawl fisheries and the TACC needs to be addressed rather than dismissed because the trawl survey result is not conclusive enough as it is not an optimal species under the survey anyway.

SUMMARY

86. We have raised a number of concerns regarding the ongoing inability of MPI to resource the annual review of fishstocks which is apparently an important part of MPI core business but we are yet to see that fully implemented.
87. Whilst we agree that engaging with stakeholders for a balanced approach needs to be undertaken, we do not agree with the extent that this resourcing takes away from the current fishstock review process. We should not be limited to just the review of stocks that have gone through a collaborative forum process or drop-in meetings. Multi-sector forums that have members with minimal fisheries management experience is counter-productive and time and resource consuming.

88. We request that MPI work more closely with Southern Inshore to progress the annual review of fishstocks and agreed research planning for fisheries management. It is paramount that we have an agreed process so that stability can be applied to the projection of fisheries reviews and utilisation whilst maintaining sustainability. This process requires that once a stock is agreed for review that it is not then denied through some political process further up the management hierarchy.
89. We need to manage our fisheries on the science of the whole fishery and not just the most recent year's trend. The recruitment into the fishery needs to be aligned with all other factors. This needs to also include anecdotal information from fishers. They are the ones on the water on a daily basis and have the history and observations of the dynamics within the fishery that is not always able to be picked up in a characterisation or stock assessment.

Contact: Carol Scott

IN THE MATTER OF:

MPI FISHERIES MANAGEMENT SUSTAINABILITY
REVIEW 2017



SUBMISSION OF SPEARFISHING NEW ZEALAND

About the Submitter

This is the submission of Spearfishing New Zealand (SNZ). We are an Incorporated Society representing the interests of freedive spearfishers in New Zealand. We are a distinct sub-group of the recreational fishing sector.

Freedive spearfishers are active in the **PAU 3 and PAU 7** fisheries. We are a minor participant on the **RCO2** fishery.

SNZ reports directly to approximately 4,400 divers nationwide. The wider freedive spearfishing community is approximated by the 10,285 members of the most active (NZ) social media pages in our sport.

All our members rely on abundant fisheries as a food source and for the recreation value of harvesting.

PAU 3 Consultation

1. Drawing from the Consultation Document:
 - PAU 3 stocks were falling prior to the earthquake.
 - Whilst the 2014 stock was likely above 40% B_0 , the result three years later, after a massive natural disruption, is unknown.
 - The 2017 survey was deferred but when it does occur it may better inform management decisions.
2. We consider it may be unwise to assume stocks are still above 40% B_0 now even in the areas unaffected by the quake. A later survey may provide more certainty that stock numbers are able to support a greater TAC.
3. We prefer a management strategy that ensures abundance at or above 40% B_0 which means the cut to TACC must at least equal or exceed the proportional reduction in harvest area (weighted by fishing-effort). The area which is now unavailable has historically provided 50% to 70% of the yield, so a 50% cut (Option 1) will logically ensure a downwards trend in the stock in future. A 70% cut to the TACC will be (on average) disproportionately high relative to lost fishing-effort area. That will be more likely to maintain the stock at or above 40% B_0 .
4. A precautionary approach is called for, given the uncertainty over the extent of stock disruption following this unusual natural event.
5. Accordingly, we **support the scale of TACC reduction in Option 2** (70% reduction to TACC) because we value the sustainability of the fishery highly.

6. We oppose the proposed allocation for Recreational at 8.5 or 5.1 t under Options 1 and 2 because the calculated amounts are likely to be an under-estimate (in the informed opinion of the MPI Science Working Group, refer para 171-173).
7. We suggest a sensible (say) 20% margin (or other margin provided by the Working Group acting on their best judgement) over the 2011/2012 estimate of 17 t as a starting point. This would be a basepoint allocation of approximately 20.4 t for recreational, which would reduce to recreational allowances of 10.2 t in Option 1, and 6.1 t under Option 3.
8. We assume that Customary users are likely to be similarly affected as other users on a spatial basis. As experienced *kaitiaki*, Maori will undoubtedly embrace area closures and other spatial controls on a local level for the benefit of the overall health of the fisheries. A retention of the 15 t allowance is likely to result in an over-estimate of Customary take, and we suggest it too could be reduced by the same reduction in TACC and recreational allowances, i.e. to 7.5 t (for Option 1) and to 4.5 t (for Option 3).
9. This is an important shared fishery for our members. It is essential to us that the stock is managed equitably between stakeholders and proportionality maintained – whether that is in the context of both reduced allowances now, or any expansion of allowances in future in the event of a successful rebuild.
10. Our recommended allocations for **PAU 3** are as follows:

<u>Sector Allowance</u>	<u>Option 1</u>	<u>Option 2</u>
TACC	45.8	27.5
Recreational	8.5 10.4	5.1 6.1
Customary	15 7.5	15 4.5
Other mortality fishing	10.0	10.0
TAC	79.3 73.7	57.6 48.1

PAU 7 Consultation

11. The previous 2016 stock management decision reduced the TACC in **PAU 7** substantially - by 50% - and we assume it will be much too early to determine success of that decision. Hopefully that was a sufficient cut to address the low status of 18% B₀ in 2016.
12. Only 4% to 12% of catch was taken from the earthquake affected area.
13. Option 1 – status quo – effectively increases the catch in the remaining area by displacement. This would partially compromise the effectiveness of the 2016 cut. With no evidence to support an increase to that take, it seems that would put the fishery at risk.

14. Option 3, which would effectively reduce the TAC by 13%, seems disproportionate to area-effort data – in effect it says the 50% reduction for 2016 was not enough. It is not yet known if that is the case or not.

15. **We support the scale of reduction to the TAC in Option 2 (-9% TAC),** as it effectively gives the 50% cut in 2016 time to work, but adjusts proportionally for the lost fishing effort-area.

Allocation of TAC in PAU 7

16. We oppose the proposed allocations within Options 2 and 3 for the reasons set down below.
17. The Option 2 and 3 TAC allocations for PAU 7 disproportionately affect the recreational sector, as follows:

<u>Sector Allowance</u>	<u>Option 2</u>	<u>Option 3</u>
TACC	-10%	-15%
Recreational	-15%	-21%
Customary	No Change	No Change
Other mortality fishing	No Change	No Change

18. We believe the value of paua to the recreational and customary sector is no less than the value to the commercial sector (\$23,988/tonne or \$9.40/paua based on para 184 and Table 3). There is no economic benefit reason to favour the commercial sector over recreational. No economic reasons for a re-allocation of resource were raised in the discussion paper.
19. Referring to the discussion document, para 186 confirms a 14 t recreational allowance was likely to be an under-estimate in 2011/2012 due to survey method, and a slightly higher 15 t allowance was used in previous allocations. The 15 tonnes prior allowance must be more likely to be accurate than the low 14 t survey result. If the best MPI Science Working Group advice is that 14 t is an under-estimate, then 85% or 90% of that figure must also be an under-estimate in Options 2 and 3.
20. We submit that the most-correct pragmatic starting point is 15 tonnes (still probably too low) prior to making deductions, meaning that the recreational catch allocation should be revised to at least 13.5 t (for Option 2) and 12.8 t (for Option 3).

21. We consider that Customary users are likely to be similarly affected as other users on a spatial basis. As experienced *kaitiaki*, Maori will undoubtedly embrace area closures and other spatial controls on a local level for the benefit of the overall health of the fisheries. A retention of the 15 t allowance is likely to result in an over-estimate of Customary take, and we suggest it too could be reduced by the same reduction in TACC and recreational allowance, i.e. 13.5 t (for Option 2) and 12.8 t (for Option 3).
22. This is an important shared fishery for our members. It is essential to us that the stock is managed equitably between stakeholders and proportionality maintained – whether that is in the context of both reduced allowances now, or any expansion of allowances in future in the event of a successful rebuild.
23. We submit that the following allocations for **PAU 7** would be more accurate:

<u>Sector Allowance</u>	<u>Option 2</u>	<u>Option 3</u>
TACC	84.2	79.6
Recreational	12.6 <u>13.5</u>	11.9 <u>12.8</u>
Customary	15 <u>13.5</u>	15 <u>12.8</u>
Other mortality fishing	10.0	10.0
TAC	121.8 <u>121.2</u>	116.5 <u>115.2</u>

RCO2 Consultation

24. This is a minor fishery for our group, but retaining healthy stocks of lesser targeted species is important to us and the species is part of a complex of species in that Area2 trawl fishery in which spearfishers have an interest in terms of some of the other species taken. We support MPI making allowances for Customary and Recreational harvest as proposed.
25. MPI (para 273 of consultation document) nominates a 30% margin over the 2011/2012 survey as its allowance for the risk of survey under-estimation. We support following that considered advice, on the grounds that it is the best advice available to the minister at present which complies with Section 10 of the Fisheries Act.

26. We **support Option 2** (561 tonne TAC and 31 tonne Recreational Allowance).

We thank MPI for the opportunity to submit on these important issues, and look forward to assisting MPI in future decision making that affects our members.

Kind Regards,

Reid Quinlan
Secretary
Spearfishing New Zealand
6 July 2017

Contact details:

Reid Quinlan

s 9(2)(a)

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: RE: Proposed further closure for Kaikoura and Cape Campbell earthquake-affected fisheries
Date: Monday, 12 June 2017 2:40:23 p.m.

Hi

I am a stakeholder QRN 8472712. I agree that the fishery should be closed to all users to allow monitoring and hopefully a recovery. My understanding of section 11 is that we can use some of the itq put aside to explore other parts of area three (3). For example to find other paua beds if they exist further south. Therefore taking pressure off the present traditional fishing grounds.
Regards Stephen Young

From: FMSubmissions [mailto:FMSubmissions@mpi.govt.nz]
Sent: Wednesday, 7 June 2017 11:36 AM
Subject: Proposed further closure for Kaikoura and Cape Campbell earthquake-affected fisheries

Dear stakeholder

Review of the closure for earthquake-affected fisheries in Kaikoura and Cape Campbell

The Ministry for Primary Industries (MPI) is seeking feedback from tangata whenua and stakeholders on a proposal to put in place a new closure for earthquake-affected fisheries in Kaikoura and Cape Campbell.

An emergency closure was implemented following the November 2016 earthquakes for shellfish and seaweed species in an area that includes Kaikoura and Cape Campbell. The current closure excludes rock lobster and scampi, and is due to expire on 20 November 2017.

MPI considers that the earthquake-affected fisheries need more time to recover, particularly paua, and is proposing to implement a new closure under section 11 of the Fisheries Act 1996 when the current emergency closure expires.

The proposal has been assessed in the context of the relevant statutory requirements and the best available information, including pre-consultation discussions with tangata whenua and stakeholders.

The Consultation Document that outlines the proposal can be found on the MPI public consultation webpage at: <https://www.mpi.govt.nz/news-and-resources/consultations/proposed-further-closure-for-kaikoura-and-cape-campbell-earthquake-affected-fisheries/>

Alternatively, hardcopies of the Consultation Document may be requested at the email or post addresses provided below.

Making a submission

All submissions should be received by **5pm, Friday 7 July 2017.**

Written submissions should be sent directly to:

Email

FMSubmissions@mpi.govt.nz

Post

Review of Earthquake-affected Fisheries 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011

Yours sincerely,

FMSubmissions

Fisheries Management | Regulation and Assurance
Ministry for Primary Industries | Manatu Ahu Matua | Pastoral House 25 The Terrace | PO Box 2526 | Wellington | New Zealand
Tel: 04 894 0018

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Submission on the Review of Sustainability Controls for 1 October, 2017

MPI Discussion Paper no 2017/17

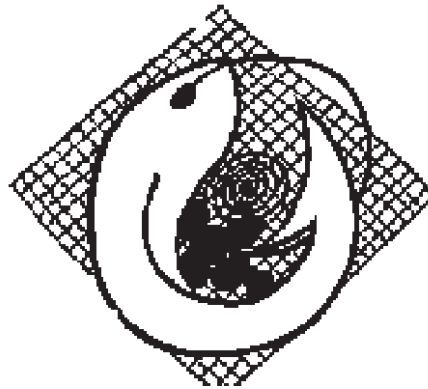
6 July, 2017

1. Talley's Group Limited submit on this Review of Sustainability Controls for 1 October, 2017.
2. We refer specifically to Part D. of the Discussion paper that relates to the setting of Deemed Value rates and specifically to 6.1 Green lipped mussels (GLM9).
3. The discussion paper outlines that '*intentional harvest of GLM9 above the available ACE has continued in 2016/17*'
4. It goes on to state that '*fishers have chosen to land GLM9 mussels and spat in excess of ACE holdings*'.
5. Talley's group Limited maintain the view that overfishing in this fishery is 100% preventable.
6. It is not incidental by-catch or overfishing and anything taken over the TACC is entirely deliberate given the nature of the fishery ie; you have to choose to pick it up without ACE.
7. The deemed value in this respect must be set punitively in order to constrain this behaviour and MPI's proposal acknowledges that.
8. Talley's Group limited support MPI's proposal to increase the deemed value accordingly.



Tasman and Sounds Recreational Fishers' Association (Inc)

TASFISH



Submission July 2017

Review of Sustainability Controls for 1 October 2017

MPI Discussion Paper No: 2017/17

Sustainability Review 2017
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011

FMsubmissions@mpi.govt.nz

Introduction

1. The Association can be contacted through Past President, Martyn Barlow, s 9(2)(a)
[REDACTED]
[REDACTED]
2. Tasfish is committed to the sustainable use of our marine resources in the Top of the South and good management of our marine ecosystems.
3. Tasman Bay Amateur Marine Fishers' Association was formed in the 1980's in response to proposals to introduce large scale farming of scallops in the Croisilles Harbour a popular recreational fishing area on the coastline north of Nelson city. Since that time it has been renamed **Tasfish** and become involved in many fishery allocation and management issues affecting all the major species of interest to recreational fishers.
4. This has included being part of many of the species specific working groups set up by MFish, we have worked closely with both MFish and The Challenger Scallop Enhancement Company in ongoing management and annual allocations within the scallop fishery. We were involved in the attempts to set up multi sector Fisheries Plans for in Area 7 and we have members on the FMA7 recreational forum.
5. Increasingly in recent years we have been regularly involved in space allocation issues for marine farming and in particular limiting their placement over habitat of recreationally important species. This has included many hundreds of submissions to Marlborough District Council on Marine Farm Resource Consent applications and also to MFish on Marine Farming Permits on how these farms affect fish or fishers. Our toughest case was taking MFish to judicial review over one permit. We recognize the importance of suitable habitat for all species and accept the need for careful management of marine ecosystems.
6. Membership of Tasfish is both individual and affiliate. While individual membership is relatively low at less than 50 many of the fishing and boating clubs in the Top of the South, from Golden Bay to Nelson and the Marlborough Sounds, affiliate to Tasfish along with several ratepayer groups particularly in the Marlborough Sounds.
7. Tasfish participates as fully as possible for a voluntary organisation in the annual management rounds and in addition we have made submissions on many of the recent Bills before Parliament relating to our marine systems.

Bluenose (BNS7)

8. MPI proposes the following options for the TAC/TACC and associated allocations, for BNS7. While the discussion paper is for combined BNS stocks TASFISH is only commenting on BNS7 stocks, the area TASFISH advocates for recreational fishers in and has the most knowledge.

Table1

Proposed options for the TAC, TACC and allowances for BNS7					
	TAC (t)	TACC (t)	Recreational Allowance (t)	Customary Maori (t)	Other sources of fishing related mortality (t)
Option 1 (Status quo)	57	51	3	2	1
Option 2	52	46	3	2	1
Option 3	40	34	3	2	1

9. TASFISH supports Option 3.
10. TASFISH supported the values in Option 3 in 2012 and again in 2013 when the BNS7 stock was last reviewed as at the time TASFISH was seriously concerned that the other options were not a cautious approach based on the information at the time.
11. The combined TAC for BNS were clearly unsustainable but MPI failed in 2012 and 2013 to acknowledge this by not adopting Option 3.
12. This option was proposed as a part of series of 3 phased reductions begun in 2011 and TASFISH submitted at the time *“this must be implemented to ensure the long term sustainability of BNS7 stock”*.
13. We were ignored and now we now see in this discussion paper *“there is a sustainability risk associated with current catch levels for bluenose”* TASFISH is not surprised by this statement and submits the only option is for MPI to ne instructed to adopt option 3 by the Minister.
14. There is no target reference level of abundance established and it is not known what the level of stock is that can support BMSY.
15. While option 3 may well have economic impact on commercial fishers TASFISH submits that the sustainability of the stock needs to be addressed now and if this results in a severe economic impact on the sector that has fished BNS to such levels so be it.
16. TASFISH reminds the Minister that industry have already had the economic benefit of driving the stock to this level and in doing so any economic considerations on this case should be overlooked in the interest of the future sustainability of the stock for all sectors
17. The gradual TAC/TACC reductions between 2011/13 were designed to be implemented gradually to minimise the economic impact on industry, TASFISH submits this gradual approach was a soft option and we are now seeing the results of soft options being

taken with previous decisions, TASFISH submits that it is now time to actually make decisions that are in the best interest of the stocks and not be more concerned with the commercial outcomes for industry than they are in the long term sustainability of the stocks and the interest of other sectors.

18. MPI needs to send a very clear message to industry and FINALLY adopt option 3.

Red Gurnard (GUR 7)

19. MPI proposes to review the TAC for red gurnard in GUR7 and proposes the initial options in table 1 below.

20. The recreational allocation of 22t represents 0.39 of a red gurnard per recreational fisher each year! The writer of this submission alone catches the allocation of approximately 153 recreational fishers each year.

Table1

Proposed options for the TAC, TACC and allowances for GUR7					
	TAC (t)	TACC (t)	Recreational Allowance (t)	Customary Maori (t)	Other sources of fishing related mortality (t)
Option 1 (Status quo)	919	845	22	10	42
Option 2	984	905	24	11	44
Option 3	1062	975	25	12	50

21. TASFISH supports option 1, and submits the recreational allocation needs to be increased to reflect both the importance of red gurnard to the recreational sector and the recreational catch .
22. TASFISH is more than just disappointed with this discussion paper for several reasons.
23. This paper does not discuss or acknowledge that GUR7 is a shared fishery purely on the basis that the recreational allocation is pathetic when compared to the TACC.
24. To the best of TASFISH membership knowledge “no one” in the recreational sector was contacted in the development of this paper. Furthermore the writer of this submission only discovered this discussion paper by accident when researching another topic on the MPI website.
25. This is a total disregard for the recreational sector and speaks volumes about MPI and how it engages with the recreational sector and currently conducts its business in managing fisheries and fish stocks.
26. Furthermore it basically ignores and dismisses the significance and importance of red gurnard to recreational fishers in FMA7.

27. The recreational allocation of 22t represents 0.39 of a red gurnard per recreational fisher each year!
28. The population of the Tasman, Nelson and Marlborough regions in 2016 was 142,300. 40% of the population go fishing, therefore there are 56,920 resident recreational fishers in the region (this does not include the populations of Kaikoura and the West Coast which are also covered by FMA7).
29. An average red gurnard weighs 1kg, 22t equals 22,000 red gurnard allocated to the recreational sector.
30. 22,000 red gurnard shared by more than 59,200 recreational fishers = 0.39 of a red gurnard per fisher!
31. The recreational daily bag limit for red gurnard is 20 fish per person per day, that is 1,100 recreational fishers – 1.9% of the 56,920 recreational fishers catching a (1 yes one) red gurnard daily bag limit per year.
32. Alternatively if every recreational fisher caught 1 red gurnard per year (which we acknowledge is unlikely) the recreational allocation would need to be 59t more than 2.5 times the current allocation of 22 tonnes.
33. Red gurnard has over recent years become a far more important and highly regarded target species for the recreational sector as they seek to target other species due to the blue cod restrictions in Challenger East and fishers spend more time on the water due to the increased abundance of snapper in the area which has seen increasing participation by a growing population not just targeting snapper but also focusing efforts on red gurnard while they are on the water.
34. TASFISH acknowledges an increase and availability in red gurnard abundance and this increases the availability to and the ability of the recreational sector to utilize this stock in increased numbers
35. When targeting red gurnard it is not uncommon for an individual fisher to catch between 5 – 7 red gurnard several times per year. If 15% (8,943) of recreational fishers caught 5 red gurnard once a year the recreational allocation needs to be 45t!
36. TASFISH submits the current allocation and the lack of acknowledgement of this shared fishery in the paper is both alarming for and discriminatory towards the recreational sector and further submits it does not reflect the utilization of red gurnard by the recreational sector who have effectively been dismissed in this paper.
37. Contained in the 8 pages of this paper there are 4 paragraphs that mention recreational fishing that firstly acknowledge it as an important recreational species but then go on to disregard it by claiming catches of red gurnard by the recreational sector are relatively low compared to the commercial sector.
38. Of course, the recreational catch is going to be low (in comparison) for several reasons. Firstly the stock has been allocated to industry with a current allocation of 845t – a massive 38 times the allocation to recreational fishers.

39. Secondly the fishery has only in recent years achieved an abundance level that makes it an accessible fishery to recreational fishers.
40. Thirdly MPI have no data or even anecdotal evidence of the red gurnard recreational catch and in both recent recreational surveys for BCO7 and SNA7 failed to gather and record any red gurnard data.
41. The fact that the recreational catch is low by comparison to industry should not have provided the basis for this paper to continue to promote such a pathetic allocation of 0.39 gurnard per recreational fisher per year.
42. There is mention of recreational catch data from 2012 but that has a high level of uncertainty due to the relatively small number of events and fishers it was derived from. And therefore, the paper goes on to say the 2017/18 National Panel survey will be used to inform future management decisions.
43. There is an opportunity to correct the allocation for the recreational sector before allocating it away to industry and TASFISH submits that the Minister should take this opportunity now.
44. Red gurnard was reviewed by MPI in 2009, 2012 and 2015 and increased the TACC from 725t to 759t in 2009 then to 785t in 2012 and to 845t in 2015.
45. These increases to the TACC were done in 2009 *“in response to a request by the local fishing industry to increase the Total Allowable Commercial Catches”* and in 2012 *“in response to a request for an increase in the TACC from the commercial stakeholder organisation for FMA 7, Challenger Fin Fisheries Management Company.”*
46. In both these reviews there was no change in the recreational allocation and it was not until the 2015 review that the recreational allocation increased from 20t to 22t, meanwhile the TACC had seen an increase of 120t (725t to 845t) a 17% increase for industry v a 10% increase for recreational fishers.
47. The Challenger Inshore Fin Fish Plan Group (CIFFPAG) now disbanded met monthly for 17 months from December 2007 through to May 2009 and involved the customary, environmental, commercial and recreational sector representatives.
48. The objectives of each sector were recorded and unfortunately it was not until the last meeting in May 2009 that some agreement was finally reached on where the CIFFPAG wanted to take key shared stocks. The CIFFPAG agreed that GUR 7 was a key shared stock.
49. The CIFFPAG failed to reach agreement on any multi sector objectives due to the tactics and attitude brought to the table by industry who stated they were in a position of defending their current position and disagreed with the process.
50. For the non commercial sectors it is untenable that MPI continues to review TAC's and TACC for highly important recreational stocks and propose increases in commercial harvest allowances *“in response to a request by the local fishing industry.”*

51. That the commercial sector can seek an increase in these TAC's to accommodate TACC increases for what are key recreational stocks and completely ignore all other stake holders objectives effectively means the whole fish plan processes and recreational forums and engagement with MPI and industry has been a waste of time for all non-commercial sectors and is a further indictment of MPI fisheries management.
52. The different methods employed by the industry and recreational fishers make it an unfair competition for recreational fishers to harvest their share of any TAC. Towing a large trawl net scooping up whatever is in the way versus a bit of monofilament with a hook on the end of it just does not compare.
53. Furthermore the proposed TACC increase for GUR7 in option 2 (60t) and option 3 (130t) in this paper are 272% and 590% of the current recreational allocation (22t) respectively.
54. TASFISH also points out that the allocation for other sources of fishing related mortality is double that of the recreational sectors allocation. TASFISH submits that this is both absurd and waste of this valuable resource and a concerted effort must be made to reduce all other sources of fishing related mortality rather than continue to accept and allocate the resource away to this waste.
55. The justification used for a TAC increase from the West Coast Trawl Survey may provide an accepted index of relative abundance for GUR 7 and if that is the case then TASFISH submit that if abundance of GUR7 stocks is trending upwards any increase in abundance must be allocated to the customary and recreational sectors.
56. Until such time as abundance reaches a level that allows recreational fishers the opportunity to catch a reasonable daily bag limit through increased abundance and an allocation of a reasonable share of the TAC for GUR no TACC increase is supported by TASFISH.
57. TASFISH based on the information and conclusions in this submission proposes and submits an additional Option, Option 4 for MPI managers and the Minister to consider in the review of GUR 7 TAC in Table 2.

Table 2

TASFISH Option 4 for the TAC, TACC and allowances for GUR7					
	TAC (t)	TACC (t)	Recreational Allowance (t)	Customary Maori (t)	Other sources of fishing related mortality (t)
Option 1 (Status quo)	919	845	22	10	42
Option 2	984	905	24	11	44
Option 3	1062	975	25	12	50
Option 4	984	868	48	24	44

58. TASFISH submits that Option 4 outlined in Table 2 be adopted by the Minister in his review of GUR 7.

59. There are several references in the Fisheries Act 1996 to levels at which stocks must be maintained. The level most often quoted is Bmsy and pursuit of MSY has been at the forefront of fisheries manager's minds for many years. MSY as an outcome has led to this management objective being referred to as a "knife edge", and given the uncertainty of available information on many stocks, creating real danger of stock collapse if MSY is overestimated.
60. The recent Supreme Court decision on the Kahawai case states the Minister can maintain a biomass in any given fishery at above BMSY if he/she decides to. This is especially important in many of our high value shared inshore stocks, including those we are submitting on here, where abundance is the key driver for non-commercial success.
61. The Court also directed that the Minister must provide an allowance that is "reasonable" for non-commercial interests and that the entire TAC, once set, must be allocated. Therefore it is unacceptable the TAC be reviewed without including any provision in the paper for a change in the allowance for non-commercial interests that is reasonable.
62. It appears under this IPP that if the TAC is reviewed upwards and MSY is the management outcome, the only possible beneficiaries are ITQ holders.
63. TASFISH submits that GUR 7 stock must be managed at levels significantly above Bmsy if there is to be any chance of access equity for non-commercial sectors.
64. Given the pivotal importance of inshore stocks and red gurnard to non-commercial interests it is crucial they continue to be moved to a level above Bmsy. We submit the Minister would be acting entirely within his rights by allowing the standing stock biomass to continue to increase and maintain the TAC at its present level. Recent research coordinated by Worm and Hillborn and reported in the journal "Science" published in late July 2009, points to strong indicators on an international level that managing fisheries at biomass levels recognised as significantly above those historically used to calculate MSY provides win win situations.
65. They also found that using an ecosystem based approach and calculating yields on a multi species basis rather than the accepted single species system, lead to higher levels of productivity and certainty of sustainable long term yields.
66. TASFISH submits that we have an opportunity to break out from the cycle of boom and bust and use humanities increasing understanding of the complexities of the marine environment to improve our fisheries productivity. The benefits of this can then be shared by all sectors of society, not just a handful of quota owners.



Martyn Barlow



Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011.

To whom it may concern,

Review of Closure for Earthquake-affected Fisheries

Proposal to replace the current emergency closure along the Kaikōura and Cape Campbell coastlines with a new closure under section 11 of the Fisheries Act 1996

Introduction

Te Korowai O Te Tai o Marokura is a community integrated management group that established a strategy that achieved Special Legislation in 2015. The principals of Te Korowai Te Tai Marokura are clearly set out in our vision statement below.

By perpetuating the mauri and wairua (*life force and spirit*) of “Te Tai o Marokura”, (*Kaikoura region*) we as kaitiaki (*guardians*) of Tangaroa’s tāonga (*the ocean’s treasures*) are leading the community to achieve a flourishing, rich and healthy environment where opportunities abound to sustain the needs of present and future generations.

Proposed further closure for Kaikōura and Cape Campbell earthquake-affected fisheries

Table 1: Proposed options for the earthquake-affected fisheries in Kaikōura and Cape

Campbell Management action
Option 1

Take no action. The current emergency closure will expire at 5pm 20 November 2017 and the affected shellfish and seaweed fisheries will be reopened.

Option 2

Replace the emergency closure with a closure under section 11 of the Fisheries Act 1996.

Te Korowai Te Tai O Marokura supports Option 2

Te Korowai Te Tai Marokura supports the actions of Pauamac 3 in their research and proactive manner in which to establish a future abundant Paua resource, we wish that MPI work in a collaborative manner with Pauamac 3 in seeking the same goals.

We support reviewing further management changes to the PAU 3 in the best interest of the Paua resource. Discussions must be held well before opening the Paua resource for utilisation, new rules will need to be considered and Te Korowai Te Tai O Marokura will fully engage in that process.

We support MPI in the use of Section 11 of the Fisheries Act 1996 which provides for greater flexibility in management than section 16.

The use of science to monitor and inform when it is suitable to open access to any of the species that is subject to this closure is supported. We would expect a consultation process to take place that shows the science is satisfied that a specie has fully recovered and new rules are considered.

Te Korowai Te Tai O Marokura would encourage and support Te Runanga o Kaikoura to “voluntary” not issue customary permits during this Section 11 closure. Te Korowai Te Tai O Marokura respects the kaitiakitanga role the Runanga leads with in our community.



Larne Wichman
Chairperson

10 July 2017

Inshore Fisheries Management
Ministry for Primary Industries
PO Box 2526
Wellington 6140.

FMSubmissions@mpi.govt.nz

Tena koe,

Introduction

This submission is from Te Ohu Kai Moana Trustee Ltd (Te Ohu Kaimoana) in its role as corporate trustee of Te Ohu Kai Moana Trust. Te Ohu Kai Moana was established under s.31 of the Maori Fisheries Act 2004. The purpose of the trust is to advance the interests of iwi individually and collectively, primarily in the development of fisheries, fishing, and fisheries-related activities.

This submission responds to MPI's review of the PAU7, PAU3 and PAU4 fisheries. In developing this submission, we have taken on board iwi views. We do not intend for this submission to derogate from or override any submissions iwi may decide to make.

PAU4

The problem

The Initial Position Paper (IPP) notes that the best available information suggests the biomass of PAU4 has been declining (based on some commercial fishers expressing sustainability concerns), since 2001/2002 owing to the TACC being set too high.

CPUE is not a reliable indicator in this fishery because of recent changes to management of the fishery, most notably that since 2014 commercial paua divers have had the ability to use underwater breathing apparatus while harvesting. There has also been inaccurate reporting within industry.

MPI notes in the IPP that since 2010 there has been a voluntary shelving of 10-20% of ACE, but the fishery does not appear to have adequately responded. MPI believes a more significant reduction in TACC is required to maintain the PAU4 fishery at sustainable levels.

We also note concerns that have been raised by iwi regarding the depletion of stocks inside important mahinga kai.

MPI Proposals

MPI proposes to set a TAC for PAU4 for the first time, and to set allowances for customary, recreational and other sources of fishing related mortality. MPI proposes either a 30% reduction (option 1), or a 40% reduction (option 2) to the TACC. MPI also propose setting allowances for customary at 3 tonne, recreational at 3 tonne, and other sources of mortality at 2 tonne.

Our Position

Te Ohu:

1. supports the setting of a TAC, including the proposed allowances for customary, recreational and all other mortality caused by fishing
2. supports the industry proposal to reduce commercial catches between 30 and 40%, using a formal 3-year shelving arrangement.
3. supports the industry initiatives to develop a community-endorsed fisheries plan, and to seek legislative change to provide for “authorised management”.

Commentary

We note that industry has had a shelving programme in place since 2010, but not all quota owners have supported this initiative. As with previous submissions we have made to MPI on shelving, we would like MPI to work with industry to develop tools for collective action. The intention is to enable industry to institute mandatory management initiatives where a majority threshold is met. Shelving decisions could require 75% support by quota owners like the existing requirement for levying and QMA subdivisions. There is no reason why a higher threshold could not be applied if that was the wish of quota owners.

The IPP says Iwi have expressed concern about the abundance of paua inside important mahinga kai (traditional fishing areas). It is difficult to comment on the subject because the actual circumstances are not provided. However, if harvest pressure is driving the low abundance in these mahinga kai areas, then it should be reduced.

The reliability of data for future stock assessments is an issue that needs to be addressed by industry and MPI. The PAU4 fishery is of great importance to the overall NZ paua fishery, and it is unacceptable that catch and effort data cannot be relied upon for informing future sustainability decisions for the fishery. We urge the MPI shellfish working group (SWG), MPI and industry to work collaboratively to address the issues raised by the SWG.

The considerable 28N rights in the PAU4 fishery are a relevant consideration for the Minister when proposing methods to address sustainability concerns. The introduction of 28N rights (in the event of any future increase in TACC) will result in the proportional degradation of settlement quota shares in the fishery. This was not intended when preferential allocation rights were introduced. We oppose any reallocation of settlement quota shares to meet the Crown's obligations to those who hold 28N rights in PAU4, and any other quota management area, or fishery.

PAU3 and PAU7

The Problem

An emergency fisheries closure is in place between Marfell's Beach and Conway River (covers part of both PAU3 and PAU7), to four nautical miles offshore. The closure applies to all shellfish and seaweed, and is due to expire on 20 November 2017. MPI is consulting on a new closure under s11 of the Fisheries Act, to replace the emergency fisheries closure.

The area of PAU7 impacted by the earthquake represents between 4% and 12% of the PAU7 catches over the last 15 years. The area of PAU3 impacted by the earthquake represents between 50% and 70% of the historical catches.

PAU7 Proposals

MPI has proposed three options for dealing with the earthquake impacted area of PAU7:

Option 1: status quo.

Option 2: Involves a 10% reduction in TACC, a 10% reduction in recreation (from 14 tonnes original estimate, not 15 tonnes actual allowance), and no reduction in customary. The option will still move stocks towards stock targets

Option 3: Involves a 15% TACC reduction, a 15% reduction in recreation (from original 14 tonnes estimate, not 15 tonnes actual allowance), and no reduction in customary. The option will move stocks towards stock target at a faster rate than option 2.

Industry has proposed a fourth option:

Reduce TACC catches by 12. % (11.232 tonnes) and reduce recreational catches by 15%, and retain the customary allowance.

Our Position

Te Ohu:

1. supports the new industry proposal to reduce catches through a 12% shelving, and reduce recreational catches by 15%, and retain the customary allowance.
2. supports a 3-year period for shelving, not a 1-year period
3. supports the development of stock reference points to guide any future un-shelving, and measures of stock rebuild
4. recommends actions to increase the recreational MLS to 128mm to assist the rebuild
5. recommends any future decreases in recreation allowances are followed through with reductions in amateur bag and accumulation limits.

Commentary

As with PAU4, we consider the 28N rights in the PAU7 fishery are a relevant consideration for the Minister when proposing methods to address sustainability concerns. We oppose any reallocation of settlement quota shares to meet the Crowns obligations to those who hold 28N rights in PAU7.

PAUAMAC7 is advocating a 1 year shelving. Our preference is for a 3-year shelving period, firstly because the earthquake impacted area is likely to take several years to repair itself, and second, we do not wish to see the 2016 rebuild for PAU7 compromised through shifting historical effort from the earthquake impacted area, to the unaffected area.

Commercial stakeholders in the fishery will want to un-shelve ACE at some point. Therefore, trigger points for appropriate responses will need to be developed. Such trigger points might be CPUE or biomass based.

For recreational catch, Te Ohu supports a 15% reduction in the allowance. This will need to be followed with reductions in bag and accumulation limits to constrain the catch within the recreational allowance. We congratulate MPI for including proposals to reduce the recreational allowance.

Increasing the recreational MLS from 125mm to 128mm will benefit the fishery and recreational fishers. The benefit of increasing the MLS are becoming increasingly apparent in PAU5 where commercial fishers have had higher MLS in place for some years.

In relation to the customary allowance remaining the same, we support this decision. Iwi have tools to manage customary fishing harvests. For some years now Iwi have constrained customary

catches because of concerns about the sustainability of the PAU7 fishery. We expect this will continue.

The 4 main food baskets for the Te Tau Ihu Iwi include Port Underwood, Kura Te Au, Rangitoto, and an area on the West Coast. These areas need to be managed appropriately, and should be considered by the Minister when making sustainability decisions. One of the aspirations for Te Tau Ihu Iwi is to grow the paua stocks in these areas to levels that can better support the needs of Iwi.

PAU3

MPI has proposed three options.

Option 1: status quo.

Option 2: Involves a 50% reduction in TACC, a 50% reduction in recreation (from original 17 tonnes estimate), and no reduction in customary.

Option 3: Involves a 70% TACC reduction, a 70% reduction in recreation (from original 17 tonnes estimate) and no reduction in customary. The option will move stocks towards stock target at a faster rate than option 2.

Our Position

Te Ohu supports option 2.

If you would like to discuss this submission, please call me on [REDACTED]

Noho ora mai ra

Graeme Hastilow
Policy Analyst

10 July 2017

FMsubmissions@mpi.govt.nz

REVIEW OF TACCS FOR HAK7 AND ORH3B (Puysegur)

Introduction

1. This is Te Ohu Kaimoana's submission on the review of TACCs for HAK7 and ORH3B.
2. On Monday 3 July, Te Ohu provided a preliminary view of the issues and options to iwi along with a recommended option, based on initial discussions amongst quota holders. Feedback we received from iwi supported our initial view, which was:
 - a. Reduce the TACC for HAK7 from 7,700 to 4,524 tonnes
 - b. Increase the TACC for ORH 3B (Puysegur) to 352 tonnes.
3. The Deepwater Group finalised a submission on Friday 7 July which takes a different approach but which we would not object to providing several conditions are met.

(Hake) HAK7

4. MPI proposes three options for the TACC for this fishery:
 - Option 1: 7,700 tonnes (status quo)
 - Option 2: 4,524 tonnes
 - Option 3: 5,069 tonnes
5. HAK7 is sometimes targeted, and is sometimes a bycatch of the hoki fishery.
6. A new stock assessment has been completed for HAK7. Two different methods were used to carry out the assessment. One is a trawl survey and the other uses catch per unit effort data (CPUE) from commercial vessels. Each method delivers a different assessment of the stock's status. The trawl survey suggests the stock is below the management target and declining. The CPUE assessment suggests the stock is within the target range and likely to be increasing.
7. There are limitations associated with each method. For example the trawl survey time series of data has not covered enough of the stock's range. The CPUE assessment also has some limitations as commercial vessels do not all behave in the same way. For example some vessels target hake while others avoid it.
8. MPI notes that an upcoming analysis of CPUE data and modelling in the 2017/18 year should further inform decisions and reduce uncertainty.

9. We understand recruitment into the fishery has been poor but is showing signs of improvement: there is a need to continue to monitor the strength of recruitment levels into the fishery.
10. Our initial view based on preliminary analysis by the Deepwater Group was to support a reduction in the TACC for HAK7 from 7,700 to 4,524 tonnes. We note the catches in this fishery have not, on average, exceeded this level in the last five years.
11. The submission lodged by the Deepwater Group on 7 July proposes retaining the current TACC but subject to a number of undertakings including:
 - a. Quota owners collectively managing their fishing operations to ensure the total catch does not exceed 4,525 tonnes during the next two years while further information is collected
 - b. Information is obtained from commercial catches during 2017 and 2018 to establish the current levels of recruitment
 - c. Options to develop more plausible biomass indices are developed
 - d. The trawl survey design is reviewed
 - e. The next WCSI trawl survey is undertaken in 2018 and the next stock assessment is undertaken in 2019.
12. Te Ohu is prepared to support this approach providing quota owners agree to a shelving arrangement that ensures the catch does not exceed 4,525 tonnes while further information is collected.

(Orange roughy) ORH 3B

13. ORH3B consists of three management areas:
 - ORH 3B Puysegur
 - ORH3B NWCR
 - ORH3B ESCR
14. Stock assessments for NWCR and ESCR are still to be completed while an assessment for Puysegur has been completed and accepted.
15. Puysegur was effectively closed to fishing in 1997/98 when the TACC for this sub-area was set at 0. In 2010, the catch limit was increased to 150 tonnes to allow the status of the stock to be monitored through surveys and experimental trawling. Quota owners agreed not to commercially fish the area.
16. A stock assessment has been completed for Puysegur, and has been accepted by the science working group. The new assessment shows that the stock is now at the upper level of the management target range which is between 30 – 50% of B₀ and that there is an opportunity to commercially utilise the fishery.
17. MPI is proposing an increase to the TACC as it relates to Puysegur from 150 tonnes to 352 tonnes (note this would require an increase in the overall TACC for ORH3B from 5,000 to 5,202 tonnes to provide for the increase in Puysegur). MPI notes it is estimated that the stock will continue to increase with catches at this level. It also notes the increase would also enable a return of the oreo fishery which has been excluded from the area due to an industry agreement not to take orange roughy commercially from the area.

18. We note that the long-term annual yield from managing the stock within the target range is estimated to be around 300 tonnes based on current information. While the stock is above the long-term sustainability target of 40%B₀ and near the upper limit of the target range, meaning that more could be taken for a while, this will likely mean there will be a need to decrease such a TACC in the future.
19. Te Ohu supports an increase in the TACC as it relates to Puysegur to at least 352 tonnes. The key question is whether the TACC should be increased further.
20. This fishery has not been commercially fished for 20 years. In our view quota owners would be best to increase the commercial catch gradually rather than increase too fast and face subsequent reductions, while assuring customers and the public that the fishery is being well managed. In addition in the first one to two years of commercial fishing, quota owners will have access to better information about the fishery.
21. On the other hand, as the Deepwater Group points out, the harvest control rule that applies to orange roughy fisheries suggests the TACC should be increased to 685 tonnes. They propose such an increase but with an agreement of quota holders to set aside sufficient ACE to fish only 350 tonnes, pending new ageing information from spawning and non-spawning seasons.
22. We would only support an increase beyond 352 tonnes to 685 tonnes if quota owners formally agree to shelve the difference between 352 and 685 tonnes, and:
 - a. the Deepwater Group and MPI jointly collect and age samples from commercial catches taken during the 2017 spawning and non-spawning seasons and assess these in an updated stock assessment in time to provide management advice for the 2018 – 19 fishing year
 - b. the Deepwater Group and MPI agree to jointly develop a work plan to routinely undertake further biomass surveys and stock assessments from the fishery.



Kirsty Woods
Principal Analyst

Proposed MPI Sustainability Measure	Office of Te Rūnanga o Ngāi Tahu Response	
	Response and rationale	Other comments
<p>se s16 emergency closure for seaweeds and shellfish (rock lobster and scampi) with a s11 sustainability seaweeds and shellfish (except for rock lobster and November 2017.</p>	<p>Support Option 2.</p> <p>The best available information suggests the fishery will not have recovered in November 2017 to sustain commercial and recreational fishing pressure on these species of shellfish and seaweed.</p>	<p>The Office of Te Rūnanga notes that legislation cannot apply to customary fishing, however supports the voluntary measure put forward by Tiaki/Kaitiaki to restrict the customary fishing in tangihanga only.</p>
<p>Options are proposed to reduce the TAC for PAU 3 to address pressure displaced from the closed area of PAU 3 along the coast to the remaining open areas of PAU 3.</p>	<p>Support Option 1.</p> <p>Given the significance of pāua fishing in the closed area of PAU 3, a considerable reduction in commercial and recreational pāua fishing is warranted.</p> <p>Ngāi Tahu Tangata Tiaki/Kaitiaki appointed for PAU 3 are able to ensure customary catch remains within the allowance through the careful allocation of customary authorisations and the monitoring of reported catch.</p>	<p>The Office of Te Rūnanga supports the approach proposed by PAUMAC3 to restrict commercial fishing when necessary and new subdivision arrangements.</p> <p>The Office of Te Rūnanga notes that the allowance under both Option 1 and Option 2 is unenforceable without the follow-up regulation below (to be implemented by MPI in consultation with other earthquake response sustainability experts etc).</p>
<p>Options are proposed at this time.</p>	<p>The Office of Te Rūnanga proposes the following initial suggestions for new regulatory measures for recreational pāua fishing in the remaining open areas of PAU 3:</p> <ul style="list-style-type: none"> • Reduction of the daily bag limit (3 pāua per person, both blackfoot – <i>Haliotis iris</i> and yellowfoot – <i>Haliotis australis</i>) • Adjustment of the accumulation limit (10 pāua per person with a corresponding shucked weight limit of 1kg) • Fishing in accordance with the lunar cycle (fishing may only take place on the first day of each new or full moon, and the three following days). 	<p>The Office of Te Rūnanga notes that addressing recreational fishing pressure on the Taiāpure Managers in PAU 3. These measures are regulatory measures package for implementation.</p>

Te Runanga O Toa Rangatira Incorporated - submission on Review of Sustainability Controls for 1 October 2017 and Review of Closure for Earthquake-Affected Fisheries

7 July 2017

Introduction

1. This submission concerns:
 - 1) MPI's review of the catch limits and allowances for pāua in Marlborough/Golden and Tasman Bays (PAU 7); and
 - 2) MPI's review of the closure for earthquake-affected fisheries.
2. Te Runanga O Toa Rangatira Incorporated (**TROTR**) is the Mandated Iwi Organisation (MIO) for Ngati Toa Rangatira (**Ngati Toa**) and represents its members Customary, Commercial and Recreational interests within (but not limited to) Fisheries Management Area (FMA) 7.

Summary of TROTR position

3. TROTR **supports** the following management measures:
 - For the TACC, **option 1** (retain current TACC) together with a formal shelving of 10% of PAU 7 ACE;
 - For the recreational allowance, **7.5 tonnes** (a 50% reduction) or, failing that, **option 3** (11.9 tonnes), together with a package of measures to reduce recreational catch so that it remains within the reduced allowance by:
 - reducing the daily bag limit to 6 pāua;
 - reducing the accumulation limit so that it remains equivalent to two daily bag limits; and
 - increasing the MLS for recreationally-harvested pāua to 129mm in the area from Cape Koamaru to the mouth of the Wairau River;
 - For the closure of earthquake-affected fisheries, **option 2** – i.e., replace the emergency closure with a closure under section 11 of the Fisheries Act.

Shelving of 10% of PAU 7 ACE

4. TROTR agrees that there is a need to adjust commercial harvest levels in PAU 7 so as to avoid displacing into the remainder of the fishery catch that would previously have been taken from the earthquake-affected area which is now closed.

5. Immediately post the earthquake, TROTR placed a Rahui for the taking of all species on the East Coast before the emergency closure was put in place. TROTR have recognised the need to manage this displaced catch and, at the recent PauaMAC7 AGM, voted to implement a shelving equivalent to the tonnage generally harvested from the closed area.
6. As quota owners TROTR are committed to establishing forward ACE transfers totaling not less than 10% of PAU 7 ACE to an independent entity (FishServe) by 11 August 2017. It is intended that ACE shelving will be maintained at no less than this level until monitoring indicates that the rebuild of the fishery will not be compromised by reducing the level of ACE shelving.
7. TROTR supports ACE shelving rather than a TACC cut to reduce the level of commercial harvest for the following reasons:
 - Shelving is a valid and legally appropriate mechanism to reduce the commercial harvest of PAU 7;
 - Provided a shelving arrangement is robust, it makes no difference from the perspective of ensuring sustainability whether a stock is moved towards its management target using a reduced TAC/TACC, a shelving arrangement or a combination of the two.
 - PAU 7 suffered a 50% TACC reduction on 1 October 2016. TROTR and quota owners actively supported the TACC reduction as part of the rebuilding plan for the fishery and, in doing so, demonstrated responsibility for the future health of the fishery. The cost of the TACC reduction has been significant for TROTR as quota owners, particularly as other fishing sectors were not affected by the 2016 sustainability decisions.

Recreational allowance

8. TROTR support PauaMAC 7 recommendations that the recreational allowance should be reduced to 7.5 tonnes. The TACC was reduced by 50% in 2016 but the recreational allowance remained unchanged. A 50% reduction of the recreational allowance in 2017 would restore proportionality between the TACC and recreational allowance. This would send a persuasive signal to all fisheries stakeholders about **shared** responsibility for the fishery, and create stronger incentives for all fisheries stakeholders to participate in the rebuilding of the PAU 7 fishery.
9. The best available information strongly suggests that recreational harvest was exceeding the current allowance prior to the earthquakes.¹ On top of this, anecdotal reports indicate that recreational fishing effort has been displaced from the area of the emergency closure to the fisheries south and north of the closure. This displaced fishing effort is placing additional pressure on the fishery in and around Port Underwood. This area is of immense significance to Ngati Toa and is recognized in Ngati Toa Rangatira Deed of Settlement with the Crown. There is a serious

¹ See MPI 2016 discussion paper page 15: “MPI considers the uncertainty and likely underestimate of recreational harvest levels in the PAU 7 fishery are important to note. There is potential that recreational harvest is exceeding the current allowance, however, there is insufficient information to determine the degree of any additional harvest.”

risk that the Port Underwood Fishery will become depleted, to the extent that it is effectively closed.

Closure of earthquake-affected fisheries

10. TROTR supports the replacement of the emergency closure (s16) with a closure under section 11 of the Fisheries Act because maintaining the closure will:

- Enable earthquake-affected fish stocks to recover at the fastest possible rate; and
- Allow for research to be undertaken to determine the medium and long term impact of the earthquakes on direct mortality of pāua and changes to pāua habitat and recruitment.

Nga Mihi

Ta Matiu Rei

Executive Director

Te Runanga O Toa Rangatira Inc.

PO Box 50355

26 Ngati Toa Street

Takapuwahia

Porirua

From: [Thomas](#)
To: [FMSubmissions](#)
Subject: Review of earthquake-affected fisheries 2017
Date: Thursday, 22 June 2017 7:06:25 p.m.

Hi,

I would like to submit my support for the proposals being put forward in the - Review of earthquake-affected fisheries 2017 - and it's subsequent closure of harvesting shellfish and seaweed's from Cape Campbell to South of Kaikoura.

I am a resident of Cape Campbell, living and working along this coastline, growing up in its rock-pools and on its beaches, eating what we caught from between the cracks the rocks. I cannot imagine if my children aren't able to enjoy these staples of kiwi life, so I do hope that this submission that is being proposed is passed and without any difficulty. I feel that if there is any dispute on this matter the science and data should be left to speak for its self, politicking needs to be left at the door on this one.

Thank you
Thomas Peter.

Experience Cape Campbell
505 Cape Campbell Road,
RD 1, Seddon 7285
Ph : 0211 839 061 / [s 9\(2\)\(a\)](#)
Email: thomasharepeter@gmail.com
Web : <http://experiencecapcampbell.co.nz>

Submission on Review of Sustainability Controls for 1 October 2017 and Review of Closure for Earthquake-Affected Fisheries

1. This submission concerns:

- 1) MPI's review of the catch limits and allowances for pāua in Marlborough/Golden and Tasman Bays (PAU 7); and
- 2) MPI's review of the closure for earthquake-affected fisheries.

Tidesong Family trust is a family owned fishing business, owned by Nigel and Janet Laing and party managed by son Geoff. We own quota in pau7 and have also been large harvesters here for many years.

Recommendations

2. We support the submission of PauaMAC 7 Industry Association. In particular, we support the following management measures:

- For the TACC, **option 1** (retain current TACC) together with a formal shelving of 10% of PAU 7 ACE;
- For the recreational allowance, **7.5 tonnes** (a 50% reduction) or, failing that, **option 3** (11.9 tonnes), together with a package of measures to reduce recreational catch so that it remains within the reduced allowance;
- For the closure of earthquake-affected fisheries, **option 2** – i.e., replace the emergency closure with a closure under section 11 of the Fisheries Act.

Support for ACE shelving

3. While we agree that commercial harvest levels should be adjusted so as to avoid displacing catch from the earthquake-affected closed area, we support ACE shelving rather than a TACC reduction as the mechanism for reducing commercial catch.

Managing recreational catch

4. Measures must be put in place urgently to address recreational catch that has been displaced from the closed area. We have already seen a large amount of displaced recreational effort move into Pau7 around the easier to access areas such as Port Underwood. We feel that this needs to **urgently** be addressed before the start of summer.

This management could be done through reducing daily recreational take to 6 paua per person per day as well as lifting the minimum harvest size to 128 in areas such as Port Underwood.

Continued closure of earthquake-affected fisheries

5. We support the replacement of the emergency closure with a closure under section 11 of the Fisheries Act as we feel this is the best option to aid in the recovery of the paua fishery and for it to be in place as long it is needed for research to be done and for recovery to be made.

Regards,

Nigel, Janet and Geoff Laing

Contact details

Geoff Laing

s 9(2)(a)

MPI Stock Review 2017

To:

Ministry for Primary Industries

FMSubmissions@mpi.govt.nz

By:

Tuhoe Te Uru Taumatua

12 Tuhoe Street, Taneatua

Closing Date: 5pm, 7 July 2017

We would like to submit our recommendations in terms of the document *Review of Sustainability Controls for 1 October 2017* as published by the Ministry of Primary Industries June 2017.

We have considered the information and supporting data for the proposed changes to each of the considered stocks, as well as the proposals for the Deemed Value Rates.

Recommendations

The following are the options we wish to support in terms of each stock proposal.

- Support TACC increase (Option 2) for Orange Roughy (**ORH3B**)
- Support Option 3 proposal (31% TACC reduction) for Bluenose stocks (**BNS 1, 2, 3, 7, 8**)
- Support Option 2 (42% TACC reduction) for **HAK7**
- Support Option 2 (40% TACC reduction) for **PAU4**
- Support Option 1 TAC increase for **RCO2**
- Support TAC/TACC reduction of 70% (Option 2) for **PAU3**
- Support TAC/TACC reduction of 15% (Option 3) for **PAU7**
- Support Option 2 TAC increase of 7% for Red Gurnard (**GUR7**)
- Support the proposed changes to the Deemed Value Rates for all reviewed stocks.

From: s 9(2)(a)
To: [FMSubmissions](#)
Subject: Closure Cape Campbell & Kaikoura Fisheries
Date: Monday, 26 June 2017 8:16:00 p.m.

Hi MPI,

Cape Campbell & Kaikoura Fishery Consultation

1. I support the closure of Cape Campbell & Kaikoura fisheries for Paua & Finfish as a response to help support the fishery recovery post 14/11/16.
2. I do not support the continued commercial take of cray fish for these regions – I want this stopped as well, for at least two terms of breeding cycles. MPI's scientist fraternity think they have "sufficient scientific evidence" the cray quota has not been affected – I disagree – I believe MPI has been lobbied into this position and that MPI does not have the appetite to "put a stay" on this export market, by definition, bowing to commercial export GDP rather than common sense or common approach recovery (if only for the sake of prudence). So who in MPI signs that off, and at the expense of what fish ? And who puts that spin on the data that cray quota and stock "are not that affected". You don't know, neither do the scientists, so your "partial ban" on paua & fin fish is prejudice and does not follow a common methodology at the expense to crayfish GDP in my view.
3. The MPI fishery ban proposed for Cape Campbell & Kaikoura needs to extend to ALL OF NATURALLY OCCURRING COMMERCIAL FISHERY WITHOUT PREJUDICE OR EXCEPTION (excluding farmed fish / mussels farms) until such time there is indeed sufficient evidence (and a passage of breeding cycles) that the fishery is in recovery and stocks replenished.

Wider Marlborough Fishery Management & Initiatives

1. I want Port Underwood banned for all commercial fishing – paua, scallops, SHELL FISH TRAWLING & BOTTOM TRAWLING. Bottom trawlers dragging their net gear around the closed port waters is not good. Forget the precious wet fish quota system – buy them back – I am a tax payer and I would be keen to see some it put to good use and SHUT THIS STUFF DOWN.
2. Why is Queen Charlotte closed to scallop take and yet Port Underwood is forgotten? Is it not part of the Marlborough Sounds? What map are MPI not consulting ? Is Port Underwood immune to commercial fishing abuse or immune to being protected in the same way as Marlborough Sounds? There is barely a scallop stock there in Port Underwood as it is and what stock there is – is diminishing from forest sediment & suffocation of seabed gravels. So add to that all of the regular scallop divers & dredges succumbing over the hill from queen charlotte fishery to work over an already poor fishery in Port Underwood. What part of Port Underwood has been left out of Marlborough Sounds fishery management ?

3. North East of Robertson Point from Port Underwood is Cook Strait & East Coast. This should be alive with Paua but the commercial take starts at (I believe) north east of Robertson point and again, you will barely find anything, for the entire stretch to Fighting bay exclusion zone, the north of Fighting bay exclusion zone to Tory Channel – stripped bare by commercial paua take.
4. Port Underwood has been a haven of nursery paua – thousands, all modestly undersized. Since EQ 14/11/16 I would say half of that population has “gone missing”. With the Cape & Kaikoura Coast closed, people are preying on vulnerable areas such as the port Underwood, easily accessible as an alternate road and boat access, and stretching the undersize paua by 2mm-3mm. The nursery paua are disappearing, and as a direct result of the Cape / Kaikoura closure – this is truly unwanted pressure.
5. ANSWER ? Extend Scallop & Paua catch take ban to include Port Underwood & North of Cape Campbell to include all of Port Underwood & East Coast to Tory Channel.
6. Also, get rid of the commercial bottom trawler vessels in Port Underwood that come deep into the shallow heads of the sound raking the bottom over for a fistful of gurnard, flounder and cod. I’ve never seen anything so crass as a commercial trawler in 14.0m meters of water digging their way around the sheltered bays where the fish come to breed. The Port Underwood Residents Association Inc has had a view on this for years to no avail. It really upsets many of us locals fond of the fishery and looking after it. It is NOT RIGHT. Something drastic needs to happen so why is this commercial take tolerated when the open sea is 15 minutes away?
7. I support the current commercial scallop closure for Marlborough sounds. I want that commuted to PERMANENT. The scallops are the property of Marlborough sounds. Commercial vessels & their GPS raking over of the bottom (to the very inch back and forth) has to be cut out like cancer because that is what it is. BAN COMMERCIAL SCALLOP TAKE IN MARLBOROUGH SOUNDS, FOREVER.
8. I support the current commercial blue cod closure for the Marlborough Sounds. This should also be commuted to PERMANENT.

I missed the MPI consultation meetings in Blenheim but I wanted to share my view as a Port Underwood Resident, Diver, Guardian and Tax payer.

Come on MPI – Port Underwood has been missed off the map. Bring the Port into some of the good fishery protection measures that I see underway and which I support – people support it and often wish more was being done to put a stop to commercial fish take that is having a detrimental affect on things.

Thanks for the opportunity to submit on this,

Regards
Wayne Wiffen

6 July, 2017

Ministry for Primary Industries
PO Box 2526
Wellington

Submitted by email to FMsubmissions@mpi.govt.nz

Review of Sustainability Controls 2017 - 2018

Thank you for opportunity to comment on the Ministry's Sustainability Fisheries Management Review. Sanford provides these comments as a wild catch harvester, quota owner, ACE purchaser and Licensed Fish Receiver.

In line with Sanford's submission to the Ministry's *Future of our Fisheries* in our view the foundation elements supporting the Sustainability Review and guiding TAC setting to ensure New Zealand is a world leader in fisheries management are:

- ✓ De-politicise fisheries management decision making process – return to the science
- ✓ Ensure long term access and due process = appropriate decision making incentivising proper behaviours and increasing investment confidence
- ✓ Ensure a fair and appropriate penalty regime
- ✓ Create multi-stakeholder processes based on science to aide decision making
- ✓ Have all stakeholders take on responsibility for recording and reporting their catch in a shared fishery
- ✓ Work smart and lean ensuring changes are agile, responsive and enabling

BNS 1, 2, 3, 7, 8

Sanford supports Option Two.

Sanford is a member of the FINZ Bluenose management committee, and supports their submission. Via FINZ quota holders have been in discussion with MPI since the 2011 stock assessment advocating Management Procedures (**MP**) being used to assist in the stock rebuild. Significant quota holder resources have been invested in catch sampling, yearly updates of CPUE across all stocks and presenting MP evaluation work through the science working group.

We acknowledge, and thank the Ministry for supported this work.

The proposal being advocated by the quota holders in the FINZ submission has four key elements, which are supported by Sanford:

Bringing forward the next stock assessment to 2018 – this allows redress of the known uncertainties with the 2011 model and ensures that we enter the rebuild plan from a strong knowledge position, and an updated stock assessment.

A collaborative sector agreement to work on the Management Procedures in 2018, and a agreement on what management rules are. We see it as a good thing that quota holders are willing to invest long term in the rebuilding of this stock, and support an actively managed rebuild plan. If we don't do this, all sectors miss catching opportunities and it is more than likely we will run into choke species and deemed values issues as the stock rebuilds.

Setting the Harvest Strategy Standard and aligning the rebuild plan to a target of biomass 40 B₀ while noting that the industry position has been that HSS of 35 B₀ was more suited. This is a significant move by quota holders and evidences their commitment to work collaboratively on the MPs.

Bluenose is a shared fishery, not reducing the recreational and customary bag limit fails to send a sustainability message to these sectors that they share responsibility in the re-build plan. This is a particularly serious matter when we have heard that some commercial charter vessels are targeting bluenose.

RCO 2

Sanford does not support excluding the commercial sector from the proposed TAC increase.

Sanford is a significant holder of Red Cod 2 quota.

Early this year Sanford lodged a submission supporting an in-season increase in RCO 2 TACC, but also noted that any increase would likely come too late in the season to be fully utilised. We note that it is now July, and the Ministry has still not released a decision.

While Sanford supports the FINZ proposal for a management review to determine the most efficient way to manage this stock – in season adjustments vs a higher TAC in our view this is a tandem process and not that doing one discounts the other.

The TAC should be set appropriate to ensure the sustainability of the stock, and the in season adjustment should then be used for fine tuning.

HAK 7

Sanford and our catching partners both target hake and have it as a bycatch at particular times of the year, depending on how the West Coast Hoki season is performing.

Sanford will support the Deepwater Group submission of Hake 7, but has a preference for Option 3 and a reduction in TACC to down to 5069 m/t.

In addition to the reduction of TACC, Sanford supports

- An independent review of the catch data relating to hake from the research trawl surveys during 2000, 2012, 2013 and 2016 to ensure that these have been optimised and used correctly in the 2017 stock assessment,
- The trawl survey design should be reviewed prior to the next survey to ensure the data pertaining to hake are optimised and can be used in the time series

- The next WCSI trawl survey is scheduled to be undertaken in 2018
- After establishing the management target for this stock and the 2019 stock assessment, the medium term goals can be set and the TACC can be adjusted, as may be required, prior to the 2019-20 fishing year.

ORH 3B

This coming season will be the first time the fishery has fully opened after the successful rebuild. It's unclear how the fishery and our vessels will perform against the modelled projections. Sanford supports the Deepwater Group submission which proposes:

- MPI to apply the orange roughy HCR to this fishery as has been done in two other ORH3B fisheries,
- From 2017-18, the catch limit for ORH3B Puysegur be set at 685 t and the ORH3B TACC be set at 5,535 t accordingly,
- ORH3B quota owners agree to 'set aside' 335 t of ACE during 2017-18 to provide for a total catch of not more than 350 there during 2017-18
- DWG and MPI to jointly collect and age samples from commercial catches taken during the 2017 spawning and non-spawning seasons and assess these in an updated stock assessment in time to provide management advice for the 2018-19 fishing year.
- DWG and MPI to jointly agree upon a work plan to routinely undertake further biomass surveys and stock assessment from this fishery.

Deemed value

We are aware that the Ministry's methodology for setting port price and deemed value is under review, but changes have not yet been consulted on. A hybrid methodology was used this year, and this in part reflects changes to deem value. Not knowing what the changes are, makes it difficult to comment on the proposed deem value changes. That said, we provide the following comments.

GLM 9

Sanford is a significant quota holder of GMU 9 stocks.

Sanford does not support increasing the deemed value for this stock.

Sanford supports a Fisheries Act s188 review of the spat to seaweed ratio, given it is highly likely that the current ratio appears to be understated by up to as much as 50%.

Green lipped mussel spat found on beach caste seaweed is a significantly different sustainability matter than a wild fish stock, where overfishing could be an issue. When GLM entered the QMS it was never intended that the TAC would be a constraining factor on harvest, rather it entered as the result of a regulatory tidy up to a no-longer fit for purpose section of the 1983 Fisheries Act.

Bringing GLM 9 into the QMS was intended to manage not constrain access to beach caste spat. At the time the TAC was set, the TACC allocation was anticipated to fulfil industry requirements for the foreseeable future. It no longer does.

Harvesting beach cast spat does not give rise to a sustainability issue. GLM spat is washed onto the beach at high tide – it will either dry out and die or be pulled back to sea on the next incoming tide. When returned to the sea, it is highly likely that the spat will move with the currents into deeper water and not colonise.

In addition, it is not deemed value that needs to be reviewed but ratio of spat to seaweed. This is currently being reviewed, with all indications that it is currently under estimated by as much as 50%. This means, from a science perspective it is more than likely that the TACC is in fact under caught.

The combination of (i) beach caste seaweed is not being a sustainability issue, and acceptance that (ii) the ratio of spat to seaweed is likely 50% overestimated, managing the fishery and the TAC by deemed values, at this stage is inappropriate.

TAR 8

Sanford is a significant quota holder of Tarakihi 8 stocks.

Sanford is a member of Southern Inshore New Zealand, and as such we support their submission that objects to managing over fishing of a Group 6 low volume fishery by deemed value rather than a TAC review.

TAR 8 is a developing fishery with a low TACC, utilisation opportunities are being lost which could be overcome by Management Procedures based on a set of rules around monitoring landed catch.

TRE 2

Sanford supports the FINZ submission seeking an increase in deemed values to \$1.13, but notes that in our view the annual rate of \$1.25 is still significantly lower than what we consider the port price should be.

With thanks
Alison Undorf-Lay
For Greg Johansson COO and Colin Williams GM Fishing
Sanford Ltd