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26 March 2019

Submission: Review of Blue Cod fishing regulations

Several NZSFC affiliated clubs have made their own submissions on these proposals. We support these club submissions as they address issues based on local knowledge and their members views. The purpose of this submission is to address some of the overall or national issues raised.

Recommendations

1. Change the regulations to require a minimum mesh size of 54 mm for cod pots, as this will improve selectivity for legal size blue cod.
2. When a stock is in decline, it is the sector with the largest catch that needs to be reviewed and managed, as this will make the most difference to stock abundance.
3. More local management of recreational fisheries is supported but in areas where there are no sustainability concerns there seems no reason to significantly reduce recreational bag limits.
4. That Option 3 is rejected as it imposes an unjustified loss of utilisation benefit in most areas of the South Island and Chatham Islands.
5. That the two-day accumulation limit proposed for recreational fishers is rejected. It is not a simple or easily enforceable rule and would have a significant adverse economic impact on charter fishers who offer multi day trips. It would have very limited benefits for sustainability or local depletion.
6. The Minister needs to be informed of the limitations of the data that could be used to review the status of a recreational area under the traffic light system. Typically, the types of data used are trends in standardised commercial catch rates or independent data from the potting surveys. We do not support decision rules, especially when they are based on limited or biased data.
7. Recreational fishers self-reporting blue cod catch using a smart phone app will be biased toward the most avid fishers who “stick with it” and report over several years. This will not generate reliable harvest estimates and catch rates can be misleading.

The submitters

8. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the current proposals to blue cod fishing regulations, with submissions due 26 March 2019.
9. The New Zealand Sport Fishing Council is a recognised national sports organisation with over 35,000 affiliated members from 55 clubs nationwide. In 2012 the Council initiated LegaSea to generate widespread awareness and support for the need to restore abundance in our inshore marine environment, as well as to encourage people to help resource the NZSFC engagement and participation in marine fisheries management, marine protection, advocacy, research, education and alignment. On behalf of our members, LegaSea Partners, Sponsors, contributors and supporters we, together, are 'the submitters'.
10. The submitters are committed to ensuring that sustainability measures and environmental 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].
11. 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 Helen Pastor, secretary@nzsportfishing.org.nz.

Introduction

12. Blue cod is an iconic species in New Zealand for all fishing sectors and is a keystone species in a range of inshore marine ecosystems. This is particularly so in the South Island and Chatham Islands. There is some information available on the status of blue cod stocks including fishery independent potting surveys and catch sampling.
13. There is only one QMA wide blue cod quantitative stock assessment in New Zealand, for BCO 5 which is currently being updated. This fishery in southern New Zealand supports the largest blue cod fishery.
14. Tagging experiments suggest that blue cod populations may be isolated from each other and there may be several distinct populations within management areas. Blue cod are unusual as removing large males from a local population can lead to females changing sex. This may decrease spawning biomass by reducing the number of females.
15. NZSFC affiliated clubs have participated and supported the development of the Blue Cod Strategy to improve blue cod abundance and set management targets that will allow for successful, sustainable fishing.
16. The submitters have recently submitted on the Fisheries Change Programme with the discussion document apparently supporting the removal of the minimum legal size (MLS) limits for commercial fishers. This may not be appropriate for the commercial potting fishery for blue cod and any review of commercial MLS needs to be well informed and made on a case by case basis. At the same time the current consultation is proposing increases in the MLS for recreational fisheries in some areas.

Submission

17. The submitters are aware that a number of NZSFC affiliated clubs have made their own submissions on these proposals. The submitters support these club submissions as they address issues based on local knowledge and their members views. The purpose of this submission is to address some of the overall or national issues raised.
18. The Blue Cod Strategy has five objectives and these proposals largely focus on objective 4 “set the right rules”. There is a change is proposed to commercial and recreational cod pot mesh size, which has been in place in BCO 5 for a while. The rest of the rule catches apply to recreational fishers.
19. The submitters support the requirement to use 54 mm minimum mesh on cod pots as this will improve selectivity for blue cod over 33 mm. It may be useful to compare catch per pot lift between the two mesh sizes and its effect on CPUE. This would require knowing the mesh sizes used by commercial fishers.
20. Most of rule changes over the last 10 years have applied to bag limits and size limits for recreational fishers. In the Marlborough Sounds the majority of catch is recreational, but not in other areas. The combined blue cod TACCs for the South Island and Chatham’s is 2230 tonnes and the reported commercial landings in 2011-12 were 2188 tonnes while the recreational harvest in 2011-12 was about 300 tonnes. There is no customary non-commercial harvest reported in the Fisheries New Zealand Plenary Report. So recreational catch was about 12% of total catch that year and indications from the National Panel Survey are that overall recreational catch is similar or less than this in the South Island QMAs in 2017-18. Fisheries New Zealand need to quantify the size of the problem they are addressing using National Panel Survey data and provide this to the Minister.
21. The TACCs in BCO 3, 4 and 7 have not changed since 1995 or before. There was a 20% reduction in TACC in BCO 5 in 2011 but the stock has not rebuilt. When a stock is in decline, it is the sector with the largest catch that needs to be reviewed and managed, as this will make the most difference to stock abundance.
22. In areas where there are no sustainability concerns the submitters do not support significant reductions to recreational bag limits (from 30 to 15 or 10 for example) just to provide Fisheries New Zealand with a simple or neater policy.
23. The submitters have spent time a resources on the [FishCare](#) project to produce engaging material to educate fishers on better catch and handling techniques. We have found that using lures and soft baits catch fewer small fish and don’t get swallowed, hooking fish in the mouth. There are also tips on how to use a [descender rig](#) to get fish quickly to the bottom and away from predators.
24. A theme running through the discussion document is having rules that are simple and enforceable. The rules should also be fair and actually contribute in some meaningful way to sustainability. The two-day accumulation limit proposed for recreational fishers is lacking in all these areas. While this change would have limited impact on day fishers it would have a significant economic impact on charter fishers who offer multi-day trips. It would also be a double hit for those businesses if daily bag limits are reduced by 50% to 66% as proposed in some areas. All blue cod charter catch is reported through the Amateur Fishing Charter Vessel reporting scheme and there is little evidence that an accumulation limit would prevent local depletion or make any difference to sustainability

in the areas where multi day trips are common. Charter operators tend to know their patch well and rotate fishing areas.

25. There is some support for the traffic light system from our clubs but there are also some serious flaws that need to be addressed in the advice paper to the Minister:

1. The traffic light proposal claims to be addressing local depletion, but then applies one rule for hundreds of kilometres of coast. It will significantly reduce recreational bag limits in areas where abundance is high and Option 2 would significantly increase bag limits in Marlborough Sounds where local depletion is a problem. The alternative in Option 3 is to apply the Marlborough Sounds bag limit of 2 per person to all red areas. This is an unacceptable loss of utilisation benefit.

2. The areas in the South Island that have experienced an increase in recreational fishing effort are areas that have historically had very low recreational effort. Fishing effort in areas where local depletion is occurring are not increasing significantly. It will be interesting to see the results of the 2017-18 National Panel survey. Overall it appears the number of recreational fishers in 2017-18 was down in most areas on the previous survey using the same method. If this trend continues, how real is the problem of increased recreational fishing effort?

3. The submitters are very wary of decision rules that are based on limited or biased data. There is nothing in the discussion document that shows the type of data that would be used to inform changes to the status of a recreational area. Typically, the types of data used are trends in standardised commercial catch rates or independent surveys such as the potting surveys. The advice paper to the Minister needs to provide more information on that data that will be used and the current problems with these. The following are quotes from the stock status reports in the blue cod Plenary Report 2018:

BCO 3 Qualifying Comments – “As the bulk of the commercial catch (72%) is taken from Statistical Areas 024 and 026, both CPUE and catch trends for BCO 3 are strongly influenced by catches in these areas. A June 2009 change in regulations governing commercial pots (change from 38 mm mesh to 48 mm square grids) will have affected CPUE indices.”

Data Not Used – “North and South Otago potting surveys are Low Quality: insufficient data points to describe trends and inconsistencies with BCO ageing have reduced the quality of age-based mortality estimates”

BCO 5 Major Sources of Uncertainty – “Degree to which CPUE reflects abundance; the age, size and sex structure of the population; relationship between abundance and sex change dynamics.”

BCO 7 Marlborough Sounds only. Major Sources of Uncertainty - Frequent regulatory changes for this fishery are likely to have resulted in inconsistent fishing mortality over the lifetime of recent cohorts; The predominance of males suggests fishing mortality may be higher than estimated; Trends for random and fixed site surveys between 2013 and 2017 were contradictory in some areas. Random site surveys are believed to be better indicators of population abundance.

4. Recreational fishers self-reporting blue cod catch using a smart phone app could collect some data but only some fishers will report. This means it is the most avid fishers who “stick with it” and report over several years. This provides a biased sample of fishers, so catch reporting can not be used to generate reliable harvest estimates. If there are good estimates of fishing effort and catch reported some information on catch rates would be available but fishers usually don’t report unsuccessful (zero catch) trips and there can be another prestige bias where fishers report released fish as landed to boost their landed catch.