



## Office of Hon Nathan Guy

### MP for Otaki

Minister for Primary Industries

Minister for Racing

B15-190

Dear Stakeholder

### **Marlborough Sounds and Challenger East Blue Cod Fishery**

I write to inform you of the decisions I have made following the review of the blue cod fishery in the Marlborough Sounds and Challenger East areas (Figure 1). The review was led by the Blue Cod Management Group (BCMG) with the assistance of the Ministry for Primary Industries (MPI).

Changes to management measures that apply to these fisheries will come into effect on 20 December, 2015, when the recreational blue cod fishery in the Marlborough Sounds Area (MSA) reopens. Relevant information, including a copy of the Decision Document, is available on MPI's website ([www.mpi.govt.nz](http://www.mpi.govt.nz)).

The decisions I have made reflect my desire to balance the benefits obtained from utilising this fishery with ensuring sustainability for future generations. They also reflect my desire to set simple rules that are fair and easy to comply with.

In reaching my decisions I have carefully considered the best available scientific information, views of submitters, and advice provided to me by the BCMG and MPI in the Decision Document. I also considered the relevant legislative provisions and my obligations under the Fisheries Act 1996.

Scientific information suggests that the current rules are not supporting a rebuild in blue cod numbers in some areas of the Marlborough Sounds. Changes to the fishery rules and how people utilise the fishery are needed to enable blue cod numbers to recover.

During community engagement that took place prior to consultation, and during statutory consultation, the BCMG and MPI received strong feedback from the public regarding complications and confusion that have arisen from having rules for blue cod that differ across the top of the South Island.

I have determined that creating one set of rules across the whole area that includes the MSA and Challenger East area is important to best ensure sustainability for this wider area and ensure that the rules are simple, understandable, and fair.

The ecological and biological factors that make blue cod susceptible to overfishing and localised depletion are the same across the top of the South Island. Similarly, the recreational fishing fleet is highly mobile being comprised primarily of trailer vessels, and there is strong connectivity between the fisheries in the MSA and the Challenger East area. I consider it important that the blue cod fisheries in the MSA and the rest of the Challenger East area are managed under the same set of rules.

The specific decisions for each management measure are attached. They are also outlined in Table 1. Overall, my decisions will result in the removal of the 'slot' and 'transit' rules, amendments to the recreational minimum legal size, recreational daily bag limit, recreational accumulation limit, and the introduction of a commercial seasonal closure and a Maud Island no-take finfish zone for commercial fishers. I have decided not to amend the recreational no-filleting rule or the hook limit.

This new package of rules is designed to improve the state of the fishery. The measures are, to a large extent, those suggested by fishers during consultation. For these rules to have the greatest effect it is critical for fishers to take ownership of them, and of the fishery more generally. There is a lot each fisher can do to help manage the fishery through ensuring that small fish are not caught, and those that are have the best chance to survive when they are returned to the water. The BCMG, with MPI, will be leading an education campaign over the summer period to encourage people to fish responsibly. I fully support this campaign.

I also support the views of the BCMG that the fisheries need to be closely monitored and managed to reduce the risk of further depletion of blue cod in the future. I consider that the additional actions proposed in the Decision Document to improve the management framework and explore new habitat protection areas will further contribute to the sustainable utilisation of the fishery. I look forward to hearing of progress on these initiatives over the coming year.

I would like to thank the BCMG for their work in leading the review of these fisheries. The high level of commitment BCMG members showed for the process is greatly appreciated and exemplifies how stakeholders and MPI can collaborate to find solutions for problems in important shared inshore fisheries. I consider this to be an excellent engagement model for other shared fisheries and look forward to continuing this type of approach in this and other shared fisheries in the future. I also thank everyone who took the time to make submissions or be involved in discussions during the consultation period for this review, and I wish you the best of luck with your fishing over the coming summer period.

Yours sincerely



Hon Nathan Guy  
**Minister for Primary Industries**

### **Recreational Size Limit**

I have decided to set a minimum legal size of 33 cm for an area that covers the MSA and the Challenger East area combined. This decision removes the 'slot rule' in the MSA. Setting a minimum legal size of 33 cm will allow fish a greater chance to breed before they are able to be legally taken in the fishery. It also provides a greater level of protection to females, which are most common in size classes smaller than 33 cm. Protecting females is particularly important given that males dominate the populations in many locations in the Marlborough Sounds, which reduces the amount of reproduction that can occur.

I understand that in some locations in the MSA it may be difficult to catch a fish that is larger than 33 cm. In locations where large fish are scarce it is likely that the fishery is in need of rebuild. I encourage fishers to avoid fishing in these areas until blue cod numbers have recovered, and in the meantime, move to locations where larger fish are more abundant.

### **Recreational Daily Bag Limit**

I have decided to set a total daily bag limit of 2 blue cod for the area that covers the MSA and the Challenger East area combined. This decision effectively means a reduction in take if fishing in the Challenger East area only, but no change if fishing in the MSA only.

Scientific information from the 2011/12 Recreational National Panel Survey indicates that fishing pressure is increasing in the Challenger East area. I consider it important to take a proactive approach to managing this fishery by accepting a reduction in the bag limit for the Challenger East area now to ensure sustainability as recreational fishing effort increases.

### **Recreational Accumulation Limit**

I have decided to set an accumulation limit of 2 daily bag limits for the area that covers the MSA and the Challenger East area combined. This decision increases the accumulation limit from 1 to 2 daily limits if fishing in the MSA only, but no change if fishing in the Challenger East area only. This will allow fishers to be in possession of the equivalent of 2 days catch (i.e. a total of 4 blue cod), provided that they can prove the fish have been caught over 2 days or more and that they did not exceed the daily bag limit on any one day.

This change reflects the particular circumstances of fishing in and around the Marlborough Sounds where amateur fishing vessels are often on multi day trips. Given that take is constrained overall by the daily bag limit, allowing for an increased level of accumulation in the MSA where it has been prohibited to date should not pose a risk to the sustainable utilisation of the fishery.

### **Recreational 'Transit' Rule**

I have decided to remove the recreational 'transit' rule. A benefit of creating one set of rules for the MSA and the Challenger East area combined is that the transit rule is no longer necessary for ensuring effective enforcement of the rules.



### **Recreational and Commercial Seasonal Closure**

I have decided to retain the current recreational seasonal closure for the blue cod fishery from 1 September to 19 December in the MSA, and introduce the same closure for target blue cod fishing by commercial fishers.

The results of the most recent scientific survey do not provide confidence that the blue cod fishery in the MSA could sustain an increase in take by easing recreational restrictions imposed by the current seasonal closure.

I think it is important that all sectors are equally involved in ensuring the sustainability of this important local fishery. I acknowledge that setting a closure for commercial target blue cod fishing could impact on some commercial operations. However, I do not consider that the ability for commercial fishers to take the commercial catch limit will be compromised.

### **Recreational and Commercial Maud Island No-take Finfish Zone**

I have decided to retain the recreational finfish no-take zone around Maud Island, and implement the same no-take zone for commercial fishers. The blue cod around Maud Island are thought to be an important population of spawning fish, and therefore providing protection to these fish could have benefits for the wider blue cod fishery.

I consider it important that protection from both recreational and commercial fishers is provided for this spawning population. I consider that the commercial no-take zone will have minimal impacts on commercial fishers because it is understood that negligible fishing for finfish currently occurs in the area.

### **Recreational Filleting Rule**

I have decided to retain the recreational rule that prohibits filleting of blue cod, unless the fish is for immediate personal consumption.

The blue cod fishery at the top of the South Island is particularly vulnerable to overfishing, and it is imperative that fishers comply with the minimum legal size set for the fishery. I consider that retaining the no-filleting rule is important as it provides additional incentive for fishers to comply with the minimum legal size, and it provides MPI Fishery Officers with stronger capability to enforce the minimum legal size and prevent non-compliance.

### **Recreational Hook Limit**

I have decided to retain the recreational hook limit of 2 hooks per rod and reel line or handline for the MSA when fishing for any species. A strong theme in feedback from the public was that incidental mortality of blue cod returned to the water is likely to be high. Allowing a maximum of two hooks per line can help limit the number of blue cod that need to be returned to the water.





**Table 1:** Final decisions on recreational and commercial blue cod regulations for the Challenger East (CE) area and Marlborough Sounds Area (MSA).

Measures	Previous settings	New settings
Recreational legal size limit	<b>MSA:</b> Minimum size 30 cm, Maximum size 35 cm ('slot rule') <b>CE:</b> Min. size 30 cm, No max. size	<b>CE &amp; MSA:</b> Minimum size 33 cm No maximum size
Recreational daily bag limit /person/day	<b>MSA:</b> 2 blue cod <b>CE:</b> 3 blue cod	<b>CE &amp; MSA:</b> Total of 2 blue cod
Recreational accumulation	<b>MSA:</b> Accumulation of 1 daily bag limit <b>CE:</b> Accumulation of 2 daily bag limits	<b>CE &amp; MSA:</b> Accumulation of 2 daily bag limits
Recreational 'transit rule'	<b>CE &amp; MSA:</b> No transporting of blue cod through the MSA that do not meet the rules of the area	<b>CE &amp; MSA:</b> No transport restrictions ('transit rule' is removed)
Recreational filleting rule	<b>CE &amp; MSA:</b> Possess blue cod in a whole or gutted state only, unless fish are for immediate personal consumption	<b>No change</b> <b>CE &amp; MSA:</b> Possess blue cod in a whole or gutted state only, unless fish are for immediate personal consumption
Seasonal closure	<b>MSA only:</b> Recreational blue cod seasonal closure 1 Sept to 19 Dec No commercial closure	<b>MSA:</b> Recreational and commercial blue cod seasonal closure 1 Sep to 19 Dec
Maud Island no take zone	<b>Maud Island:</b> recreational no take of any finfish No commercial restriction	<b>Maud Island:</b> Recreational and commercial no take of any finfish
Recreational hook limit	<b>MSA only:</b> Maximum of 2 hooks per line when fishing for any species	<b>No change</b> <b>MSA only:</b> Maximum of 2 hooks per line when fishing for any species