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NZ Sport Fishing Council submission on the review of highly migratory species sustainability measures – 1 October 2012

NZ Sport Fishing Council

1. The New Zealand Sport Fishing Council appreciates the opportunity to submit to the Ministry of Primary Industries (MPI) on the 2012 Review of sustainability measures and management controls for inshore fish stocks. MPI released their proposals on 5 July with submissions due by 30 July 2012.
2. NZSFC 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 Roz Nelson, secretary@nzsportfishing.org.nz.
3. The NZ Sport Fishing Council is a national sports organisation with over 32,000 affiliated members from 57 clubs nationwide.
4. The New Zealand Sport Fishing Council has initiated LegaSea, a public fundraising mechanism, to generate support for the ongoing effort to protect and enhance the public's access to abundant fisheries in a healthy marine environment. www.legasea.co.nz
5. The intention is to broaden NZSFC involvement in marine management advocacy, research, education and working together on behalf of our members and LegaSea supporters.
6. Our members and supporters acknowledge that by 2030 there could be 25% more people living in New Zealand. We want our children and grandchildren to have similar or better fishing compared to what we have today. Therefore 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...” [s8(2)(a) Fisheries Act 1996]

Summary of NZSFC Submission

7. MPI should highlight the need for the Minister of Fisheries to take a precautionary approach when managing the critically low southern bluefin tuna stocks. Increasing catch when the scientific advice shows spawning stock is critically low and continuing to decline is not consistent with the precautionary approach.

8. New Zealand must continue to develop a reputation as a responsible fishing nation in the regional fisheries management organisations it is party to and need not follow the lead of Japan, Australia and Taiwan.
9. NZSFC submit that the TAC of 420 t should be retained for the remainder of the 2012-13 fishing year as no other options were proposed in the Initial Position Paper.
10. NZSFC do not support a 10% carry-forward of ACE to the following season in the absence of (carry-back) regulations that allow the reduction of ACE the following year where catch has exceeded ACE.
11. NZSFC support a 189 t TAC for mako shark which allows some room for commercial catch to grow as abundance increases, but not without constraint.
12. NZSFC support a 88 t TAC and reduced TACC for porbeagle shark which will provide incentives for surface longliners to use the provisions of schedule six and release fish that are alive.

A. Proposal to increase Total Allowable Commercial Catch and allowances for southern bluefin tuna

Background

13. Management of southern bluefin tuna (STN) throughout its range is the responsibility of the Commission for Conservation of Southern Bluefin Tuna (CCSBT) of which New Zealand is a founding member. Japanese longliners were catching 1000s of tonnes of STN a year in New Zealand waters (1960s to 1980), mostly prior to the establishment of the Exclusive Economic Zone (EEZ). There was a small recreational fishery based out of Fiordland and STN are taken as a by-catch of the Pacific bluefin fishery out of Greymouth and Hokitika.
14. On introduction to the QMS a recreational allowance was set at 4 tonnes, customary allowance at 1 t and other sources of fishing related mortality at 2 t. The current TACC is 413 t although last year there was an inseason increase of 374 t to a total of 787 t.
15. The reported catch worldwide was around 13,000 t for a long time. CCSBT agreed to reduce global catches by 20% in 2010 to 2011 (to 9,449t). The commission decided to increase the “global” TAC to 10,449 t in 2012 and 10,949 t in 2013.
16. Southern bluefin can live to 30 years old and reach maximum size of about 190 cm and 140 kg by 20 years old. (The recreational all tackle world record is 158 kg from BOP). Most STN are mature by 12 years of age.
17. Southern bluefin tuna consist of a single stock primarily distributed between 30°S and 45°S, and spawn in the Indian Ocean south of Java around March. 1999 to 2002 seemed to be particularly bad spawning years with better numbers now showing in NZ from more recent spawning seasons. Current spawning stock size is at or below 5% virgin biomass, well below the biomass that could produce Maximum Sustainable Yield (MSY).

Proposals for southern bluefin tuna

Details of TACC and allowances

18. The Ministry for Primary Industries (MPI) proposes that the TAC for 2012–13 be set to the level of New Zealand’s country allocation set by CCSBT for 2013 (Table 1). No other options are considered.

19. MPI also proposes reinstatement of provisions for carry-forward of up to 10% of unfished annual catch entitlement (ACE) from one fishing year to the next.

Table 1: Management options proposed for southern bluefin tuna

Total Allowable Catch (TAC)	Maori Customary Allowance	Recreational Allowance	Other Sources of Fishing-Related Mortality	Total Allowable Commercial Catch
420	1	Current 4	2	413
830	1	Proposed for 2012-13 8	4	817

MPI rationale for increasing the TAC

20. MPI rationale for these proposals includes:

- The international commission has allocated that amount to New Zealand and believes it is consistent with a new rebuild plan.
- The TAC is usually set at the level of the New Zealand allocation.
- This would provide maximum benefits to New Zealand quota holders.
- Any unilateral action to conserve this depleted stock would not have much effect globally.

Submission for southern bluefin tuna

21. NZSFC have engaged in the management of highly migratory species (HMS) for many years, particularly since the mid 1980s which saw the introduction of the Billfish Moratorium. This was followed by the Billfish Memorandum of Understanding with commercial fishing interests and submissions on the uncontrolled increase in swordfish catch in the late 1990s. More recently we have been actively involved in the HMS Working Group and HMS Fisheries Plan Working Group.
22. NZSFC continues to support the New Zealandisation of our commercial fisheries with catch from our waters taken by New Zealand companies rather than under foreign licences. Many of our members realise that this requires profitable tuna fisheries. Effective targeting of tuna also means there is less pressure put on bycatch species such as swordfish and sharks.
23. New Zealand has a reputation as a responsible fishing nation, although this has been tarnished lately with the reprehensible behavior of some foreign charter crews in or deep water fisheries. NZSFC ask the Minister, is it sound fisheries management practice to increase the TAC by 98% for a fish stock that is below 5% of its unfished state? Would the Minister support similar management proposals in Atlantic cod or haddock, where there was no vested interest?
24. The NZSFC acknowledges the good work NZ has done in international fisheries commissions but they are difficult negotiations at the best of times. Progress has been made in a number of compliance, reporting and research areas. However, the Commission for Conservation of Southern Bluefin Tuna has been responsible for the management of STN for over 30 years and a few years ago it was assessed to be in a worse state than ever before. NZSFC believe that supporting significant increase in national and global quota before the spawning stock biomass has increased, based on the assumption the CCSBT has finally have got it right this time is irresponsible.
25. The science says that there is a rebuild coming for this stock. There are good numbers of juvenile fish in being caught at present. NZSFC believe that the fastest way to rebuild spawning stock biomass is to not increase fishing pressure on immature fish before they are able to contribute to population growth. The time to increase quotas is when the rebuild has occurred, not when a particular assessment model predicts it might occur.

26. CCSBT amended the Rules of Procedure to task the Scientific Committee to incorporate advice consistent with a precautionary approach: Rule 8 Bis (SCIENTIFIC ADVICE)
“1.The Scientific Committee shall incorporate advice consistent with the precautionary approach in its advice to the Commission”.
27. There is no mention in the MFish IPP of caution or the precautionary approach. We submit that MFish need to incorporate advice consistent with the precautionary approach in its advice to the Minister. Increasing southern bluefin catch when the scientific advice is that the spawning stock is critically low and continuing to decline is not consistent with a precautionary approach.
28. NZSFC will promote tag and release of southern bluefin caught by recreational fishers. The New Zealand annual recreational catch of southern bluefin usually amounts to less than 10 fish. There has been one season (2007) where August trips targeting Pacific bluefin tuna caught about 55 southern bluefin on rod and reel. There is potential for further development of the southern bluefin recreational fishery off West Coast to extend the short season for Pacific bluefin.
29. NZSFC do not support a 10% carry-forward of ACE to the following season in the absence of (carry-back) regulations that allow the reduction of ACE the following year where catch has exceeded ACE. This is not likely to be much of a problem with STN but is an issue for a number of other important stocks.

B. Proposal to decrease Total Allowable Commercial Catch for Mako Shark

Proposals

30. MPI proposes that the TAC is reduced for shortfin mako shark (MAK 1) for 2012–13 from 512t to either:
 - a) 173 tonnes comprised of a 30 tonne recreational allowance, a 10 tonne customary allowance, a 23 tonne allowance for other sources of mortality and a TACC of 110 tonnes – the highest commercial catch level since the 2004 QMS introduction; or
 - b) 189 tonnes comprised of a 30 tonne recreational allowance, a 10 tonne customary allowance, a 25 tonne allowance for other sources of mortality and a TACC of 124 tonnes – the highest commercial catch level since the 2004 QMS introduction (110t) plus 14 tonnes to account for the potential for additional effort in the southern bluefin tuna fishery; or
 - c) 276 tonnes comprised of a 30 tonne recreational allowance, a 10 tonne customary allowance, a 36 tonne allowance for other sources of mortality and a TACC of 200 tonnes

Submission on mako shark

31. NZSFC maintains an interest in the management of HMS sharks in New Zealand. These days sharks are seldom targeted by sport fishers, but they are caught and released as a bycatch in many areas. Our members often fish in areas where sharks are present and notice changes in size and abundance. There was considerable concern at the lack of HMS sharks in the mid-2000s. In recent years a gradual rebuild in numbers has occurred.
32. The primary management tool for the conservation and management of sharks in New Zealand waters is the TAC and TACC. NZSFC believe that to be effective then the catch limit must mean something. A TACC four times greater than current commercial reported catch is ineffectual. So a reduction is required.

33. Unfortunately the long term catch history of HMS sharks is confused. Revised conversion factors, landings mostly of fins rather than processed bodies, and considerable under reporting in early years. NZSFC support a 189 t TAC which allows some room for commercial catch to grow as abundance increases, but not without constraint.

C. Proposal to decrease Total Allowable Commercial Catch for porbeagle shark

Proposals for porbeagle shark

34. MPI proposes that the TAC for 2012–13 be set to either:
 - a) 88 tonnes comprised of a 6 tonne recreational allowance, a 2 tonne customary allowance, a 7 tonne allowance for other sources of mortality and a TACC of 73 tonnes – the highest commercial catch level since the 2004 QMS introduction; or
 - b) 106 tonnes comprised of a 6 tonne recreational allowance, a 2 tonne customary allowance, a 9 tonne allowance for other sources of mortality and a TACC of 89 tonnes – the highest commercial catch level since the 2004 QMS introduction plus 16t to account for the potential for additional effort in the southern bluefin tuna fishery.
 - c) 129 tonnes comprised of a 6 tonne recreational allowance, a 2 tonne customary allowance, an 11 tonne allowance for other sources of mortality and a TACC of 110 tonnes.

Submission on porbeagle shark

35. As with mako NZSFC maintains an interest in the management of HMS sharks in New Zealand though these days sharks are seldom targeted by sport fishers. Porbeagle is not common in recreational catch records, with most catch coming from southern areas. They are a slow growing with low reproductive rates that make them vulnerable to stock depletion from intense commercial fishing.
36. The primary management tool for the conservation and management of sharks in New Zealand waters is the TAC and TACC. NZSFC believe that to be effective then the catch limit must mean something. A TACC three times greater than current commercial reported catch is ineffectual. So a reduction is required.
37. NZSFC support a 88 t TAC and reduced TACC which will provide incentives for surface longliners to use the provisions of schedule six and release fish that are alive, rather than killing them to get their hook back and fin them.