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Submission: We support an increase to the STN 1 TAC and an allowance of 40 t for recreational fishing interests

Recommendations

1. The Minister applies the proposed 88 tonne increase to the Southern Bluefin tuna 1 (STN 1) Total Allowable Catch (TAC) as allowed for by the CCSBT.
2. That FNZ recognise that a new recreational fishery has emerged off northeastern New Zealand.
3. FNZ advise the Minister in the Final Advice Paper that setting an adequate allowance for a new recreational fishery is critical to avoiding allocation disputes in the future.
4. The Minister is advised that we support a 40 tonne allowance being set aside to allow for recreational harvest (FNZ Option 3), and to allow this fishery to develop responsibly.
5. The submitters support a one fish per person daily bag limit in the North Island fishery and two fish per person daily bag limit in the South Island.
6. The Minister is advised that we do not support a boat limit being applied as it is unnecessary at this time.
7. The Minister is advised the submitters will continue to promote voluntary limits and responsible fishing practices.
8. The Minister is advised the submitters support the development of an allocation policy for non-commercial catch.

The submitters

9. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of Southern Bluefin tuna (STN 1). Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
10. 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'*.

11. 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]
12. The submitters 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.
13. 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

14. Management of Southern Bluefin tuna (SBT) 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 SBT a year in New Zealand waters (1960s to 1980), mostly prior to the establishment of the Exclusive Economic Zone (EEZ). NZSFC supported the “New Zealandisation” of our tuna fishers in the 1980s and early 1990s.
15. There has been a small recreational fishery based out of Fiordland and SBT are taken as a by-catch of the Pacific bluefin tuna fishery out of Greymouth and Hokitika. In 2017 a new, more accessible recreational fishery off Cape Runaway was developed. Good catch rates and favourable weather attracted hundreds of anglers to the eastern Bay of Plenty at short notice.
16. Southern Bluefin had a domestic catch limit of 420 t since early 1990s. On introduction to the QMS in 2004 the Total Allowable Commercial Catch (TACC) was set at 413 tonnes, with a recreational allowance of 4 t, a customary allowance at 1 t and other sources of fishing related mortality at 2 t. There have been a series of in-season increases following allocation decision by the CCSBT. In 2012 the Total Allowable Catch (TAC) was set at 830 t, with a TACC of 817 t, a recreational allowance of 8 t, a customary allowance at 1 t and other sources of fishing related mortality at 4 t (Figure 1). In 201
17. The reported catch worldwide was around 14,000 t for a long time. CCSBT agreed to reduce global catches by 20% in 2010 to 2011 (to 9,449t). The Commission has decided over recent years to increase the “Global” TAC to 10,449 t in 2012, 10,949 t in 2013, 12,449 t in 2014, and 14,647 t in 2015.

Proposals for southern bluefin tuna

18. For the three years 2018 to 2020, the CCSBT has raised the Global Total Allowable Catch by 3,000 tonnes to 17,647 t. As a result, New Zealand’s national allocation has increased by 88 t to 1,088 t per annum. An in-season adjustment was made in 2018 to increase the TACC to 1,047 and the allowance for recreational fishers to 20 t.

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

19. The options in the Fisheries New Zealand Discussion Document include: Option 1. Retain the settings from the in-season allowance; Option 2. Apply all 88 t to the commercial TACC; Option 3. A 40 t allowance for recreational interests and 56 t added to commercial TACC (Table 1).

Table 1: The three options included in the MPI discussion document for southern bluefin tuna allowances in tonnes.

Option	Total Allowable Catch (TAC)	Total Allowable Commercial Catch (TACC)	Allowances		
			Customary Māori	Recreational	All other mortality to the stock caused by fishing
Current settings (as at 1 October 2017)	1000	971	1	8	20
Option 1 (2017/18 in-season settings)	1088 ↑ (9%)	1047 ↑ (8%)	1	20 ↑ (250%)	20
Option 2	1088 ↑ (9%)	1059 ↑ (9%)	1	8	20
Option 3	1088 ↑ (9%)	1027 ↑ (6%)	1	40 ↑ (500%)	20

20. There is an error in the table as the percentage change in the recreational allowance relative to the current settings is overstated. The increase in option 1 is 150% and in option 2 400%. These increases need to be viewed in perspective with the 558 t increase in the TACC since Southern Bluefin tuna's introduction to the QMS (Figure 1).

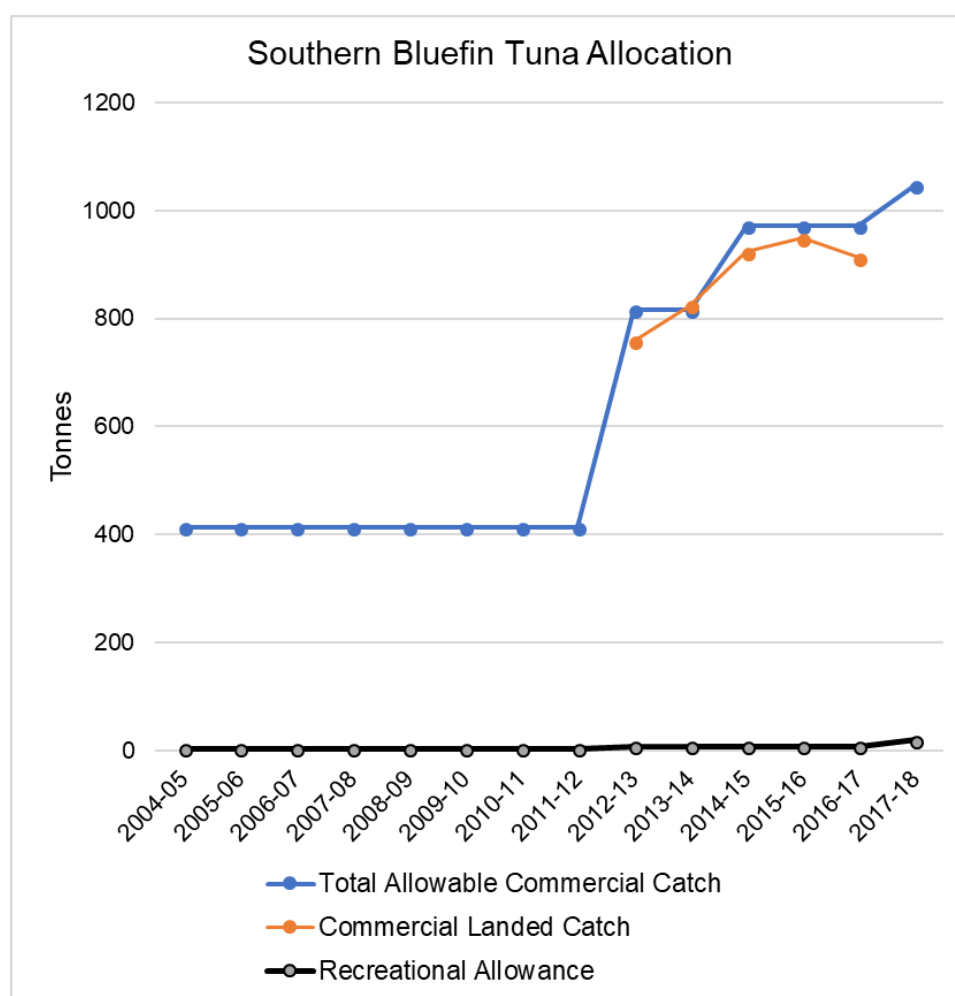


Figure 1: The allowances for commercial and recreational fishers for southern bluefin tuna made under the Quota Management System including the in-season adjustments made in 2017–18.

Submission

21. The submitters support the increase in the STN 1 Total Allowable Catch (TAC) of 88 tonnes as allowed for by the CCSBT. It represents just 0.5% of the 2018 Global TAC and not allocating this increase would have no effect on the spawning stock biomass which is currently rebuilding strongly.
22. The New Zealand TAC has been regularly under caught in recent years. The recreational allowance of 8 t was under caught every year between 2012-13 and 2015-16. There is no record of catch against the customary fishing allowance. Commercial fishers are able to carry over up to 10% of uncaught ACE they hold at the end of the fishing year. Over the last 4 years commercial landings exceeded the TACC once by 8 t in 2013-14 (Table 2). In 2016-17, when the recreational catch did exceed the allowance for the first time, the TACC was under caught by 58 t and ACE under caught by 15%.

Table 2: Total Allowable Commercial Catch (TACC) and landed commercial catch in tonnes by fishing year. Uncaught ACE can be carried over to the following year but is not fully caught. (Source Fish Serve 5-Nov-2017)

Fishing year	2013-14	2014-15	2015-16	2016-17
TACC (t)	817	971	971	971
Commercial landed catch (t)	825	923	949	913
Uncaught TACC (t)	-8	48	22	58
Annual Catch Entitlement (t)	943	1044	1075	1075
Percent of ACE caught	87%	88%	88%	85%

Recreational catch

23. The sudden development of the recreational fishery for Southern Bluefin tuna off Cape Runaway in 2017 caught many people by surprise. Information from tuna longline fishers and a social media storm saw hundreds of anglers gamefishing in July. Thanks largely to the hard work by members of the Waihou Bay Sport Fishing club and the patience of returning anglers, we have weigh station data for a high proportion of landed catch. This is useful for describing the fishery and estimating total recreational harvest.
24. NZSFC clubs recorded 266 landed southern bluefin tuna and 13 released from the east coast recreational fishery, mostly during late June and July 2017. The peak days were over the weekend of 14 and 15 July, when 124 fish were caught, nearly half of the total. There are no records for unsuccessful trips last year, but the average catch across all successful boats that weekend and overall was one and a half tuna per trip.
25. Most of the tuna caught in the North Island were over 60 kg and the average weight was 72 kg. It is rare to find large Southern Bluefin tuna reasonably close to the coast in such large numbers.
26. The total landed weight of Southern Bluefin tuna recorded by clubs in 2016-17 is 19.4 tonnes. MPI Amateur Charter Vessel logbooks recorded 47 SBT with an estimated average weight of 40 kg from the South Island in 2016-17. A conservative estimate of unreported catch would be about 15% which, when added to reported catch, would give a total of 24.3 t last fishing year.
27. In 2018 there were reasonable catches of SBT off Waihou Bay around the 23rd of June. Up to 200 boats fished in a good weather window the following week with limited success. Southern Bluefin tuna catch has been poor so far in July. Fisheries NZ have contracted a project to survey fishers at the Waihou Bay boat ramp during the 2018 season and to compile SBT weigh station records from fishing clubs around New Zealand.

28. A recommendation from the Waihou Bay Sport Fishing Club in 2018 asked fishers to limit their landed catch to one SBT per boat per day. This voluntary measure has been promoted by other NZSFC clubs and LegaSea has used the advice of experts to develop a [FishCare guide to best practice handling techniques for SBT](#). This guide includes information on handling for release of SBT and the importance of looking after the fish that are kept, to avoid waste of these valuable fish.
29. There is significant expenditure on recreational fishing, which makes an important economic contribution to regional New Zealand. In 2016 the New Zealand Marine Research Foundation estimated that gamefishing generated \$381 million in total economic activity contributing \$145 million to GDP and employment for 1,800 people. There has been a trend away from chartering large launches for gamefishing trips toward people buying large, offshore capable, trailer boats and fishing part of the year for gamefish. This interest has also sparked the development of a trailer boat charter fleet. There is considerable interest in Southern Bluefin tuna and broadbill swordfish as new and challenging fisheries. These species are available in autumn and winter months which extends the gamefish season. There is already international interest in a number of world record catches for these species and international anglers will spend considerable amounts to experience a new fishery. The Southern Bluefin tuna off the North Island's east coast is an exciting development.

Setting the allowance for recreational fishing interests

30. Estimates of the 2018 recreational fishery will not be available until the end of August. Current indications are that recreational catch will be less than in 2017. The FNZ options of no increase in the allowance for recreational fishing interests, or a 12 t increase do not cover the range of possible outcomes as this new North Island fishery matures in subsequent years.
31. The submitters support the development of a non-proportional allocation policy for non-commercial catch. Section 21 of the Fisheries Act 1996 states that the Minister shall 'allow for' non-commercial fishers when setting or varying the TACC. It is generally acknowledged that setting the right allowance for a new recreational fishery is critical to avoiding allocation disputes in the future. This is even more important for SBT, which is a regional fishery subject to a national allocation set by the CCSBT. It is fortunate that this decision can be made at a time when the national allocation is increasing by 88 t. FNZ must advise the Minister in the Final Advice Paper that where initial allocations are not adequate future increases are made difficult due to claims from quota holders of "reallocation" of catch entitlement between sectors.
32. The 20 t allowance as part of the 2018 in-season adjustment to the TAC was a stop-gap measure. The submitters continue to support a 40 t allowance for recreational harvest (option 3) to allow this fishery to develop responsibly. As the SBT stock improves and interest in catching large tuna increases the existing 8 t allowance will be adequate for the South Island fishery. A 12 t increase (option 1) for the new North Island fishery will not be adequate to cover recreational catch based on existing information from the fishery in 2017. NZSFC weigh stations at four clubs in the Bay of Plenty weighed 9.4 t of SBT on one weekend alone in mid-July 2017.
33. There has been extensive discussion, within our organisations and online, about the options for regulatory controls for amateur catch of SBT. The submitters support the majority view that one fish per person is an adequate daily bag limit in the North Island fishery. A boat limit is not supported as it is unnecessary at this time. In the South Island, most SBT are smaller (30 to 40 kg) and access is even more limited. A bag limit of two per person per day is supported for the South Island. We will continue to promote voluntary limits within the bag limits and responsible fishing practices.
34. We disagree with the statement in the FNZ Discussion Document that there are currently no

constraints on the recreational catch of this species. The reality is that these fish are available for a short time from remote locations that are not fishable in poor weather. Most fishers will only target SBT for two or three days a year because of the travel and expense involved. So far in 2018 the fish stayed well offshore and were not available to most recreational fishers. Surely these are constraints on recreational catch, even though they are not regulations.