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5 July 2021

Re: Consultation on a proposal to reopen the Kaikōura Marine Area to pāua fishing

Submission:

1. The NZSFC and LegaSea support the re-opening of the Kaikōura Marine Area to pāua fishing.
2. NZSFC and LegaSea support the reopening extending further north from Cape Campbell/Marfells Beach to the Conway River.
3. NZSFC and LegaSea oppose an annual 1 December to 1 March recreational fishing season.
4. NZSFC and LegaSea oppose halving the recreational daily limit from six to only three pāua.
5. The submitters oppose an accumulation limit of six pāua per person.
6. NZSFC and LegaSea support a vehicle limit.
7. NZSFC and LegaSea oppose increasing the recreational minimum legal-size limit to 130mm in shell length for black-foot pāua.

The submitters

8. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposal to reopen the Kaikōura Marine Area to pāua fishing. Fisheries New Zealand (FNZ) Discussion Paper 2021/03, with submissions due by 5 July 2021.
9. The NZ Sport Fishing Council is a recognised national sports organisation of 55 affiliated clubs with over 36,200 members 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. Together we are "the submitters".
10. The Kaikōura Boating and Recreational Fishing Club (KBRFC) is a full affiliated member of the

NZSFC and we support their submission and endeavours to restore both the pāua fishery and reasonable public access to an abundant pāua fishery.

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. 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

13. In November 2016 the Kaikōura region experienced a series of significant earthquakes that caused large coastal uplift of up to 6 metres along 110 kilometres of coastline. This uplift led to extensive habitat modification and mortality of a wide range of species in the intertidal and subtidal zones. Pāua were particularly affected with very high mortality at all life stages and loss of a significant number of critical habitats. An estimate of the amount of the pāua fishery area lost to the uplift is about 20% of previously fished areas.
14. To protect the surviving pāua populations and associated habitats as well as other shellfish and seaweed resources, a closure was introduced between Cape Campbell/Marfells Beach and the Conway River. This was to remain in place until ongoing monitoring of the area suggests abundance has rebuilt to the point where sustainable harvesting can occur.
15. The biological criteria for the re-opening of the pāua fishery in the PAU 3 Commercial Fisheries Plan for re-opening the pāua fishery are:
 - The widespread emergence of post-earthquake recruits is observed across the fishery.
 - A sustained increase in pāua biomass is observed across the fishery. The criteria will be met when scientific dive surveys observe a steady trend of increasing adult abundance, supported by the widespread presence of post-earthquake recruits.
16. The Kaikōura Marine Guardians recommend the reopening of the Te Whata Kai o Rakihouia i Te Tai o Marokura - Kaikōura Marine Area to pāua fishing from 1 December 2021.

Submission

17. NZSFC and LegaSea support and endorse the submission from the Kaikōura Boating and Recreational Fishing Club. Club members have considerable experience fishing and diving in the area and have followed the surveys and consultation processes closely.
18. **The submitters support the re-opening of the Kaikōura Marine Area to pāua fishing** as we believe the biological criteria have been met, based on the latest scientific information which shows pāua are now at high levels of abundance and the complete life cycle has been observed. While there is some variability and uncertainty in the scientific information, it is strongly supported by the wider information from the public that pāua have recovered to levels well above pre-earthquake densities.

19. **The submitters support the reopening extending further north from Cape Campbell/Marfells Beach to the Conway River**, spanning QMA 3 & 7, because the "overall increase in pāua abundance is at a Quota Management Area-wide level in both QMAs," and the "increased abundance was generally more pronounced in PAU 7".
20. **The submitters oppose an annual 1 December to 1 March recreational fishing season.** In our view it is unnecessary and a gross over reaction. However, we would support a closure to the fishery during the local reproductive season, mainly June to August. A three-month closure over the spawning season is sensible and justifiable compared to the proposal to restrict recreational fishers' access to pāua for nine months of the year.
21. **The submitters oppose halving the recreational daily limit from six to only three pāua.** Pāua stocks are currently at relatively high levels of abundance, and permanently slashing the recreational daily bag limit from six to three pāua per person is not justified by any scientific information or reasonable concerns about sustainability. Along with the Kaikōura club, we would support a reduction in the daily bag limit to five pāua per person for consistency with the surrounding areas. We support the Kaikōura club's concern that there is no equivalent proposed permanent reduction in the significantly larger commercial pāua fishery.
22. **The submitters oppose an accumulation limit of six pāua per person.** If there is to be a closed season, the NZSFC and LegaSea believe that people should have the opportunity to store some pāua over the closed season.
23. **The submitters support a vehicle limit** to give additional protection to pāua in shallow water close to the shore, which is where the Kaikōura Marine Guardians are especially concerned about the potential for a so called "goldrush".
24. **The submitters oppose increasing the recreational minimum legal size limit to 130mm in shell length for black-foot pāua.** The submitters believe that it should remain at 125mm. Pāua are haemophiliacs and have no blood clotting agent, so they are highly prone to release mortality if cut when removed from rocks. A higher size limit would only exacerbate release mortality in the recreational fishery because amateur fishers are generally less experienced than commercial fishers, and therefore handle more unsized pāua.

Other measures

25. **The submitters support fine scale spatial management that allows fishing** but can keep areas with poor recovery closed until they have recovered adequately. This was recommended in the 2021 Fisheries Assessment Document and would be much more targeted than the Kaikōura Marine Guardians' drastic proposal to permanently halve the recreational daily bag limit over the entire Kaikōura Marine Area.
26. **The submitters support reopening the kina fishery** to ensure that the potential ecological effects of fishing on large crayfish and large finfish that eat kina are kept in balance by continuing to remove kina at a similar harvest rate to their predators. This may help to reduce or avoid the development and proliferation of kina barrens in the Kaikōura Marine Area.
27. **The submitters support an independent recreational fishing survey of the Kaikōura Marine Management Area** to estimate the recreational pāua catch. Fine scale information on the harvest of pāua by both commercial and recreational fishers is needed to ensure sustainability.

It will be particularly important to estimate the recreational catch of pāua both at the reopening and beyond, as the recreational harvest estimate in the first year may not reflect average harvest in future years.

28. The submitters note that the Fisheries NZ Marine Amateur Fisheries Working Group has identified significant issues and bias with self-selected recreational fishers using reporting apps to provide information to estimate total harvest. We agree that reliable recreational harvest estimates with confidence intervals are only achievable through independent scientific recreational fishing survey methods with known sample frames approved by Fisheries NZ. We support the view that methods and results must be reviewed by the Marine Amateur Fisheries Working Group prior to being used for fisheries management purposes.