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Tuesday July 29, 2003

**Re: TAR1 AMP Review**

Dear Minister

Thank you for inviting us to submit to the TAR1 AMP review. We have read and fully agree with your initial views on the TAR1 AMP proposal. We would like to compliment you on your acknowledgement of the concerns of the non-commercial sector in your initial paper.

The clear intent of this proposal is to fish down the tarakihi stock fast enough to allow the decline in commercial trawl CPUE to be measured within a five-year period. Apparently this makes sense from a stock assessment perspective, you Minister must decide whether it is good fisheries management and whether it complies with the purpose and principles of the Fisheries Act (1996).

Tarakihi are a highly mobile fish stock travelling vast distances, which include migrations between Kaikoura, Bay of Plenty and Northland. One of our concerns is that in such a mobile finfish stock additional fishing pressure will mean that a reduction in CPUE in one area will eventually lead to a reduction in CPUE across the entire fishery.

Our second concern is that as the biomass is reduced the average size of fish within the fishery will also reduce. In a double-whammy effect not only will we catch less fish the reduced catch will be made up of smaller fish. Tarakihi are not fast growing and quite long lived, reaching sexual maturity at an age of 4 to 6 years with a maximum age of 40+ years.

We ask you to note that ALL of the considerable risk of this AMP proposal is borne by the public including customary Maori and sustenance fishers i.e. the entire non-commercial sector while ALL the benefits accrue to the commercial fishing sector.

You will note we have attached a letter we have sent to the fishing industry representatives and ask you in particular to note that while this proposal has been around for two years, and you have previously asked the sectors to discuss the issues, only one meeting between the sectors has occurred.

The initial meeting cannot be construed as consultation as it was merely an opportunity for both sectors to gain an understanding of the issues the AMP proposal raised. The fishing industry has recently requested a second meeting to discuss the TAR1 AMP proposal and have scheduled a meeting for 30<sup>th</sup> July. Incredibly this is the same day as your close off date for submissions on the TAR1 AMP.

The commercial sector needs to be told in the strongest possible terms that this is not acceptable and does not constitute real consultation as it denies the non-commercial sector representatives the opportunity to consult with those they represent.

We note the commercial sector cannot impose or inflict change upon other commercial fishers unless a high level of agreement exists between the quota owners. We understand the threshold for change to be in the vicinity of 80% agreement of the stakeholders in the commercial fishery where the change will be applied.

Non-commercial representatives expect no lesser standard, consultation with affected non-commercial parties who may be negatively impacted by the TAR1 AMP proposal has to be conducted in a meaningful and thorough manner, it is much more difficult to reach the public than a known list of quota holders. Particular attention should be given to consultation when referring to important shared fisheries. We will not support or endorse actions that deny us the ability to adequately consult, the TAR1 AMP proposal and the lack of timely consultation demands that we reject the proposal in it's entirety for this year.

You will note from the attached letter we are continuing to explore adaptive management as a mechanism to be used in shared fisheries.

## **Our Concerns**

### **1. CATCH PER UNIT EFFORT DECLINE**

Tarakihi are a mobile finfish stock. Any decline in commercial CPUE is likely to be reflected in a similar decline to non-commercial CPUE, because of their mobility. It appears that most of the proposed effort is going into existing tarakihi fisheries. There are already non-commercial concerns in some areas of TAR1 and increasing the commercial catch in such close proximity to popular non-commercial tarakihi fisheries can only inflame the situation. As tarakihi are a very mobile stock we do not believe spatial separation will prevent the additional commercial catch from reducing the number of fish caught by non-commercial fishers.

### **2. DECLINE IN SIZE OF FISH**

The extraction of additional catch has the inevitable consequence of reducing the biomass in that fishery. As the biomass reduces the average size of the fish in the fishery also reduces. As tarakihi are a very mobile stock we do not believe spatial separation will prevent the additional commercial catch from reducing the size of fish caught by non-commercial fishers.

### **3. CPUE SURVEY**

If a survey of non-commercial catch rates is proposed to monitor the effect on recreational and customary fishers, surely baseline data is required in the season before the TACC is increased.

### **4. DRIFT OF EFFORT**

We have been told that much of the trawl effort targeting tarakihi is in water depths of 120 to 180 metres. This is quite a narrow band, particularly in the western Bay of Plenty. If catch rates decline, as predicted, what is stopping trawl vessels from moving into shallower water and important non-commercial areas? It is unacceptable to us, if as a result of this AMP, there is an expansion of tarakihi trawl effort inshore where they will be competing directly with non-commercial fishers.

### **5. RISKS AND BENEFITS**

The TAR1 AMP proposal presents the above risks to non-commercial fishers and zero risk to the commercial sector. This is inequitable and unfairly gambles with non-commercial fish. Put more simply, the commercial proposal is: We bet we can take more fish without affecting your catch, if we are right we win the extra fish, more quota and a bigger share of the fishery and if we are wrong we still win, you lose your fish but thanks for the extra tonnage over the last 5 years.

### **6. BYCATCH**

Trawling is not a selective fishing method so any increase in tarakihi quota will be distributed equally among existing quota owners and their bycatch will increase in proportion to the additional effort they apply to catch the additional

tarakihi. We have grave concerns for fisheries, such as gurnard, where catches have never been constrained under the QMS. You will be aware that gurnard have now disappeared from the Hauraki Gulf.

## 7. INCORRECT MINISTRY ADVICE

Your ministry advise the additional commercial catch will have minimal impact on non-commercial fishers as most tarakihi catch is taken by trawler and the existing trawl lines protect important non-commercial areas. Their advice is incorrect; most non-commercial tarakihi catches are taken outside the trawl exclusion areas. This is because tarakihi live deeper than other inshore species, consequently relatively few tarakihi are within the trawl exclusion line most of the time.

If your ministry choose to give advice such as “*most tarakihi catch is taken by trawler and the existing trawl lines protect important non-commercial areas*” we ask that you direct them to provide supporting scientific evidence for their claims or desist from making such claims in advice to you without stating it is an assumption of someone in the ministry.

The fishing industry's process will leave us only nine hours to consult with those we represent and then formulate a consensus non-commercial response to any NEW proposal between the conclusion of the next meeting with them and the time the deadline for submissions closes.

In view of the one sided risks associated with the TAR1 AMP proposal and the impossible timeframe the commercial sector want us to engage in we have no option but to ask you to reject the proposal for this year and continue to do so until commercial proposals for change are delivered in a timely fashion that recognises the need for the non-commercial sector to be adequately consulted. In the meantime a baseline survey on pre AMP non-commercial catch rates could be started.

We note that you suggest that if the concerns regarding the effects of an increased TACC on non-commercial interests in the TAR1 fishery cannot be adequately mitigated then you believe that directed research would be a better way to improve the knowledge of shared fisheries, such as TAR1. We completely agree and suggest this is the only course of action due to the tardiness of the consultation undertaken by the proposers, the commercial sector.

We apologise this submission is not as informative as we would like and does not fully evaluate the likely risks and benefits of the proposal. This is due to the fact that we will not see the fishing industry's final proposal until the deadline date of 30<sup>th</sup> July.

Yours faithfully

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