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NZ Sport Fishing Council submission on the review of management measures for the Southern Scallop Fishery (SCA7) in 2016

Recommendations

1. The SCA 7 fishery is closed to all fishing until such time as the abundance surveys indicate a surplus yield is available.
2. When the stock has recovered to a level where there is surplus yield available, allow a staged resumption of scallop harvest, for non-commercial use first then commercial use when more yield is available to sustain both non-commercial and commercial exploitation.
3. The Ministry for Primary Industries work with stakeholders to develop a long-term plan and package of measures to both rebuild and sustain the SCA7 fishery.

NZ Sport Fishing Council - LEGASEA

1. The New Zealand Sport Fishing Council and our outreach LegaSea (the submitters) appreciate the opportunity to submit on the review of management measures for the Southern Scallop fishery (SCA7). The Ministry for Primary Industries (MPI) released their Discussion Paper on 9 June 2016 with submissions due by 1 July. Any changes will apply from 15 July 2016.
2. The NZ Sport Fishing Council is a national sports organisation with over 32,000 affiliated members from 57 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
3. 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]
4. The submitters continue to object to the Ministry’s tight consultation timetable, in this instance, 16 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. While we understand the urgency to make and apply a decision before the

start of the upcoming scallop season, the Ministry and commercial interests have had the abundance survey results since November 2015.

5. 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 Dave Lockwood, secretary@nzsportfishing.org.nz.

Stock status

6. The most recent survey, carried out in November 2015, reveals abundance in SCA7 is at its lowest recorded level.
7. The SCA7 stock continues to decline.
8. Recruited biomass is estimated to be around 211 tonnes meat weight. Future recruitment is uncertain.

Proposed management options

9. MPI has proposed three options for the management of SCA7 for the 2016/17 fishing season, they are -

| | |
|------------------------------|---|
| Option 1 | Temporarily close all of area 7H in Tasman Bay, and some or all of the following parts of the Marlborough Sounds to scallop fishing for the 2016-17 season (until 15 February 2017): <i>Wynens Bank, Guards Bank, Ships Cove, Pelorus Sound and Dieffenbach Point (refer Figure 2).</i> |
| Option 2 | Temporarily close all of the Marlborough Sounds and area 7H in Tasman Bay to scallop fishing for the 2016-17 scallop season. |
| Option 3 (Status quo) | No new scallop fishing closures are implemented for the 2016-17 scallop season. |

Future management

10. The submitters support the Ministry's stated goal to provide more certainty that a rebuild will occur in SCA7.
11. We do not believe any of the Ministry's three proposed options will achieve the goal of abundance because there is no strategy that conveys certainty for rebuilding.
12. Any rebuilding will occur via improved recruitment success that requires viable spat and appropriate settlement surfaces that remain undisturbed through to recruitment. The only part of the rebuilding matrix that MPI can manage is to leave the scallop populations undisturbed, the rest is in the hands of the scallops themselves.
13. **Scallop 7 is a collapsed fishery**, not a fishery in need of tinkering and inconsequential interventions.
14. The three options listed in the Discussion Document are incongruent with the long-term rebuilding of scallop populations. None achieve the only tangible intervention available, which is to **close the fishery entirely**.
15. A casual glance at the relative abundance plots (Appendix One) confirms closing the fishery is the only rational response.
16. The last review was in 2014, a mere two years ago. The 2014 proposals also contained options that failed to address the real and confirmed state of nature. At that time we submitted that all

commercial dredging cease, and a residual small catch allowance for customary and public use be retained¹. It appeared the only rational response then, and is now confirmed by the latest crisis.

17. **There is no rationale for allowing any commercial harvest anywhere in SCA7**, and to do so disregards the statutory duties of the Minister and leaves him liable for review.
18. This issue is not about what to allocate to whom, it is about the reasonable and lawful response to a collapsed stock. At some point in time MPI are going to have to accept the challenge - to manage depleted and collapsed stocks, without simply giving in to commercial demands as clearly happened in 2014.
19. If SCA7 is not immediately closed, then we can see no point in having a Fisheries Act or stock reviews. If all that happens when stocks collapse is that MPI searches for interventions that have the least effect on quota shareholders, while avoiding the Total Allowable Commercial Catch (TACC) reductions that are obviously needed, then non-commercial interests will need to take a more litigious approach to advocacy.

Appendix One

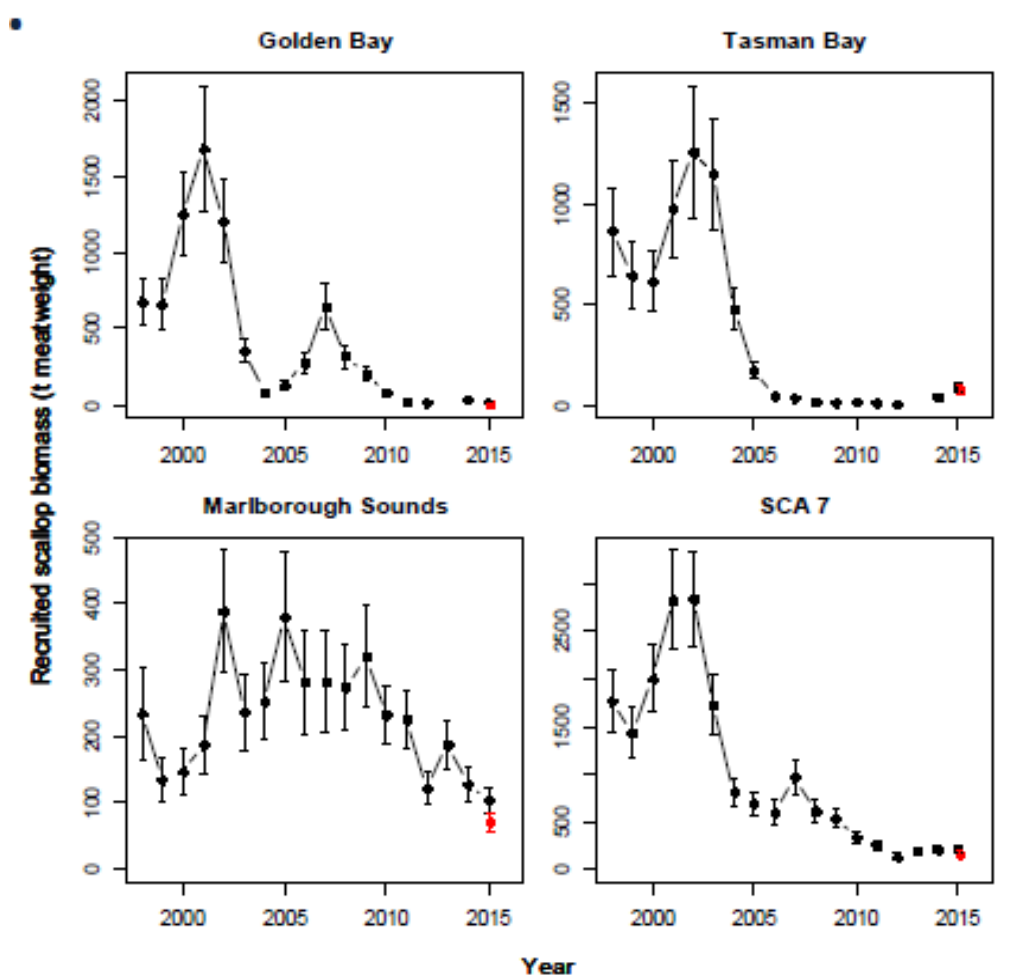


Figure 1. Plots of relative abundance generated by MPI abundance survey

¹ <http://goo.gl/NXhzm5>