



**Fisheries New Zealand**

Tini a Tangaroa

# **Introducing bag and/or boat limits in the southern bluefin tuna recreational fishery**

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# 1) Executive summary

1. This document requests your decision on a proposal to introduce bag and/or boat limits for the recreational southern bluefin tuna fishery, by way of Gazette notice under Section 11 of the Fisheries Act 1996.
2. Southern bluefin tuna is internationally managed by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), of which New Zealand is a founding member. The southern bluefin tuna stock is presently rebuilding, and remains below the level that would allow maximum sustainable yield.
3. At this time, there are no management measures directly aimed at the domestic recreational southern bluefin tuna fishery. However, both recreational effort and catch have escalated in recent years. This poses a risk of New Zealand not meeting its international obligation to manage catch within its national allocation of southern bluefin tuna, and thereby failing to ensure the sustainability of the stock.
4. From 2 July to 27 July 2018, as part of the 1 October sustainability round, Fisheries New Zealand held a public consultation on your behalf, seeking feedback from tangata whenua and stakeholders on the introduction of bag and/or boat limits for the southern bluefin tuna recreational fishery.
5. This document provides you with Fisheries New Zealand's final advice on the proposal. It includes background information, legal considerations, consultation feedback, and proposed options for your consideration. Your decision is requested on the final proposed options provided in Table 1.

**Table 1: Proposed options for southern bluefin tuna recreational management measures**

| <b>Option</b> | <b>Description</b>                                                                                             |
|---------------|----------------------------------------------------------------------------------------------------------------|
| <b>1</b>      | <b><i>One southern bluefin tuna per person, per day</i></b><br><i>(Fisheries New Zealand preferred option)</i> |
| <b>2</b>      | <b><i>One southern bluefin tuna per vessel, per day</i></b>                                                    |
| <b>3</b>      | <b><i>One southern bluefin tuna per person up to a maximum of two per vessel, per day</i></b>                  |

## 2) Problem definition

6. Southern bluefin tuna is a high value species, currently subject to a regional rebuilding plan under the CCSBT. The most recent stock assessment suggests that the stock is at 13% of the initial spawning stock biomass, which is below the level able to produce the maximum sustainable yield.
7. The CCSBT sets the global total allowable catch for southern bluefin tuna in three year blocks, using a management procedure. The global total allowable catch is then allocated to individual member countries. All countries have a binding obligation to manage their catch of southern bluefin tuna within their national allocation and the rules of CCSBT regarding under and over catch.
8. Starting in 2018, all members of the CCSBT have an international obligation to account for all fishing mortality of southern bluefin tuna. This includes, customary fishing, recreational fishing, commercial fishing, and discard mortality.
9. For the three year block from 2018 to 2020, the CCSBT raised the global total allowable catch by 3,000 tonnes, to 17,647 tonnes per annum. As a result, New Zealand's national allocation increased by 88 tonnes, to 1,088 tonnes per annum.
10. You increased New Zealand's total allowable catch for southern bluefin tuna as part of the 1 October 2018 sustainability round, to 1,088 tonnes. You also set the recreational allowance at 20 tonnes, the customary allowance at 2 tonnes, the total allowable commercial catch at 1,046 tonnes, and the allowance for other sources of mortality at 20 tonnes.
11. Recreational catch for southern bluefin tuna has typically been low, with no catch reported in 2014, 1.1 tonnes reported in 2015, and 1.4 tonnes reported in 2016. However, in 2017, this increased substantially to an estimated level of 24.3 tonnes. Social media posts, good catch rates, and favourable weather conditions attracted hundreds of anglers to the eastern Bay of Plenty to target these fish. This formed the basis of your decision to increase the recreational allowance from 8 to 20 tonnes.
12. Also part of the 1 October 2018 sustainability round, Fisheries New Zealand consulted on your behalf on an initial proposal for bag and/boat limits in the recreational southern bluefin tuna fishery, as there are currently no regulated management measures directly aimed at domestic recreational southern bluefin tuna fishers. You also expressed interest in Fisheries New Zealand exploring more robust recreational management measures in the future.
13. Fisheries New Zealand funded a research project in 2018 aimed at estimating southern bluefin tuna recreational catch. This included a boat ramp survey at Waihou Bay/East Cape, with other information collected from a variety of sources including sport fishing club records, authorised recreational take from commercial vessels, amateur charter vessel reporting, and anecdotal reports. The results of this project were used to inform the development of the options proposed in this decision document.
14. The project resulted in an estimate of 15 tonnes of southern bluefin tuna landed by recreational fishers in 2018. Between 23 June and 5 August 2018 (the survey period), 676 recorded recreational vessels, with an estimated 1856 fishers on board, launched and targeted southern bluefin tuna from the Waihou Bay boat ramp. This is a significant level of effort that has the potential for high levels of catch if combined with fish availability.
15. Although Waihou Bay is where a significant proportion of effort occurs in this fishery, this is not the only place where effort is taking place. Other areas include, Fiordland, Gisborne, Northland, Mahia, and other locations around East Cape. Survey data was not directly collected from these secondary locations but catches from these regions were estimated and are included in the overall estimate of recreational catch.

16. Should the recreational sector remain unconstrained, there is an increased risk of New Zealand breaching its international obligations under the CCSBT to manage catch within its national allocation.
17. Typically implementing bag limits is done through regulation changes which require cabinet approval and can take over a year (we are currently consulting on making this process quicker and more effective through Your Fisheries – Your Say). However, due to New Zealand’s international obligation to manage southern bluefin tuna catch within its national allocation, and the timing of the recreational fishery beginning in June 2019, Fisheries New Zealand is recommending that measures to manage recreational catch in the short term are implemented by Gazette notice using the provisions of Section 11 of the Fisheries Act 1996 (the Act).
18. Fisheries New Zealand believes that the use of a Gazette under Section 11 is appropriate in this case given the status of the stock and the fact that an unconstrained recreational southern bluefin tuna fishery increases the likelihood of New Zealand breaching its international obligations to the CCSBT in terms of adherence to our national allocation.
19. In the long term, Fisheries New Zealand is also engaging tangata whenua and stakeholders on the development of additional options for longer term management of this highly variable recreational fishery. At a post consultation stakeholder meeting attended by recreational groups, commercial interests, and Te Ohu it was agreed that Fisheries New Zealand would create a hierarchy of potential long term management options as part of a phased approach for the management of this fishery. These additional management options could be introduced to align with the next CCSBT country allocation round, which is currently planned for 2021.

### 3) Legal requirements

#### SECTION 12 – INPUT AND PARTICIPATION OF TANGATA WHENUA AND CONSULTATION

20. Section 12(1) states that, before setting or varying any sustainability measure under the Fisheries Act 1996 (the Act), you shall:
- a) Consult with representatives of classes of persons having an interest in the stock or the effects of fishing on the aquatic environment in the area concerned, including, but not limited to: Māori, environmental, commercial and recreational interests; and
  - b) Provide for the input and participation of tangata whenua having a non-commercial interest in the stock concerned or an interest in the effects of fishing on the aquatic environment in the area concerned; and
  - c) Have particular regard to kaitiakitanga.
21. The Act defines “kaitiakitanga” as, “the exercise of guardianship; and, in relation to any fisheries resources, includes the ethic of stewardship based on the nature of the resources, as exercised by the appropriate tangata whenua in accordance with tikanga Māori”.
22. Iwi Fisheries Forums and Forum Fisheries Plans are the main ways in which input and participation of tangata whenua are provided for. Information provided by Forums and iwi views on the management of fisheries resources and fish stocks as set out in Iwi Fisheries Plans are the ways in which tangata whenua can exercise kaitiakitanga.
23. Section 12(2) says that, as soon as practicable after setting or varying any sustainability measure, you shall give the persons consulted under section 12(1) the reasons in writing for your decision.

#### SECTION 11 – SUSTAINABILITY MEASURES

24. Section 11(1) of the Act states that you may, from time to time, set or vary any sustainability measures after taking into account:
- a) Any effects of fishing on the stock and the aquatic environment;
  - b) Any existing controls that apply to the stock or area concerned; and
  - c) The natural variability of the stock concerned.
25. Due to New Zealand’s international obligation to manage southern bluefin tuna catch within its national allocation to ensure the sustainability of the stock, Fisheries New Zealand proposes to use Section 11 of the Act to set a recreational bag and/or boat limit, and to implement this measure by notice in the Gazette.
26. Section 11(2) specifies matters applying to the coastal marine area, which, should you consider them relevant, you shall have regard to. Fisheries New Zealand does not consider that there are matters in the following provisions relevant to your decision on recreational limits for southern bluefin tuna:
- a) Any regional policy statement, regional plan, or proposed regional plan under the Resource Management Act 1991; and
  - b) Any management strategy or management plan under the Conservation Act 1987;
  - c) Sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000; and
  - d) Regulations made under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012; and
  - e) A planning document lodged with you by a customary marine title group under section 91 of the Marine and Coastal Area (Takutai Moana) Act 2011.

27. Fisheries New Zealand considers that there are no provisions of the matters outlined in section 11 (2A) below that you must take into account prior to setting recreational limits for southern bluefin tuna:
- a) Any conservation services or fisheries services; and
  - b) Any relevant fisheries plan approved under this Part; and
  - c) Any decisions not to require conservation services or fisheries services.

## **SECTION 8 – PURPOSE OF THE ACT**

28. Section 8 states the purpose of the Act is to provide for the utilisation of fisheries resources while ensuring sustainability.
29. “Ensuring sustainability” is defined by the Act as, “maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations; and avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment”. “Utilisation” of fisheries resources is defined by the Act as, “conserving, using, enhancing, and developing fisheries resources to enable people to provide for their social, economic, and cultural wellbeing.”
30. In this context, the measures proposed will provide for recreational utilisation of southern bluefin tuna while contributing to the sustainability of the stock.

## **SECTION 5(A) – INTERNATIONAL OBLIGATIONS**

31. Section 5(a) states that all persons exercising or performing functions, duties, or powers under the Act shall act, in a manner consistent with New Zealand’s international obligations relating to fishing.
32. New Zealand is a signatory to the Convention for the Conservation of Southern Bluefin Tuna, an international binding convention with the objective of ensuring, through appropriate management, the conservation and optimum utilisation of southern bluefin tuna.
33. Provisions to manage the recreational catch of southern bluefin are entirely consistent with New Zealand’s international obligations, in this regard.
34. Fisheries New Zealand considers that all three options presented in this paper would meet New Zealand’s international obligations under the Convention for the Conservation of Southern Bluefin Tuna.

## **SECTION 10 – INFORMATION PRINCIPLES**

35. Section 10 prescribes four information principles that you shall take into account when exercising or performing powers or duties in relation to the utilising of fisheries resources or ensuring sustainability:
- a) Decisions should be based on the best available information;
  - b) Decision makers should consider any uncertainty in the available information;
  - c) Decision makers should be cautious when information is uncertain, unreliable, or inadequate; and
  - d) The absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of the Act.
36. Both scientific and anecdotal information need to be considered and weighed accordingly when making management decisions. The weighting assigned to particular information is subject to the certainty, reliability, and adequacy of that information. Fisheries New Zealand considers that the best available information on the recreational fishery for southern bluefin tuna has been taken into account in the development of the management options proposed in this document.

## SECTION 9 – ENVIRONMENTAL PRINCIPLES

37. Section 9 of the Act, which prescribes three environmental principles that you must take into account when exercising powers in relation to the utilising of fisheries resources or ensuring sustainability.
  - a) Associated or dependent species should be maintained above a level that ensures their long-term viability;
  - b) Biological diversity of the aquatic environment should be; and
  - c) Habitat of particular significance for fisheries management should be protected.
  
38. Fisheries New Zealand considers that the options outlined in this document are consistent with section 9 of the Act.

## 4) Status of the southern bluefin tuna recreational fishery

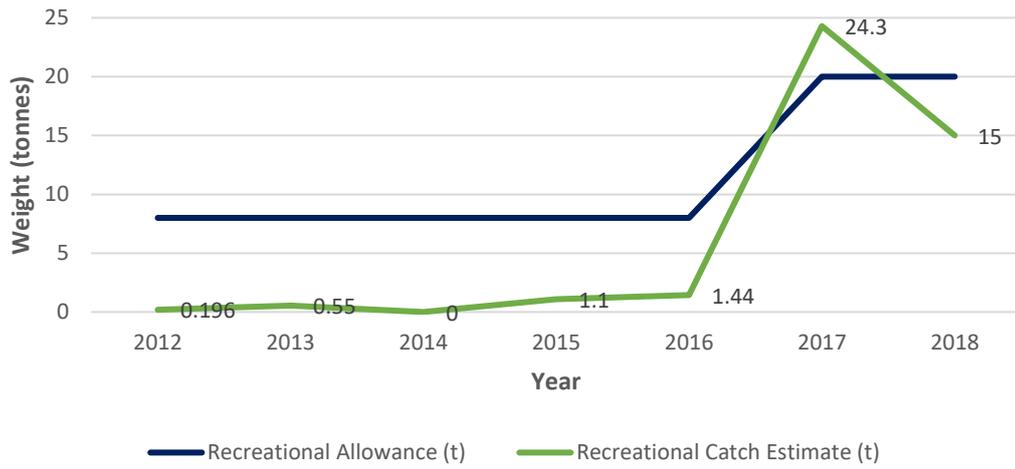
39. Prior to 2017, recreational catches of southern bluefin tuna were most likely rare because of the locations and season during which southern bluefin tuna were typically found in New Zealand waters (i.e. generally winter months and in areas with little recreational fishing). However, in the past two years, southern bluefin tuna is increasingly becoming a targeted species for recreational fishers on both coasts throughout the year.
40. In 2017, recreational effort and catch was estimated at much higher levels than those previously seen in this fishery (Figure 1). The increase in recreational effort directly targeting southern bluefin tuna was likely due, in part, to the relative proximity of the fish to shore, as well as a boost in social media attention. The best available estimate of recreational catch suggested 24.3 tonnes was caught in 2017 (Table 2).

**Table 2: Recreational catch estimate for southern bluefin tuna in 2017**

| Source                               | Tonnes      |
|--------------------------------------|-------------|
| North Island Fishing Clubs           | 19.4        |
| South Island amateur charter vessels | 1.9         |
| Estimated Unrecorded catch           | 3           |
| <b>Total estimate for 2017</b>       | <b>24.3</b> |

41. Following the increase in effort and catch in 2017, Fisheries New Zealand identified the southern bluefin tuna recreational fishery as an important fishery to monitor. As such, Fisheries New Zealand approved an additional research project for 2018 to estimate the recreational catch of southern bluefin tuna. The best available estimate of recreational catch from this research suggested 15 tonnes was caught in 2018.
42. The New Zealand Sport Fishing Council created and distributed a best practice document for southern bluefin tuna recreational fishing, which included information around preparedness and handling of both retained and released fish. Ahead of the 2018 season, sport fishing clubs in Matarangi, Mercury Bay, Tairua, Whangamata, Bowentown, Mount Maunganui, Taupo, Tauranga, Te Aroha, Te Kaha, Waihau Bay, and Whakatane implemented a one southern bluefin tuna per boat voluntary limit. Recreational fishers at Waihau Bay also contributed to the collection of 32 otolith<sup>1</sup> pairs, which is part of New Zealand's contribution to the CCSBT scientific process.
43. There are no records of southern bluefin tuna being taken under customary authorisation, including under the Fisheries (South Island Customary Fishing) Regulations 1999, the Fisheries (Kaimoana Customary Fishing) Regulations 1998, or regulations 50-52 of the Fisheries (Amateur Fishing) Regulations 2013.
44. However, during engagement with iwi at fisheries forums, tangata whenua have indicated an intention to take southern bluefin tuna using the regulatory mechanisms listed above, or any expected to be developed in the future. Feedback from those forums also suggested that southern bluefin tuna was in fact being used for customary purposes, however being taken under the recreational framework.

<sup>1</sup> Otoliths are the ear bones of the tuna, which enable scientists to age the fish and look at their chemical signatures, which is used to infer migrations and spawning sites.



**Figure 1: Estimated recreational catch and recreational allowance for southern bluefin tuna from 2012 to 2018.**

## 5) Consultation

### PRE-ENGAGEMENT

45. Pre-engagement Took place in the lead-up to the 2018 sustainability round. Fisheries New Zealand met with representatives from Te Ohu Kaimoana, the New Zealand Sports Fishing Council, the New Zealand Recreational Fishing Council, the International Game Fish Association, Fisheries Inshore New Zealand, and commercial fishers on 10 May 2018, to discuss recreational management measures for the southern bluefin tuna fishery.
46. Te Ohu Kaimoana and Fisheries Inshore New Zealand representatives showed support for more stringent recreational management measures. Fisheries Inshore New Zealand asserted that Fisheries New Zealand needs to ensure effective management of the recreational sector in order to stay within the CCSBT national allocation and uphold international obligations. Te Ohu Kaimoana suggested that having a ballot system for the recreational fishery would be an effective management measure, and would provide integrity in the information reported to the CCSBT.
47. The New Zealand Sports Fishing Council, the New Zealand Recreational Fishing Council, and the International Game Fish Association representatives generally considered it to be too early in the development of the fishery to put any type of legislated management measures in place, especially a ballot system. All stated that more time was needed to see how the fishery developed. However, a variety of voluntary limits were imposed by a number of sports fishing clubs prior to the 2018 season.

### INPUT AND PARTICIPATION OF TANGATA WHENUA

48. Section 12(1) (b) requires that you provide for the input and participation of tangata whenua and have particular regard to kaitiakitanga.
49. Fisheries New Zealand attended the Mai i nga Kuri a Whareki ki Tihirau Iwi Fisheries Forum (Bay of Plenty) on 10 June 2018 to discuss the 1 October sustainability round implications for southern bluefin tuna, and potential recreational management measures. There was no formal feedback received from this forum regarding recreational management measures.
50. Information to support input and participation was also provided at the Te Waka a Māui me Ōna Toka Iwi Forum (Top of the South Island), the Te Hiku o te Ika Fisheries Forum (FMA 1 & 9), and the Nga Hapu o te Uru Fisheries Forum (Waikato). Concerns raised at the forums were around your recent allowance and allocation decisions for the stock, with no formal responses received regarding the recreational management measures.
51. Fisheries New Zealand invited input and participation from Te Whānau-ā-Apanui, the iwi of the Waihou Bay area, where the majority of effort for southern bluefin tuna recreational fishing occurs. Fisheries New Zealand has not received any formal response to date.
52. Throughout the process, Fisheries New Zealand has met with representatives from Te Ohu Kaimoana on a number of occasions, who have continually expressed their desire to see stringent management measures in place for the southern bluefin tuna recreational fishery.

### PUBLIC CONSULTATION

53. As part of the 1 October 2018 Sustainability round, Fisheries New Zealand sought feedback on proposed changes to southern bluefin recreational management measures during public consultation, held on your behalf, which ran from 2 July until 27 July 2018.

54. Fisheries New Zealand asked for feedback on the following options:

| Measure                    | Option | Description                                          |
|----------------------------|--------|------------------------------------------------------|
| Proposals for consultation | 1      | One southern bluefin tuna per person daily bag limit |
|                            | 2      | Two southern bluefin tuna per person daily bag limit |
|                            | 3      | Three southern bluefin tuna per boat daily limit     |
|                            | 4      | A combination of boat and bag limits                 |

**Discussion questions:**

- How will the recreational management constraints proposed here impact the development of the recreational fishery?
- Do you agree that these are the correct options to help constrain recreational catch in the short term? Why? If not, what alternatives should be considered?
- Which daily bag limit do you prefer? Why?
- Should a higher bag limit be considered? Why?
- Is a three southern bluefin tuna boat limit appropriate? Why?

55. The document was published on the Fisheries New Zealand website, and known persons or organisations with an interest in the southern bluefin tuna fishery were notified of the consultation process by email directing them to the consultation webpage. During public consultation, submitters were encouraged to provide feedback on the proposed options and to provide any additional information that could be helpful to inform the review.
56. Fisheries New Zealand also created a simple online survey that was shared with Fisheries New Zealand's recreational mailing list and various New Zealand recreational fishing Facebook pages.

**Submissions received**

57. One response and three submissions were received on the proposal for recreational management measures for southern bluefin tuna from the following individual and organisations:
- a) Te Ohu Kaimoana
  - b) New Zealand Sport Fishing Council
  - c) Fisheries Inshore New Zealand
  - d) Ben Turner (commercial fisher)

**Views of submitters**

58. Te Ohu Kaimoana expressed their concern about unconstrained recreational catches in established commercial fisheries. They stated that New Zealand fisheries management needs to develop a system for southern bluefin tuna that will enable the recreational catch to be managed within the allowance. Failure to do this will mean that the integrity of the total allowable catch will continue to be undermined and this will impact negatively on the reputation of New Zealand as a credible manager of fisheries. Te Ohu Kaimoana supports putting in place new management measures, which they believe should include a ballot and tag system.
59. The New Zealand Sports Fishing Council supported the option of a one fish per person daily bag limit in the North Island fishery, and a two fish per person daily bag limit in the South Island. They were of the view that smaller fish (30 to 40 kilograms) are caught in the South Island fishery. The Council did not support a boat limit being applied, as it believed it to be unnecessary at this time.
60. The New Zealand Sports Fishing Council disagreed with the statement that there are currently no constraints on the recreational sector fishing for southern bluefin tuna. As the fish is only available for a short time period, in remote locations that are not fishable in poor weather, the uncertainty in terms of access provides sufficient constraints for the sector. The New Zealand

Sports Fishing Council also supported the development of an allocation policy for non-commercial catch.

61. Fisheries Inshore New Zealand did not agree that the proposed bag and/or boat limits would sufficiently constrain recreational catch of southern bluefin tuna, and believed that the proposed options were inadequate to meet New Zealand's international obligations at CCSBT. Instead, Fisheries Inshore New Zealand proposed the following measures:
  - A ballot system for a single fish, with only those fishers with a tag from the ballot being allowed to target southern bluefin tuna. An allowance for southern bluefin tuna bycatch could be accommodated as part of this system.
  - Formalised southern bluefin tuna licensing – an increasingly formal system whereby fishers register and are allocated a portion of the recreational allowance.
62. Ben Turner, a commercial fisher, supported a daily bag limit of one fish per person, with a boat limit of three that is either daily or weekly. Mr Turner also suggested that a size limit for all tuna species of 100 centimetres could be introduced.

## ONLINE SURVEY

63. Fisheries New Zealand also consulted using a simple online survey that was shared on various New Zealand fishing groups' Facebook pages, including New Zealand Fishing Community and the Big Game Fishing group.
64. There were 131 participants who responded to the recreational management proposals, with the majority identifying as recreational fishers, and smaller numbers identifying as commercial, tangata whenua, general public, or other.
65. The survey questions mirrored the initial options proposed in the public consultation document.
66. 10 submitters supported a two southern bluefin tuna per person daily bag limit, and 10 submitters supported a three southern bluefin tuna per boat daily bag limit. A total of 60 submitters supported a one southern bluefin tuna per person daily bag limit, and 51 supported a combination of bag and boat limits.
67. Of the responses that supported a combination of bag and boat limits (and provided information on what those bag and boat limits should be), 19 supported one per person and three per boat, 13 supported one per person and two per boat, and 15 supported one per boat per day.
68. Other suggestions included; one southern bluefin tuna per person per week, one southern bluefin tuna per person per season, a ballot for tags and all mortality accounted for, a daily allowance of one southern bluefin tuna per person and four per boat, and two southern bluefin tuna per day up to maximum of five for a one-week fishing trip.
69. Some respondents explained that they wanted to see a fair option for recreational fishers, which justified the time, money, and effort that goes into targeting these fish. Submitters also consider this to be an exciting new recreational winter fishery, with huge tourism potential. They believe that this fishery should be allowed to develop, and that regulation could stifle the fishery before it begins.

## POST CONSULTATION

70. Preliminary results from the targeted research project estimating recreational catch for southern bluefin tuna for the 2018 season were provided at the Highly Migratory Species Science Working Group on 31 October in Wellington. Interim results from the boat ramp survey were provided to Fisheries New Zealand prior to the meeting.

71. The survey showed that between 23 June and 5 August 2018 (the survey period), 676 recorded recreational vessels, with an estimated 1856 fishers on board, launched and targeted southern bluefin tuna from the Waihau Bay boat ramp. Catch rates were low in 2018, compared to 2017, with 90% of crews landing no southern bluefin tuna.
72. Further information for this research project was collected from a variety of other sources including; sport fishing club records, section 111 reporting, amateur charter vessel reporting and anecdotal information from a number of sources. This brought the total estimate for 2018 to a point estimate of 15 tonnes for recreationally caught southern bluefin tuna. Should similar catch rates seen in 2017 have occurred, then it is likely that the recreational allowance would have been exceeded.
73. For this reason, and feedback from tangata whenua and stakeholders during consultation, Fisheries New Zealand amended the initial proposed options and discussed the amended options with a group of stakeholders and tangata whenua representatives.
74. Fisheries New Zealand held a meeting with representatives from Te Ohu Kaimoana, the New Zealand Sport Fishing Council, and Fisheries Inshore New Zealand on 22 November 2018.
75. The New Zealand Sport Fishing Council restated their support for the option of one per person per day in the North Island, and two per person per day in the South Island, and advised that they are opposed to boat limits. They believe that the catch seen in 2017 was likely an anomaly, and those high catch rates are unlikely to be seen again.
76. The New Zealand Sport Fishing Council does not consider that the number of fishers targeting southern bluefin tuna will increase in years to come, and that the numbers of fishers seen in 2017 and 2018 represent close to the full capacity of sport fishing in New Zealand.
77. It was agreed that Fisheries New Zealand would create a hierarchy of potential long term management options as part of a phased approach for the management of this fishery.
78. The group will reconvene in 2019 to discuss these longer term measures. Following these discussions, it is expected that Fisheries New Zealand will hold wider public consultation. This approach allows Fisheries New Zealand to collect and analyse more information on this highly variable and developing fishery, ahead of long term management measures being put in place.
79. It is expected that the implementation of longer term management measures could align with the next change in the global total allowable catch for southern bluefin tuna in 2021, when New Zealand's national allocation could change allowing Fisheries New Zealand to be in a more informed position when implementing longer term management measures for this fishery.

## 6) Analysis of options

80. Based on the results of the most recent surveys, Fisheries New Zealand believes the initially proposed options of 'Two southern bluefin tuna per person daily bag limit' and 'Three southern bluefin tuna per boat daily limit' would not constrain catch of southern bluefin tuna in any meaningful way. These options have therefore been removed from this final advice.
81. Based on feedback from consultation and the updated best available information from the 2018 season, Fisheries New Zealand proposes the below options for your consideration on an interim bag and/or boat limit for the southern bluefin tuna recreational fishery. This includes the addition of 'one southern bluefin tuna per vessel, per day' and 'one southern bluefin tuna per person up to a maximum of two per vessel, per day'.
82. Fisheries New Zealand recognises that for all three of the options presented, there is a chance that the recreational allowance could be exceeded if favourable weather and fishing conditions occur again.

**Table 3: Proposed bag and/or boat limits for the southern bluefin tuna recreational fishery.**

| Option | Description                                                                                                    |
|--------|----------------------------------------------------------------------------------------------------------------|
| 1      | <b><i>One southern bluefin tuna per person, per day</i></b><br><i>(Fisheries New Zealand preferred option)</i> |
| 2      | <b><i>One southern bluefin tuna per vessel, per day</i></b>                                                    |
| 3      | <b><i>One southern bluefin tuna per person up to a maximum of two per vessel, per day</i></b>                  |

### OPTION 1- ONE SOUTHERN BLUEFIN TUNA PER PERSON PER DAY

83. Option 1 is to limit the number of southern bluefin tuna that a recreational fisher could take to one southern bluefin tuna per person, per day. This option is the least restrictive of the three options, and Fisheries New Zealand considers that it is the minimum requirement in the short term.
84. Option 1 is the preferred option of the New Zealand Sport Fishing Council for the North Island fishery, stating that this is the only fair option for recreational sport fishers, and that this option has the majority of support from its members. However, for the South Island they do not support this option, due to the fish in the South Island being smaller (30 to 40 kilograms), and therefore would like to see a two per person per day limit implemented in the South Island.
85. Option 1 received the highest amount of support from Fisheries New Zealand's online survey, with 60 submitters supporting this option.
86. Fisheries Inshore New Zealand and Te Ohu Kaimoana do not support applying only a daily bag limit to the fishery, and want to see more stringent management measures in place to give integrity to the total allowable catch and ensure New Zealand meets its international obligations at the CCSBT.
87. This option has the potential to impact customary fishers, who may have previously used the recreational allowance to catch southern bluefin tuna.
88. Fisheries New Zealand prefers this option at this time recognising the variability in this developing fishery, the ongoing work aimed at future recreational management, and the degree of support expressed for this option by key recreational fishing bodies.

89. Fisheries New Zealand does not support the suggestion that a higher limit be applied in the South Island. Although the southern bluefin tuna caught in the South Island are typically smaller than their North Island counterparts, they remain large fish, and still provide a significant utilisation opportunity for recreational anglers.
90. Fisheries New Zealand recognises that this option could lead to catch in excess of the 20 tonne recreational allowance should favourable conditions, such as those experienced in 2017, occur again. There is, therefore, a basis to consider limiting landings from vessels with more than one fisher on board as an additional level of control.

## **OPTION 2 – ONE SOUTHERN BLUEFIN TUNA PER VESSEL PER DAY**

91. Option 2 is to limit the number of southern bluefin tuna that can be landed from a vessel to one southern bluefin tuna per vessel, per day. Under this option, the addition of a daily bag limit would not be required, since all recreational fishing for southern bluefin tuna occurs on vessels.
92. Option 2 is the most restrictive of the three options, and is therefore the most effective option in terms of constraining catch. However, under favourable fishing circumstances, even with this option in place, the recreational allowance could be exceeded given the level of effort already seen in the fishery.
93. Concerns have been raised by the New Zealand Sport Fishing Council that the imposition of a boat limit at this stage of the fishery's development is too extreme. The New Zealand Sport Fishing Council is of the view that the recreational fishery for southern bluefin tuna is a new and highly variable fishery, which a group of New Zealand recreational sport fishers want to enjoy. It also has the potential to develop into an accessible winter game fishery, which New Zealand currently does not have, as well as bringing income into small local economies.
94. The New Zealand Sport Fishing Council believes that a restriction of one per vessel per day would discourage fishers from targeting southern bluefin tuna as the large amount of time, money, and effort required to do so would not be justified.
95. Option 2 is not supported by Te Ohu Kaimoana, or Fisheries Inshore New Zealand, for the same reasons stated in option 1.
96. Option 2 was supported by 15 submitters on Fisheries New Zealand's online survey, with some submitters concluding that one per boat provided enough fish for anyone.
97. Option 2 also mirrors the voluntary limit of one southern bluefin tuna per boat, per day set by many sport fishing clubs in 2018.
98. An estimated 35 percent of recorded recreational vessels out of Waihou Bay in 2017, and nine percent of recorded recreational vessels out of Waihou Bay in 2018, landed more than one southern bluefin tuna per vessel.
99. Fisheries New Zealand notes that this option, and all options, would not restrict fishers from catching, tagging, and releasing southern bluefin tuna after one was landed on the vessel.
100. Again, this option has the potential to impact customary fishers who may have previously used the recreational allowance to catch southern bluefin tuna.

## **OPTION 3 – ONE SOUTHERN BLUEFIN TUNA PER PERSON UP TO A MAXIMUM OF TWO SOUTHERN BLUEFIN TUNA PER VESSEL PER DAY**

101. Option 3 is to limit the number of southern bluefin tuna that recreational fishers can take to one per person, and two per vessel when multiple fishers are on board, per day.

102. A large proportion of respondents on Fisheries New Zealand's online survey suggested that a combination of bag and boat limits would be an appropriate management measure for this fishery. 12 submitters put forward one southern bluefin tuna per person per day, and two southern bluefin tuna per day boat limit, as an option they preferred.
103. In 2017, an estimated 12 percent of recorded recreational vessels fishing out of Waihou Bay caught more than two southern bluefin tuna per boat. In 2018, no recorded recreational vessels caught more than two southern bluefin tuna per boat, indicating the variability that exists in the fishery, and the lower estimate of catch for that season.
104. New Zealand Sport Fishing Council does not support the imposition of vessel limits at this stage of the fishery.
105. A boat limit of any kind could impact business for charter vessel operators who are subject to the same rules as recreational fishers.
106. As mentioned in the previous options, this option has the potential to impact customary fishers who may have previously used the recreational allowance to catch southern bluefin tuna.
107. Fisheries New Zealand believes that this option could also lead to catch in excess of the recreational allowance, should favourable conditions, such as those experienced in 2017, occur once more.

## 7) Next Steps

108. Following your decision, it is proposed that any changes would be implemented by way of Gazette notice under section 11 of the Act, ahead of the 2019 recreational fishing season for southern bluefin tuna.
109. Your decisions on the proposals will be posted on the Fisheries New Zealand website, and submitters will be notified directly of the decisions.
110. Fishery Officers will educate the local community and recreational fishers about any new rules. Enforcement of the new rules will not pose significant compliance costs beyond normal education requirements.
111. Fisheries New Zealand will continue monitoring the recreational fishery, and expand the research project conducted in 2018 to include a focus on the South Island fishery for which previously only charter vessel and anecdotal information has been used.
112. Fisheries New Zealand will continue to engage stakeholders on additional longer term management measures for this fishery.

## 8) Conclusion and recommendation

113. Fisheries New Zealand considers that the minimum required to manage the recreational fishery for southern bluefin tuna is the imposition of a daily bag limit. A limit of one fish per angler per day has the support of most recreational fishers, and Fisheries New Zealand considers it appropriate given the size of the fish involved. In this context, the proposal by the recreational sector to apply a higher limit of two southern bluefin in the South Island is not supported by Fisheries New Zealand.
114. An issue is that most vessels that participate in the fishery carry more than one angler, and if each is able to land one southern bluefin tuna, the recreational allowance is potentially at greater risk of being exceeded. An additional level of control can be achieved by imposing a vessel limit, either as a singular measure, or in addition to a daily limit for individual fishers.
115. Fisheries New Zealand has commenced work on a longer term framework to manage the southern bluefin tuna recreational fishery, and there is the option of waiting for this framework to be developed before imposing constraints over and above a daily individual bag limit (i.e. a boat limit). Given the views of the recreational sector, and the need for collaboration in the development of a longer term framework, Fisheries New Zealand favours this approach. It is expected that implementation of longer term management measures could align with the next change in the global total allowable catch for southern bluefin tuna in 2021.
116. You are not bound to the recommended option, and all three options presented fulfil your duties under the Act. Fisheries New Zealand asks that you agree to one of the three proposed options in order to set constraints on the recreational southern bluefin tuna fishery.

### *Option 1 (Fisheries New Zealand preferred option)*

**Agree** to authorise a notice to limit the number of southern bluefin tuna that a recreational fisher can take to one southern bluefin tuna per person, per day.

**Agreed / Agreed as Amended / Not Agreed**

OR

### *Option 2*

**Agree** to authorise a notice to limit the number of southern bluefin tuna that a recreational fisher can take to one southern bluefin tuna per vessel, per day.

**Agreed / Agreed as Amended / Not Agreed**

OR

### *Option 3*

**Agree** to authorise a notice to limit the number of southern bluefin tuna that a recreational fisher can take to one southern bluefin tuna per person and up to a maximum of two southern bluefin tuna per vessel per day.

**Agreed / Agreed as Amended / Not Agreed**

**Hon Stuart Nash**  
Minister of Fisheries  
/ /2019

# Appendix 1: Submissions received

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