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NZ Sport Fishing Council submission on the review of sustainability and other management controls for Sea perch 1 (SPE 1)

NZ Sport Fishing Council

1. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit feedback on the review sustainability and other management controls for Sea perch 1 (SPE 1). The Ministry for Primary Industries (MPI) released their proposals on 12 July 2013, with submissions due by 9 August. The NZSFC requested an extension to the submission deadline for Sea perch 1, Kingfish 7 and Snapper 7, on 7 August. MPI declined this request on 7 August.

2. The New Zealand Sport Fishing Council is a National Sports Organisation with over 32,000 affiliated members from 54 clubs nationwide.

3. 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.

Recommendations

The New Zealand Sport Fishing Council recommends the Minister for Primary Industries (MPI) makes the following management decisions for Sea perch 1 (SPE 1):

- Increase the Total Allowable Catch (TAC) from 35 to 37 tonnes (t)
- Retain the existing allowance for customary Maori interests at 1 t
- Make an allowance for fishing related mortality of 3 t
- Increase the recreational allowance from 1 to 3 t
- Retain the existing Total Allowable Commercial Catch (TACC) at 33 tonnes.
- Implement measures to have observers collect information on the species assemblage caught by trawl on inshore low foul to help identify the ecological impacts of increased fishing in these habitats.

NZSFC also submit that a section on ecological considerations when setting a TAC at the most recent peak catch must be included in the Final Advice Paper.

Purpose and principles of the Act

4. The New Zealand Sport Fishing Council is committed to ensuring that sustainability measures and management controls in SPE 1 are designed and implemented to achieve the purpose and principles of the Fisheries Act 1996 (the Act).

5. Pursuant to sections 9 and 10 of the Fisheries Act, a precautionary approach needs to be taken when setting the TAC for the Sea perch 1 fishery, which is managed using uncertain and incomplete information.

6. The NZSFC has serious concerns that the use of bulk harvesting methods such as trawling in inshore low foul to target Sea perch does not meet the environmental principles of the Fisheries Act 1996. These concerns are exacerbated by the knowledge that the TACC is not constraining commercial effort and that MPI now propose to increase the TACC to enable more scouring of our inshore low foul and reef habitat.

The fishery and current allowances

7. Sea perch is currently a low value commercial fishery. The Fish Monetary Stock Account: 1996–2009, published by Statistics New Zealand in 2010, estimated the 2009 asset value of all stocks of Sea perch at $1.7 million.

8. No target fishing for SPE 1 is reported. Reported catch is taken largely as a bycatch in trawl and bottom line fisheries. Bottom trawl accounts for 85% of the SPE 1 catch and 80% of the total catch comes from the Bay of Plenty – statistical area 8, and 9.

9. The current allowance for recreational interests is 1 tonne. Results from the national amateur harvest survey estimate a national catch of 78 t. Over 160,000 Sea perch were landed making it the 7th most common species (by number) in the recreational harvest survey.

10. Sea perch have an amazing ability to eat very large baits for their size. Sea perch is a more common component of the retained catch by fishers in the South Island and lower North Island. It is also common in recreational catch around foul ground in East Northland and Bay of Plenty; although most northern fishers return them to the sea so they are less common in the landed catch.

Management proposals

Table 1: Current and proposed Total Allowable Catch (TAC), allowances for non-commercial interests and fishing related mortality, and the Total Allowable Commercial Catch (TACC) for SNA 7, in tonnes (t).

Option	TAC (t)	Customary allowance (t)	Recreational allowance (t)	Other mortality (t)	TACC (t)
MPI Option 1 status quo	35	1	1	0	33
MPI Option 2	58	1	1	3	53
NZSFC	37	1	3	3	33

Total Allowable Catch (TAC)

11. While Sea perch is taken as a bycatch, mostly by trawl, it indicates fishing over or close to foul ground which is habitat of significance for hard bottom benthic communities and other reef fish (Figure 1).

12. We strongly submit that MPI investigate the species assemblage caught by trawl on inshore low foul to help identify the ecological impacts of increased fishing in these habitats and not automatically increase the TAC for species from these habitats.

13. There must be a disincentive or prohibition from using destructive trawl gear in hard bottom benthic communities, which are particularly vulnerable and slow to recover. This practice clearly breaches the environmental principles of the Fisheries Act 1996.

14. A recent study ranked the threats to the New Zealand marine environment and concluded:

"*A number of threats to the marine environment derive from the net accumulation of greenhouse gases. By a considerable margin, the highest scoring threat over all marine habitats was considered to be ocean acidification, a consequence of higher CO2 levels in the sea. The second highest overall scoring threat was rising sea temperatures resulting from global climate change.*

"*Threats to New Zealand marine habitats directly related to human activities in the marine environment including fishing, invasive species, coastal engineering and aquaculture.* ***The most important of these was bottom trawling which overall was the third equal highest ranking threat****. The next highest ranking marine activity was dredging for shellfish which although destructive usually operates over a smaller spatial scale than bottom trawling.*

"*The study indicates that the number of threats to New Zealand's marine habitats increases in shallower waters, particularly below mean depths of about 50 m.* ***Shallow coastal habitats are impacted by up to fifty-two non-trivial threats deriving from human activities****, while deep water habitats are threatened by as few as four or five*."

Assessment of anthropogenic threats to New Zealand marine habitats.
New Zealand Aquatic Environment and Biodiversity Report No. 93. 255 p.
MacDiarmid, A.; McKenzie, A.; Sturman, J.; Beaumont, J.; Mikaloff-Fletcher, S.; Dunne, J. (2012).

15. A third of SPE 1 commercial catch is taken by scampi trawl, this means that two thirds is taken when targeting other inshore species, mainly tarakihi and snapper.

16. Consideration must be also given to associated and dependent species taken when trawling inshore hard bottom and low reef systems. A section on ecological considerations when setting a TAC at the most recent peak catch must be included in the Final Advice Paper.

17. We note that the distinguished New Zealand fisheries scientist, Larry Paul, records that *Helicolenus percoides* is common in rock areas to a depth of 50 m but extends deeper, is very commonly caught by anglers fishing near reefs, and makes a delicious meal cooked whole or in fillets (Figure 1). This is clearly opposite to view expressed in the IPP, that "*Helicolenus spp. occurs only in deep water*" and that it is a very minor component of recreational catch. There continues to be some doubt about species separation. The current thinking is: two species, *H. percoides* (5-300 m) and *H. barathri* 250-1000 m (separate by depth, but overlap 250-300 m). *Scorpaena papillosa* is misidentified as both species of *Helicolenus.*

18. We also note that the FMA 1 & 9 Recreational Forum characterised Sea perch as a welcome bycatch for recreational fishers and that their catch may be exceeding the current allowance but that MPI has chosen to nothing about that. This is another example of the frustration felt by forum members as MPI go through the motions of consultation, then proceed with their own intentions.

Recreational interests

19. Sea perch, commonly called scarpees or Jock Stewarts by recreational fishers, is a relatively common catch in SPE 1. In northern regions they are usually returned to the sea in favour of larger fish. Significant cuts in bag limits for other key target species may mean a substantial increase in the retention of sea perch.

20. MPI must be cautious when using harvest estimates for less common species or specialist fishing methods. In the case of Sea perch, it appears that few fishers in the survey panel kept this species. However, this species is popular with some ethnic groups who may not be well represented on the NRB survey panel.

21. It is highly likely that recreational catch exceeded the original 1 tonne allowance made when the TACC was initially set. NZSFC submit that an allowance of of 3 t in SPE 1 would better reflect current harvest by recreational fishers. This would be a technical adjustment to allow for the quantity of catch and interests, and aligns with the precedent set in 2010 when a technical adjustment was made in KAH1.

Customary Maori interests

22. As with most fisheries, the information held by MPI on Maori customary catch in SPE 1 is uncertain.

23. The Minister is obligated to set aside a tonnage to allow for Maori customary interests. MPI propose to retain the existing allowance of 1 tonne. The NZSFC supports retaining this allowance.

Other mortality

24. MPI cannot precisely quantify the amount of mortality caused by fishing. MPI note that, "*discards reported for SPE 1 range from 6–26% of the catch. This suggests a high quality of commercial reporting because reported discards are counted against ACE (or deemed value payments made). However, some additional fishing related mortality of unwanted/unmarketable sea perch may be occurring.*" Reducing the deemed value rate in SPE 1 as proposed by MPI may also increase reporting.

25. The NZSFC agrees that an allowance of 3 t to cover fishing related mortality is a more realistic estimate given that some of the reported discards above are covered by ACE. Fish landed and "deemed" should be covered by the allowance for other fishing related mortality. Data from observer coverage of inshore vessels may help confirm if this allowance is sufficient.

Total Allowable Commercial Catch (TACC)

26. The NZSFC is concerned that increasing the TACC rewards trawling over or close to foul ground, which is habitat of significance for hard bottom benthic communities and other reef fish. The steadily rising catch by trawlers indicates increasing fishing in the habitats where sea perch live.

27. The MPI option 2, of a 61% increase in the TACC, is further evidence of MPI rewarding overcatch with TACC increases without any scientific rationale, and with this species huge risks are being taken with fragile benthic features easily damaged and their ecological contribution to the fishery nullified.

28. It is unreasonable to propose and set a TACC increase based on a recent spike in catch. There are many fish stocks that have not been reviewed since the outset of the Quota Management System in 1986. What is the rush to allocate more quota in SPE 1?

29. Catch in one-off peak years must not become the new benchmark for setting TACCs. MPI need to be careful that they are not providing the wrong incentives to commercial fishers, by rewarding them with extra quota as soon as their catch exceeds the TACC.

30. NZSFC submit that the TACC must remain unchanged (33 t) to provide some incentive for trawl fishers to avoid sea perch habitat and improve their bulk harvesting technology.

31. The NZSFC acknowledge it is highly likely that a mix of similar species is being landed under the SPE quota code. If MPI are serious about managing Sea perch 1 then MPI and the fishing industry must arrange for some correct species identification of landings in SPE 1.

Figure 1: Page 78 of 'New Zealand Fishers, identification, natural history & fisheries' Larry Paul. Revised edition (2000) Reed Books.

Sea perches and scorpionfishes

A family (Scorpaenidae) of spiny, reddish fishes, bottom-living in many habitats from shallow tropical seas to deep, cool temperate oceans. There are over 300 species throughout the world; New Zealand has at least six, with several more at the Kermadecs. Most species bear live, very small larvae.

Scarpee
Helicolenus percoides

IDENTITY Known from New Zealand and southern Australia. These fishes, known variously as scarpees, sea perches, jock stewarts, etc. were once thought to comprise a single species, but recent work has established that there are several, different in size and colour pattern. The most commonly seen species is this one, occurring in shallow rocky areas around New Zealand. Brown and orange in colour, with conspicuous broad banding. Average size 25-35 cm reaching 40 cm. As well as the deepwater species *Helicolenus barathri*, and the red scorpionfish (opposite), there is the superficially similar red-banded perch (p. 85) which is less spiny, has a longer head, and is in fact a small serranid.

LIFE HISTORY Common in rocky areas to 50 m, more common south of East Cape. Feeds on a variety of prey animals, including small fishes. The eggs develop internally and a mass of minute larvae, each about 1 mm long, are released into the water over an extended breeding season.

VALUES Very commonly caught by anglers fishing near reefs. Small fish in particular are unwanted and discarded or used for bait, but the larger fish yield good, though bony, fillets. They bite freely at most baits, and can be a nuisance when snapper, tarakihi, and blue cod are being sought; most provide poor sport, but a few can mislead an angler into thinking he has hooked something better. The spines give painful, stinging jabs, but the belief that these and the flesh are poisonous is a fallacy; these fish make a delicious meal cooked whole or in fillets.

Note: Two colour forms of *Helicolenus* were originally recognised in New Zealand: shallow (orange/brown) and deep (reddish). They were later described as two species, as listed here, but their relationship remains unclear. Similar shallow and deepwater sea perches occur in Australia.