



B18-0215

Dear stakeholder

## **Fisheries sustainability measures for 1 April 2018**

This letter outlines my final decisions on the review of sustainability measures for selected stocks that are managed with an April fishing year. My decisions on Total Allowable Catches (TACs), Total Allowable Commercial Catches (TACCs) and non-commercial allowances come into effect on 1 April 2018.

In reaching my decisions, I have considered submissions received from tangata whenua and all key stakeholders on initial proposals, final advice from the Ministry for Primary Industries (MPI) and the National Rock Lobster Management Group (on rock lobster stocks), and my relevant legislative obligations under the Fisheries Act 1996 (the Act).

The best available scientific and management information has shown the need to significantly reduce the TAC, non-commercial allowances, and TACC for the Hauraki Gulf/Bay of Plenty (CRA 2) rock lobster fishery to rebuild the stock from its current low level of abundance for the benefit of stakeholders, both now and into the future. I have also decided to reduce the TAC and TACC for the Otago (CRA 7) rock lobster fishery to ensure continued sustainability of this stock in response to observed decreases in abundance.

I have decided to increase the TAC and TACC for the Wellington/Hawke's Bay (CRA 4) and Southern (CRA 8) rock lobster fisheries. This reflects best available information that indicates increases in abundance and increase in utilisation potential are currently occurring in these fisheries.

For sea cucumber stocks on the east coast of the South Island (SCC 3) and the Challenger Plateau and Nelson region (SCC 7B), I have decided to increase the TAC and TACC to better reflect the abundance of sea cucumber in these stocks and to support the sustainable development of these fisheries.

For Bounty Platform southern blue whiting (SBW 6B), I have decided to increase the TAC and TACC to better reflect the abundance of southern blue whiting in this stock.

I would like to thank everyone who contributed to the review of fisheries sustainability measures for April 2018.

More detailed rationale for my decisions is attached to this letter and within the Decision Documents, which can be found on the MPI website at:

[www.mpi.govt.nz/news-and-resources/consultations/review-of-sustainability-measures-for-1-april-2018/](http://www.mpi.govt.nz/news-and-resources/consultations/review-of-sustainability-measures-for-1-april-2018/)

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Stuart Nash'.

Hon Stuart Nash  
**Minister of Fisheries**

## Rock lobster

My decisions for rock lobster were guided by MPI and the National Rock Lobster Management Group (NRLMG), which acts as an advisor to me on rock lobster management matters. For each of my decisions, I also considered new stock assessment information or the results from the operation of management procedures ("decision rules").

The NRLMG provided me with final advice that sought to provide an appropriate level of utilisation while ensuring sustainability of four rock lobster stocks. I acknowledge the good work of the NRLMG in providing this advice to me.

My decisions for the four rock lobster stocks that were reviewed as part of the April 2018 sustainability round are provided below.

### *CRA 2 (Hauraki Gulf/Bay of Plenty) rock lobster fishery*

Stock		TAC (t)	TACC (t)	Allowances (t)		
				Customary	Recreational	Other mortality
CRA 2	Current	416.5	200	16.5	140	60
	New	173 ↓	80 ↓	16.5	34 ↓	42.5 ↓

The CRA 2 stock is currently experiencing critically low levels of abundance and decisive action is needed to rebuild it to levels I consider more appropriate for this important fishery. Given the shared nature of this fishery, I consider that all stakeholders should take measures to ensure its rebuild in the same way that I expect all stakeholders to benefit once the status of the fishery improves. Unfortunately that means significant reductions to both the TAC, recreational allowance, and TACC.

After careful consideration of the best available information and a robust consultation process with tangata whenua and stakeholders, I have decided to significantly reduce the TAC for CRA 2 from 416.5 to 173 tonnes, reduce the recreational allowance from 140 to 34 tonnes, reduce the allowance for all other sources of fishing related mortality from 60 to 42.5 tonnes, and reduce the TACC from 200 to 80 tonnes. My decision is effectively an amalgam of the two options proposed by the NRLMG.

These reductions are expected to stimulate a rebuild of the fishery to an intermediate target of doubling the current rock lobster abundance within about four years, based on average recruitment (new lobsters entering the fishery) from 2005 to 2014. However, there has been a declining trend in recruitment from the mid-2000s and, if recruitment continues like the most recent four years (2011 to 2014), it could take up to eight years for the stock to rebuild to the intermediate target.

A number of submitters suggested that the fishery should be closed to reflect its poor current status and allow the fastest period of rebuild. Closure of a fishery under the Act is a very significant step; however, it was a measure that I gave much consideration to, especially considering the alarming recruitment trend over the previous four years.

Fisheries have been closed in the past after best available information indicated that they could not support any level of utilisation and rebuild in a timeframe considered reasonable. While there is no doubt that CRA 2 stock levels are low, the best available information suggests that it can increase in size by an amount and over a timeframe I consider on the cusp of reasonable while providing for a level of use. I do, however, consider this decision most consistent with the various legislative obligations I am required to consider when determining the way and rate a stock below optimal levels rebuilds.

### The TACC

I would like to acknowledge the responsible behaviour shown by industry (including iwi) for the voluntary shelving initiatives they have undertaken over the last two years, and for their revised submission outlining support for a TACC of 100 tonnes.

I am very aware that an 80 tonne TACC will have significant impacts on the CRA 2 industry, including a loss of revenue (up to \$10 million per annum), vessels off the water, and other flow-on effects to local fishing-related businesses. However, I consider that a TACC of 80 tonnes (with a significantly reduced TAC) takes better account of the current poor stock status, importance of the fishery to all users, and risks associated with uncertainty in future levels of recruitment. I also note that this level of TACC was one of the two recommendations put forward by the NRLMG.

### Recreational allowance

In line with my desire for all sectors to do what is necessary to rebuild this fishery, I have also reduced the recreational allowance from 140 to 34 tonnes. I am aware that the 140 tonne allowance has not reflected actual recreational harvest for some time. For the TAC to operate as intended, the allowances must carry some relationship to removals over time.

The current 140 tonne recreational allowance was set in 1999 when the fishery was at higher abundance levels. Although recreational fishing rules have not changed since the late 1990s, recreational harvest has been significantly affected by the decline in the status of the CRA 2 fishery.

I believe that it is reasonable to reduce the recreational allowance to 34 tonnes to reflect best available information on current catch, and in the context of a rebuild plan to constrain catches at this point until the stock is at a healthier level. I am aware of uncertainty around this estimate, but consider that 34 tonnes reflects the most likely level of current removals given the further decline in abundance that has taken place since the 2011/12 National Panel Survey estimated a harvest of 41 tonnes from CRA 2. Again, the 34 tonne allowance was one of the two recommendations put forward by the NRLMG.

### Other mortality allowance

Given the decline in CRA 2 abundance, I consider that it is likely that the amount of other sources of fishing-related mortality (such as illegal take) has also declined. I have therefore reduced this allowance to reflect the reduced level of other mortality expected from a stock at a lower level of abundance than when the allowance was last set.

I am concerned that the information available to set this allowance is very uncertain. Because of this, I have retained a relatively large allowance. I have also directed MPI to look very closely at methods to estimate this other mortality, particularly illegal take, so that better information is available to support future decision-making.

### Additional measures

My decision to reduce the TAC, allowances, and TACC for CRA 2 is the first step in rebuilding the fishery. A suite of additional management and monitoring measures will be developed and implemented this year.

I have asked MPI to work with rock lobster scientists and the industry to further improve monitoring and management of the fishery. This work will include the development of a new CRA 2 management procedure to guide future TAC setting, and initiatives to monitor the settlement of juvenile rock lobsters and the abundance of pre-recruits (i.e. sub-legal lobsters). I expect an update from the NRLMG on this work in next year's advice paper.

I am aware of my obligation to manage the level of recreational catch (on average) to the level of the allowance I have set. To support management of the recreational catch, I have asked MPI to progress changes to other management measures as soon as possible and prior to October 2018. This will include further public consultation on changes to fisheries regulations, including a change to the recreational daily bag limit of six rock lobsters.

Along with changes to fisheries regulations, I have asked MPI to ensure an increased compliance focus on the CRA 2 fishery to help minimise illegal take. Although the current estimate of illegal removals is highly uncertain, given the status of the fishery and the reductions in harvest levels I have decided on for legitimate users, I do not want to see benefits of any rebuild going to those engaged in illegal activities.

When the stock has been rebuilt to a healthier level, we can reassess how best to share the fishery amongst tangata whenua, and recreational and commercial fishing interests.

*CRA 4 (Wellington/Hawke's Bay) rock lobster fishery*

Stock		TAC (t)	TACC (t)	Allowances (t)		
				Customary	Recreational	Other mortality
CRA 4	Current	484	289	35	85	75
	New	513.8 ↑	318.8 ↑	35	85	75

I have agreed to increase the TAC for CRA 4 from 484 to 513.8 tonnes, and increase the TACC from 289 to 318.8 tonnes. No changes will be made to the non-commercial allowances.

This decision is based on the operation of the CRA 4 management procedure, which was put in place in 2017 to ensure the stock is rebuilt towards the agreed reference level within five years. Its operation resulted in a substantial TAC and TACC reduction of 108 tonnes from April 2017. However, monitoring information now suggests that rock lobster abundance in CRA 4 has increased in the last year. I consider that a modest increase to the TACC at this time is likely to allow the stock to continue to rebuild to higher abundance levels, even though I did seriously consider waiting another year before increasing the TACC.

No change is proposed to the non-commercial allowances for CRA 4. This is because I consider that the current allowances adequately provide for current levels of non-commercial removals.

*CRA 7 (Otago) rock lobster fishery*

Stock		TAC (t)	TACC (t)	Allowances (t)		
				Customary	Recreational	Other mortality
CRA 7	Current	132.52	112.52	10	5	5
	New	117 ↓	97 ↓	10	5	5

I have agreed to decrease the TAC for CRA 7 from 132.52 to 117 tonnes, and decrease the TACC from 112.52 to 97 tonnes. No changes will be made to the non-commercial allowances.

This decision is based on the operation of the CRA 7 management procedure, which indicates that a decrease is necessary to maintain the long-term sustainability of the stock given recent decreases in stock abundance. There are no immediate sustainability concerns for the CRA 7 fishery, and ongoing application of the CRA 7 management procedure is expected to maintain the stock above the agreed reference level with high probability. The proposed TAC decrease reflects the fluctuating abundance of rock lobsters in CRA 7.

No change is proposed to the non-commercial allowances for CRA 7. This is because I consider that the current allowances adequately provide for current levels of non-commercial removals.

### *CRA 8 (Southern) rock lobster fishery*

Stock		TAC (t)	TACC (t)	Allowances (t)		
				Customary	Recreational	Other mortality
CRA 8	Current	1,053	962	30	33	28
	New	1,161.7 ↑	1,070.7 ↑	30	33	28

I have agreed to increase the TAC for CRA 8 from 1053 to 1161.7 tonnes, and increase the TACC from 962 to 1070.7 tonnes. No changes will be made to the non-commercial allowances.

The CRA 8 fishery is one of New Zealand's most productive rock lobster fisheries and is currently experiencing sustained high levels of abundance. My decision is based on the operation of the CRA 8 management procedure, which indicates that an increase is appropriate given a recent increase in stock abundance.

No change is proposed to the non-commercial allowances for CRA 8. This is because I consider that the current allowances adequately provide for current levels of non-commercial removals.

#### *Other matters*

I understand from my officials that the Rock Lobster Fisheries Assessment Working Group intends to explore ways to improve future stock assessments and management procedure development later this year. This will include work on management targets, improvements to how catch-per-unit-effort (or CPUE, a relative abundance indicator) is calculated, and how management procedures are chosen.

I would also like to see development of management procedures that provide greater focus on the overall TAC as an output, rather than just the TACC. I reiterate the fact that in shared fisheries I am keen for all users to bear the cost of rebuild and share in benefits of increases. The Act is clear on the role of the TAC in this regard. Allocation is a separate issue from sustainability, which has a different set of legislative considerations.

I note that as part of the 2017 CRA 2 stock assessment, significant improvements were made to the model and how CPUE was calculated to ensure it reflected an accurate representation of CRA 2 abundance. I expect that the findings from this assessment will be considered in the context of other stocks in the future, to ensure that robust information is available for decision-making.

## Sea cucumber (SCC 3 & 7B)

Stock		TAC (t)	TACC (t)	Allowances (t)		
				Customary	Recreational	Other mortality
SCC 3	Current	5	2	1	2	0
	New	54 ↑	48 ↑	1	2	3 ↑
SCC 7B	Current	8	5	1	2	0
	New	17 ↑	14 ↑	1	2	0

### *SCC 3 (east coast of the South Island) sea cucumber fishery*

I have agreed to increase the TAC, TACC, and allowance for other sources of mortality for SCC 3 by 49, 46 and 3 tonnes, respectively.

A new survey covering less than two percent of the total SCC 3 area has estimated a biomass of 3,207 tonnes of sea cucumber in the surveyed area. Consequently, I consider that a higher TAC and TACC is sustainable, but have applied a cautious approach because the sea cucumber fishery in New Zealand has been only lightly exploited to-date, and internationally some sea cucumber fisheries have collapsed under high harvest rates. A small increase in the allowance for other mortality is proposed, as SCC 3 is currently a trawl fishery and some incidental mortality of sea cucumbers is to be expected.

### *SCC 7B (Challenger and Nelson) sea cucumber fishery*

I have agreed to increase both the TAC and TACC for SCC 7B by 9 tonnes.

A new assessment covering only part of SCC 7B estimates a biomass of 1,768 tonnes of sea cucumber in that area. Consequently, I consider that a higher TAC and TACC is sustainable, but have applied a cautious approach because the sea cucumber fishery in New Zealand has been only lightly exploited to-date, and internationally some sea cucumber fisheries have collapsed under high harvest rates. No change to the allowance for other mortality is proposed, as SCC 7B is a selective dive fishery with minimal environmental or bycatch impacts.

## Southern blue whiting (SBW 6B)

Stock		TAC (t)	TACC (t)	Allowances (t)		
				Customary	Recreational	Other mortality
SBW 6B	Current	2,246	2,377	0	0	49
	New	3,209 ↑	3,145 ↑	0	0	64 ↑

### *SBW 6B (Bounty Platform) southern blue whiting fishery*

For Bounty Platform southern blue whiting (SBW 6B), I have decided to increase the TAC from 2,246 to 3,209 tonnes and the TACC from 2,377 to 3,145 tonnes to better reflect the abundance of southern blue whiting in this stock. I note that the most



recent acoustic survey to monitor spawning stock abundance in September 2017 indicates that the southern blue whiting biomass in SBW 6B has increased since 2016, and there is a utilisation opportunity for the fishery.

No Māori customary non-commercial fishing or recreational fishing occurs in SBW 6B, because southern blue whiting is a deepwater species primarily caught offshore. I have therefore decided to retain the current nil allowance for Māori customary non-commercial fishing and the current nil allowance for recreational fishing. An allowance for all other mortality caused by fishing is set at 2% of the TACC, which increases the allowance from 49 to 64 tonnes.