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27 July 2018

Submission: We support the FNZ proposed Option 2 for Rig 7 (SPO 7).

Recommendations

1. Fisheries New Zealand (FNZ) includes in the Final Advice Paper to the Minister our concern for the need to treat with caution the Catch Per Unit of Effort (CPUE) and trawl survey indexes.
2. FNZ Advice to the Minister includes our concerns that a 20% increase to the Total Allowable Commercial Catch (TACC), as per Option 3, is excessive.
3. FNZ advise the Minister that a conservative approach must be taken in order to properly meet the goals of the National Plan of Action for Sharks.
4. The Minister review the overall recreational allowance in SPO 7 when the results of the current National Panel Survey are available.

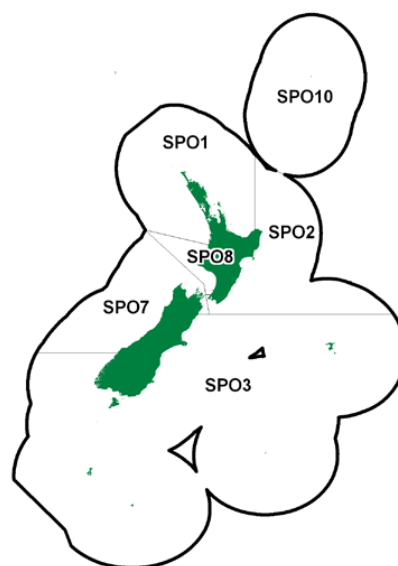
The submitters

5. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of Rig 7 (SPO 7). Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
6. The New Zealand Sport Fishing Council is a recognised national sports organisation with over 34,000 affiliated members from 56 clubs nationwide. The Council has initiated LegaSea to generate widespread awareness and support for the need to restore abundance in our inshore marine environment. Also, to broaden NZSFC involvement in marine management advocacy, research, education and alignment on behalf of our members and LegaSea supporters. www.legasea.co.nz. Together we are *'the submitters'*.
7. 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]

8. The submitter's continue to object to FNZ's truncated consultation timetables. It has been impossible for us to consult with our constituents on the 17 various proposal papers issued by FNZ, and respond within 18 working days. In our view this timeframe does not allow for adequate consultation. It is particularly offensive for non-commercial organisations such as ours that need to consult with a range of interests and volunteers nationwide. This is unacceptable consultation and, in our opinion, most likely unlawful as per ss12 & 13 of the Fisheries Act 1996 and as judged by the Court of Appeal¹.
9. Our representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from these reviews and would like to be kept informed of future developments. Our contact is Helen Pastor, secretary@nzsportfishing.org.nz.

Background

10. Rig in SPO 7 is mainly caught in a target set net fishery along with other shark species, including school shark and spiny dogfish. Rig is also caught in the mixed inshore trawl fishery targeting flatfish, red gurnard, red cod and tarakihi. Set net restrictions to protect Hector's dolphins has reduced the available fishing area for Rig in SPO 7.
11. Total reported landings of rig increased rapidly during the 1970s and early 1980s. Rig were introduced into the Quota Management System in 1986. Landings declined to less than half those of the previous decade in response to TACCs that were set at levels that were lower than previous catches.
12. The TACC for SPO 7 was set at 240 tonnes and increased due to Quota Appeal Authority decisions, Ministerial decisions, and the Adaptive Management Programme, which enabled the TACC to increase by 20% in 1991-92. The SPO 7 TACC was raised to 246 t from October 2015 based on increased abundance.



FNZ proposals

13. Fisheries New Zealand has proposed an increase to the SPO 7 Total Allowable Catch (TAC), Total Allowable Commercial Catch (TACC) and the allowance for all other mortality to the stock caused by fishing.

Table 3: Proposed management settings in tonnes for SPO 7 from 1 October 2018, with the percentage change relative to the *status quo* in brackets.

Option	Total Allowable Catch (TAC)	Total Allowable Commercial Catch (TACC)	Allowances		
			Customary Māori	Recreational	All other mortality to the stock caused by fishing
Option 1 (<i>Status quo</i>)	306	246	15	33	12
Option 2	332 ↑ (8%)	271 ↑ (10%)	15	33	13 ↑ (10%)
Option 3	357 ↑ (17%)	295 ↑ (20%)	15	33	14 ↑ (20%)

¹ International Airport Ltd and Air New Zealand (CA 23/92, 73/92[1993] 1 NZLR 671).

Submission

14. The submitters support Fisheries New Zealand's **Option 2**.
15. Although the Catch Per Unit of Effort (CPUE) and the West Coast South Island (WCSI) trawl survey shows evidence of an increase in availability of rig, the submitters advise that this data ought to be treated with caution and consider that a 20% TACC increase, as per FNZ's Option 3, is excessive.
16. Both of the bottom trawl BT(all) CPUE and the WCSI data sets are generated from trawling, it is understood that the trawl speeds normally used are unlikely to catch large rig, therefore the status of this portion of the population is unknown.
17. These un-surveyed, larger females are important to the success of the SPO 7 stock due to the exponential increase observed between the number of young produced and the length of the female.
18. Given the known long migrations of large rig particularly females, having a better understanding of the biological links between stocks is important. A project to investigate this is being planned and we submit that any increases larger than FNZ's Option 2 must not be made without these research results.
19. The set net (038) CPUE has limited value as an index of stock abundance as it covers only one Statistical Area. This particular fishery is also likely to be targeting spawning and/or breeding aggregations of rig, which further reduces confidence that these are indicative of overall stock abundance.
20. Rig is not a species primarily targeted by the WCSI trawl survey, meaning that the survey coverage is not designed to capture this data. Therefore, the WCSI trawl survey results must be used with some caution. Implementing a 20% TACC increase, as proposed by FNZ in Option 3, based on these data would be irresponsible.
21. In order to properly meet the goals of the National Plan of Action for Sharks, a conservative approach must be taken, especially given the uncertainty in data available.
22. The submitters recommend increasing the allowance for all other sources of mortality. An allowance of less than 5% of the TACC is unlikely to account for the true mortality.
23. Being a Schedule 6 species numerous fish are returned to the water, and while rig is thought to be capable of surviving this release process, there must be mortality associated with trawl and set net capture. Any increase in the TACC will require an increased allowance to cover the mortality and ensure the Total Allowable Catch (TAC) is not exceeded.
24. The submitters recommend the Minister review the overall recreational allowance in SPO 7 when the results of the current National Panel Survey are available.