



Fisheries New Zealand

Tini a Tangaroa

Submission:¹

Details supporting your views:

Refer attached

Please continue on a separate sheet if required.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.

Submission Attachment

I have been a regular recreational scallop scuba diver for approximately 35 years and have significant knowledge as to the wide range of locations within and outside the Whangarei Harbour from which scallops can be gathered. I usually have no difficulty in gathering my quota of good sized scallops. This season and last season have been no different. In a typical season I would probably make 10 to 15 scallop dives and would usually complete each dive in less than 30 minutes. The scallops that I gather usually have a shell size in the range from 105 – 130 mm. Approximately a year ago I found a scallop with a shell size of approximately 165 mm in the vicinity of the Smugglers Cove area. I **enclose** photographs of that scallop. I have retained the shell. This was the largest live scallop that I ever gathered.

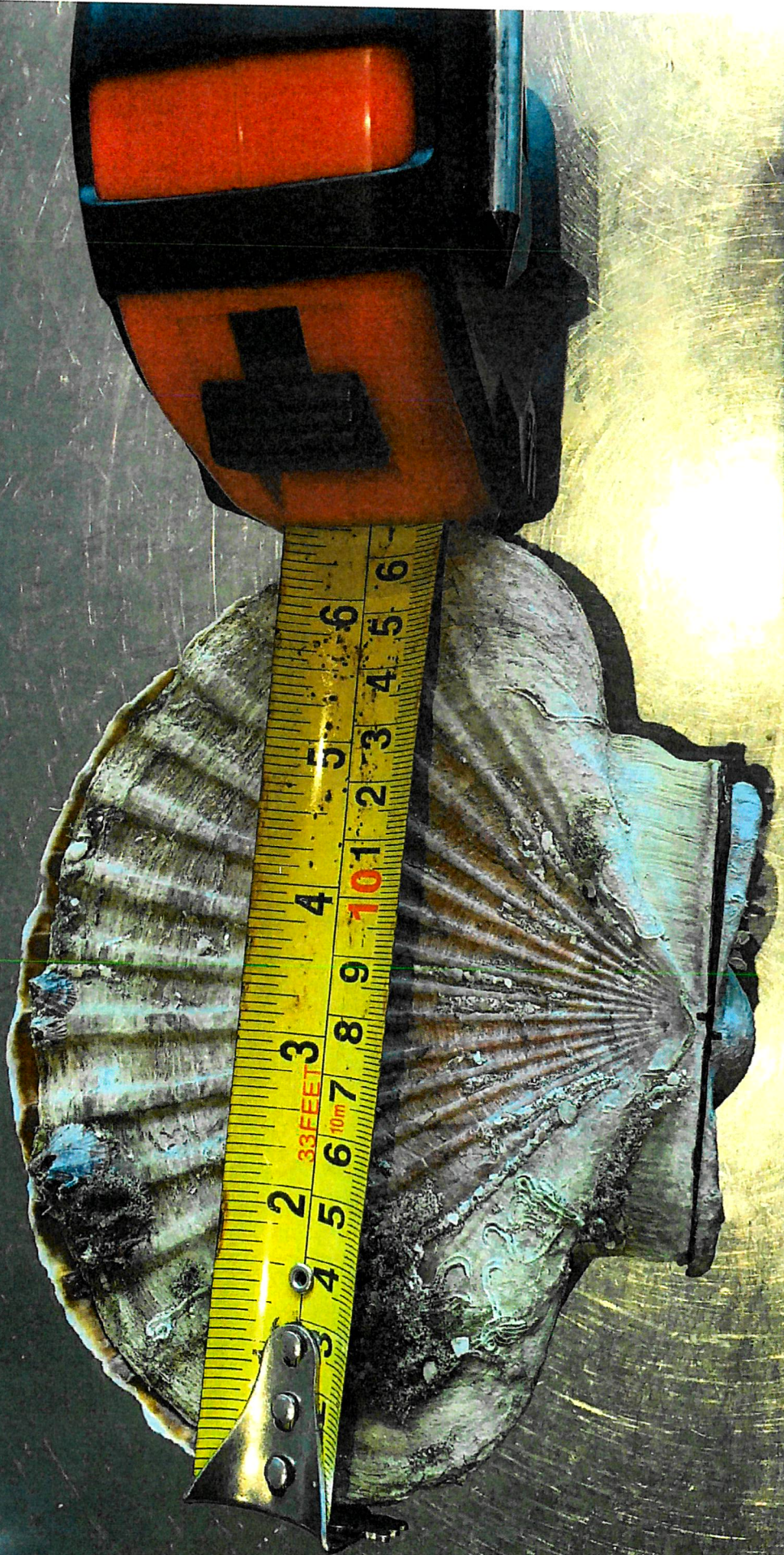
In recent times I have heard from other scallop divers that they have had increasing difficulty finding legal scallops in the popular and easily accessible areas such as Taurikura, Urquharts Bay and Smugglers Cove ("Popular Areas"). I accept that scallops are under unprecedented pressure from recreational divers in the Popular Areas. Once the availability of legal scallops in those areas has been exhausted, most recreational gatherers seem to lose interest in gathering scallops which is probably a good thing for the maintenance of the scallops resource. I have not dived in the Taurikura / Urquharts Bay area in the last 3 years.

For about 5 years Snake Bank had a good supply of scallops until about two to three years ago. Throughout the history of my diving for scallops, the scallops have moved around. One location would be good for several years and then most of the scallops would vanish from that area. I know about 10 or more different locations from which scallops could be gathered in and outside the Whangarei harbour. When the scallops move from one area I simply check out one of these other areas and locate a fresh supply. The further up the harbour you look, water visibility becomes a problem unless you dive in calm conditions on an incoming tide.

I **enclose** a map with scallop areas that I have dived on in the past marked in pink. No doubt there are other areas that exist and that I have not dived on. No significant account appears to be taken in the Fisheries NZ Discussion Paper 2021/30 of the supply of scallops in these locations and their spawning potential. I understand that the most recent survey of scallop stocks that has taken place was limited to the Taurikura/Urquharts Bay/Smugglers Cove recreational areas, and the Bream Bay commercial areas. No survey information appears to be available for the other scallop areas further up the harbour.

My view is that option 1 is unnecessarily extreme. As customary Maori gathering will be permitted to continue, there is potential for friction to develop between those with customary rights and the majority who would be banned from gathering scallops. The proposal in option 2 appears to lack a logical basis. As pointed out in the option, this would simply result in extra heavy pressure being applied to the Popular Areas. It is difficult to understand why recreational divers would not be able to take scallops from any of the other areas marked on my map which are not under any significant pressure at the moment. At present, I am diving in an area that is outside of the Popular Areas. It would make more sense to exclude the recreational take from the Popular Areas for a period of not more than 3 years to enable stocks in those areas to recover. Option 3 is my preferred option.







Submission Form

Review of sustainability measures for 1 April 2022

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Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2022 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

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Submitter details:

**Name of submitter
or contact person:** Katarina & Campbell Moore

Organisation (if applicable):

Email:

Fishstock(s) this submission refers to:

Review of Sustainability Measures for New Zealand scallops (SCA 1 & SCA CS) for 2022/23

Your preferred option as detailed in the discussion paper
(write "other" if you do not agree with any of the options presented):

2 (with the inclusion of a section 186a closure of Urquharts and Smugglers Bays to protect and sustain these two remaining healthy beds into the future)

Official Information Act 1982

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Submission:¹

Details supporting your views:

It is imperative to include Urquharts and Smugglers Bays in order to protect the Whangarei harbour. The consequence of only keeping two bays open for recreational scalloping is unlikely to be sustainable. It will also be more manageable to monitor.

Please continue on a separate sheet if required.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.

From: [Patrick Chaplin](#)
To: [FMSubmissions](#)
Subject: Sustainability measures SCA1 2022
Date: Friday, 4 February 2022 2:36:38 PM

Patrick Maurice Chaplin Phone

opposes all options 1, 2 and 3 .

I have been in this industry since it began 40 yrs ago I was the second permit holder for SCA1 a director since the start of NSEC, I have seen it all unfold from the corruption of the quota management system from the start, when they overinflated the TAC to be able to make the fisherman agree to quota I have seen SCA1 from the start and have been instrumental to make better changes [6am-6pm fishing hours instead of 24 hrs ,from no limits to bin limits per day ,] I have seen the sham of the biotoxin rules which condensed the fishing to small areas which in turn put major pressure on the beds. I have also seen Martin Cryers science model beyond 70% wrong, I have been charged a resource rental unlawfully which was unrecoverable and ended up with NIWA for research and development, which was spent as though it grew on trees, although I think the science is more accurate now, except for the way it is presented. The latest survey period is too wide so does not show an accurate account of what has happened in the areas that myself and two other boats have been fishing Bream Bay and Pakareia. Mangawhai has been completely destroyed by the taking of sand by the Sandbarge and have notified MPI with no result.

We have done surveys most years by the fisherman with the help of James from NIWA but none of this information has been worked into the recent survey. Since around 2016 as a group of 3 fisherman fishing into Fish to Fish Wharf, we have made sure that our size limit stayed at 100mm, we have shortened our season from 7 months to around 4 months so the scallops are rested more than fished also we do not fish weekends and only take scallops that are over 12% recovery which has created a great market of NZs finest scallops, so we take less than ever before so equates to less effort and time on sea floor, with careful management our fishery is way better than years ago, because of our rotational fishing and measures we have put in place.

The recruitment has been unbelievable, which is not mentioned in the science, we estimate that there are over 100 tonnes of 100mm scallops still on the grounds when we finished our season in SCA1, so with huge recruitment SCA1 with very little pressure is in good shape. The proposals that are being put forward are mainly centred around the amateur scallop fishery and other scallop fisheries that have not been managed like ours. We have very little conflict with recreational fisherman as our fishing ground is coastal too deep for them, the only way they can be harvested is by dredge.

Our fishery was looking so good for the future we have invested heavily into a new boat last yr which means even less time on the scallop beds, we rely on this fishery for most of our income through the winter months, in this case the conservation act is being applied incorrectly as our fishery is in great shape.

Consultation has been very poor with MPI, we had no idea this was coming. We based our decisions on buying a new boat on how good our fishery is to what it was, even the science agrees. These proposals are totally devastating for our business and will not survive this. I have been in this fishery for a long time and know what I am talking about and have the expertise to make good decisions and look after the scallops. Patrick Maurice Chaplin
Scallop Quota Holder and Scallop Fisherman



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Submitter details:

**Name of submitter Neil Dobbs
or contact person:**

Organisation (if applicable):

Email:

Fishstock(s) this submission refers to:

Scallop SCA 1 – Whangarei Harbour

**Your preferred option as detailed in the
discussion paper**
(write "other" if you do not agree with
any of the options presented):

Other

Official Information Act 1982

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Fisheries New Zealand

Tini a Tangaroa

Submission:¹

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Details supporting your views: I make the following submission as a long standing resident of McKenzie Bay at Whangarei Heads, a person that was born in Whangarei and is of Maori and European descent.

As a keen diver, I have actively monitored the state of the scallops beds in front of our home over many years. Currently I agree that those beds have been significantly depleted.

- I agree to a total closure of the Scallop Beds for a period of 2-3 years.

In the past I have seen similar levels of depletion to the stocks but also seen a rapid recovery when large numbers of very small scallop have been present. Historically divers often would drop off undersize scallops to seed inner channels that were less productive. Changes to fishery regulations now prevent this and the practice has all but stopped.

- I propose that seeding of scallops in the inner channels of the harbour be considered as an alternative to a third year of restrictions.

The area does experience high numbers of recreation divers both from vessels and the foreshore. From the numbers of people we see, recreational divers that followed fishery regulations on bag limits have not been a primary cause of the current situation.

This observation is supported by the fact that over the last 2 years boarder closures and Covid restrictions have prevented large numbers of recreational diver's access to the beds but they have not recovered and continue to lesson.

We see increased numbers of people using small craft such as canoes or floatation devices to paddled out with divers to increase the number they believe they are entitled to take. A result there has been higher numbers of scallops removed along the foreshore. I believe it has been these scallops that have historically helped with the regeneration of deeper areas. Unfortunately these stocks no longer exist.

- I propose the scallop bag catch remain at 20 scallops per diver but not allow additional scallops to be taken for the crew of a vessel unless that vessel has a capacity and is used to transport the diver and there equipment to and from shore. That the number of additional scallops be reduced from the current maximum of 40 to 20.

Without doubt the largest single reason attributing to the depletion of the scallops has been the excess issuing Customary Fishing Permits and the excess number of scallops being taken under these. The scale of which has been unsustainable and on a commercial level.

I have experience teams of divers often from a single boat making repetitive trips to shore, removing sack after sack of scallops. When confronted they produced permits that were often undated and provided authority for the gathering of between 500 and 3,000 scallops at a time. If not challenged often the same permit was used again and again.

I'm aware some changes have been made to the issuing of Customary Permits in the Whangarei Harbour but still has the authority to issue unlimited numbers, at any time of the year down to any size without any fishery regulations applying.

- I propose that any restrictions to the taking of Scallops be also applied to Iwi and prevent the ability of this group to issue Customary Fishing Permits for the period the restrictions are in place.

To still allow Customary Fishing Permits to be issued, will encourage groups to illegal taking shellfish (such as gangs) masquerading as having Permits, where if the beds are completely closed it would be much easier to enforce.

I would hope local Iwi would understand that they are currently seen as creating much of the current problem and to continue to be able to have access to the beds will be met with a high degree of animosity.

To have seen so many shellfish taken with no regard for the wellbeing of the beds under Customary Permits and to now have those same people be able to enjoy thr right tro take what is left is simply an injustice.

I wish to be heard at any hearing regarding this mater.

Neil Dobbs



Fisheries New Zealand

Tini a Tangaroa



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Submitter details:

Name of submitter or contact person: M R Butcher	
Organisation (if applicable):	
Email:	
Fishstock(s) this submission refers to:	SCA-1
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 3 with reduced harvest season for both recreational and commercial fishers

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Submission:¹

supporting your views:

I am a recreational fisher domiciled on the north shore of Whangarei Harbour. I participate in manual (diver) collection of scallops from within the harbour. My submission is based on personal observation and the discussion document #49072.

1. There is limited data on which the fishery is currently managed. **This needs to be addressed by more regular and targeted monitoring.** Table 3 of the discussion document indicates biomass surveys in the SCA-1 region to have been in 2007 and 2021 - if, as the document states populations fluctuate year to year [*paragraph 48 (section 4.2 of the discussion paper) "Scallop populations are highly variable from one year to the next due to...."*] then two datum points 14 years apart provides a poor data set from which the status of the population is determined for fisheries management
2. **The method of assessing scallop biomass needs to be addressed.** As stated in *paragraph 48 (section 4.2 of the discussion paper) "Scallop populations are highly variable from one year to the next due to...."* Scallops are a mobile bivalve with a relatively 'clumped' distribution - as in the statistical sense - a negative binomial distribution, i.e. they are found in concentrated populations related to site and food suitability with few individuals outside of these concentrations. *Paragraph 58* of the discussion document states the survey sites were consistent with previous survey sites – scallops are mobile and therefore may not be in the locations sampled previously or as numerous in those locations
3. While the error bars in the graphs presented in Figure 3 of the discussion document show statistical differences between surveys of commercial catch data (again sporadic) the differences between 2007, 2015-16 and 2021 do not appear to be statistically different indicating the population crash following the 2005-06 season high has not recovered (especially in Bream Bay)
4. Scallops spawn from August to February with the bulk spawning over the summer months (*paragraph 45*) yet the bulk of the harvest for them occurs in this time and targets the main (largest and oldest) breeding individuals (*paragraph 44*). Scallops essentially only have August to breed before recreational harvesting starts but commercial harvesting starts just prior to scallop breeding season – potentially impacting reproductively maturing/active individuals thus removing them from participating in any population recruitment. If the scallop beds in Bream Bay are the site of spat recruitment for Whangarei harbour beds then they too will decline because of this activity. **I suggest, when the beds are reopened following the results of this review restricting harvest to shorter seasons be applied for both commercial and recreational harvesters**
5. I support:
 - 5.1 the banning of recreational dredging
 - 5.2 for the commercial fishery to seriously research and examine the use of divers or other non-damaging technologies for their harvest such that commercial dredging can be phased out in as short a time frame as possible.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



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Submitter details:

Name of submitter or contact person:	Dr David Flaws BScHons PhD Dip Tchng
Organisation (if applicable):	
Email:	
Fishstock(s) this submission refers to:	SCA1
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2 – no s186A closure. OR Option 3.

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Submission:¹

Details supporting your views:

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Fifty years ago I was a working scientist studying shellfish. My knowledge of the Whangarei Heads scallop beds dates back to 1969, and over the last 20 years I have lived in the area and dived for scallops in most places from Takahiwai to Bream Bay proper.

My submission is based on my knowledge of scallop biology, my analysis of the (very thin) data presented in Fisheries NZ Discussion Paper No: 2021/30, and my own observations of changes in scallop abundance and population structure, recreational fishing pressure, and changes in benthic biota coincident with recreational dredging.

1. I have no fact based opinion about the state of the commercial fishery in SCA1. I accept the conclusions in the FNZDP that it is potentially unsustainable at current levels.
2. There is very good evidence, both from formal studies and my own observations, that dredging (whether recreational or commercial) is detrimental to the benthic environment in general and to scallops in particular. Small scallops are damaged and buried, and the sediment stirred up by dredging buries the filamentous algae, hydroids, bryozoans and other fouling organisms that provide settlement surfaces for the spat of scallops and other bivalves. In areas of extensive recreational dredging, the seabed itself is transformed. By the end of the 2020/21 season, the bottom of Urquharts Bay was like a harrowed field in some places. I strongly agree that recreational dredging should be prohibited, and alternative methods of commercial take should be investigated.
3. There is no good reason to close the recreational fishery in Taurikura, Urquharts and Smugglers.
 - 3.1. FNZDP acknowledges that this particular recreational fishery is sustainable and the data provided arguably supports this position, as do my own observations over many years.
 - 3.1.1.1. Recreational fishing pressure is self limiting. If divers can easily take their limit, they come back and (many of them) tell friends or post on social media. If divers find few scallops, the converse applies. There may also be considerations related to weather and sea conditions
 - 3.1.1.1.1. In the 2020/21 season there were very high densities of scallops in Taurikura and Urquharts, and as the season progressed, more and more divers came from far and wide to harvest them. In the 2021/22 season there are very few scallops in Taurikura and Urquharts, and a diver has to work hard, have local knowledge, or get lucky to take their limit. Word has spread, divers don't bother to come, and there are very very few dredgers. I get a good view of the area from my lounge, and I estimate the fishing pressure this season is now about a third of the previous year.
 - 3.1.1.1.2. There have always been lots of scallops in many parts of Smugglers (but see 3.1.2.2), but the greater exposure to winds from E, SE, and SW deters many recreational fishers.
 - 3.1.2. Scallop larvae move with the tides and currents and are distributed over enormous distances over their first three weeks of life. At about 1mm, spat settle on surfaces fouled by filamentous algae, hydroids etc and grow there to about 5mm, when they detach and again move large distances with tides and currents. Both juvenile and adult scallops also move many hundreds of metres.
 - 3.1.2.1. This latter movement may be chemically triggered when the population density falls below a particular critical level related to spawning. Or it may relate to something else entirely, but adult scallops can and do disappear from areas where they were previously abundant.
 - 3.1.2.2. Over the last 20 years I have observed "disappearances" from McLeod Bay, McDonald Bank, Snake Bank, the Calliope Bank side of the Shipping Channel,



Taurikura and Urquharts, and the inshore part of Smugglers. I seriously doubt that most of these were related to fishing pressure.

- 3.2. OPTION 2 effectively creates a small recreational area in the middle of an enormous "no take" zone. The environmental conditions obviously suit scallops in this area and spat, juvenile and adult scallops will continue to move into (and sometimes out of) it. There is no danger of "ruining the fishery", or that it will be rendered unsustainable by the self limiting pressure of recreational fishers.
4. The question of a s168A closure is best addressed in conjunction with the question of whether a Mātaitai Reserve can and should be established in the Rohe. I agree in principle that a Mātaitai Reserve is an appropriate way of operationalising Kaitiakitanga, but I believe that much more extensive local consultation and Public Education than has so far occurred is appropriate.

Please continue on a separate sheet if required.

From: [Simon Braithwaite](#)
To: [FMSubmissions](#)
Subject: Review of sustainability measures – 2022 April round
Date: Monday, 7 February 2022 5:25:34 PM

Please ban recreational dredging in SCA1, Whangarei harbour and remove customary bag limits.

I work with a number of people who say they don't go out to gather scallops unless they have a customary permit to increase their limit and it's common practice they say. This is exploiting the system and the resource.

I free dive for scallops and the damage from dredging is so obvious, how can such a damaging method be allowed on such a precious resource?

Thank you



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Submitter details:

Name of submitter Jean McLaughlan or contact person:	
Organisation (if applicable):	
Email <input type="text"/>	
Fishstock(s) this submission refers to:	Scallop fisheries
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 1

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My preferred option is to stop all scallop fishing, diving and dredging. in Northland for the mandated 3 years

Option 2 including Smuggles and Urquharts Bay would be my second option

Please continue on a separate sheet if required.



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Submitter details:

Name of submitter or contact person: Ryan Welsh	
Organisation (if applicable):	
Email: [REDACTED]	
Fishstock(s) this submission refers to:	CRA 1
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 1.4

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I am a recreational fisher. I am a freediver and spearo although do occasionally scuba. Very involved in the diving fraternity

Anedotally the effort to catch crayfish has become significantly harder most probably because numbers are down significantly.

The first comment I would make is the information you have provided needs to be simpler or alternatively backed up with face to face interaction or in these covid times a live seminar with the ability to ask questions and seek feedback. Design it for the recreational fisher as the commercial industry will have their own experts to asisst. Many of those wanting to make a submission will have no understanding of the terminology or how to correctly interpret the data. You will be missing out on huge amount of public submission as the average person will have a difficult time interpreting the report.

The existing fisheries management does not adequately address sustainability in CRA 1. Albeit your statistics indicate the fishery is okay I'd suggest that more data needed as anecdotally this does not ring true with the view of many many divers and recreational users.

Clause 37 states 302 unspecified units in customary take reported in the last 5 years is hard to understand as being correct and I note it stated with reservation. But again this suggests the data as unrelaible and the need for better data collection.

The reduction to the recreational allowance from 50 tonnes to 32 tonnes is meaningless (Clause 50) to those catching it - there is no tangible way of knowing if combined they are catching 32, 50 or a 100 tonnes! The uncertainty is highlighted in clause 41 of the Report. I would suggest a better approach is addressing the daily bag limit for CRA 1. Maybe reducing to 3 being similar with what has happened further south of CRA 1. I note the openness by the NRLMG at clause 70 to adopting or considering management controls. The Ministry needs to be more creative with trying to capture the data as to what the recreational take is. Ask for input from the recreational fishers on this point rather than trying to implement a process that you think will work. Get a think tank together representative of the sector to develop this with some smart tech and relationship people to do this.

Greater fishing pressure brought to bear due to the increasing population size of New Zealand is an important consideration. Northland as a region has the fastest population growth (Stats NZ). Our neighbouring region Auckland is also the biggest City in NZ accounting for 33% of the NZ population. Northland is a popular destination for Aucklanders both on weekends and during holidays. Due to the recent management constraints place on Aucklanders in their local fishery this pressure is being transferred to CRA 1. A very popular pursuit is diving. Many people take their daily bag limit and on consecutive days. This done on consecutive days by hundreds of individuals and groups is unsustainable. Our bags limits were what we had when the population was half the size and have not changed for a long time yet the fishing pressure has increased many fold.

The close coastal fisheries environment is under siege. The current management system does not adequately deal positively with the aquatic environment/ ecosystem in a holistic way. Greater relevance needs to be given to the importance of the ecosystem as a whole and the role of species within it. There are large areas of what would be considered ideal crayfish country that have very few, if any, rock lobster. Addressing the Treaty issue it is about protecting this taonga as much as it is about providing access to harvesting it. What needs to be at the forefront of the decision is the future ability of the stock to be available in a meaningful way.

What does this mean? (clause 49 – repeated below)



The 2019 stock assessment results suggested that vulnerable biomass was *16% of the unfished level* and *total biomass was 26% of the unfished level*. *Spawning biomass in 2019 was 37% of the unfished level*, well above the soft limit of 20% where it is FNZ policy to implement a formal, time-constrained rebuilding plan. The projections to 2023, with 2019 catch levels and recent recruitment, suggested that vulnerable and total biomass would both decline, while spawning biomass was projected to remain constant.

How can the Spawning biomass of the unfished level (37%) be greater than the total biomass of the unfished level (26%)? Isn't the total biomass what is there in its entirety and the spawning biomass a proportion of it?

Please continue on a separate sheet if required.



Fisheries New Zealand

Tini a Tangaroa

Submission Form

Review of sustainability measures for 1 April 2022

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2022 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 8 February 2022.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter or contact person: Luke Ogle – [REDACTED]	
Organisation (if applicable):	[REDACTED]
Email:	[REDACTED]
Fishstock(s) this submission refers to:	Ministry of Fisheries Scallop Beds Sustainability Review – Northland – April 2022
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2 – including the Section 186A (Urquhart Bay/ Smugglers Bay) closure for 2 years

Official Information Act 1982

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Fisheries New Zealand

Tini a Tangaroa

Submission:¹

Details supporting your views:

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



- I have been free diving the outer Whangarei Harbour (Parua Bay – Smugglers Cove) for scallops, for over 25 years. In that time I can not remember a year where it was so difficult to catch your limit.
- All my friends and family (over 30 individuals) who also dive for scallops in the same areas, are also reporting the same difficulty this season.
- I understand that there are fluctuations of density and location of scallops, however I am not confident that this year is just “a bad year”.
- I believe the risks are too great, that we would end up with no scallops, like we have seen in the Bay of Islands, and Kaipara Harbours.
- I am also of the opinion, that dredging is a very destructructive fishing method, and fully support banning it.



Fisheries New Zealand

Tini a Tangaroa

Please continue on a separate sheet if required.

From: [karl pepi](#)
To: [FMSubmissions](#)
Subject: Review of sustainability measures – 2022 April round
Date: Tuesday, 8 February 2022 7:18:11 AM

Hi

I've Freedive this season and had no problems finding and getting scallop where I'm getting them in whangarei harbour. The scallops have been in good condition until last weekend all were skinny. Maybe the length of the session could be shorter. Also permits should be over looked to.

Cheers Karl



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Submitter details:

Name of submitter or contact person:	Marilyn Erica Berry
Organisation (if applicable):	
Email:	
Fishstock(s) this submission refers to:	Scallops
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2

Official Information Act 1982

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Submission:¹

Details supporting your views:

I am a resident of Urquharts Bay and have lived here for 38 years, and have taken a few scallops each season for personal consumption only.

We have observed the location, quality and abundance of the population vary from year to year within the bay, but believe they are still breeding well and holding up despite hugely increased pressure from visitors to the bay over the years.

Scallops are a special and “rich” food and just a few per person are plenty so I would suggest that the current 20 per person limit could be reduced.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.

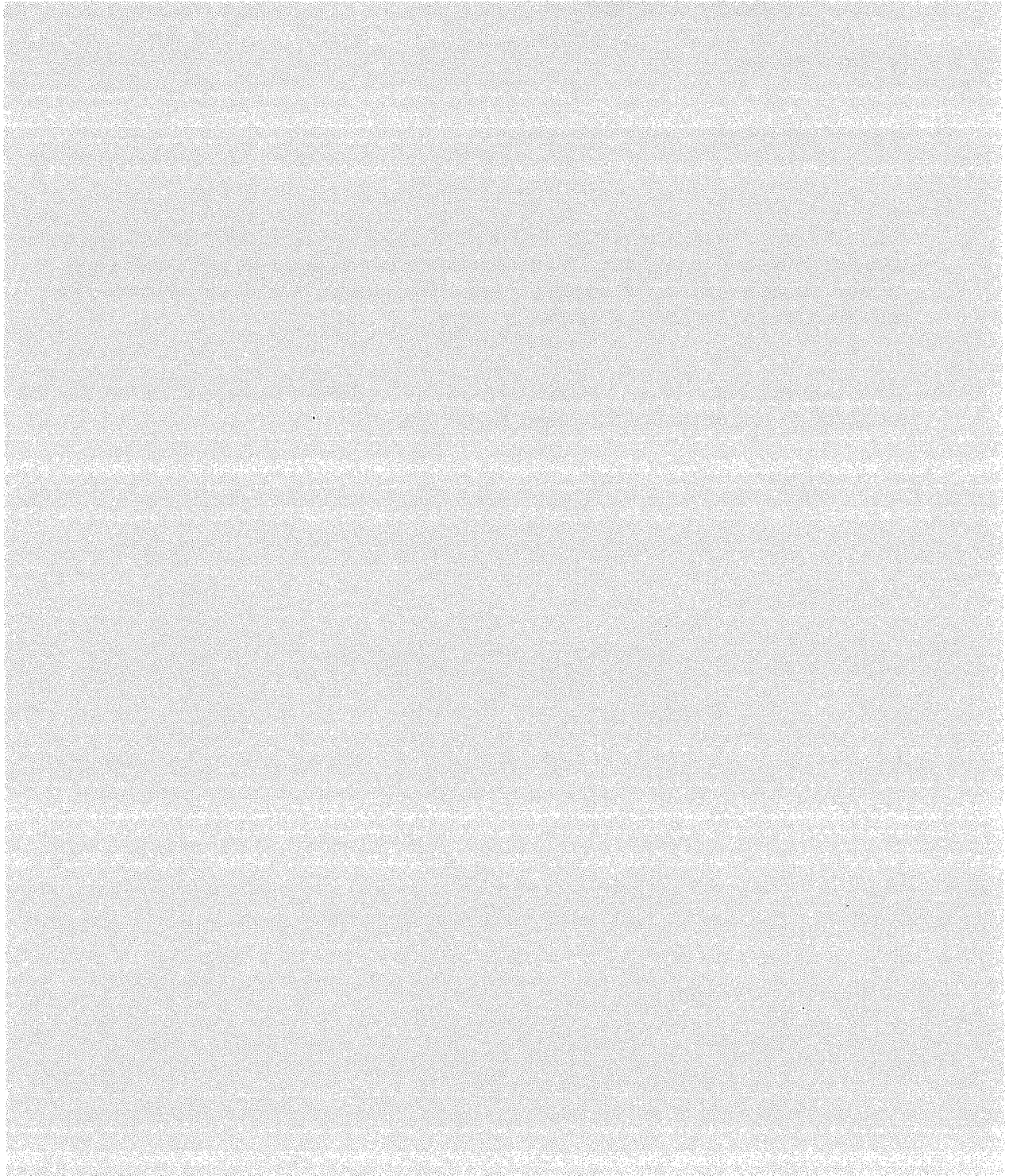


1. Commercial volumes of harvest put too much pressure on the scallop population as well as causing seabed damage thru dredging and should be banned or at least paused depending on future recovery.
2. Recreational dredging should be banned.
3. Recreational diving should be permitted in Urquharts Bay & Smugglers Bay as long as the **size and take limit is policed**. Our observation is that scallops are still plentiful and healthy, but after the first few weeks of harvest this season, their size is now below the regulation limit so they cannot be taken anyway.
4. There is local concern about numbers taken under "customary rights" and we feel that this must also be policed and kept to reasonable levels.



Fisheries New Zealand

Tini a Tangaroa



Please continue on a separate sheet if required.

Submission to MPI regarding the 49072 review of sustainability measures for scallops.

My submission is specifically for the Te Renga Paraoa (Whangarei Harbour) area.

Email to: FMsubmissions@mpi.govt.nz

Submitter details:

Names of submitters:

Susan Crawford

Nigel Crawford

Daniel Crawford

Organisation (if applicable): N/A

Email:

Fishstock this submission refers to: **Scallop 1**

Our preferred option is “*Other*”

Details supporting our views:

We are divers who have collected scallops from the Whangarei Harbour for the last 25 years. We fully support a moratorium on the gathering of scallops to facilitate the recovery of the fishery to previous levels of ‘abundance’.

Anecdotal evidence from divers in the Whangarei Heads area suggests that the scallop fishery is in a much reduced state from years past. This ‘evidence’ falls into three types:

- 1) Divers being unable to collect their quota.
- 2) Divers venturing further afield (most especially to Smugglers, Taurikura and Urquarts Bays) to gather their quota.
- 3) Divers reporting that scallops are thinner on the ground resulting in much longer dives to gather their quota.

The NIWA research is not sufficient to give clarity on the state of the fishery. It has been undertaken too infrequently to provide any kind of statistical significance to its findings. What is needed is annual research undertaken *by divers* at exactly the same sites, at exactly the same time of year, over a period of tens of years. This could be something that can be started next summer by, for example, marine ecology faculty at the University of Auckland. The research would need to survey not just scallop density but all other molluscs, echinoderms and crustacea, as well as worms, different seaweeds and algae. Such a survey would provide the longitudinal data set required to show the natural rhythms of scarcity and abundance (and perhaps any changes due to sea temperature and La Niña or El Niño climate conditions).

Two changes to the legislation are both straightforward to make and relatively easy to manage from a compliance perspective.

- 1) A complete ban on commercial fishing for scallops - this can be for any period that is greater than three years and be restored under s11 at such time as it is deemed fully sustainable.

- 2) A complete ban in perpetuity on the use by recreational fishers of any kind of dredging equipment.

Option 1

In the absence of properly gathered evidence, the general consensus from divers has to suffice. I know of no one who does not support at least a temporary closure of the fishery. Option 1 would make complete sense except that the likelihood of funding being available to complete the necessary research to open the beds is incredibly low - this is not a commercially valuable fishery. Therefore, nobody has a vested interest in funding the research. Option 1 could well result in the fishery being closed indefinitely to recreational divers - this is absolutely not an acceptable outcome. Significantly, the option does not provide for any immediate 'time zero' research survey from which any judgement about abundance could be made.

Option 2

This is fraught with 'what ifs'. Significant issues with this option are:

- 1) Managing compliance would be especially difficult. Fisheries officers would be placed in the untenable position of either having to prove that someone gathered their catch outside the 'open' area or requiring a diver to prove that s/he gathered their scallops within it. A law that is hard to police effectively is a poor law.
- 2) Concentrating recreational scallop divers to the 'open' areas (which include Smugglers Bay and all the bays from Urquarts to just before Little Munro Bay) will inevitably result in greater takes than are currently gathered within them. This is unlikely to result in a 'possibly sustainable' fishery maintaining that status. NB: The document as it is drafted is disingenuous in this respect. The beds that might remain open are always referred to as Smugglers Bay and Urquarts Bay. In fact, these beds also include McKenzie, Taurikura and McGregors Bays.
- 3) Unless this option was accompanied by an immediate temporary two year closure (under s186A) of the areas that remain open, this option is highly unlikely to secure the fishery for future generations.
- 4) Even should the kaitiaki of Te Renga Paraoa declare this temporary closure, scallop fisheries that are currently under heavy stress (Takahiwai, Snake Bank etc) would still be subject to s11 of the act. If after a period of moratorium over gathering from the proposed 'open' areas, they are to reopen, a separate and formal research survey would be required to reopen the fishery in other areas of the harbour. This is unnecessarily complicated and would again result in the concentration of gathering activity.
- 5) It is incredibly hard to imagine that a 'reduction' to 1 tonne for recreational fishing would be a helpful management of the fishery. The meat from a single scallop weighs between 15g and 20g (including the roe). A 20g scallop is a very good size. This means that the expected recreational catch would be between 50,000 and 66,700 (approximately) scallops. In reality, it is hard to know or to determine that this would indeed be the limit of the catch. This is saying that the catch would be taken by between 2500 - 3335 divers who took their full quota (once only obviously). I cannot see those who guard our fishery being able to ensure this level of compliance.
- 6) A TAC of 9.5 tonnes is not sufficient - the continuation of any form of gathering needs to be banned in the near future.
- 7) As with Option 1, this option does not provide for any immediate 'time zero' research survey from which any judgement about abundance would be made in the future.

Option 3

This option is, again, fraught with risk. The extent to which any future commercial take is determined by those within the industry is not a good model. Any decisions (and indeed any research to support such decisions) must be undertaken by a transparent and independent body. And, recreational and customary gathering has to cease. I understand that the act cannot require customary gathering to cease - but the local kaitiaki here are very aware of the precarious state of the fishery and have indicated that permits are highly unlikely to be issued in the near future.

Other

My preferred option is 'other'.

- 1) I wish to see the fishery completely closed for commercial, recreational and customary takes. I see this measure as temporary, initially for a period of two years, under s186A.
- 2) Commercial dredging for scallops along with bottom trawling needs to be banned in perpetuity also. Each of these methods brings huge bycatch loss as well as significant benthic damage. No fish is worth this loss. If a commercial fishery cannot be developed without dredging, then there should be no commercial scallop fishery. Perhaps this might encourage some entrepreneurial fishers to develop a sustainable scallop farming process.
- 3) I further wish to see the process of dredging for scallops to be banned completely, and in perpetuity, for recreational purposes. This is for the same reasons as outlined above.
- 4) There needs to be some proper research conducted. This research should be in the form of multiple benthic surveys of specific sites within and just outside the harbour. The sites would need to be the same year on year, the survey would need to be completed at much the same time in the year and at similar states of tide, the methodology would need to be consistent. For example each survey site would be GPS marked. Divers might be asked to record *everything* along a 20m transect running (for example) due north of a given point. Everything includes all molluscs, crustacea, echinoderms, worms, seaweeds and algae - literally everything. The water temperature at origin of the transect would be taken, the general structure of the bottom (sand/shell/mud etc) would be noted. As well as transects, population density and maturity would be measured as a percentage of three 2m diameter circles (at 0, 10 and 20m). This kind of data will yield a cumulative data map showing natural rhythms as well as human impacts (from any pollution, gathering etc). This is exactly the kind of research that universities do around the world.
- 5) I propose that, for Te Renga Paraoa, the management of the whole scallop fishery covered by the Rohe Moana be turned over to tangata whenua. The three designated kaitiaki for the rohe have the authority to implement a temporary closure under s186A and have indicated that they would engage fully with the harbour community to garner the necessary support. They have also indicated that they will not issue customary permits until and unless the fishery is deemed to have recovered sufficiently. As the Rohe Moana ensures that no other iwi can issue customary permits, Te Renga Paraoa would be fully closed to the gathering of scallops for the next two years - or longer if the fishery did not recover
- 6) I would also fully support a shorter gathering season - preferably one that excludes spawning time - as well as maximum boat limits and the reduction (to 1) of additional persons for whom quota can be taken. If the research supports it, I would also support a reduced personal quota (as is indicated at the time).

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Submitter details:

Name of submitter or contact person: Robyn Broadhurst	
Organisation (if applicable):	
Email:	
Fishstock(s) this submission refers to:	Review of Sustainability Measures for New Zealand scallops (SCA 1 & SCA CS) for 2022/23
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2

Official Information Act 1982

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Submission:¹

Details supporting your views:

I support Option 2 as detailed in the Review of Sustainability Measures for New Zealand scallops (SCA 1 & SCA CS) for 2022/23 on pages 23 – 25 in relation to SCA 1 only. This submission does not relate to SCA CS. I absolutely support the total ban on recreational dredging because as a diver myself, I have seen the damage they do and almost been taken out by one while underwater.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



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Submitter details:

Name of submitter or contact person:	Steve Collie
Organisation (if applicable):	N/A
Email:	
Fishstock(s) this submission refers to:	Review of Sustainability Measures for Scallops in Northland
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Other - see below in supporting my view

Official Information Act 1982

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Submission:¹

Details supporting your views:

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



I support a temporary closure S186A for Urquharts Bay (incl Taurikura bay) and Smugglers Bay of 2 years

Ban all commercial and recreational dredging.

Unfortunately the 3 options do not discuss

- take limits for scallops
- season period

I would like to see a reduction to the daily take - from 20 per person reduced to **10 per person**

Reduction of open season from 1 Sept to 31 Mar to perhaps 1 October to 28 Feb

in essence reducing open season to 4 months.

I do not support customary fishing rights to continue as it undermines the efforts and sacrifices made by the community and by all New Zealanders.



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Please continue on a separate sheet if required.



Fisheries New Zealand

Tini a Tangaroa

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Submitter details: Rob Coates, 70 Grahamtown Rd Onerahi, Whangarei.

Name of submitter

or contact person: Rob Coates

Organisation (if applicable):

Email:

Fishstock(s) this submission refers to:
Northland Scallops

Your preferred option as detailed in the
discussion paper

(write "other" if you do not agree with
any of the options presented): Other

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Submission:¹

Details supporting your views:

Sir/Madam,

If scientific data of the Northland scallop biomass indicates serious conservation is required, I would wholeheartedly support a two-year TOTAL ban on Northlands waters for ALL interested parties.

At the 2-year anniversary, again let science decide.

I am happy for Iwi to continue their customary gathering, BUT THE USE OF NON-CUSTOMARY METHODS OF GATHERING, I.E. SCUBA MUST NOT BE ALLOWED.

To make it otherwise would be grossly illogical, counterproductive and disrespectful to all NZ'ers.

I have been a diver for 50 years, and consider scallop diving a very important activity.

We are in this together, so let the conservation by scientific methods of this wonderful resource, be the one and only driving force in this decision.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.



Fisheries New Zealand

Tini a Tangaroa

Thank you for the opportunity to make this submission.

Please continue on a separate sheet if required.



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Submitter details:

**Name of submitter
or contact person:** A J Morgan

Organisation (if applicable):

Email:

Fishstock(s) this submission refers to:

Scallop 1

**Your preferred option as detailed in the
discussion paper**
(write "other" if you do not agree with
any of the options presented):

Other

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Details supporting your views:

Option - Other

Details supporting my views

My home view is directly across Taurikura Bay to Urquharts Bay. I like to participate in the gathering of scallops.

Over the years I have seen a major growth in harvesting from boating and coast based divers. This activity would thin out through the season but there would be a few gatherers still operating by the end of March. This season by the start of January it had virtually ceased as gatherers learned that it was a waste of time trying as there were so few scallops left to locate.

The scallop fishery in my area of the SCA 1 zone is under threat right now and urgent action is required.

Option 1

This offers some immediate protection with its full closure.

It doesn't, however, provide sufficient local input into methods of sustainability for the future. After 3 years Fisheries New Zealand may decide to lift the restriction and the status quo will continue with the same kinds of management system that has led to the sad state the scallop fishery is currently in.

Option 2

This Option has aspects to provide positive scallop protection

- Full closure of the commercial scallop harvest in Northland and the ban on all recreational dredging under the S11 Fisheries Act proposals.
- All of Northland closed for recreational scallop harvest (S11 Fisheries Act) except Urquharts Bay and Smugglers Bay.

Option 2, however, has a major key major flaw

This proposal states *the SCA 1 will be closed to scallop fishing in all areas except for recreational take, by hand gathering/diving, at Smugglers Bay and Urquharts Bay.*

- It will lead to a massive number of gatherers from anywhere in the country descending upon Smugglers, Urquharts, McKenzie, Taurikura and McGregors Bays.
- The Total Allowable Catch of 9.5 (meat weight tonne) will be impossible to be monitored with any accuracy.
Recreational Allowance of 1 (meat weight tonne)
Māori Customary take of 7.5 (meat weight tonne)
Other Mortality provides an allocated additional 1 tonne available
- In order to be able to accurately monitor the TAC there would have to be a system whereby all scallops taken would have to be recorded. This clearly can't happen given the numbers of gathers and the limitations on the ability of Fisheries to collect data.
- Also policing is inadequate to stop gathers who might bring illegally caught scallops from elsewhere into the designated collection areas.
- The numbers of up to 60 scallops potentially able to be gathered by one diver with boat support is extremely high for such a small area.
- It is most likely that the TAC allowance would in effect simply deplete all legal sized scallops left in the area well before the TAC is gathered. How long will this take?



Maybe one or 2 months given the pressure we're already seeing in these areas this season.

- There is also the possibility of more harvesting of illegal undersized scallops due to the resultant paucity of legal ones.
- It will decimate the Whangarei scallops in the 2 areas where scallops have for many years been the number one location for scallop gatherers.

Under my **Option of Other** I will indicate a preference that includes aspects of Option 2 but without what I view as the flaws in the current proposal.

Option 3

This is an extension of Option 2 advocating even greater take in the same small area of Smugglers, Urquharts, McKenzie, Taurikura and McGregors Bays and is therefore rejected.

Other

My preferred option is "**Other**"

This would be for Option 2 with an immediate Section 186A closure to also protect Urquharts Bay (with its included bays of McKenzie, Taurikura and McGregors) and Smugglers Cove from Recreational scallop gathering.

- *FNZ is aware that tangata whenua have concerns that fishing on these beds in their current state is unsustainable.*
- I support the concerns of the tangata whenua and fully agree that fishing on these beds in their current state is unsustainable.

This choice of Option 2 with immediate Section 186A closure for 2 years with the ability for further extensions provides the best possibility for a sustainable Whangarei scallop fishery. It provides for protection of Te Renga Paraoa (Whangarei Harbour) Rohe Moana by the local tangata whenua.

In addition

- This submission fully supports the ending of all forms of bottom dredging and trawling in both SCA 1 and SCA CS Fisheries. These known destructive practices have no place in any of these zones. Commercial and recreational dredging when stopped must never return. Bottom trawling must follow.
- The value of the commercial scallop take is minimal from an economic perspective and in no way can be seen as mitigating for the destruction it makes. It's quite clear that there is no economic future anyway for the industry in its current form given the major accelerating catch decline.
- With the removal of commercial dredging it makes sense that alternative scallop farming systems can be developed and enhanced at the NIWA Ruakaka facility and at other locations.
- Greater science and flexibility needs to be applied to maximise the impact of spawning and overall conservation of scallop numbers. For example rather than a 6 month season there could be 2 shorter scallop collection periods and further protection during significant scallop spawning times.
- The current regulations allow a diver with 2 people on board to collect up to 60 scallops. I would support a reduction to 10 or 15 scallops per boat when gathering if necessary in the interests of sustainability of our scallops.



Fisheries New Zealand

Tini a Tangaroa

Claris

08 February 2022

2022 Sustainability Review,
Fisheries Management, Fisheries New Zealand,
PO Box 2526, Wellington 6140,
FMsubmissions@mpi.govt.nz

Tēnā koutou

RE: Review of sustainability measures for scallops in the SCA 1 and SCA CS fisheries

The Hauraki Gulf fisheries are collapsing. We are deeply concerned about the sustainability of scallop fisheries within the Tikapa Moana Te Moananui a Toi / Hauraki Gulf Marine Park.

Our Aotea / Great Barrier Local Board Plan 2020 has an objective for marine protection and conservation around our coastline. Residents of Aotea / Great Barrier Island have been observing and noting that the scallop beds around Aotea waters are being depleted rapidly by commercial and recreational fisheries.

We must take our kaitiakitanga obligations seriously and seek to protect and restore biodiversity, within our Tikapa Moana Te Moananui a Toi / Hauraki Gulf Marine Park, back to levels of abundance.

We would support implementation of option one for the full closure to the commercial and recreational harvest of scallops in the SCA 1 and SCA CS fisheries, as a sustainability measure under section 11 of the Act, with a review of scallop levels inside a three-year timeframe.

Noting we are also supportive of an immediate and permanent ban on all dredging and bottom trawling within the Tikapa Moana Te Moananui a Toi / Hauraki Gulf Marine Park.

It is extremely important that Ministry of Primary Industries Fisheries Management work closely with mana whenua on the 2022 Sustainability Review.

Please don't hesitate to contact me should you require any further information.

Nāku iti noa, nā / Yours sincerely




Izzy Fordham
Chairperson Aotea / Great Barrier Local Board
Mobile:

From: [Dive Now Whangarei](#)
To: [FMSubmissions](#)
Subject: Scallops Northland 2022
Date: Friday, 21 January 2022 10:45:17 PM

Submitter details:

Name of submitter or contact person: Simon Collins	
Organisation (if applicable):	Dive Now
Email:	
Fishstock(s) this submission refers to:	Scallops
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Option 2

Details supporting your views:

 Ban all dredging as this damages the sea bed where many juvenile species start out plus damages undersize scallops and habitats.

Recreational takers to manage/reduce amount taken for boat persons, not 20 for the boat skipper and 20 for anyone else on board "acting as safety". Just 20 for boat crew in total.

Commercial always heavily impact the environment due to dredging over

With regards
Simon Collins

Dive Now

www.divenow.nz

www.divenow.nz

2022 Sustainability Review – SCA CS and SCA 1

8 February 2022

Tēna koē,

I am writing on behalf of the Neureuter Family who for the past 90 years have been the owners and custodians of the Noises group of islands located in the Hauraki Gulf.

We appreciate this invitation to submit on scallop sustainability in the Hauraki Gulf and would like to briefly share a few observations of change and decline we have witnessed on the once substantial, well known recreational bed, located adjacent to Ōtata Island in The Noises group.

Thirty to forty years ago this once extensive bed was flourishing. It was located from 3 m depth off south-western Ōtata Island as far as Rakino, Motuhoropapa Island, the David Rocks, Maria Island and likely some way toward Waiheke. The size and distribution of this bed has reduced over years of recreational dredging and diving and by about 10 years ago, we could see it was in real trouble having dramatically declined in both area and abundance adjacent to Ōtata.

To the best of our knowledge, this bed **was surveyed for the first time** by the University of Auckland in April 2021 and findings support our recent observations. This survey report can be found on The Noises website [here](#) and it states that scallop density has been reduced to worrying low levels with only 31 legal-sized individuals encountered over 1 km² in this location adjacent to Ōtata.

For the purpose of this submission, I will stick with observations our family have personally made which include the area adjacent to the western and south-western end of Ōtata Island. It was not uncommon in recent years to have 50 - 70 boats over the course of a favourable day, either dredging or diving on the bed.

Unfortunately, we almost never saw any form of monitoring or enforcement being carried out and are well aware of the excesses and blatant disrespect for recreational bag limits that occurred over the past 10 years. It has been common to see scuba divers down for well over an hour in 4-5 metres of water, and although today it may simply mean it's taking that long to get their bag limit, this wasn't always the case.

The practice of harvesting scallops by dredging and diving continues to this day albeit on a reduced scale as reports of its ailing state filter down to harvesters. As a family, we chose to stop harvesting four years ago when it was clearly unsustainable and in serious trouble although we still regularly free dive to observe change.

With hindsight, our definition of sustainable is simple. 10 years ago, we could free dive three times to collect 20 scallops. I could hold 6-7 legal sized scallops in my two hands, and they could be collected on one breath.

The damage done by dredging and concentrated anchoring includes not only the scallops but the extensive dog cockle beds, sponge gardens, once extensive rhodolith beds and the once dense horse mussel beds. It is heart-breaking to see. Dredges have even indiscriminately been dragged over areas of nearshore reef that were once thriving.

Nevertheless, the recent marine surveys from the University of Auckland (available on The Noises website www.thenoises.nz) show benthic habitat that is still suitable for scallops and still contains

reduced patches of rhodoliths and horse mussels, dog cockles and coarse shell hash – and we are still seeing recruitment.

What we have also seen in more recent years, is a subtle shift in the composition of the benthos. There are areas that were previously coarse shell hash that have slowly changed to areas of finer sediment and although scallops were once abundant in these areas, the finer sand like sediment does not seem to support scallops anymore. This shift is hardly surprising given the amount of biomass permanently removed from the scallop bed over the past 40+ years and the amount of dredging/anchoring that has repeatedly crushed the remaining coarse benthic structure.

Our family supports option 1: a complete closure of the scallop fishery in the SCA CS area. If this is enacted with haste, it may not be too late for scallop regeneration to occur and that may also benefit other important species such as horse mussels, dog cockles, sponges and gastropods which would benefit ecosystems rather than just a single species.

We would oppose a future that included any form of dredging given there are far more sustainable ways to harvest scallops should they recover to sustainable levels. We would also embrace far more vigorous monitoring and enforcement and the establishment of regular reviews to adjust recreational/commercial bag limits and methods. Had these things been in place, there may have been no need for this submission.

We are working collaboratively with mana whenua, University of Auckland, Auckland Museum and stakeholders including Revive our Gulf in the marine space and have been doing so for many years. We understand the importance of engagement on the proposed closure with mandated iwi fisheries entities and mana whenua.

We also understand the Noises scallop bed represents proportionally a very small area of the Hauraki Gulf, but potentially observations gained from this particular bed may be of relevance and useful to the regeneration of a far greater area.

Nga mihi nui,

Sue Neureuter on behalf of the Neureuter family



Submission Form

Review of sustainability measures for 1 April 2022

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to:

2022 Sustainability Review, Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm on Tuesday 8 February 2022.

Anyone may make a submission, either as an individual or on behalf of an organisation. Please ensure all sections of this form are completed. You may either use this form or prepare your own but if preparing your own please use the same headings as used in this form.

Submitter details:

Name of submitter or contact person: Logan Carter	
Organisation (if applicable):	Whangarei Heads Citizens Association
Email:	
Fishstock(s) this submission refers to:	Scallops – SCA 1 and SCA CS
Your preferred option as detailed in the discussion paper (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

Note, that your submission is public information. Submissions may be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.



Submission:¹

Details supporting your views:

In response to the information outlined in the FNZ document 'Review of Sustainability Measures for New Zealand scallops (SCA 1 & SCA CS) for 2022/23 the Whangarei Heads Citizen Association submission is as follows:

The implementation of sustainable fishing within the Whangarei Harbour is of significant interest to the Whangarei Heads community.

It is of great concern that following the results of the FNZ survey (2021) there was no pre-consultation with local communities nor was their adequate notification and promotion of the FNZ review.

The information provided for this review was such that many of our members, even though they had a keen interest in the outcomes of the review, found it too difficult to understand and to make a submission. An online submission form would be a useful tool for future reviews.

We support the FNZ view that the longer-term approach to scallop management also needs to be reviewed with measures implemented to protect the scallop fisheries in the short-medium term and provide opportunity for stocks to recover while FNZ works with tangata whenua and stakeholders to develop and updated long-term management approach.

Into the future we would expect to see the Whangarei Harbour fishery managed with a greater degree of local engagement and input and would ask that we are included in all future discussions, consultation and dissemination of information.

We would like to see more monitoring and enforcement of all regulations relating to the management of scallops in the Whangarei Harbour.

We would appreciate to receive contact details at FNZ to discuss any matters or issues in relation to the current review and ongoing management of fisheries in the Whangarei Harbour.

Please continue on a separate sheet if required.

¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.

Fisheries New Zealand
Ministry of Primary Industries
Wellington

8 February 2022

Comments on Review of Sustainability Measures for Scallops (SCA CS)

Thank you for the opportunity to comment on the proposed sustainability measures proposed in the Fisheries New Zealand discussion paper 2021/30 *Review of Sustainability Measures for New Zealand scallops (SCA 1 & SCA CS) for 2022/23*.

We comment only on the SCA CS quota management area. The main thrusts of this submission are to:

- request that any changes to the management regime do not preclude scallop farming in the SCA CS area, and
- request that recreational fishing of the Hauraki and Waiheke scallop beds is prohibited under all options.

Scallop Culture Proposal

Blue Sky Marine Limited is involved in a proposal for a marine farm in the northern Firth of Thames. The proposed marine farm will grow New Zealand scallops alongside Greenlipped mussels (and potentially several species of seaweed).

As set out in para 44 of the consultation document, scallops are broadcast spawners. They have up to 40 million eggs and may spawn several times per year. Our proposed method of scallop culture will work with the wild scallop population, catching and growing a very small fraction of the microscopic scallop larvae that pass through the farm site.

Catching scallop larvae may only be effective once the wild scallop population has recovered. For this and for intrinsic reasons, we care about the state of the wild scallop population and support plans to rebuild it to a sustainable level.

Having a commercial scallop farm in the SCA CS area, growing locally-sourced scallops, enables a range of wild scallop restoration options that would not otherwise be available. Reseeding of scallop beds is one possibility. Another is shell deposition from harvested scallops to restore habitats (as discussed in sect 13.3 of the discussion paper).

Until the wild scallop larvae population recovers, it is proposed to initially grow scallop larvae in a laboratory, using adult scallops taken from the wild each year. Once the wild scallop population has recovered, this "Phase 1" activity will be superseded by direct catch

of wild scallop larvae at the site. Further information on the proposal can be supplied on request. We would also welcome the opportunity to discuss this proposal with FNZ.

Questions posed by Discussion Paper

1. Which option do you support for revising the TAC, allowances and/or closures? Why?

Our proposed scallop marine farming system can work equally well alongside a wild scallop fishery or alongside a closed scallop fishery, provided that the population of wild scallops is allowed to recover and is sustained.

2. If you do not support any of the options listed, what alternative(s) should be considered? Why?

We request that the options chosen provides for the development of commercial scallop farming - which would be available to assist with recovery of the wild scallop population.

3. Are the allowances for customary Māori, recreational and other sources of mortality appropriate? Why?

It is well-established that dredging causes additional mortality in juveniles and through changes to benthic structure, as summarised in para 101 of the discussion document. As such, the allowances for *other mortality* appear to be unrealistically low.

Applying allowances for other mortality that are more representative of research findings for the permitted fishing activities would reduce systematic bias. This could then spur development of more sustainable fishing techniques and act as a catalyst to better management of the fishery.

4. Do you think these options adequately provide for social, economic, and cultural wellbeing?

Scallop farming would provide directly for social, economic, and cultural wellbeing and could contribute to restoration of the wild fishery for the benefit of all stakeholders. It's important that the chosen course of action avoids inadvertently prohibiting the activities required for commercial scallop farming.

5. Do you have any concerns about potential impacts of the proposed options on the aquatic environment?

Protection of at least two adult beds: It seems logical that protection priority should be given to adult scallops in beds that are:

- sources of higher levels of scallop spat dispersal (refer Figure 1 below)
- in deeper waters that are less safe to access with underwater breathing apparatus

The Hauraki bed meets both of these criteria and we think should be explicitly protected from both recreational and commercial take under all three options. At least one other significant recognised scallop bed should also be protected so that population recovery is more resilient to adverse events.

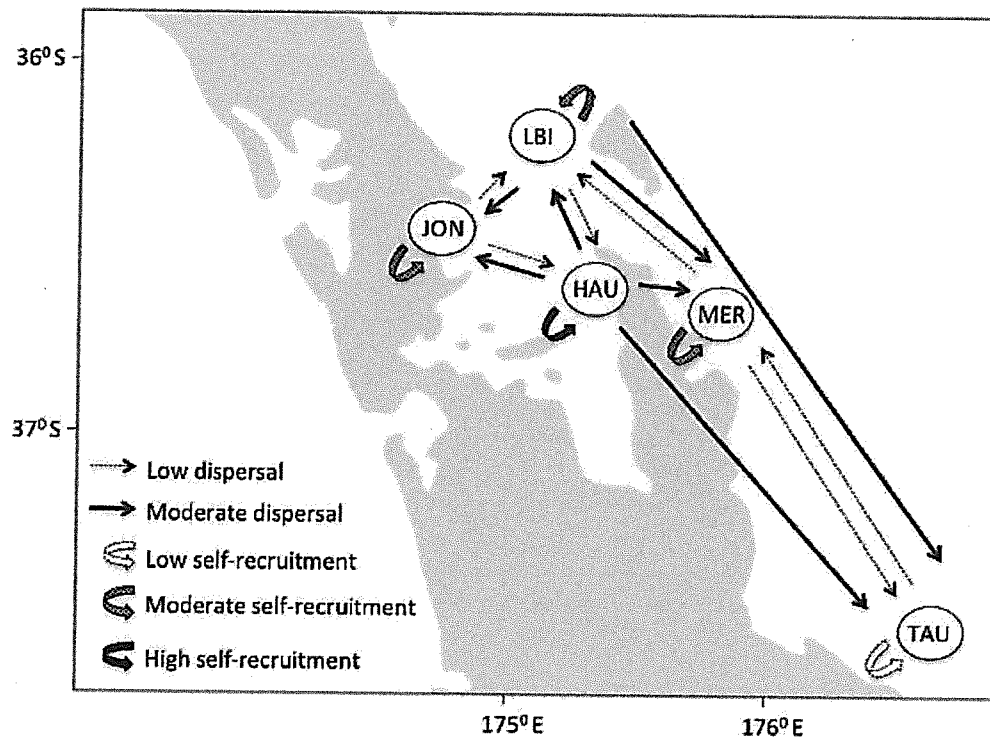


Figure 1 - Estimated levels of larval dispersal and self-recruitment in SCA-CS. Source: *Spatial And Temporal Genetic Structure Of The New Zealand Scallop Pecten novaezelandiae: A Multidisciplinary Perspective*, Silva (2015).

6. Should other areas within SCA 1 and/or SCA CS be include in or excluded from the closure proposed under Option 3? Should the area be larger or smaller?

Explicitly Protect both Hauraki and Waiheke Scallop beds: Please refer to Q.5 above for rationale for protection of Hauraki bed. In addition - a rare bright spot in the 2021 scallop population survey is the number of juvenile scallops in the Waiheke bed (off the eastern end of Waiheke Island). Most of this bed is in deeper water, over 30 metres, so is less safe for UBA access. A rahui is currently in place over the shallower waters closer to Waiheke Island, but most of the bed lies outside the rahui. These juveniles need a chance to grow into a dense bed of large adult scallops to help with re-population of the fishery. We understand that scallop take in this bed would not be allowed under Options 1 and 2. That is supported. In our view all forms of recreational fishing of both the Hauraki and the Waiheke scallop beds should also be prohibited under Option 3.

Thank you for the opportunity to comment. If you have any queries about this submission please feel free to contact me.

Kind regards

Kevin Oldham

Director

Blue Sky Marine Limited