



Fisheries New Zealand

Tini a Tangaroa

Review of Sustainability Measures for the October 2018/19 Fishing Year

Proposals to Alter Total Allowable Catch, Allowances, Total Allowable
Commercial Catch and Deemed Value Rates for Selected Fishstocks

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August 2018

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Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm, Friday 27 July 2018.

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:	AARON MASON
Organisation (if applicable):	JAMES MARINE LTD
Email:	admin@jamesmarine.co.nz
Fish stock(s) this submission refers to:	GLM9
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OPTION 2 TO INCREASE THE TACC

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

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Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

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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:	Alan John Graham
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 22 <input type="checkbox"/> LFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	SFE TACC; One option is proposed = No Change. EECo supports that option. LFE TACC; No change

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Submission:¹

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.

Details supporting your views:

I have been catching and involved in the Eel industry for over 20 years. In the past few years I have noticed good numbers of both SFE and LFE in the water ways in the lower north island. I find lakes have a good amount of Shortfin eel with a decent number of smalls migrating back. Rivers and streams also having good numbers with a decent number of smalls returning with a 40 – 50% increase of Longfin eels some days with 10% of oversized LFE that are larger than 4.5kg and catching 4-8 large every time I pick up my nets which is more than what I was seeing 10 years ago. The current quota system is working well, and I see no need to reduce any quota, if anything an increase in quota would be good in area 22 and especially area 23. Eeling has been a big part of my income for 20 years and I would like this to stay the same. I find with less cowboys out their catching eels (taking to many eels from one place before moving on) the current system is working well, and the quota system is set right.

Thank you for the opportunity to have my say.

Alan Graham permit number 9790846

Please continue on a separate sheet if required.

Submission Form

North Island eels 2018 Consultation



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Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	Amber Craig
Organisation (if applicable):	n/a
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Reduction of fishing of Longfin Tuna (Eels).

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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.

Submission Form

Nc

For many generations longfin eels have returned to my marae at Pāpawai. The stories even tell that there was a balcony that was built to show the eels and give them extra kai that we didn't need. Eels have been our kaitiaki (guardians) and I now think it's time for us humans to be guardians of them. I would like a reduction on the fishing of longfin eels because they're precious to us. They're a taonga. I want to also explain to our future mokopuna (descendants) that we did everything we could to save the longfin eel and didn't sit by and waste an opportunity to save these precious animals. We want to be able to sustain these wonderful beings to continue to reproduce them and have an abundance for our children and their children.

PLEASE SAVE OUR KAITIAKI AND TAONGA.

Review of sustainability measures for October 1 2018

Submission

I am Andrew Turnwald.

My QRN is [REDACTED]

I have skippered my own Danish Seiner from 1978 to 2010 in FMA 1 and FMA 9.

I lived in Auckland and then Coromandel (for 25 years) initially targeted Snapper in the Hauraki Gulf but adapted to successfully targeting John Dory and Flatfish in the Hauraki Gulf and later Gurnard in the outer Hauraki Gulf and more successfully in FMA 9. Availability of ACE, more and more recreational spatial pressure and better profits prompted the move to the West Coast areas.

In 2011 I shifted my fishing to inshore trawling and saw potential to target demersal species deeper than the normal depths of Snapper abundance. Tarakihi became the main species and has allowed my operation to become profitable from some of the lesser preferred species some of which are not in the QMS.

In 2011 I relocated to the far north which is close to my preferred fishing grounds.

I have a keen interest in decisions being made based on good science derived from appropriate data. I submitted an opinion in the IEMRS consultation and some of the points raised then overlap in this discussion.

1

Jdo1 and Fla1 are both targeted for big cuts.

They were noticeably abundant in 006 in the mid 90s when the seasonal feed availability was good. Temperature and weather was suitable and competing species for food were low. A good number of vessels, particularly Danish Seinners, worked. Since then there have been significant area closures (cable areas and marine mammal protected areas and reserves), competing marine activities competing for food (marine farms in harbours and Hauraki Gulf), the inevitable increase in recreational activities (special impact on ability to carry out viable commercial fishing) and the impact of land development use (subdivision work, harbour board expansion) and its effect on inshore marine ecosystems. As the Snapper biomass appears to have improved in some areas (particularly in Hauraki Gulf) other species have taken a hit by either declining, not rebuilding to high theoretical levels or being efficiently fished because of the abundance of Snapper. The Fisheries NZ will have records of just how many vessels, Danish Seinners in particular, have left the areas and industry.

A point of note: Will Gur1 and other stocks be on next years list for making initial QMS TACC levels?

It's about time fisheries were managed as a bunch of interacting stocks and not as individual independent species.

2

I can speak from experience in Area 1. I have no experience or comment about other areas or stocks.

Tarakihi stocks have been taking a lot more pressure in the last decade from rapidly improving technology (electronics both fish finding and position), better weather forecasting, better vessels and better marketing.

Large LFRs are now demanding a higher percentage of mixed species to Snapper ratio in order that the fisher maintains, at least, his Snapper package. Snapper is caught mainly in daytime operations and Tarakihi compliments the total operation by being (traditionally) the main night-time species caught.

TCER is woefully devoid of necessary information to limit misreporting especially when trawling across boundaries where some stocks change Deemed Values. The start and end positions were required under TCEPR but were dropped in 2007/8. A BAD MOVE.

3

Deemed values

There would appear to be little need to increase the deemed values for Jdo1 or Fla1 under Fisheries NZ proposed reductions to TACC.

However, Deemed Values levels are to be carefully set for Tar1, Tar2, Tar3 and Tar7.

A new measure should be carefully discussed to the penalties regarding Deemed Values.

As with Deemed Values remaining over \$1000 a permit is suspended until reduced to below that threshold, a similar penalty should be introduced to reduce or eliminate breaching of continual deemed values abuse. If a permit holder has a history of exceeding ACE (by, say, 10%) year after year then the permit holder should suffer suspension until ACE is acquired.

These last paragraph issues are being used to strangle some fishers and companies from markets (Tre1) and Tar2.

Yours

Andrew Turnwald

Submission Form

North Island eels 2018 Consultation



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Submitter details:

Name of submitter or contact person:	Anne Waapu
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

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Submission:¹

Details supporting your views:

Please STOP commercial fishing of our long fin tuna. Selling off our assets, commercialising indigenous species, is the work of capitalism and colonisation. I urge you to make the responsible decision to actually protect these species by Law rather than continue down this ugly track of making money at such a high cost.

As a descendant of Rongomaiwahine, Ngāti Kahungunu and Te Atihaunui a Paparangi I express my anger that these species are not already protected by Law, disgust that people are raping our environment for temporary cash and my FULL support for action to encase such protections into Law so that our mokopuna will have these species in their mokopuna's lifetimes.

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 Form

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Submitter details:

Name of submitter or contact person:	Annette Beattie
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	

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Submission:¹

Details supporting your views:

This submission pertains to both shortfin and longfin eels for commercial fishing. (Shortfin eels (SFE 20 to SFE 23) and Longfin eels (LFE 20 to LFE 23))

It would appear from the information provided that a third option of prohibiting all commercial fishing until stock is substantially increased in numbers and out of being threatened/endangered – would be an intelligent option to pursue. We have lost enough species in this country already.

The longfin eel is the particular concern as The Parliamentary Commissioner for the Environment has recommended that commercial fishing of longfin eels be suspended until evidence shows that they have recovered to a sustainable level and the Department of Conservation has classified longfin eels as “chronically threatened in gradual decline.”

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.

SUSTAINABILITY MEASURES FOR GREEN-LIPPED MUSSELS IN GLM-9

I wish to submit on sustainability measures for Green-Lipped mussel in GLM-9.

I submit that the spat to weed ratio moves from 50:50 to 25:75. That the current TACC be set at 180 tonnes as per Option 2 and that the fishing year should change to 1 April – 31 March as the main landings of Kaitaia spat occur in September – November period and that creates the situation in some years that quota is exceeded where most is caught before 30 September.

I also submit that the Minister should make a decision on the TAC to reflect current demand. This would give an opportunity for the issue to be contested. In addition I have read and agree with the AQNZ submission that should also be read as part of this submission.

I received Kaitaia spat in 1974 or 1975 when it was first found by local fisheries officer Fraser McLean who sent it to Marlborough in 20litre plastic bins. I have received it every year since then. I was an executive member of the Mussel Industry Council in 2004 when the QMS was imposed on industry. I have read the Report of the Primary Production Committee on the Fisheries Amendment Bill (No.3) 109-1 and where the Committee recommended that the then permitting regime be retained. I believe I appeared before that select committee. I have also read the paper prepared by Martin Workman from the Ministry of Fisheries and entitled "Moving to rights based management : Green- Lipped Mussel case study" supposedly "To provide for efficient utilisation and future development".* I was present when Ministry Officials gave assurances at a meeting to discuss changes that there would be no problem in **increasing the quota when industry needed it because there were no sustainability issues.** i.e. treat it like all other species under the QMS. It is very clear that most of the fears of industry expressed in the 2002-2004 period have been realised and that the primary purpose of the change to QMS has not been achieved.

So What has Happened

- It was feared the QSM would restrict supply and increase the price. - That has happened.
- Deemed value was set at a low value as it was considered there was "no need for a high deemed value".*

"A lower deemed value also means it is easier for non-quota holders to gain access to the fishery and provide competition to quota holders."*

Deemed value was substantially raised in 2017 contrary the submissions of AQNZ making it extremely difficult for non quota owners to access the fishery.

- The TAC has not been increased as promised by Ministry officials in 2004.
- There has not been any noticeable change in the efficient utilization nor any future development. As a result of the major players holding the majority of quota access has been difficult and expensive for smaller players in the industry who do not hold quota.

- “A low deemed value helps address the concerns of some mussel farmers that the QMS could lead to quota being aggregated and the GLM-9 quota holders acting anti-competitively”.* I have personal experience of anti-competitive behaviour in respect to access to Kaitaia spat.

BRUCE HEARN

APEX MARINE FARM LTD

***Extracts from Martin Workman**

Aquaculture New Zealand Submission to:

MPI Discussion Paper 2018/05
Re: Green-Lipped Mussel (GLM9)

27 July 2018

Introduction

Aquaculture New Zealand (AQNZ) represents the interests of the aquaculture sector in New Zealand. This sector has significant export earnings in excess of \$420 million (total revenues in excess of \$550m) and a growth strategy with a goal of reaching \$1 billion per year in sales by 2025. The New Zealand Greenshell mussel industry makes up around 70% of that value and AQNZ's responsibilities include representing the specific interests of New Zealand's mussel farmers.

The Greenshell mussel industry directly employs more than 2,000 people primarily in regional communities, and Maori investment makes up a significant proportion of the current industry as well as its future potential, creating both cultural and economic benefits for Aotearoa. The indirect economic benefits to regional New Zealand are numerous.

The new Government¹ has identified aquaculture as a key opportunity for regional growth, and that development in the regions is important for social, economic and cultural wellbeing and for the benefit of New Zealand as a whole. Continued allowance for the sustainable harvest of mussel spat from GLM9 is critical to enabling the mussel industry to provide and increase these important benefits.

This submission is lodged on behalf of the Greenshell mussel industry as the industry that relies on the unencumbered availability of GLM9 spat. It is not intended to be read as a submission from quota holders although some AQNZ shareholders do own quota.

Summary of Submission

- The New Zealand mussel farming industry provides a range of positive benefits to regional New Zealand.
- Ongoing access to a sufficient amount of 90 Mile Beach spat is crucial for maintaining and sustainably growing the industry in the short to medium term.
- Ongoing access to a sufficient amount of 90 Mile Beach spat is also important for realising the value of current and future aquaculture treaty settlement space.
- Recent catch history and mussel industry growth projections show that more headroom is needed in the current effective TACC.
- Research supports a change to the spat/seaweed ratio and AQNZ supports this.
- If the spat/weed ratio is not amended AQNZ requests a TACC review.
- AQNZ supports an increase in the effective TACC through pursuing Option Two.

¹ New Zealand Labour Party and New Zealand First (2017). *Coalition Agreement*

- An effective increase in TACC would not mean that automatically overnight the amount of fishing activity would double. The increase in activity would be gradual, predictable and managed according to industry demand and growth.
- There are no recognised issues with the sustainability of recruitment of the spat or seaweed stocks.
- The industry is seeking to reinvigorate and reinstate the 90 Mile Beach fishers code of practice in order to manage the impacts of, and allay any perceived issues with, the fishing activity on the 90 Mile Beach environment.
- The industry is seeking to work with Te Oneroa-a-Tōhē Iwi to collaborate on proactive initiatives to protect, restore and potentially the toheroa populations on the beach as well as pursuing any other initiatives to protect and restore the beach environment.

Background – the Strategic Importance of the GLM9 Fishery for Aquaculture

GLM9 is of strategic importance to the New Zealand Greenshell mussel industry as it is the source of around 75% of the industry's spat and therefore supports the majority of its export earnings and the resulting income for New Zealand.

The GLM9 fishery is unique. The availability of spat on beach cast seaweed at 90-Mile Beach arises from the intersection of a variety of biological and physical factors. Because a number of these factors are temporally variable, strandings of GLM9 spat, while they generally occur within a known season, are largely episodic².

Furthermore, GLM9 spat can be seeded onto farms and held, if necessary, for a few months until needed, before being moved into the final grow-out cycle. This provides growers with a means of smoothing variability in the availability of spat.

In a number of growing regions mussel farmers are effectively limited to using GLM9 spat by biosecurity conditions that preclude other major spat sources. Local spat can also be limited in availability or condition from year to year based on environmental or other factors. In areas where mussel farmers are able to utilise spat from several regions, accessing GLM9 along with other spat types ensures availability of harvest-condition mussels for most of the year. This is because spat sourced from different regions fattens at different times of the year. This in turn enables the industry to support year-round employment in regional New Zealand.

In the longer term the industry will increasingly be in a position to utilise hatchery spat as an adjunct to GLM9 spat however at the moment there is only one company sourcing spat from one hatchery and no tangible plans in place for more.

As outlined above, the New Zealand aquaculture industry has a growth goal of \$1 billion in sales by 2025. Some of this growth is anticipated through innovation, productivity, efficiencies, new products, new markets and new species. However, a good proportion of this growth is also anticipated through increasing mussel production.

² Alfaro, Andrea (2001). *Ecological Dynamics of the Green-lipped Mussel, Perna canaliculus, at Ninety Mile Beach, Northern New Zealand*. University of Auckland Doctoral Thesis.

Current production is around 100,000 tonnes per year with the majority coming from the Marlborough and Waikato regions. A conservative estimate for production increase over the next ten years utilising existing consents is an additional 40,000 tonnes per year. In today's terms the revenue from the production growth might be in the order of \$140 million per year and additional regional jobs could be in the order of 1,200. Further future growth might come from new space. However, this growth will not be realised without ongoing access to a proportional increase in GLM9 spat.

It is also important to ensure the QMS management settings for the fishery allow new entrants into the industry the same access to the resource as others have. Under a constrained TACC this becomes a lot more difficult.

Furthermore, without sufficient spat the value of the treaty settlement mussel farms may be compromised as would the ability for the Government to deliver on further aquaculture settlement obligations. Without access to sufficient spat, the value of new mussel farms would be significantly diminished.

Background – GLM9 Management

The Ministry of Fisheries brought GLM9 into the QMS in 2004 '*despite there being no pressing sustainability concerns with the fishery*' in order to '*provide for efficient utilisation and future development*'³. Importantly it was brought into the QMS as a s14, schedule 3 stock, in recognition that the purpose of the Act would be better achieved by setting an alternative TACC rather than to Maximum Sustainable Yield. This was in the context of knowledge and research that sustainability of the fishery was not a concern.

There are no recognised sustainability issues associated with the GLM9 stock as its harvest of beach-cast seaweed has no impact on further recruitment of the adult mussel population. This is because both spat and seaweed originate from south of Ahipara and drift northwards along 90 Mile Beach and then with the prevailing currents around North Cape. This drift spat does not cycle back into the adult population, south of Ahipara.

There are however perceived issues relating to the impacts of the fishing activity on the beach, in particular on the sensitive toheroa populations that are so important to the local Iwi. As noted in the discussion paper research was conducted in 2007 that found that '*there was little difference in the impact between the mechanical harvesting method and hand-gathering methods*'. A 2013 literature review⁴ of factors affecting the abundance of toheroa highlighted that '*natural processes were likely to account for the highest level of mortality and variability in recruitment*' but that anthropogenic activity such as changing land use and vehicle activity on toheroa beaches may limit the ability of the populations to recover. The scale and location of vehicle activity from the spat fishery is most likely less than minor compared to the substantial tourist traffic in the more sensitive '*high intertidal zone*'.

³ Workman, Martin (2004); *Moving to Rights Based Management: Green-Lipped Mussel Case Study*. IIFET 2004 Japan Proceedings.

⁴ Williams, J.R., Sim-Smith, C., Paterson, C (2013); *Review of factors affecting the abundance of toheroa (Paphies ventricosa)*. Ministry for Primary Industries.

The industry does acknowledge though that it is important to carefully manage the fishing activity in order to allay any actual or perceived sustainability concerns. At the time of QMS introduction a representative group was formed initially comprising quota owners, fishers and mussel farmers, then in 2009 extending to include representation from each of the five local Iwi as well as from Te Ohu Kai Moana. The purpose of the group was *'to manage the GLM9 fishery using best practices that maximises the value New Zealanders obtain through the sustainable use of the Green Lipped Mussel resource while operating in an environmentally sustainable manner.'*

The group developed a 'GLM9 Management Plan' which, among other matters, sought to address *'activities of the fishers that may impact on other people's use and values connected with the GLM9 environment. In this respect the importance of Te Oneroa-a-Tōhē to local Iwi and indeed special places of importance to all Iwi within GLM9 are acknowledged'*. The four objectives were to:

- 1) Ensure sustainability
- 2) Support stakeholders to collectively maximise the value they receive from the resource while sharing the resource
- 3) Improve understanding and perceptions of the resource and the fishery
- 4) Apply good management practices

The plan included a GLM9 Fishers Code of Practice⁵ which noted 'it is in the best interests of the fishers that the operation on Te Oneroa-a-Tōhē is conducted in a considered and responsible manner' and included measures to limit vehicle impacts on the beach. A Sustainable Farming Fund grant was also in 2014 to 'improve the sustainable management of the spat resource through the development of robust systems and processes to collect data on spat fall as it occurs'.

However, further implementation broader management plan and the SFF project stalled in 2015 when, through settlement of the Te Hiku o Te Ika Iwi claims in the region, the Te Oneroa-a-Tōhē Board was established as a statutory body to, among other things, *'prepare and approve a beach management plan that identifies the vision, objectives, and desired outcomes for the Te Oneroa-a-Tōhē management area'*. At that time, it was viewed that the Te Hiku o Te Ika beach plan might somehow incorporate and extend the activities and objectives of the GLM9 group.

However, although facilitation of the plan was tendered out in 2016 it has not yet been developed and so there have been some barriers to ensuring that the sustainable management objectives of the spat fishery and the broader iwi objectives for the beach are aligned.

Despite this, the industry (mussel farmers and spat fishers) have an ongoing motivation to make sure that practices on the beach are sustainable and in keeping with the interests of Te Hiku o Te Ika and the purpose of the Te Oneroa-a-Tōhē Board. AQNZ has extended an

⁵ Appended

invitation to the Board to facilitate spat fishery involvement in the plan where and how this is appropriate.

Initiatives that could be revisited either in conjunction with Te Hiku o Te Ika or separately include:

- a) a refresh of the Sustainable Farming Fund project to set up information gathering systems to enhance understanding of the fishing activity
- b) a new Sustainable Farming Fund project to increase understanding of the toheroa population on the beach and appropriate measures to protect it
- c) support for wider research on the broader range of impacts on the beach from the wide range of activities
- d) refreshing the GLM9 Code of Practice to ensure it reflects the best available knowledge and practices to ensure the ongoing sustainability of the fishing activity
- e) working with MPI to regulate elements of the fishing activity in line with the GLM9 Code of Practice

Proposal to Review the Spat Ratio

A challenge for the introduction of GLM9 was *'how to measure and report juvenile mussels when they are harvested attached to seaweed'*. The Ministry overcame this problem by requiring all fishers harvesting seaweed on 90 Mile Beach to report their catch using a set ratio for converting the weight of the material landed into the weight of the juvenile mussels and seaweed. This was based on the *'best estimate of the fishers'* at the time, at 50%.

As early as 2005 research was available⁶ that the actual ratio was more in the order of 25%. As noted in the MPI discussion paper, more 'new information' has become available to support the earlier research and there is now sufficient data to support the amendment of the ratio to reflect best information in line with the Fisheries Act s10(a) requirement.

Aquaculture New Zealand supports the recommendation that the Head of Fisheries New Zealand (or an official acting under delegated authority) amend the spat to weed ratio from 50:50 to 25:75.

Proposal to Review the TACC

The discussion document highlights that the current combination of the GLM9 TACC, recently increased deemed values and the spat ratio is creating a significant constraint to future growth of the mussel farming industry. This constraint would continue and effectively increase in severity, if the TACC was adjusted down to 'balance' the change in the spat ratio. An inability to grow the industry sustainably effectively means an industry in decline. The resulting consequences for the mussel industry, its export returns to New Zealand, and the kiwis it employs in the regions would indeed be significant.

As outlined above, there are no recognised issues with the sustainability of the GLM9 stock. If this was the only consideration (and technically in respect of TACC setting it should be)

⁶ Jeffs, A.G.; Sim-Smith, C.; Alfaro, A.C. (2005). *Development of the green-lipped mussel spat resource in northern New Zealand*. NIWA

there should be no question that it is most appropriate to leave the TACC as it is and allow the industry some headroom to grow.

AQNZ is mindful however that there are concerns, regardless of the available science, that an effective increase in TACC would also mean an effective increase in adverse impacts on the sustainability of Te Oneroa-a-Tōhē. It is imperative that these concerns are allayed, and, as outlined above, the industry is committed to working with Te Hiku o Te Tika and MPI to make sure that practices on the beach are responsible and of the lightest pragmatic impact.

We note also that changing the effective TACC will not necessarily lead to more activity on the beach. The activity on the beach is driven by mussel industry demand for spat and a constraint on the ability to harvest can actually lead to stronger incentives to harvest spat even if there is no current demand or the spat is not in optimum condition. If there was more headroom in the TACC then there would be a greater capability for fishers to manage their catch to better to meet actual demand and more 'space' for them to be able to meet their market requirements without having to 'race'. Constraining the TACC does not lead to efficient use of the resource.

Aquaculture New Zealand strongly supports Option Two - the recommendation that the Minister of Fisheries leave the TACC at its current limit of 180 tonnes.

If the spat/weed ratio is not amended, we request a TACC review.

Summary

In summary AQNZ requests that MPI;

1. Amend the spat to weed ratio from 50:50 to 25:75
2. Retain the current TACC at 180 tonnes as per Option Two.
3. If the spat to weed ratio is not amended, then review the TACC

Yours sincerely



Rebecca Clarkson
Environment Manager

APPENDIX – GLM 9 Fishers Code of Practice

Overview:

It is in the best interests of the fishers that the operation on the beach is conducted in a considered and responsible manner. For the GLM9 Fishery to be sustainable in the long term it is absolutely crucial that there is a minimum impact on the environment.

1.0 SPEED

1.1 Speed on the beach should be kept to a minimum. Excessive speed is more likely to damage shellfish populations.

1.2 Vehicles used in the water adjacent to other workers must travel no faster than a man can wade.

2.0 SEARCH & TRANSPORT

2.1 Toheroa beds are the most sensitive to vehicular travel. The highest density of toheroa is found in the dry sand area below high water mark. This area, and any other area showing signs of Toheroa should be avoided.

2.2 Tuatua beds occasionally rise to the surface and are easily visible. These areas should not be driven over.

2.3 Other wildlife on the beach such as birds, penguin, seals and horses should not be disturbed.

2.4 Use only the minimum number of vehicles necessary to collect orders.

2.5 Use the time spent **on the beach efficiently ... minimizing the time** spent traveling means less damage to the environment.

2.6 Reduce speed when crossing streams.

3.0 OIL & FUEL SPILL

3.1 Do not use any vehicle in or near the water that is leaking oil or fuel. Minimise damage by immediately shifting the vehicle to well above high water mark and if necessary transport back to base.

3.2 Vehicles must be checked for oil or fuel leaks prior to use on the beach. Maintenance of the vehicles in this respect is of high priority.

4.0 SAFE OPERATION OF VEHICLES

4.1 **Refer to 1.0 "SPEED"**

4.2 Machinery operators must be fully conversant with their machines, and able to operate them safely

4.3 Never allow passengers to ride on machinery forward of the axles.

4.4 Treat the beach as a road and obey road rules.

4.5 If driving machinery be aware of workers around you, in front, behind and both sides. (Turning loaders swing a bucket sideways.) It is an offence to injure anyone through careless use of a vehicle anywhere.

4.6 Any vehicle or operational problems must be rectified as soon as practical.

4.7 Fire extinguishers, first aid kits, telephones, and an effective oil spill kit (if one can be found) should be carried in all search and transport vehicles.

5.0 HAND GATHERING

5.1 When working at night wear high visibility vests or clothing

5.2 At night endeavor to remain within a well lit area.

5.3 **Be aware of the danger of cold Wet suits are recommended** in cold water temperatures, or at any time when prolonged exposure is likely. The added buoyancy is also a safety factor. Protective clothing suitable to the conditions should always be considered.

5.4 Gumboots are dangerous in surf and must not be used. Suitable lightweight footwear is recommended.

6.0 GENERAL CONSIDERATIONS

6.1 Remove any hazards from the beach such as logs or abandoned vehicles. Council will remove vehicles if they are advised of them. If possible other collectors working at night should be advised of any particular dangers.

6.2 Be considerate of other operators and users of the beach ... walk away from confrontations.

6.3 All litter cigarette butts etc must be retained in the vehicles and disposed of appropriately.

6.4 Unlawful activity on the beach should be noted and the appropriate authority advised.

6.5 Use a maximum of 2 tractors per entity.

6.6 Continue the historic practise of not collecting spat from the rocks at The Bluff.

Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm, Friday 27 July 2018.

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:	ARTHUR JAMES
Organisation (if applicable):	KAKARIKI MUSSEL FARM LTD
Email:	admin@jamesmarine.co.nz
Fish stock(s) this submission refers to:	GLM9
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OPTION 2 TO INCREASE THE TACC

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

Details supporting your views:

To support growth and sustainability.

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.

Karen Wilson

From: Barry Murphy [REDACTED]
Sent: Friday, 13 July 2018 4:57 PM
To: FMSubmissions
Subject: Review of North Island eel sustainability measures for 1 October 2018

The Parliamentary Commissioner for the Environment recommended that commercial fishing of longfin eels be suspended until evidence shows they have recovered to a sustainable level. In addition, the Department of Conservation has classified the species as "chronically threatened in gradual decline." The longfin eel species is highly vulnerable because it mates only once, at the end of its life cycle of about 100 years, in the vicinity of Tonga. There may already be fewer longfin eels than are necessary to sustain a population and the species is therefore already doomed. Please prohibit all fishing of longfin eels until the species is shown to have sustainable population levels.



BAY OF CONNECTIONS

ONE REGION . ONE GOAL . ONE FUTURE

25 July 2018

Bay of Connections Submission
MPI Discussion Paper 2018/05
Re Green Lipped Mussel (GLM 9)

FMSubmissions@mpi.govt.nz

INTRODUCTION

Thank you for providing the opportunity to submit on the review of the spat to seaweed ratio and the TACC for GLM 9.

This submission is made by the Bay of Plenty Regional Aquaculture Organisation (RAO).

The RAO is an unincorporated group of individuals and organisations who are interested in the development and growth of aquaculture in the Bay of Plenty. Members of the RAO come from industry, local Iwi, central Government, local Government, education and science providers. The group has been brought together and is serviced by the economic development function of the Bay of Plenty Regional Council.

The Bay of Plenty aspires to have a world class aquaculture industry with sales of \$250million by 2025. These aspirations have been outlined in its "Bay of Plenty Aquaculture Strategy". The focus areas over the next three years is to;

1. Continue as an enabling and supportive advocate for aquaculture, and provide leadership through collaboration and communication with all stakeholders (including Government, Iwi, Industry and other regions).
2. Continue support for the Opotiki Harbour development project.
3. Encourage infrastructure development for Marine and Aquaculture industries, including the proposal for expansion of the Coastal Marine Field Station at Sulphur Point.
4. Explore and promote opportunities in Aquaculture, including the commercialisation of trout farming, and other species.
5. Promote and advocate for Marine Science, Technology, Education and Training, for the future growth of the Aquaculture industry.

The RAO strongly supports the continued catching of green lipped mussel spat from beach cast seaweed on Ninety Mile Beach.

The RAO supports the submission of Aquaculture New Zealand Ltd.

Mussel farming is a new and growing industry off the coast of Opotiki. Support for the industry is included in the Regional Growth Strategy and is included in the RAO's Aquaculture Strategy. Offshore mussel farming has been identified as one of the dominant future economic drivers for the Eastern Bay of Plenty



BAY OF CONNECTIONS

ONE REGION . ONE GOAL . ONE FUTURE

region. Recent studies have indicated that there is potential space in the Eastern Bay of Plenty for up to 16,000ha of marine farming space although not all of this is envisaged for green shell mussel farming. In light of this, the RAO has a strong interest in the future management of the GLM 9 green lipped mussel spat fishery.

In the early years of the Eastern Seafarms Ltd development green lipped mussel spat was caught offshore from Opotiki within the consented area for mussel farming. The scope of this new source of green lipped mussel spat is not known and research on its volume and periodicity is continuing, suffice to say that the Ninety Mile Beach spat may yet be required to stock any new farms in the area.

For these reasons the Bay of Plenty RAO;

1. Strongly supports amending the spat to weed ratio from 50:50 to 25:75
2. Supports the retention of the current TACC to 180tonne per annum as per Option 2

I am happy to discuss any of the aspects raised in this submission and/or provide further information you may require.

Yours sincerely

Graeme Coates
Chairman
Bay of Plenty Regional Aquaculture Organisation

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Ben Slattery
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. Fisheries New Zealand will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

Details supporting your views:

10/7/2018

To Whom It May Concern,

RE: North Island Eel Discussion Paper

Hello,

My name is Ben Slattery and I live in the Waikato Region. I am writing in regards to the proposed changes to the fishing of Shortfin and Longfin Eels on the North Island. My submission relates to the longfin eel in particular.

I believe that the reduction in total allowable catch (TAC) of longfin eels by an average of 15% across all quota management areas (QMAs) and total allowable commercial catch (TACC) by an average of 32% across all QMAs is a move in the right direction but not sufficient action.

The New Zealand longfin eel is the only endemic freshwater eel species in New Zealand and carries a 'Gradual Decline' status under the New Zealand Threat Classification System. It is for this reason that a ban on the fishing of this species is required.

Take action to ensure that this unique species remains part of New Zealand's waterways by banning it's catch.

Kind Regards,

Ben Slattery

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: Ben Turner [REDACTED]
Sent: Wednesday, 25 July 2018 11:07 PM
To: FMSubmissions
Subject: Review of sustainability measures for 1 October 2018

Hi can you please let me know that you have received this ok.

Thanks

Ben

Review of sustainability measures for 1 October 2018

JD01

- I don't see Option 1 as a realistic option
- I prefer option 3 as it leaves 35 or so extra tonne a year in the water to rebuild the stock
- I don't think Option 2 does enough; effectively the same amount of fish could still be caught

TAR

- I only fish and own TAR1
- I don't support the Industry's proposal because:
 1. It is far far too complicated
 2. I feel it hits TAR1 the hardest and not the other areas
 3. I am not sure that it goes far enough to look after the stock
 4. As I catch mostly in TAR1 W, I feel it disadvantages me even more
- I don't have a preferred Ministry option that I like, they all have advantages and disadvantages
- I do support cutting the recreational catch back
- I don't like this TAR1 W and TAR1 E nonsense. TAR1 W is Area 9; in case you forgot! Our book-work is already far too complex please don't make it any worse! I am guessing that there are reasons for this that I don't know about but I still don't like it. Please try to use the existing framework.
- 95% of what I catch is KTA, I don't feel that there is a problem with that stock. Why am I getting a cut?

Deemed Values

The question for me is not WHAT it should be, but WHERE WHERE WHERE does the money go? You wrote a comprehensive paper explaining the deemed value system that didn't provide any insight into where that actual money goes and what happens to it. Someone that pays deemed values has effectively stolen that fish from the quota owners. It will be harder to catch that stock next year and/or it may not get increased as fast or get decreased

in time because of the extra catch. Not only does this has management/sustainability issues; it is theft and therefore it is imperative that the deemed value collected goes back to the quota holders of the stock it came from!!

It is like the police confiscating a stolen car then not trying to find the owner; selling it and putting the money towards their Christmas fund!!

The deemed value money collected could very easily be credited back to the quota holder via levy reductions for that stock; i.e. total levies for Stock x is \$1000 and TACC is 10000 kg the levy is 10 cents per kilogram but last year \$500 in deemed values were collected so levies would be 5 cents this year.

I look forward to you sorting this out.

Cheers,

Ben Turner [REDACTED]

[REDACTED]

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Brett Taylor
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	Other. I object to the continued commercialisation of the NZ Longfin Eel
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	

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 object to the continued commercialisation of the NZ Longfin Eel on the grounds that'

1. The NZ Longfin Eel is a native species and should therefore be given Protected Status..
2. . The ongoing growth of agriculture and horticulture and related applications and industrial and residential growth etc creating the broad problematic degradation of NZ water ways . Regardless of recent remedial efforts, there is still no definitive solution for the correction of the multi layered problems with NZ water ways. There has never been any provision for securing the increase of the Longfin habitat or breeding patterns. I bring to your attention the recent death of hundreds of Longfin and Shortfin Eels from runoff poisoning in the Kapatone Creek ,Belfast NZ .
3. Compared to what has and continues to be provided for the introduced Rainbow Trout the Longfin has been badly neglected. All too many species have been pushed into threatened or extinction status for these same reasons. Most recently and relevant the Whitebait.

Anticipating the point of no return with early intervention for all too many species would have made all the difference for their survival .I believe the Longfin is in this category.

- 4 The potential of our native Longfin in the Tourist industry is significant as part of the attraction to NZ rivers and lakes The experience of hand feeding Longfin, their curiosity and fearlessness that brings them out of the water to feed is an exceptional encounter one never forgets.

Please continue on a separate sheet if required.

Karen Wilson

From: Brian McMillan [REDACTED]
Sent: Friday, 27 July 2018 4:47 PM
To: FMSubmissions
Subject: FLA1 Sustainability

FLA1 Sustainability. My opinion is that Option 1, No Change is necessary

Background

I am Brian McMillan Commercial Flounder Fisherman of 40 years and have held a fishing permit since 1978 C/n 8431637

My fishing experience and views are related to the East coast fishery and particularly the Firth of Thames

1/ I am mystified why FLA1 is included in a sustainability review when we have been told historically that climatic and environmental events have more impact on the FLA fishery than any fishing pressure, and my 40 years of experience would support that view. We experienced a weather event in January 2018, a storm that flooded Kaiiua and wrecked the Thames Coast Rd that effectively finished the flounder season and catches dropped to about 10% of what would be expected normally, we are now seeing signs of recovery now over 6 months later.

2/ If there is any sustainability issues regarding the West Coast [Manakau/ Kaipara] although linked by FMA1, it would make sense separate them from the East coast and Hauraki Gulf and The Firth of Thames this could be achieved by using statistical areas

3/ There is a lack of information or argument to support any claims of a fishery under pressure especially the Hauraki Gulf /Firth of Thames where the most recent trend is upwards. My catch rates are related to seasonal availability of fish which is supported by fluctuations in catch. The 2016/2017 season was my most productive in 40 years while my effort remains the same.

4/ More consultation and investigation is required before any decisions are made and maybe why the catch has been reducing. There are some very valid reasons as to why the overall catch has declined since the QMS was introduced A/ The loss in the Firth of Thames of some of the most productive winter fishing ground between Tapu and Kereta to the establishment of Mussel Farms, the rest of what has been regarded as the Coast stretching south to Thames has been affected by some by products of the Mussel Farms that makes fishing for FLA impossible at times. B/ The number of fishermen active in the fishery has dropped to about a third of previous levels for various reasons. C/ The fishermen still operating in our fishery are generally older now with only 3 or 4 to my knowledge being under 50 years old, with

many reducing their effort. I don't believe that the fishery is under pressure more likely that any reducing catch reflects less fishermen and as a result of that less effort.

5/ The flexibility we have with the TACC is necessary so that we have the ability in years of abundance, like last year to harvest the fish available. It would be ridiculous to be in the position where in years when fish are plentiful fishers were forced to stop fishing because of a lack of available quota.

Brian McMillan

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

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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:	Bruce Dawson
Organisation (if applicable):	
Email:	████████████████████
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> SFE 23 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

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1. Nationally would leave the existing regulation on the Eel industry as it is.
2. Long fin in North Island have many sanctuaries, i.e National parks and reserves. Motu Mohaka and Whanganui are all major long fin habitats.
3. Possible curfew on commercial fishing March-August yearly.

Regarding the Rangitaiki River catchment –

I don't think any individual group has any right to a management role. This is too open to abuse and favouritism. I would advocate specific commercial and recreational areas.

Commercial harvesting –

Kokohinau Marae to River mouth.

Matahina Dam lake only

Aniwhenua Dam lake only

Recreational harvesting –

All river sections, no commercial.

Note –

- (a) Stopbanking on Rangitaiki River has had a devastating effect on Eel fishery and will take years to heal.
- (b) Banning of all impellor type pumps on drainage schemes.

Bruce Dawson

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Caleb Royal
Organisation (if applicable):	Ngā Hapū o Ōtaki (five of the twenty five hapū of Ngāti Raukawa te au ki te tonga)
Email:	Caleb.royal@twor.ac.nz
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input checked="" type="checkbox"/> SFE 22 <input checked="" type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input checked="" type="checkbox"/> LFE 22 <input checked="" type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OTHER

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. Fisheries New Zealand will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

Ngā Hapū o Ōtaki are a cluster of hapū from the Iwi of Ngāti Raukawa ki te tonga. The area we maintain mana whenua and tangata whenua status over lies between the Kukutauaki Stream (by Pekapeka) in the south to Pukehou (hill) in the north. Our hapū boundaries are on the northern limit of the Wellington Regional Council and the Kapiti Coast District Council. Ngā Hapū o Ōtaki (NHoO) comprise of five hapū from the twenty five hapū of Ngāti Raukawa ki te tonga. The five are:

- Ngāti Huia ki Kaytikhiku
- Ngāti Pare
- Maiōtaki
- Ngāti Koroki
- Ngāti Kapu

As signatories of Te Tirirti o Waitangi we assert that we still have the authority of *tino rangatiratanga* as guaranteed to us under the Treaty. The sovereignty and ownership of our taonga species and waterways were never ceded to the Crown or its agencies.

NHoO are opposed to the options proposed in the 2018 Review of North Island eel sustainability measures. Our recommendation is that Fisheries NZ and MPI NZ immediately close the commercial fishing of eel for both shortfin and longfin eel. Our objection to commercial fishing applies to QMA areas 22 and 23. Our hapū members individually and collectively maintain areas of interest in these two QMA's.

Our objections to commercial fishing for eel for the following reasons:

1. The Quota Management Areas described with the Review document do not recognise Iwi boundaries and therefore compromise the ability of mana whenua Iwi and Hapū to manage customary eel fisheries. An example of this is QMA 22 where numerous Iwi reside. Eel quota issued to Ngāti Raukawa could be shelved to help in the regeneration of our local stocks, but other Iwi within QMA22 can legally enter into our local waterways, and exploit the local fishery. This is a serious transgression of Māori tikanga that is being provided for with the current sustainability review.
2. The TACC totally undermines the customary and recreational fishing quota. The current Sustainability Review and quota system allows for the commercial take of eels over 220g and less than 4kg. Section 61 of the review acknowledges that customary fishers prefer a size over 750mm long and 1kg in size. Our experience within the Ngā Hapū o Ōtaki, and Ngāti Raukawa rohe, is that we struggle to catch eels of an appropriate size to support traditional preparation techniques. Our fishing data and experience is that over 90% of the shortfin eel captured do not support traditional preparation. This also applies to recreational catches that mana whenua undertake to feed their guests and family. The use of escape tubes in commercial nets does not remedy the issue that commercial fishing removes significant fish stocks before they get to an appropriate size class for customary and recreational fishers. A series of interviews with customary fishers in the NHoO and Ngāti Raukawa

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.

has revealed that a shortfin eel less than 700g is not suitable for pawhara or raurekau tuna, our local preparation techniques. In this way, the proposed commercial fishery undermines the customary practices, knowledge transmission through practice, and the ability to manaaki guests with our local eel dishes. It is undermining the practice of Māori culture.

3. The proposed options for management in the review will continue to perpetuate the Tragedy of the Commons. The philosophy of the 'tragedy of the commons' postulates the concept that 'if I don't do it, someone else will, so I will beat them to it'. The review has identified numerous Iwi have shelved their quota in an effort to improve the local fishery. However, as alluded to in point 1 of this submission, Iwi boundaries have been ignored in the creation of QMA's. This has led to our Iwi, Ngāti Raukawa, who had previously shelved our quota, leasing the quota to a third party. This is due to the Tragedy that, quota holders from outside of our tribal area are able to legally fish out of our local waters, thus emptying our local cupboard. This has promoted a Tragedy of the Commons reaction because if we don't fish our quota, someone else will come and fish out our waterways, so we may as well 'do it before someone else does'.

4. NHO have been a significant contributor of the Proposed Natural Resources Plan (pNRP) for the Wellington Regional Council (WRC). Our partnered approach to the development of this document has led to the creation of shared value statements and objectives for the management of our fresh and coastal waters. Within the pNRP we have developed objectives to manage fresh and coastal waters for mahinga kai and Māori customary use. This is a shared objective for the six mana whenua Iwi within the Wellington Regional Council's area. All six Iwi agree that mahinga kai and Māori customary use are critical measures of how the waters within the region are managed. All six Iwi have identified tuna (eel) as taonga species, and have a collective vision of restoring this fishery for customary use. All Iwi have agreed that the availability of tuna does not meet their needs for mahinga kai and Māori customary use. NHO assert that the continued commercial harvest of eel from our area and the Wellington Regional Council's territory, absolutely undermines our collective ability to achieve and practice cultural traditions. Commercial fishing for eel in the WRC area compromises our ability to achieve the collective objectives of Iwi with our Treaty partner WRC.

5. The uncertainty of the data used in the Review document is sketchy, at best! An example of this is the use of unfished bio-mass. The use of unfished biomass is a poor method to assess Tuna fisheries. This is essentially due to the size class of the 'unfished' biomass (see point 2 above) and the fact that Tuna only breed at the end of their lifecycle. Furthermore, the percentages of unfished biomass only provide a 50% probability of achieving sustainable management given the management actions (footnote 2, 3, and 4 of report). The idea that sustainability of our taonga is given a 50:50 chance of being successful is totally unacceptable.

"When reviewing the stock assessments for shortfin and longfin eels, Fisheries New Zealand's Fisheries Assessment Plenary (the Plenary), which is comprised of a range

of experts, agreed for both species that the appropriate interim sustainability target, soft, and hard limits are 40%, 20% and 10% of B_0 (unfished biomass) respectively, as recommended in the Fisheries New Zealand Harvest Strategy Standard. These default targets may be reviewed in the future, given the pre-consultation feedback that showed there is clear interest in managing for higher levels of abundance, particularly in the case of longfin eels.” (Section11. Pg3 2018 Review)

We also call into question that biomass is a hopeless standard for shortfin eel when the review states that essentially 100% of the commercial shortfin eel take are female. The residual biomass of male shortfin eel does not satisfy the sustainability measures used by NHO.

The use of two elver recruitment monitoring sites on dammed rivers in the north and south islands also provides no certainty for NHO. These sites do not represent our local waterways, where we have witnessed a decline in elver numbers emigrating back into our streams and rivers.

The use of CPUE is also acknowledged as flawed in the review document.

There are no records for recreational and customary catches in the review document.

This all leads to a conclusion that there is a level of uncertainty that we cannot accept. We do not believe there is sufficient data or evidence to demonstrate that the quantum of eel proposed to be allocated to the QMS for eel is sustainable.

6. Another factor that flows across the QMS for eel is the degraded state of our waterways. The report acknowledges the degradation of the environment in section 12, Pg 3 of their report when they state “...in the case of eels, a large proportion of their habitat has undergone largely irreversible modification, such as drainage of marshland to make way for farmland..” While this effect is not attributable to commercial fishing, it does present a challenge for setting sustainable catch limits. It is simply another pressure that our taonga species must overcome. It presents another uncertainty factor, or risk factor that NHO cannot accept, especially on top of the points raised earlier.
7. NHO are experiencing issues with eel accessibility and size classes. The report states that “...the observation that 78% of available longfin habitat in the North Island is not currently subject to commercial fishing...” and goes on to say that this is due to the land being under the management of DoC and being inaccessible. NHO contend that the reason these areas are unfished, present the same rationale as to why we do not fish these areas. However, this area of exclusion results in intense fishing pressure on the 22% of available fishing habitat for NHO. The combined commercial and recreational fishing pressure on the accessible 22% of fisheries area mean that our local Tuna are small in size, abundance, and quality. The minimum size class for longfin Tuna, and commercial fishing pressure results in culturally appropriate size classes of Tuna becoming increasingly hard to catch. The illusion that

78% of unfished longfin habitat is resulting in fishery improvement has not been experienced by NHO.

In summary, NHO object to the proposed review of the eel fisheries in the north island, specifically:

Ngāti Raukawa areas LFE 22 and 23, and SFE 22 and 23.

SFE23 stays at TACC of 23, Customary 6, recreational of 5.

LFE23 is reduction of 44% of TACC to new TACC of 5, Customary 14, Recreational 9

NHO area is LFE22 and SFE22.

SFE22 is TAC 121, TACC 94, Customary 14, Recreational 11, general 2

LFE22 is reduction of 38% of TACC to new TACC of 13 tonne, Customary 6, Recreational 5

Our submission is based on the points made above. We recommend the following:

1. A 10 year moratorium on commercial fishing in QMA's 22 and 23 for both shortfin and longfin eel.
2. A eel fishery research programme is developed in collaboration with the WRC, mana whenua lwi from this region, and commercial fishers.

Details supporting your views:

Please continue on a separate sheet if required.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Cara Hansen
Organisation (if applicable):	Member of public
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

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Details supporting your views:

12 June 2018

To whom it may concern,

Re: New Zealand Eel submission

I am passionate and actively involved in the conservation of New Zealand in the hope that one day my children, their children and subsequent New Zealanders will be able to enjoy our very own precious native and endemic species in their natural environment.

It deeply concerns me that New Zealand allows our beautiful endemic and native tuna (long fin and short eels) to be commercially exploited. This is no different to commercially harvesting kiwi.

I couldn't quite believe it when I learnt that our beautiful taonga are killed by the tonne for sale locally and for export to other countries that do not possess such treasures. Asia and parts of Europe buy our tuna because they have over fished their own waters. Without preventative measures in place, there is a danger of our waters becoming lifeless.

I believe it is crucial to ban the exploitation of our endemic and native eels. As a step in the right direction, however, I support the reduction of the total allowable catch by 15% and the total allowable commercial catch by 32%. I see this as a vital measure towards the sustainability of these magnificent creatures and our beautiful New Zealand ecosystem for the enjoyment of future generations.

Kind regards

Cara Hansen

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	Dannika Frost
Organisation (if applicable):	Member of public
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

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Submission:¹

Details supporting your views:

16 July 2018

To whom it may concern

Re: New Zealand Eel submission

My name is Carisse Enderwick. I'm a conservationist, photographer and mother to one.

I am actively involved in the conservation of New Zealand in the hope that one day my children, their children and subsequent New Zealanders will be able to enjoy our very own precious native and endemic species in their natural environment.

It deeply concerns me that New Zealand allows our endemic and native tuna (long fin and short eels) to be commercially exploited. This is no different to commercially harvesting kiwi – and in fact, they're more threatened than some species of kiwi.

It is disappointing to learn that our taonga are killed by the tonne for sale locally and for export to other countries that do not possess such treasures. If more people learnt about the breeding biology of our longfin tuna I'm convinced that they'd think twice about the viability and sustainability of fishing them. It's not sustainable.

I believe it is crucial to ban the exploitation of our endemic and native eels. As a step in the right direction, however, I support the reduction of the total allowable catch by 15% and the total allowable commercial catch by 32%. I see this as a vital measure towards the sustainability of these magnificent creatures and our beautiful New Zealand ecosystem for the enjoyment of future generations.

Kind regards

Carisse Enderwick

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.

Karen Wilson

From: Catharina Breuker [REDACTED]
Sent: Friday, 20 July 2018 3:59 PM
To: FMSubmissions
Subject: Increase in abundance

Dear Sir/ madam

I am totally confused by your quota system and obviously I need to study it in more detail.

My grave concern is When the data suggests **an increase in abundance** for a certain species of fish then an **increase in catch limit** is proposed.

Would logic not suggest that if there is **an increase in abundance of a certain species** then the quota is set **at about the right level**....ie taking some fish but leaving a healthy population of fish to support healthy populations of sea birds, dolphins, penguins and all the other creatures that make up the entire food chain.

I would have thought an increase in abundance would be a the target to aim for and once this has been achieved you would leave the catch limit at the status quo.

Fish population are under stress from pollution, climate change, human consumption plus other fish species higher up the food chain.

Why wait until there was a sustainability concern and then reduce the catch limit???

When setting quota does anyone look at the big picture ... should we not strive for a quota system that has built in resilience which ensures all fish species maintain a healthy population and there is enough fish in the ocean to sustain the entire food chain.....not just Homo sapiens.

Thank you for your time
Catharina Breukers

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Karen Wilson

From: Catharina Breukers [REDACTED]
Sent: Monday, 23 July 2018 8:57 PM
To: FMSubmissions
Subject: Fw: REVIEW of NORTH ISLAND EEL SUSTAINABILITY MEASURES

From: Catharina Breukers [REDACTED]
Sent: Monday, 23 July 2018 8:52 PM
To: FMSubmissions@mpi.govt.nz
Subject: REVIEW of NORTH ISLAND EEL SUSTAINABILITY MEASURES

Review of North Island eel sustainability measures for October 2018

I am submitting in opposition to the two proposed options being considered in this review.

Longfin eels have a Conservation Status of At Risk-Declining . (under the NZ Threat Classification System)
Their slow reproduction rate makes their population (already under pressure from habitat loss)
very sensitive to further pressures from commercial fishing.

This species must be left to increase in numbers and develop robust populations to ensure it dose not slip
from At Risk-Declining into the Threatened category.

Climate change, pollution and further stressors all impact on population health and sustainability.

Longfin eels are an endemic iconic species we need to err on the side of caution.

MPI needs to uphold the recommendation made by the Parliamentary Commissioner for the Environment
**for a moratorium on the commercial fishing of longfin eels until evidence shows that their numbers have
recovered
to a sustainable level.**

Yours sincerely
Catharina Breukers
[REDACTED]

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Charlene Jaggard nee Ngatuere
Organisation (if applicable):	Tawhaotawhirimateanguere Foundation (Pending)
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	

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.

Kia ora

On behalf of my whanau, we declare the Long Fin Tuna NOT be subject to commercial fishing!

As one of many taonga & bares cultural significance to our iwi & culture we also understand this to be a Tiriti O Waitangi covenant, with rights to be protected & NOT sourced for commercial purposes.

Kind Regards

Charlene Jaggard

Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm, Friday 27 July 2018.

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:	Bill Chisholm (contact person), [REDACTED]
Organisation (if applicable):	Chatham Islands Finfish Association Inc.
Email:	bill@chisholm.co.nz
Fish stock(s) this submission refers to:	BNS3 East Coast And Southern South Island - Deemed Value Rates for the Chatham Islands
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

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Submission: Details supporting your views: Chatham Island Finfish Association OPPOSES any increase in the deemed value rates for BNS3 landed on the Chatham islands. Even with the existing deemed value rates, there are severe difficulties for us to establish an economic longline fishery, as the BNS by-catch is far too great.

Increasing the differential deemed value rate on the Chathams defeats the rationale for having it. We would like to see the deemed values for bluenose landed on the Chathams significantly reduced further. We are trying to set up a longline fishery which actively avoids targeting bluenose. The difficulty in the past is that the definition of a Chatham's-based vessel was too lax, allowing the differential deemed value system to be taken advantage of. The situation we are facing would be better resolved if those vessels line-fishing into Chathams-based LFR's were better defined, with perhaps a more rigorous registration system for bona-fide Chathams-based vessels.

An 2018 economic analysis of the Chathams by MartinJenkins consultants (copy available on request) clearly states that bluenose by-catch and the lack of available ACE is a significant impediment to the Island's economy. The Report says that 1000 tonnes of high-value fish are prevented being landed on the island because of it. **This is causing at least 10 million dollars-worth of lost economic activity to the Island.** This issue is therefore much bigger than Fisheries NZ is treating it.

There appears to be no appetite in Fisheries NZ to create a separate BNS4 quota management area. We are aware that Fisheries Minister Stuart Nash has said that there was not enough stock assessment information available to create a BNS4 FMA. He is concerned with the sustainability of Bluenose fisheries and that rearranging their management areas might interfere with the fairly aggressive rebuild policy that had been implemented.

We are therefore left with sorting out this massive problem through the deemed value system. The discussion document infers that increasing the deemed values is a sound management action because:

1. **Bluenose stocks need to be rebuilt.** This may be the case, but the total amount of bluenose landed on the Chathams by bona fide Chathams-based longline fishermen is likely to be miniscule compared to that which is landed elsewhere. To ensure this, we submit that a more stringent system of Chatham's-based vessel registration is imposed to ensure that vessels do not take advantage of the differential deemed values.
2. **Port prices for bluenose have increased, so the deemed value rate should also increase to cover this.** It is not good enough to apply this to the situation on the Chathams, where bluenose are actively avoided while we try to establish a \$10million fishery. There is no economy-of-scale available to Chatham's-based LFR's to achieve maximum port-price because of the small quantities involved. The costs of transportation from the island are far greater than on the mainland, so Chatham's-based LFR's are already on the back-foot in achieving a good price, before they have even started.
3. **The new deemed values are proportional to the rest of New Zealand, so the Chathams is not being singled out.** The differential deemed values are set on the Chathams for an entirely different reason, so proportionality with the rest of NZ is irrelevant. We are seeking to realise the full value of island-based quota, and we believe that this can be achieved through a more sophisticated deemed-value regime.

In conclusion, Fisheries NZ needs to decide whether it wants to facilitate a ~\$10million fishery establishing on the Chathams, or not. Currently, the way forward is through utilising the deemed value regime in a more sophisticated manner than currently occurs. Merely increasing deemed values because of what's happening in the rest of NZ shows no sophistication at all. The Chatham Islands Finfish Association would be happy to assist, and discuss this with Fisheries NZ, to unlock the full potential of the Chathams-based longline fishery. Meanwhile, the proposed

increase in bluenose deemed values on the island is 100% counterproductive to achieving this objective.

We have no comment to make on any other deemed value proposal or any other part of the Discussion Document

Yours faithfully

A handwritten signature in black ink, appearing to read 'V Croon', is centered within a white rectangular box.

pp: Valentine Croon, Chairman,
CHATHAM ISLANDS FINFISH ASSOCIATION INC.

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 Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

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Submitter details:

Name of submitter or contact person:	Chris Ross Puriri Hill Ltd
Organisation (if applicable):	Fisherman from 1989 - 2018
Email:	chris@ww.co.nz
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	LFE – option 1 to remain the same SFE – support the proposed option as - status quo

Official Information Act 1982

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Submission:¹

CS Ross

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.

Details supporting your views:

I have been one of the leading Eel fishermen over many years, with experience spanning over 3 decades and also sat on the ECCo board through the transition into QMS

SFE

I strongly believe the SFE biomass is stronger and healthier now than at anytime in past 30 years in terms of CPUE, size and overall recruitment.

It is very important to note the market has played a significant reduction in effort to catch all available quota over the past years. This has resulted in less pressure from fisherman, less overall take of all legal fish landed, and severely understated landing records of returned fish. This step change has resulted in less fish per number against quota stock reported amongst many fisherman

I believe there has been a stronger ethos developed for farming and developing our fishery to be stronger in terms of sustainability and better financially adapted in efficiency of operations.

This has lead into the fishery becoming better developed and in a situation to be able to high grade our stock, resulting in a greater/ healthier biomass in which to select from, for optimum market returns but also for greater recruitment

LFE

I strongly believe the LFE biomass is stronger and healthier now than at anytime in past 30 years in terms of CPUE, size and recruitment.

There has been very poor market sales for this stock, and it has had huge recruitment throughout our waters.

LFE have proved in this unique period of soft targeting, to repopulate very quickly giving us an insight to their growth performance being better than ever believed. This stock is in a very healthy position in all areas of CPUE, size and recruitment however it again has been very poorly recorded as returned fish by most fisherman and not targeted at all in most predominate LFE waters as it is economically unviable.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

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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:

Claude Thomas Somers
FIN 8412264

Organisation (if applicable):

Email:

Fish stock this submission refers to (delete any that don't apply):

SFE 20

~~SFE 21~~

~~SFE 22~~

~~SFE 23~~

LFE 20

~~LFE 21~~

~~LFE 22~~

~~LFE 23~~

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

Other

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Submission:

Details supporting your views:

I have been Eel Fishing for 50 years

In the early days, Longfin Eels were the predominant Eel.

When alot of the larger Longfin Eels were taken out, Shortfin Eels came into the fishery. If Longfin Eels are allowed to build up too much, the Shortfin Eels will disappear. This is happening already.

I do not think the Longfin Taac needs a reduction as this is already being done by the Eel Processors. They do not want many Longfin Eels as there is not much market for it.

If a Taac reduction is implemented then the 4kg limit on takeable Eels needs to be abolished. If this is not done then I believe Fishermen will kill the large Longfin Eels in order to reduce the numbers to allow the Shortfin Eels to flourish.



Please continue on a separate sheet if required.

Karen Wilson

From: Jo & Colin [REDACTED]
Sent: Monday, 23 July 2018 7:35 PM
To: FMSubmissions
Subject: Review of North Island eel sustainability measures for 1 October 2018

Review of North Island eel sustainability measures for 1 October 2018

I am submitting in opposition to the two proposed options being considered in this review.

Longfin eels have a Conservation Status of At Risk-Declining so they liable to quickly become Threatened under the NZ Threat Classification System. Their slow reproduction rate makes their population (already under pressure by commercial fishing) very sensitive to any further impacts or stresses.

I feel it is appalling to be harvesting any NZ native species for commercial purposes. I therefore call for MPI to uphold the recommendation made by the Parliamentary Commissioner for the Environment for a moratorium on the commercial fishing of longfin eels until evidence shows that they have recovered to a sustainable level.

Sincerely
Colin Shore

[REDACTED]
[REDACTED]

From: Robyn Pullen
To: [FMSubmissions](#)
Subject: Commercial eel fishing
Date: Wednesday, 18 July 2018 1:16:00 PM

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I have to submit my concern for longfin eels, as follows:

I think it is vitally important that there is acknowledgement of the lack of understanding and science around the life cycle of New Zealand's eel population. In particular the longfin eel is threatened through loss of habitat, environmental factors... and then to barely change the catch limit is irresponsible and negligent. How will they not become extinct? I hope as guardians of Aotearoa fauna this government will ensure there are safeguards put in place to keep our indigenous species alive.

Kind regards
Robyn Pullen

Sent from my Samsung Galaxy smartphone.



CoroMFA
COROMANDEL MARINE FARMERS' ASSOCIATION

Friday 27 July 2018

GLM9 Review
Fisheries New Zealand
PO Box 2526
Wellington 8140
& By email to; FMSubmissions@mpi.govt.nz

Dear Fisheries New Zealand,

GLM9 Review, 2018 Consultation

1. This submission solely relates to GLM9 matters.
2. The Coromandel Marine Farmers Association (CoroMFA) makes this submission, as representatives of all the Mussel farming Industry of Hauraki.
3. Our Hauraki Mussel industry is more than 80% reliant on the Kaitaia resource to create very considerable annual value including 800 jobs and over \$100M in annual sales and with much more growth potential. The Hauraki Mussel Industry now has some 300 Mussel farms in production covering 1,650 ha, with another 750ha very recently granted and more under application.
4. Kaitaia (ie GLM9) has always been the mainstay for supplying spat to our Industry and will remain so for the foreseeable future. Alternatives have been sought however the supply is very limited. Spat is both biologically and commercially unavailable in the Gulf despite very considerable efforts to secure it. We have ongoing monitoring programs which confirm its lack of availability. We also have a considerable research program underway to optimise the survival and utilisation of the Kaitaia spat that is supplied.
There is a valuable resource of spat supplied to our Industry from Aotea Harbour, which

is within GLM9 altho not part of the QMS. Some spat and seed also comes from Opotiki and Marlborough. However in total these resources are limited and our Industry is mostly (80+%) dependent on GLM9 landings for current and foreseeable production and our anticipated considerable growth in production.

5. **We fully support the proposal to retain the current GLM9 TACC** at 180 tonnes as per Option two, on the grounds of; existing and ongoing sustainability, administrative simplicity, and for optimal socioeconomic benefit.

We note there is no sustainability concern and catch is essentially passive on what arrives at the beach. In this regard we fully agree with paragraphs 542 & 556 of the MPI Discussion Paper.

Retaining the current TACC avoids the complex legal considerations and bottom-line requirements of the Fisheries Act that would arise if changing the TACC. Notably for this section 14 stock there is either;

- a section 13 consideration which as the default option even under s14 and involves specification of a target stock “level” (biomass) and a “rate” (time to target) which does not seem suitable in this case
- or else if a section 14 alternative approach is to be used then there must also be a section 8 “**Purpose**” consideration as per section 14(1) plus there also must be the section 12(1) special **consultation** requirement that would apply to taking a section 14(1) alternative approach.

Retaining the current TACC is the option that will much better meet the section 8 Purpose of the Act of “to provide for the utilisation of fisheries resources”. The supply from this GLM9 resource is vital for the growing Coromandel (and NZ) Mussel farming Industry. Conflict and environmental issues &/or perceptions at the beach should never be addressed via TACC setting but rather by new and/or rejuvenated measures for fisheries management such as a Fish Plan, with appropriate gear management measures and conflict minimisation provisions. We have and will continue to support all such initiatives. We support para.’s 558 & 576 in this regard.

6. **We fully support updating the spat to seaweed ratio from 50:50 to 25:75 to better reflect reality**, for reasons including; existing sustainability, optimal socioeconomic benefit, lack of undue risk, conformance with the Act. Now that this consultation and

consideration is underway, we perceive, in line with the two options in the discussion paper, that MPI really no longer has the option (even if it wanted to which we do not suggest) of keeping the current erroneous 50:50 ratio. The ratio must be altered to better reflect the true ratio ie to at least a 25% spat to 75% seaweed or even more accurately would be to a ratio of 18:82 or at least to 20:80. As noted this is the best available information and there is no other information to the contrary. We say the ratio should be 20:80 altho we would accept in the spirit of compromise the 25:75 ratio if the current TACC is maintained.

7. **We encourage MPI to initiate a full consideration of changing the fishing year to an April start**, to better encompass the reality of catch patterns and to allow better catch balancing within the fishing year.
8. **The CoroMFA fully supports the Submission of AQNZ.**

Thank you for this consultation. We welcome the opportunity to be heard on this submission.

Yours sincerely

Stephen Hand

Stephen Hand
Chair, CoroMFA



Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm, Friday 27 July 2018.

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:	CRAIG SOLOMON
Organisation (if applicable):	ROUGH WATERS LTD
Email:	[REDACTED]
Fish stock(s) this submission refers to:	GLM9
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OPTION 2 TO INCREASE THE TACC

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

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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:	Dale Walters
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 – Option 1 <input type="checkbox"/> SFE 21 - Other <input type="checkbox"/> SFE 22 – Option 1 <input type="checkbox"/> SFE 23 – Option 1 <input type="checkbox"/> LFE 20 – Option 1 <input type="checkbox"/> LFE 21 – Option 1 <input type="checkbox"/> LFE 22 – Option 1 <input type="checkbox"/> LFE 23 – Option 1
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	

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Submission:¹

To Fisheries New Zealand,

My name is Dale Walters and I have worked at New Zealand Eel Processing Co. for over 10 years. Part of my role is to organise ACE allocations for our fishermen, monitor fishermen's catches and source ACE from quota owners.

During my time here the number of fishermen has reduced by half as shown in the table below. There is now much less area fished, and very little overlapping of effort. Fishermen now stick to their patches and can manage individual areas better. This was shown in Mike Beentjes Report on Area of Longfin Habitat Fished which showed only 22% of available habitat is fished. The area fished has reduced further since that report.

Number of Fishermen with a catch		
<i>Shortfin</i>		
	2004/05	2017/18
Area 20	27	11
Area 21	23	16
Area 22	16	7
Area 23	8	4

Number of Fishermen with a catch		
<i>Longfin</i>		
	2004/05	2017/18
Area 20	26	11
Area 21	23	14
Area 22	17	7
Area 23	8	4

None of our fishermen target Longfin eels. This is because overseas buyers prefer shortfin over longfin and this is reflected in the port prices. When there was good demand and higher prices paid for Longfin in 2011-12 season the Longfin TACC was fully caught (over 100%) in both LFE20 and LFE21. This season we had to stop our Northland fishermen catching in May because we were out of SFE20 ACE. In late June we were able to source some more and fishing recommenced. We will run out of LFE20 ACE this season but TACC won't be fully caught for either LFE20 or SFE20 this season as a lot of ACE can't be accessed.

Shelving of Eel ACE started after the Quota cuts in 2007. Some iwi were concerned about eel stocks and wouldn't release their ACE for fishing. These were mostly smaller parcels of ACE at first. Since the PCE report about Longfin eels was released there has been a second wave of shelving in all areas. Another cut to Longfin numbers as proposed in 'option 2' would send a signal to quota owners that stocks are in trouble and entrench the shelving mind-set. Whilst done with good intention, shelving actually creates a data gap, keeping catch numbers artificially lower and will persist even after a cut.

The Option 2 proposal of reducing Longfin TACCs to current catch levels is flawed as it fails to recognise that the current catch levels are constrained because not all Quota owners are releasing their ACE. A typical year for LFE23 would have 4 Ton of ACE not released out of a 9 Ton TACC.

I support option 1 for all stocks, except for SFE21 as I believe quota should be increased in this area. The numbers speak for themselves really (see chart below), since the cut in 2007, the average catch has been 94.2%. The CPUE data is positive in the 3 areas (AC, AD, AE) with available information, and the 4th (AF) has very little fishing because of its remoteness. It is clear that the SFE21 cut in 2007 was excessive and the area can sustain a higher TACC. What doesn't show up in the numbers is the fact that we have experienced fishermen wanting to catch more but can't because there isn't enough SFE21 ACE available.

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.

Fishing Year	SFE21 Catch	SFE21 TACC	% Caught
2007/08	125,276	134,000	93.5%
2008/09	110,022	134,000	82.1%
2009/10	124,070	134,000	92.6%
2010/11	133,866	134,000	99.9%
2011/12	140,927	134,000	105.2%
2012/13	124,319	134,000	92.8%
2013/14	139,005	134,000	103.7%
2014/15	122,833	134,000	91.7%
2015/16	119,088	134,000	88.9%
2016/17	123,400	134,000	92.1%
	1,262,806	1,340,000	94.2%

Please continue on a separate sheet if required.

Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tiri a Tangaroa

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm, Friday 27 July 2018.

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: Darren Oliver

Organisation (if applicable): GB trawlers Ltd

Email:

Fish stock(s) this submission
refers to: SNA7

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

Official Information Act 1982

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Sna 7

This has been an issue in area 7 for now the past 2 years ,we are having to tie up due to an abundance of snapper in tasman and Golden bay .

We cant afford to deem this species due to high costs so we have no choice but to tie up and wait for the tuna season .

Please continue on a separate sheet if required.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

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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:	David Famularo [REDACTED]
Organisation (if applicable):	[REDACTED]
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

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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 believe all fishing of the longfin eel needs to be stopped. The longfin Eel is categorised as “chronically threatened in gradual decline” by the Department of Conservation.

The species is particularly vulnerable because it only mates once, at the end of its life, and there could already be fewer longfin eels than needed to sustain a population.

Longfin eels live in freshwater around New Zealand before travelling to Tonga to breed at the end of their life. They can live for more than 100 years.

Because females are larger and there are minimum size limits for commercial fishing, a disproportionate number of females are caught.

Because of the risks longfin eels face returning to New Zealand after hatching in Tonga, it is possible that a tipping point will be reached where there are not enough eels left to sustain the population. There won't be a natural decline. There will be a mass extinction.

Longfin eels are easily caught with almost all the eels in an area caught in a single night.

The longfin eel is only found in New Zealand and we should not be playing Russian roulette with it, when it is quite clearly in a precarious situation. Unlike many other fish species, a failure to act now will not still offer the opportunity to save the species later. Once it does not have a critical mass of numbers meeting in the South Pacific, it cannot be brought back from the brink.

We will be left with whatever number of long fin eels remain in New Zealand and will only be able to watch helplessly as the remaining number diminish extinction because numbers will never be replenished by elvers arriving from the South Pacific.

27 July 2018

Ms T Bock
Manager Deepwater Fisheries
Ministry for Primary Industries
P O Box 2526
Wellington 6011

By email: tiffany.bock@mpi.govt.nz and FMSubmissions@MPI.govt.nz

Dear Tiffany,

DWG Submission on MPI Sustainability Reviews for Deepwater Stocks in 2018-19

1. Thank you for this opportunity to submit on the Ministry for Primary Industries (MPI) Review of Sustainability Controls for 1 October 2018.
2. Deepwater Group Limited (DWG) represents the majority (91%) of deep water fishing quota owners. Our role is to act on behalf of deepwater quota owners and to work collaboratively with government and others to ensure New Zealand's deepwater fisheries are optimised and managed sustainably. This submission has been prepared on their behalf for the deepwater stocks.

LIN 5

3. For LIN 5, DWG submits in support of MPI's proposed **Option 3** for a 20% increase in the TACC. However, we calculate a 20% TACC increase equates to 4,746 t, rather than 4,735 t as referenced in MPI's discussion paper. We submit in support of a 20% TACC increase of 4,746 t. The science supports that this increase will maintain the stock at or above sustainable limits, as exemplified below.
4. LIN 5 and LIN 6 (Sub-Antarctic) are assessed as a single stock. An updated assessment was undertaken by NIWA and accepted by the Deepwater Working Group in 2018. The base case model estimates the stock to be at 88% B_0 (75-101%). In addition, five sensitivity model runs all estimated $B_{current}$ to be between 86% and 94% B_0 .
5. The flat biomass trajectory for the stock suggests the stock has never been fully exploited. The biomass trajectory for the base case model is shown in Figure 1 below.

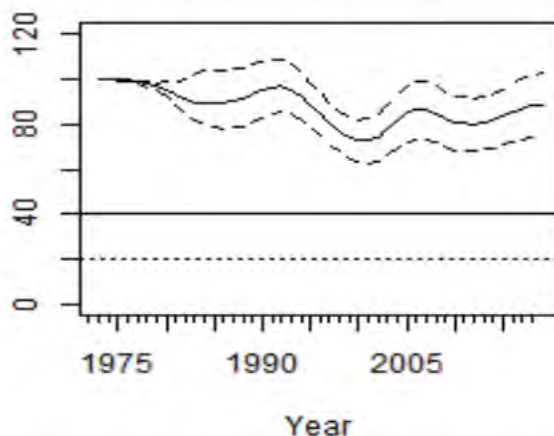


Figure 1: LIN 5&6 base case model estimated median trajectories for biomass as a percentage of B_0 , with 95% confidence intervals shown as dashed lines. The management target of 40% B_0 is represented as a horizontal solid line and the horizontal dashed line is the soft limit (20% B_0).

6. Forward biomass projections were undertaken for two scenarios combining the catches of LIN 5 and LIN 6. Both scenarios estimate the stock will remain above the target biomass level and support an increase of 4,746 t in LIN 5. The catch scenarios are:
- 6.1 Low catch – assuming catch based on recent history (2013-17) of ~6,650 t
 - 6.2 High catch – assuming the LIN 5 and LIN 6 TACCs are fully caught (i.e. ~12,100 t)

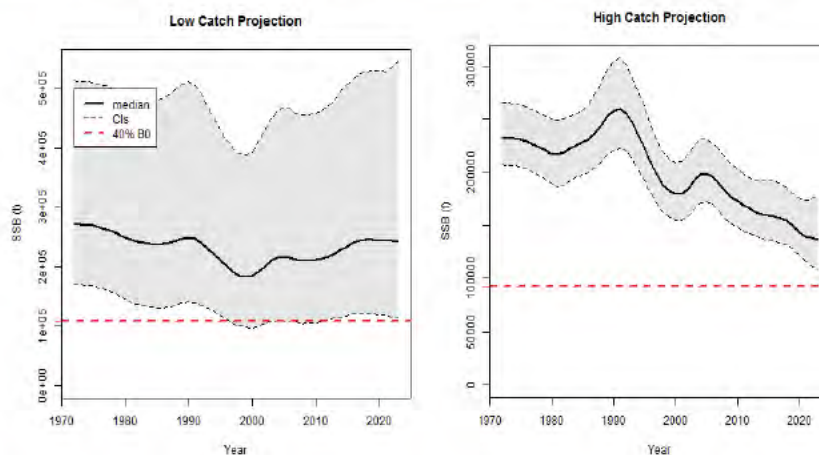


Figure 2: LIN 5 and LIN 6 (Sub-Antarctic) biomass projections under low catch (left) and high catch (right) scenarios. The horizontal dashed line (red) illustrates the management target of 40% B_0 .

7. The LIN 5 TACC has been fully utilised in recent years, while the LIN 6 TACC has been significantly under-caught (Table 1). The increase will only apply to the LIN 5 TACC.

Table 1: Recent TACCs and catches for LIN 5 and LIN 6

Year	LIN 5		LIN 6		Combined	
	TACC	Catch	TACC	Catch	TACC	Catch
2012-13	3,595	3,610	8,505	3,102	12,100	6,712
2013-14	3,955	3,935	8,505	3,221	12,100	7,156
2014-15	3,955	3,924	8,505	3,115	12,100	7,039
2015-16	3,955	3,868	8,505	2,222	12,100	6,090
2016-17	3,955	4,050	8,505	3,322	12,100	7,372

8. DWG supports MPI's assessment of the environmental considerations arising from this increase in LIN 5, including to protected species, to interdependent stocks, and to habitats. DWG shareholders remain committed to and supportive of the continued management and monitoring of these interactions.

OEO 4

9. For OEO 4, DWG submits in support of MPI's proposed **Option 2** for a TACC increase from 3,000 t to 3,900 t and a non-regulatory agreed catch limit for smooth oreo (SSO 4) of 2,900 t. The science supports that this increase will maintain the stock at or above sustainable limits, as exemplified below.
10. In 2015 NIWA completed a stock assessment for SSO 4 which estimated the stock size to be around 35,000 t or 27% B_0 (range 16-41% B_0). As a consequence, in 2015-16 the OEO 4 TACC was reduced from 7,000 t to 3,000 t with a provision of around 2,000 t for SSO 4 catches. However, SSO 4 catches have since averaged 2,300 t.
11. In 2018, ISL completed a new stock assessment using new age composition data. ISL's base case model estimates the stock size to be 40% B_0 (23-59%). The results of this stock assessment have been considered and accepted by DWFAWG and Plenary. As the discussion paper explains, this new stock assessment "suggests that the estimate of stock status from the 2014 stock assessment was overly pessimistic."

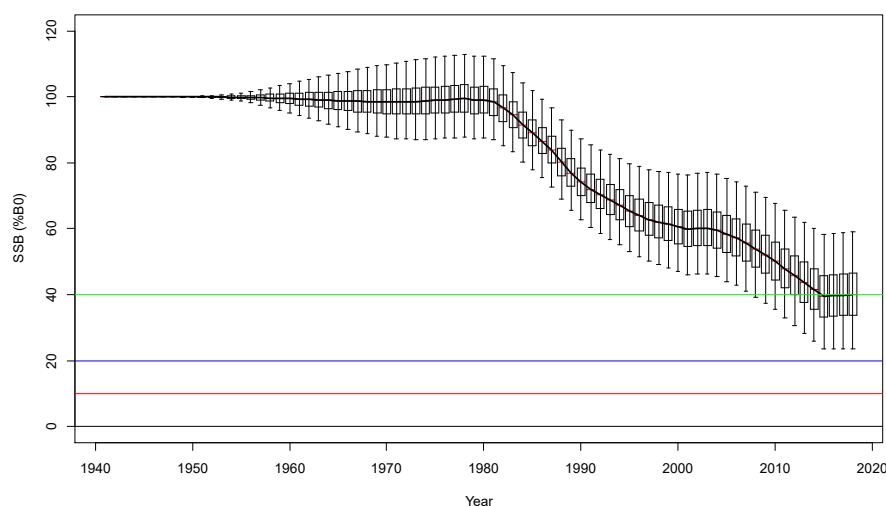


Figure 3: SSO 4 spawning biomass trajectory for the base case model as percentage of B_0 . The boxes include the middle 50% of the distribution and the whiskers extend to 95%. Horizontal lines are plotted at 10%, 20% and 40% B_0 .

12. As a sensitivity analysis, MPI asked ISL to undertake another model run with a fixed natural mortality of $M = 0.063$, a more conservative option. This analysis assesses the stock to be at 33% B_0 in 2018. Trends in forward projections of biomass are identical to the base case model but at a lower level of biomass.
13. Five-year projections out to 2023 estimate that annual catches of 2,300 – 3,000 t will maintain median stock status at about 40% B_0 . Annual catches of 3,300 t would result in a slight decline in biomass.
14. Projections through to 2023 for a range of catch limits are presented below (Table 2). DWG supports a catch limit of 2,900 t in order to maintain a 50% probability or more of the estimated biomass being at or above 40% B_0 in 2023.

Table 2: Projected biomass estimates in 2023 under a range of constant catch scenarios, and the associated probabilities that the stock will be at or above the management of 40% B_0 .

Catch Limit	% B_0 in 2023 (Base case)	P > 40% B_0 in 2023
2,300 t	42	0.56
2,900 t	40	0.50
3,000 t	40	0.49
3,300 t	39	0.46

15. DWG supports MPI's assessment of the environmental considerations arising from this increase in OEO 4, including to protected species, to interdependent stocks, and to habitats. DWG shareholders remain committed to and supportive of the continued management and monitoring of these interactions.

ORH 3B

16. For ORH 3B, DWG submits in support of MPI's proposed **Option 2** for a TACC increase from 5,197 t to 7,667 t, a decrease in the sub-area catch limit for Northwest Chatham Rise from 1,250 t to 1,150 t, and an increase in the sub-area catch limit for East & South Chatham Rise from 3,100 t to 5,670 t. The science supports that these catch limits will maintain the stocks at or above sustainable limits, as exemplified below.
17. During 2016-17 MPI contracted NIWA to undertake stock assessments for two sub-stocks: Northwest Chatham Rise (NWCR) and East & South Chatham Rise (ESCR). Orange roughly abundance in both NWCR and ESCR was estimated to be increasing. The NWCR stock assessment estimated that the stock was at 38% B_0 and the ESCR stock assessment estimated that the stock was at 33% B_0 .

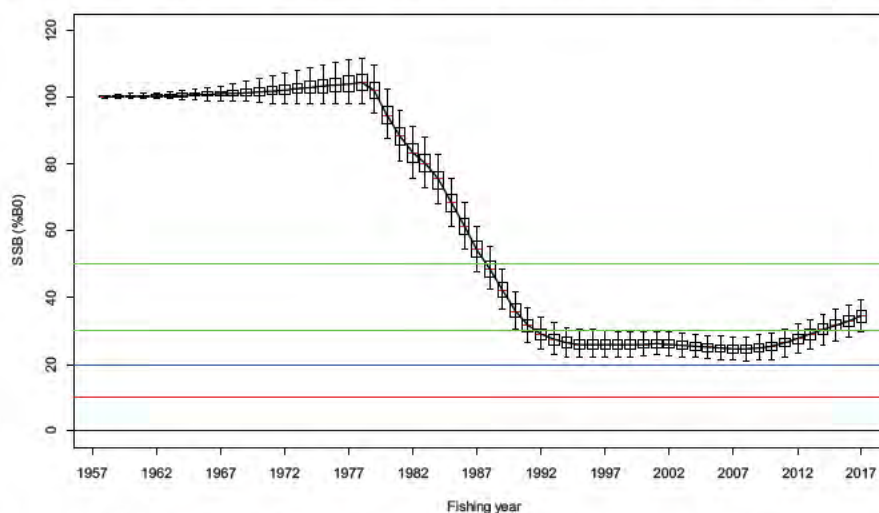


Figure 4: ORH 3B ESCR spawning stock biomass trajectory. The boxes include the middle 50% of the distribution and the whiskers extend to 95%. Horizontal lines are plotted at 10%, 20%, 30% and 50% B_0 .

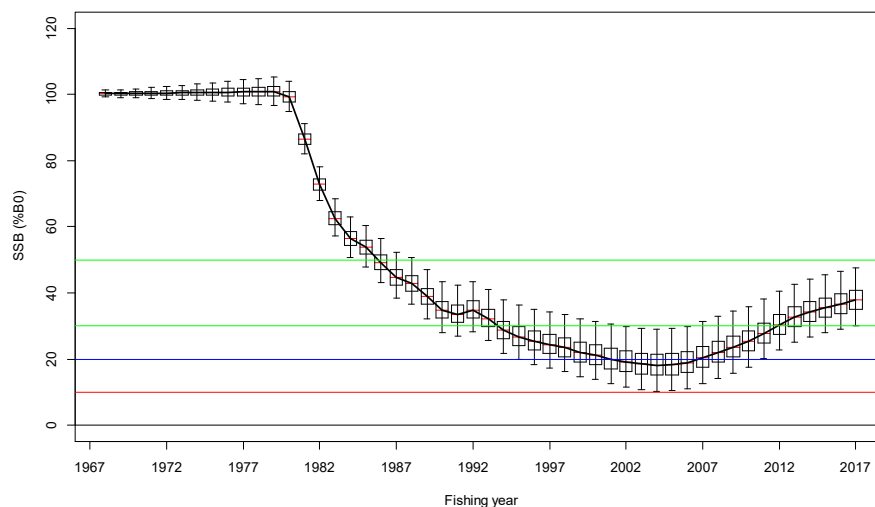


Figure 5: ORH 3B NWCR spawning stock biomass trajectory. The boxes include the middle 50% of the distribution and the whiskers extend to 95%. Horizontal lines are plotted at 10%, 20%, 30% and 50% B_0 .

18. As outlined in MPI's discussion paper, the application of the Harvest Control Rule (HCR) to outputs from the 2017 stock assessments provide higher sustainable yields than current catches. This includes a small decrease to the NWCR limit to 1,210 t and an increase to the ESCR limit to 5,970 t, both of which include allowances of 5% for other sources of mortality.
19. We note that the 2018-19 catch limit for ESCR may seem high relative to the current 3,100 catch limit. However, it is important to note that the limit was deliberately set below the sustainable yield estimate of 3,772 t, as determined from the HCR in 2014, to promote more rapid stock rebuilding.
20. The current NWCR catch limit is set at 1,250 t. Because this limit was established before the HCR was developed, industry agreed to shelve 207 t, leaving 1,043 t available, which is the appropriate limit that would have been set if the HCR was applied. This catch limit has been under-caught in recent years as much of the biomass in ORH3B NWCR resides within an area closed to fishing. Applying the HCR to the new stock assessment results estimates a catch limit of 1,150 t (the amount after deducting an allowance of 5% for other sources of mortality), an increase from the current agreed limit of 1,043 t.
21. DWG supports MPI's assessment of the environmental considerations arising from this increase in ORH 3B, including to protected species, to interdependent stocks, and to habitats. DWG shareholders remain committed to and supportive of the continued management and monitoring of these interactions.

SCI 3

22. For SCI 3, DWG submits in support of MPI's proposed **Option 3** for a 20% TACC increase from 340 t to 408 t. The science supports that these catch limits will maintain the stocks at or above sustainable limits, as exemplified below.
23. The base case model from an updated stock assessment undertaken by NIWA estimates B_{2017} at 76% B_0 . MPI's discussion paper explains that there is opportunity to increase the TACC by 20% and that this is within sustainable limits.
24. At an increased catch level of 408 t the stock is estimated to increase to 78% B_0 by 2021 (
- 25.
26. Table 3).

Table 3: Projected stock status as %B₀ in 2021 for a range of TACC scenarios and the probability (P) of the spawning stock biomass (SSB) in 2021 being greater than the current SSB.

TACC Options	Estimated %B ₀ in 2021	P SSB ₂₀₂₁ > SSB ₂₀₁₇ in 2021
340 t	80	0.88
375 t	79	0.84
408 t	78	0.79

27. DWG supports MPI's assessment of the environmental considerations arising from this increase in SCI 3, including to protected species, to interdependent stocks, and to habitats. DWG shareholders remain committed to and supportive of the continued management and monitoring of these interactions.
28. DWG seeks MPI's agreement that the Crown will tender their SCI 3 ACE prior to 1 October 2018.

Further Discussion

29. DWG and our shareholders would be happy to engage in further discussions with MPI on any matters pertaining to this submission before MPI finalise their final advice on the sustainable management of these fisheries.

Regards,



George Clement
CEO
Deepwater Group Ltd

DOC-5538027

1 August 2018

Allen Frazer
Fisheries New Zealand
73 Otaki Street
Private Bag 1926
Dunedin

Tena koe Allen,

North Island eel stock review

Thank-you for the opportunity to provide feedback on the review of North Island eel stock.

On fishing issues, the Department of Conservation (DOC) has usually deferred to Ministry for Primary Industries (MPI) now Fisheries New Zealand (FNZ) as the managers of the eel fishery. However, DOC has a legislative function to “*preserve so far as is practicable*” indigenous freshwater fisheries and freshwater fish habitats. Therefore, DOC has a role to ensure that the harvest of indigenous freshwater species does not adversely affect freshwater species and ecosystems.

DOC has concerns about the sustainability of longfin eel stocks. Longfin eels are;

- Classified as At Risk: Declining in the New Zealand Threat Classification System.
- Have characteristics that make them vulnerable to fishing pressure i.e. they are long lived and are easily caught by fishing methods in large numbers
- A top predator and therefore have an important ecosystem role
- Have been and continue to be impacted by major alterations to habitat

Furthermore, longfin eels are vulnerable to serial depletion as there is no legal impediment to removal of longfin eels from their full range of habitat outside of conservation areas.

Our technical opinion is that the biology, current state and customary fishery importance of longfin eel warrant a precautionary approach. Whilst option two in the discussion paper seeks to increase the abundance of longfin eels across all Quota Management Areas (QMAs) by reducing total allowable catch, this is still not precautionary. The consultation document does not explore the full range of options for longfin eel management and could benefit from undertaking a wider consideration of options including the evaluation and costing out of additional approaches such as:

- A full moratorium on commercial fishing of longfin eels; and/or
- Creation of a set of reserves to protect mature individuals.

If you believe the sustainability measures process is not the appropriate vehicle for fully exploring alternatives, then it is imperative that we look at what an alternative possible

process might be. It may be that an approach like DOC's proposed approach to whitebait management might be something to consider. For that fishery, we are going to explore the full range of options available for restoring the health of whitebait populations using a multi-party working group. It may be timely for such an approach to be explored for longfin eels.

We look forward to working with FNZ to explore better options to ensure the sustainability of New Zealand's endemic longfin eel.

Naku noa, na



Emily Funnell
Freshwater Technical Advisor
efunnell@doc.govt.nz
0274 083 326

Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm, Friday 27 July 2018.

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:	Dr DONALD MEAD
Organisation (if applicable):	
Email:	
Fish stock(s) this submission refers to:	SPO 7
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Option 1 – no increase

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

Details supporting your views:

I am concerned with the fishing for rig in Golden Bay by Commercial fishers who use trawl or set nets. There have been reports of dolphins in the bay and these techniques are too risky. Trawl netting also disturbs the bottom and some consider that they have been damaging they sea floor, resulting in the current low productivity of the Bay including very low scallop levels.

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.

**Review of sustainability measures MPI Discussion Paper 2018/05
Re Green-Lipped Mussels (GLM 9) (Kaitaia Spat) (GLM 9 Spat)**

Email to: FMsubmissions@mpi.govt.nz

Submission by Eastern Seafarms Limited (ESF)

Contact: John Wilson [REDACTED]

26 July 2018

1. Summary

ESF supports a change to the spat ration to 25% spat to 75% seaweed, and option 2 leaving the TACC unchanged. Together these measures will provide the opportunity for the harvesting of additional GLM 9 spat when it is available.

The mussel industry is an important stakeholder in this fishery and its views and needs should be given a high weighting in this decision. Additional spat is needed for the continued development of the mussel industry.

There are no issues regarding the sustainability of the fishery. Any issues regarding the effects of harvesting should be dealt with separately to the decision on how much spat can be harvested.

2. Introduction

ESF holds resource consents for a 3800ha Mussel Farm offshore from Opotiki. Shareholders are the Whakatohea Maori Trust Board and Whakatohea Aquaculture (Opotiki) Limited.

The review of this fishery by Fisheries New Zealand is appropriate.

ESF supports the submissions of Aquaculture New Zealand. ESF stresses the importance of obtaining additional spat for the continued development of the mussel industry.

The Opotiki farm currently provides direct employment for 13 staff in the Eastern Bay of Plenty and contributes to indirect employment of a number of other people providing services to the farming operation and the business.

Commercial development of the farm started in 2014 and the farm is approximately 20% developed.

3. Stakeholders

The GLM 9 spat fishery is unusual in that the product from the fishery is the primary input for a large proportion of the New Zealand Mussel farming industry. Therefore mussel farmers are important stakeholders in this fishery - much more so than in the typical relationship between quota holders and consumers of fish.

It is important that MPI give a high weighting to the views and needs of the mussel industry stakeholders in this fishery.

4. ESF need for additional GLM 9 Spat

The farm site is suitable for catching local Opotiki however like spat catching in other locations, catches are proving highly variable. The use of GLM 9 spat to supplement caught spat is therefore an important part of the farming operation.

For the future successful development of the farm access to additional GLM 9 spat will be essential.

There has been increasing competition for GLM 9 spat due to a number of factors including:

- Occasional mortality of spat in the Hauraki Gulf,
- Development of new areas requiring additional spat,
- Some good growing seasons leading to faster crop turnover,
- A shortage of spat, due to reduced strandings of GLM 9 in some years which has taken the industry some time to catch up from.

Shortage of supply due to the shortage of quota and increasing competition and has made it difficult for the main operator on the ESF farm to obtain all of the spat that it needs and has lead to an increase in the cost of GLM 9 spat.

A significant area of additional mussel farming water space is expected to be available for development in the next few years. To satisfy this demand for ESF and for others it is important that additional GLM 9 spat is made available.

5. Sustainability of the Fishery

The discussion paper confirms that there are no sustainability issues in relation to the GLM 9 spat fishery.

6. Potential for environmental damage from seaweed harvesting

This appears to be a significant concern to some people. ESF acknowledges that concern.

ESF submits though that minimising environmental damage from harvesting is a separate issue from the sustainability of the fishery. As a separate issue it should be dealt with separately to the decision on increasing the amount of spat that can be made available to the mussel farming industry.

That said, ESF supports that industry, spat harvesters, those with concerns and MPI work together to find ways to minimise the potential for environmental damage.

7. Proposal to review the spat ratio

This is supported by research into the facts and is strongly supported by ESF.

8. Proposal to review the TACC

ESF strongly supports option 2 that there is no change to the current TACC of 180 tonnes of spat.

Together these two measures will provide the opportunity for the harvesting of additional GLM 9 spat when it is available.

9. Conclusion

The review by MPI / Fisheries New Zealand is welcomed. Making additional GLM 9 Spat available to the New Zealand Mussel Farming industry will be essential for efficient development of both the Opotiki farm and the industry generally. Continued development of the industry will bring increased economic benefits, particularly to regional New Zealand.

Submission ends

**TO: MINISTRY FOR PRIMARY INDUSTRY
FISHERIES MANAGEMENT
WELLINGTON**

SUBJECT: Review of North Island Eel (Tuna) Sustainability Measures for 1 October 2018

DATE: 25 July 2018

INTRODUCTION

My name is Edward Moses of 3391 [REDACTED]

I am a committee member for Te Putere Marae and this submission has been presented on behalf of the two Trustees for the Marae, namely Waka Gilbert (snr) and Walker Gilbert (jnr). Putere Marae is located off Putere Road, approximately 25kms north west of the settlement of Raupunga, which is approximately 35kms south of the township of Wairoa, Northern Hawke's Bay.

The Meeting House (Whare) is named after one of the five children of Hinemanuhiri, namely Pareroa. Our Hapu, Taraparoa is of Ruapani descent. Putere is situated within the Iwi Rohe o Ngāti Pāhauwera which is bounded by the Waiau River and the Te Hoe River. The Iwi on the northern side of the Waiau is Tuhoē, and the Iwi on the western side of the Te Hoe is Tuwharetoa. The Marae is adjacent to the lake Te Rotonui-a-Ha, which is the subject matter of this submission.

STATUS OF LAKES

As this heading suggest, there are two lakes in close proximity of each other. Enclosed is a Google map of the three lakes. The largest of the three is Te Rotonui-a-Ha, the middle lake is Rotoroa and the smaller lake to the west is Rotongaio. The beds of the three lakes are deemed to be Maori Freehold land and are owned by descendants of Maori which includes the Ngāti Pāhauwera Development Trust who owns half of the lake bed of Rotoroa, bisected diagonally from south to north and also the lake bed of Rotongaio

FOOD SOURCE

Generation after generation the three lakes have provided a steady supply of Tuna for whanau and hapu. Te Rotonui-a-Ha was also a food source for kaakahi (fresh water mussel), inanga, koura (freshwater crayfish) and trout. Trout was introduced into Te Rotonui-a-Ha in the late 1940's early 1950's with carp being introduced in the late 1950's. There is no recorded evidence as to why such species were introduced at that time except to record that both species are present today. Trout and carp are also present in Lake Rotoroa. There is no evidence of trout or carp being present in Lake Rotongaio. Kaakahi still exists today but not the abundance of inanga, and regrettably no koura.

STATUS OF TUNA

I totally agree with previous commentaries that our Tuna is a Taonga of special significance. We are deemed to be Kaitiaki (Guardians) of the lakes to prevent any environmental disasters. Not only is it a food source, the Tuna reminds us of the many challenges and obstacles that it faces to ensure its own survival. Their instinct to overcome all adversities is beyond belief, but apart from man himself who can change the course of history, or survival

with the weaponry that he has at his disposal, and with the advent of climatic change, I, too, would fear for the Tuna of our lakes.

PURPOSE OF SUBMISSION

This submission focuses on two of the lakes, namely Rotoroa and Te Rotonui-a-Ha. Rotoroa flows into Te Rotonui-a-Ha via a creek named Nga Paoa. Te Rotonui-a-Ha flows out to the Waiau River which in turn meets up with the headwaters of Waikaretaheke and Ruakituri at Frasertown, thus forming the Wairoa River.

The Tuna with the three lakes migrate (Tuna Heke) within the months of September to April. These Tuna heke are predominantly short finned tuna. Should there be any long finned tuna amongst them, then that is an exception rather than the rule. It is to be noted that such "heke" will only happen if the conditions are right, i.e. southerly (hautonga) storm. Furthermore, the volume of water must be at a level that only the Tuna can sense whether the time is right for their 'epic journey'.

The enclosed map shows an area encircled marked in red. This is what we call "Te Rere" which is a 400ft water fall which is papa based. Since time immemorial this has been the only way out for Tuna from these two lakes to get to their breeding grounds somewhere in the Pacific Ocean. Not all Tuna survived this long drop and those that died were dragged back to the Marae and then manually processed (pāwhara Tuna) – preserved by way of salting.

As a kid, (and that passion is still with me), it excited me to see Tuna lying at the bottom of the falls, and it wasn't a problem to scramble down the hill to get to the Tuna and then drag them back to the Marae. I, along with some members of the whanau, hapu, merely continued with a practice that has been carried out for generations. The 'culling' of Tuna within the two lakes was left to nature to determine and hence the relevance of my earlier view about the resilience of Tuna to ensure its own survival.

History has shown that whilst some of the Tuna did not survive others did make it. It also begs the question whether or not the elvers/glass eels have genetically 'inbuilt' homing devices enabling them to 'snake' their way back to the rivers/lakes where their parents grew up. If the replacement of the Tuna Heke in the Putere lakes has purely been accidental and not by nature designing it so, then it could be argued that the continued influences of man along with the negative impact of climatic changes will eventually result in the complete loss of Tuna in the lakes.

IMPACTS ON LAKES

Over the last five years' lake vegetation studies of the three (3) lakes have been carried out by NIWA, DOC and Hawke's Bay Regional Council as to the water quality of the three lakes. The three lakes were found to have the invasive weed Hornwort and Elodea.

On 25 November 2017 a meeting at Putere Marae was held for whanau where the Agencies referred to spoke about how the catchment areas were, or, could be having an impact upon the vegetation in the lakes. This meeting was sponsored by the Ngāti Pāhauwera Development Trust. Ms Tracy Burton of NIWA gave an illuminating presentation on the impacts of the invasive weeds and how such was affecting the clarity of the lakes together with other issues. She also outlined the option that were available to control this invasive lake vegetation. Suffice to say that further meetings need to be held at Hapu level to develop

a comprehensive plan that must go towards controlling, or better still to eradicating the invasive weeds that will drastically reduce the tuna and fish population in the lakes, if something is not done about it.

TUNA STOCKS

A survey of tuna stocks in the lake have not been carried out. The photo's enclosed is of tuna caught by spearing in the mid 1990's. It wasn't common for Tuna of this size to go over Te Rere, but, because of their size they died. If some survived, then, that was pure luck than by design.

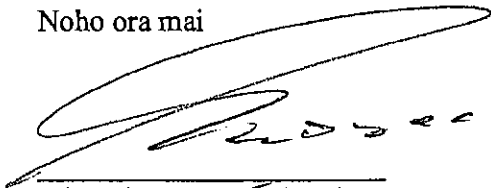
Since being home for the last twelve years it has been unusual to see Tuna of this size going over Te Rere let alone catching them by spearing or by hinaki. Having said this, I do not know if the changes to the quality of the lakes is already having a negative impact on Tuna and other fish life. Only agencies with the expertise and resources are able to determine this.

MANA WHENUA

The mana of the lakes now rests with those who are the owner of its lake beds. Whilst commercial fishermen were given approval to set fyke netting at lakes Rotoroa and Rotongaio, such a venture did not last because the use of such nets were so efficient that a high volume of tuna could be caught in one night. Replicate this over a period of say four months, then, there has to be a significant reduction in the tuna population, considering the size of these two lakes. Commercial fishing is now a venture of the past. As for Te Rotonui-a-Ha commercial fishing will not be granted, particularly given the fact that the lakes are already under pressure as a result of the present lake vegetation issue.

Accordingly, I would support a ban on commercial tuna fishing for Rotonui-a-Ha, and would also support such a move for Rotoroa and Rotongaio, but, only to the extent that it will be the wish of those owners and entity to do so.

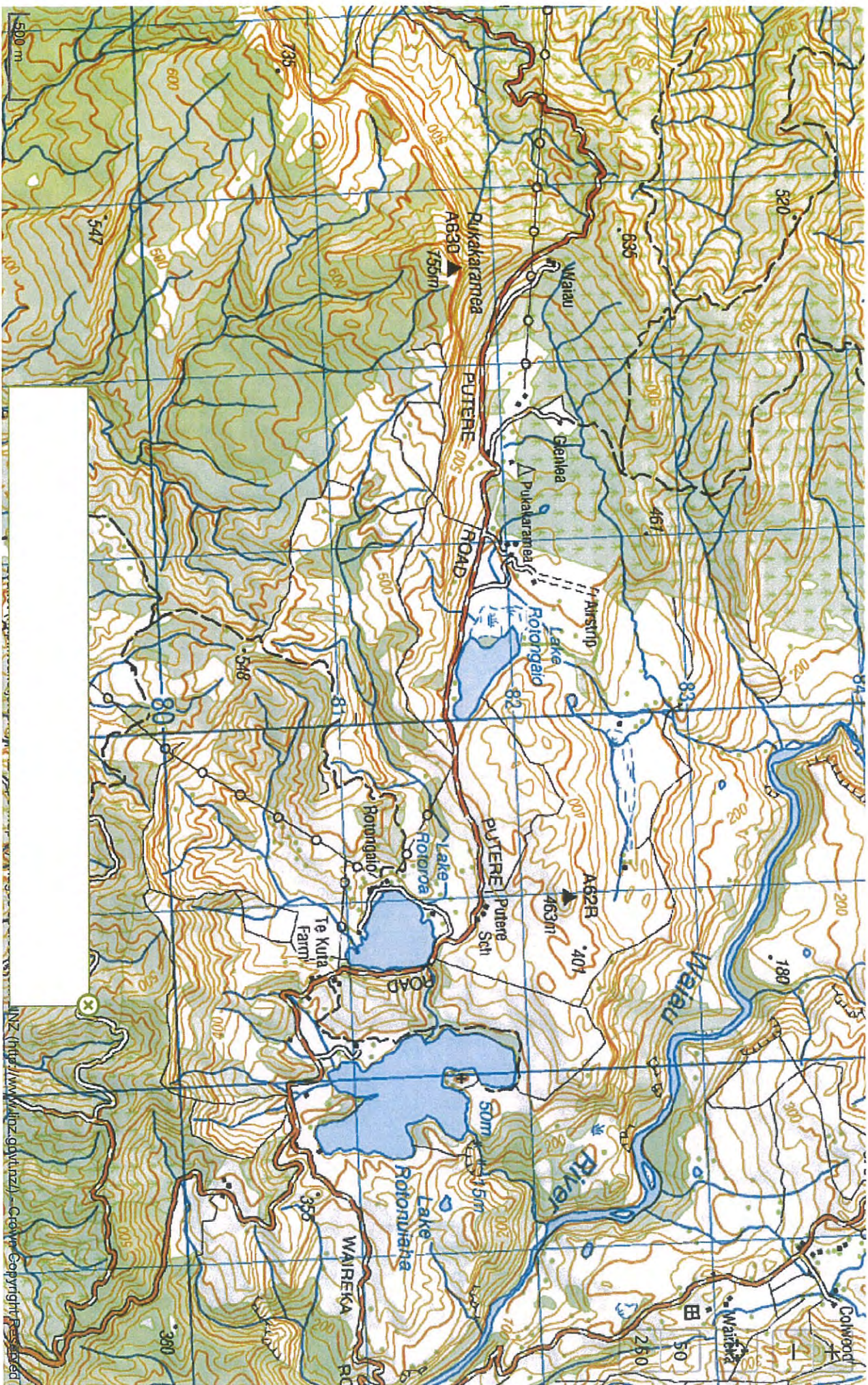
Noho ora mai

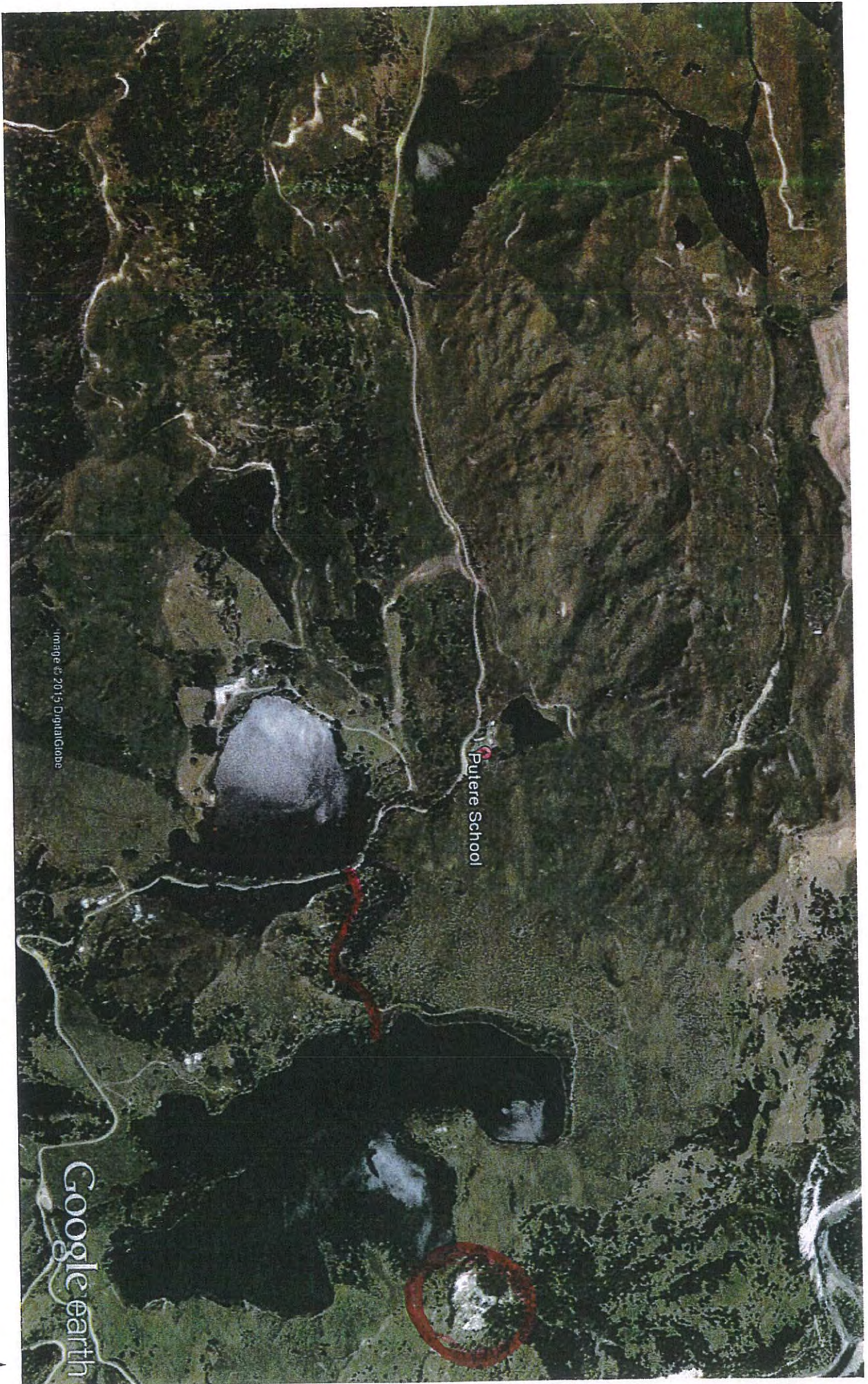


Edward Moses 25/10/18 2018

Enl: Google Maps
Photos

Putere, Hawke's Bay - NZ Topo Map





Google earth

miles
km



Image © 2015 DigitalGlobe

Google earth



Eel Enhancement Co Ltd (EECo)

Representing the North Island Eel Industry

for lodgement by 5pm Friday 27 July 2018

North Island Eel Review
Fisheries New Zealand
PO Box 2526
Wellington 8140
& By email to; FMSubmissions@mpi.govt.nz

Dear Fisheries New Zealand,

North Island Eel TAC Review, 2018 Consultation

EXECUTIVE SUMMARY

1. EECo makes this submission, as representatives of the commercial Eel fishery (quota holders & fishers & processors) of the North Island.
2. **We fully support the proposal to maintain the current TACCs for SFE**, on the grounds of; existing sustainability, improving stocks, optimal socioeconomic benefit.
3. **We fully support option 1 to maintain the current TACCs for LFE**, for reasons including; existing sustainability and improving stocks, optimal socioeconomic benefit, lack of undue risk, conformance with the Act, and other reasons outlined in the body of this submission. We are opposed to option 2 for numerous reasons.
4. LFE Stock Status and Sustainability;
 - i. Best available information is that LFE stocks are most likely to be above soft limits and are likely to be at or above the sustainability target (which is 40% of the Biomass maximum = B.max.)
 - ii. LFE Stocks, we are certain, will be demonstrably proven to have further improved in several years hence, by using updated data (current data is only to 2015) and which will then show-forth the benefits still now accruing from; large TACC reductions, increased vent sizes, increasing 4+kg conservation and Destination X, reducing harvesting area.
 - iii. LFE Stocks we assert are increasing now under current fishery settings and we are open and willing to establish and agree a stock target at or above MSY,

Eel Enhancement Company Limited; Mike Holmes, Chairman ph 07 827 6653 & 022 108 8090.

Directors; John Jameson ph 027 498 3010, Erik Kuijten ph 021 147 9473, Ben Potaka ph 027 252 7098, Alan Riwaka ph 021 227 5289, Lee Tane ph 022 172 0947, Phillip Walters ph 07 826 3616.

Website; www.eelenhancement.co.nz

Secretary; Tom Hollings, ph 09 378 7001 & 027 495 3957

Address; PO Box 104016, Auckland 0654. Fax 09 378 6939 email tom@hrm.co.nz

although we note there has been no consideration of this to date. We do submit that such a target is needed, indeed required, for several reasons.

5. The commercial LFE fishery, as per the 2016 Beentjes et al Report based on data up to ~ 2014 is confined to ~ 22% of LFE habitat. However now in 2018 (Fishers, pers. comm.), the LFE area fished has further reduced since then. Hence some 78+% of LFE habitat is unfished, and likewise a very considerable proportion of the total LFE biomass is conserved from fishing. For the < 22% of North Island LFE waters that are fished, they are being fished sustainably for LFE. Indeed, many LFE are being returned to the water now in these areas due to insufficient quota; or being under or over size.
6. The LFE fishery in this < 22% of habitat is a socio-economically valuable and important component part of the wider eel fishery
7. For the fished component (< 22%) of the North Island LFE resource, then in those places with important Iwi and local customary & recreational interests (noting many areas are not much fished) then these interests in particular areas are best addressed;
 - i. not by a 32.1% average quota reduction at the level of the large QMAs
 - ii. but rather by explicit localised agreements on commercial take in the particular areas within the QMA that are of interest &/or concern
 - iii. A good example of what we propose as per 7(ii) above is the large Rangitaiki ESA where Industry are working with Iwi on optimal management. The average Industry take is in a very small minority of this catchment that is SFE water (lower main-stem and hydro lakes). There is an average catch of ~ 5T SFE and 1.5T LFE as bycatch. Iwi seek a 5 year total no-take moratorium on LFE take by all and EECof Industry is working with Iwi to agree and implement that, for this ESA.
8. EECof welcomes further consultation.

CONTENTS of this EECof Submission re North Island Eel

1. Who We Are
2. History, in Brief, of North Island Eel
3. Current Situation
4. For the Future, including MPI Options
5. Summary & Conclusions

1/ WHO WE ARE

EECo;

The Eel Enhancement Company (EECo) was established several decades ago (and was previously the NIEIA) to represent the commercial freshwater eel fishery (and wherever possible the Eel resource) of the North Island of NZ. This is an industry and fishery that we at EECo are proud of as supported by our track record for high quality; research, management (the QMS and more), and stock conservation and enhancement, including by environmental advocacy and advice.

EECo acts on behalf of LFE and SFE quota owners i.e. the investors rather than fishermen. Our purpose is to see that Eels and their habitat including the quality and quantity of Eel catch and eel habitats are maintained and enhanced.

Approximately half the quota for all the North Island (1/2 of 418 T) is now owned by Maori &/or Maori organisations; notably Aotearoa Fisheries Ltd & Te Ohu Kaimoana.

We believe that our website shows well what EECo stands for and does, and we encourage all to check it out. The address is; www.eelenhancement.co.nz

EECo Advocates for;

- QMS Introduction, (in 2004 in N Is.).
- optimisation of the Fishery, ie; Minimum Size, gear requirements, research, recording and reporting, area access, & more
- Habitat Quality, to enhance our fresh-waterways, with resultant effects on their inhabitants.
- Research including the three key stock assessment programs all supported by Industry of; CPUE, size-frequency and recruitment plus others eg with NIWA at Lake Arapuni re survival and especially growth rates
- Enhancement eg on the Waikato River involving the relocation/enhancement annually of 1 to 2.5million elvers into the hydro dams.
- Our eel fishery resources as valuable and of national importance.

2/ HISTORY IN BRIEF OF NORTH ISLAND EEL

LFE Eel Fishery Catches

In tonnage terms over the last 2 decades there have been very large catch reductions in North Island LFE, as follows;

Pre 2004; 222 T, average annual LFE catch in the 6 years pre QMS was 222T

QMS 2004; 193 T North Island LFE TACCs

QMS 2008; 81 T TACC

Post 2008; actual annual catch below TACC, due to all 5 of; reduced fishing area, new min & max restrictions, market-access, shelving, deemed value.

Fishery Management Changes

EECo emphasises the comprehensive and the recent (yet to show full benefits) initiatives, for enhanced Eel fishery management. EECo has been front-and-centre in promoting these.

North Island LFE conservation initiatives by year of commencement are;

- ~ **1980** MLS for Eel raised to 220 gram and gear limits including 25mm vents plus recording and reporting requirements, leading to today's excellent Eel fishery/resource data set.
- ~ **1990** restriction on number of fishers
- ~ **2000** (+ or -) introduction of ongoing research programs to measure all 3 of Industry; CPUE / Size-frequency / Recruitment
- 2004** Commercial Catch cuts on introduction of the QMS in 2004.
- 2007** Further QMS quota cuts in 2007 (e.g. Taranaki LFE catch cut from 30-50T/yr to TACC of 9T in 2007 = largely a by-catch fishery)
- 2007** Further Area closures, => about ½ the North Island is formally closed
- ~ **2008** Industry agreement for release of female LFE migrators
- ~ **2008** Deem Value set very high so as to stop all over-catch
- 2013** mandatory (preceded ~ 2010 by voluntary) introduction of larger escape Vents (31mm net escape vents up from the former 25mm minimum vents, so as to improve small fish escapement, from ~ 200g to ~ 350g is minimum size of capture).
- 2013** introduction of 4kg upper size limit. EECofishers where allowed, apply catch & release of large Eels that are caught, to move them to below hydro dams.
- 2012** Baseless Alarmism from the PCE re LFE (on a "pathway to extinction")
- 2013** Independent Research Review Panel gave the LFE resource a thorough review and found that the resource is well researched, with quality science processes and outcomes that meet high international (as well as NZ) standards.
- 2017** Comprehensive review of North Island Eel stocks by Eel Working Group through the Plenary process.

We stress that the benefits of all these Eel conservation measures have been;

- Either initiated or supported by the commercial fishers
- Always done/implemented primarily by the Eel commercial fishers
- are recent and still yet to fully show-up in the data. The current dataset only runs up to 2015. We at EECofishers are certain that 2016 to 2018 data and beyond will show an even better picture.

The above management measures have resulted in;

- Protection from all commercial fishing of small and large eels
- Conservation of very large amounts of biomass
- Reduction of the land area fished being reduced by regulation and industry procedure to ~ 22% (EECofishers asserts < 20%) of the total LFE resource.
- Longfin no longer being targeted and are now essentially an important component of the SFE fishery.

Numbers of Fishers

MPI has not had data available to it on the number of commercial eel fishers. However, we can advise that this number of fishers has reduced greatly since the advent of the QMS in 2004, and today in 2018 is very close to half of what it was in 2004. This is based on data just from the 2 remaining Eel processors, noting there are also fewer processors also, who likely had more fishers who did not all relocate and continue with the 2 remaining processors. That reduction is a reflection of; the ever-decreasing area of water fished, less tonnage most notably for LFE, and of the improving stocks requiring less and less effort to catch.

State of Eel Habitats

NZ waterways, notably in the last 70 years, have been; channel-ised, drained, pumped, flood-protected and reduced. For example, on the Waikato River, 90% of the wetlands are gone. With swamps and oxbows drained and in-filled, even walled-off, dammed and turbinated, dehydrated (yes, by extraction), willow-denuded (please refer EECofishers DVD re this), and polluted by; excess nutrients, fine sediments, and toxic algae (eg lakes Waikare, Tutira, Omāpere).

On the positive side, such as with the advent of the RMA and the realisation that our freshwater resources are indeed limited and with growing environmental/habitat awareness, NZ's rivers and lakes are increasingly better measured, understood and managed for their benefits for human and animal health and well-being and associated cultural, economic and social needs.

Positive Signals and Measures for the protection of the quantity and quality of Eel Habitat are;

- Central Government's initiatives to instruct Councils on getting good outcomes for Water Quality, eg recent National Policy Statement (NPS)
- Councils are steadily improving, Eg
 - Improving Monitoring
 - Increasing recognition of benefits of Willow
 - New generation plans should do better
 - Recognition of the value of wetlands
- Increased Recognition by Farmers that water-storage lakes needs to be the basis for any significant development of Irrigation. These lakes can be very good for Eel.
- Increasing general interest/concern re Environmental advocacy and with ever more direct involvement eg in Plans & Consents
- Better relationships and cooperation between EECo and many Iwi for improving Eel stocks (eg by direct enhancement) and by habitat improvement. Better communication by EECo for improving Eel habitat, eg by Website and Willow DVD and Improved Monitoring of Eel resource (the Canary in the Coalmine) eg move to Fine Scale reporting by Industry (SIEIA & EECo)

Overall while there is some way to go we believe the decline and reduction in Eel habitat has stabilised and that from now there is the potential to considerably enhance our fresh-water-ways for eel and other aquatic life. We are heartened with what we see every day, that Eel stocks remain widespread and abundant, and with good natural recruitment in most cases, except past the largest dam structures.

We agree with the FNZ paper that the modern baseline for Eel stocks has to be the carrying capacity of the current (or enhanced) modern environment. While it appears that some may not be sufficiently recognising that New Zealand fresh-water-ways and their aquatic life have changed since yesteryear, we see the potential for further improved environmental outcomes and considerably improved Eel populations for all.

3/ CURRENT SITUATION

Iwi and Tuna (Eel)

Iwi own over 50% of North Island commercial eel quota, derived from both the Settlement and purchases on the open market. Eels/tuna are extremely important to Maori from commercial, customary and recreational perspectives.

Maori are well represented on the Eel Enhancement Company advocating for North Island quota holders.

EECo (beyond the Iwi-commercial fishery resource perspectives) has worked hard to consider and address, the key customary imperatives for Tuna (Eel) across our North Island / motu. We record our particular thanks for this to Alan Riwaka of Te Ohu Kaimoana, and who is also an EECo Director.

EECo is willing to respond and address the particular interests of Iwi in their rohe for their Eel resources. EECo is developing relationships with Iwi in key areas to develop harvesting strategies at a smaller scale and to better address local imperatives. For example EECo has been working well with Eel interests, the "Rangitaiki River Group" in the large Rangitaiki catchment/ESA, for Eel resource optimisation.

EECo is willing to address area specific initiatives re Iwi Tuna objectives and including further Eel research and enhancement initiatives.

Permanent TACC cuts at the levels suggested at Option 2 would be devastating for industry and, unnecessarily diminish Iwi options to exercise their commercial fishing rights in the future.

Industry needs more time to address issues with Iwi on the ground.

Stock Assessment

Background of the 2018 TAC Review

The IPP fairly represents the science as it was discussed and presented at the Eel Working Group.

Discourse on longfin eel stocks is often tainted by the aftermath of the PCE report and, whilst essentially refuted by the Ministry and the International Review Panel, her original statements remain in the public psyche. It is most frustrating to know that a stock is re-building well and yet, data and arguments from a generation before persevere. We therefore recognise that considerable political pressures are at play for these stocks.

The scientists are comfortable with the re-build. Industry is comfortable with the re-build. The IPP clearly states that, all longfin eel stocks are:

- improving,
- above soft and hard limits and highly likely to be at or above current target levels.

So, political pressure aside, why are we even considering a reduced TACC option? We address this question as follows.

Science

In assessing these stocks, the Working Group principally used *cpue*. Recruitment indices were available but they only showed fluctuation without trend. Longfin recruitment has shown some recent improvement, especially over the last three years. We suspect this improvement could be attributed to measures to improve opportunity for female escapement to the sea and their breeding grounds in international waters. Be that as it may, importantly there is no negative trend which is reassuring re certainty and risk, which appears to underpin Option 2.

The LFE *cpue* indices present an acceptable picture but, don't jump off the page as a stock in solid re-build. There is good reason for this and the IPP explains why the stocks are actually a lot better than they present in the graphs. Those explanations are critical in forming an accurate opinion.

Our dilemma

The *cpue* index is based on the weight of longfin eels (catch) taken per net set (effort). If the catch is lower for the same effort then the *cpue* trends down. Likewise steady catch matching effort see a flat trend.

Unfortunately, for several reasons, significant parts of the catch have been excluded from the Ministry's database since 2008.

- *4kg+ longfins*. In 2008, MPI made it illegal to land 4kg+ longfin eels to protect female longfin migration (the heke) thereby enhancing recruitment. However, no provision was made to record those 4kg+ eels caught and subsequently returned to the water. A whole component of the catch was now excluded from the *cpue* data because of an administrative glitch. This is artificially driving the *cpue* curve downwards and, is discussed in the IPP.

- *Destination X*. Put simply, this was a reporting box for legal sized eels returned to the water alive for any reason such as ACE unavailability, market fluctuations or local harvest strategies. Most fishers have not been reporting released eels at destination X because of confusion amongst fishers and administrators. When it came to light at a Working Group meeting last year nobody present could provide the proper procedure for recording Destination X. Longfins, of legal size, have been regularly returned to the water by fishers operating in mixed shortfin/longfin waters since 2008, because of lack of ACE but also because of market restrictions for some grades. This is discussed in the IPP.

To clarify the extent of downward bias from these two reporting issues:

- one fisher operating in LFE21 caught 8705kgs of LFE during 2016/17. His catch of 1164kgs of >4kg eels were returned to the water but never entered the Ministry's database because there was no means of recording it. This reduces his contribution to the *cpue* index by 13.3%. During 2016/17 his longfin catch represented 27% of LFE21.
- But, that's not all. The same fisher caught a further 1485kgs of legally sized LFE21 which he chose not to land and legally returned them to the water. Because of the confusion surrounding destination X, this component of the catch was not recorded. In total, 30.4% of this fisher's catch was omitted from the *cpue* calculations.
- Not all fishers would have figures like this, as some target shortfin eel habitat rather than mixed habitat. The Working Group is completely unaware of how other fishers have been recording destination X.

If MPI had made provision (eg on the CELR) for recording >4kg+ since 2008 and destination X had been understood, the *cpue* indices for the North Island LFE would be distinctly trending upwards. The upshot of this situation is that CPUE indices have certainly been artificially lowered. Despite this, CPE indices for LFE in all QMA's is stable or increasing.

These two major issues creating downward bias on the *cpue* index should be rectified with the introduction of electronic reporting.

Industry (Fishers, pers, comm.) are absolutely confident that longfin are rebuilding well.

The science demonstrates that there are no sustainability concerns even with the current reporting regime. If we added the missing data it would look positively buoyant.

However, there are further issues which have been artificially repressing *cpue* since 2008:

- Targeting Shortfin. Since longfin TACC's were so heavily reduced in 2008, fishers were forced to actively avoid longfin rich territory or consign themselves to heavy days of hand grading to get the longfins back into the water. This has also been exacerbated by increasing longfin biomass and poor market conditions for some grades of longfins since 2012 which are starting to improve again.
- Targeting shortfin habitat has further dragged the longfin *cpue* down. A stark example would be from the eel statistical area Rangitikei /Whanganui where there is only one regular eel fisher. He was not given access to significant longfin ACE and is therefore limited to coastal dune lakes which are 99% shortfin. The resultant longfin sample from Rangitikei/Whanganui was too small for the Working Group to accept, leaving the impression that there are few longfins when the reality is that they are plentiful.
- EECO lobbied for larger escape tubes to be fitted to fyke nets since 2008. This has excluded smaller longfin and shortfin eels and, again, repressed the *cpue* curves.
- Area Fished, notably for LFE, has been on a reducing trend, at least since the QMS in 2004 and also, EECO argues, since the Dr M Beentjes report of ~ 2014. That means an ever reducing area of LFE fishing which tends to depress the *cpue* curves that would otherwise exist, if the entire former area was still being fished.

On the positive side for LFE, only 22% (M. Beentjes) of available longfin eel habitat is commercially fished in the North Island. The *cpue* indices only represent that small and diminishing area. One has to assume that the remaining 78% of habitat (whilst

anthropogenically reduced) is **trending towards maximum (“virgin”) biomass**, being as it is unaffected by commercial fishing.

With more time, which EECo is confident will be no more than several years hence, under the current management settings, the stock assessment data will auto-correct and overcome the current downward biases in the measurement of longfin *cpue*.

EECo Perspectives re Status of the Stocks

Monitoring the state of the eel fishery and eel stocks is primarily achieved by monitoring commercial eel catches. While this form of monitoring has served its purpose well in the past it constantly requires adjustment for the changing practices and commercial imperatives of the commercial sector.

Prior to the introduction of the QMS, fishing practice was quite simple, to land everything that was caught. Following the introduction of the QMS there was rapid and continuing change in fishing practice as a result of; a major reduction in the number of fishermen, the limitations on catch and the more complex considerations of management objectives (eg value maximisation) by both fishermen and Quota owners. There was the withholding of ACE by notably a number of Iwi quota owners who saw merit in withholding ACE.

Market Access

The loss of the major LFE markets of Ukraine and more importantly the high value market of Taiwan, have seriously impacted on the port price of LFE. Alternative markets for LFE will be developed on an increasing demand. However, confidence in market investment will be severely reduced if LFE quota is reduced via the reasoning provided in Option 2. Removal of the trade barrier into Taiwan would be ideal as it is by far the highest value market. Efforts should be directed to resolving this issue.

These low LFE port prices have persisted for some considerable time now and have made the targeting of LFE by ACE-only fishermen uneconomic. Most LFE being landed in recent times are being taken from mixed LFE /SFE fisheries where there is no added cost in catching them ie LFE is akin to bycatch.

Regardless of markets and port price, the TACC limits on LFE are in our view highly restrictive and are certainly much constraining landings, aided by an extremely high deemed value.

In much of the North Island the fishery is very mixed, unlike the South Island where SFE and LFE are usually in quite separate waters. This means that throughout much of the North Island fishery, commercially viable landings are dependent on the ability to land both species from the same vicinity.

The combined effect of price and limited LFE ACE has inevitably forced fishermen to concentrate effort into ‘pure or primarily’ SFE waters.

Inevitably this concentration has continued to contract the total area of fishery that is being exposed to commercial fishing.

Certainly there has been a major contraction since the Mike Beentjes et al survey reported April 2016 to the Eel WG (Longfin eel habitat fished by commercial eel fishers) which involved interviews conducted in 2014 to mid-2015.

Despite this contraction/focusing by area, the CPUE for both species is stable or improving and overall yield is stable. The introduction of 31 mm escape tubes has no doubt assisted in this as annual weight increment increases exponentially with age.

With fewer fishermen competing over the same water the rate of exposures to capture has also declined further, which helps CPUE and yield.

There has also been the 2007 introduction of the 4kg maximum and EECofishers commitment to release LFE female migrators.

The result of all these continuing changes in commercial fishing practices is that catch landing data of today have many qualifications all towards making them conservative situation assessments, compared to the data from pre-quota or even a few years ago.

As quota owners we have found it most useful to simply ask the fishermen what their view of the state of the fishery is. Without exception they all say that the eel stocks have improved significantly since the introduction of the QMS. They are mostly not competing with other fishermen, whereas pre-QMS the competition was intense. Some complain at the predominance of over-4kg LFE in some waters. They all complain at the low port price of LFE and to a lesser extent SFE.

Public Opinion

There has been some public advocacy against the entire LFE commercial fishery, e.g. by the former PCE, which was without foundation we add. We note former Minister Nathan Guy's intention to comprehensively respond to that including by an international peer review of the science and that has been successfully done.

Despite its severe limitations, DOC's LFE threat classification status is ever-improving and it should be that DOC will soon lift "At risk - declining" status from LFE.

These sorts of concerns feed on a lack of complete information which we acknowledge has been part of the problem. However nowadays the picture is much clearer, after considerable expense and effort. Still even then, changing minds takes some time to do.

This feeds into our next and final current-situation point which is Planning for the Eel fishery.

Eel Planning

The s14 status of Eel reflects the fact that their populations are hard to both measure and to manage directly. However we at EECofishers believe the settings for Eel management are now at least close to optimum but we are open to discussion on how they can be improved, such as spatially.

We do note that EECofishers has, with MPI and Te Ohu and others, been at the forefront of support for the best initiatives in Eel fishery management, and almost all in the past 15 years, being the initiatives for eel including enhancement, these being; the QMS and conservative catch limits, raising the escape vent from 25 to 31mm, release of LFE female migrators, release of +4kg Eel. These are still bearing fruit in enhancing Eel stocks, but have led already to N Is LFE outcomes of; good recruitment figures, good conservation measures (78% by area), satisfactory and improving CPUE, albeit with measurement issues.

Quota owners have now consolidated formerly differing views and have quite firm objectives as to what they require from stock management. Essentially these are that the Eel stocks be managed to maintain them at a high level with very good representation across the size classes. This enables very cost (ie effort) effective fishing for both the commercial and non-commercial sectors, while getting very good and/or optimum yields and returns. Based on the science and our own direct experience, EECofishers believes those objectives are now, or are heading rapidly towards, being met.

We would welcome an Eel Fishery Plan, with stock target objectives and spatial considerations as well, plus other matters as appropriate such as research/information needs.

Habitat (really) matters

Eel habitat management practices remain of vital importance throughout almost all of the North Island. In EECo's view Eel habitat approaches vary widely, with very good work being done for habitat improvements by some land owners and conversely some very destructive practices by some landowners and sadly also by some Regional Councils.

As to fishers and the environment, EECo advocates for better environmental practices e.g. re Willows, wetlands, ox-bows, stream structure and more but there is more that could be done for at least maintaining and optimally for enhancing, our waterways' Eel habitat. Approaches include to; advise/support/educate/promote/regulate/litigate/legislate/enforce good practices by Councils and land interests across the Motu,

EECo manages and conducts the elver 'catch and carry' operation at Karapiro Dam which populates the upstream hydro lakes. This has largely mitigated the effect of the dams on eel passage since 1992. Some fishermen have been installing Elver passes into dams.

A very good source of accessible quality information for all we believe is our recent EECo website, at; www.eelenhancement.co.nz

There has been environmental progress and there are further opportunities and gains to be made.

EECo lives in hope that the wider public will increasingly demand better environmental management and also that they are ever-growing in certainty that, not only do we harvest responsibly, but we also work hard for the protection of eel habitat and in getting eels past barriers.

4/ FOR THE FUTURE

4.1 EECo supports Option 1, Maintenance of the current LFE (and SFE) TACCs.

Our reasons are;

4.1.1 Fishery is performing very well now; The Fishery is now likely above the biomass target (40% of B.max.), and at current settings is likely heading further above that.

For ~ 80% of the area of the North Island, a LFE TACC reduction will add achieve nothing and add no benefit, as it is not now fished. For the remaining 20% of the area of the North Island LFE resource, ie the LFE fishery, it will increase commercial-sector costs and workload and reduce income, for negligible benefit.

Thus no change is needed at the QMA level as all four stocks are performing well.

4.1.2 EECo's Offer of Support for Local Initiatives; EECo is fully aware of the sensitivities notably in recent times such as were promoted by the former PCE, against all commercial LFE harvesting. Updated data eg 2017 Eel WG & Plenary and the science peer review now over-ride her advocacy.

However there are local-depletion-type related concerns and EECO is sympathetic to addressing these. These will still exist even if there were QMA level reductions of LFE quota. Local concerns are best addressed locally, not at the whole QMA level.

EECO supports initiatives and commitments (including regional Iwi-cooperative initiatives and for further regional rebuild-enhancement and related research work). This is while supporting status quo TACCs for LFE.

4.1.3 Clear and Agreed Stock Targets are Needed; EECO supports management of LFE stocks to a level at or above MSY &/or re 40% of B.max biomass. EECO has long stated that we favour higher Eel stock levels in general as that is good for all.

However, an alternative (higher than 40%) stock target level is yet to have been discussed let alone identified and consulted-upon.

EECO requests, as a matter of priority, that after consultation that a formal Stock target be set, and/or the target's proxy equivalents, and with a plan to achieve it.

4.2 EECO opposes Option 2, Reduction by 32.1% of the current LFE TACCs.

Our reasons are;

4.2.1 Socio Economic Cost and Benefit; Paragraph 55 and other info in the Paper understates the value of the fishery which derives from total value plus economic multipliers, not simply the landed value, as in the Paper. Our advice is that the FOB value of Eel is more than 2 times the landed value. We are unsure of the net value to NZ (ie the total net profit) however accounting profits can be an insufficient measure of value to NZ as even a break-even activity creates valuable jobs and associated incomes. We note that these are valuable provincial year round primary sector jobs that can be subject to an economic multiplier (of perhaps x3) for downstream economic activity and jobs supported. There are more than 50 fishers (ACE holders) for SFE and almost all of these also hold LFE ACE demonstrating the overlapping nature of the two fisheries.

An assessment of a cut of 26T of LFE is that it would cause;

- loss to the fishers of the port price
- the \$ loss from added costs in more sorting by species
- the loss in profitability of fishing by reducing income per unit of fishing effort (cost) and the accompanying likelihood that there will be some reduction in SFE landings if without sufficient ACE as per Option 2.
- Loss to the processing sector of throughput and potentially reduced supplies for the local market
- Loss of the total value re the economic multiplier effect, re year-round provincial jobs.

4.2.1 Catch Sorting; Not being able to land LFE in a proportion that at least somewhat corresponds with their abundance, due to a TACC reduction causing less ACE availability will require increased sorting on the vessels which will increase costs and hassle, across both LFE & SFE fishing, as it is a combined/over-lapping fishery. It is nowadays (especially with the reduction of solely-LFE area fished) far more a mixed fishery than in the South Island. LFE is already largely a bycatch fishery.

Reducing the available LFE ACE/Quota in our (mixed) fishery areas will simply in practice significantly increase the levels of catch & release with associated commercial problems.

4.2.2 Catch Balancing; The North Island LFE quota of 81T is a modest 23% of the SFE quota of 347T (nevertheless the Longfin fishery is a valuable component of the total catch). EECo opposes an option that would reduce N Is LFE TACCs by 32% ie from 81 to 55T being 26T less, and thus reducing LFE from 23% to 16% of the SFE quota. We point out that the current LFE to SFE ratios are based on a long empirical real-world catch history and then with post-2003 management measures plus disproportionate LFE QMS access reductions (relative to SFE) the situation is now already much shifted towards much greater conservation of LFE. The proposal will further skew the situation and unnecessarily, from an empirical proportionality basis.

4.2.3 Objectives; The paper is not as explicit as we would like about what are the objectives/outcomes sought by the two TACC options. It appears the objectives are some/all of;

- appropriate stock level (which appears to be the default 40% B.max re Option 1 altho this is unclear re Option 2), and with reasonable certainty (unspecified)
- adequate rate of increase in the stock size (rate unspecified), and with reasonable certainty (unspecified)
- that local depletion/abundance/availability concerns are reasonably addressed (measurement unspecified).

We acknowledge that it is not easy indeed difficult to specify all these parameters so this this is meant to be an observation and a contemplation matter, not a criticism.

We point out the following within the paper re objectives;

- Inherent in Option 1 in the paper is the belief that these objectives are, or soon enough will be, met as per paragraphs 13 & 17. Also there are already measures re local issues eg as in paragraphs 60 & 88 & 104
- We are concerned by the last sentence of para 20 which states that Option 2 will move the stock above the default target. In the very real absence heretofore of any consideration of such a higher target, that alone is an overwhelming reason for choosing option 1 over 2, in our view.
- The first sentence of para 101 states that Option 1 will (only) maintain Eel abundance. That is not supported by the available information which we assert is that LFE stocks are increasing due to; ever more conservation measures and steady state CPUEs measuring an ever lesser component of the size range (was 220g+ but nowadays ~ 350g to 4kgs) and with ever more releases (Dest. X) and much reduced amounts of area fished.

To us the whole of this management debate turns on what are reasonable levels of certainty and risk, and all the while the risk of outcomes being below target/s are; unlikely, not overly serious nor very far off-target and readily fixable. We suggest that a joint fishery plan approach is the better way to capture and address all these matters, eg of objectives, risk and differing perspectives.

4.2.4 Legality; The best available information is that the North Island LFE stocks are already at or above the target of 40% of the Biomass maximum.

Some alternative (higher) target level is; yet to have been discussed, let alone identified and consulted-upon, and it should be, and/or the target's proxy equivalents (eg re CPUE), as a priority.

The essence of the Act, re changing a TACC in our view, is in s.13 (2) (b) and is that the Minister should have a biomass target, in terms of an MSY or an above-MSY biomass, and a rate &/or time to target.

We acknowledge that LFE is a section 14 stock for which absolute measures of biomass are more difficult and are indeed currently unavailable. However even under s14 the Minister is not empowered to move away from a section 13(2) approach unless he has considered and decided

that another approach would better meet the purpose of the Act. The Paper provides no consideration of this purpose requirement nor any alternative approach/es nor any recommendation on it. We assert that s14 status cannot mean that “anything goes” since the Minister is clearly bound as above re s14(1). For a proper consideration of whether there is a better approach than a s13(2) one, we believe that alternative needs to be defined, which the paper does not do.

The essence of Option 2 appears to be to reduce the TACC so as to increase the biomass and the rate of increase of the biomass, but without a specified stock “level” (eg reading the paper the target level could be 40%B max or it could be something more, it is unclear) nor is there a “rate” to get there. Increasing the abundance (&/or rate of increase) of a fish stock is a tool in fisheries management, but it is not a “level”. The absence of any consideration of a time factor (“rate” in s.13(2)(b)) in the Option 2 approach is further evidence that it does not fit the Act.

We say that the desirable and lawful approach is that the Minister should have a stock target or its equivalent (eg CPUE) and also should have a time to target. We support the s. 13(2) approach of aiming for a specified target eg the default target (40% B. max) and within a reasonable period (to be confirmed). This could be done by use of establishing a proxy target or targets for the biomass (eg desired/decision-rule level/s of CPUE and/or size frequency).

We note that the Minister must use the best available information in making his decision, and this information must conform to Section 10 of the Fisheries Act (Information principles). We also note the other Part 2 & 3 requirements for example the s12 consultation requirements eg re s14(1) and that should be done, if an alternative (Option 2) approach is to be pursued. Retaining the current TACCs avoids the complex legal considerations and bottom-line requirements of the Fisheries Act that would arise if changing the TACCs for these LFE stocks, whether by;

- a section 13 consideration which as the default option even under s14 and involves specification of a target stock “level” (biomass) and a “rate” (time to target)
- or else if a section 14 alternative approach is to be used then there must also be a section 8 “**Purpose**” consideration as per section 14(1) plus there also must be the section 12(1) special **consultation** requirement that would apply to taking a section 14(1) alternative approach.

To make decisions for change in the absence of all these matters is to invite a judicial review of his decision, and we believe that a decision in favour of Option 2 would not survive judicial review.

This is all in the context that according to best available information that on the balance of probabilities is that the stocks are already above MSY biomass, and more widely there is no basis for alarm about the status of the 4 LFE stocks with these being, from a worst case scenario perspective, above the soft limits and also as the stocks are being managed conservatively with very large reserves of stock with no fishing, plus sound recruitment and comprehensive monitoring and management controls.

Thus Option 2, involves changing the TACCs, and is not accompanied by a specified stock level/target (or proxy) nor a rate to target, nor alternatively does it have a rationale for a better alternative approach, nor consultation on that. As it stands it would be simply unlawful.

4.2.5 Fairness; the South Island LFE fishery recently had TACC reductions for the stocks where there was CPUE information, of ~ 35% from QMS entry levels. The North Island has already had post-QMS LFE TACC reductions of 193 to 81T ie 58% reductions so in a fairness sense a mean 32% further reduction will add insult to injury, ie any reduction would be excessive and unfair, by comparison to the South Island.

4.2.6 Loss of data; Catch landing information provides valuable information on the Eel resource. Without the commercial fishery there would be virtually negligible good Eel resource-status information. A Quota reduction as suggested is likely to reduce the quality of LFE commercial catch data as a measure of the resource.

5/ SUMMARY AND CONCLUSIONS

North Island Eel have seen very significant and effective stock assessment and management/conservation initiatives in the last 14 years. These are now working very well and with further benefits for stocks still to come.

Eel stocks are now good (likely above target) and further improving and we assert that updated data (current data is only to 2015) will have had time to build-on recent management initiatives and will reflect their positive outcomes.

Despite alarmism from the PCE in 2013, the 2014 Independent International Review Panel gave the LFE resource a thorough review and found that the resource is well researched.

Altogether we are entirely confident we have a LFE fishery in the North Island that is well researched and well managed and in good condition. The commercial fishery also provides valuable information on the Eel resource and without the fishery there would be virtually negligible good Eel resource-status information.

Environmental Management for Eel could still be better but we believe on average that habitat has stabilised and it can definitely be improved.

For North Island Eel TACCs the 'Status quo' is the most desirable, indeed the only management approach. The suggested (Option 2) quota reduction for LFE would be ill-advised including for reasons of;

- increased costs and lowered profitability, plus lost income & economic multiplier benefits
- loss of investment confidence in the eel industry
- wider loss of confidence with Fisheries NZ from the fishing industry as a whole
- legality
- unnecessary
- dis-incentivising the progression of local agreements, which are a more productive approach to satisfying tangata whenua concerns than blanket quota cuts.

We are open-to, indeed welcome, in the coming months or year, establishing for North Island LFE Eel, initiatives for;

- Setting optimal Stock targets by QMA, &/or proxy targets eg re CPUE
- Harvest Management Plans, to avoid spatial conflict between fishery sectors (and to minimise overlap between commercial fishers, to optimise fishing effort). Commercial fishing effort would be spread to avoid it in local areas where there is local depletion and/or conflict with locals.

Thank you for your consultation and we welcome further dialogue at any time thank you.

Yours sincerely
Mike Holmes

Mike Holmes

Chair, EEC0
Email: radiataeel9@gmail.com



From: Pat Nepia
To: [Bobby Tuhiwaj](mailto:Bobby_Tuhiwaj); FMSubmissions; fatz.kp@gmail.com; hori2ey@gmail.com; korokotamarae@hotmail.com
Subject: Eel Submission
Date: Friday, 27 July 2018 12:09:12 PM

kia ora

I made an online submission earlier today but am also making this email submission to further support our submission.

My marae, Korokota Marae, Titoki, Northland is very proactive in eel conservation. We have a positive partnership with other key stakeholders in this venture. These stakeholders include or have included;

- * NIWA
- * DOC
- * MPI
- * Northlan Regional Council
- * Whangarei District Council
- * Fonterra
- * Nga kaiiaki o nga wai maori
- * Wairua River Catchment hapu
- * Te Uri o Hau

We collaborate to ensure eel conservation.

we also conduct elver transfer programmes, eel tag and release. I believe our figures / measures from this initiative are passed to MPI through NIWA..

Based on what we have seen and also on feedback from local hapu who indulge or used to indulge in eeling to feed the whanau, we know that there has been a significant decline in eel stocks available for catch purposes within our area. We know this is not a mere perception but actual reality for our whanau. The eels are no longer there in the abundance, size and quality that they used to be. We are unable understand why your measures indicate otherwise. Maybe there should be a review on how eel stock numbers are measured. Maybe sampling a small area and extrapolating those outcomes is not accurate. Maybe more note needs to be taken of what iwi countrywide is telling you re reduction in eel take.

We acknowledge that besides commercial take many other issues impact negatively on eel numbers, such as pollution, forestry, dairy farming, pesticides, herbicides, dams, turbines, drainage of swamps. However we do believe a reduction in TACC can contribute significantly to helping control eel stock numbers to a sustainable level

Our submission therefore is to reduce TACC for eels, both long and short fin by at least 32%

Although our area is Northland we submit this for all areas as we believe it's highly probable that iwi from other areas are also experiencing a decline in eel stock.

We also request a review on how stock numbers are measured as there is a definite difference between your current measures and what iwi are telling you.

Thank you for this opportunity to provide feedback. We are happy to liaise with you further if so desired..

Kia ora
Pat Nepia
Trustee, Korokota Marae
Trustee, Environmental Portfolio, Korokota Marae



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Ministry for Primary Industries
PO Box 2526
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By email: FMSubmissions@mpi.govt.nz

26 July 2018

Review of North Island eel sustainability measures for 1 October 2018

1. Introduction

The Environment and Conservation Organisations of NZ (ECO) is the national alliance of 48 groups with a concern for the environment. We welcome this opportunity to make a submission on the ECO has been involved in issues of marine and fisheries policy since its formation 47 years ago. This submission has been prepared by members of the ECO Executive and the Marine and Fisheries Working Group, and is in line with ECO Policy that was developed in consultation with ECO member bodies and endorsed by our AGM.

ECO has supported measures to protect threatened species and to sustainably manage fisheries for the present and the future generations.

2. Harvest Strategy

ECO considers it is time the Harvest Strategy was reviewed. In most cases the plans use the default provisions in the harvest strategy. The strategy still refers to default soft and hard limits and not meeting international best practice. For example, the hard limits is half the level used in Australia where targeted fishing for a species must stop.

The targets are well below the practice used in CCAMLR for predator species (50%Bo) and prey species of (75%Bo). The strategy itself notes that” it is becoming increasingly difficult to justify stock targets less than 30-40% Bo (or, equivalently, removing more than 60-70% of the unfishable biomass).”

The level of escapement is an essential element which needs to be given greater consideration. ICES recommended in 2003 a limit reference point for eels of 50% escapement (see below).

3. Habitat of significance and Escapement

There is still no identification of “habitat of particular significance for fisheries management [that] should be protected”. This is a major flaw in implementing the requirements of the 1996 Fisheries Act, over 20 years after it came into force.

For eels this is an essential issue as the overall level of escapement of eels to spawn is not known.

“Due to the uncertainties in eel management and biology, ICES proposed a limit reference point of 50% for the escapement of silver eels from the continent in comparison to pristine conditions (ICES, 2003).”¹ Further “The escapement level of at least 40% “pristine” set by the EU regulation is below ICES proposal for a limit reference point of 50% for the escapement of silver eels.”

4. Threatened species

There is widespread concern over sustainability of eel fisheries. As the PCE in her report (20

Although commercial fishing of longfin eels is far from the only reason for their decline, I have recommended that it be stopped, at least for a time. No other action has the immediate potential to reverse the decline of the species. I hope that some means can also be found to reduce customary and recreational catches, should they be significant.

The longfin eels have a current threat ranking of at risk declining² under the DoC threatened Species system.

Internationally agreed Aichi Biodiversity Target 12 *calls for the establishment of conservation plans for species that are most threatened with extinction. Thus, a primary step to achieve Aichi Target 12 is to understand the extinction risk posed to species through making conservation assessments of targeted species.*

The achievement of Target 12 is linked to progress towards many of the other Aichi Targets. Species threat assessments form the baseline of biodiversity data to inform decision making, for example for the identification of sites for Protected Areas (Target 11), ensuring no species is threatened through trade (Targets 4 and 6) and for the control and eradication of alien invasive species (Target 9).

¹ ICES Advice **European eel** 9.4.9, December 2010.

ICES. 2003. Report of the ICES Advisory Committee on Fishery Management 2002. ICES Cooperative Research, Report, 255: 938–947.

² Goodman, J.M.; Dunn, N.R.; Ravenscroft, P.J.; Allibone, R.M.; Boubee, J.A.T.; David, B.O.; Griffiths, M.; Ling, N.; Hitchmough, R.A.; Rolfe, J.R. 2014: *New Zealand Threat Classification Series 7*. Department of Conservation, Wellington. 12 p.

New Zealand has signed up to the Sustainable Development Goals (SDG) and SDG 14 is to “*Conserve and sustainably use the oceans, seas and marine resources*”.

Sub-goal 14.4 is

By 2020, effectively regulate harvesting, and end overfishing, illegal, unreported and unregulated (IUU) fishing and destructive fishing practices and implement science-based management plans, to restore fish stocks in the shortest time feasible at least to levels that can produce maximum sustainable yield as determined by their biological characteristics.

5. Proposals

5.1 Shortfin eels (*Anguilla australis*) (SFE 20 to SFE 23)

The only proposed option is status quo (no change). This is because, based on the best available information, the current sustainability controls are allowing numbers of shortfin eels to increase.

There are no estimates of habitat use for shortfin eels and the proportion of that fished annually.

Given that the fishery mainly targets female fish due to the current size limit there needs to be further review of the management regime for short fin eels.

5.2 Longfin eels (*Anguilla dieffenbachia*) (LFE 20 to LFE 23)

ECO supports option 2 with the reduction in the longfin eels catches. This would reduce the total allowable catch by 15% and the total allowable commercial catch by 32%.

ECO notes there are no proposed changes to the allowances for customary or recreational fishing. ECO supports priority for customary fishing over commercial fishing.

There needs to be a review of escapement for longfin eels to the sea.

The Beentjes et al (2016)³ estimated that 22.5% of longfin river and lakes habitat was fished and 29% of habitat had been impacted. From a pre-migrating eels habitat perspective some statistical areas had 50% of considered habitat fished.

Beentjes et al (2016) assessment of areas was based on 5 years of effort by fishers who took 91% of the catch in the North Island but did not include customary or recreational fishers. Further, “*the areas fished commercially are expected to change over time*”.

ECO notes that Beentjes et al (2016) recommended “*the derivation of a new predictive model sometime in the future to estimate the proportion of longfin habitat fished.*” Further “*For the project update the working group also recommended 1) investigating methods to capture*

³ Beentjes, M.P.; Sykes, J.; Crow, S. (2016). GIS mapping of the longfin eel commercial fishery throughout New Zealand, and estimates of longfin habitat and proportion fished. *New Zealand Fisheries Assessment Report 2016/32*. 53 p.

areas fished by customary and recreational fishers, and 2) investigating available information on loss of wetlands and river area (e.g., through straightening) to come up with a realistic estimate of habitat loss. A nominal figure of 5% was used for the current study.”

6. Research Commitments

There must be ongoing research commitments on both longfin and shortfin eels.

The Plenary report includes some of the research priorities but there are others including those identified by the Parliamentary Commissioner for the Environment in her 2013 report and Beentjes et al 2016 report that should be implemented.

7. Conclusions

If you require further information could you please contact the ECO office on 385-7545 or contact me on 021-738-807.

Yours sincerely,

Barry Weeber
ECO Co-Chairperson



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Sustainability Review 2018
Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6011.
By email: FMSubmissions@mpi.govt.nz

26 July 2018

Review of sustainability measures for 1 October 2018

The Environment and Conservation Organisations of NZ (ECO) is the national alliance of 48 groups with a concern for the environment. We welcome this opportunity to make a submission on the ECO has been involved in issues of marine and fisheries policy since its formation 47 years ago. This submission has been prepared by members of the ECO Executive and the marine and fisheries working group. It is in line with ECO Policy that was developed in consultation with ECO member bodies and endorsed by our AGM.

ECO has supported measures to protect threatened species and to sustainably manage fisheries for the present and the future generations.

Generic Issues

1. Harvest Strategy

ECO considers it is time the Harvest Strategy was reviewed and made more ecosystem focused. In most cases the proposals use the default provisions in the harvest strategy. These may not be relevant especially for species with biological characteristics of sharks and paua.

The strategy still refers to old default soft and hard limits. That do not meeting international best practice. For example, the hard limits are half the level used in Australia where targeted fishing for a species must stop.

The biomass targets are well below the practice used in CCAMLR for predator species (50%Bo) and prey species of (75%Bo). The strategy itself notes that *"it is becoming increasingly difficult to justify stock targets less than 30-40% Bo (or, equivalently, removing more than 60-70% of the unfished biomass)."*

For example ECO notes that the Worm et al (2009)⁴ paper recommends that stocks be maintained above Bmsy: *"In fisheries science, there is a growing consensus that the exploitation rate that achieves maximum sustainable yield (u) should be reinterpreted as an*

upper limit rather than a management target. This requires overall reductions in exploitation rates, which can be achieved through a range of management tools.

In a review of biological reference points for a number of shark species, Bracinni et al (2015) showed that the biomass target for shark species can exceed 40%Bo and ranged from 46% to 65%Bo depending on the shark species.

Penney et al (2013) in their review for the Australian harvest strategy suggested a range of best practice approaches would involve higher stock levels:

- Target for important forage fish at 75%Bo “to ensure stocks remain large enough to fulfil their ecotrophic functions”;
- The proxy for B_{MSY} for shark species may need to be closer to 50%Bo than the current proxy of 40%Bo;
- B_{MEY} proxy is more likely to lie in the range of 50-60%Bo.

2. Habitats of Particular Significance to Fisheries Management

There is still no identification of “*habitat of particular significance for fisheries management [that] should be protected*” (section 9 (c)). This is a major flaw in implementing the requirements of the 1996 Fisheries Act, over 20 years after it came into force.

Any reference to the BPAs should not be relevant. They protect very little in the way of areas impacted by fishing as the vast majority of the areas either where not fished or are too deep to fish. It is time the Ministry had a focus on protecting habitats in areas and depths which are currently fished.

3. Reporting regime:

ECO welcomes moves to improve reporting in inshore and other fisheries so that effort information is available in an accurate form for stock assessments and to assess the impacts of fishing on the marine environment. ECO looks forward to a commitment to install cameras on all vessels so that there is a robust system of verification of the current reporting regime.

In all fisheries it is essential to achieve and retain high levels of observer coverage. Coverage should be designed to be representative of the fishery (across seasons and areas), enable statistically robust estimates of by-catch with a 20%CV on the estimates, and at least 20% of effort monitored.

Observer information is crucial for stock assessments and the analysis of bycatch and discards, including bycatch of threatened or protected species. Observers provide information to MPI, research providers, and to DOC and is reported in some circumstances to working groups and plenaries. DOC produces an annual summary of information provided by observers: MPI should do the same.

Observers independent of industry are also important for high seas information and provide verification for other countries involved in highly migratory fisheries or other high seas or straddling-stock fisheries.

It will be essential to ensure that the IEMRS system has transparent reporting, analysis and regular auditing using MPI observers as controls and comparators to ensure the system works and is providing the information that researchers, enforcement officers and others think it is.

4. Shelving of quota:

In principle, we do not support the shelving of quota. Shelving goes against the fundamental direction of the quota management system and the setting a catch limits.

This questionable arrangement leaves balance sheets unchanged even though there are in fact no fish to match the “shelved” portion of TACC. This means in effect “ghost” ITQ on the company’s balance sheets. Such an arrangement has uncanny similarities with the dead serfs accumulated by the would-be landowner, Chichikov, at the centre of Gogol’s 1842 novel *Dead Souls* (Gogol, 1842).

In 2000 there was a decision by the then Minister of Fisheries’ to undertake a review of the shelving of quota. Could you please advise when the review of shelving of quota is to take place?

5. Research needs

We are concerned that the Ministry is not undertaking adequate research to manage most of the species under the Quota Management System. Less than 15 percent of the stocks in the quota management system have estimates of current biomass or yield estimates.

New Zealand is undertaking less trawl surveys and fisheries research than it was 25 years ago. The comments that McKoy (2006) made in 2006 are still relevant that New Zealand has a fisheries management regime which has:

- “Insufficient research resources, people, equipment and funding;
- Limitation of scientific method and theory to tackle many questions;
- An inadequate understanding of the dynamics of New Zealand marine ecosystems;
- A management system which provides very strong perverse incentive to keep research funding low;
- A management system which treats the QMS as the whole of the system and which has not been able to develop any coherent management objectives on which to base decisions about the effectiveness of management or the allocation of scarce resource such as research resources.”

Inshore stocks, in particular, need a stronger focus for research, collecting biological information, and carrying out stocks assessments.

The long-echoed comment in Antarctic fisheries management (CCAMLR) first echoed by the former UK representative, John Heap, in 1990 of “no data, no fish”, should be taken to heart in the New Zealand fisheries management regime.

6. National Plan of Action on Seabirds

ECO supports moves to better implement the current National Plan of Action on Seabirds and measures to reduce and eliminate seabird bycatch in New Zealand fisheries and by New Zealand and other vessels on the high seas.

Measures taken in the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) waters to eliminate seabird bycatch and keep the focus on measures and implementation are an important benchmark for other fisheries.

The long term objective of the 2013 NPOA-seabirds is: *'New Zealand seabirds thrive without pressure from fishing related mortalities, New Zealand fishers avoid or mitigate against seabird captures and New Zealand fisheries are globally recognised as seabird friendly.'*

The high-level subsidiary objectives of the NPOA-seabirds 2013 are:

- i. Practical objective: All New Zealand fishers implement current best practice mitigation measures relevant to their fishery and aim through continuous improvement to reduce and where practicable eliminate the incidental mortality of seabirds.*
- ii. Biological risk objective: Incidental mortality of seabirds in New Zealand fisheries is at or below a level that allows for the maintenance at a favourable conservation status or recovery to a more favourable conservation status for all New Zealand seabird populations.*
- iii. Research and development objectives:*
 - a. the testing and refinement of existing mitigation measures and the development of new mitigation measures results in more practical and effective mitigation options that fishers readily employ;*
 - b. research and development of new observation and monitoring methods results in improved cost effective assurance that mitigation methods are being deployed effectively; and*
 - c. research outputs relating to seabird biology, demography and ecology provide a robust basis for understanding and mitigating seabird incidental mortality.*
- iv. International objective: In areas beyond the waters under New Zealand jurisdiction, fishing fleets that overlap with New Zealand breeding seabirds use internationally accepted current best practice mitigation measures relevant to their fishery.*

ECO supports measures to strengthen the NPOA and its implementation.

The related documents should have included the current National Plan of Action on Seabirds.

7. Effects of fishing

We support the implementation of the Strategy for the Environmental Effects of Fishing (SMEEF) and are disappointed that there has been little progress in applying it since it was published in 2005.

The Ministry needs to consider the SMEEF including:

- Emphasises the need to assess the effects of fishing on all parts of the aquatic

environment, not just respond to obvious adverse effects.

Further Principles relevant to the Strategy as a whole are:

- Avoid, remedy, or mitigate any adverse effects of fishing on the aquatic environment.
- Give effect to the purpose of the Fisheries Act 1996 (to provide for the utilisation of fisheries resources while ensuring sustainability).
- Meet New Zealand’s international obligations.
- Clearly define roles, responsibilities, and accountabilities.
- Adopt a “learning culture” to support improvement of environmental effects management over time.
- Use best available information.
- Take into account wider (non-fisheries) New Zealand government priorities.
- Monitor and assess effects of fishing on an ongoing basis.

New Zealand has a range of international obligations that are relevant to marine management. These obligations mean New Zealand:

- has an obligation to protect and preserve the marine environment (UNCLOS Article 192);
- is committed to an eco-system based approach to managing the use of natural resources;
- is committed to the precautionary approach to minimising risk to the environment;
- is committed to the concept of inter-generational equity.

8. International Obligations

Relevant International obligations includes those in the Law of the Sea as well as the Convention on Biodiversity, and UN Commitments.

New Zealand has signed up to the Sustainable Development Goals (SDG) and SDG 14 is to “Conserve and sustainably use the oceans, seas and marine resources”.

Sub-goal 14.4 is

By 2020, effectively regulate harvesting, and end overfishing, illegal, unreported and unregulated (IUU) fishing and destructive fishing practices and implement science-based management plans, to restore fish stocks in the shortest time feasible at least to levels that can produce maximum sustainable yield as determined by their biological characteristics

International agreements and measures have further articulated the precautionary approach. Section 5 of the Fisheries Act requires decision makers to act in a manner consistent with “New Zealand’s international obligations relating to fishing”. Amongst these obligations is the United Nations Food and Agriculture Organisation (FAO) Code of Conduct on Responsible Fisheries (1995) which states that:

“6.5 States and sub-regional and regional fisheries management organizations should apply a precautionary approach widely to conservation, management and exploitation of living aquatic resources in order to protect them and preserve the aquatic environment, taking account of the best scientific evidence available. The absence of adequate scientific information should not be used as a reason for postponing or failing to take measures to

conserve target species, associated or dependent species and non-target species and their environment.”

Article 7.5 of the Code of Conduct further set out what constitutes precautionary management in fisheries.

7.5 Precautionary approach

7.5.1 States should apply the precautionary approach widely to conservation, management and exploitation of living aquatic resources in order to protect them and preserve the aquatic environment. The absence of adequate scientific information should not be used as a reason for postponing or failing to take conservation and management measures.

The United Nations Implementing Agreement on High Seas Fisheries and Straddling Stocks includes a requirement on “*coastal States and States fishing on the high seas [to] apply the precautionary approach in accordance with article 6.*” Article 6 includes requirements for:

- “1. States shall apply the precautionary approach widely to conservation, management and exploitation of straddling fishstocks and highly migratory fishstocks in order to protect the living marine resources and preserve the marine environment.*
- 2. States shall be more cautious when information is uncertain, unreliable or inadequate. The absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures.”*

Therefore, where information is uncertain or unknown about the state of a stock or biological information, the decision should favour lower catch limits or more environmentally stringent regulations.

States have a general and unqualified duty to protect and preserve the marine environment and rare or fragile ecosystems and habitats (Law of the Sea Articles 192 and 194(5), Article 14 of the Noumea Convention).

Article 192: General Obligation: States have the obligation to protect and preserve the marine environment.

And 194(5) The measures taken in accordance with this Part shall include those necessary to protect and preserve rare or fragile ecosystems as well as the habitat of depleted, threatened or endangered species and other forms of marine life.

9. Effects of Climate change and ocean acidification

The effects of climate change on fisheries and the emissions of greenhouse gases from the fishing industry needs to be included in the considerations of the Ministry.

A recent FAO review concluded that: “*Though precise consequences cannot yet be forecast, climate change is likely to affect fisheries and aquaculture, their dependent communities and related economic activities along three main pathways:*

1. *indirect wider socio-economic effects (e.g. fresh water use conflicts affect all food production systems, adaptation and mitigation strategies in other sectors impact aquatic systems in general or fisheries and aquaculture directly);*
2. *biological and ecological responses to physical changes (e.g. productivity, species abundance, ecosystem stability, stock locations, pathogen levels and impacts); and*
3. *direct physical effects (e.g. sea level change, flooding, storm impacts).”*

When setting catches or implementing other measures the Minister should consider the effect of climate change and ocean acidification on long-term sustainability.

4.0 CONCLUSIONS

If you require further information could you please contact the ECO office on 385-7545 or contact me on 021-738-807.

Yours sincerely,

Barry Weeber
ECO Co-Chairperson

Consultation Proposals

In addition to our general considerations above which is relevant to all the proposals, we make the following specific recommendations.

Area	Change	Proposal summary	ECO Submission
Southern bluefin tuna in all New Zealand waters (STN 1)	↑	Increase in catch limit proposed. Best available information suggests an increase in abundance.	<p>ECO does not support and increase in the catch limit for southern blue fin tuna.</p> <p>Given that the stock is still under 20%Bo this fishery should have been closed to targeting.</p> <p>Seabird bycatch is an additional concern – see our submission on proposal to change the seabird mitigation measures on longline fisheries.</p>
Northwest North Island green-lipped mussel (GLM 9)	Varies	Changes are proposed to the way that harvested mussel-spat, which is the largest source of fishing in GLM 9, is measured and reported. A review of catch limits is also being undertaken to consider	<p>ECO supports a change on the seaweed:spat ratio to make it more consistent with current information. There should be a regular review of this ratio.</p> <p>ECO supports option 1 which would:</p> <ul style="list-style-type: none"> • maintain the current level of harvest of spat of the spat ratio was changed as proposed; • avoid additional harvesting activity which could cause additional or exacerbate current environmental impacts. <p>ECO supports ongoing research in to the source and sustainability of green-lipped mussel beds off Ninety Mile</p>

Area	Change	Proposal summary	ECO Submission
		whether to provide for increased catches in the spat fishery in response to increasing demand.	Beach and south.
Kaipara Harbour scallops	Closure	A closure of the Kaipara Harbour recreational scallop fishery is proposed under section 11 of the Fisheries Act 1996. Best available information suggests a sustainability concern.	<p>ECO supports the closure of the Kaipara Harbour scallops fishery for an indefinite period.</p> <p>ECO notes:</p> <ul style="list-style-type: none"> • The most recent 2017 scientific survey indicates that scallop abundance in the harbour is very low and the distribution of scallops in the harbour is increasingly limited, with very few scallop beds having scallops of harvestable size. • Survey results have also shown very low juvenile scallop abundance, and sampled scallops in the harbour were identified to be in poor condition, with several diseases detected. <p>ECO supports another survey in 2020 and using this information to guide future management.</p> <p>Benthic impacts of scallop dredging should be considered and the there is currently no strategy to avoid, remedy or mitigate the impacts of bottom fishing.</p>

Area	Change	Proposal summary	ECO Submission
Northern North Island flatfish (FLA 1)	↓	Decrease proposed. Best available information suggests a sustainability concern.	<p>ECO supports a reduction in the TACC for FLA1 to option 3.</p> <p>This change recognises:</p> <ul style="list-style-type: none"> • The latest assessment in 2018 indicated that the CPUE₄ indices for two of the three main areas of targeted fishing for flatfish in FLA 1 (the Kaipara and Manukau Harbours) have continued to decline since the last assessment in 2015. • The other fishery (Hauraki Gulf) has also declined apart from a jump in the last year. <p>In addition, ECO is concerned that:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing; • Habitat of particular significance for fisheries management has not been identified. • Maintenance of biological diversity has not been given the effect to. <p>MPI should work towards a full assessment of this fishery.</p>
Northern North Island John Dory	↓	Decrease proposed. Best available	ECO supports a reduction in the TACC in JDO1 to option 3.

Area	Change	Proposal summary	ECO Submission
(JDO 1)		information suggests a sustainability concern.	<p>This change recognises:</p> <ul style="list-style-type: none"> • That this option is the only option to reduce current catches based on the decline in standardised catch rates; • This is the only option that would allow a rebuild of the fishery based on current catches. <p>In addition, ECO is concerned that:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing; • Habitat of particular significance for fisheries management has not been identified. • Maintenance of biological diversity has not been given the effect to. <p>MPI should work towards a full assessment of this fishery.</p>
East coast North Island and South Island tarakihi (TAR 1, 2,	↓	Decrease proposed to support a rebuild of this fishery. These tarakihi stocks are	<p>ECO support option 1 which should result in a 10 year rebuild of the fishery. This is more consistent with international obligations than option 3.</p> <p>This is due to:</p> <ul style="list-style-type: none"> • The 2018 tarakihi stock assessment indicating that the stock is

Area	Change	Proposal summary	ECO Submission
3, & 7)		managed as one stock unit, and best available information suggests a sustainability concern	<p>at 17 percent of unfished levels (17% <i>SB03</i>), which is below the default soft limit in the Harvest Strategy Standard (HSS).</p> <ul style="list-style-type: none"> • The need to take action in period which could result in benefits of cuts being seen by the ecosystem and current fishers. <p>Economic considerations cannot be only focused on benefits or impacts to the fishing industry. Economic considerations must consider the changes in natural capital. Given that reducing the stock is an adverse effect on natural capital.</p> <p>The proposed industry strategy would not achieve the level of reduction in catches needed to rebuild the fishery.</p> <p>In addition, ECO is concerned that:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing; • Habitat of particular significance for fisheries management has not been identified. • Maintenance of biological diversity has not been given the effect to.
East coast South Island kingfish	↑	Increase proposed. Best available	<p>ECO does not support an increase in the KIN3 fishery.</p> <p>While we recognise warming of sea temperature will likely</p>

Area	Change	Proposal summary	ECO Submission
(KIN 3)		information suggests an increase in abundance.	increase kingfish in this QMA, sea temperatures are variable between years. ECO consider it would be better to wait to see if the current trend in catches continues and there is more analysis of catches.
East coast South Island elephant fish (ELE 3)	↑	Increase proposed. Best available information suggests an increase in abundance.	<p>ECO does not support an increase in the ELE3 fishery.</p> <p>Catch rates are flat and below past peaks so there is only a weak argument to increase catches on the basis of catches.</p> <p>ECO is concerned at the impact of an increase in this fishery on the bycatch of Hector's dolphin especially when a threat management plan is being developed.</p> <p>In addition, ECO is concerned that:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing; • Habitat of particular significance for fisheries management has not been identified. • Maintenance of biological diversity has not been given the effect to. <p>A full stock assessment should be possible for this fishery. In line with the NPOA on Sharks:</p>

Area	Change	Proposal summary	ECO Submission
			<p><i>“Management targets for shark species should be reviewed and catch limits set at appropriate levels. The absence of stock assessments introduces risk and uncertainty to management. Quantitative assessments are best practice and should be applied for all species in the QMS, especially those identified as high risk. For those species where adequate information can be obtained within the period of the plan, quantitative stock assessments will be undertaken.”</i></p> <p>Action on the NPOA includes:</p> <ul style="list-style-type: none"> • <i>“Management action is needed to ensure that significant habitats for sharks, like pupping and nursery grounds, are identified and the attributes and functions of those habitats are appropriately protected.”</i> • <i>“To ensure proper conservation and management of shark populations there must be adequate information about catch and effort in all sectors, as well as information on other potential impacts on shark populations.”</i> • <i>“Observer coverage is sufficient to monitor compliance, verify catch information, and collect scientific data for all New Zealand commercial fisheries that take sharks. At sea monitoring is at a level sufficient to provide statistically robust monitoring of progress towards achieving the objectives of the NPOA-Sharks.”</i> <p>MPI should work towards a full assessment of this fishery. This should include a review of the appropriateness of harvest strategy default levels for sharks, including the target biomass.</p>

Area	Change	Proposal summary	ECO Submission
East coast South Island red gurnard (GUR 3)	↑	Increase proposed. Best available information suggests an increase in abundance.	<p>ECO does not support an increase in the GUR3 fishery at this stage.</p> <p>Catch rates have declined in the last two years and there is no obvious big increase in recruitment from the trawl series.</p> <p>In addition ECO is concerned that:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing; • Habitat of particular significance for fisheries management has not been identified. • Maintenance of biological diversity has not been given the effect to. <p>MPI should work towards a full assessment of this fishery.</p>
East coast South Island scampi (SCI 3)	↑	Increase proposed. Best available information suggests an increase in	<p>ECO does not support an increase in the East Coast South Island scampi fishery (SCI3).</p> <p>ECO is concerned at the impact of any increase on:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is

Area	Change	Proposal summary	ECO Submission
		abundance.	<p>no strategy to avoid, remedy or mitigate the impacts of bottom fishing on SCI3;</p> <ul style="list-style-type: none"> • Habitat of particular significance for fisheries management, which has not been identified. • Maintenance of biological diversity, which has not been given the effect to.
Chatham Rise orange roughy (ORH 3B)	↑	Increase proposed. Best available information suggests an increase in abundance in 2 orange roughy sub-stocks: Northwest Chatham Rise, and East and South Chatham Rise.	<p>ECO does not support and increase in the orange roughy stocks in ORH3B.</p> <p>ECO is concerned at the impact of any increase on:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing on ORH3B; • Habitat of particular significance for fisheries management, which has not been identified. • Maintenance of biological diversity, given the effect of bottom fishing.
Chatham Rise oreo (OEO 4)	↑	Increase proposed. Best available information suggests an increase in abundance.	<p>ECO does not support an increase in the TACC for OEO4.</p> <p>ECO is concerned at the impact of any increase on:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing on OEO5;

Area	Change	Proposal summary	ECO Submission
			<ul style="list-style-type: none"> • Habitat of particular significance for fisheries management, which has not been identified. • Maintenance of biological diversity, given the effect of bottom fishing. <p>ECO Supports the splitting of the catch between oreo species with a catch limit for smooth oreos. The three oreo species should be managed as three units because of their different biological characteristics, and different north-south and depth ranges.</p>
West coast South Island John Dory (JDO 7)	↑	Increase proposed. Best available information suggests an increase in abundance.	<p>ECO does not support and increase in this fishery.</p> <p>ECO is concerned at the impact of any increase on:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing on SCI3; • Habitat of particular significance for fisheries management, which has not been identified. • Maintenance of biological diversity, which has not been given the effect to. <p>MPI should work towards a full assessment of this fishery.</p>

Area	Change	Proposal summary	ECO Submission
West coast South Island rig (SPO 7)	↑	Increase proposed. Best available information suggests an increase in abundance.	<p>ECO does not support and increase in the catch limit for SPO7.</p> <p>A full stock assessment should be possible for this fishery. In line with the NPOA on Sharks:</p> <p><i>“Management targets for shark species should be reviewed and catch limits set at appropriate levels. The absence of stock assessments introduces risk and uncertainty to management. Quantitative assessments are best practice and should be applied for all species in the QMS, especially those identified as high risk. For those species where adequate information can be obtained within the period of the plan, quantitative stock assessments will be undertaken.”</i></p> <p>Action on the NPOA includes:</p> <ul style="list-style-type: none"> • <i>“Management action is needed to ensure that significant habitats for sharks, like pupping and nursery grounds, are identified and the attributes and functions of those habitats are appropriately protected.”</i> • <i>“To ensure proper conservation and management of shark populations there must be adequate information about catch and effort in all sectors, as well as information on other potential impacts on shark populations.”</i> • <i>“Observer coverage is sufficient to monitor compliance, verify catch information, and collect scientific data for all New Zealand commercial fisheries that take sharks. At sea monitoring is at a level sufficient to provide statistically robust monitoring of progress towards achieving the objectives of the NPOA-Sharks.”</i>

Area	Change	Proposal summary	ECO Submission
			<p>MPI should work towards a full assessment of this fishery. This should include a review of the appropriateness of harvest strategy default levels for sharks, including the target biomass.</p>
Southern ling (LIN 5)	↑	<p>Increase proposed. Best available information suggests an increase in abundance.</p>	<p>ECO does not support an increase in the catch limit for LIN5.</p> <p>ECO is concerned at the impact of any increase on:</p> <ul style="list-style-type: none"> • Benthic impacts of bottom trawl fishing when there is no strategy to avoid, remedy or mitigate the impacts of bottom fishing on LIN5; • Habitat of particular significance for fisheries management which has not been identified. • Maintenance of biological diversity given the effect of bottom fishing. • Seabird bycatch in an area where bycatch is particularly high and it is doubtful that the current management measures are working and not meeting the overall goal of the NPOA on seabirds and the Biological Objective.
Stewart Island pāua (PAU 5B)	↑	<p>Increase proposed. Best available information suggests an increase in abundance.</p>	<p>ECO could support a cautious increase in the catch limit for PAU5B option 2.</p> <p>Issues that need to be considered are:</p> <ul style="list-style-type: none"> • It is unknown to what extent the CPUE series tracks stock abundance. • Concerns over potential for serial depletion,

Area	Change	Proposal summary	ECO Submission
			<ul style="list-style-type: none"> • contraction of stocks, • potential for recruitment failure; • it is unlikely there is homogeneous biology, habitat and fishing pressures within the QMA. <p>ECO questions whether a 40%Bo is an appropriate target for a shellfish species like paua. There should be a review of the appropriateness of harvest strategy default levels for paua, including the target biomass.</p> <p>There are also a range of research needs identified in the stock assessment report for Paua.</p>

Deemed value rate reviews are proposed for:

ECO supports changes to deemed values to reduce the incentive for over-fishing.

<ul style="list-style-type: none"> Northeast North Island trevally (TRE 1) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing
<ul style="list-style-type: none"> Northern North Island flatfish (FLA 1) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing
<ul style="list-style-type: none"> Northern North Island John Dory (JDO 1) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing
<ul style="list-style-type: none"> East coast North Island and South Island tarakihi (TAR 1, 2, 3, & 7) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing
<ul style="list-style-type: none"> East coast and southern South Island bluenose (BNS 3) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing
<ul style="list-style-type: none"> East coast and southern South Island gemfish (SKI 3) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing but a reduction in the level of this depleted stock needs monitoring.
<ul style="list-style-type: none"> West coast South Island gemfish (SKI 7) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing but a reduction in the level of this depleted stock needs monitoring.
<ul style="list-style-type: none"> West coast South Island John Dory (JDO 7) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing
<ul style="list-style-type: none"> West coast South Island pilchard (PIL 7) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing
<ul style="list-style-type: none"> West coast North Island pilchard (PIL 8) 	<ul style="list-style-type: none"> ECO supports changes to deemed values to reduce the incentive for over-fishing

REVIEW OF SUSTAINABILITY MEASURES FOR 2018/19

SUBMITTER DETAILS

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1 Introduction

- 1.1 This is a submission on the review of sustainability measures for 2018/19 as set in the Fisheries New Zealand (**Fisheries NZ**) Discussion Paper No: 2018/05 (**Discussion Paper**). The submission applies to:
- a. Closure of Kaipara Harbour scallop fishery.
 - b. Flatfish (FLA 1).
 - c. John Dory (JDO 1).
 - d. Tarakihi (TAR 1, 2, 3, 7).
- 1.2 EDS is a not-for-profit, non-government national environmental organisation. It was established in 1971 with the objective of bringing together the disciplines of law, science, and planning in order to promote better environmental outcomes in resource management. It has recently undertaken an in-depth study into the operation of the fisheries management system, with a focus on inshore stocks. The study included 60 interviews with people directly involved with fisheries management in New Zealand and was recently published under the title: "Voices from the Sea: Managing New Zealand's Fisheries".

2 Summary of Submission

- 2.1 EDS considers that a decision by the Minister based on the Discussion Paper's advice would be unlawful because it:
- a. Fails to include information necessary to fulfil the Minister's statutory obligations under the Fisheries Act 1996 (**FA**) meaning a decision on the basis of the Discussion Paper would fail to take into account relevant considerations.
 - b. Applies an incorrect interpretation of terms underpinning the environmental principles in s9 FA to which the Minister must have regard.

2.2 EDS seeks:

Closure of Kaipara Harbour scallop fishery

- a. The Kaipara Harbour be closed to the taking of scallops as proposed in Option 2.
- b. Fisheries NZ urgently prepare, and the Minister consider for approval, a fisheries plan for the Kaipara Harbour under s11A FA which (amongst other matters) identifies habitat of particular significance for fisheries management within the harbour including for scallops and flatfish stocks.

Flatfish (FLA 1)

- c. Options 1 and 2 as proposed in the Discussion Paper be removed as options for consideration by the Minister as they would not meet the requirement in s13(2A) to set a Total Allowable Catch (TAC) *“that is not inconsistent with the objective of ... moving the stock towards or above, a level which can produce the MSY [maximum sustainable yield (MSY)].”*
- d. A 25% reduction in the TAC be implemented accompanied by close monitoring and a review within 24 months to determine whether further reductions are required to rebuild the stock in a timely manner.
- e. A separate harvest limit or Quota Management Area (QMA) be set for flatfish stocks within the Kaipara Harbour.
- f. The regulatory framework governing fishing practices be urgently reviewed and strengthened to ensure that nets are not left unattended and the capture of juvenile fish is avoided.
- g. Enforcement effort within the Kaipara Harbour be increased sufficiently to ensure that all fishers are complying with the regulations.
- h. A fisheries plan for the Kaipara Harbour be prepared as indicated in subsection (b) above.
- i. A management target be set for the stock and timeline for recovery in accordance with the Harvest Strategy Standard for New Zealand Fisheries 2008 (HSS).
- j. Adequate research be commissioned so that the key contributors to the decline of the stock can be identified and management measures to address them put in place.

John Dory (JDO 1)

- k. Options 1 and 2 as proposed in the Discussion Paper be removed as options for consideration by the Minister as they would not meet the requirement in s13(2A) to set a TAC *“that is not inconsistent with the objective of ... moving the stock towards or above, a level which can produce the MSY.”*

- l. A 20% reduction in the TAC be implemented accompanied by close monitoring and a review within 24 months to determine whether further reductions are required to rebuild the stock in a timely manner.
- m. A separate QMA be created for each biological stock in JDO 1.
- n. A regular annual trawl survey of the North Island coastal fisheries be commenced during the 2018/19 fishing year to provide robust and (fishery) independent information to inform better fisheries management decisions into the future.
- o. Areas which currently and/or historically contained biogenic habitats within JDO 1 be closed to trawling and other bottom-contact fishing methods to protect remaining habitats and enable those already impacted to recover.

Tarakihi (TAR 1, 2, 3, 7)

- p. EDS supports a management target of 40% of virgin biomass and a rebuild period of 10 years.
- q. The harvest reduction should be achieved through a TAC reduction and not through voluntary shelving of Annual Catch Entitlements (ACE).
- r. The economic evaluation needs to include the economic benefits from a rebuilt stock.
- s. The minimum legal size needs to be increased to ensure that juvenile fish cannot be legally harvested.
- t. Fishing gear that catches juvenile fish should not be permitted in the fishery.
- u. Because tarakihi is primarily found in association with habitats particularly vulnerable to physical damage from fishing equipment (such as hard reef structures and biogenic habitat), targeting tarakihi with bottom trawl equipment should be prohibited.

3 Compliance with the FA

- 3.1 When considering setting sustainability measures for a fish stock the Minister's decision-making power is subject to specific and directive statutory requirements under the FA.

Purpose: s8 FA

- 3.2 The Minister's decision must be consistent with achieving the FA's purpose. The purpose under s8 FA is *"to provide for the utilisation of fisheries resources while ensuring sustainability"*. The definition of *"ensuring sustainability"* includes in s8(2)(b) *"avoiding, remedying and mitigating any adverse effects of fishing on the aquatic environment"*. The *"aquatic environment"* is defined in s2 as *"the natural and biological resources comprising any aquatic ecosystem"* and to include *"all aquatic life"*. The term *"aquatic life"* captures *"any species of plant or animal life that, at any stage of its life history, must inhabit water, whether living or dead; and includes seabirds (whether or not in the aquatic environment)"*.

- 3.3 The Minister's decision must be consistent with avoiding, remedying, and mitigating any adverse effects of fishing on all marine species of plant and animal life as well as on the marine ecosystems which they comprise.

Environmental principles:

- 3.5 Section 9 FA sets out the environmental principles which the Minister must “take into account” when making a decision on the setting of sustainability measures. The two most relevant to our submission are:

- a. “biological diversity of the aquatic environment should be maintained” (s9(b)).
- b. “habitat of particular significance for fisheries management should be protected” (s9(c)).

s9(b) FA

- 3.6 “Biological diversity” is defined in s2 FA as meaning “the variability among living organisms, including diversity within species, between species, and of ecosystems”.
- 3.7 The word “maintained” is not defined by the FA. The approach taken by the Discussion Paper to defining maintenance/assessing whether s9(b) has been achieved is “an assessment of the risk that fishing might cause a catastrophic decline in species abundance or cause biodiversity to be reduced to an unacceptable level” (emphasis added). There appears to be no case law supporting this definition or providing direction as to the correct definition to apply.¹ In the absence of a statutory definition and jurisprudential guidance maintain should be given its plain, ordinary meaning.² The online Oxford English Dictionary³ defines maintain as follows:

To sustain (life) by nourishment.

To keep up, preserve, cause to continue in being (a state of things, a condition, an activity, etc.); to keep vigorous, effective, or unimpaired; to guard from loss or deterioration.

- 3.8 The Compact Oxford Dictionary⁴ defines maintain as follows:

To keep something in the same state or at the same level.

- 3.9 Allowing decline/reduction in biodiversity, catastrophic or otherwise, is not consistent with guarding from loss or keeping biodiversity in the same state or at the same level. EDS considers the definition applied by the Discussion Paper is unlawful.

s9(c) FA

¹ There is similarly a lack of guidance around the definition of maintain under the Resource Management Act 1991 which requires regional and district councils to maintain biodiversity.

² s5 Interpretation Act.

³ <http://www.oed.com/view/Entry/112562#eid38643862>

⁴ 3rd edition, pg 560.

- 3.10 s9(c) states that “*habitat of particular significance for fisheries management should be protected*”. None of the terms in this subsection are defined by the FA.
- 3.11 EDS agrees with MPI’s conclusion that such habitat includes waters and substrates necessary for marine species to spawn, breed, feed or grow to maturity, that is, to undertake all their life stages.
- 3.12 As with the word maintain there appears to be no case law defining the word protect for the purposes of s9(c) FA. Protect is defined by the Compact Oxford Dictionary⁵ as “*keep safe from harm or injury*”. The Courts have confirmed the same definition applies in the context of the requirement to protect significant areas of indigenous vegetation and significant habitats of indigenous fauna under the RMA.⁶
- 3.13 The Discussion Paper indicates that these habitats should be protected and adverse effects on them avoided, remedied or mitigated. EDS emphasises that the direction in s9 is outcome focused. Simply avoiding, remedying, or mitigating adverse effects generally is not sufficient – the actions undertaken must be adequate to achieve protection.
- 3.14 The Discussion Paper contains no or very inadequate information on the adverse effects of fishing activity on biological diversity and habitat of particular significance to fisheries management. It is therefore not possible to assess whether the sustainability measures proposed are adequate to achieve protection.

Information principles

- 3.15 When making a decision under the FA, the Minister must take into account the information principles in s10:
- (a) decisions should be based on the best available information:*
- (b) decision makers should consider any uncertainty in the information available in any case:*
- (c) decision makers should be cautious when information is uncertain, unreliable, or inadequate:*
- (d) the absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of this Act.*
- 3.16 The Discussion Paper contains only partial information, with significant gaps in the provision of information on important matters that the Minister is legally required to take into account (as discussed further below). For this reason, EDS considers that the Discussion Paper has not provided the best available information. There is also considerable uncertainty in the information provided (as discussed below) requiring the Minister to be cautious when reaching a decision.

Sustainability measures

⁵ 3rd edition, pg 737.

⁶ [2015] NZEnvC 219 at [63].

- 3.17 Section 11 FA sets out the sustainability measures the Minister may set or vary in order to meet the purposes of the FA. The scope of sustainability measures available to the Minister is wide and includes (but is not limited to):
- a. Setting the TAC and Total Allowable Commercial Catch (**TACC**).
 - b. Restricting the size, sex or biological state of the species harvested.
 - c. Restricting the areas from which any species may be harvested.
 - d. Restricting the fishing methods that can be used to harvest any stock or which are deployed in any area.
 - e. Restricting the fishing seasons that apply to any stock, any area, any fishing method or any fishing vessel.
 - f. Other methods not specifically described which are aimed at managing the effects of fishing on any stock or on the marine environment.
- 3.18 The Discussion Paper focuses on setting the TAC and TACC. No assessment has been provided on the utility of deploying a wider range of tools.
- 3.19 Section 11 FA also prescribes matters that the Minister must “*take into account*” and matters the Minister must “*have regard to*” before setting or varying a sustainability measure. These include:
- a. The Minister must take into account any effects of fishing on the aquatic environment (s11(1)(a)).
 - b. The Minister shall have regard to any regional policy statement, regional plan or proposed regional plan under the RMA (s11(2)(a)).
 - c. The Minister shall have regard to ss7 and 8 of the Hauraki Gulf Marine Park Act 2000 (s11(2)(c)).
- 3.20 The Discussion Paper contains no information on the second of these matters and the other two are only given cursory mention.
- 3.21 As a result, EDS submits:
- a. The Discussion Paper’s recommendations have not been put forward on basis of the best available information.
 - b. A decision by the Minister of basis of the Discussion Paper would fail to take into account a relevant factor.⁷

4 Closure of Kaipara Harbour scallop fishery

⁷ There is a failure to take into account a relevant factor where a matter is acknowledged to be relevant but the decision maker obtains no information on it: *Tamaki Reserve Protection Inc v Minister of Conservation* HC Auckland CP6000/97, 12 March 1999.

- 4.1 The Discussion Paper reports that a 2017 scientific survey found that the scallop abundance in the Kaipara Harbour is very low, the distribution of scallops is increasingly limited, there is low juvenile abundance, and sampled scallops were in poor condition. This indicates a stock that is under extreme stress and which needs to be carefully managed if it is not to collapse entirely. EDS therefore supports the proposal under Option 2 to close the Harbour to the taking of scallops until the stock has rebuilt to healthy levels.
- 4.2 The Discussion Paper also reports that scientific surveys have indicated that increased amounts of sedimentation have likely degraded suitable habitats for scallops within the Kaipara Harbour and thus have reduced recruitment. This means that excluding the harvest of scallops within the Harbour will alone likely be insufficient to ensure sustainability. It will also likely be insufficient to apply the environmental principle that “*habitat of particular significance for fisheries management should be protected*” under s9(c). As a result, the Minister is obliged to consider additional measures in order to meet the purpose of the FA under s8.
- 4.3 Sedimentation is managed under the RMA. A direct linkage has been provided between the RMA and the FA through the requirement that regional councils and territorial authorities have regard to management plans prepared under other Acts when preparing regional policy statements, regional plans and district plans under the RMA.⁸ The FA makes provision for such management plans under s11A where the Minister is empowered to approve fisheries plans. The preparation of a fisheries plan for the Kaipara Harbour, which identifies habitat of significance for scallops which needs to be protected from sedimentation (as well as addressing measures required to ensure the sustainability of the FLA 1 stock in the Kaipara Harbour referred to below), would therefore be an additional measure that the Minister could take to encourage better management of sedimentation under the RMA thereby helping ensure sustainability of the stock. EDS submits that Fisheries NZ should prepare a fisheries plan for the Kaipara Harbour without delay and present it to the Minister for approval.

5 Flatfish FLA 1

- 5.1 The Discussion Paper highlights the long-term decline of the FLA 1 stock indicating that the spawning stock biomass has been significantly reduced. The standardised CPUE has been in decline for the Kaipara Harbour, Manukau Harbour, and Hauraki Gulf for many years (apart from a very recent rebound in the Hauraki Gulf). This indicates that current management settings are not ensuring the sustainability of the stock and that the stock is currently well below a biomass that would support its MSY. As noted in the Discussion Paper, anecdotal information from the local community indicates that current catches of flatfish in FLA 1 are not sustainable. This is supported by EDS’s research and a report received from one fisher that he can now fish all day and only catch three or four fish, when previously a catch of five or six dozen was the norm.⁹

⁸ See sections 61(2)(a)(i), 66(2)(c)(i) and 74(2)(b)(i).

⁹ See Peart R, 2018, *Voices from the Sea: Managing New Zealand’s Fisheries*, Environmental Defence Society, Auckland, page 48.

- 5.2 The Discussion Paper proposes three options for management settings. Option 1 is to retain the status quo for the TAC which would enable the harvest to increase significantly. Option 2 is to reduce the TAC to reflect the average commercial catch over the past 5 years. This option does not reduce harvest levels in practice, although it would prevent future increases. A decision to retain the status quo for the TAC, or to only reduce the TAC to a level that does not actually reduce harvest pressure, would not meet the requirement under s13(2A) to set a TAC *“that is not inconsistent with the objective of ... moving the stock towards or above, a level which can produce the MSY.”* Options 1 and 2 are therefore not legally available to the Minister.
- 5.3 Option 3 proposes to reduce the catch level to 10% below the most recent 5-year average catch. The Discussion Paper does not include any rationale for the selection of the 10% figure apart from indicating that it is more risk-averse than Option 2 (no reduction in current harvest levels). Given the ongoing decline in the stock (as evidenced by long-standing falling CPUE data), and likely reduction in carrying capacity of the Harbours affecting recruitment, the proposition that a 10% reduction in harvest would be sufficient to rebuild the stock to or above MSY after such a long decline is simply not credible. This doubt is reflected in the statement in the Discussion Paper that Option 3 *“may in turn help rebuild flatfish abundance in FLA 1 (emphasis added)”* which does not provide the Minister with the certainty he needs to meet the requirements of s31(2A) FA. It also does not sufficiently recognise the importance of flatfish species to customary fishers as evidenced in the Discussion Paper. EDS submits that for the Minister to meet the statutory requirements, a larger reduction in the TAC is required. It proposes a 25% reduction in TAC, accompanied by close monitoring and review within 24 months to determine whether further reductions are needed to rebuild the stock in a timely manner.
- 5.4 An adjustment to the TAC on its own is unlikely to be sufficient to ensure sustainability of the FLA 1 stock and the Minister will need to consider a package of management measures given the complexity of the issues involved. EDS has undertaken research into the FLA 1 stock in the Kaipara Harbour as part of the project reported in the publication *“Voices from the Sea”*. This identified the following contributors to the depleted fishery within the Harbour:
- a. The localised nature of the flatfish stocks in the Kaipara Harbour makes them susceptible to localised depletion.
 - b. The inclusion of the Kaipara Harbour flatfish stocks within a very large QMA spanning the entire top of the North Island (and which does not align with biological stocks), coupled with the setting of a very high TACC, means there is no effective control over harvest intensity within the harbour or in parts of the harbour. This has exacerbated localised depletion through enabling fishing effort to shift between harbours.
 - c. Lack of sufficient research to identify a scientifically robust management target for the stock to ensure it is at or above MSY.

- d. The ease of entry into the fishery (which in practice is open entry) due to low capital costs (with small trailer boats able to be used within the sheltered harbour) and easy availability of cheap ACE due to the over-supply caused by the high TACC.
- e. Lax fisheries regulations (coupled with an insufficient enforcement effort) resulting in poor fishing practices which can include long soakage times, leaving nets unattended, use of dirty nets, use of small mesh sizes, and overlong nets. This in turn has resulted in wastage, high juvenile mortalities, and the harvest of poor quality fish.
- f. Habitat degradation within the Kaipara Harbour due to sedimentation and eutrication.

5.5 A reduction in the TAC needs to be accompanied by the following measures in order to address the matters identified above:

- a. Establishing effective localised spatial management of harvest effort. This could be achieved through setting a maximum commercial harvest quantity for FLA 1 within the Kaipara Harbour and separately in the Manukau Harbour where the stock is also heavily depleted (with the balance of the TACC able to be harvested elsewhere within FLA 1 such as the Firth of Thames) or establishing a separate QMA for flatfish stocks for each Harbour.
- b. Establishing a more robust regulatory framework for the FLA 1 fishery including requiring nets to be attended, reducing the soakage time, and ensuring the net mesh size is large enough to avoid capture of juvenile fish.
- c. Increasing enforcement effort to ensure that all fishers are complying with the regulations.
- d. Spatially identifying habitat of importance to the FLA 1 stock and measures required to effectively protect it.
- e. Setting a management target for the stock and timeline for recovery.
- f. Commissioning sufficient research to identify contributors to the decline of the stock and to inform the development of management measures to address these.
- g. Developing and approving a fisheries plan for the Kaipara Harbour.

6. John dory (JDO 1)

6.1 The Discussion Paper notes that JDO 1 contains 3 biological stocks, with the decline in the fishery most marked in the east coast fisheries. Only 50% of the TACC has been harvested on average over the past 5 years. No estimate of stock biomass or biomass that will produce MSY has been provided. The Discussion Paper also indicates that all component stocks are below the target biomass level and have only been rebuilding slowly. In addition it states that it is likely that recruitment has been low during the preceding period but does not posit potential reasons for this. This indicates a cautious approach is appropriate and harvest reductions required to rebuild the fishery.

- 6.2 The Discussion Paper identifies 3 options for management measures. Option 1 is to maintain the status quo which allows for harvest levels to double from the current (due to only 50% of the TACC currently being harvested). This option is not available to the Minister as it would not meet the requirement under s13(2A) to set a TAC *“that is not inconsistent with the objective of... moving the stock towards or above, a level which can produce the MSY.”*
- 6.3 Option 2 is to reduce the TAC to reflect current harvest levels. This would not result in any reduction in harvest levels but would preclude an increase in current harvest. Given the poor state of the stock and uncertainty about recruitment which has been low in recent years, and the continued decline of catch levels under current harvest levels, this is very unlikely to result in moving the stock towards or above a level which can produce MSY, so is also not available to the Minister under s13(2).
- 6.4 Option 3 is to reduce the TACC so that harvest levels are 90% of current levels, so in effect this is a 10% reduction in harvest pressure/current take. The Discussion Paper does not provide any rationale for the selection of 10% as opposed to other options such as 20% or 30%, or any indication of what effect such a reduction would have on the stock rebuild and over what time period. EDS submits that for the Minister to meet the statutory requirements a larger reduction in the TAC is required. EDS proposes a 20% reduction in TAC, accompanied by close monitoring and review within 24 months to determine whether further reductions are needed in following years to rebuild the stock in a timely manner.
- 6.5 The presence of 3 biological stocks within JDO 1 indicates that the QMA is not aligned with biological stocks. This means that setting a TAC for the entire QMA is unlikely to ensure sustainability of each of the 3 biological stocks. As a result, management boundaries need to be adjusted. This could be achieved through setting maximum harvest levels for each biological stock area (ie spatial management within the QMA) within the overarching TACC, or through splitting JDO 1 into 3 separate QMAs.
- 6.6 The estimates of stock status are based on CPUE indices. Such indices are known to be problematic as they are not independent of the fishing industry and can be affected by reporting errors, varying catchability of fish, and changes in fisher behaviour. They are also historic and provide no information about likely future trends (including, most importantly, recruitment levels) on which to base management decisions for the future.
- 6.7 Long term time series that can be provided by regular scientific trawl surveys can provide a wealth of information to help inform fisheries management. Such surveys were undertaken intermittently along North Island coasts during the late 1980s and 1990s but were discontinued in 2000 (18 years ago). A regular (annual) trawl survey of the North Island west and east coast inshore fisheries needs to be undertaken without delay (and during the 2018/19 fishing year) in order to help provide the scientific basis for future fisheries management. This will provide scientific data not only relevant for JDO 1 but for the numerous other inshore species that currently lack robust scientific data on which to make good management decisions.
- 6.8 The JDO 1 stock is primarily harvested through bottom trawl and the Minister therefore needs to consider the impact of this fishing method on:

- a. Biological diversity of the aquatic environment.
 - b. Habitat of particular significance for fisheries management.
- 6.9 The Discussion Paper does not provide the Minister with the best available information on which to consider these matters as required under s10(a) FA. It states at [649]: *“There is no information to indicate there will be impacts upon the matters noted in section 9 of the Act.”* EDS considers this statement to be false and misleading. There is also a failure to provide information on the impacts of fishing activity on the aquatic environment in terms of the Hauraki Gulf Marine Park Act 2000.
- 6.10 There is a wealth of information on this topic which the Minister needs to consider in order to meet his statutory obligations. The information is summarised in the publication “Ministry for Primary Industries (2017). Aquatic Environment and Biodiversity Annual Review 2017. Compiled by the Fisheries Management Science Team, Ministry for Primary Industries, Wellington, New Zealand” (**AEBAR**) and this has a chapter on benthic impacts of fishing activity. Reference also needs to be made to the scientific reports referred to in this summary. Relevant information summarised in this chapter includes:
- a. National and international research findings on the impacts of trawling on benthic species and communities.
 - b. Mapping of the current and historical inshore trawl footprint in New Zealand including trawl location and frequency.
 - c. An assessment of the overlap between the trawl footprint and different benthic habitat classes and assessment of the percentage of some classes which have been impacted (with 60% of benthic areas 100m and shallower impacted by trawl).
- 6.11 In addition, there has been useful research into the linkage between fisheries species and biogenic habitats which is summarised in “Morrison, M.A.; Jones, E.; Consalvey, M.; Berkenbusch, K. (2014). Linking marine fisheries species to biogenic habitats in New Zealand: a review and synthesis of knowledge. New Zealand Aquatic Environment and Biodiversity Report No. 130”. This confirms that seagrass, shellfish beds, sponge gardens, bryozoan reefs, and similar biogenic features which are susceptible to the impacts of trawling, support juvenile fish from many commercially harvested species and therefore are habitat of particular significance for fisheries management.
- 6.12 In order to fulfil the obligation under the FA to ensure sustainability which includes *“maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations”* and *“avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment”* under s8(2)(b), Fisheries NZ needs to urgently identify areas of benthic habitat of importance to fisheries and protect them from the impacts of fishing activity, including by excluding bottom disturbing fishing methods from being undertaken within the areas. The Minister should issue a direction requiring this work to be undertaken as a matter of priority in order to inform future decision-making under the FA.

7. Tarakihi (TAR 1, 2, 3 7)

- 7.1 The Discussion Paper indicates that the Tarakihi fishery has been in long-term decline and is now at a very low ebb at around 17% of virgin biomass. It is clear that a rebuilding strategy is necessary. Fisheries NZ have set out a number of options for future management. Southern Inshore Fisheries has proposed an alternative set of management options which include different management targets, tools and measures.
- 7.2 Due to tarakihi being a long-lived, slow growing and therefore a low productive species, Fisheries NZ has proposed a management target of 40% of virgin biomass. This is in accordance with the Harvest Strategy Standard for New Zealand Fisheries (2008) (**HSS**) and international best practice. EDS supports a management target of 40% of virgin biomass.
- 7.3 The management options set out in the Discussion Paper include rebuild times of 10 or 20 years. A rebuild time of 10 years is in accordance with the HSS and is supported by EDS. EDS would more strongly support Option 1 as generating a rebuild more quickly than the other options but acknowledges that Option 2 may also generate a similar rebuild over a 10-year time period.
- 7.4 Southern Inshore Fisheries proposes to achieve a harvest reduction through a voluntary shelving of ACE rather than through a reduction in the TACC. The voluntary shelving of ACE does not provide other stakeholders or members of the public with any certainty of future harvest levels (and therefore rebuild of the stock) as it is at the discretion of individual quota holders, and can be changed by them at any time, without recourse to the Minister. There is no way to enforce such voluntary measures. Such voluntary measures are also not specifically provided for as sustainability measures in the FA. They lack public credibility. EDS supports a reduction in TACC to achieve a harvest reduction not a voluntary approach.
- 7.5 The Discussion Paper contains an economic evaluation which seeks to quantify the loss of revenue for the different rebuild options. This evaluation only provides partial information and so is misleading; the Minister should not rely on it. Such an evaluation needs to also include the economic benefits which will be derived from a rebuild and subsequent increase in TACC and quantify the differences in revenues from a rebuild within 10 years versus a rebuild over 20 years to give a total economic impact assessment over the proposed management period.
- 7.6 The Discussion Paper indicates that tarakihi are long lived with a maximum age of 40 years or more and the first 8 years is a period of rapid growth. Tarakihi reach sexual maturity at around 6 years but the maximum legal size for harvest is reached at 3 to 4 years of age. This means that many tarakihi are caught as immature fish, before they reach spawning age, and before they have reached the end of their rapid growth phase where the rate of increase in biomass is high. The Southern Inshore Fisheries proposal states that *“A review of the MLS is proposed to determine why it is not currently in line with size at first maturity. There appears to be a disconnect between the two and the historical rationale for this is not clear.”* The Minister should increase the minimum legal size to the size when fish are mature and are able to spawn before being harvested.
- 7.7 The Discussion Paper describes the interlinkage between the stocks, with juveniles moving progressively northwards from the Canterbury Bight to East Northland with the result that

larger fish are caught further north. The Discussion Paper also states that a high proportion of the bottom trawl catch in TAR 3 is composed of immature fish. To the extent that any trawling is permitted in the future to target tarakihi (see below), the Minister needs to increase the minimum mesh size for trawl nets and require the use of escapement technology such as grids, to ensure that only mature fish are harvested.

- 7.8 The Discussion Paper fails to address the Minister’s environmental obligations under ss8 and 9 FA. It therefore has not provided the Minister with the best available information in order for him to discharge his duties under the FA. In terms of environmental impacts the Discussion Paper states: *“The proposals are not expected to significantly change the environmental impacts and interactions of the TAR 1, 2, 3, or 7 fishery (s 9 of the Act). The proposals will reduce fishing effort on tarakihi, which may result in an overall reduction in trawl effort in some areas of the target bottom trawl fishery. Therefore, additional impacts on bycatch species, protected species and the benthic environment are unlikely.”* This misrepresents the legal position (as described below). It also misrepresents the science. The statement seems to be based on an assumption that trawling the same footprint (or a reduced footprint) in future years will not create any additional environmental impacts to that which have already been caused by the fishing activity. But this is not the case because the impacts of trawling are cumulative over time, and the longer time period over which an area has been trawled, the greater the ecosystem damage and reduced likelihood of recovery.
- 7.9 In any event, the requirements of s8 or s9 FA are not automatically met if proposals do not change the current environmental impacts. Under s8 the Minister is required to identify whether there are any adverse effects of fishing on the aquatic environment and if there are, he is required to avoid, remedy and mitigate them. In order to take into account the matters under s9 the Minister needs to establish if there are any impacts on biological diversity or habitat of particular significance for fisheries from the fishing activity, and if there are, he needs to consider how to maintain the former and protect the later.
- 7.9 The Discussion Paper also fails to address the interaction between tarakihi recruitment and survival and habitat. Research commissioned by government has concluded that juvenile tarakihi are found in close association with biogenic habitats including bryozoan beds.¹⁰ During the mid 1970s such tarakihi juvenile nursery beds were identified off the south-western coast of the North Island, in Tasman Bay, and along the entire eastern coast of the South Island. They were described as *“dense and varied invertebrate benthic epifauna dominated by sponges and small corals.”*¹¹ Fishers report that tarakihi are primarily found on hard structures and foul ground, so it is in these areas that harvesters deploy their trawl gear when targeting tarakihi.

¹⁰ Morrison, M.A.; Jones, E.; Consalvey, M.; Berkenbusch, K. (2014). Linking marine fisheries species to biogenic habitats in New Zealand: a review and synthesis of knowledge. *New Zealand Aquatic Environment and Biodiversity Report No. 130*, 119

¹¹ C. M. Vooren (1975) Nursery grounds of Tarakihi (*Teleostei: Cheilodactylidae*) around New Zealand, *New Zealand Journal of Marine and Freshwater Research*, 9:2, 121-158;

7.10 There is strong scientific evidence that using bottom trawl gear on hard reef structures and biogenic communities is particularly damaging to those habitats. AEBAR summarises the international scientific findings of the benthic impacts of trawling including that:¹²

the effects on habitats of mobile bottom fishing gears were that they can:

- *Damage or reduce structural biota (all reviews, strong evidence or support).*
- *Damage or reduce habitat complexity (all reviews, variable evidence or support).*
- *Reduce or remove major habitat features such as boulders (some reviews, strong evidence or support).*
- *Alter seafloor structure (some reviews, conflicting evidence for benefits or harm).*

Other emergent conclusions on habitat effects included:

- *There is a gradient of effects, with greatest effects on hard, complex bottoms and least effect on sandy bottoms (all reviews, strong support, with qualifications).*
- *There is a gradient of effects, with greatest effects on low energy environments and least (often negligible) effect on high-energy environments (all reviews, strong support).*
- *Trawls and mobile dredges are the most damaging of the gears considered (three of the reviews considered other gears; all drew this conclusion, often with qualifications).*

7.11 AEBAR concludes at page 369 that *“The international literature is, therefore, clear that bottom(demersal) trawling and shellfish dredging are likely to have largely predictable and sometimes substantial effects on benthic community structure and function.”*

7.12 In the New Zealand context, there has been a wealth of research summarised in the AEBAR. Of particular relevance to tarakihi is the scientific assessment undertaken of the impacts of trawling on bryozoan communities in the Tasman Bay area (noting that the Tasman bryozoan beds were identified by Vooren (1975) as important tarakihi nursery grounds). Separation Point was first trawled after 1972, and this activity raised concerns about damage to the bryozoan beds and reduction of juvenile fish habitat, which could reduce recruitment into the fishery. In 1980 an area extending 156 km² around the Point was closed to power-fishing methods in order to protect the habitat, comprising just 0.4 per cent of the seabed of Tasman Bay. 30 years later areas within and outside the exclusion zone were examined by scientists. The researchers found that *“grab samples of the sediment from inside the closure area are very coarse, full of shell, and poorly sorted; in contrast, the samples from adjacent fished areas comprise almost entirely soft muds, nearly devoid of shell material and surface-dwelling organisms”*. This was likely due to the ploughing effect of repeated disturbance whereby over time, a coarse shelly seabed is turned into a soft fine mud substrate. Overall, the seabed in the trawled areas had reduced size structure, biomass, and productivity. This has almost certainly impacted on the productivity of associated

¹² Page 368

fisheries including tarakihi through loss of food sources and juvenile habitat.¹³ A more recent study of the impacts of trawling and scallop dredging on Tasman and Golden Bays concluded that the abundance of species which grow above the seabed, such as horse mussels, bryozoans and sponges, was reduced by up to 50% in areas fished on average just 2 to 3 times a year.¹⁴

- 7.13 Apart from the small protected area in Tasman Bay at Separation Point, important tarakihi habitats have not been protected from trawling impacts and continue to be trawled today. Such benthic habitats are particularly susceptible to damage and destruction by repeated trawling over time which produces cumulative and chronic impacts. It would seem extremely likely that the loss of these habitats due to chronic trawling damage has significantly reduced recruitment into the fishery. The Minister needs to prohibit the use of bottom-trawl for targeting tarakihi. In addition, Fisheries NZ as a matter of urgency, needs to identify important habitats for the tarakihi stock and protect them from other destructive fishing activities.
- 7.14 The Paper by Southern Inshore Fisheries notes the lack of good science in this fishery and the need to obtain better data. The proposal to undertake additional research is supported. However the need for further science should not be used as an excuse to delay action to the reduce the TACC. The fishery has been in decline for well over 20 years and decisive action should not be delayed further. If new information indicates that a different management approach is warranted then the management settings can be adjusted at that time.

8. Conclusion

- 8.1 EDS supports taking management action in the fisheries described above. Such management action is long overdue. The delay means that harvest reductions and other measures required to rebuild the stocks will need to be more stringent than would have been the case if action was taken earlier. EDS encourages Fisheries NZ to take a more active management approach to inshore stocks in the future.
- 8.2 EDS continues to be disappointed at the failure of Fisheries NZ to include the best available information on the environmental effects of fishing activity and encourages it to rectify this omission in future discussion papers.

¹³ Handley S J, T J Willis, R G Cole, A Bradley, D J Cairney, S N Brown and M E Carter, 2014, 'The importance of benchmarking habitat structure and composition for understanding the extent of fishing impacts in soft sediment ecosystems', *Journal of Sea Research*, 86, 58–68

¹⁴ Tuck I D, J E Hewitt, S J Handley and C J Lundquist, 2017, 'Assessing the effects of fishing on soft sediment habitat, fauna and process', *New Zealand Aquatic Environment and Biodiversity Report No. 178*

27th July 2018

SUBMISSION ON THE PROPOSAL FOR TAC AND TACC CHANGES FOR THE EAST COAST TARAKIHI FISHERY (TAR1E, TAR2, TAR3, TAR7E)

Background

1. Fisheries New Zealand (*Fisheries NZ*) has issued Discussion Paper No. 2018/01 on Sustainability Controls for 1 October 2018 stocks, and invited responses to the proposals that were released for consultation on 2 July 2018. This response is in relation to the proposed TAC/TACC changes for east coast tarakihi and is presented on behalf of Fisheries Inshore New Zealand (*FINZ*), Te Ohu Kaimoana and Southern Inshore Fisheries Management Company (*Southern Inshore*).
2. Industry has provided both input and engagement on TAR and clearly articulated the range of complexities both in terms of management and science associated with this fishery. It has then formed a TAR Management Strategy (*TAR Strategy*) that provides tailored solutions to these complexities. Throughout this process, industry has demonstrated a commitment to engaging with the results of the 2017 stock assessment in order to determine the most appropriate management outcome for all stakeholders.
3. Industry collectively and inclusively formed a TAR Strategy that addresses the scientific uncertainties, the concerns of fishers on the water as well as the potential socio-economic consequences. The TAR Strategy provides an adaptive management approach that provides innovative solutions to the spatial complexities of the stock while promoting recovery.
4. During Fisheries NZ's pre-consultation meetings (late April / early May 2018) industry outlined its concerns and highlighted the iterative management process that would both ensure the sustainability of the stock (through measures to rebuild the stock appropriately), while still allowing suitable utilisation that would provide social, economic and cultural benefits. The industry TAR Strategy was provided to Fisheries NZ prior to the release of the consultation document to inform the development of their consultation document.
5. This response addresses:
 - Section 1 – Stock assessment and associated scientific uncertainties
 - Section 2 – Management and policy
 - Section 3 – Impacts on industry, small business and local economies
 - Section 4 – Review of the management options
 - Section 5 – Commitment to innovation

SECTION 1 – STOCK ASSESSMENT AND ASSOCIATED UNCERTAINTIES

6. The results of the stock assessment indicate that the biomass has been reasonably stable with a moderate declining trend for over 40 years since 1975. It shows the spawning biomass reached its peak of c. 27% B_0 in the mid-1980s but has remained below the default soft limit since the mid-2000s. The spawning biomass has increased slightly from its lowest level in 2014 following above average recruitment in 2011/12 (**Error! Reference source not found.1**).
7. While the fishery is at c. 17% B_0 , there is no immediate sustainability risk. The modelling indicates that if the current catch continued at 2016/17 levels (i.e. no catch reduction) the fishery would only decrease to 15.5% B_0 by the time of the next scheduled stock assessment in 2020/21. As with all fisheries management, there will always be uncertainty around such projections, but it indicates that there is adequate time for a thoughtful and appropriate management strategy to be developed and implemented for the east coast TAR fishery. To ensure the long-term sustainability of the fishery, industry is committed to making significant reductions in catch to meet the requirements under the Fisheries Act, while also addressing scientific uncertainties through a proactive research plan.

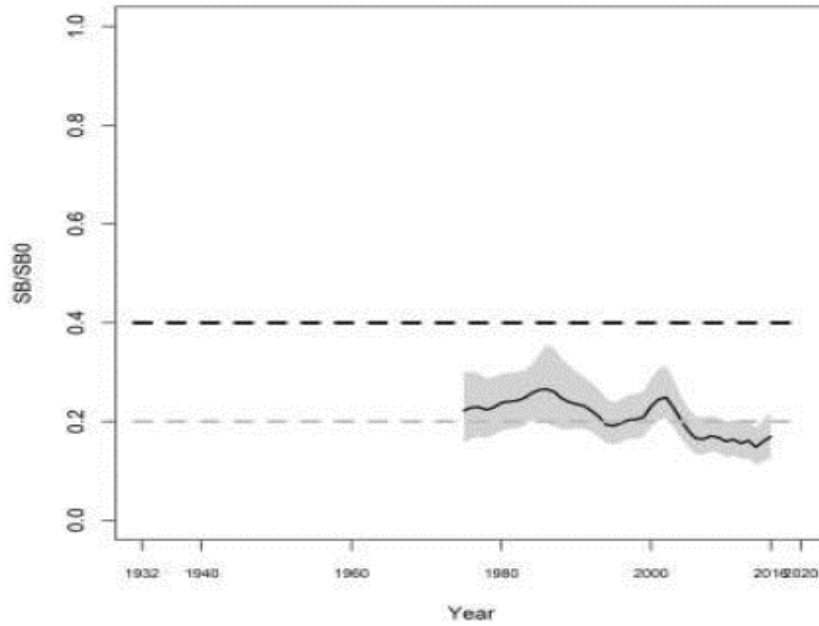


Figure 1: Spawning biomass (SB) as a proportion of unfished biomass (SB_0).

Scientific uncertainties

8. The Fisheries NZ consultation document acknowledges that the assessment is based on a number of assumptions and uncertainties, and specifically highlights those “around the stock structure and other assumptions in the assessment model” (para 980). However, no information is provided to further these statements or indeed set out a management strategy or research proposal to address these uncertainties. Consequently, submitters who have not been actively engaged like the industry will be unable to make an informed submission.
9. Industry has repeatedly stressed that assumptions and uncertainties need to be addressed through targeted research to better inform management. The updated TAR Strategy attached to this submission addresses these uncertainties and proposes solutions to the complex fishery management issues associated with east coast TAR (Annex 1).
10. Fisheries NZ’s management options are based on rebuilding the TAR stocks within set timeframes, and this is done in reliance on 10-year projections from the stock assessment. The uncertainty associated with these projections is so significant, that it is unreasonable to rely on this information as the basis for current management (Figure 2).

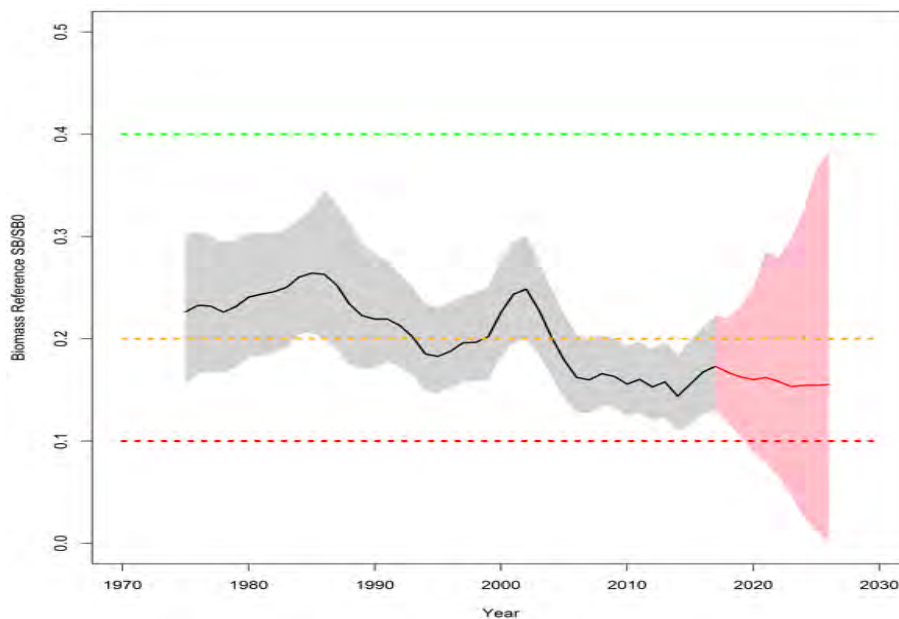


Figure 2: Stock projections from 2018 model.

11. Figure 2 illustrates that after 10-year period the stock could be anywhere between c. 0% and 38% B_0 . This uncertainty is so great that implementing a long-term management response that relies on this information is unreasonable.
12. Rather industry advocate for a cautious approach, managing to an appropriate timeframe that enables the collection of data to better inform the next stock assessment. This three-year timeframe recognises that managing to a longer timeframe is far too risky given the level of uncertainty in forward projections in the stock assessment model. It is concerning that Fisheries NZ have proposed options that manage to such highly uncertain deviations.
13. The TAR Strategy sets out solutions that will assist in addressing the key scientific uncertainties as summarised below:
 - **Uncertainty:** “The level of connectivity between sub-populations and the differential fishing pressure may have implications for the rebuilding of the stock.” (Para 961 of consultation document)
Industry solution: Investing in genetic research (See Section 9 of the TAR Strategy which provides research to address this) and differential reductions in catch reflecting abundance.
 - **Uncertainty:** level of recruitment and catches of undersize TAR
Industry solution: Investing in genetic research (See Section 9 of the TAR Strategy which provides research to address this); early voluntary recording of undersize TAR by area and time, rapid CPUE analyses to check abundance and ability to adjust voluntary catch reductions.
 - **Uncertainty:** Stock status projections
Industry solution: Manage to an appropriate timeframe to reflect the uncertainty in managing to future projections that have a wide confidence interval. This uncertainty is addressed further below in Section 2.
14. Some of the research to address these uncertainties is already underway, but would be accelerated under the industry’s TAR Strategy. Given the importance of stock structure and recruitment to the management of TAR fisheries, we consider this information should be obtained as a priority as part of an iterative management approach as suggest in the TAR Strategy. Obtaining this information would not involve any significant cost or delay, and further, it is warranted given the importance of the fishery, and the lack of any impending sustainability concern.

SECTION 2 – MANAGEMENT AND POLICY

Management target

15. Section 13 of the Fisheries Act sets out the Minister’s responsibilities regarding the target biomass for a stock, that being at or above B_{MSY} . It is accepted that deterministic B_{MSY} for TAR is 21.5% B_0 ; however, this may be too low as a management target because it may not appropriately take into account variations in both productivity and the environment.
16. Rather than calculating B_{MSY} , Fisheries NZ has simply asserted that B_{MSY} is 40% B_0 in reliance upon the Harvest Strategy Standard (HSS) guideline. This is done without any evidence relating to TAR, or to the calculated measure of deterministic B_{MSY} of 21.5% B_0 .
17. Even if reliance is placed solely on the HSS guideline, fishery managers are required to set targets as modified by relevant factors.¹ The consultation document does not reflect this aspect of the HSS guideline. The use of the HSS guideline default fails to recognise the interdependence of stocks, any environmental conditions affecting the stocks, the assessed level of deterministic B_{MSY} , or any information specific to the TAR fisheries; as such, it is unreasonable to solely rely on a generic default target for these stocks.
18. Further, the HSS guideline identifies that management targets and rebuild plans are species-specific and require an assessment by species on a case-by-case basis: “there is no single target level applicable for all species and stocks”.² This was a view publicly stated by Fisheries NZ scientists at the Napier cross-sector consultation meeting on the 18th July, where they agreed that a species-specific target is more appropriate.
19. The industry management strategy provides the only option that proposes to calculate “real-world B_{MSY} ” through the use of a management strategy evaluation (MSE). We emphasise that the trajectory of the

¹ Ministry of Fisheries (2011). Operation Guidelines for New Zealand’s Harvest Strategy Standard – Revision 1 at page 27.

² Ministry of Fisheries (2011). Operation Guidelines for New Zealand’s Harvest Strategy Standard – Revision 1 at page 2.

proposed rebuild is subject to the MSE that would be available next year. In the interim, shelving of ACE (setting aside and not fishing 20% of the current catch) increases our flexibility to react to these results.

20. The HSS guideline default is not a “real-world biomass level that will produce MSY” as stated in the consultation document. Such a real-world B_{MSY} estimate would be calculated through our proposed MSE. This is recognised in the HSS guideline that acknowledges the use of management strategy evaluation as a “process of evaluating alternative management strategies against one or more operating models (simulation models of the real world) is termed a “management strategy evaluation” (MSE).”³ Pages 66-67 of the HSS Guidelines acknowledge the value of MSE as a powerful mechanism to take into account the robustness of alternative management procedures identifying management strategies that are resilient to uncertainties in scientific understanding.
21. We submit that a management target is perhaps the most fundamental element of managing a fishery. To progress such significant management proposals without investing the time and effort to calculate the statutory management target is difficult to justify. This is particularly so for a fishery as important as TAR in New Zealand—a fish that is harvested and consumed throughout the country.
22. Furthermore, obtaining this information would not involve any significant cost or delay and is warranted given the importance of the fishery, and the lack of any impending sustainability concern. We have received quotes from reputed fisheries scientists that estimate this work could be conducted for between \$50,000 and \$75,000 and, once qualified people are available, would take approximately three weeks for one FTE to complete.
23. We submit that any action taken to reduce TACs by the substantial volumes Fisheries NZ proposes should be based on the best available information. That should include calculating the statutory management target, B_{MSY} , which can be done with relative ease. In the interim, we consider it only appropriate to adopt an iterative and considered management approach as identified in the industry’s TAR Strategy.

Catch splitting

24. The TAR assessment applies only to the eastern portions of TAR1 and TAR7. Fisheries NZ state that the rebuilding strategy requires catch reductions in specific areas of these QMAs to be effective (para 1026). Despite this requirement, Fisheries NZ has proposed no definitive method to implement the necessary catch spreading, and at paragraph 1029 of the consultation document requests advice from submitters on how to implement catch spreading in TAR1 and TAR7.
25. Notwithstanding the need for the catch reductions, Fisheries NZ also suggests that the requirement to split catch in TAR7 could perhaps be ignored given the complexity involved. This appears to be based on the view that the TAR7 eastern catch is 247 tonnes which is 5.2% of total eastern TAR catch (but far larger portion of TAR7).
26. We submit that ignoring this is inappropriate. It also directly in contrast to the hyper-accuracy on display in other aspects of the consultation paper such as the rationale for the different TACCs between FNZ Options 1 and 2 (see para 1025).
27. As part of the industry TAR Strategy, we have proposed to implement a robust catch spreading arrangement that would designate east and west ACE in both TAR1 and TAR7. This is proposed as part of the overall management approach.

28N rights

28. When the QMS was introduced, the ITQ for each stock was based on a set tonnage that could be caught by each quota owner. It soon became apparent that the total allowable commercial catch for a number of fisheries exceeded the capacity of those fisheries and the Crown acted to reduce the catch.
29. The regime at that time required the Government to buy quota back to retire it. The Government chose to change the law and provide quota owners with the choice of accepting a fixed price (below the market price) in exchange for the surrender of their quota, or putting a specific amount of their quota “on hold” until the TACC for the fishery was subsequently increased. Once the fishery recovered, the “quota on hold” would have priority access to the increase, before any further sale on the open market. Once “refunded” in this way, that quota would have the same rights as other quota. This quota and the associated rights and processes were set out in section 28N in the *Fisheries Act 1983*. Many affected quota owners took the latter path of having the amount of their quota that the government wanted reduced declared to be subject to 28N conditions.

³ Ministry of Fisheries (2008). Harvest Strategy Standard for New Zealand Fisheries, October 2008 at [7].

30. Subsequently, the Crown changed the Quota Management System so that the amount of quota any individual held in a fishery was translated into perpetual proportional shares in the TACC of that fishery, rather than just for an explicit volume of fish in the fishery for that year. The effect of this last change, when combined with s 28N rights, was to transfer liability for resolving 28N rights from the Crown to quota owners who do not hold 28N rights. This is because the law now provides that when a TACC increases for 28N fisheries those quota owners that hold 28N rights receive all the increase until the total of the 28N rights for that fishery is exhausted. This is achieved by transferring quota shares from normal quota owners to the quota owners holding 28N rights i.e. normal quota owners have quota shares taken off them so they permanently have a reduced percentage of the total fishery and the 28N rights holding quota owners receive the those shares meaning they then permanently have an increased percentage of the total fishery.
31. The Deed of Settlement was signed in 1992 and was put into effect through the *Treaty of Waitangi (Fisheries Claims) Settlement Act 1992*. However, the *Fisheries Act 1983* was not amended to reflect the settlement obligations, and 28N rights were subsequently carried through into the *Fisheries Act 1996*.
32. Ultimately, this situation means that where a fishery, that has 28N rights within it, has its TACC reduced, then in the absence of any other change, when the fishery recovers and the TACC is subsequently increased, then the 28N rights are invoked and the proportionate share of quota that iwi hold will be reduced. This is a permanent reduction in the proportional share that iwi have in the TACC of that fishery. That is directly contrary to:
- the agreement in the Fisheries Settlement, and
 - furthering the agreements expressed in the Deed of Settlement (see section 3 and 4 of *Treaty of Waitangi (Fisheries Claims) Settlement Act 1992*).
33. This undermines the agreement between the Crown and Māori, that Māori would receive 10% of all stocks in the QMS at the time of the interim fisheries settlement in 1989.
34. In light of the Minister's obligations under section 5(b) of the *Fisheries Act 1996*, and the relationship through other legislation to the Deed of Settlement, the Minister must be advised that, before he makes any decision under the Fisheries Act that will as a consequence trigger 28N rights, all other options to achieve the same effect but not trigger 28N rights should be examined and, wherever possible, used. If the Ministry fails to examine and recommend options that are not contrary to the Settlement, that will obviously have the effect of permanently undermining the Fisheries Settlement. This must be avoided. This issue is relevant for a number of fisheries that are being reviewed as part of the 2018 sustainability round, including TAR2.
35. Where the potential for a breach of the Settlement exists because of 28N rights exists, Te Ohu Kaimoana's position is that the Ministry has the responsibility to examine and wherever possible pursue strategies to ensure there is no breach or erosion of the Settlement.
36. In summary of key management complexities are:
- **Management complexity:** Lack of a specific management target and an inappropriate reliance on generic policy.
Industry solution: Conduct a management strategy evaluation to calculate the relative biomass that will provide the maximum sustainable yield for tarakihi as the *Fisheries Act* requires.
 - **Management complexity:** Unreasonable reliance on very uncertain stock status projections.
Industry solution: Implement an iterative management response that allows for continued collection of information and a viable commercial fishery.
 - **Management complexity:** Catch splitting between TAR 1 and TAR 7 but no recommended way to achieve it.
Industry solution: Implement industry's TAR Strategy that includes a robust catch spreading arrangement that would designated east and west ACE in both TAR1 and TAR7.
 - **Management complexity:** Existing 28N rights.
Solution: Choose an option to assist the fishery to recover that will not invoke the 28N mechanism and commence discussions with Te Ohu Kaimoana to address this matter before making any changes to TACCs.

SECTION 3 – IMPACTS ON THE INDUSTRY, SMALL BUSINESSES AND LOCAL ECONOMIES

37. The quantum of the TACC reductions proposed will have a significant impact on the lives of many New Zealanders. This is not a faceless issue. The possible consequences of these decisions require analysis that is then taken account of as part of the Minister's obligations under the Act.
38. TAR is the third most valuable inshore finfish species in New Zealand (paragraph 967 of the consultation document), yet the social and economic assessment in the consultation document provided is simplistic at best. A key concern with the analysis provided is that it models only the immediate direct impact on fishers using the revenue loss based on just port price. This provides a simple but understated view of financial impact and does not account for the role of TAR in the wider operations of fishers.
39. We understand that Fisheries NZ has contracted a firm to assess the economic impacts in more detail; we welcome that analysis. The Minister undertook to make that analysis available to industry and other sectors, and we formally request the opportunity to consider that work prior to any advice being provided to the Minister. We also note that at the time of writing, we are not aware that any fishers or quota owners have been contacted by any research organisations. Given the potential impact of the changes being advocated, we consider that this work should extend beyond a desktop analysis.
40. It would have been preferable that this information was provided as part of the consultation process considering the potential implications for the New Zealand market. Businesses will be significantly affected by the range of Options provided by Fisheries NZ. Regionally, small businesses and local families will be the most affected.
41. East coast tarakihi is a very important component of inshore fisheries and is predominantly caught as part of a mixed species fishery. TAR is the economic backbone of the many inshore vessels' annual catch plan. Reductions on the scale proposed by the Fisheries NZ options will mean significant reductions in the fleet—there is no ability to swap catch to other fishstocks (even though some are increasing in abundance—the current TACC settings for those stocks and the deemed value regime currently prevents that).
42. For the east coast TAR fishery, the measures undertaken must move to rebuild the fishery to the management target (which has not been calculated), but at a rate that has regard to social, cultural and economic factors. The absence of robust analysis would prevent the Minister from exercising that judgement; the Fisheries NZ's options presuppose what decision might be appropriate for the Minister to make.
43. We submit that the TACC reductions of the scale proposed by Fisheries NZ cannot be justified on social, cultural or economic grounds, particularly given the absence of any immediate sustainability concern and the history of the fishery. Further, such drastic cuts could reduce the ability to monitoring of the fishery, which is reliant on CPUE, and thus reduce the efficacy of future management.

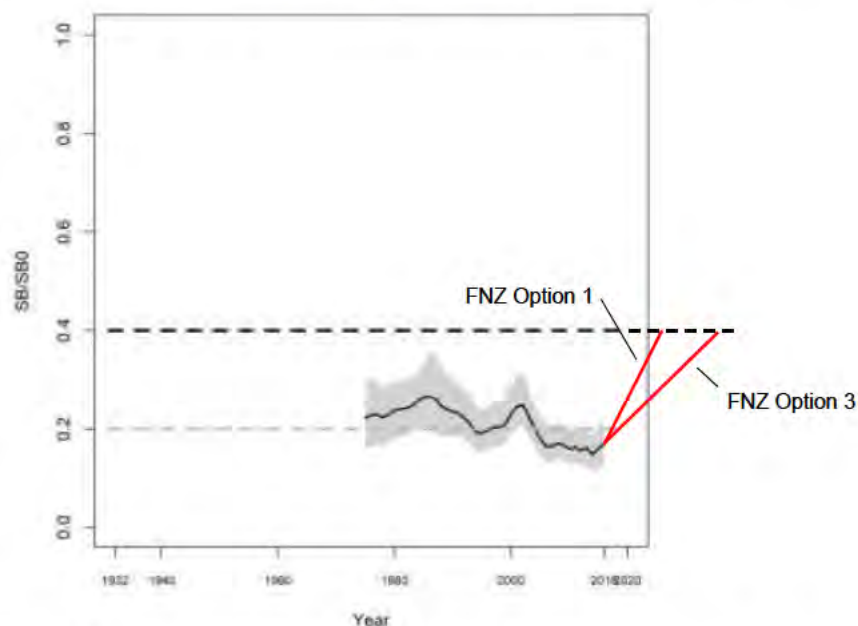


Figure 3: Fisheries NZ's proposed rebuild options in the context of historical biomass estimates.

44. Figure 3 illustrates the severity of the action that Fisheries NZ are proposing. The rebuild target is far above the historical peak of the fishery, and the rate of rebuild is extreme when the relatively stable 40-year history of the stock is considered. Such extreme management options should be supported by more robust social, cultural and economic analyses, and be based on more robust and less uncertain scientific information (see Figure 2 on page 2).
45. Management measures affecting TAR on the scale proposed by Fisheries NZ need to reflect the interdependent effects that any cut in catch will have on the ability of fishers to then catch other species. Depending on the area being fished, the impacts of management measures on TAR will differ. A summary of information from all areas has indicated that the species affected by this management decision include, but are not limited to: SNA, TRE, SCH, HPB, JDO, BAR and RCO. The reality of the situation is that fishers will have to avoid areas of TAR which will impact other species. For example, in TAR 2 it is likely that fishers will have to move inshore to avoid TAR and as such will be fishing more in waters habited by shallower species such as SNA and GUR.
46. These statements are not an argument that industry will not make changes, we have demonstrated we want management changes in the industry TAR Strategy. Rather, they are to ensure that Fisheries NZ and the Minister are cognisant of the impacts of such severe management options. Even the industry proposal will impact on the fishery in the same way but to a lesser degree.
47. We are aware from earlier research that 88% of New Zealanders eat fish at least once a month (more than 45% percent of us every week) while the best estimates have less than 12% of us catching it ourselves. This means that a substantial portion of us buy our fish.
48. 90% of TAR is domestically sold, forming an important part of the domestic market across New Zealand. This domestic market is another of the socio-economic factors that the Minister should have regard to and reflects not just the direct impacts on the fishing industry but also the flow on effects to the wider seafood sector and community within New Zealand. We are aware that one significant supermarket chain will be making its own submission on the proposed changes.
49. We submit that an in-depth socio-economic study is necessary to inform the management of such important stocks, it is imperative that the work contracted by Fisheries NZ be completed, disseminated and discussed prior to management decisions being made.

SECTION 4 – REVIEW OF THE MANAGEMENT OPTIONS

50. The three management options Fisheries NZ propose lack the sophistication that we would expect for a fishery as important as TAR; particularly with the range of uncertainty and complexity involved. This position is based on the following points:
 - a) A simplistic proportional catch reduction in all QMAs demonstrates a lack of understanding, or unwillingness to reflect the spatial differences in the fishery. There is no clear rationale provided for the proposed proportional catch reductions. This approach is a step backwards in fine scale, evidence-based fisheries management.

Industry solution: Differential catch reductions to reflect catch history, CPUE and equity between the different QMAs (See Section 6 of the Industry TAR Strategy).
 - b) The consultation document is inadequate in addressing the complexities of catch splitting. Table 2 in the consultation paper proposes catch limits for TAR1E and TAR7E, yet these areas are not defined. Paragraph 996 requests submitters to provide “practical means of monitoring and constraining catch in TAR 1(east) and 7 (Cook Strait) so as to give effect to the catch reductions”. Elsewhere, Fisheries NZ suggest that catch splitting in TAR7 could be ignored altogether. To propose catch reductions without having considered the mechanisms to implement them does not indicate well thought through robust fisheries management.

Industry solution: Implement industry’s TAR Strategy that includes catch spreading arrangements (See Section 6 of the Industry Management Strategy).
 - c) The consultation paper does not provide any additional information to better inform the management of the stock. While there is already programmed research that will provide information on east coast TAR, the paper identifies no additional research services to improve knowledge of the stock structure or management initiatives to address complex fishery management issues.

Industry solution: The industry TAR Strategy includes a suite of research measures to provide information to ensure that the next stock assessment in three years can address scientific assumptions and uncertainties in the current model (See Section 9 of the industry TAR Strategy).

- d) There is inadequate recognition of the impact of the proposed TAR cuts on the industry, including no recognition of the impact of the proposed Options on other stocks and fisheries within New Zealand.

Industry solution: Take an iterative management approach whereby appropriate management decisions are made to reflect socio-economic factors whilst ensuring sustainability in conjunction with collection of additional data to better inform management decisions (See Sections 6 and 9 of the industry TAR Strategy). This allows industry to adjust their operations as necessary to accommodate the catch reductions and offer the best chance of continued access to a portfolio of species, and to continue collecting the necessary CPUE data that the stock assessment relies on.

- e) A simplistic view of deemed values that does not reflect the reality of the port price and market drivers. There is no consideration or analysis of the following key issues: the increased difficulty for fishers to avoid TAR, especially in areas where the CPUE is increasing; the potential constraints on ACE availability; the need to adequately disincentivise over-catch of the new limits, and the need to incentivise accurate recording of catches and disposals so as to better inform the model.

Industry solution: A deemed value review that reflects the different port prices, different fish sizes and the need to gain good information on stock abundance whilst ensuring that the ramping in each QMA is appropriate (See Section 6 of the industry TAR Strategy).

Fisheries NZ options

51. Fisheries NZ has proposed a series of severe catch reductions as summarised below.

TAR1 (includes east and west coast)	Option 1	32% TACC reduction – ongoing for 10 years
	Option 2	35% TACC reduction (over three years) and then for the next 7 years
	Option 3	22% TACC reduction ongoing for 20 years
TAR2	Option 1	59% TACC reduction – ongoing for 10 years
	Option 2	64% TACC reduction (over three years) and then for the next 7 years
	Option 3	41% TACC reduction ongoing for 20 years
TAR3	Option 1	59% TACC reduction – ongoing for 10 years
	Option 2	63% TACC reduction (over three years) and then for the next 7 years
	Option 3	40% TACC reduction - ongoing for 20 years
TAR7 (includes west coast and Cook Strait)	Option 1	13% TACC reduction – ongoing for 10 years
	Option 2	14% TACC reduction (over three years) and then for the next 7 years
	Option 3	8% TACC reduction - ongoing for 20 years

52. For the reasons outlined above, we consider that Options 1, 2 and 3 proposed by FNZ are unacceptable and fall short of robust and responsible fisheries management.
53. We would also note that it will not be possible to take one of Fisheries NZ's Options and then add in the other measures included in the industry strategy. Cuts of the magnitude being suggested above will mean there is no ability for the industry to pay for extra research or management.

Industry TAR Management Strategy

54. Industry has provided a TAR Management Strategy that was referenced in the consultation document. Industry remain committed to this Strategy and attached an updated version that has been expanded to provide further clarity on implementation.
55. The TAR Strategy is a comprehensive package of measures. Industry participants have made clear that they will not provide the resourcing and actions needed to make it work successfully if parts of it are used in conjunction with the Fisheries NZ proposed reductions in catch. The commitment is to industry, as a whole, delivering all parts of its Strategy.

56. The key elements of the Industry management strategy are:
 - a) Voluntary catch reductions
 - b) Catch spreading arrangements
 - c) A Management Strategy Evaluation (MSE) to determine real world B_{MSY}
 - d) Deemed value review (see pages 16 and 17 of the attached TAR Strategy)
 - e) A suite of additional management and research measures
57. With the consultation document focusing its comments only on the shelving aspect of the industry strategy (as opposed to providing an adequate assessment of the strategy as a whole), the shelving aspect of the management strategy is specifically addressed below.
58. We note that in the very short time that has been available to us, we have already obtained a very strong commitment from industry to implement the proposed shelving, catch spreading and reporting obligations as set out in the TAR Strategy. In less than four days, the vast majority of quota shares have made the necessary commitments and we will obtain additional support within the next few days to further strengthen our ability.

Shelving

59. Fisheries Inshore New Zealand, Southern Inshore and Te Ohu Kaimoana consider that formal shelving of ACE to a neutral third party as proposed in the industry TAR Strategy is a viable way of reducing the commercial catch. The Minister of Fisheries is obliged to take this into account in accordance with the provisions of section 11 before deciding whether additional measures are needed. If the Minister is satisfied that the approach will adequately mitigate a risk to sustainability, there is no legislative obligation to choose from the list of statutory sustainability measures set out in section 11(3). This would also mean that the Minister would not be directed to either section 13 or 14 in order to vary a TAC for one or more stocks.
60. Shelving ACE provides potential to respond to fisheries management challenges in near real time, improves buy-in to the full suite of management measures from quota owners, and addresses short term changes in abundance, without placing Settlement and quota assets at risk. In many instances it is a superior tool to the blunt approach of reducing TACs and TACCs, because its effectiveness can be enhanced through being part of a fine-scale management package.
61. We interpret the Fisheries Act to be structured in a way that enables the Minister to give full consideration of the relevant fisheries management regime for a particular stock (or stocks) before considering whether or not a sustainability measure should even be proposed. We consider that the Act enables far more responsive fisheries management than can be achieved through a blunt TAC/TACC reduction, by recognising the potential for iwi or industry-led actions to better address sustainability concerns.
62. In particular, section 11(1) requires that before proposing to set or vary a sustainability measure for one or more stocks, the Minister must take into account range of matters, including the effects of fishing on the aquatic environment. The former Ministry of Fisheries developed and consulted on a series of policy definitions on the "Front End" of the *Fisheries Act 1996* and in relation to section 11(1)(a), confirmed that it provided for "existing or proposed measures that currently, or potentially, manage any adverse effects of fishing to be taken into account before the need for a sustainability measure to be determined".
63. This interpretation of section 11(1) was subsequently used to support the use of shelving ACE as a means of effecting a reduction in the commercial catch in the PAU7 fishery as part of the decisions made by the Minister of Fisheries in 2003. However, in more recent times the shelving of ACE has not been supported by MPI, although the rationale for this position has not been given publicly.
64. The remaining elements of the industry TAR Strategy (2 to 5) as detailed in paragraph 56 of this response are covered in more detail in the attached updated Strategy:

SECTION 5 – COMMITMENT TO INNOVATION

65. The TAR Strategy is a demonstration of Industry's commitment to innovation through the support for genetic studies, research into improved net configuration for both selectivity and minimising benthic impacts.
66. Further examples of Industry's commitment to improved selectivity can be seen through the commitment to develop PSH over the last five years as well as the industry-based research into other low-cost measures to improve selectivity through net trials in Hawke's Bay (Annex Two). An allied part of this latter work also linked this improvement into an Electronic Reporting App for catch effort data so that selectivity at a vessel and fleet level can be more readily included in analysis of the fishery. Unfortunately, the changing

requirements and timelines with the Ministry's IEMRS programme means that work is no longer available and will need to be repeated in the next stages of digital monitoring.

67. In addition to these initiatives, this work has been expanded with industry supporting research in Area2 by other vessels over the last two years. The speed of this work has however been hampered by the delays in obtaining special permits (one instance took nearly six months) and the lack of access to MPI observers to accurately monitor the work.
68. With the increasing awareness of this work and other pressures, a number of fishers have changed the gear they are fishing with. The current documentation associated with catch effort reporting does not adequately record these improvements and there is no comprehensive database anywhere. A review of the fleet involved in the TAR fishery demonstrates that there is a variety of gear configurations being used. Fishers already innovate to ensure that the gear they use is appropriate for the fishery and conditions they are involved in.
69. To further support grassroots innovation of the inshore fleet, industry has developed a gear innovation pathway that is currently in draft form but will form the basis of a framework to promote continued innovation within the NZ industry. This provides a framework that facilitates innovation (Annex Three).
70. Furthermore, industry has been in talks with NIWA about the potential to support a Trawl Gear Selectivity Modelling project (as outlined in the TAR Strategy) that would develop predictive models of trawl cod-end selectivity for New Zealand species to help inform commercial fishing practices and management decisions.
71. Whilst Fisheries Inshore NZ has committed to innovation on behalf of the industry it should be recognised that the more severe management options will mean that quota owners will have significantly less capital to leverage innovation and will impact the ability to incentivise improved management.

TAR MANAGEMENT STRATEGY

2018 – 2021

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EXECUTIVE SUMMARY

1. This management strategy is a commitment by industry to increase the status of the eastern Tarakihi fishstocks towards “real world” B_{MSY} before the next TAR stock assessment proposed for 2020/21.¹
2. There will be an iterative process of collecting more information to better inform the next TAR stock assessment.
3. The management strategy is a commitment to enabling the best-informed fishery management decisions whilst moving the stock towards B_{MSY} in line with the requirements of the Fisheries Act 1996.
4. Following the outcomes of the first fully quantitative assessment for east coast TAR, there is an acknowledgement by the commercial industry that a management strategy is required. This needs to address the outcome of the assessment while also addressing the uncertainties associated with the stock assessment model.
5. The management strategy objectives are to:
 - a) Increase the east coast TAR biomass by at least 12% by the next stock assessment (and in doing so increase the stock status to circa 20% B_0 within three years); and
 - b) Improve the knowledge about the stock to reduce uncertainties, fine tune management measures to ensure their effectiveness and allow more informed management decisions in future.
6. The objectives will be achieved through a commitment to implement a suite of management and research measures. These include collectively reducing catch in designated areas as well as research and monitoring programmes to ensure that fishery management decisions are made with increasing certainty.
7. The complexities associated with east coast TAR mean that a range of management measures and research is required to provide an appropriate management package—particularly regarding the relationship between stock structure and QMAs.
8. We see this strategy as a package of measures that will collectively deliver robust management of TAR fisheries. This package represents a multi-year management approach rather than a one-off management event; we consider this represents the most appropriate way to manage inshore fisheries and support similar such management plans being replicated in other important inshore fisheries.
9. This management strategy reflects the combined views of Fisheries Inshore New Zealand Ltd, Te Ohu Kaimoana and Southern Inshore Fisheries Management Company Ltd.

¹ Real world, or stochastic B_{MSY} is preferred to a target of deterministic B_{MSY} . The latter is currently estimated to be 21.5% B_0 and has the disadvantage of not appropriately incorporating the natural variability in various stock parameters.

1 STOCK ASSESSMENT

10. The first fully quantitative assessment for east coast TAR (Project TAR2016-01) was completed in November 2017 and adopted at the November Plenary.
11. The stock assessment assumes that tarakihi spawn in three main spawning grounds: Cape Runaway to East Cape, Cape Campbell to Pegasus Bay, and the west coast of the South Island near Jackson Bay. To explain the productivity of the fishery, the hypothesis is that significant numbers of these larvae then move southward from East Cape (across Cook Strait) and Campbell Bay by some unknown mechanism to recruit into the nursery for east coast TAR fishery found south of Banks Peninsula.²
12. The current stock hypothesis is that the Canterbury Bight/Pegasus Bay area represents the main nursery area for the entire eastern stock unit. The hypothesis regarding stock structure is that there is considerable northward movement of fish from the east coast of the South Island to the Wairarapa coast, East Cape and Bay of Plenty.
13. This hypothesis is supported by the available age composition data that shows a progressive increase in the proportion of older fish in the catches as you move north. CPUE analysis indicates a time lag in CPUE trends that support the observed age composition.³
14. The results of the stock assessment also indicate that the stock biomass has been reasonably stable with a moderate declining trend for over 40 years since 1975. It also now shows that the spawning biomass (SB) has remained below the default soft limit since the mid-2000s and reached its peak of c. 27% B_0 in the mid-1980s. The spawning biomass has increased slightly from its lowest level in 2014 following above average recruitment in 2011–2012 (**Error! Reference source not found.**1).
15. Current (2015/16) spawning biomass is estimated to be at 17% of the unexploited, equilibrium biomass level ($SB_{2016}/SB_0 = 0.170$) from the base case model.
16. There is a low probability (12.6%) that the spawning biomass is above the soft limit (20% SB_0). There is no risk that the spawning biomass is below the hard limit (10% SB_0).
17. An update to the 2017 assessment model and the associated CPUE analysis to include 2016/17 fishing year was completed in April 2018 to ensure the most up to date information is available.⁵ The same base model for the assessment was used: a single region model starting in 1975. This indicates the current state to be 17.3% B_0 .

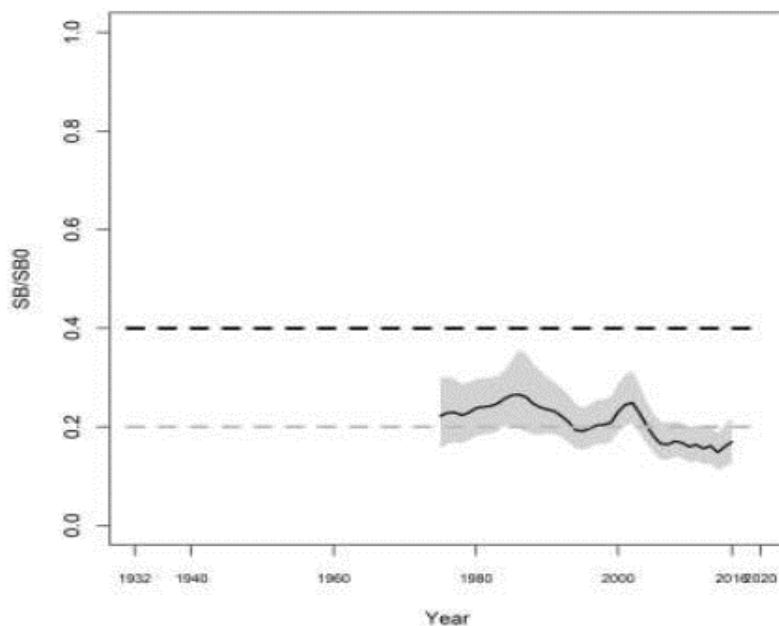


Figure 1: Spawning biomass (SB) as a proportion of unfished biomass (SB_0).

² New Zealand Fisheries Assessment Report 2018/05 Langley, A.D (2018) Stock assessment of tarakihi off the east coast of mainland New Zealand. March 2018. ISBN 978-1-77665-797-1.

³ SINS-WG-2018-18. Langley, A.D (2018) Stock assessment of east coast tarakihi – an update for 2018. 24 April 2018.

2 MANAGEMENT CONTEXT

Principal Legal Guidance

18. This management strategy reflects the legal framework provided in the Fisheries Act 1996 (the Act). The core sections Act are:

Section 8(1)

The purpose of this Act is to provide for the utilisation of fisheries resources while ensuring sustainability.

Section 13(2)

The Minister shall set a total allowable catch that—

- (a) maintains the stock at or above a level that can produce the maximum sustainable yield, having regard to the interdependence of stocks; or
- (b) enables the level of any stock whose current level is below that which can produce the maximum sustainable yield to be altered—
 - (i) in a way and at a rate that will result in the stock being restored to or above a level that can produce the maximum sustainable yield, having regard to the interdependence of stocks; and
 - (ii) within a period appropriate to the stock, having regard to the biological characteristics of the stock and any environmental conditions affecting the stock; or
- (c) enables the level of any stock whose current level is above that which can produce the maximum sustainable yield to be altered in a way and at a rate that will result in the stock moving towards or above a level that can produce the maximum sustainable yield, having regard to the interdependence of stocks.

Section 13(3)

In considering the way in which and rate at which a stock is moved towards or above a level that can produce maximum sustainable yield under subsection (2)(b) or (c), or (2A) (if applicable), the Minister shall have regard to such social, cultural, and economic factors as he or she considers relevant.

Section 10

All persons exercising or performing functions, duties, or powers under this Act, in relation to the utilisation of fisheries resources or ensuring sustainability, shall take into account the following information principles:

- (a) decisions should be based on the best available information:
- (b) decision makers should consider any uncertainty in the information available in any case:
- (c) decision makers should be cautious when information is uncertain, unreliable, or inadequate:
- (d) the absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of this Act.

Policy context

19. The stock assessment of tarakihi off the east coast of mainland New Zealand will require the Minister to take action to ensure the stock rebuilds to the level that can produce the maximum sustainable yield.
20. MPI use its Harvest Strategy Standard (HSS) as the default policy guidance document to develop a rebuild plan for a fishery in this position.⁴

⁴ Harvest Strategy Standard for New Zealand Fisheries (2008). Ministry of Fisheries – October 2008 at [24].

Acceptable Proxy for B_{MSY}

21. No single target is applicable for all species and stocks.⁵ Management targets for individual stocks have to be specific on the biological characteristics of the stock.
22. The HSS uses a default position of 40% B_0 for all 'low' productivity stocks. The deterministic B_{MSY} for tarakihi is calculated to be 21.5% B_0 . It is acknowledged that this may be inappropriate because it may not appropriately take into account variations in both productivity and the environment. However, stochastic B_{MSY} for the TAR stock is not known.
23. Acknowledging the previous point, an appropriate priority management measure is to develop a Management Strategy Evaluation (MSE) to determine stochastic B_{MSY} for east coast TAR. The HSS guideline recognises that "MSEs are fully-compatible with the Harvest Strategy Standard".⁶
24. Noting that the fishery has never been above 27% B_0 since 1975 (the entire time period used for the stock assessment), it is considered more appropriate to conduct the necessary work to determine an appropriate estimate of real-world B_{MSY} than to work to a default value, given the impact of the latter.

Way and Rate

25. In addition, the Act does not require that measures are only taken based on the biology and state of the fishery, it provides that in addition to this, the Minister should have regard to the relevant economic, social and cultural impacts when deciding upon the way and rate at which a stock is rebuilt to the target level.⁷
26. The two above points have been addressed in Section 6 of this management strategy.

⁵ Operational Guidelines for New Zealand's Harvest Strategy Standard (2011). Ministry of Fisheries June 2011 at page 2.

⁶ Harvest Strategy Standard for New Zealand Fisheries (2008). Ministry of Fisheries – October 2008 at [25].

⁷ Fisheries Act, section 13(3).

3 SCIENTIFIC UNCERTAINTIES

27. The stock assessment has been accepted by Fisheries New Zealand’s Northern Inshore Science Working Group. However, there are recognised scientific uncertainties within the model.
28. Specifically, the stock hypothesis still has a range of assumptions that need more research to increase certainty before the next stock assessment. The proposed additional research and analysis that form part of this management strategy are addressed in the following Section.

Connectivity

29. A key hypothesis in the assessment is that the larvae from spawning fish on the east coast make their way back to South of Banks Peninsula and subsequently recruit into the fishery.
30. Despite this being the core hypothesis of the stock assessment, the mechanism that supports this is not understood or proven.⁸ Annala (1987) noted that larvae from the west coast South Island spawning grounds may be transported north or south. Behringer & Xue (2004) noted that passive drift from spawning locations (off the east Northland, the Bay of Plenty and East Cape) resulted in eastward displacement well offshore from the east coast of the North Island.
31. There is a lack of direct observations to support this hypothesis. The 2017 WG report states “Few larval and post-larval tarakihi have been caught and identified”.⁹ Further research is required to provide additional data to either prove or disprove this hypothesis (see Section 9).

CPUE

32. The stock assessment was strongly dependent on CPUE indices as the primary index of stock abundance. CPUE indices in the model provide “a reasonable index of stock abundance”.¹⁰
33. Concerns have been raised however that the CPUE data in the model does not accurately reflect fishing practice, with fishers highlighting numerous uncertainties regarding the utility of the CPUE data. Specific CPUE uncertainties identified were associated with gear specifications.
34. For example, in TAR3 new vessels have entered the fishery that are fishing in different locations and have different configurations to the vessels they have replaced. As these vessels have entered the fishery less than five years ago, they are not included in the core vessel fleet that is used in the CPUE analysis. Similarly, vessels using PSH technology have also been excluded. These new TAR3 vessels and the use of this PSH technology are expected to be an ongoing feature in this fishery.
35. In recognition of the uncertainty in the CPUE accurately reflecting the fishery, it is important that further research is conducted. Further scientific research is required to ensure the CPUE analysis accurately reflects the east coast TAR fishery (see Section 9).

Age Composition Data

36. The model results are strongly informed by the age composition data from the commercial fishery. The stock assessment assertion is that “The fisheries in Canterbury Bight/Pegasus Bay are dominated by younger fish and there is a progressive increase in the proportion of older fish in the catches from TAR2, the Bay of Plenty and east Northland.”¹¹

⁸ New Zealand Fisheries Assessment Report 2018/05 Langley, A.D (2018). Stock assessment of tarakihi off the east coast of mainland New Zealand. March 2018. ISBN 978-1-77665-797-1.

⁹ *Ibid.*

¹⁰ *Ibid.* at – Section 6.

¹¹ New Zealand Fisheries Assessment Report 2018/05 Langley, A.D (2018) Stock assessment of tarakihi off the east coast of mainland New Zealand. March 2018. ISBN 978-1-77665-797-1 at – Section 4.6 [27].

37. However, the representativeness of the age composition data used to support the model’s hypothesis of connectivity has been questioned by fishers from all QMAs:
- TAR1 fishers proposed an alternative hypothesis that the Bay of Plenty and East Cape were receiving juveniles from the Kermadecs; this was based on historical observations of juvenile TAR catches from fishers fishing on the way to the Kermadecs
 - TAR2 fishers highlighted that the presence of significant juvenile TAR grounds in TAR2 and this has not been reflected in the model
 - TAR3 fishers identified that the catch sampling does not reflect the higher proportion of older fish in the TAR3 fishery
38. Industry is committed to collecting new age composition data and will be actively engaged in this process to ensure that the concerns raised in the previous bullet points are addressed in the proposed catch sampling programme (see Section 9).

Recruitment

39. The most recent TAR FAR acknowledges the uncertainty around recruitment: the “estimates of recruitment in the most recent years (2013–2015) were poorly determined.”¹² The uncertainty around recruitment is confirmed by the statement “estimates of recent potential yields are relatively uncertain due to the uncertainty associated with estimates of recent recruitment.”
40. Figure 2 emphasises that uncertainty. The biennial ECSI trawl survey is the only early source of recruitment information. Further work is required to address the uncertainty associated with TAR recruitment (see Section 9).

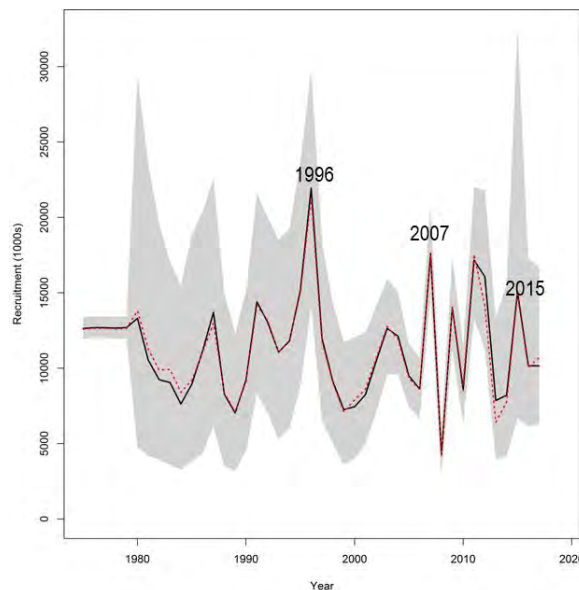


Figure 2. Modelled TAR recruitment.

¹² *Ibid.* at Section 5.5.5 [55].

Selectivity

41. There is the potential for improvement in survivorship of juvenile tarakihi via reductions in sub-MLS catch due to changes to both spatial and temporal distribution of fishing (vs historical) and other selectivity measures including use of larger mesh and differently oriented mesh in the lengthener and cod ends. This potentially represents an increase in recruitment from estimated average level (R_0).¹³
42. Indicative results from the provisional work contracted by industry demonstrates that the annual estimate of sub-MLS TAR catch from the Canterbury Bight has remained reasonably stable since 2007. At the same time, the ratio of sublegal to landed catch has reduced. This can only mean there is less sub-MLS catch in relation to legal catch in 2016 than in 2008.
43. These results support anecdotal information from TAR3 fishers that the CPUE data do not reflect recent changes in fishing practices in TAR3. This emphasises the need for further research to accurately understand selectivity and its impacts on recruitment (see Section 3).

Projections

44. As a result of the biological characteristics of TAR, the default rebuild period under the HSS guideline is 10 years. Projected stock biomass over 10 years has been used to model the state of the fishery for a variety of reductions in catch.
45. These 10-year stock projections (as shown in Figure 3) identify that long-term projections for TAR have such variance that the fishery could achieve either of two extremes – rebuild to 40% B_0 or be extinct—if measures were simply adopted now with no further refinement within the 10 years.
46. It is considered inappropriate fisheries management to manage to these levels of uncertainty in the projections. This management strategy provides a timeframe for implementing measures that addresses the level of uncertainty in projections whilst also providing for an appropriate stock rebuild.

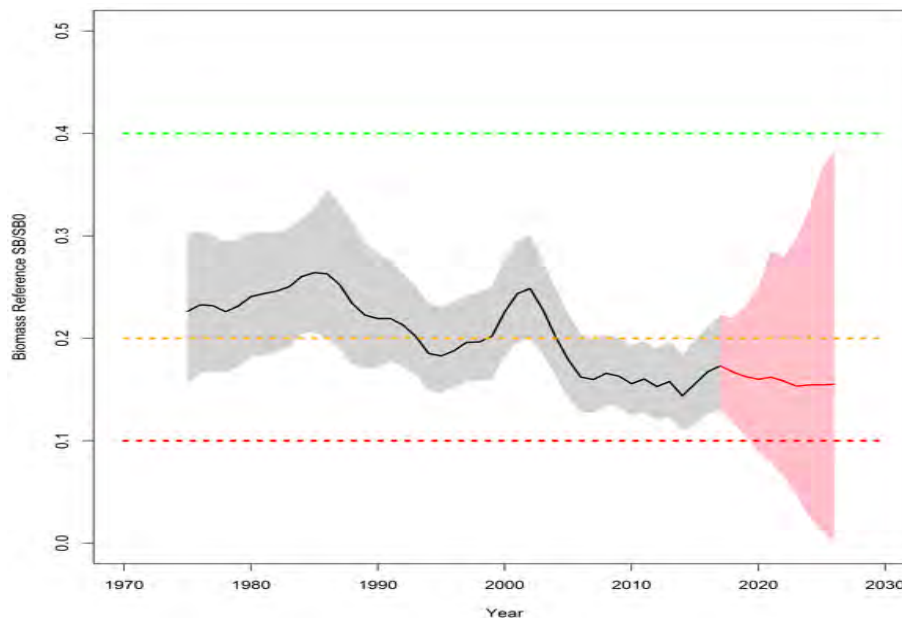


Figure 3. Stock projections from 2018 model.

¹³ SINS-WG-2018-18 Langley, A.D (2018) Stock assessment of east coast tarakihi – an update for 2018. 24 April 2018.

4 MANAGEMENT COMPLEXITIES

Disconnect between management areas and stock structure

47. The stock assessment includes four QMAs. However, two of those QMAs are only partially represented in the model: TAR1E (circa 60% of TAR1) and TAR7E (circa 25% of TAR7). TAR1W catches are not included in the model, whilst the TAR7 catches in the model only relate to the eastern Cook Strait.
48. Further to this, the stock structure used in the model combines TAR2 and TAR caught in BPLE into the same region. From a management perspective this is a problem as any changes to TAR2 are being impacted by the difference CPUE trend seen in BPLE (which is part of TAR1E). These areas are managed separately and the combining of these areas scientifically does not address the management differences (Figure 4).
49. The Minister is required to manage at the QMA level. Given this, to make management changes to TAR1 or TAR7 there are three options:
 1. Apply the cut across the whole QMA;
 2. Change to regulations to split the QMAs;
 3. Voluntary catch spreading agreements promoted and enforced by industry.
50. Option 1 would mean applying cuts to areas outside of the stock assessment which is not an equitable approach. Option 2 is not feasible because the timeframes required to achieve a regulatory change mean that this is not possible before the 1 October 2018.
51. Agreement to implementing voluntary catch spreading arrangements put into place by industry has been considered and agreed as part of finalising this industry management strategy.

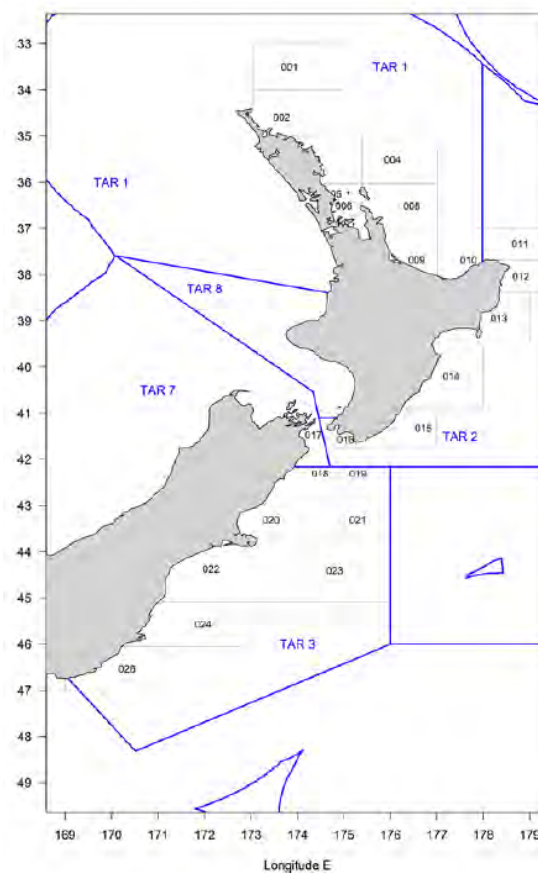


Figure 4. Tarakihi fish-stock areas and Statistical Areas that constitute the domain of the east coast TAR assessment.

CPUE indices demonstrating different regional trends

52. There is no uniform state for the fishery across the QMAs. Each management area displays a different CPUE trend that demonstrates the importance of spatial management to address the disconnect between scientific and management boundaries (Figure 5).

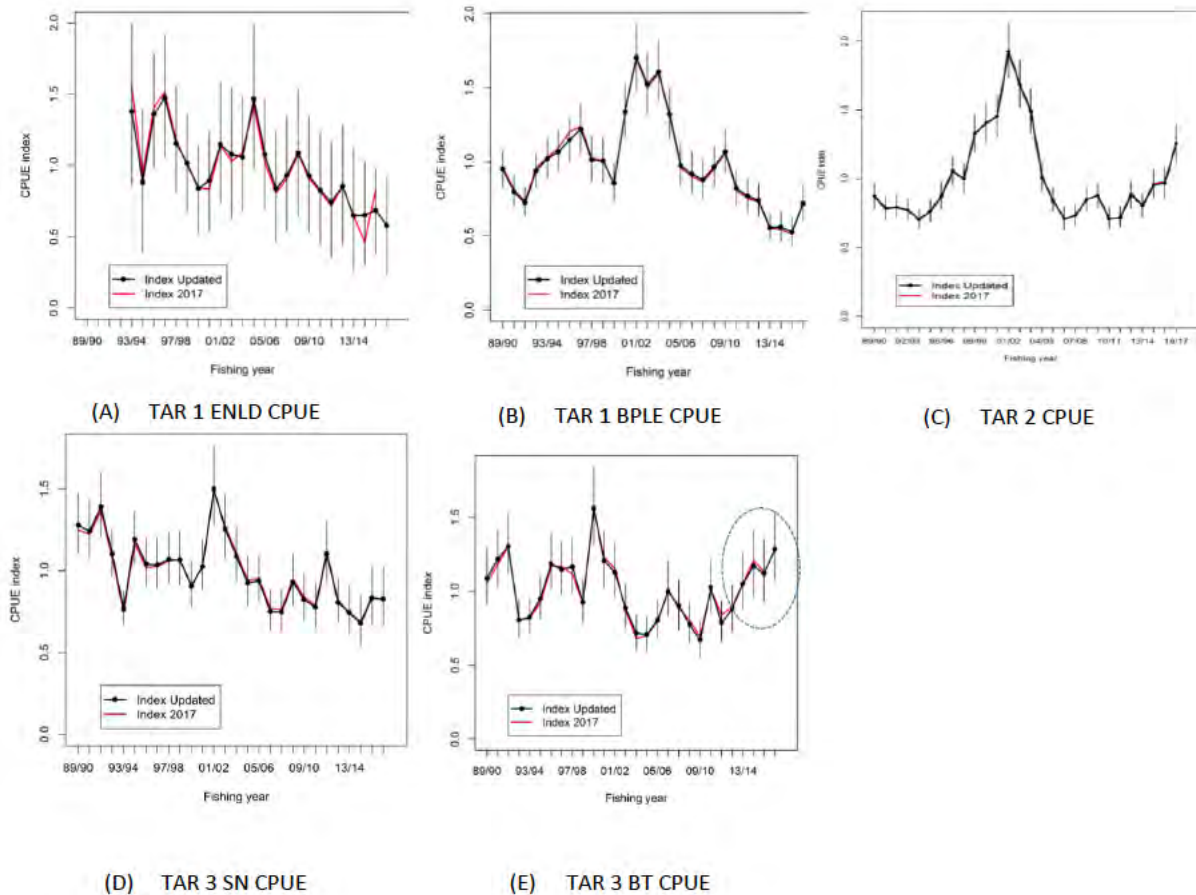


Figure 5. CPUE trends observed in the TAR stock assessment model.

28N rights

53. When the QMS was first established, quota holders had rights to fish set tonnages of quota rather than a proportion of the TACC. If a sustainability assessment indicated more catch was available, the Government sold more quota on the open market. If a decrease was required, the Government bought quota back from quota holders. However, in the early days of the QMS, it was recognised that several fish stocks required substantial catch reductions. Quota owners were offered compensation for these reductions through tendered buyback – not market rates. Those quota owners who did not accept this option obtained rights under 28N of the Fisheries Act 1983 to fish at the lower level demanded but with the ability of returning their quota to its original limit when/if the fishery recovered. Under that regime, 28N rights holders had preferential access to quota when TACCs were increased.
54. The '28N' rights continue to exist under the QMS today, but the regime has been modified. Quota is now based on proportionality. To allow 28N rights holders to gain additional catch when the TACC is increased (over and above the rights for their exercised quota), quota shares in the fishery are taken from all other quota owners (including iwi) and reallocated to 28N rights holders.
55. The Deed of Settlement was signed in 1992 and was put into effect through the *Treaty of Waitangi (Fisheries Claims) Settlement Act 1992*. However, the *Fisheries Act 1983* was not amended to reflect the settlement obligations, and 28N rights were subsequently carried through into the *Fisheries Act 1996*.

56. Ultimately, this situation means that where a fishery, that has 28N rights within it, has its TACC reduced, then in the absence of any other change, when the fishery recovers and the TACC is subsequently increased, then the 28N rights are invoked and the proportionate share of quota that iwi hold will be reduced. This is a permanent reduction in the proportional share that iwi have in the TACC of that fishery. That is directly contrary to:
 - a) the agreement in the Fisheries Settlement, and
 - b) furthering the agreements expressed in the Deed of Settlement (see section 3 and 4 of Treaty of Waitangi Claims Settlement Act 1992).
57. This undermines the agreement between the Crown and Māori, that Māori would receive 10% of all stocks in the QMS at the time of the interim fisheries settlement in 1989.
58. In light of the Minister's obligations under section 5(b) of the *Fisheries Act 1996*, and the relationship through other legislation to the Deed of Settlement, the Minister must be advised that, before he makes any decision under the Fisheries Act that will as a consequence trigger 28N rights, all other options to achieve the same effect but not trigger 28N rights should be examined and, wherever possible, used. If the Ministry fails to examine and recommend options that are not contrary to the Settlement, that will obviously have the effect of permanently undermining the Fisheries Settlement. This must be avoided. This issue is relevant for a number of fisheries that are being reviewed as part of the 2018 sustainability round, including TAR2.
59. Where the potential for a breach of the Settlement exists because of 28N rights exists, Te Ohu Kaimoana's position is that the Ministry has the responsibility to examine and wherever possible pursue strategies to ensure there is no breach or erosion of the Settlement.
60. Taking all these complexities together a disciplined and well-implemented voluntary strategy provides the optimal set of mechanisms for the east coast tarakihi fishery.

Socio-economic factors

61. East coast tarakihi is a very important component of inshore fisheries and is predominantly caught as part of a mixed species fishery. Management measures affecting TAR need to reflect the interdependent effects that any cut in catch will have on the ability of fishers to then catch other species.
62. 90% of TAR is domestically sold, forming an important part of the domestic market. This domestic market identifies that socio-economic factors need to reflect not just the direct impacts on the fishing industry but also the flow on effects to the wider seafood sector within New Zealand.
63. Commercial catch varies but all stocks are well utilised with no significant or consistent under-catch.

5 MANAGEMENT STRATEGY

Overview

64. The management strategy:

- aligns with the requirements of the Act and is not inconsistent with the HSS guideline
- acknowledges that industry needs to take action to address the outcomes of the 2017/18 Stock Assessment
- recognises that any action should reflect the complexity of the model and the associated scientific uncertainties
- will, given the associated complexities, require a combination of regulatory and non-regulatory measures that are implemented in an innovative, collaborative manner to achieve an optimal response
- must be cognisant of the history of the fishery and reflect the socio-economic importance of the east coast TAR fishery
- will provide for an iterative process of collecting more information to better inform the next TAR stock assessment. This is consistent with the HSS which states that “Targets will be set by fisheries managers based on estimates of MSY-compatible reference points, but modified by relevant factors”

Aim

65. To improve the stock status and move it towards real world B_{MSY} before the next TAR stock assessment, while iteratively collecting more information to better inform the next TAR stock assessment.
66. This management strategy is a commitment to enabling the best-informed fisheries management decisions whilst moving the stock towards B_{MSY} in line with the requirements of the Fisheries Act.

Objectives

67. The management strategy objectives are to:
- a. Increase the east coast TAR biomass by at least 12% by the next stock assessment (and in doing so increase the stock status to circa 20 % B_0 within three years); and
 - b. Improve the knowledge about the stock to reduce uncertainties, fine tune management measures to ensure their effectiveness and allow more informed management decisions in future.
68. The management strategy objectives would be achieved through implementation of an innovative suite of management and research measures to inform subsequent fishery management decisions.
69. We emphasise that the trajectory of the proposed rebuild is subject to the MSE results; this will be completed next year, and shelving increases our flexibility to react to these results.

Management Strategy Target 1 and 2

70. The management strategy timeline of three years is considered an appropriate management period in order to align with the next scheduled east coast TAR stock assessment in 2020/21. Three years allows for additional science to be collected to inform the next stock assessment and address the uncertainties outlined in Section 3.
71. Table 1 demonstrates how the management strategy target reverses the current stock trajectory and turns this into a positive trajectory that is moving towards B_{MSY} compared to the status quo (Table 2). The projections have been provided in the context of both percentage biomass increases compared to the 2016/2017 level and the projected stock status in 2020/21.

Table 1. Model outputs based on a 20% catch reduction from the projected 2018/19 catch levels.

Project Year	1	2	3
Model Year	Year 1	Year 2	Year 3
Fishing year	2018/19	2019/20	2020/21

Probability of being above 10% SB_0 ($SB > 10\%SB_0$)	0.986	0.978	0.978
Probability of being above 20% SB_0 ($SB > 20\%SB_0$)	0.202	0.291	0.406
SB_ratio Median SB/SB_0	0.171	0.177	0.187
Delta SB_ratio ($Yr[x]/Yr[2018]$)	1.024	1.060	1.120

Table 2. Status quo without any catch reductions – continuation of 100%.

Project Year	1	2	3
Model Year	Year 1	Year 2	Year 3
Fishing year	2018/19	2019/20	2020/21

Probability of being above 10% SB_0 ($SB > 10\%SB_0$)	0.971	0.928	0.882
Probability of being above 20% SB_0 ($SB > 20\%SB_0$)	0.141	0.174	0.217
SB_ratio Median SB/SB_0	0.162	0.157	0.155
Delta SB_ratio ($Yr[x]/Yr[2018]$)	0.970	0.940	0.928

6 PROPOSED MANAGEMENT MEASURES

72. Confirmation of agreed management measures is required as part of the management strategy development and agreement between industry and government.

Voluntary reductions in catch

73. Voluntary reductions in catch are proposed as part of the management strategy reflecting the results of the recent stock assessment and associated projections, whilst recognising the scientific uncertainty associated with the assessment and the socio-economic considerations required by the Act.
74. The mechanism proposed to implement the voluntary catch reductions from 1 October 2018 is through formal voluntary shelving to achieve an overall c. 20% B₀ of overall East Tarakihi in order to increase the east coast TAR biomass by 12% biomass by the next stock assessment.
75. Fisheries Inshore New Zealand, Southern Inshore and Te Ohu Kaimoana consider that shelving of ACE is a viable way of reducing the commercial catch and that the Minister of Fisheries is obliged to take this into account in accordance with the provisions of s 11(1)(a). If the Minister is satisfied that the approach will adequately mitigate a risk to sustainability, there is no legislative obligation to choose from the list of statutory sustainability measures set out in s 11(3) and apply any additional measures. This would also mean that the Minister would not be directed to either s 13 or 14 in order to vary a TAC for one or more stocks.
76. Shelving ACE provides potential to respond to fisheries management challenges in real time, improve buy-in to management measures from quota owners and address short term changes in abundance, without placing Settlement and quota assets at risk. In many instances it is a superior tool to the blunt approach of reducing TACs and TACCs, because its effectiveness is enhanced through being part of a fine-scale management package.
77. Acknowledging the complexity of different management areas and the differing CPUE trends and observations of these fisheries, a differential voluntary catch reduction is proposed (that would be equivalent to an overall 25% TACC reduction) to achieve the management target. The differential cuts agreed by industry are:

	Current TACC	Current 'TACC' in EASTERN *	Current catch in east	Reduction from 2018/19 projected catch levels**	% Eastern ACE to be shelved to achieve catch reduction in East	New catch limit in EASTERN	Catch Limit in WESTERN	New Total ACE available to industry	ACE to be shelved
TAR1	1,447	868	740	30%	40%	518	579	1,097	350
TAR2	1,796	1,796	1,796 ⁶	16%	16%	1,500	0	1,500	296
TAR3	1,403	1,403	1,287	19%	26%	1,040	0	1,040	363
TAR7	1,088	225	225	20%	20%	179	863	1,042	46
TOTAL	5,734	4,292	4,047	20%	25%	3,237	1,442	4,679	1,055

* For TAR1 and TAR7, the last three years of catch data indicate that 60% (TAR1) and 20% (TAR7) of catch respectively was taken on the east coast and have been used to denote the TACC for these areas.

** Based on 2016/17 catch levels.

78. Based on the above differential figures the following percentages of ACE holdings (based on the quota held at 30 September 2018) will be transferred to FishServe's Client Number (9790642):
- TAR1: 24.2% of ACE holdings
 - TAR2: 16% of ACE holdings
 - TAR3: 26% of ACE holdings
 - TAR7: 4.1% of ACE holding.

Catch spreading

79. To address management complexities around TAR1E and TAR1W, and TAR7 eastern Cook Strait, industry is proposing to advance voluntary catch spreading measures. This will allow catches to be reduced in the areas covered by the assessment whilst not adversely affecting those areas not incorporated into the stock assessment. Precedent exists for industry to conduct catch spreading agreements.
80. The details of the catch spreading arrangements are:

	Total ACE 2017/18 ⁷	Total ACE available after shelving	Total Eastern ACE available	Total Western ACE available
TAR1	1,447	1,097	518	579
TAR7	1,088	1,043	179	864

81. Industry will operate a mechanism whereby every TAR1 quota owner would shelve 24.2% of their ACE into FishServe, and FishServe will then apportion the remainder so that 52.78% is TAR1W ACE and 47.22% is TAR1E ACE. For TAR7, every quota owner would shelve 4.1% of their ACE into FishServe, and FishServe will then apportion the remainder so that 82.84% is TAR7W ACE and 17.16% is TAR7E ACE. Industry will then either use or sell their ACE in each eastern or western side of the QMA as suits their operation.
82. The boundaries for the east West Splits are:
- TAR1:** The TAR1 Eastern Area is the eastern area of the TAR1 QMA that overlaps with FMA1. The TAR1 Western Area is the western area of the TAR1 QMA that overlaps with FMA9.
- TAR7:** The TAR7 Eastern Area is that part of TAR7 that is east of a line from Kapiti Island to the northern point of the Brothers Islands enclosing the remaining eastern portion of the TAR7 QMA bordering TAR3 and TAR2 QMAs. The TAR7 Western Area is the remaining part of TAR7.
83. For the 2018/19 Fishing Year, FINZ will contract FishServe to monitor TAR1E / TAR1W and TAR7E / TAR7W catches against the East / West catch limits. This includes recording and balancing catch with ACE and reporting to FINZ who in turn will report performance to the Fisheries New Zealand. The mechanism will develop over time and become increasingly efficient and automated following the introduction and utilisation of ER data.

Deemed Value Review

84. Reflecting the fact that catch will have been voluntary reduced, it will be necessary to conduct a deemed value review. The aim of this review will be to provide a deemed value system that appropriately reflects the changes in the available catch after shelving and take into account:
- the need to incentivise accurate recording of catches and disposals so as to better inform the model
 - the increased difficulty for fishers to avoid TAR, especially in areas where the CPUE is increasing
 - the potential constraints on ACE availability
 - the need to act as a deterrent to over-catch of the new voluntary catch limits
85. Industry propose retaining the current interim and annual deemed values, but to commence increasing the ramping earlier so that it applies at 110% of ACE holding for all stocks, to the current maximum deemed value of \$5.75.

		Deemed value rates		
		Interim	100-110%	>110
TAR1	Current	1.50	3.00	4.00
	Proposed	1.50	3.00	5.75
TAR2	Current	2.48	2.75	4.25
	Proposed	2.48	2.75	5.75
TAR7	Current	1.25	2.50	4.00
	Proposed	1.25	2.50	5.75
TAR 3	Current	0.55	1.09	5.75
	Proposed	0.55	1.09	5.75

Improved selectivity measures including voluntary closed areas

86. To address the uncertainty around recruitment, industry is committed to improving selectivity measures including using temporary voluntary closures to reduce the levels of juvenile TAR caught. The appropriate areas for temporary voluntary closures to protect juvenile TAR will be determined through information provided by the proposed research project below.
87. Work has already begun discussing the initiatives required to minimise impact on juvenile TAR and the most appropriate approach to achieve this in each of the QMAs. These measures will be developed and ready for implementation from 1 October 2018.

Recording of undersize TAR

88. Industry is proposing to collect additional data on catches of sub-legal TAR to *“enable an evaluation of the sensitivity of the model results to this source of mortality.”* This is an important data source to address the key uncertainty about recruitment in the next stock assessment. The FAR acknowledges that *“There is anecdotal evidence that the trawl fisheries off the east coast of the South Island may catch substantial quantities of tarakihi below the Minimum Legal Size (MLS) of 25 cm (F.L.). These catches are discarded [as legally required] and their magnitude has not been quantified. Thus, no information was available to explicitly account for this additional source of mortality in the assessment models.”*
89. Voluntary reporting of sub-legal fish will provide data on a portion of the fishery that the model currently does not account for and has had to assume is constant over time. The preliminary analysis conducted at industry’s request demonstrates this has not been constant.
90. If large catches of small TAR are recorded, it will identify the need for improved management to reduce the levels of this undersize catch. The location of small juveniles would be an additional data source to address uncertainty around connectivity.
91. Industry is committed is to a desk-based study to analyse this data further building on the preliminary work contracted by industry.

Review of the MLS for TAR

92. A review of the MLS is proposed to determine why it is not currently in line with the size at first maturity. There appears to be a disconnect between the two and the historical rationale for this is not clear. This would need to be assessed and the impacts of such a change would need to be analysed and discussed as part of this review.
93. Industry proposes that a Discard Working Group be convened to review the impacts of any MLS change to TAR.

7 PROPOSED RESEARCH PROJECTS

94. These research projects will collect further data to address the scientific uncertainties identified in Section 3. They align with the scheduled 2020/21 stock assessment and will be completed in time to inform that assessment.
95. The **primary research projects** are those industry has identified as key components of this management strategy. The **supplementary research projects** are projects that can provide useful information on the east coast TAR but are not necessary within the next three-year period before the next stock assessment.

Primary research projects

Management Strategy Evaluation (MSE)

96. The MSE is a simulation analysis using outputs from the stock assessment to determine the real world B_{MSY} . It is anticipated that the preliminary development of an MSE for TAR can be done in a relatively short timeframe and is a priority research action for the management strategy.
97. The results of this work will then be used as the B_{MSY} target for the next stock assessment to determine where the stock is in relation to the management target. Industry has identified this as a priority piece of research—this research aims to address uncertainty about B_{MSY} for east coast TAR.

TAR genetic research (information provided by Victoria University)

98. The overall objective of the work is to use genetic markers to determine New Zealand tarakihi stock structure. Specific details of this project are provided in Section 9. This research will provide information to prove or disprove the current stock assessment hypothesis regarding the connectivity of east coast TAR (see Section 9).
99. The project is in two phases in line with the specific objectives:
 1. determine the mitochondrial DNA (mtDNA) sequence using DNA from a broad range of tarakihi samples and conduct a “first look” test of stock structure; and subsequently
 2. determine the whole genome sequences of a range of tarakihi samples and based on the results of the mtDNA study, conduct a high-resolution test of the stock structure.
100. Additional funding for this work will increase the sample size that can be used and increase the statistical rigour of results. Industry have identified this as a priority piece of research and would, as part of the management strategy, identify funding options to assist scientists in achieving a higher level of statistical rigour i.e. provide funding for more samples.

ECSI trawl survey

101. Industry is committed to the ongoing ECSI trawl survey. The ECSI survey provides a valuable time series of data that informs the stock assessment model.

Catch sampling

102. Industry is committed to a cost effective, representative catch sampling project. It is acknowledged that the catch sampling provides a valuable data source to the assessment model. Industry will be actively engaged to work collaboratively with research providers to ensure representative sampling is achieved. This will thereby deal with the areas of concerns raised around the previous catch sampling project.
103. It is important to recognise that with this second round of representative catch sampling for eastern tarakihi will be done at the same time as the first round of catch sampling for west coast tarakihi. This and the genetic work above could provide very valuable answers as to whether there are two separate tarakihi stocks (east and west), two tarakihi stocks (east and west) that are largely separate but have some mixing, two tarakihi stocks (east and west) that are somewhat interdependent with significant mixing or one national tarakihi stock. The answer to this will have significant management implications

for all tarakihi stocks. The uncertainty without this information is another reason to take cautionary action at this time.

Improve CPUE analysis

104. Engagement with industry highlighted to both scientists and managers that there is a disconnect between the CPUE analysis used in the stock assessment and the nature of the fishery. There have been some subtle changes in the fishery that need to be better understood. To achieve this, a research project is required for scientists to engage with fishers and identify the data fields that are currently not collected that would better inform CPUE analysis. For those fields already collected, it will provide assurances that the correct information is being collected and analysed. This work will ensure that the CPUE used in the upcoming TAR assessment (2020/21) has accounted for the uncertainties outlined Section 3 of this paper.

Analysis of undersize TAR catches

105. In conjunction with the recording of undersize catch, a research project is proposed that will assess the location and scale of undersize TAR catches as well as investigate temporal changes to provide data that is potentially beneficial in identifying recruitment pulses in the fishery. The proposed research will provide detailed analysis of the latest trawl survey data. This will include the ECSI trawl survey and potentially incorporate data from the INT2018-03 research proposal (if this project proceeds). The proposed WCNI survey may be used to provide supplementary data. This work has been identified to address the uncertainties raised in Section 3 of this paper.

Supplementary research projects

Otolith chemistry (information provided by NIWA)

106. This is supplementary project that would complement the genetics research previously outlined above. The work investigates a subset of the fish being using to assess the genetics of New Zealand tarakihi (collaboration with Peter Ritchie, Yvan Papa, Alex Halliwell; Victoria University of Wellington), supported by the current Bottlenecks programme. The intention being, where possible, to use the same individual fish for both the otolith and genetics research, as this will increase the collective power of the work.
107. The project is looking at the elemental chemistry of these fish otoliths and for TAR has two research objectives:
1. To assess the otolith chemistry of the inner part of the adult fish otolith, which represents that part of the otolith laid down during their small juvenile life phase. If we can identify distinct separate groups of fish, this may in turn represent fish produced in different natal nursery areas. By looking at how these proportions vary around New Zealand, it may give us an idea of what putative nurseries are linked to what regions. It does not tell us what/where those nurseries are, but it does give us a better handle on likely stock structure; and this also helps us in later going out to physically find and map out those nurseries.
 2. To look at the environmental history of adult fish, by quantifying how the elemental chemistry varies from the centre out to the edge of otoliths, which is effectively a time series, 'time-stamped' using annual growth rings. Here we are looking for evidence of distinct separate groups of fish making large scale seasonal spawning (or other time scale) migrations each year, where these large spatial movements are likely to pass through areas with different background environmental chemistries and be 'captured' as such in the otolith elemental records.

Trawl Gear Selectivity Modelling project (information provided by NIWA)

108. This is a supplementary project that would complement the genetics research previously outlined above. This would be a TAR-focussed project that is part of a wider collaboration between NIWA and SINTEF to use SINTEF software tools and expertise to develop predictive models of trawl cod-end selectivity for New Zealand species to help inform commercial fishing practices and management decisions. This work has been identified to address the uncertainties raised in Section 3 of this paper.

9 APPENDICES

Genetic analysis of New Zealand tarakihi: Testing the stock structure model ((Information provided by Victoria University)

Project supervisor: Associate Professor Dr. Peter Ritchie (E-mail: Peter.Ritchie@vuw.ac.nz)

PhD Student: Yvan Papa (E-mail: Yvan.Papa@vuw.ac.nz)

MSc student: Alex Halliwell

Overall objective: Use genetic markers to determine New Zealand tarakihi stock structure

Specific objectives:

- 1) Determine the mitochondrial DNA (mtDNA) sequence using DNA from a broad range of tarakihi samples and conduct a “first look” test of stock structure
- 2) Determine the whole genome sequences of a range of tarakihi samples and based on the results of the mtDNA study, conduct a high-resolution test of the stock structure

Project 1 Mitochondrial DNA (low resolution) small genome analysis – MSc

Preliminary results: 1 September 2018

Completion date: 1 November 2018

This study will provide a low-resolution test of the tarakihi stock hypotheses and we expect a preliminary assessment of the genetic data by the end of 2018. Mitochondrial DNA is a genetic sample of the small genome in animal cells. This marker is used to conduct a “first look” type study, which enables hypotheses about stock structure to be rapidly tested. A finding of genetic difference between two populations is usually strong evidence for a lack of successful migration and reproduction between two areas. If no genetic difference is detected it could mean that higher resolution markers are required to find the difference. An important component of testing for genetic differences is to have samples analysed from a broad range of locations, which enable us to define a reference point for the geographic scale that a genetic difference can be detected. We have 1300 samples of NZ tarakihi, but our current funding limits us to analyzing 400 specimens. This constraint reduces our ability to properly test all of the locations implicated in the stock model and obtain the requirement broad-scale reference points to “calibrate” the data analysis.

Constraint: Funding limited to analyzing 400 specimens which restricts the statistical power of the method. To satisfy the statistical requirements an additional \$12,500 (approximately) would be needed to complete the DNA sequencing of the 1,300 samples.

Project 2 Full genome (high resolution) analysis – PhD

Preliminary results: mid-2019

Completion date: 1 December 2020

The second study will use the high-resolution approach of whole-genome sequencing (WGS) to target a massive number of genetic markers across the genome. This method allows the detection of stock structure that could be missed with the single-marker method of mtDNA.

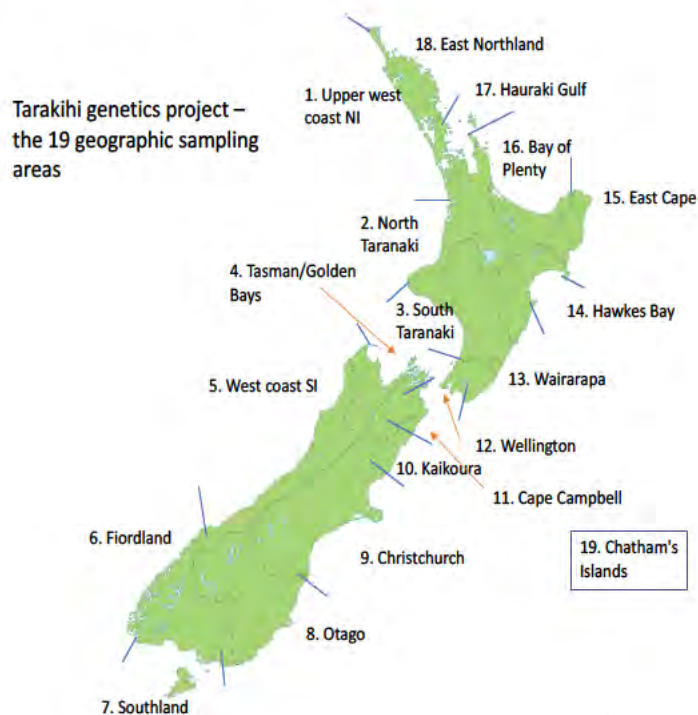
With a comprehensive sample size, the WGS has the potential to provide a definitive answer about the genetic stock structure of tarakihi. The key to the success is being able to collect data from a broad range of samples and wide geographical coverage. With our current funding we will only be able to analysis 230 of the 1300 samples that we have available. An additional \$60,000 of funding would enable us to considerably increase the statistical power. This would reduce the risk of underestimating the levels of genetic variability and avoid sub-sampling bias and the potential for false positive findings. This increase in the statistical confidence would transform our study into a robust genetic-based test of the fish stock model.

Constraint: Current funding restricts us to analysing 230 samples and hence limits the statistical power and level of confidence in findings. Additional \$60,000 of funding would double sample size and enable a proper test of the model.

The work currently underway is funded by a VUW Doctoral Scholarship to Yvan Papa; combined with a sub-contract from NIWA, as part of the MBIE Endeavour Fund Research Programme “Juvenile Fish Habitat Bottlenecks’ (CO1X1618). This research is being conducted in collaboration with Dr. Mark Morrison (NIWA) and Dr. Maren Wellenreuther (Plant and Food Research).

Supplemental information: Sample Collections Available

Tissue samples from more than 1300 specimens from 19 areas, including spawning grounds, have already been collected (see sampling area map below).



19 areas where tarakihi have been sampled between November 2017 and March 2018 (60 fish/area).

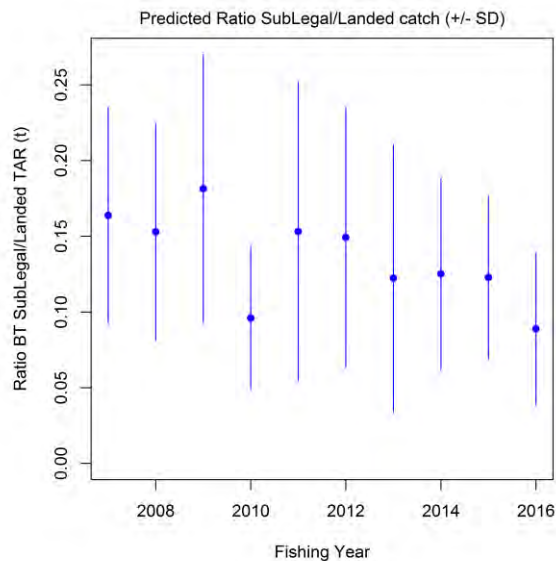
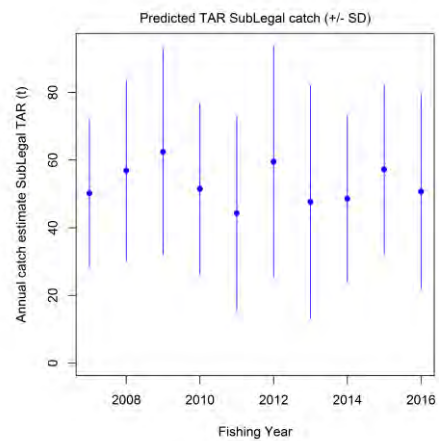
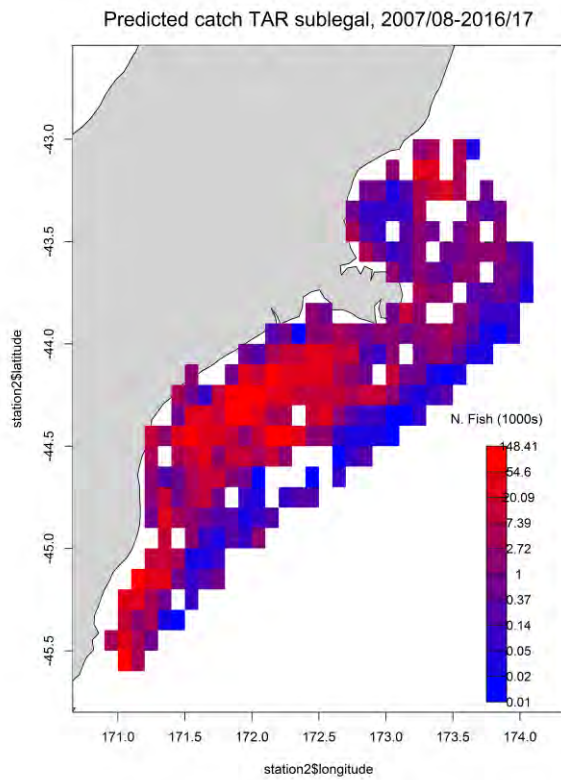
Three of these areas (East Cape, Cape Campbell and West Coast SI) have been sampled for 60 additional fish during the spawning season.

Additional samples include 40 King tarakihi from 3 Kings Islands and 60 tarakihi from Australian waters.

Preliminary analysis of sublegal TAR catches (Canterbury Bight – Pegasus Bay)

Summary

- ECSI Kaharoa trawl stations with (and without) associated TAR length frequency data. All surveys combined (to 2014) (N stations = 1547, Nfish = 158,385).
- For each trawl station derive TAR LF.
- Apply 100 mm trawl selectivity to LF (=vulnerable to commercial gear).
- Truncate length frequency at 25 cm (F.L.) = sublegal fish.
- Derive sublegal TAR density (number of fish) for each trawl (sum of fish divided by area swept).
- Determine average distribution of sublegal fish using (ordinary) Kriging approach (combined over surveys, years, seasons).



Acknowledgement of uncertainties in provisional work

- Range of assumptions required for analysis.
- Does not account for variation in distribution and relative abundance amongst years (variable recruitment).
- Assumption of trawl selectivity (100 mm mesh).
- Reliability of Kriging approach – further evaluation required.
- Trawl records are based on start location only.
- Uncertainty is under-estimated but is still high – catch estimates are poorly determined.
- Highlights main areas of highest sub-MLS catches. Fishing appears to be low in the areas of highest abundance.
- Suggests moderate catch of sub-MLS TAR, although indicates that catches are not excessively high.

Trawl Gear Selectivity Modelling project (information provided by NIWA)

Overall Project Aim

Collaborate with SINTEF to use their software tools and expertise to develop predictive models of trawl codend selectivity for New Zealand species to help inform commercial fishing practices and management decisions. We aim to be able to give predicted selectivity information over a range of codend mesh sizes and shapes: from 100 – 200mm (cover 4 – 6”) for diamond, T90 and square orientated mesh.

Current funding sources: MBIE Catalyst Seeding Fund (until Feb 2019), and NIWA Core Fisheries programme (until June 2019).

Project leaders: Ian Tuck & Emma Jones, NIWA

Progress to date

In 2017 we sponsored a visit by overseas fisheries selectivity expert to come to NZ for the ICES meeting, and to help set up and run the first set of trials.

Co-funded with MPI a 9-day charter onboard 11.5m vessel in Hawkes Bay. Used vessel’s standard net with a 5’ diamond mesh codend with and without a small mesh liner. Completed up to 4 tows a day, aiming for 2 pairs, although not all tows were paired. Completed 24 tows, 9 sets of paired tows and 6 unpaired tows. Collected length frequency data for selectivity analysis and morphometric data for 3 species: snapper, red gurnard and English sole.

Proposed work for 2018/2019

Planned return visit to SINTEF to complete data analysis and develop the models in May 2018 and attend ICES FTFB meeting in early June

Propose a second round of data collection to add 2–3 species for which we can develop models sometime between July 2018 and Feb 2019.

Allowing a minimum of 3 days per species for morphometric data collection, so suggest would need 4–9 days of vessel time depending on resources available.

Funding provided

NIWA propose to cover the costs of providing science staff and specialized equipment to collect these data. In addition to this, NIWA have already and will continue to support the cost of data analysis, provision of reports and presentation of results to Industry forums, and if desired, development of an interactive tool that could be made available on a website to easily demonstrate the effect on selectivity of changing mesh sizes / shapes (as discussed).

Funding requested:

We request in-kind funding and support to enable the charter of a vessel for up to 9 days to collect morphometric and selectivity data for 2-3 species as per Option 1 (see below).

The size of vessel and scope of work can be determined in consultation with Talley’s / Southern Inshore Fisheries Management / FINZ. Species already discussed include tarakihi, elephant fish and red cod. Ideally, we would need to use a vessel fishing in an area where all the target species occur across the relevant size range – this may be a challenge and we will need to be guided by your knowledge on this. We have operated successfully on an 11m **day** boat in Hawkes Bay, but this was absolute minimum size.

Commercial vessel chartered with in-kind Industry support

Data collection: Agree target species and a fishing ground where we can catch a suitable mix of the target species.

Carry out paired selectivity tows (i.e. 2 tows fished side-by-side) using a 5" diamond or other Industry-specified configuration codend with and without a small mesh liner. Tows likely to be shorter than standard commercial tows, e.g. 1.5 – 2 hrs. This enables more pairs to be achieved per day for the selectivity data.

After each haul, sort catch and collect length frequency data for target species. Sub-sample of fish held in an onboard tank to keep alive for morphometric data collection using the fall-through mesh templates for those target species. Samples need to include the entire relevant size range, ie including small fish that we know will pass through the smallest mesh size, and large fish that would have 100% retention even in the largest mesh size. Eg for snapper, we collected fish from 13/14/15cm up to 40+cm.

Processing and fate of catch: the vessel would need a special permit to use the small mesh liner. Sub-legal fish would be disposed of at sea as per the permit requirements. Legal fish would be landed against the vessel's quota and sold. Would need to agree whether profit from fish sales are subtracted from the agreed charter fee, or charter fee reflects that the catch is being sold in addition.

Staffing: we would need a minimum of 2, ideally 3 scientists onboard. 1 to collect length frequency data and 2 to collect morphometric data. On our previous charter we also had the help of a crew member to form a second team of 2 people to collect l-f and morphometric data.

Space: would require an area, preferably under some sort of cover to set up mesh templates and collect those data. Templates are approx. 50 x 60cm in size and we would need to install a table/frame into a space where they can be used. Ideally this would be close to a holding tank big enough to maintain 10 – 15 fish alive at a time. Also space for someone with a measuring board to collect LFs.

ANNEX 2 HAWKES BAY GEAR TRIALS HISTORICAL PAPERS



Nancy Glen April
Trials Report.pdf



2013 Net Trials
Report October 2013.

ANNEX 3 GEAR INNOVATION PATHWAY CONCEPT

DRAFT CONCEPT DISCUSSED WITH SIL (STILL UNDER DEVELOPMENT)

Objective

The objective of a Gear Innovation Pathway is to facilitate industry innovation that will add value and productivity to NZ fisheries. The Gear Innovation Pathway is a conduit to promote and support gear development that has benefits that may be seen at either a regional or national level.

An overarching Gear Innovation Pathway will provide a defined process and framework that enables fishers to initially develop innovative ideas and then provides the opportunity for fishers to benefit from industry support, technical and scientific expertise as these ideas are developed.

Research Themes

It is proposed that the scope of the gear innovation pathway will be restricted to 4 key research themes. The research themes include – vessel and gear efficiencies (i.e. reduced operating costs such as reduced fuel consumption), selectivity, benthic impacts and non-fish protected species interactions.

Research Process

The standard format for the innovation pathway is to utilise a framework that has three distinct phases. The staged approach is being proposed to ensure that the most up to date information is available at each stage of the research development. It also ensures that at each stage of the research that there is technical input to ensure scientific rigour through the process.

- Phase 1: Idea submission
 - Fishers / LFRs and industry groups identify a gear innovation idea that they would like to investigate and submits the idea for review by the technical expertise group.
 - The technical expertise group reviews the proof of concept idea and provides support and funding for the idea to be developed as a proof of concept. Appropriate guidelines for pursuing an idea and the reporting requirements for a proof of idea concept will be developed by the technical expertise group.
- Phase 2: Proof of concept/prototype testing
 - Successful ideas from Phase 1 will test the proof of concept, utilising information provided by the technical expertise group.
 - Results from Phase 2 will be presented to the technical expertise group. If successful following a review of results the idea will then get further funding to develop it further.
 - Following agreement to pursue an idea the project will be subject to a defined project plan and associated reporting requirements and deliverables.
- Phase 3: Development stage
 - Where successful the proof of concept from Phase 2 will be developed into a working prototype will be produced for further testing. This Phase will be subject to increased levels of scientific rigour.
 - Phase 3 will be subject to a defined project plan and associated reporting requirements and deliverables.

The staged approach encompasses key stop/go assessments review the outputs from the previous phase/phases and address the following before proceeding to the next phase of the work stream;

- Based on the outputs from the previous phases the feasibility of continuing onto the next phase?
- Based on the previous phases are there any modifications required to the upcoming phase? If so what are the cost/benefit of these to the proposed changes?
- Review of the upcoming budget and project implementation plan taking into account the findings from the previous phase/s.

The stop/go assessment approach ensures continuous review and monitoring of the project, whilst allowing for proactive engagement and adjustment of the budgets and implementation plans for the project work streams.

Governance and management framework

A governance and funding structure would clearly define the management structure to enable gear innovation at a local / regional level that can benefit from a national framework providing expertise, support and funding as appropriate.

A technical expertise group will be created that consists of industry representatives e.g. CSOs, industry gear experts, independent gear experts and government representatives. CSOs are intended to be a conduit for local fishers to engage with this project. The technical expertise group would be responsible for;

- Reviewing Phase 1 idea submissions and providing recommendations for those projects that pass the Stop/Go assessment to the Phase 2 work.
- Reviewing Phase 2 work and providing the requirements for Phase 2, this includes the data requirements and the level of reporting required to provide adequate scientific rigour to the project.
- Following a Stop/Go assessment of Phase 2 set the project requirements for innovation projects that receive funding for Phase 3.

An administrative group would be set up that would be responsible for supporting applicants through the process and for providing support to the technical expertise group. This group would also manage the budgets and monitor milestone reporting requirements.

Proposed funding model

The initial focus will be on developing industry funding that can be used alongside SIL funding. Additional funding streams will be investigated including Primary Growth Partnerships.

The proposed funding model to facilitate innovation is that there will be limits to the funding available at each Phase of the Innovation pathway and that specific guidelines will be developed to determine the requirements for innovators to get access to funding through this process. These requirements will be related to key performance indicators and reporting milestones.

Not all projects will receive proof of concept funding and successful projects will be dependent on the stop/go assessment process. Projects will be reviewed based on the guidelines and principles developed as part of the overarching governance and structure of the Gear Innovation Pathway.

Indicative funding requirements are envisaged to be;

- Phase 1 – no funding available. Ideas to be developed by innovators and presented to the technical expertise group using a template outlining the idea.
- Phase 2 – funding of a maximum of 5k per approved idea provided to innovators to develop the idea. Assistance will be provided at the end of the phase 2 to facilitate the submission of a brief proof of concept document. The funding model will facilitate 20 proof of concept ideas to be submitted within 1 year (maximum of 100k spent on proof of concept).
- Phase 3 – funding of a maximum of 20K per approved Phase 2 project. The funding model will facilitate 5 proof of concept ideas to be submitted within 1 year (maximum of 100k spent on Phase 3 projects).

It is anticipated that there will be a 25% migration rate from Phase 2 to Phase 3.

Anticipated timeframes

- The intention is to have the innovative pathway developed for the middle of 2018.
- At the start of the 2018/19 fishing year the pathway would be available for innovators to benefit from.

Next steps

Existing resources both in terms of known gear expertise and funding are available to progress the Gear Innovation Pathway and following confirmation from the SIL Board that the innovation pathway concept is agreeable as the proposed framework is outside of the normal approach for SIL proposals then these funding streams within industry will be pursued further.

Following an indication from the SIL Board that the conceptual idea of an enabling framework that holds seed funding to facilitate innovation within a structured process is something that can be progressed then a SIL proposal will be developed. This will include development of the governance and management framework and the identification of appropriate expertise to form the technical expertise group and cost-effective approaches to provide administrative support to the innovation pathway.

27 July 2018

Mr D Bolger
Fisheries New Zealand
Ministry for Primary Industries
PO Box 10420
Wellington

cc Mr S Halley
Fisheries New Zealand
Ministry for Primary Industries
PO Box 10420
Wellington

Dear Dan

COMMENTS ON 2018/19 SUSTAINABILITY CONTROLS

1. Fisheries New Zealand (*FNZ*) has invited submissions on their proposed Sustainability Controls for 1 October 2018 stocks. This submission is presented on behalf of Fisheries Inshore New Zealand Ltd (*FINZ*). Any comments or queries should be directed to Oliver Wilson, Fisheries Inshore New Zealand.
2. Fisheries Inshore is the Sector Representative Entity for inshore finfish, pelagic and tuna fisheries in New Zealand. Its role is to deal with national issues on behalf of the sector and to work directly with, and behalf of, its quota owners, fishers and affiliated sector representative organisations. Its key outputs are:
 - a. developing appropriate policy frameworks, processes and tools to assist the sector to manage inshore, pelagic and tuna fishstocks more effectively;
 - b. minimising fishing interactions with protected species and the associated ecosystems; and
 - c. working positively with other fishers and users of marine space where we carry out our harvesting activities.
3. Responsibility for the implementation of these policies, processes and tools falls naturally on quota owners, fishers and Commercial Stakeholder Organisations (CSOs) who collectively choose the best ways to deal with issues in their regions. CSOs will generally deal with all matters pertaining to fishstocks in their region. Fisheries Inshore has the mandate to support this work where requested but does not have the ability to take on this work except where the fishery is managed as a single stock across the country. In that instance Fisheries Inshore must work with all the relevant quota owners, fishers and CSOs in developing appropriate measures and submissions.
4. Fisheries Inshore provides management services through regional committees to the quota owners of stocks in FMA1, 2, 8 and 9 and has a close relationship with Southern Inshore Fisheries Management Limited, who are also a member of FINZ.
5. We note that companies and other quota-holders may also make their own submissions on the proposals.

INTRODUCTORY COMMENTS

6. We have indicated previously our concerns with the management of the inshore finfish stocks and feel that we need to again raise those matters in this submission.

Lack of Consultation and Planning

7. At present, there is no formal Fisheries Plan and no Annual Operating Plan for the inshore finfish sector. Furthermore, there are no FNZ processes through which the management of those stocks can be discussed with stakeholders; including the development of management options for stocks in the sustainability round. This situation has persisted for several years and has contributed to the decline in management standards

for inshore stocks. Stakeholder discussions allow for the exchange of information and the collaborative development of consensus management frameworks for inshore stocks. While there are working groups to review the scientific analyses and reports to underpin inshore stock management, there are no management-focused working groups or stakeholder forums at which the content and management implications of those scientific reports can be discussed.

8. FNZ has been charged by the Minister to improve its communication with stakeholders. To that end, we consider that FNZ should implement quarterly regional meetings with stakeholders to discuss the management of the fishstocks and fisheries.

Presentation of options

9. Several the sustainability proposals are incomplete or lack of important information. These include:
 - FLA1 – the proposal is essentially to lower the TACC and look at the potential for implementing an in-season adjustment process. However there has been no analysis or development of an in-season management procedure for FLA1.
 - GLM9 – there is no indication of the extent of demand for spat from the aquaculture sector to inform the decision.
 - JDO1 – the proposal is said to be for sustainability reasons but i) JDO1 is not breaching either the soft or hard limit, and ii) JDO1 appears to be rebuilding in two of the three sub-stocks.
 - TAR1, 2, 3, 7, 8 – the proposed management options provided by FNZ lack the sophistication that we would expect for a fishery as important as TAR, and with the range of uncertainty and complexity involved. Industry is providing a specific TAR response.
 - Deemed values – the document lacks any fisheries management justification for the actions.
10. Stakeholders are unable to prepare informed submissions when the appropriate material is not provided in the consultation documents.

Use of un-published material

11. We note that a number of the proposals use information drawn from draft 2018 Plenary chapters presented to the working groups for their approval. The 2018 Plenary for October stocks has yet to be published but is usually available in May. Information presented to a working group but not published is confidential and not to be publicly used. Notwithstanding that requirement, FNZ has made selective use of non-published confidential information while not presenting the full Plenary draft to stakeholders for the consideration of the proposals.
12. We are concerned by the double standards being used by FNZ in this regard but have found it necessary to use the same material. The sustainability round must be informed by the Plenary document and we find the delay in the publication and availability of the information to be unacceptable.

Limited number of stocks to be reviewed

13. We have previously raised the issue of the number of inshore finfish stocks to be reviewed in the Sustainability round.
14. Excluding the Kermadec stocks and those with zero TACCs, there are 192 inshore finfish stocks. Of those stocks:
 - a. Most have not been reviewed since they were introduced into the QMS;
 - b. Four have been over-caught in each of the last 12 years;
 - c. 75 have been regularly over-caught in the last decade;
 - d. 56 have regularly been caught to within 95% of their TACC;
 - e. There are no accepted fisheries management approaches to the management of low information and low value stocks
 - f. 36 had 2016/17 catches in excess of the TACC, the 10 most over-caught stocks being:

OVERCAUGHT STOCKS			
Fishstock	TACC kg	Catch kg	Percentage overcaught
KIN3	1,000	3,527	253%
SSK8	20,000	45,867	129%
KIN7	15,000	26,736	78%
RSK8	21,000	37,070	77%
BNS3	93,000	156,265	68%
SSK1	37,000	55,667	50%
BNS7	34,000	50,773	49%
SPE9	6,000	8,859	48%
POR2	18,000	24,310	35%
BNS2	230,000	303,976	32%

- g. Only 23 stocks have had TAC/TACC reviews in the past 5 years;
 - h. Only 42 have had a change of TAC since their introduction to the QMS.
15. The industry has for a long time brought the issue of inappropriately set and managed TACCs to the attention of FNZ and its predecessors. Some of those concerns relate to initial TACCs being set with arbitrary reductions from previous reported catch levels, arbitrary splits of aggregated stocks such as skate and no recognition that many historical reported catches were exclusive of legal discards. Changes to TACCs for target stocks have often not been accompanied by increases to by-catch stocks. Changes in abundance have led to many TACCs being out of balance with each other and out of balance with the fish in the water.
 16. FNZ needs to establish a process to review the TAC/TACCs of many stocks before electronic monitoring is introduced. Reviewing 12 stocks a year is not going to allow for a smooth transition to an electronically monitored environment.

TAC/TACC REVIEWS

ELE3, JDO7, KIN3, SPO7, GUR3

17. Fisheries Inshore endorses Southern Inshore's submission on these stocks.

TAR 1, 2, 3, 7

18. Fisheries Inshore has provided comments on the proposed TAR deemed values in a separate TAR submission, prepared in conjunction with Te Ohu Kaimoana and the Southern Inshore.

GLM9

19. Fisheries Inshore has no mandate to represent this stock.

FLA1

20. This response is presented on behalf of FINZ's Northern Regional Committee that works directly with and on behalf of FLA1 quota owners.
21. There is a diversity of quota owner views associated with the Options provided in the consultation paper. For that reason, FINZ has not provided a position on any one Option and its submission instead focuses on the more fundamental concerns relating to the management of the FLA1 fishery. We note that companies and other quota-holders may also make their own submissions on the proposals and make specific reference to their preferred option as they consider appropriate.
22. This submission focuses on fundamental management issues which are addressed in four parts and covers:

- a. Appropriate spatial management
 - b. Stock status
 - c. In-season management procedures
 - d. Environmental factors
23. Overall the consultation document for FLA1 inadequate. It does not address fundamental fisheries management issues with the FLA1 stock. The consultation document proposes a “management event” not a “management process” that will ensure sustainable effective management of the fishery.
 24. We propose a wider review of the management processes and their effectiveness for FLA1 and more comprehensive engagement with stakeholders before any TAC/TACC decisions are made. This will ensure that appropriate time and consideration is given to the complexities and localised differences within this fishery.
 25. It is notable that there was no pre-consultation on FLA1. Had pre-consultation been conducted, wider discussions to better inform managers of the complexities of the FLA1 would have been possible.

Appropriate spatial management

26. We agree with the comment made by FNZ that the fisheries do not mix, as shown by tagging data, and agree that the FLA1 fisheries are indeed localised fisheries with disparate abundance trends at present.
27. The latest CPUE data in FLA1 demonstrate that there are different long-term trends in CPUE and the current trajectories in the fishery. For example, the long-term trend in the CPUE for Hauraki Gulf and Firth of Thames is reasonably flat with a recent increase (bottom row), whilst there are declines on the west coast but in recent years the trajectory has fluctuated such as the YBF in Manukau Harbour.

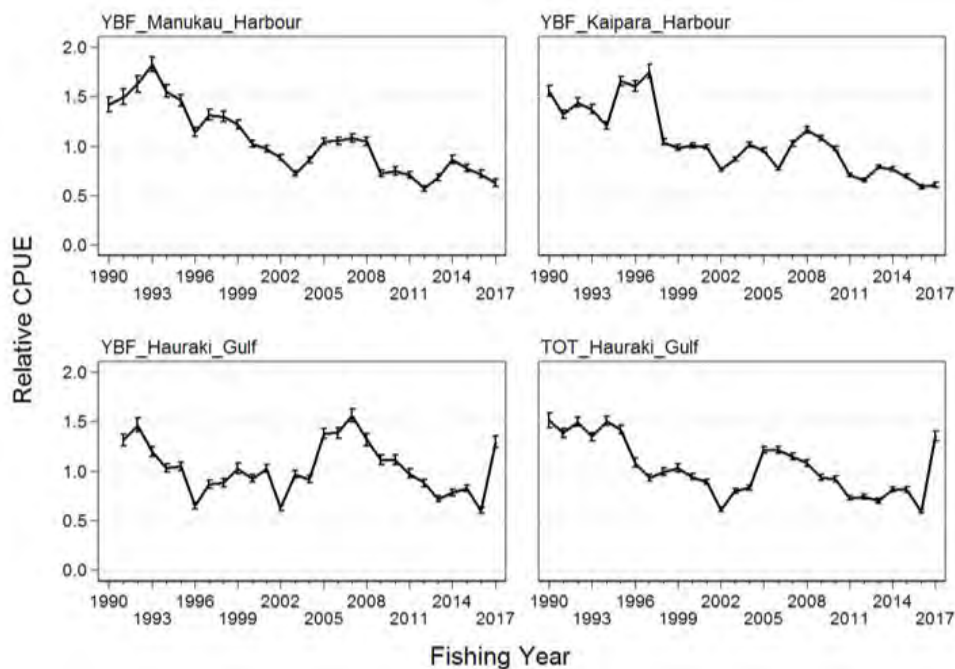


Figure 1: Standardised CPUE indices for yellow-belly flounder for each localised fishery and the total FLA in Hauraki Gulf. source: 2017 FLA Working Group report – draft (NINSWG-2018-13)

28. We consider that many fishers do not move their effort between the coasts in response to abundance variations. Managing FLA1 as one stock does not reflect the characteristics of the stock. It is important therefore not to make significant TAC/TACC decisions without having first resolved how the stock should be managed.
29. While FNZ has sought views on a review of the QMA boundaries, the consultation paper does not provide adequate information on potential management solutions as the basis for submitting in depth on that issue.

We do not agree at this time there should be an adjustment to stock boundaries. FNZ should be engaging proactively with stakeholders on the appropriate management approach which should include discussions on the spatial management of the fish stock.

Stock status

30. The assertion that the FLA1 stock as a whole is subject to a sustainability concern has been over-simplified and is not supported by any scientific evidence. The status of all sub-stocks is currently unknown. FNZ's own scientific peer review process noted that more information is required on these fisheries. Para 481 states there is "neither a proxy for B_{MSY} nor a target biomass level" for any of the localised fisheries of FLA1 nor FLA1 as a whole.
31. The stated sustainability concern is based on using a general decline in localised CPUE trends to imply that FLA1 as a whole is a sustainability concern. We acknowledge that only CPUE data are available but note that in paragraph 462 the Northern Inshore working group report on FLA1 it is stated that the CPUE in the Hauraki Gulf and Firth of Thames was described as having had "increased significantly since the last assessment" and the final index point being above the long-term series mean.¹
32. We are not advocating for managing on one data point, but nor do we accept that management decisions should be taken without accounting for the differences in the localised fisheries. We consider that assumed CPUE trends for a fishery, with an unknown status and no CPUE reference points, should not be used to make ill-informed management decisions.
33. FNZ note uncertainty when CPUE is increasing, yet in contrast, when CPUE is decreasing the same uncertainty is not discussed. The only reference is to uncertainty relates to a negative view on recruitment which does not provide a balanced document.²
34. Given the information available on stock status, and the differences in CPUE trends, it appears that the consultation is more about reducing the headroom in the fishery compared to addressing any sustainability risk. The FLA1 stock is not under a sustainability risk from current fishing levels. The Northern Inshore Working Group reporting that "Recent fishing intensity is relatively low in both of the west coast harbours while it sits near the series mean in the Hauraki Gulf series."³
35. For the reasons above, we do not consider that FNZ can characterise their proposal as a current sustainability concern where the level of utilisation is affecting the sustainability of the stock.

In-season management procedures

36. FNZ comments on FLA1 being on Schedule 2 of the Act, which allows for in-season increases. This is raised but no information is provided on whether the intention is to implement Schedule 2 for FLA1. This would require a management procedure to be developed for FLA1 and an annual process to be undertaken. However, the consultation document does not provide any detail on the science needed to develop this or the commitment required to implement an in-season management procedure. The FNZ proposals do propose to implement one part of an in-season management approach by reducing the headroom and providing the baseline but without addressing how the in-season review would be operated. We consider promoting only a partial solution to be unhelpful.
37. We have previously provided advice to FNZ on how such in-season approaches should be implemented. We would not favour setting the baseline at the mean – that would require an in-season analysis each year. If an in-season approach was developed, we would advocate setting the baseline at the maximum of recent catch or at a higher level such that the in-season process would only be implemented in years of abnormally high abundance rather than more frequently.
38. Equally there is no mention of the performance of existing management procedures. Currently these procedures have been severely and significantly compromised by the decision-making processes following the scientific analysis of in-season catch.
39. For example, the 2016/17 in-season management procedure for RCO2 took over 6 months, with no decision made until August. Similarly, the 2017/18 FLA3 decision to not pursue and in-season increase was

¹ Fisheries New Zealand consultation paper 2018/05 at [464].

² Fisheries New Zealand consultation paper 2018/01 at [462] and [484].

³ 2017 FLA Working Group report – draft (NINSWG-2018-13).

made only in May which was at least earlier than the increase in 2016/17 which came in September.⁴ This is not indicative of a management procedure that is working. Ministerial decisions for the current in-season management procedures are being made so late that industry have reduced time to act on the increased TACCs, thereby reducing the intended benefits of the process. Rather, it demonstrates the need address the shortcomings of the process before any discussion of implementing it for FLA1.

40. Further to this, we question how an in-season increase would work when there are three different CPUE indices? Is FNZ proposing to implement an in-season increase based on one generalised CPUE index or will some areas be constrained by other areas' CPUE? It is premature to discuss this until FNZ has better specified the required management and research and how this would be implemented.
41. The previous point merely serves to emphasise that the consultation document does not address the need for a different spatial and temporal approach to the management of FLA1. Instead, it makes generalisations across the whole of FLA1 without a considered management process to address these issues. This is apparent through the comments in the consultation paper that note there is a lack of information know about recruitment but does not provide any solutions to collect information to inform management of the fishery.

Environmental factors

42. FNZ acknowledge that environmental factors impact FLA1 fisheries and that they will monitor these impacts and potentially advocate for future work.
43. Whilst we acknowledge the mandate constraints here, FNZ should be actively engaged in these processes. The environmental impact on the FLA1 fishery is well stated by NIWA (McKenzie et al 2013) that acknowledged that any decreases in the FLA1 fishery are more likely as a result of others factors than fishing and noted an increase in eutrophication.⁵
44. If FNZ are concerned about the sustainability of the stock, it is reasonable to think that they will look to address the drivers that affect the fishery as a priority. It is not management to continue to constrain the utilisation of a fishery without ever addressing the primary drivers for a decline.
45. Additionally, the 2017 Working Group report noted that recent fishing intensity is relatively low in the localised fisheries, especially on the west coast. A reduction in the fishing intensity whilst CPUE has a slight declining trend for the west coast supports the fact that the primary sustainability drivers are environmental and need addressing.
46. For example, the weather in January this year flooded Kaiaua immediately finishing the flounder season in the Firth of Thames—meaning that catches dropped to about 10% of normal and the impacts remain for a long period of time. This demonstrates the need to address the environmental impacts on the FLA1 fishery such as decreasing water quality and increased sedimentation.
47. Research and engagement is needed to address recruitment uncertainties and environmental impacts on the fishery.

JDO1

48. This response is presented on behalf of the FINZ Northern Regional Committee that works directly with and on behalf of JDO1 quota owners.
49. We note that companies and other quota-holders may also make their own submissions on the proposals and make specific reference to their preferred option as they consider appropriate.

⁴ 2017 FLA Working Group report – draft (NINSWG-2018-13) (to be published in the Fisheries New Zealand (2018) Fisheries Assessment Plenary, May 2018: stock assessments and stock status. Compiled by the Fisheries Science Group, Fisheries New Zealand, Wellington, New Zealand.

⁵ McKenzie, J R; Parsons, D M; Bian, R (2013) Can juvenile yellow belly and sand flounder abundance indices and environmental variables predict adult abundance in the Manukau and Mahurangi Harbours? *New Zealand Fisheries Assessment Report 2013/10*. 31 p.

50. This submission focuses management issues which are addressed in two parts and covers:
 - a. Stock Status / Sub-stock differences
 - b. Impact of SNA on the JDO 1 fishery
51. Overall the consultation document for JDO1 disappointing. Fundamental management issues are not addressed in the consultation document. We propose a wider review of the management processes and their effectiveness for JDO1, and a more comprehensive engagement with stakeholders prior to TAC/TACC decisions being made. This will ensure that appropriate time and consideration is given to the complexities and localised differences within this fishery.
52. Fundamentally, industry opposes the assertion that management decisions on TAC/TACC changes should be made on the basis of reducing headroom based on a perceived sustainability risk.

Stock status and sub-stock differences

53. FNZ state that the basis for the TACC review is that the long-term decline in CPUE indices. This is said to indicate that abundance has reduced, and that the TAC and TACC need reducing as current levels are a sustainability risk. However, the CPUE for each sub-stock is between the soft limit and the CPUE reference point, there are different CPUE trends among the sub-stocks, and two of the sub-stocks are rebuilding (Figure 2).

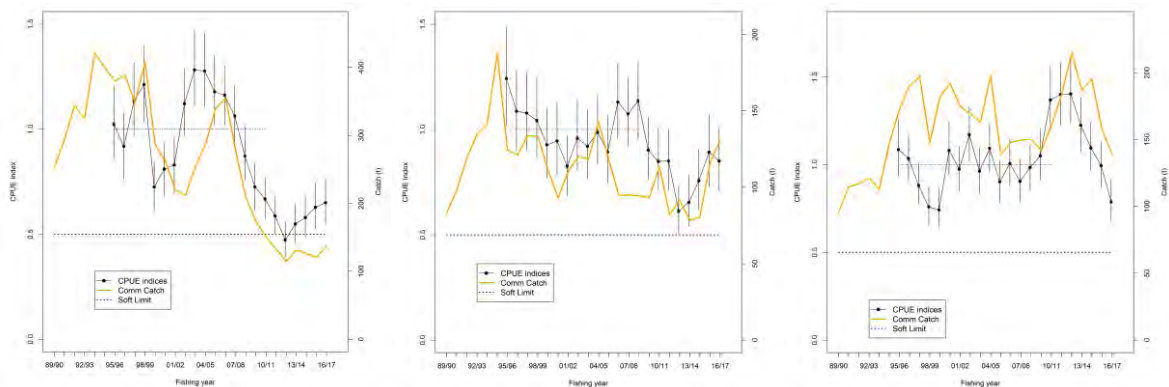


Figure 2: JDO CPUE trends (left: Hauraki Gulf and east Northland, centre: Bay of Plenty and right: west coast North Island).

54. In the Hauraki Gulf and east Northland, the sub-stock has been increasing since a low in the 2012/13 fishing year and is at approximately 66% of the target CPUE. The Bay of Plenty CPUE index is also increasing and is currently at 85% of the target CPUE. In contrast, the west coast North Island index has been declining, yet this is at approximately 80% of target CPUE; and further, this is the first year in the past eight years that the CPUE is estimated to have been below target.
55. It is concerning that FNZ are proposing to reduce the TACC in a period where two sub-stocks are trending upward and sit at 66% and 85% of the management target, and the remaining stock is below the target for the first time in eight years. FNZ's already tenuous position is further compromised by statements from the Working Group that fishing intensity is low, and the current catch is not considered to be causing any overfishing. In the last 10 years, fishing intensity in the Hauraki Gulf has been below the reference point used as a fishing intensity proxy.⁶
56. Consequently, it appears inappropriate and unnecessary for FNZ now to propose TAC reductions on sustainability grounds.

Inconsistency and uncertainty

57. In addition, uncertainties are identified in the CPUE analysis for JDO1. For example, there is a recognised lack of information on recruitment and the relationship between JDO1 and JDO2 is a stated source of uncertainty.
58. Conversely for other stocks such as SNA2 and TRE2, FNZ has expressed a position that increasing CPUE cannot be used to indicate increased abundance given uncertainties about the relationship between FMA1 and FMA2. Based on this rationale, why would this level of uncertainty only prevent TAC increases but

⁶ NINSWG-2018-12-35_JDO_2017.

allow TAC decreases? If FNZ are to maintain a consistent approach, this uncertainty would be addressed or at least analysed before any TAC change.

59. Paragraph 614 of the consultation document acknowledges that there is uncertainty in whether the current levels of removals are affecting recruitment.⁷ All areas are reported to be experiencing different levels of fishing intensity and so a sweeping comment that the fishery is impacting on recruitment is unsubstantiated.
60. The 2017 draft JDO Working Group report notes that stock status for the different sub-stocks can be variable and the importance of recruitment cannot be understated.⁸ More concerning is paragraph 613 where FNZ states that it is “unable to predict future recruitment”. This is an acknowledgement that further science is needed on the JDO1 fishery and highlights that research and engagement are required to address the recruitment uncertainties.
61. Given the information available on stock status and the differences in CPUE trends, it appears that the consultation is more about reducing the headroom in the fishery compared to a sustainability risk. The JDO1 stock is not subject to any sustainability concern from current fishing levels. It is only the amount of headroom that if taken may constitute a sustainability risk.

Impact of SNA on the JDO 1 fishery

62. Linked to this the proposal makes no reference to or acknowledgement of the issues related to SNA targeting and the fact that fishers are not targeting JDO. The below figure demonstrates how the increasing abundance of SNA impacts on JDO 1.

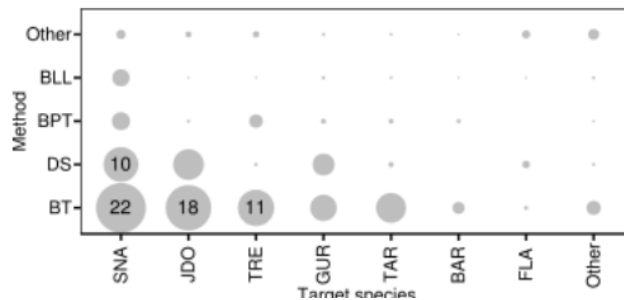


Figure 3: A summary of the proportion of landings of John dory (all QMAs) taken by each target fishery and fishing method. The area of each circle is proportional to the percentage of landings taken using each combination of fishing method and target species. The number in the bubble is the percentage. BT = bottom trawl, DS = Danish seine, BPT = bottom pair trawl, BLL = bottom longline (Bentley et al 2012).

63. Fishers have expressed to FNZ that they cannot target JDO due to the need to avoid SNA and SNX which has become a constraint on the fishery.
64. With the rebuilding of the SNA fishery, the catch of JDO1 can be expected to increase. Decreasing the JDO1 TAC/TACC now will necessitate a further review in the future to parallel the anticipated SNA1 TAC/TACC increase.

Support for Option 1 (status quo)

65. FINZ supports Option 1 – maintaining the current TACC.
66. For the reasons above, we do not believe that FNZ can characterise their proposal as a current sustainability concern where the level of utilisation is affecting sustainability of the stock.

⁷ MPI Consultation document 2018/05 at [614].

⁸ NINSWG-2018-12-35_JDO_2017.

DEEMED VALUE PROPOSALS

67. Industry has commented in previous submissions on deemed values about the need for these to be used as a fisheries management tool, and in a manner that is appropriate for the stock to which they apply. Deemed values are not an independent process. In particular, we remind MPI that the policy approved by the Minister in 2009 includes a management review of the circumstances giving rise to the over-catch and an evaluation of the management options available, including TACC reviews, discussions with industry and further science before any decision is made to adjust deemed values.
68. Fisheries management considerations in setting deemed values might include consideration of, for example, increasing deemed values when TACs are set close to biological limits to protect those limits, decreasing deemed values when they have previously been set high to reduce over-catch; reducing deemed values to encourage accurate reporting of catch and improved science.
69. We have repeatedly reminded FNZ that where the TACCs are significantly out of balance with stock abundance, deemed values are incapable of constraining the catch to the TACC. There are simply too many other drivers and motives to allow deemed values to operate effectively in those circumstances. Deemed values are not a remedy to poorly set TACCs. Rather than achieve sound fisheries management, inappropriately set deemed values will engender poor fisheries management practices and impede the performance of the management framework.
70. Sadly, the proposals in this consultation paper do not demonstrate that FNZ has accepted our previous advice.
71. The advent of an EM framework requires FNZ to address the TACC anomalies and inconsistencies that they have long known exist in the inshore fisheries. Over-reliance on deemed values to control incidental over-catch equally will not resolve the issue. Nor will a principle that the TACCs as they currently stand are reasonable and will not be reviewed before the introduction of EM. This demonstrates the historical lack of forward-looking management and monitoring and hence a lack of progress in setting TACCs at appropriate levels. Industry sees no justification why it should be unfairly penalised by the inability or unwillingness of FNZ to appropriately manage the inshore stocks.
72. We note that the footnote on page 224 contains the following assertion:
- Reported port prices are therefore an indicator of limited reliability. In general port prices for average size and quality fish landed in the main ports by independent fishers would tend to be higher than the average prices reported by LFRs.*
73. We challenge FNZ to provide evidence as to the veracity of that assertion in respect of inshore stocks. If FNZ believed that assertion to be true, then their continued use of the settings in the deemed value guidelines that refer to port prices make no sense. Furthermore, if it were true, FNZ should have sought to establish an alternative information source for such data.
74. It is against that background that we comment on the MPI deemed value proposals for 2018/19.

The deemed value guidelines

75. Section 75(2), of the *Fisheries Act 1996* requires the Minister when setting interim, annual and differential deemed values to provide an incentive for every commercial fisher to balance their catch with ACE. However:
- a. Where the deemed value, annual or differential, exceeds the price the fisher is likely to receive for his or her catch and no ACE is available, the deemed value is no longer an incentive to balance catch with ACE but is instead an incentive to misreport the catch.
 - b. Where the deemed value, annual or differential, exceeds the price the fisher is likely to receive for his or her catch and the price of available ACE is higher than the deemed value, the deemed value is no longer an incentive to balance catch with ACE but is instead an incentive to misreport the catch.
 - c. Where the deemed value, annual or differential, exceeds the price the fisher is likely to receive for his or her catch, and the price of available ACE is higher than the price the fisher is likely to receive for the catch, the deemed value is no longer an incentive to balance catch with ACE but is instead an incentive to misreport the catch.

⁹ http://fs.fish.govt.nz/Doc/13392/DV_Review_decisions.pdf.ashx.

76. Reporting catch where the cost of landing the catch, in terms of ACE or deemed values, is higher than the revenue received for the catch results in a negative nett price or loss to the fisher for those fish. The greater the loss, the less likely the fisher is to land the fish. This is particularly so when there is insufficient ACE available in the market to cover additional catch.
77. High ramping of deemed values acts in the interests of quota owners but not fisheries managers. Quota owners with marketable ACE surplus to their own fishing needs are well placed to use the ramping of deemed values to set abnormally high prices for that ACE. Faced with either high ramped deemed values or high ACE prices, the incentive is changed from a desire to balance to misreport catch.
78. Deemed values are inappropriate when they encourage misreporting of catch rather than balancing catch with ACE.
79. The problems with deemed values have long been recognised by industry but never appreciated by FNZ. They are in need of reform to prevent perverse behaviour affecting the quality of fisheries management.

Identifying Stocks for Review

80. In section 3 of the consultation document, FNZ set out the considerations they took into account when determining the stocks for which deemed value changes were proposed. These included:
 - a. Stocks where the TACs were considered for review: ELE3, FLA1, GLM9, JDO1, JDO7, KIN3, SPO7, GUR3, and TAR 1, 2, 3 and 7.
 - b. Stocks where the catch was in excess of the ACE: SKI7, BNS3, PIL7, PIL8, SKI3 and TRE1.
 - c. Stocks where the percentage of catch not balanced with ACE is considered excessive – none identified.
 - d. Stocks which were not consistent with the guideline settings for interim values and relativity with port price and ACE prices – none identified.
 - e. Stocks where the deemed values exceeded 0.1% of quota value for the stock – none identified.

Stocks with TAC Review

81. Of the stocks being reviewed, changes to deemed values for only FLA1, JDO1, JDO7 and TAR1, 2, 3, and 7 were considered appropriate. The principal change for those stocks is an adjustment to raise the interim deemed value to 90% of the annual deemed value. That is a formulaic change at best. The document does not provide any evidence that fisheries management thinking has influenced the consideration to review the deemed values.
82. We do not accept that administrative tidiness and standardisation provides any justification for tinkering with deemed values. FNZ can demonstrate no fisheries management benefits for the changes. For that reason, FNZ opposes any changes to the interim deemed values for FLA1, JDO1 and JDO7.

Stocks where catch is in excess of ACE

83. There are 72 stocks where the catch has exceeded ACE availability in 2016/17, and many of those have been in that position for a number of years.
84. The consultation document looks at only six stocks for deemed value review on this basis: SKI7, BNS3, PIL7, PIL8, SKI3 and TRE1. Two stocks – SKI7 and BNS3 – are identified based on 2016/17 over-catches and the rest on 2017/18 catches. There is no justification as to why those stocks are identified for deemed values changes. We comment on those proposals.
85. The proposal to lower the standard and differential deemed values for SKI7 are welcomed. However, we cannot understand why, given that the port price had been declining for some time, the deemed value review had to await an over-catch situation before being addressed. As noted in the document, BNS3 is predominantly a by-catch of other fisheries. FNZ was advised that the TACC allocation for BNS3 was inappropriate when it was reviewed downward for 2017/18. The deemed values for BNS3 were reviewed in as part of the reduction of the TACC. The level of over-catch is not abnormal for any by-catch and does not warrant a review of the deemed value.
86. The proposals to lower the annual and differential deemed rates for PIL7, the interim, annual and differential deemed rates (Option 2) for PIL8, the annual and differential deemed values for SKI3 are supported and welcomed. However, we cannot understand why the deemed values for TRE1 have not been handled in a similar manner when they have the same circumstances as PIL7 and PIL8 and SKI3. Discussions with

operators indicate that the catch of TRE1 this year was a one-off occurrence resulting from a management error rather than targeted catching. If FNZ wishes to understand the circumstances that gave rise to the over-catch, we will put you in contact with the company concerned. We disagree with your statement that 30% of the TRE1 catch occurs in the period from June to 30 September. That only occurred last year, the average prior to 2016/17 was approximately 9%. We understand from the company concerned that they will not target TRE1 for the remainder of the year and the catch for the June-September period will be kept to the minimum possible.

Stocks not consistent with guideline settings

87. Of the 192 inshore finfish stocks, there are:
 - a. 30 stocks where the annual deemed value exceeds the port price—these settings clearly contravene the intent of the Fisheries Act and Principle 1 of the Guidelines by providing a disincentive to land and report actual catch.
 - b. 129 stocks where the highest deemed value rate exceeds the port price—these settings contravene the intent of the Fisheries Act in respect of the incentives, and at the point where the differential deemed value exceeds the port price they contravene Principle 1 of the Guidelines and provide a disincentive to report and land catch accurately.
88. For the stocks in the above categories, the deemed values do not act to provide an incentive to balance catch with ACE and restrict the catch to the TACC. The deemed values act as an incentive to misreport catch. We recommend that the deemed values for those stocks be reviewed with an objective of removing the incentive to misreport catch.

27th July 2018

Mr D Vallieres
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Attention: Highly Migratory Species Team

Dear Dominic

COMMENTS ON 2018 SUSTAINABILITY ROUND FOR STN

Introduction

1. FNZ has issued Discussion Paper No. 2018/05 on the Sustainability Controls for 1 October 2018 stocks and invited responses on the proposals that were released for consultation on 2 July 2018. This response is in relation to the proposed TAC/TACC increase for southern bluefin tuna (STN).
2. This response is presented on behalf of the FINZ Highly Migratory Species (HMS) Committee that works directly with and on behalf of STN quota owners.
3. There is a diversity of views associated with the Options provided in the consultation paper. For that reason, FINZ has not provided a position on any one Option but instead its submission focuses on the more fundamental concerns relating to the management of the STN recreational fishery.
4. We note that companies and other quota-holders may also make their own submissions on the proposals and make specific reference to their preferred option as they consider appropriate.
5. The submission is in three parts and covers:
 - a. Allocation concerns
 - b. Recreational management
 - c. International obligations

Allocation concerns

6. FINZ are cognisant of Te Ohu Kaimoana's position with regards to the 1992 Deed of Settlement and are aware that Te Ohu Kaimoana supports maintaining the recreational allowance at 8 tonnes and contends any change in allocation proportions would be in breach of the 1992 Deed of Settlement.
7. Whilst the issue of the 1992 Deed of Settlement is primarily an issue to be addressed between the Crown and Maori as parties to the 1992 Deed of Settlement, it is noted that this has far reaching implications for New Zealand and all fisheries decisions. It is of paramount importance that the development and agreement of a coherent policy for allocation of TACs be established as soon as possible.
8. The following response provides comments on the consultation document whilst recognising that the arrangements between Te Ohu Kaimoana and the Crown need to be addressed first.

Recreational management

Unconstrained effort

9. Fisheries NZ acknowledged as part of the in-season consultation process, that for the remainder of the 2017/18 fishing year, the recreational fishery will remain unconstrained. The only management of the fishery being bad weather, the availability of fish and the ability of recreational fishers to catch those fish.
10. It is wholly inappropriate to consider any recreational increase without implementing an effective management system to address this shortcoming.
11. It has been recorded that on one weekend day during the recreational season, there were approximately 200 boats fishing for STN out of Waihou Bay (the recreational fishery spans at least two months in Waihou Bay alone). The table below shows the reality of this uncontrolled fishing effort based on the average weight of a recreational STN, estimated at 72kg.

12. In short, we submit that it is inappropriate to consult on changes to the recreational allowance when MPI and the NZSFC both accept that the recreational sector is unconstrained. It is contrary to good practice fisheries management and the Minister's legal obligations to progress without some reasonable expectation that the recreational catch will be constrained to the allowance provided.
13. Such action, or lack thereof, also damages New Zealand's international reputation by increasing the risk that New Zealand breaches its international obligations (discussed further below).
14. demonstrates that even on one day, based on the estimate of 200 vessels, that several tonnes of STN can be removed from the fishery. Regardless of what allowance the Minister may set, this clearly indicates how an unconstrained fishery has the potential to damage the rebuild of the STN fishery. Recreational effort controls are imperative to ensure a well-managed fishery and should be considered and implemented well before any consideration of recreational allowances.

Table 1: Impact of uncontrolled recreational effort in the STN fishery.

Proposed Management measures	Estimated 2016/17 effort figures based on one day *	Fish numbers (based on a 100% trip success rate)	STN catch (based on an average 72kg fish)	
			kilos	tonnes
STN daily bag limit of one	200	200	14,400	14.4
STN daily bag limit of two	200	400	28,800	28.8
STN boat limit of three	200	600	43,200	43.2

*assuming one person on a vessel.

Inadequate response

15. We consider that the consultation document is inadequate in that, while it provides three options for creational bag limits, it fails to provide any assessment of the volumes of recreational catch that would result. Nor do we consider that MPI has undertaken sufficient research to assure the Minister or the public that the proposed measures will in fact constrain catch to the recreational allowances proposed.
16. The NZSFC in-season submission indeed notes that the Minister has a statutory obligation to manage New Zealand within its international allocation.¹ This should be through management of all sectors—the commercial sector should not bear the management, compliance and research costs of a New Zealand STN fishery while subsidising a recreational fishery.
17. It is notable that the NZSFC submission on the in-season increase acknowledged the over-catch of the recreational allowance in the 2016/17 fishing year. The 2017 Plenary states that “in the few instances when the New Zealand allocation has been exceeded, the domestic catch limit has been reduced in the following year by an equivalent amount”.² Rather than the recreational allowance being reduced to recognise previous over-catch, it is instead being considered for an increase.
18. The voluntary measures proposed by the recreational fishery for the current fishing year (2017/18), whilst admirable for the current season, are not a long-term management solution as they do not provide an enforceable, regulated management system. Importantly neither do they incorporate charter vessels.
19. Charter vessels cannot be considered part of any recreational allowance. These are commercial operations, and as such, should be required to have quota as with all commercial operators and fish within the constraints of their quota. Charter vessel operators, like any other small business, have to fulfil legal obligations such as tax, employment or health and safety obligations. It is therefore unfathomable as to why FNZ label these operations as recreational whilst by every other government department they are recognised as small commercial businesses.
20. Unlike the recreational sector who are amateur fishers fishing to the best of their ability and resources, charter vessels are professionally-resourced and operated akin to commercial vessels. They should be managed as such. We recognise that the management of charter vessels is part of a wider discussion that is needed to implement management constraints to prevent exploitation of the resource.

¹ New Zealand Sports Fishing Council (NZSFC) in-season consultation submission on MPI paper 2018/01 at [35].

² Fisheries Assessment Plenary November 2017 (20-STN_2017_FINAL).

21. The measures proposed by FNZ in the consultation document will not manage or constrain recreational catch. The NZSFC makes the point in its previous submission that bag limits will be ineffectual in constraining catch.³
22. The position proposed, of uncontrolled recreational catch, is inconsistent with the Supreme Court's guidance that management settings for the recreational sector should be appropriate to constrain the catch to the allowance. It is inappropriate for the Minister to set a recreational allowance without having appropriate and effective management measures in place to allow the Minister to control that fishing effort.⁴
23. In short, we submit that it is inappropriate to consult on changes to the recreational allowance when MPI and the NZSFC both accept that the recreational sector is unconstrained. It is contrary to good practice fisheries management and the Minister's legal obligations to progress without some reasonable expectation that the recreational catch will be constrained to the allowance provided.
24. Such action, or lack thereof, also damages New Zealand's international reputation by increasing the risk that New Zealand breaches its international obligations (discussed further below).

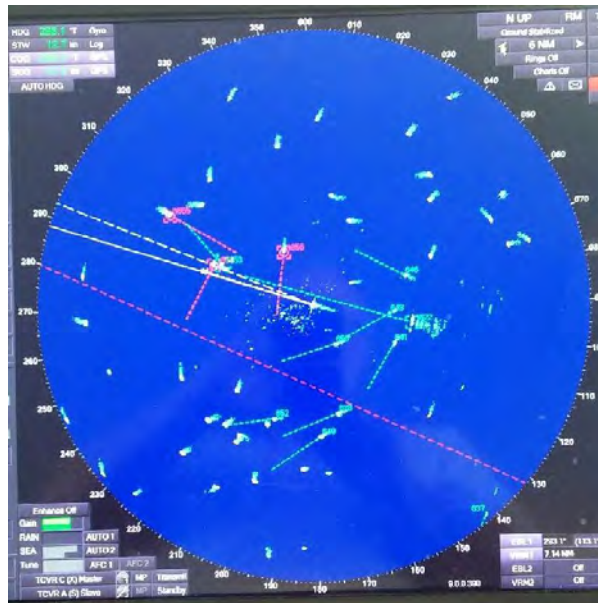


Figure 1: Snapshot of recreational vessels fishing STN.

Management necessary

25. Instead of the proposals provided by FNZ, it is our view that a responsibly-managed recreational fishery, supported by government, will be able to develop in a sustainable manner using effective output controls. We propose that the following measures should be considered for the STN fishery:
 - a. A ballot system for a single fish – only those fishers with a tag from the ballot are allowed to target STN. An allowance for STN bycatch could be accommodated as part of this system.
 - b. Formalised STN licensing – an increasingly formal system whereby fishers register and are allocated a portion of the recreational allowance.
26. These suggestions are based on ensuring catch is appropriately constrained and that robust catch information from the recreational fishery is available to inform our international obligations and contribute to a continued rebuild strategy. There is no question that greater information on STN catches within New Zealand is not beneficial to provide informed management.
27. The assertion that different recreational management measures cannot be used for STN ignores the fact that STN is a game fishery, a migratory species, and not endemic to or resident in NZ. This is a species managed internationally with NZ having international obligations to ensure its sustainability.

³ New Zealand Sports Fishing Council (NZSFC) in-season consultation submission on MPI paper 2018/01 at [37].

⁴ SC 40/2008 [2009] NZSC 54 at [56].

28. In advance of progressing a robust long-term management regime for the recreational sector, and regardless of the allowance set by the Minister, FNZ must implement a one STN per boat daily limit. This should be used only whilst FNZ strengthens the measures the Ministry can do in the short term while it considers a more fundamental policy.

International obligations

29. New Zealand has advocated for all member states to account and manage their recreational catch for inclusion in a Member's national allocation of STN through CCSBT. We are supportive of this. Knowing and managing all sources of mortality is imperative for the continued rebuilding of this stock.
30. If NZ is truly committed to sustainability and its international obligations under CCSBT, all sectors should be responsible for ensuring it.
31. To protect New Zealand's position as a responsible member of CCSBT it is irresponsible for FNZ to use creative accounting at CCSBT to justify a recreational over-catch on the basis of a commercial under-catch. The commercial sector has a TACC to which the commercial fishery is constrained. Any under-catch is not there to be used as a substitute for a lack of recreational fisheries management. It is inappropriate that FNZ should manage the fishery such that one sector of the fishery is committed and managed for sustainability whilst another remains unconstrained.
32. At best this practice is temporary, at worst this practice undermines the position that NZ has taken at CCSBT to successfully advocate for the inclusion and management of recreational catches. The inclusion of recreational catches as part of the country allocation is pointless unless members manage it.
33. We note that recreational fishers may not be cognisant of this matter and therefore feel that FNZ has a responsibility to educate and inform recreational fishers of their important role in promoting and maintaining the rebuild of STN.
34. If, as New Zealand states, we are committed to rebuilding the STN stock then this must be done based on evidence-based management combined with effective regulation of sector allowances.



Oliver Wilson
Programmes Manager
Fisheries Inshore New Zealand Ltd.
(on behalf of the FINZ HMS Committee)

Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than **5pm, Friday 27 July 2018**.

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:	Phil Lynch
Organisation (if applicable):	
Email:	
Fish stock(s) this submission refers to:	All
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

Details supporting your views:

Put simply, all proposed increases are based on 'an increase in abundance'.

I was unable to find any definition of 'abundance', but I suspect the definition does not actually mean 'abundant' and therefore may misrepresent the health of the fish stock. Instead it may mean the stock size has increased (or potentially just more fish are being caught – which may not be a true reflection of the health of the fish stock, and instead a reflection of the technology behind it).

It was also difficult to easily access or review the details on the 'best available information'. Whilst I could see there were some PDF's, it was very difficult and totally impractical for me to read it all.

I am interested in ensuring the sustainability of fish stocks, and to me this means maintaining the fish stock as a percentage of its original unfished size. Therefore, it would be extremely useful for the general public to see this data presented differently, in order to make clear decisions. For example:

- Total unfished stock size 10,000 tonnes (100%)
- Current stock size 3,000 tonnes (30%)
- Annual stock changes (% each year charted for last 50 years would be great)
- Proposed change leads to new stock size of 4,000 tonnes (40%) by (2020)
- Commercial allowance (5%) vs take (5%)
- Recreation allowance (5%) vs take (5%)
- Regeneration rate per year (10%)

I feel like this information would allow the general public to make a more informed decision.

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 on Proposed Tarakihi Quota Reductions

26th July 2018

Submission from Foodstuffs North Island Limited.

1. Background of Foodstuffs and our interests in Tarakihi
 - Foodstuffs is a NZ Owned and Operated grocery distributor in New Zealand. We have a very strong seafood business across all channels, specialising in Fresh NZ seafood.
 - We cover PAK'nSAVE, New World, Four Square and Gilmours brands with each location individually owned and operated, as well as being quota owners since 2001.
 - Customer demand for Tarakihi is so strong that it is the clear number one fresh fish product, with customers consuming 950 tonnes per year through across all outlets.
 - More than 95% of this being sold to our retails customers and is an excellent source of protein, especially for senior customers.

2. Current Sales and volumes
 - Total Fish 4800mt
 - Tarakihi 950mt
 - Seafood Market Share in Retail is: 64.7%
 - Tarakihi makes up nearly 20% of our total fish supply and because of lower supply volumes in other fish species it would be extremely difficult to transition customers away from Tarakihi.
 - There would be a loss of consumption in NZ fish if immediate and significant cuts are made.

3. Current situation
 - FNZ(MPI) Proposal – we support the FNZ proposal as it is a far more measured approach to the stock management and will not turn the consumer off buying fresh fish for when the stock levels build back and quotas are increased again.

4. Impact of various options
 - Fish volume and sales
 - i. Option 1 60% cut – 570 ton reduction – devastating customer impact
 - ii. Option 2 over three years 20/20/20 cuts – 570 ton reduction, as with point 1 the result would be major loss of sales, job losses at store, in factories and on vessels.
 - iii. Option 3 40% cut - 380mt reduction – extremely tough, resulting in a loss of customers to other proteins.
 - iv. Option 4 Approx 20% cut 3years (Industry proposal) – manageable and will allow time to educate consumers across to other fish species.
 - Alternate supply
 - i. Importing – it is not possible to replace the quality or freshness with imports so customers will turn to other proteins.
 - ii. Other NZ stocks – we would estimate that other fish will substitute about 150mt of lost volume.

5. Recommendations
 - Foodstuffs recommendation is to take the Industry proposal which will have a far more measured approach, reducing overall catch, with far less impact on NZ consumers, the fishing industry and supermarket workforce.
 - Our key request is that the fishing quota volumes are reduced steadily to allow transition to other species to prevent long-term damage to the NZ market and industry.
 - As data supports, the fishing quota volumes should revert (also steadily) to their current levels.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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: Peta Campbell	
Organisation (if applicable): Wairarapa Branch Forest and Bird	
Email: Wairarapa.Branch@forestandbird.org.nz	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	other

Official Information Act 1982

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Submission:¹

We recommend that there be a rahui/moratorium on fishing of longfin eels. In this submission, the Review of North Island eel sustainability measures for 1 October 2018 will be referred to as the Review.

Longfin eels (*Anguilla dieffenbachia*) are endemic to Aotearoa. Iwi and other eel fishers all report that long finned eel populations have considerably declined in living and cultural memory. This is referred to in The Review(para 87) Evidenced for us of the Wairarapa by a local commercial eel fisherman in LFE 22 has, ten years ago, stopped fishing activity giving the declining eel population as the reason for cessation. Humans are responsible for this decline therefore, we are the ones responsible for reversing the decline. The following human activities are directly responsible: fishing, destruction of habitat, physical acts such as creating hydro-electric dams and other barriers to migration, clearing drains, flood control measures etc as listed in The Review para 64 and degradation and pollution of waterways causing eel deaths. With such a powerful kete of causes, we have to counter them in **all** ways that we can with our own kete of solutions.

We fully support the rahui on eel fishing declared by the hapu and iwi of many rohe and we assert that a moratorium on eel fishing must be established to reverse/slow/prevent the decline.

In The Review, many assessments include the words “This assessment is based on limited information, more feedback is requested”, for example, see paragraphs: 118, 125, 130, 139, 144, 152,157,165. Paragraph 160 states “the information on non-commercial catch of eels in the North Island remains highly uncertain”. Accurate and full information is needed on the status of eel populations before decisions can be made.

The Parliamentary Commissioner Report on Longfin Eels 2013, recommends that to improve abundance of Longfinned Eels,

The Minister:

Suspends the commercial catch of LFE until stocks are shown to have recovered.

Officials establish a fully independent expert peer review panel to assess the full range of

information available on the status of the LFE population

Since 2013, LFE populations have not recovered to pre-decline numbers.

Te Ohu Kaimoana and EEC have considerable economic interests in continuing to fish and thus they support maintaining status quo throughout the North Island This needs to be remembered when considering evidence and arguments presented by such interested parties.

The following statement comes from the report: GIS mapping of the longfin eel commercial fishery throughout New Zealand, and estimates of longfin habitat and

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. Will

proportion fished New Zealand Fisheries Assessment Report 2016/32. Authors: M.P. Beentjes J. Sykes S. Crow:

The New Zealand longfin eel is particularly vulnerable to overfishing because it is endemic, long-lived, and spawning does not occur until 30 years or more for females. Indeed many female longfin eels in New Zealand waters pre-date the beginning of the commercial fishery in the 1960s. A length structured stock assessment model was developed for the New Zealand longfin eel and used to estimate New Zealand-wide pre-exploitation and current female spawning stock biomass, as well as that of eels above the minimum legal size (220 g) in the commercial fishery (Fu et al. 2012). The Ministry for Primary Industries Eel Working Group rejected the assessment because of the underlying assumptions on estimates of longfin commercial catches and recruitment to individual eel statistical areas.

While we are awaiting reviews and expert panels, time runs out for longfin eels, the breeding age eels can become extinct, but that effect won't be known for thirty years hence and, by then, it will be too late; the eel population will disappear and not be replaced.

From: sx.fishing@gmail.com
To: [FMSubmissions](#)
Subject: Fwd: Feedback on sustainability of inshore stocks
Date: Thursday, 26 July 2018 6:35:37 AM

Begin forwarded message:



Sent from my Samsung Galaxy smartphone.

I am writing to you to today to provide feedback on your proposed changes to sustainability measures for 1st October 2018
As a stake holder (commercial fisher), tanga ta whenua and passionate recreational fisherman

A bit about what we do

Southern cross fishing is a family run business operating in area 1 we operate 7 days a week 52 weeks a year, and with experience from east cape too north cape targeting onshore species with longline catching between 200-300t of wet fish per annum. We have a good idea of what is happening in area 1, we don't want to see a collapse of a stock in our fishery, we urge you to consider more stock assessments of our inshore species, we employ 10 staff, and support 6 households with young families

FLA1

I find the findings in the sustainability review document support my own findings from working in the fla1 fishery that abundance is on a general trend downward, especially for YBF and DAB I believe the main factor in this is not the fishing itself but a change in environment , and the compounding effects of run off from forestry and farming. I also believe that the original tacc were set inaccurately and has never once been achieved.

In collusion I support option 3 from the sustainability review

JDO1

I believe that a 55% cut to JDO1 is a good start being that this is under the current catch, pressure on this stock will only increase with the cut to TAR1. And I feel it is important to make sure these quote cuts happen at fairly similar times to listen and adverse impact on JDO1 due to increased pressure on the stock, although we don't target JDO1 we have noticed reductions in catch of JDO is a bit catch in the SNA1 fishery.

Also from recreational point of view where jdo were once abundant around wharfs they are no longer present or sparse at best

I support option 3 from the sustainability review as a good starting point.

TAR 1

More science is needed before any rash decisions are made, I feel area 1 east is in definite need of a reduction, but as I have no experience in area 2 or 3 and feel un-qualified to comment on the sustainability of these stocks, I feel like the science is still not at level where we can go in heavy handed assuming that the whole of these stocks come from area 3.

In the last 10 years we have noticed a significant decrease in catch of tar1 with a massive increase in effort.

In summary we support a reduction for area1 east, but I strongly urge for more science before final decisions are made on other areas.

In addition to the stocks in this I would also like to bring the following to your attention.

GUR1

MLS for GUR1 for BLL this is common sense to allow a fish with low mortality and little to no value to be humanly released to grow.

GUR1 will be under increased pressure as soon as the adjustments to JDO1 and TAR1 come into effect and with an average catch of half of the tacc, there is a lot of room to exploit the fishery, a reduction to the current catch should at least be considered. And even a brake up of the east west quota as the west coast stocks are a lot healthier.

RRC1

Still currently not in QMS, this would be a good start.

HAP1

In urgent need of a stock assessment, and a brake up of hap, bas. The stocks are now virtually non-existent on the north east coast under 150m, where once they were plentiful.

KIN1

Abundance is at an all-time high, and should be considered for an increase in tacc, with almost all of our catch being returned to the sea under schedule 6 I see this as common sense

Rsn1 Rsn8

RSN1 is in need of help well RSN8 is making fishing 60 to 120m foul virtually impossible. It is my belief after talking to numerous older long lines that the fish caught at the kings was missing recorded as being caught in area 1. Thus creating the imbalance in the rsn8 rsn1 tacc.

We see it as important that reef fish qouta are set realistically to stop the abuse of the reefs.

On behalf of the southern cross

Adam clow

Rachel clow

Zak Olsen

Rongomai brightwell

Leef Smith

Matt caldwell

Owen linwood

Leo Kelly

From: waynenos55
To: [FMSubmissions](#)
Subject: Fwd: RE: Tarakihi submission
Date: Friday, 27 July 2018 9:02:27 AM

Sent from Samsung tablet.

Submission on tarakihi on behalf of the affiliated clubs that make up Zone 5 of the New Zealand Sport Fishing Council and LegaSea Hawkes Bay

The two groups named above fully support the submission as submitted by the New Zealand Sport Fishing Council. We have had solid input to this submission. The experience and professionalism that the NZSFC fisheries management crew bring to these processes is priceless.

As you are well aware, the FMA 2 fishery had been in steady decline for a very long time and now the science provided in this consultation process highlights these long held concerns. There is no question that strong management action must be taken now.

We agreed that an "option that correctly follows the operational guidelines of the Harvest Strategy Standard MUST be available for the minister to consider ". Our fishery deserves a better than a 50/50 chance of recovery. Anything less than what is proposed by the NZSFC shows total disrespect for the fishery and for us, this is unacceptable.

We also support the NZSFC recommended daily bag limit reduction but this has to be conditional to a response from the Minister that will have a high probability of rebuilding the stock to 40% of the original biomass in the 10 years as required by the Harvest Strategy Standard.

Thank you for this opportunity to submit. We look forward to an abundant fishery.

From: [REDACTED]
To: [FMSubmissions](#)
Subject: Eel Stocks areas 21 and 23 Long Fin.
Date: Thursday, 26 July 2018 9:23:00 AM

To whom it may concern, This is by Permit no. 9791481 J.C. Wright.

I have for decades been fishing in areas now being 21 and 23 and consider myself very experienced and have fished in such places as Ohura, Taumarunui, Te Kuiti, Maracopa etc.

Firstly short fin are not troubled by fishing this would be a view by everyone Long fin on the other hand are troubled by under fishing they are the predominate species in the wide spread rural water systems.

This not because they are not there they have no marketable value at this time and been that way for some time.

About 2\$ a kilo against 4\$ This is a down to why bother not worth it the problem is they are getting bigger and being predators causing immense damage there the catching figures are just not accurate by a long [shot.in](#) truth who wants them if the price were to double then the figures on catching ratios would change substantially. If the quota was reduced and the price changed be no quota to catch long fin this would be a disaster all you have to do is go and have a look put net in any rural stream and you will soon come to the conclusion plenty of long fin. The problem is until you go out test these water ways you have what figures you have but that is not the reality of the situation Many Thanks

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	GRAHAM FRANK HIGGINSON
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	My preferred option is to remain status quo with no change

Official Information Act 1982

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Submission:¹

Details supporting your views:

In area 22 we have had access to fish lake Wairarapa, lake Onoke and associated wetlands closed to commercial fishing by the conservation department, a total of over ten thousand hectares of mixed fishery, with the reason given that we (might endanger longfin eel in those areas) hence creating a large discrepancy in our CPU data.....the remaining area is predominantly single species....we have had trouble selling lfe so put simply we have been targeting sfe ...there is no commercial point in fishing areas where you are returning to the water the bulk of the catch JUST TO COLLECT DATA ..the NIWA survey proves that approx. 70% of our longfin eel habitat remains unfished, there is no other fishery to my knowledge that has such a high reserve...when we went into quota we closed off two major rivers, the Mohaka and the Whanganui as non commercial, both of which were predominantly longfin waters...we are now in a changing market whereby there is renewed interest in lfe so to drop the tacc will impact on our commercial viability....I have no trouble catching lfe when targeting this species ,with numbers of fish in the over 4 kg bracket....at this point in time I am the only fulltime fisherman fishing the Wairarapa area.....

ohaka

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 Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Grant Williams
Organisation (if applicable):	Nil
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other.

Official Information Act 1982

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Submission:¹

Details supporting your views: Effect of Hydro developments on LFE stocks within QMA 23.

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.

Profile:

Ko Te Atiawa toku iwi, Ko Grant a hou. Commercial eel fisher since 1981.

As Tangata Whenua and Commercial Eel fisher of 37 years in QMA 23 (now retired) I would like you to consider the following.

Patea Hydro Electric Power scheme and TAC/TACC.

There are 4 Hydro Electric Power schemes (HEPs) in QMA 23, the largest of which being Patea scheme owned and operated by Trust Power Ltd, Tauranga. (TPL) Commissioned in 1984 the 82m high dam creates a 46km long lake with more than 140km of shoreline. Above this lake (Rotorangi) is a >720 sq km catchment and associated riverine habitat. This habitat combined, which can only be described as considerable, holds a large biomass of both species of native eel partly stocked prior to the dam construction along what was a natural water course and partly after 1984 via fish passage initiatives. The initial fish pass for upstream migrating native fish was a 'pipe pass' (8 – 16,000 elvers pa), which was further upgraded by myself in 1998 with a more effective Trap and Transfer scheme. (224,000 in the first season of operation) My effort at the time was for environmental reasons and not for future economic gain though in effect the result was a large and growing eel population which contributed significantly to the regions commercial take. Notably this created a population of eels, catadromos by nature, unable to negotiate safe passage downstream to spawn since Power House turbine mortality from what I've observed is 100%. (See Boubee 2004)

Downstream pass and mortality.

This tragic situation was partly resolved in the late 1990's when in conjunction with TPL management and Local Govt I instigated the opening of Patea Hydro spillway gates during the brief periods of adult downstream migration during flood events in March and early April. While this initiative was positive it had limited success in that only a proportion of adult eels were able to bypass the turbines and continue downstream and out to sea to spawn. (Approx 1500 adult eels passed through the spillway in the 3 hr gate opening of an estimated total 3 day migration of 18,000 with the balance passing through turbines to their death. Gate opening is now standard procedure as is the maintaining and servicing of the Trap and transfer for upstream travelling juveniles. Also TPL consent condition.

Further lobbying and back up science from NIWAs J Boubee and E Watine in 2002/3 saw TPL agreeing in their 2006 Resource Consent renewal to install a downstream pass for adult spawner eels – the first and only retro fit to an existing dam in NZ. This pass via an existing night residual penstock was commissioned in 2016 and while a highly innovative initiative the technical challenge of construction and resulting performance was again limited and remains so. See photos 10 March 2018 of dead female Longfin eels below the dam.

TPLs efforts to mitigate migratory eel mortality at this site have been nothing but praise worthy but the situation as it stands still leads to many thousands of Longfin and Shortfin eels being killed by turbine blades, and I would think the rapid 8 bar pressure differential, every autumn. There are literally thousands of dead eels in the 30 km of lower Patea river and along the coast at times following autumn flood events. (contact farmer Bill Mc Coll who farms immediately below the Patea Dam for further information.

As elvers transferred upstream in the last 2 decades mature in time there will be sustained mortality and as far as LFE TAC (including mortality) is concerned this represents a significant loss. Not unlike the science attempting to quantify and qualify the true status of the LF stock it is very difficult to establish actual loss to the LF biomass and importantly the adult spawner stock.

How this affects TAC/TACC?

From my observations over the years there would be no less than 4 tonne lost per annum not including a greater volume of Shortfin deaths. D Jellymans (2010 Status of LF Eel) covers this subject comprehensively considering the lack of hard data and is well worth referring to noting that Dons estimates of spawner eels represent around approx. 3% of the overall biomass.

Recruitment stats show 418,000 LFE elvers transferred at Patea HEP between 2001 and 2010. I don't have access to the more recent transfers but assuming another 400,000 were transferred from 2010 to summer 2019 that would equate to approx.. 800,000 LF elvers above Patea HEP minus natural mortality. If only 10% survived to adulthood then in 30 – 50 years time there will be 80,000 male and female LFs at or nearing sexual maturity and without further advancements in downstream technology will be killed when migrating and lost to TAC.

Considering LF age at maturity the LF migrations we have seen til now have been largely from remnant populations of elvers/eels that migrated upstream prior to dam construction in 1984. Considering LF age range at maturity these migrations and losses at Patea will continue and I think it would be wise to somehow factor in Patea HEP mortality when setting TAC and TACC for QMA 23. For example to lower LFE 23 TACC to less than HEP mortality does not allow fishers to harvest feeder eels before they become spawners and meet their end at the Patea turbines, likewise for SFE 23. Reducing LFE 23 TACC by 32% goes very close to this.

Reducing LFE 23 TACC to 5 tonne also means that if a sustainable harvest of say 3 tonne of LFE from within Lake Rotorangi and the above 720 sq km catchment is possible, which from my experience is easily achievable, this would leave only 2 tonne of LF to be harvested from all remaining waters in Taranaki, Whanganui and Rangitikei. Streams and rivers on the Taranaki ring plain alone total >8000 lineal km. I can easily catch 2 tonne of LF in 10 days of fishing covering 20 km of river and rotationally harvest this same amount over 40km of productive waterway. **One has to ask how safe the Longfin is in the remaining 7960 km (Taranaki ring plain only – not including Whanganui or Rangitikei) and how sustainable that is? Very in my mind!!!!!!**

In effect since QMA introduction in 2004 and especially since the 2006/7 TAC setting round and TACC reduction of LFE in QMA 23 to near 9 tonne what has been created is a massive Longfin reserve. Considering the LF semelparity nature and exposure to capture over its long life this 'reserve by default' is exactly what the species needs and I suspect is a more effective management measure than all the others combined. I don't see this reality covered in any of the otherwise detailed science provided and would seriously like you to discuss it with Mr Jellyman and fellow scientists.

Unaccounted initiatives. E.g.

Various factors other than LF abundance have contributed to ACE under-fishing e.g. my retirement from full time fishing to only 6 weeks pa. for the past 11 years and my self limiting to fishing Rotorangi only in QMA 23 to conserve and enhance LF spawner stock in unimpeded waters. ... a measure not every one understands where every kg of LFE removed from above any HEP is one kg less that can be legitimately removed from waters where LFE don't get chopped up by turbines on their migration downstream. It's a no brainer and should be considered carefully when setting TAC and TACC for QMA 23 and no doubt will apply to other QMAs.

Of course the question must be asked " How can LF capture be restricted to Lake Rotorangi and above catchment as a management measure with such a very blunt tool as QMS? Other than create a controlled fishery, which would be unaffordable for all parties the QMS may allow for more specific kg per area allocation. Open to discussion...0272243932.

FYI I would like to share the catch record from my last 4 days of eel fishing in Rotorangi, QMA 23.

28 March 2017 – SFE/200kg LFE/60kg

29 March 2017 – SFE/200kg LFE/200kg

30 March 2017 – SFE/260kg LFE/150kg

31 March 2017 – SFE/200kg LFE/35kg

Upon grading 78% by weight of the Longfin were above 1kg.

I covered approx. 3km of Lake Rotorangi to capture this amount.

I also captured 18 LF females >4kg including 5 LF females >9kg and released these in the lower Patea river. (ref Basil Chamberlan manager TRC for photos, as since deleted)

Informed decisions and dodgy info.

I fully understand the biology of this iconic fish and the serious concerns the likes of Don Jellyman et al appropriately describe and I very much agree with the science provided. I also see the relatively short term data used, to establish TACs and TACCs in this case. Its definitely 'noisy' and like the eel itself is very difficult to get a grip on. Also in recent years it has been disappointing to have people like Min of Env Jan Wright and Dr Mike Joy grandstanding with misinformation about the Longfin status, continually portraying the species as one "bound for extinction". I don't hear the most informed scientists in NZ saying that same. The 'loud' misinformation has led to what is now a call heavily influenced by politics and emotion. May the Fisheries panel listen to the science ... please.

E.g. For Mike Joys benefit who presented information at the Fonterra vs Horizons/DOC hearing in 2012 saying that the Manawatu River has the lowest water quality of any large NZ river and that it is virtually devoid of Longfin and Shortfin Eels I include the following catch from the Manawatu directly in front of Massey university where he lectures.

26 March 2017 - SFE 22 /310kg LFE 22/140kg I have sustainably fished this area for 36 years and am one of 3 fishers to do so.

As Tangatawhenua myself (Te Atiawa) I agree that Tuna has been seriously affected by commercial exploitation, habitat loss/alienation via HEPs and other factors. Major steps have been taken to stop the LF decline. I still hear at hui the concerns and difficulty of providing Tuna for customary use. After more than a decade of relief from commercial pressure I know that eels are again prolific in the Taranaki /Whanganui regions. Unlike the needs expressed by my cousins for large Longfins as food items I disagree strongly with their capture and recommend taking tuna less than 2kg only.

As Tangatawhenua I think it would be wise to maintain iwi access to viable quantities of Longfin (and Shortfin) for the purposes of economic gain especially when large volumes of LF are killed and wasted during downstream migration.

Recommendations/Options

1. QMA 23 closure: Close all commercial harvest of LFE & SFE aside from waters in and above HEPs. Apply status quo to all other North Island QMAs.
2. Or: Apply 32% reduction to LFE 23. Limit LFE take to Taranaki HEPs. Apply status quo to all other North Island QMAs.

NB. This in effect designates the entire of QMA 23 as a Longfin Reserve where eels can grow to maturity and spawn without any commercial pressure. This along with an education program in schools to engage non harm capture and release or in the case of marae the taking of LF < 2kg for consumption would be highly effective and beneficial to Anguilla Dffenbachi on a national scale.

3. You may wish to revoke commercial access to the lower 30km of the Whanganui River ..after consultation with iwi. This zone was left should they want to utilize allocated ACE.

I sincerely wish you well in your decision making. My past experience in resolving Eel matters invariably comes up against the participants egos, job accountability and self importance. The Longfin knows nothing of this.

Grant Williams

Ph 0272243932, grant.w@farmside.co.nz

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

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Email to: FMSubmissions@mpi.govt.nz

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Submitter details:

Name of submitter or contact person:	Nigel Corry
Organisation (if applicable):	Greater Wellington Regional Council
Email:	Nigel.corry@gw.govt.nz
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

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Submission:¹

Details supporting your views:

Greater Wellington Regional Council Submission to MPI North Island Eel Quota Management options

Tēnā kōoutou katoa

Thank you for this opportunity to submit on the MPI North Island Eel Quota Management options.

Our key submission points are as follows:

1. We consider that the current options promoted by MPI are insufficient to sustain the viability of longfin eel as a species.
2. We submit that MPI should include and implement an additional option; a complete moratorium on all commercial longfin tuna take for the North Island.
3. We submit that further options should be presented for both species including catchment scale management and monitoring, with additional moratoria for shortfin in stressed catchments.

- Our initial response is based on our uncertainty regarding the cumulative effects of all takes and environmental impacts on tuna populations. This uncertainty is clearly articulated in the MPI proposal itself. As a region we share this uncertainty and that of those iwi groupings consulted in the proposal.
- It is by no means clear what the relationship is between the proposed quota settings and a sustainable and thriving tuna population required to support commercial, community recreational and cultural harvest.
- There is a lack of correlation between commercial take and the total tuna population which is concerning.
- In the presence of so much uncertainty our position is that the commercial take of tuna must be considered a non-sustainable activity.

- "...Where there are threats of serious or irreversible damage, lack of full scientific certainty shall be not used as a reason for postponing cost-effective measures to prevent environmental degradation." Part of *Principle 15 of the Rio Declaration 1992*

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.

- The Parliamentary Commissioner for the Environment recommended in 2014 that commercial fishing for longfin eels be suspended². We see no reason why this recommendation should not be taken up.
- We are particularly concerned regarding the following;
 - Long fin tuna are “chronically threatened and in national decline” according to DOC.
 - Tuna (short and longfin) are regarded as highly valued taonga species by all a whenua iwi of our region who see tuna population health as a key indicator of the mauri of individual waterbodies, Whaitua (water systems) and their own hapū and iwi
 - Uncertainty pertaining to the cumulative effects of activities (including commercial take) on all aspects of tuna life cycle. We have a particular concern that decline in habitat, fish passage, pest fish, water quantity and quality in our region are all impacting tuna viability at a species population level
 - We are aware of waterbodies within our region that are below national standards for macro – invertebrate health (MCI) and inanga spawning necessary to support viable tuna population
 - We are aware of waterbodies in our region where tuna are under nourished and/or suffer from disease due to poor quality habitat and diet
 - As resource management partners with mana whenua we are concerned at meeting our responsibilities (RMA, NPSFM, PNRP, Whaitua) to provide water quality that sustains mahinga kai and Māori customary use. More specifically, the ability of mana whenua to access taonga species of an appropriate size and condition to support their customary manaakitanga.
 - The ability for mana whenua to have management and oversight of their customary fisheries. The recommended quota settings and management framework do not support this
 - The emphasis of commercial take over recreational and customary takes for an endangered endemic species.

²Parliamentary Commissioner for the Environment, 2014. On a pathway to extinction? An investigation into the status and management of the longfin eel <https://www.pce.parliament.nz/media/1039/longfin-eels-update-report-web2.pdf>

Background

Greater Wellington Regional Council (GWRC) along with all other regional council's is engaged in the increasingly complex and difficult work of maintaining and improving water quality required by the NPSFM (2014). The national policy framework specifically requires that Councils manage waterbodies as freshwater management units to achieve national objectives for swimmability and a range of values identified by local communities.

For the past decade GWRC has worked with our communities to establish their values and objectives for freshwater and incorporate these into a Proposed Natural Resource Plan (PNRP) for the Wellington region. The development of the PNRP has been led by Te Upoko Taiao Natural Resource Committee made up by six Councillors and six mana whenua members.

The PNRP has been developed in partnership with mana whenua and their values are central to the management of water quality in the region. This is reflected in the manner that their values are expressed throughout the plan and the leadership they provide towards a more integrated approach to regional resource management of fresh water and that mana whenua values, specifically the mauri of fresh water, mahinga kai and Māori customary use are safe guarded and provided for.

The integration of mana whenua values, emphasising mauri and mahinga kai is clearly stated in the initial objectives of the PNRP (appendix 1). These objectives direct GWRC to manage all freshwater quality for:

- Aquatic eco-system health and mahinga kai
- Contact recreation and Māori customary use

The PNRP includes a narrative measures for mahinga kai that states that; mahinga kai species including taonga species, are present in quantities, size and of a quality that is appropriate for the area. PNRP schedules of mana whenua values specify the relationships of the six mana whenua iwi with taonga species, including the sites and areas that require particular regulatory protection.

There are five "Whaitua" or large catchment chapters which are written by community led committees which establish catchment and FMU regulation necessary to meet national and community expectation of maintenance and improvement of water quality. These chapters are referred to as Whaitua Implementation Plans (WIPS). The emergent WIPs (see example appendix B) including those for Ruamāhanga and Te Awarua o Porirua require that FMUs are managed to provide for mahinga kai species.

Main Points

GWRC mana whenua partners and communities expect that we will provide leadership in the protection of biodiversity and mahinga kai values. These expectations are clearly stated in our most recent and emergent planning documents at regional, Whaitua and FMU scales.

We submit that MPI should include and implement an additional option; a complete moratorium on all commercial longfin tuna take for the North Island.

We submit that further options should be presented for both species including catchment scale management and monitoring, with additional moratoria for shortfin in stressed catchments.

Our concern for protection of taonga species is consistent with the direction of the NPSFM, particularly Te Mana o Te Wai framework.

We consider that our regional tuna population is in decline. Although this decline is due to a range of factors, in the interests of preserving an endemic species we submit that commercial fishing of long fin eel is neither appropriate nor sustainable.

We consider that both tuna species should be managed at a catchment scale and that mana whenua should have a legislated leadership role in the ongoing management of New Zealand's tuna fisheries.

We recognise and support the submissions from our mana whenua partners:

Rangitāne
Ngā Hapū o Raukawa
Āti Āwa ki Whakarongotai

We would welcome an opportunity to be involved in a review of the quota management system as it affects tuna and other taonga species.

Thank you once again for your consideration of our submission.

Noho ora mai

A handwritten signature in blue ink, consisting of a stylized, cursive 'N' followed by a long horizontal stroke.

Nigel Corry
Environment Management
Greater Wellington Regional Council

Proposed Natural Resource Plan

Ki uta ki tai: mountains to the sea

Objective O1



Land, fresh water bodies and the coast are managed as integrated and connected resources; **ki uta ki tai** – mountains to the sea.

Objective O2



The importance and contribution of land and water to the social, economic and cultural well-being of the community are recognised.

Objective O3



Mauri is sustained and enhanced, particularly the **mauri** of fresh and coastal waters.

Objective O4



The intrinsic values of aquatic fresh water and marine ecosystems and the life-supporting capacity of water are recognised.

Objective O5



Fresh water bodies and the coastal marine area, as a minimum, are managed to:

- Safeguard aquatic ecosystem health and mahinga kai, and
- Provide for contact recreation and Māori customary use, and
- In the case of fresh water, provide for the health needs of people.

Ruamāhanga Draft Whaitua Implementation Plan

4.2.2 Fish and mahinga kai objectives Across the Ruamāhanga whaitua:

- Tuna fishery is restored and population are healthy and can sustain recreational and customary harvest, and
- Wetlands are restored and their extent increased to support thriving mudfish, inanga spawning and tuna populations, and
- Urban streams are protected from development and piping to support tuna, kōkopu and redfin bully, and
- Exotic fish populations are at a level where they are not restricting the vitality of indigenous fish populations and the ability of mana whenua to undertake mahinga kai harvest.
- Marae and mana whenua urban communities have access to abundant and healthy mahinga kai species that are safe to eat and are available in quantities that enable sustainable harvest and support the manaakitanga of Wairarapa marae communities.

From: Mike Grace
To: [FMSubmissions](#)
Cc: caleb.royal@twor-otaki.ac.nz; ra@kahungunuwairarapa.iwi.nz
Subject: GWRC Submission amendments
Date: Friday, 27 July 2018 1:47:43 PM

Kia ora koutou, Can you please attach this email to GWRC submission as an amendment.

Please add Kahungunu ki Wairarapa to the mana whenua submissions that GWRC recognise and support.

The acknowledgment of a submission from Nga Hapu o Raukawa is an error. This should read Nga Hapu o Otaki.

Mauri ora

Mike Grace
Senior Advisor Mana whenua
Environment Group
Greater Wellington Regional Council

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Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	Hella Coenen
Organisation (if applicable):	Wairarapa Forest School
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	other

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Submission:¹

I would like the waters and all that lives in it including the North Island freshwater eels, to be protected, to multiply, to have a voice of their own, to be left alone.

Fish in our diets is of the past.

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.

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Fisheries New Zealand

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Submitter details:

Name of submitter or contact person:	Hinemoa Elder
Organisation (if applicable):	Elder whānau
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
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Submission:¹

I represent my whānau. I want commercial fishing of ling fin tuna to cease. Long fin tuna are of great significance to us as Māori. They are an important traditional food source. They also indicate the health of our rivers and other waterways and surrounding areas. They feature in many of our ancestral stories, chants and songs which are an integral part of our Māori identity and therefore part of our health and wellbeing.

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.

Iain Mitchell



22/07/2018

North Island Eel Review

I am an EECO member, commercial fisherman and eel quota owner
Fish stock SFE 20, 21, 22, 23 - I agree with the proposed option for the status quo, no change.

Fish stock LFE 20, 21, 22, 23 – I agree with option one, status quo no change.
As for the commercial longfin fishery, there are vast areas of the North island not commercially fished.

Scenic reserves, national parks as well as the Motu, Mohaka and Whanganui rivers are not fished by law.

From Opotiki to East Cape to Gisborne there is little if any commercial fishing.
The upper Rangitaiki, Whakatane, Waimana and Tarawera rivers are not commercially fished with the exception of the hydro lakes.

Better directed effort should be placed on stopping the destruction of habitat e.g. the removal of willows. The lower Rangitaiki river is now a rock sided canal.

Fish passage over the hydro dams should be addressed.

The quota was brought in as a property right and should be treated as such, not to be eroded away to appease certain groups.

The eel review should be based on science; not heresy, appeasement or “historic experience”.

If anything MPI should be looking at increasing the TACC for Shortfin Eels.

Regards,
Iain Mitchell

From: [Stephen Bishop](#)
To: [FMSubmissions](#)
Subject: REVIEW OF SUSTAINABILITY MEASURES FOR 1 OCTOBER 2018
Date: Tuesday, 24 July 2018 11:58:25 AM
Attachments: [image003.jpg](#)

Independent Fisheries Ltd (IFL) hereby make the following comments in regard to the above review.

1. DEEMED VALUES

Deemed values directly effect the cost of ACE especially when catches exceed the available ACE for a fishing year. Whenever MPI increase deemed values this generally increases ACE costs and invariably the cost of fish to the public. There is only one place the costs of fishing can be recovered and that is the end user.

Accordingly we believe MPI need to bear this in mind when setting deemed values.

IFL have for many years requested that MPI review and reduce the punitive deemed values for kingfish (KIN7 and KIN8).

Despite the situation where kingfish stocks have been consistently overcaught for numerous years the deemed values are not reviewed or reduced and we seriously question why this has not occurred. The stocks are consistently caught in excess of the available ACE and would meet most if not all the criteria in MPIs deemed value guideline.

Points to note

1. the deemed value is far in excess of the landed return value. As advised the return for frozen at sea kingfish is approximately \$3 per kilogram and the deemed value ramps to \$17.80 per kilogram

2. the current deemed value creates an incentive to misreport.

3. the deemed value is far in excess of twice the landed value (see values above).

These are MPIs policy points but obviously ignored in relation to kingfish.

We have raised these matters on numerous occasions over the years but for whatever unknown reason MPI refuse to address or ignore their own policy in setting the kingfish deemed values.

PILCHARDS

We thank MPI for commencing the review into the pilchard fishery.

As you will be aware we have provided detail on what is occurring in regard to pilchard bycatch and its values.

Current ACE prices paid by industry in these stocks is totally irrelevant. Fishers will pay anything under the deemed value in order to save the final deemed value cost to the Crown. The ACE prices industry pay have no relevance to the final product value of the fish.

As advised we disagree that the port price for PIL7 and PIL8 is the same as for PIL1.

For the reasons set out in our earlier submission to MPI we believe there is sufficient rationale to set the PIL7 and PIL8 deemed value at an interim value of 10 cents per kilogram and an annual

deemed value with catch in excess of 200% of ACE of 30 cents per kilogram.
These values reflect the stocks only have fish meal value equal to approximately \$200 per greenweight tonne.

Should the fisheries develop into a target fisheries then the deemed values that we have suggested should be reviewed. We believe that this situation is highly unlikely particularly in the near future.

We also note and agree that the PIL7 and PIL8 TACCs need reviewing but we know that this invariably takes years and we need relief immediately from the punitive deemed values for these stocks..

SOUTHERN BLUEFIN TUNA

We support option 2 i.e. a recreational allowance of 8 tonnes until MPI gather more precise data on the level of recreational catch.

The commercial fishing industry should not be penalised with a lower TACC because MPI does not have reliable catch data of the recreational fishing sector.

KINGFISH3

We note and support the proposal to increase the KIN3 TACC.

The exact same rationale MPI is applying to KIN3 applies to KIN7 and KIN8.

Why is MPI not applying the same consistency in the other kingfish fisheries!!!

We support option 3 increasing the TACC to at least 6 tonnes.

In paragraph 762 under KIN3 MPI note “.....as being principally taken as unintended bycatch, and that the price that commercial fishers receive for landing KIN3 is low, relative to the current deemed values incurred for landing.”.

The exact same situation occurs in KIN7 and KIN8.

We therefore again ask why MPI continues to set such punitive and unfair deemed values when MPI is well aware that the deemed values are unfair and contrary to their own deemed value setting guidelines.

ifllogo



Stephen Bishop | Fleet Operations Manager

Independent Fisheries Ltd

m. +64 29 220 2924 | t. +64 3 372 5543 | w. www.indfish.co.nz

IWITEA MARAE TRUST

WAIROA

Contact Email Address: [REDACTED]

Contact Person: Elizabeth Palmer, Chairman



Submission on the

Review of North Island Tuna Sustainability Measures for 2018/19

27 July 2018

**Submission to Fisheries New Zealand
Discussion Paper No: 2018/04**

WHĀNAU AND HAPŪ OF IWITEA MARAE TRUST

Iwitea Marae Trust wishes to be heard in support of this submission.

1. INTRODUCTION

- 1.1 This submission to Fisheries New Zealand is made for and on behalf of Ngā Uri o Iwitea Marae.
- 1.2 Ko Taumutu te Maunga, Ko Mangapoike te Awa, Ko Takitimu te Waka, Ko Mangatahi te Moana, Ko Ngati Kahungunu te Iwi, Ko Ngai Tahu te Hapu, Ko Iwitea te Marae.
- 1.3 Iwitea is a small village 10 minutes north of Wairoa township. The rohe of Iwitea is historically named Whakaki ki Runga, (Upper Whakaki). The papī tonu, which is the life source of Whakaki Lake is located near our Pa, Taumatahinaki, hence we are the top end of the lake. Nowadays, we are known as the people of Iwitea, named after a cultivation where Iwitea Marae is situated today. Our marae is represented by a collective of 23 Hapū.
- 1.4 From a Hapū perspective, kaioto, kaiawa, and kaimoana awareness is an important element of our customary fishing practices because of our taonga and connection to our Whenua, Wai, and our Matauranga (retention of knowledge). It is an integral part of our Taiao (environment), supporting and providing sustenance for our Hapū well-being.
- 1.5 The committee's short to long term objectives are to look at diversification in farming on our whenua. Our short-term objectives are to consider planting Manuka for Honey production, intensification of riparian planting at the boundary between us and Whakaki Lake, and around Korito and Paraoa Lakes to

enhance water quality and to improve habitat for our best-known delicacy, Tuna.

2. SUBMISSION

2.1 Fisheries New Zealand is reviewing the catch limits and allowances for shortfin eels *Anguilla australis* and longfin eels *Anguilla dieffenbachia* in Quota Management Areas (QMAs)

2.2 **Long-Fin Tuna** - In terms of Total Allowable Catch (TAC) and Total Allowable Commercial Catch (TACC) the following two options are proposed for longfin stocks:

- Option 1: Status quo (no change); or
- Option 2: Reduce the TAC (by an average of 15% across all QMAs) and the TACC (by an average of 32% across all QMAs).

2.3 In our area alone, whānau on our Lakes Korito, and Paraoa over May and June said there were no catches in those lakes over that period.

2.4 Over the past years numbers have dwindled and whānau have not caught a lot.

2.5 Ngā Uri o Iwitea Marae Trust is advocating an Option 3 and that Commercial Eeling in the North Island be prohibited until evidence of stock numbers are replenished.

2.6 A **Total Ban** on Commercial Eeling to allow Tuna stock numbers to recover.

3. RECOMMENDATIONS

We recommend the Select Committee:

3.1 Ngā Uri o Iwitea Marae Trust does not support Option 1 or Option 2 of Fisheries NZ Tuna (Eels) Sustainability Review.

- 3.2 Ngā Uri o Iwitea Marae Trust wants to see an Option 3: Total Ban on Commercial Eeling in North Island until there is sufficient evidence of increase in stock numbers.
- 3.3 Ngā Uri o Iwitea Marae Trust would like to see a better consultation and engagement relationship with Fisheries NZ and other Crown agencies in regard to our Tuna (Eels) in our Roto (Lakes).
- 3.4 Notes no working relationship or partnership agreement of any kind leaves us vulnerable to a range of environmental, social, and economic issues.
- 3.5 **TUNA** – For Ngā Uri o Iwitea Marae Trust this is our delicacy and has been MAIRANO!

“Tuna are the ultimate freshwater sentinel, the Apex predator, top of the food chain and bio-accumulator.”

The Mauri Compass, (Ian Ruru)

Ngā mihi nui kia koutou katoa

Elizabeth Palmer

A handwritten signature in cursive script, appearing to read 'E. Palmer'.

Chairman, Iwitea Marae Trust

Submission Form

North Island eels 2018 Consultation

Submission Form

North Island eels 2018 Consultation

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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: James Harcourt	
Organisation (if applicable): [REDACTED]	
Fish stock this submission refers to (delete any that don't apply):	<ul style="list-style-type: none">• SFE 20• SFE 21• SFE 22• SFE 23• LFE 20• LFE 21• LFE 22• LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. Fisheries New Zealand will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:

Details supporting your views:

It is evident that our environment is being degraded. It is patently clear that our eels and intrinsically their habitats, are being degraded. It is scientifically and morally competent in the way forward to protect what we gratefully still have. It is no longer a choice whether to act in the the matter of our future but a survival tactic.

Please continue on a separate sheet if required.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Jan Graham
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Under Option 2, Fisheries New Zealand proposes the same approach to that taken in 2008, whereby the TAC is based on a TACC reduced to the average annual commercial catch ²⁰ . This would reduce the total longfin eel catch available to be taken commercially by 32%. It follows that catch would be significantly constrained in all years when it would otherwise have been above the long term average

Official Information Act 1982

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Zealand will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

Details supporting your views:

Loss of habitat is a major influence on these taonga. We need to act now

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 Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Jason Sole
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Option 1 – Status Quo, No change

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. Fisheries New Zealand will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

Details supporting your views: I have been fishing for over 40 years so I know and understand the LFE 23 stock levels very well. The LFE 23 stocks are very sound (and increasing) to the point that I now would support increasing the TACC.

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: [REDACTED]
To: [FMSubmissions](#)
Subject: Review of North Island eel sustainability measures for 1 October 2018
Date: Monday, 23 July 2018 7:31:26 PM

Review of North Island eel sustainability measures for 1 October 2018

I am submitting in opposition to the two proposed options being considered in this review.

Longfin eels have a Conservation Status of At Risk-Declining so they liable to quickly become Threatened under the NZ Threat Classification System. Their slow reproduction rate makes their population (already under pressure by commercial fishing) very sensitive to any further impacts or stresses.

I feel it is appalling to be harvesting any NZ native species for commercial purposes. I therefore call for MPI to uphold the recommendation made by the Parliamentary Commissioner for the Environment for a moratorium on the commercial fishing of longfin eels until evidence shows that they have recovered to a sustainable level.

Sincerely

Joanna McVeagh

[REDACTED]

[REDACTED]

Joe King



27/07/2018

North Island Eel Review

Fish stock SFE 20, 21, 22, 23 - I agree with the proposed option for the status quo, no change.

Fish stock LFE 20, 21, 22, 23 – I agree with option one, status quo no change.

I am a crayfish quota owner, and like crayfish quota, eel quota is a property right, which should not be taken away because of political correctness or race based ideals. If it is, it should be compensated for, and if removed, it will create another grievance.

Joe King

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Joel Ngātuere
Organisation (if applicable):	Ngāti Kahukura-awhitia
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	

Official Information Act 1982

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Submission:¹

Details supporting your views:

Kia ora, I am making this submission on behalf of myself, my children, my whānau and my hapū; Ngāti Kahukura-awhitia, of Ngāti Kahungunu ki Wairarapa. We strongly oppose all commercial fishing of Long fin tuna (fresh water eel) stocks. We also oppose any commercial fishing practices which place our taonga in a harmful position of becoming bycatch.

Your fellow government agency (DOC) are well aware of the risk pertaining to the long fin tuna as sighted in the following website link: <https://www.doc.govt.nz/nature/native-animals/freshwater-fish/eels/freshwater-eels-in-new-zealand/>.

Furthermore, the long fin tuna is a taonga to us and all iwi (<https://teara.govt.nz/en/te-hopu-tuna-eeling/page-1>, 2018), so in accordance with the Treaty of Waitangi all measures should be put in place by the crown to ensure the stocks of our long fin tuna are not jeopardised by commercial fishing practices (<https://www.waitangitribunal.govt.nz/treaty-of-waitangi/te-reo-maori-version/>, 2018).

Finally, the long fin tuna is an endemic species, which further strengthens the importance of the crown/government/MPI to mitigate any threats to our taonga which through previous misguided decisions has placed the long fin tuna in the category of “at risk – declining”. So to not take action now and remove all possibilities of our taonga being caught as bycatch along with short fin tuna would be a serious mistake and another breach of the Treaty of Waitangi.

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: [REDACTED]
To: [FMSubmissions](#)
Subject: Terahki area 7 golden bay Abel Tasman
Date: Tuesday, 24 July 2018 6:23:56 PM

Terahki numbers are so low in this area you can't target them and even if you do catch one between 25 and 30 cm the fillet recovery is pathetic sort our fishery that has collapsed the commercial fishing and recreational pressure is huge over summer not to mention the amount of set nets and long lines in the water the quota management system has been failing since the day it was introduced and only sustaining the profits of big bully fishing company's that mpi are so scared of you are failing to do your job
In support of cameras on boats so the New Zealand public can see the truth
Sent from my iPhone

Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than **5pm, Friday 27 July 2018**.

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:	John Jameson
Organisation (if applicable):	Jameson Quotas Limited
Email:	john@thomasrichard.co.nz
Fish stock(s) this submission refers to:	LFE20,21,22&23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Option 1

Official Information Act 1982

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Submission:¹

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.

2018 TAC REVIEW FOR LFE20, 21, 22 & 23

Dear Minister,

My name is John Jameson and I am submitting as an eel/tuna quota holder with a background in marine science and aquaculture.

I owned and managed an eel processing/export business for 16 years until it was sold to Aotearoa Fisheries in 2004 along with a parcel of SFE and LFE quota. AFL (now Moana NZ) have since that time contracted me to represent their eel/tuna interests.

As a member of MPI's Eel Working Group and a Director of EECo, I participated in the International Panel's review of the PCE report on longfin eels.

Background of the 2018 TAC Review

The IPP is well written and fairly represents the science as it was discussed and presented at Working Group.

Discussions on longfin eel stocks continue to be tainted by the aftermath of the PCE report and, whilst largely refuted by the Ministry and the International Review Panel, her original statements remain in the public psyche. It is most frustrating to know that a stock is re-building well and yet, data and arguments, from a generation before, persevere. We, therefore, recognise that considerable political pressures are at play for these stocks.

The scientists are comfortable with the re-build. Industry is comfortable with the re-build.

The IPP clearly states that, all longfin eel stocks are:

- improving,
- above soft and hard limits and highly likely to be at or above current target levels.

So, political pressure aside, why are we even considering a reduced TACC option?

Science

In assessing these stocks, the Working Group used *cpue* and recruitment indices.

Longfin recruitment, indicated by elver arrival at selected dams throughout the North Island is pleasing in its improvement, especially over the last three years. We suspect this improvement could be attributed to measures taken at the 2008 review to improve opportunity for female escapement to the sea and their distant breeding grounds in international waters.

The LFE *cpue* indices present an acceptable picture but, don't jump off the page as a stock in solid re-build. There is good reason for this and the IPP explains why the stocks are actually a lot better than they present in the graphs. Those explanations are critical in forming an accurate opinion.

Our dilemma

The *cpue* index is based on the weight of longfin eels (catch) taken per net set (effort). If the catch is lower for the same effort then the *cpue* trends down.

Unfortunately, for several reasons, significant parts of the catch have been excluded from the Ministry's database since 2008.

- *4kg+ longfins*. In 2008, MPI made it illegal to land 4kg+ longfin eels to protect female longfin migration (the heke) thereby enhancing recruitment. However, no provision was made to record those 4kg+ eels caught and subsequently returned to the water. From 2008, a whole component of the catch was now excluded from the *cpue* data because of an administrative glitch. This is artificially driving the *cpue* curve downwards and, is discussed in the IPP.
- *Destination X*. Put simply, this was a reporting box for legal sized eels returned to the water alive for any reason such as ACE unavailability, market fluctuations or local harvest strategies. Most fishers have not been reporting released eels at destination X because of confusion. The fishers were not the only ones confused but, also us at the Working Group. When it came to light at a meeting last year nobody in the meeting could give an informed opinion! Longfins, of legal size, have been regularly returned to the water by fishers operating in mixed shortfin/longfin waters since 2008, because of lack of ACE but also because of market restrictions for some grades. This is discussed in the IPP.

To clarify the extent of downward bias from these two reporting issues:

- one fisher operating in LFE21 caught 8705kgs of LFE during 2016/17. His catch of 1164kgs of >4kg eels were returned to the water but never entered the Ministry's database because there was no means of recording it. This reduces his contribution to the *cpue* index by 13.3%. During 2016/17 his longfin catch represented 27% of LFE21.
- But, that's not all. The same fisher caught a further 1485kgs of legally sized LFE21 which he chose not to land and legally returned them to the water. Because of the confusion surrounding destination X, this component of the catch was not recorded. In total, 30.4% of this fisher's catch was omitted from the *cpue* calculations.
- Not all fishers would have figures like this, as some target shortfin eel habitat rather than mixed habitat. The Working Group is also unaware of how other fishers have been recording destination X.
- If MPI had made provision for recording >4kg+ since 2008 and destination X had been understood, the *cpue* indices for the North Island LFE would be distinctly trending upwards.

These two major issues creating downward bias on the *cpue* index should be rectified with the introduction of electronic reporting.

Industry are absolutely confident that longfins are rebuilding well.

The science demonstrates that there are no sustainability concerns even with the current reporting regime. If we add the missing data, it would look positively buoyant.

However, there are further issues which have been artificially repressing *cpue* since 2008:

- *Targeting Shortfin*. Since longfin TACC's were so heavily reduced in 2008, fishers were forced to actively avoid longfin rich territory or consign themselves to heavy days of hand grading to get the longfins back into the water. This has also been exacerbated by increasing longfin biomass and poor market conditions for some grades of longfins since 2012. Those markets are starting to improve again.

- Targeting shortfin habitat has further dragged the longfin *cpue* down. A stark example would be from the eel statistical area Rangitikei/Whanganui where there is only one regular eel fisher. He was not given access to significant longfin ACE and is therefore limited to coastal dune lakes which, like Lake Ellesmere, are c.99% shortfin. The resultant longfin sample from Rangitikei/Whanganui was too small for the Working Group to accept, leaving the impression that there are few longfins when the reality is that the area is crawling with them.
- EECO successfully lobbied for larger escape tubes to be fitted to fyke nets since 2008.. Because we are allowing a broader sub set of small eels to escape, catch for the same effort is diminished for a few years further repressing the *cpue* curves.

Area Fished

Only 22% of available longfin eel habitat is commercially fished in the North Island. The *cpue* graphs tell us nothing about the remaining 78% of available waters. One has to assume that the remaining 78% of habitat (albeit anthropogenically modified) is trending towards virgin biomass unaffected by commercial fishing.

Important Factors

Iwi own over 50% of North Island commercial eel quota, derived from both the Settlement and purchases on the open market.

Eels/tuna are extremely important to Maori from commercial, customary and recreational perspectives.

Maori are well represented on the Eel Enhancement Company advocating for North Island quota holders.

EECO is forming relationships with Iwi in key areas to develop harvesting strategies at a smaller scale and to better 'take into account' local imperatives. The Rangitikei River Group is one of those initiatives.

EECO manages and conducts the Karapiro Dam's elver 'catch and carry' operation which populates the upstream hydro lakes. This has largely mitigated the effect of the dams on eel passage since 1992..

Permanent TACC cuts at the levels suggested at Option 2 would be devastating for industry and, unnecessarily diminish Iwi options to exercise their commercial fishing rights in the future.

Industry needs more time:

- to develop relationships with Iwi on the ground
- to correct the causes for downward biases in longfin *cpue*
- to give certainty to the wider public that, not only do we harvest responsibly, but we also work hard for the protection of eel habitat and in getting eels past barriers.

I implore you to choose, option 1 and, by retaining the status quo, observe how well longfin eel stocks continue to improve over the coming years.

Please continue on a separate sheet if required.

Karen Wilson

From: Jonathan Dick [REDACTED]
Sent: Thursday, 26 July 2018 12:46 PM
To: FMSubmissions
Cc: Ngaio Tiuka
Subject: Submissions from Ngāti Kahungunu on Current IPP Consultations

Tēnā koe Tēnā koutou

The Kahungunu Asset Holding Company (the Company) seeks to make the following submission to Fisheries NZ on a number of the initial position papers currently under consultation. Ngāti Kahungunu Iwi Incorporated is the 100% shareholder of the Company and will be filing a separate submission on the sustainability review relating to long fin and short fin eel for Area 22. Ngāti Kahungunu Iwi Incorporated is the mandated iwi organisation for Ngāti Kahungunu and holds the mana for the tribal rohe from Paritu north of Wairoa to Turakirae in the south Wairarapa. Ngāti Kahungunu Iwi Incorporated is responsible for implementing the ***Kahungunu ki Uta, Kahungunu ki Tai, Marine and Freshwater Fisheries Strategic Plan*** (KKUKKT strategy). The Company works collaboratively with Ngāti Kahungunu Iwi Incorporated to support the implementation of the KKUKKT strategy. The KKUKKT strategy has the following goals and aspirations for our fisheries:

- A healthy fisheries environment
- An abundant fishery and thriving people
- A sustainable and stable commercial fishery.

The Company supports the options listed below for the following species currently under sustainability review:

1. Ling 5: support option 2 increase TACC by 10%.
2. Long and short fin eel area 22: support for the submission to be filed by Ngāti Kahungunu Iwi Incorporated. The Company seeks support from Fisheries NZ to implement a suitable rebuild strategy which places Ngāti Kahungunu Iwi in a position of greater management control for this fishery to acknowledge the Kaitiakitanga of Ngāti Kahungunu Iwi and Hapu over this taonga species.
3. Oreo 4: support option 2 increase TACC by 30%
4. Orange Roughy 3B: support option 3 staged increase of the TACC
5. Scampi 3: support option 2 increase TACC by 10%
6. Southern Bluefin Tuna 1: support option 2 increase TACC by 9%
7. Tarakihi 2: reject proposed options for Area 2. The proposed options will cause a significant socio-economic impact on Ngāti Kahungunu and will cause significant disruption to the commercial fishing interests of Ngāti Kahungunu. Ngāti Kahungunu contests the use of the virgin biomass standard as an acceptable target given no international research corroborates this as an acceptable standard. The Kahungunu Asset Holding Company supports the Fisheries Inshore NZ submission relating to the voluntary shelving of Kahungunu ACE and has filed documentation with Fishserve to shelve 15,238 kilos of Tarakihi 2 ACE held by the Company. Ngāti Kahungunu has criteria in place which requires the leasor of Kahungunu inshore ACE to use suitable trawl innovation measures which contribute to the release of non-target juvenile fish.
8. The deemed value increases associated with Tarakihi 2 are unacceptable to the Kahungunu Asset Holding Company as we consider there to be a lack of available science to corroborate the need for any significant cut to the Tarakihi fishery in Area 2. The Company supports the approach of Fisheries Inshore NZ which provides the opportunity for industry led management measures to rebuild the Area 2 fishery without the need for regulated amendments to the existing TACC.

Heoi ano

Jonathan Dick
General Manager Kahungunu Asset Holding Company
Taikura House | Level 1 | 304 Fitzroy Ave | PO Box 2406 | Hastings 4153
Mb: [REDACTED] | T: [06-8762718](tel:06-8762718) E: Jonathan@kahungunu.iwi.nz
W: www.kahc.co.nz

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Jonathan Large
Willowbrook
16 Hardings Road
RD 1
Blenheim

23rd July 2018

MPI Discussion Paper 2018/05
Re: Green-Lipped Mussel (GLM9)

Submission on the MPI Discussion Paper 2018/15 – Green-Lipped Mussel (GLM9)

My full name is Jonathan Bruce Large. I am a marine farmer and have been involved in the mussel industry for 38 years. I own a small 2-hectare site in the Pelorus Sound. This site produces around 80 tonnes of mussel crop per annum.

I support option 2 of the MPI Discussion Paper 2018/05. The ratio should be amended from 50:50 to 25:75 in line with the recent research data highlighted in the discussion paper. The TACC should also remain at 180 tonnes.

If option two is not adopted smaller farmers like myself will not have access to GLM9. The companies that hold the GLM9 quota will utilise their quota allocation for their own supply including growth in new farming areas. Surpluses that are available to the smaller farmers will become scarce this will put my business and indeed my families future wellbeing at risk.

To further support my submission. There are no sustainability issues of GLM9 stock. Spat is harvested from naturally washed-up beach cast seaweed at ninety-mile beach which if not collected will simply die.

To enhance the sustainability of the GLM9 fishery a harvesting guideline could be developed in conjunction with local collectors, community and iwi. The development of this guideline should be headed by Fisheries NZ.

1. In summary I suggest that:

- a. The spat to weed ratio be amended from 50:50 to 25:75
- b. The current TACC be retained at 180 tonnes (as per option 2)
- c. Option 2 be adopted

2. I also support the submission made by Aquaculture New Zealand Ltd and The Marine Farming Association.

Thank you for providing me the opportunity to respond to your Discussion Paper.

Yours Sincerely



Jonathan Large

Karen Wilson

From: Joseph Dragicevich [REDACTED]
Sent: Wednesday, 18 July 2018 8:19 PM
To: FMSubmissions
Subject: Review of north island eel sustainability measures for 1 October 2018

Joseph Dragicevich

[REDACTED]
[REDACTED]

I am a commercial eel fisherman operating in Northland, therefore my submission is primarily related to SFE20 and LFE20. I have 10 years of experience fishing these fish stocks.

I have noticed a steady increase in both of these stocks throughout the QMA which I fish in. Also there has been an increase in oversize longfin, with them reaching plague proportions in some catchments.

There is no requirement to report oversize longfin in catch effort or landing returns. This would be a helpful initiative which would rapidly show how prevalent longfin have become especially since the 4kg+ longfin ban.

My submission is for the status quo for both of these fish stocks. I can report that over and above the CPUE data's positive trends, longfin are becoming extremely prevalent, even increasingly in lowland rivers and are actually taking over from shortfin in some areas.

Although we have not filled the TACC for longfin, this is entirely through economic factors as they haven't been worth a lot for some years and for other years ACE has not been available. However their continued availability for harvest is important to ensure viability for eel fishermen.

So please, look at the data and decide on the status quo for all of these fish stocks. There is no basis in fact for cutting the TACC for any of these freshwater eel stocks.

Regards,

Joseph Dragicevich

Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMsubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm, Friday 27 July 2018.

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:	Marcus Culley
Organisation (if applicable):	Kawhia and Raglan Flounder Ltd
Email:	[REDACTED]
Fish stock(s) this submission refers to:	FLA1
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Option 2: 64%. Both option 2 and 3 have a negative impact on our business as our current quota holdings will not generate enough ACE to cover our annual catch which is locally sustainable and currently just economically viable in terms of profit generation beyond expenses which are set to increase with the introduction of digital monitoring initiatives. Option 2 has a lesser impact and we will have to source less additional quota/ACE to cover our existing catch/costs.

Official Information Act 1982

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Submission:¹

Details supporting our views: We kindly request that this submission is not shared publically in its entirety as commercially sensitive information has been shared to provide context and background. We ask that personal/company names and locations relating to Kawhia and Raglan be redacted from any public release.

I note that we do not readily fit the template discussed in the review document as we own and fish our quota/ACE which at present generates around 15000kgs of ACE, 7000 which we catch annually and the majority of the other half we lease out to local fishers. At 68% we will have around 4800kgs of ACE to fish and nothing left to lease out – 4800kgs of flounder is not economically sustainable in terms of generating enough revenue to cover business costs and enable income for two individuals (6000kgs is about the minimum to cover myself and partner who work full time in the business so even with Option 2 at 64% we will need to source some additional quota/ACE – around 1200kgs but ideally 2200kgs). I acknowledge some increases in CPUE necessary to maintain monthly catch targets over the last year – but in Kawhia/Raglan these are not significant, the result of migrant commercial fishers and not comparable to those increases in either the Kaipara or Manukau. We have the following common sense suggestions/comments to assist the government to maintain the sustainability of FLA1 through some additional alternative management approaches:

1. Boundary Review: As alluded to in para 461 of the review document – that a review of FLA1 stock management boundaries and appropriate catch limits and allowances is a very sensible approach. I would suggest Raglan, Aotea (noting this harbour in a recreational and customary context only) and Kawhia are grouped under one sub-area. With the exception of ACE that we lease out to local fisherman directly or through a local fish receiver and to the best of our knowledge - all other flounder fisherman operating in this area source their ACE from out of area quota owners – large companies in Auckland or Hamilton. ACE fished in these harbours should be generated by locally owned quota to ensure sustainability. Perhaps Manukau/Kaipara, northland and Hauraki/Thames are sensible other sub areas. The current options outlined in the review document without boundary refinements benefit non-fishing out of area quota owners and penalizes local quota owner/fishers.

2. 5inch Mesh Minimum for All Set Nets: Amend regulations for the flounder fishery to increase the minimum mesh size for YBF to 5 inches. This would be easily understood, easily implemented (some of us already heavily use 5 inch mesh – the trouble is you need everyone using it to be effective), easily able to be compliance checked during landing inspections, economically advantageous for commercial fishers who already actively farm stocks/locations and an extremely simple and effective way to sustain a healthy stock. Make it effective from 01 October 2018 – those using 4 and three quarter mesh can easily re-sling particularly if given earlier indications that this is a possibility.

3. 8 Hour Maximum Soak Time: Amend regulations for the flounder fishery to reduce the maximum soak time for set-nets from 18 to eight hours regardless if the nets have been run through during this time – they have to be hauled. This will significantly reduce mortality of juvenile flounder/bycatch and wastage through licing out and predation by other fish. Not widespread but some fishers legally can and do regularly as part of their operation set unattended nets over three tides in single or multiple locations and this must impact the fishery negatively. 8 hours (rather than 6 hours) gives you an entire tide and in addition allows you to set a little of the outgoing on an incoming set, vice versa and to haul your nets at and slightly beyond the high or low tide – this is

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reasonable. In addition to sustainability issues this approach would positively benefit the public image of the commercial fishery and be in keeping with recent code of practice initiatives launched by the industry. Finally – although there is no known overlap between the Maui Dolphin and fishers in harbours in the FLA1 area, given that we already invest heavily in mitigation efforts in the context of voluntary tracking to monitor changes in this scenario – a maximum soak time of 8 hours will practically encourage an attended net – arguably a sensible additional precaution.

4. Multi-Sectorial Compliance Approach Fisheries NZ and Maritime NZ: Empower fisheries officers to check against a shared database on behalf of and refer obvious compliance issues to an MNZ focal point ie lack of skipper qualifications, lack of commercial vessel registration, lack of survey or where a vessel is clearly operating beyond its limits (at night when surveyed for day operations only etc). This approach will likely cull a significant number of commercial operators who are in compliance with fisheries regulations but who would not pass an MNZ port inspection and who are currently operating illegally.

We hope these suggestions (or positive reinforcement in the case of boundaries) are useful and note that we strongly disagree with observations in the review document (para 509) pertaining to port prices and lease rates for flounder (YBF) and ACE. Port prices range between 7.80 and 8.50 for YBF at present. Auction prices for YBF range between 10-16 for the majority of the year in Auckland. Lease rates for YBF per kg of ACE currently range from 15 to 27 cents. This reality more accurately and more readily supports the underlying argument in para 479 – low entry cost in terms of accessibility, capital, low ACE trade price versus high yield etc etc.

All good and thanks for the opportunity to provide feedback.

Submission Form

1 October 2018 Sustainability
Round Consultation



Fisheries New Zealand

Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	Marcus Culley
Organisation (if applicable):	Kawhia and Raglan Flounder Ltd
Email:	[REDACTED]
Fish stock(s) this submission refers to:	FLA1
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other - We recommend a <u>60% reduction in the FLA1 TACC</u> as a preferred management setting. This 4% difference from Option 2 (and 8% difference from Option 3) although perhaps insignificant from a scientific perspective – would enable and sustain our small family business given already lean profitability margins.

Official Information Act 1982

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Submission:¹

Details supporting our views: Subsequent to attending the information session at Fisheries NZ, Auckland on Monday 16 July we are adding this submission to our original noting that due to:

- **An absence of abundance issues in our local fishery (Raglan & Kawhia).**
- **Socio-economic hardship associated with proposed 64 Or 68% reductions given that our income from fishing will fall well below a living income after expenses,**
- **Noting that our expenses will increase significantly upon the introduction of electronic reporting logs, geospatial position reporting equipment and cameras as part of on-going digital monitoring initiatives, and**
- **Acknowledging Fisheries NZ concerns re wider sustainability issues and fact that the TACC remains significantly under-caught across the entire fisheries management area.**

We recommend a 60% reduction in the FLA1 TACC as a preferred management setting. This 4% difference although perhaps insignificant from a scientific perspective – would enable and sustain our small family business given already lean profitability margins.

We stand by all other alternate management approaches discussed in our previous submission (a boundary review, 5inch minimum mesh, 8 hour maximum soak time and multi sector compliance approach) and thank Fisheries NZ for the opportunity to discuss this review on a face to face basis in Auckland earlier this week – extremely useful.

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: [REDACTED]
To: [FMSubmissions](#)
Subject: GLM 9
Date: Monday, 16 July 2018 3:55:12 AM

Glm9 submission

I think option 2 is the most appropriate

Because as a schedule 3 stock the tacc is meant to reflect industry demand, option 1 will not fulfill this.

Environmental impact

1. In the short term there will be no more spat gathered than there is currently. The amount collected will only increase slowly as more water space is developed
2. The total amount of km traveled on the beach by spat collector's trucks is only a fraction of the amount traveled by tourist buses and a truck carrying 5 tons of spat is vastly more valuable to the economy than a bus carrying 40 tourists on a day trip.
3. Over the past 10 years the machines we use to harvest the spat have become a lot more efficient and environmentally friendly. I would expect this trend to continue.

Kirk Denison

[REDACTED]

Sent from my Samsung Galaxy smartphone.

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North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

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Submitter details:

Name of submitter or contact person:	Raihānia Tipoki
Organisation (if applicable):	Kohunui Marae, Ngāti Rākaiwhakairi, Ngāi Tūkoko, Hau Ariki Marae
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

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Submission:¹

Details supporting your views:

Tēnā koe

Thank you for reading our submission.

I am writing this on behalf of Kohunui Marae, Hauariki Marae, Ngāti Rākaiwhakairi, and Ngāi Tūkoko. We represent mana whenua in much of the land surrounding Wairarapa Moana, Te Karu o Te Ika a Māui.

Tuna (long and short fin eel) once made up the bulk of the protein in our diet, our tīpuna spent a lot of time harvesting this taonga to make sure we survived through the winter and skinnier months. Our tīpuna also traded dried tuna as far as Turanga (Gisborne) in the north and Kaikoura in the south. We now struggle to find enough to put on our tables at tangi, let alone live on it. Many of our whānau, knowing the struggle our taonga species have, will not go and harvest tuna now as they have much aroha for our whanaunga facing extinction.

We even have a waiata that asks “kai hea ngā tuna o te pāwhakatipu”, likening the tuna to our people who have all moved away from their homes at the hands of colonisation. We believe that the poor health of our people is mirrored in the poor health of our taiao (environment), we therefore employ you to make the right decision.

The greed of the west has meant we are now facing a future without our kōkōpūtuna – our long fin taonga. This is tragic and unfortunately we are relying on you to do the right thing. It's simple really, if we want our tuna to be around in the near and far future, we have to stop selling them.

We do not accept the reduction of the quota in your review. We support other hapū, iwi, and various organisation in the call for a complete moratorium on all commercial fishing of both our indigenous short fin and long fin species.

Kia kaha koutou ki te whai i te ara tika mō tātau katoa

Nā mātau o Wairarapa Moana

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 Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

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Email to: FMSubmissions@mpi.govt.nz

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Submitter details:

Name of submitter or contact person:	Kristin Smith
Organisation (if applicable):	Kūwaha Ltd.
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	

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Submission:¹

Details supporting your views:

No more commercial fishing of long fin tuna please. It's not ok to be selling our endangered indigenous fish to make money.

Please continue on a separate sheet if required.

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Round Consultation



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Submitter details:

Name of submitter or contact person:	LEEROY RENATA
Organisation (if applicable):	JAMES MARINE LTD
Email:	admin@jamesmarine.co.nz
Fish stock(s) this submission refers to:	GLM9
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OPTION 2 TO INCREASE THE TACC

Official Information Act 1982

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Submitter details:

Name of submitter or contact person:	Levi Gaby
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (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:

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.

Unsustainable fishing is threatening the long fin eel stocks and should be reduced until the practice is proven sustainable.

Please continue on a separate sheet if required.



Fisheries New Zealand

Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	Stephen lines
Organisation (if applicable):	Lines fishing ltd
Email:	[REDACTED]
Fish stock(s) this submission refers to:	Tar 1
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Tar1 cuts that have been proposed will have a major impact on sna 1 fishery.

Official Information Act 1982

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Submission:¹

Details supporting your views:

The tar1 cuts that have been proposed will have a major impact on sna1 fishery as the vessels that are catching tar1 will have to shift their emphasis from tar and come inshore top the sna 1 fishery. I have already been told that as a danish seiner working in hauraki gulf main species sna1 that we will be cut if not totally excluded from the fishery altogether. This will put 3 people out of work im not the only vessel that will be tied up either. The last thing that is needed is 20 to 30 metre vessels working on inshore grounds. The public perception of these large vessels working 2 miles off the coastline will be disasterest!!! moana pacific fishies has a contract with rmd owners of santy maria that they have to keep that vessel at sea with quota so any other fisher will be excluded. I do not know what the alturnatives are but these cuts are going to have a major public backlash. As a danish seiner I have spent a long time trying to build a bit better perception around our method im afraid all that work will be destroyed in a matter of months when large vessel are seen back working along waihi beach and bream bay. I know this probibly with fall on deaf ears but the last thing the fishing industry needs is more bad public opinions

yours faithfully stephen lines owner skipper fv da vinci auckland

Please continue on a separate sheet if required.

¹Further 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.

Karen Wilson

From: Lloyd Hanson [REDACTED]
Sent: Wednesday, 25 July 2018 2:50 PM
To: FMSubmissions
Subject: Terakihi Submission

As a fisherman whom has fished for most inshore species over the past 50 years, I can say that from my point of view that species available in area7 for commercial and recreational, such as the terakihi, have been decimated primarily by commercial interests!

Because blue cod are NOT available for recreational more often than not in area 7 most boat fisherman target terakihi, gurnard and perch. The terakihi is netted commercially and most boat recreational fisherman are lucky to now catch 3-4 (25-30cm) whereby some years ago one could catch up to 10 of a good size (40cm+). The biomass is below commercial viability yet MPI still allow them to be caught by commercial. It is NOT recreational fisherman that has caused this problem it is MPI allowing the biomass to fall way below the recommended figure and knowing commercial are continually targeting terakihi!

I can prove one thing, is that MPI continue to allow specific targeting of one area to clean out all legal fish, and cause severe damage to the escapees such as blue cod potters.

I fish Marfells Beach fishery, about 4 times a year and, over past years (before 2013) one could catch their blue cod six fish limit no problem, but I believe after this the code potters moved in and took over 19 tons in a few weeks (some 18,000 fish!) from this fishery. The whole quota for area7 is 70 tons per annum, to catch 27% of this from two small reefs is dumb and defies good husbandry! I have found that it has taken 4 years for one to be able to catch our two blue cod limit from this area and as for the lack of Terakihi!!!

Therefore I ask that the Recreational fisherman are not penalized by a catch reduction but Commercial be made to take a large reduction to save this iconic species!

Lloyd Hanson
[REDACTED]
[REDACTED]

Submission Form

1 October 2018 Sustainability
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Submitter details:

Name of submitter or contact person:	LUKE JAMES
Organisation (if applicable):	JAMES MARINE LTD
Email:	admin@jamesmarine.co.nz
Fish stock(s) this submission refers to:	GLM9
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OPTION 2 TO INCREASE THE TACC

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Fisheries New Zealand

Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	LUKE MCGRATH
Organisation (if applicable):	JAMES MARINE LTD
Email:	admin@jamesmarine.co.nz
Fish stock(s) this submission refers to:	GLM9
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OPTION 2 TO INCREASE THE TACC

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Maclab (NZ) Limited – Submission

Fisheries New Zealand Review of Sustainability Measures for 2018/2019

GLM9

Maclab has been farming and processing mussels into high value nutraceutical products for 45 years and is expecting accelerating growth in demand for their products.

Access to GLM9 spat is critical to the sustainability of the industry at the current operating level. The incidence of spat landing events in the far north and the survivability of this spat when transplanted to other marine areas is highly variable. The more spat that is available significantly lowers the risks of marine farming.

The Industry has made substantial investment into increasing mussel farming areas and these areas are coming onstream for development in the near term which will accelerate the demand for GLM9 spat.

For further investment to occur in these new areas the industry needs to have confidence that GLM9 spat will be accessible and that it will be economically viable.

Spat is harvested from naturally washed-up beach cast seaweed and there is an excess of spat that is not harvested. The spat that is not harvested does not and cannot cycle back into the adult population, therefore there is no sustainability issue.

Spat catchers supplying their clients use a selection process to provide the best value outcome for their clients. They are constantly monitoring the beach to locate spat. Decisions are made with each spat find as to whether to collect it, or to leave it in case better opportunities arise later. The spat not collected is a lost opportunity for industry. The QMS acts as a deterrent through the TACC and deemed values.

GLM was introduced into the QMS in 2004 somewhat controversially given the unique attributes where the resource is plentiful with no sustainability issues existing.

The TACC was set in 2004 at 180 tonnes based on the industry demand for spat at that time.

The entry into the QMS recognised the unique factors and expectations were made which included:

- Moving the TACC upwards as the industry grew
- Retaining the deemed values at modest levels to ensure non-quota owners could access the species and minimise the possibility of quota being aggregated and owners acting anti-competitively.

In the last three years the industry has collected more spat than the TACC which has remained unchanged.

The decision in 2017 to leave the TACC unchanged and increase the deemed values by 67% from 1 October 2017 was a significant setback for the industry.

A move to amend the spat ratio to 25% while leaving the TACC unchanged would be a significantly positive step to address the current industry constraint and will enable the new marine farms to proceed.

Some concerns have been raised regarding the perceived impact of increased traffic on 90 mile beach from spat catchers on Toheroa.

The volume of traffic from spat catching activities is minor compared to the volume of tourist vehicle movements on 90 mile beach, yet the likely revenue from tourist activities on the beach would be only a small fraction of the \$280m per annum revenues that GLM9 is supporting per annum.

Spat harvest operators comply with an industry Management Plan and Best Practice Guidelines and this is the most logical forum for addressing any concerns that may exist.

Maclab supports initiatives to further develop Best Practice Guidelines for the collection of beach cast seaweed to ensure that there is a continued supply of spat that is collected in an environmentally sustainable manner.

Summary

Maclab supports Option 2 of the consultation document to revise the spat ratio to 25% while leaving the TACC unchanged.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Mahinarangi Hakaraia
Organisation (if applicable):	Ngā Hapū o Ōtaki
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OTHER

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. Fisheries New Zealand will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

This submission is to **SUPPORT IN FULL** the submission made by Caleb Royal on behalf of Ngā Hapū o Ōtaki.

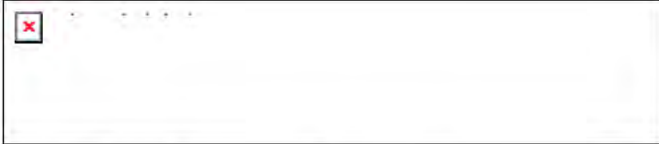
¹ Further information can be appended to your submission. If you are sending this submission electronically we accept the following formats – Microsoft Word, Text, PDF and JPG.

I oppose the options proposed in the 2018 Review of the North Island eel sustainability measures and support the recommendation in the submission made on behalf of Ngā Hapū o Ōtaki, that Fisheries NZ and MPI NZ immediately close the commercial fishing of eel for both shortfin and longfin eel.

Please refer to the above mentioned submission and note my full support of the content and recommendations provided by Caleb Royal.

Karen Wilson

From: [REDACTED]
Sent: Saturday, 21 July 2018 4:32 PM
To: FMSubmissions
Subject: FLA1 cuts



Submission Form

1 October 2018 Sustainability Round
Consultation

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: Fisheries Management, Fisheries New Zealand, PO Box 2526, Wellington 6140, New Zealand.

Submissions must be received no later than 5pm, Friday 27 July 2018.

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: Date 21/7/2015

Name of submitter or contact person: Malcolm Pinkney FIN 8411926	
Organisation (if applicable):	
Email: [REDACTED]	
Fish stock(s) this submission refers to: FLA1	
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented): Other	

Official Information Act 1982

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Submission: [f11](#)

Details supporting your views:

Sir

I read with interest your proposal for quota management for FLA1. I would like to congratulate you on your very thorough report on the proposal. I have been involved in the fishery for 50 years and would like to comment on findings.

My fishery is on the Hokianga Harbour which is quite isolated from the major harbours of the Kaipara and Manukau. The same trends of diminishing catches are evident in Hokianga. This has occurred since the year 2000, much the same as your graph shows. It is hard to know the cause as we have had several events happen in the years since 2000.

1 Large areas of land in the catchment areas was planted in forestry in the 1970's and this was started to be milled in 2000 causing bad sedimentation in the upper harbour. Prior to this large reclamations of the tidal mangrove flats for farming took out the filtration system of the harbour and we are seeing the harbour reforming as the water flow has greatly reduced.

2 Around 2006 there was an invasion of Asian Date Mussel which caused further sedimentation cutting down the water flow.

3 In 2008 we had the start of the Mantis Shrimp and wonder if this is a predator of eggs of spawning flounder and juvenile flounder.

4 In 2017 We saw the arrival of the Asian Blue Crab which heavily invaded certain areas and its size and aggressive behaviour virtually killed the fishing.

5 Water temperatures have been increasing as your paragraph 471 states that this increase is common to both the Kaipara and Hokianga and could be the main factor in the decline. There is very little customary or recreational fishing done on the Hokianga harbour and this would have no impact. We ourselves only fish flounder from about March to September. The flounder fishery has a good break over summer. Our summer fishery is Rig which has also declined. There is only one other commercial fisherman on flounder and he is not in a big way.

I feel the quota needs cutting but not 64%. Say about 35%. A severe cut could force up the price of quota and hurt small operators who do not own quota, struggling. The seasons can vary greatly on flounder and there needs to be enough quota to cover increases in abundance. The sharp increase in catches for the Hauraki Gulf in 2016 caused seine boats increasing their catch. They are banned in West Coast harbours.

Boundary changes are debateable as many flounder fishermen have trailer boats and tend to fish different areas depending on weather and regional abundance.

Malcolm Pinkney

Please continue on a separate sheet if required.

[⏏](#) 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 on the review of management controls for the North Island longfin eel fisheries (LFE 20-23) in 2018.

Manaaki Tuna: July 2018

- Manaaki Tuna is a group composed of researchers, conservationists, iwi members, and members of the general public who are concerned about the future of the longfin eel. One of our core purposes is to advocate for a moratorium on the commercial harvest of longfins, until it can be conclusively demonstrated that such harvest is having no impact on the long term viability of this species. Our submission on the MPI discussion paper (MPI 2018)¹ reflects this purpose.
 - Longfin eels are extremely long-lived, semelparous and panmictic, which makes them unlike all other species managed under the QMS and, as such, they require a different approach to management. For example, most, if not all other QMS species (except shortfin eel) breed annually, and mature at a younger age than longfin eels. For a semelparous animal which has been aged at a current maximum of 106 years old, it is not reasonable to expect to see the effects of management reflected in short-term changes in catch data. The life history features of longfin eels render them particularly vulnerable to over-exploitation (Jellyman 2012).
 - In addition to these characteristics, and another factor which sets them apart from other QMS species, longfin eels are endemic and classed as 'At Risk – Declining' – which gives them the same biogeographic status and conservation ranking as the little spotted kiwi.
 - Longfin eels require a much more precautionary approach than is proposed in the discussion paper. MPI acknowledges this need, but it is our opinion that the proposed measures (i.e. continuing to allow for any level of commercial exploitation at all) are insufficiently precautionary to avoid extinction of this species.
-

- It is our opinion that continued commercial longfin harvest under current circumstances is not only insufficiently precautionary, but is also socially inequitable (see Figs 1 & 2 for explanation). The proposed measures and the history of the longfin fisheries management reads a lot like the story of the toheroa (Ross et al. 2017): an endemic species which experienced a ‘boom’ of unregulated commercial exploitation followed by severe population declines (despite having survived centuries of managed harvest by Maori,); then years of piecemeal management efforts aimed to preserve the stock while still allowing for extraction. Finally, the fishery was closed, but in the decades since, toheroa (which are subject to multiple environmental stressors in the same way that longfins are) populations have failed to recover.
- The discussion paper notes that the North Island commercial longfin fishery yields an average annual sum of \$133,000 (the salary of 2-3 people), making it an extremely low value fishery which is not only risking the long-term persistence of the species, but unjustly puts at risk a resource which is valued by many. Manaaki Tuna suggests that fishery managers consider the big picture and follow the example of Maori quota holders, who have been voluntarily shelving their longfin quota for years due to sustainability concerns.
- **For these reasons we submit that TACCs should be set at zero for LFE 20, 21, 22, and 23.**

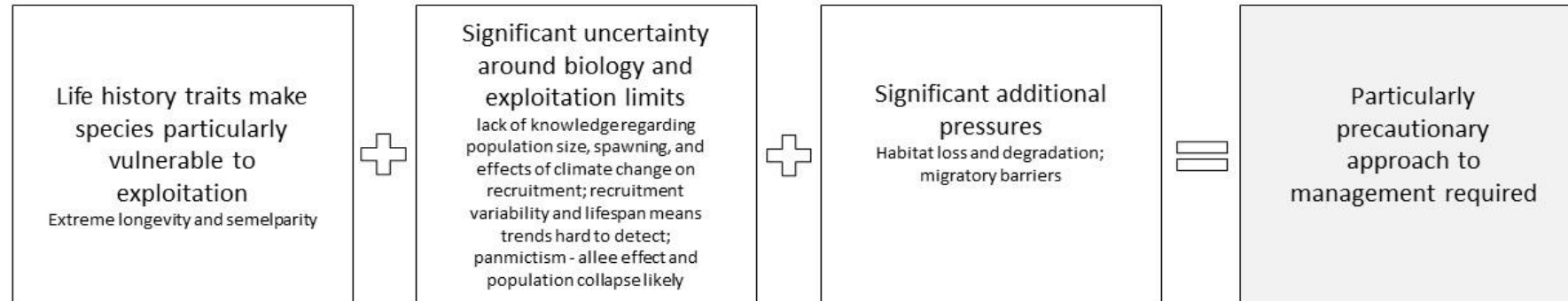


Figure 1. Flowchart illustrating why continued commercial exploitation of longfin eels is insufficiently precautionary.



Figure 2. Flowchart illustrating why continued commercial exploitation of longfin eels is socially inequitable.

References

Jellyman DJ 2012. The status of longfin eels in New Zealand - an overview of stocks and harvest. Prepared for Parliamentary Commissioner for the Environment. NIWA Project PCE11501, NIWA Client Report no. CHCH2012-00-revised.

MPI 2018. Review of North Island eel sustainability measures for 2018/2019. Consultation document, MPI Discussion Paper No: 2018/04.

Ross PM, Beentjes MP, Cope J, de Lange WP, McFadgen BG, Redfearn P, Searle B, Skerrett M, Smith H, Smith S, Te Tuhi J, Tamihana J, Williams JR 2017. The biology, ecology and history of toheroa (*Paphies ventricosa*): a review of scientific, local and customary knowledge, New Zealand Journal of Marine and Freshwater Research, DOI: 10.1080/00288330.2017.1383279

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

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Submitter details:

Name of submitter
or contact person:

Narida Hooper

Organisation (if applicable):

On behalf of the Māori Standing committee, South Wairarapa.

Email:

[REDACTED]

Fish stock this submission refers to
(delete any that don't apply):

- SFE 20
- SFE 21
- SFE 22
- SFE 23
- LFE 20
- LFE 21
- LFE 22
- LFE 23

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

other

Official Information Act 1982

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Tena koe

Thank you for reading our submission.

I am writing on behalf of the Māori Standing Committee for South Wairarapa. We represent our Maori communities in Featherston, Greytown, Martinborough and lands and rivers surrounding Wairarapa Maona, Te Karu o Te Ika a Maui.

The long fin Tuna has a whakapapa spanning millions of years in New Zealand, it is an endemic freshwater predator and is important to the biodiversity of our waterways.

To Māori, the Tuna is embedded into our culture through story telling, through carvings to signify their importance to Māori, through waiata as the guardians of pools and caves. They are significant to the early history of Māori in this region and as kaitiaki it is a responsibility to protect the long and short fin eel in its habitat. It is a greater responsibility to ensure these unique species are allowed to complete their migration patterns. To lower the quota and further allow these species to be over fished, for export gains, is to ensure the demise of this taonga. For te Māori in the region it is a tragedy that inflicts our people.

We do not accept the reduction of the quota in your review. We support other hapū, iwi, and various organisations in the call for a complete moratorium on all commercial fishing of both our indigenous short fin and long fin species. It is well documented that the long fin and short fin eel population are currently in decline and whilst you have substantial management in the survival and revitalisation of these species we would encourage you to protect these species by all means possible.

Tena koutou

Tena koutou

Tena tatau, katoa

Na matau o Maori Standing Committee, South Wairarapa

From: Ross & Maria [REDACTED]
Sent: Sunday, 22 July 2018 5:36 PM
To: Info <Info@mpi.govt.nz>
Subject: Freshwater eel fisheries

Hello

I would like to make a submission regarding commercial eel fisheries in the North Island.

I understand that MPI has suggested two options:

- Keep the status quo or
- Reduce the total allowable catch by 15% and the total allowable commercial catch by 32%

I don't understand why it is permitted to harvest eels in the first place, since DOC has classified longfin eels as "chronically threatened in gradual decline". This is an important and special native species, and we would not dream of harvesting any of our native bird species, whether or not they were in that situation! I see this as yet another instance of human short-sightedness and greed. How about a third option – suspension of all commercial and recreational eel fishing, until there is a healthy and sustainable population?

Yours sincerely

Maria van Montfort



23rd July 2018

MPI Discussion Paper 2018/05
Re: Green-Lipped Mussel (GLM9)

MFA Submission on the MPI Discussion Paper 2018/15 – Green-Lipped Mussel (GLM9)

1. The Marine Farming Association (MFA) is a subscription based organisation representing marine farmers in the top of the South Island of New Zealand. The MFA has 130 ordinary members who own, lease or sublease Greenshell Mussel, Oyster and King Salmon farms in the upper South Island. Marine farmers in the MFA's growing area grow 70% of the marine products farmed in New Zealand.
2. Sales from those farms exceed \$300 million per year. Marine farms in Marlborough contribute around 5.7% of Marlborough's GDP (from farming and processing). The industry accounts for approximately 250 FTEs in farming and approximately 600 FTEs in processing in Marlborough.
3. The MFA was set up with the objective to promote, foster, advance, encourage, aid and develop the rights and interests of its members and the marine farming industry in general. The MFA works alongside other industry bodies to see the New Zealand Aquaculture sector recognised within New Zealand and around the world as producing healthy, high quality, environmentally sustainable aquaculture products.
4. The top of the South region of New Zealand produces between 65 to 70% of the Greenshell mussels farmed in New Zealand. The average annual tonnage harvested is around 70,000 tonnes. To support this achievement mussel farmers in the top of the South require substantial amounts of mussel spat. Traditionally this spat comes from Kaitaia (GLM9, 75%), Golden Bay/ Tasman Bay (20%) and the Marlborough Sounds (5%). Although not all mussel farmers in the top of the South are GLM9 quota owners, they are certainly 'stakeholders' in the GLM9 fishery. The MFA is their representative body and therefore has an interest in the current Review of Sustainability Measures for 2018/19.
5. This submission is lodged on behalf of non GLM9 quota owning members whose businesses rely on the unencumbered availability of GLM9 spat at a price that makes their businesses sustainable/ profitable.
6. The GLM9 mussel spat fishery is unique. It was brought into the QMS in 2004 '*despite there being no pressing sustainability concerns with the fishery*'. The introduction of GLM9 into the QMS was done with the knowledge that it '*required innovation given the particular characteristics of the fishery*'. At that time the Ministry of Fisheries noted '*those with an interest in the fishery are in the best position to know what catch level will provide for the most efficient use of the resource*'. The basic premise has not changed since 2004.
7. The MFA has a long standing policy on the 'utilisation of Kaitaia spat' (Annex 1). In principal the MFA '*supports industry wide access to and the availability of Kaitaia spat at a reasonable cost and without encumbrances*' and the '*MFA supports any change in the quota based on sound science which would result in increased supplies of Kaitaia Spat*'.

8. The decision in 2017 to increase the deemed value by 67% from 1 October 2017 was a significant setback for the industry and the viability of future growth.
9. The historic catch of mussel spat from 90 Mile Beach has been based on the spat to seaweed ratio of 50:50 which was based on '*the best estimate of fishers*' at that time. As noted in the MPI discussion paper, more 'new information' has become available to support the earlier research and there is now sufficient data to support the amendment of the ratio to reflect best information in line with the Fisheries Act s10(a) requirement.
10. The MFA supports the amendment of the spat to weed ratio from 50:50 to 25:75
11. There are no sustainability issues of GLM9 stock. Spat is harvested from naturally washed-up beach cast seaweed at ninety mile beach. This spat does not cycle back to the adult populations (south of Ahipara).
12. The MFA supports collective initiatives to develop Best Practice Guidelines for the collection of beach cast seaweed to ensure that there is a continued supply of Kaitia spat that is collected in an environmentally sustainable manner.
13. The current TACC of 180 tonnes was based on the demand for spat supply in 2004. Since then the number and size of mussel farms has increased. There is also the future growth increase, due to new space in the Firth of Thames, Golden and Tasman Bays. Keeping the TACC at 180 tonnes and changing the ratio will still remain sustainable while providing an increased spat supply for the industry.
14. The MFA recommends that the TACC remain at 180 tonnes to allow the industry to grow into the current consented water space. Any decrease in the TACC will have severe impacts on the planned future growth of the industry
15. The MFA supports the AQNZ recommendation to change the fishing year to 1 April to 31 March to align with spat falls on Ninety Mile Beach. However, the MFA acknowledges that this is not a high priority item and would prefer that the focus be on the ratio correction to 25:75 and TACC levels remaining at 180 tonnes
16. In summary MFA requests that:
 - a. The spat to weed ratio be amended from 50:50 to 25:75
 - b. The current TACC be retained at 180 tonnes (as per option 2)
 - c. That consideration be given to a change in the fishing year to 1 April – 31 March
 - d. Option 2 be adopted
17. The MFA supports the submission made by Aquaculture New Zealand Ltd.

Thank you for providing us the opportunity to respond to your Discussion Paper. We are available to further discuss concerns should you wish to meet with us.

Yours Sincerely



Jonathan Large
MFA President

26: UTILISATION OF KAITAIA SPAT POLICY

1. BACKGROUND

At the MFA Executive Committee Meeting on the 17th April 2015 it was noted that:

- It was desirable to optimise the availability and access to Kaitaia spat to all farmers.
- A review of the spat/weed ratio was a worthwhile initiative.
- There was an ownership issue created through the GLM 9 quota rights and that the MFA supported an increased ratio, however, the weed quota tonnage was a matter for negotiation between the GLM 9 shareholders and MPI.

2. POLICY

1. The MFA supports the position of AQNZ in respect of the weed/spat ratios.
2. The MFA supports industry wide access to and the availability of Kaitaia spat at a reasonable cost and without encumbrances.
3. In respect of the rights of GLM 9 quota owners, the MFA supports any change in the spat ratio which would result in increased supplies of Kaitaia spat.
4. Any increase in GLM9 quota is a matter to be agreed between MPI and the GLM9 quota owners, however the MFA supports any change in the quota based on sound science which would result in increased supplies of Kaitaia Spat.

Mark & Lorraine Aislabie

13/07/18

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PROPOSED SUBMISSION ON GLM 9

Regarding Northwest North Island Green- Lipped Mussels GLM9

I Mark Ronald Aislabie & Lorraine Florence Aislabie Quota holder of GLM9 “ Ambush Marine”

Would like to submit a submission regarding the review of catch limits to consider whether to provide for increase in spat Quota.

Yes I feel there is a HUGE demand for increasing the spat quota as there is large developments of new mussel farms in the Hauraki Gulf, even our own small area has doubled from 20 to 40 Hectares.

I am sure I can speak for other Farmers as well. At times we have nearly total loss of spat with no reasonable explanation. So this year having us way below annual Production figures because of no Quota to replace deceased spat.

I as a commercial Fisherman did totally agree with the Quota System to help substance our wild fish stocks .But in the case of GLM9 not increasing the Quota does not help the wild stocks of GLM9,as have seen GLM9 spat decaying on the beach

Signature:

Signature:

Karen Wilson

From: Peter Chapman [REDACTED]
Sent: Friday, 27 July 2018 11:31 AM
To: FMSubmissions
Subject: Tarakahi submission

Submission – Tarakihi recreational bag limits

Marlborough Recreational Fishers Association.

Introduction: The Marlborough Recreational Fishers' Association is an organisation representing the interests of recreational fishers in the Marlborough Sounds and the eastern Marlborough coastline.

The Association has read with interest the proposals regarding tarakihi fishing.

Submission: This is a comment on Fisheries New Zealand (FNZ) currently review of tarakihi stocks between Northland and Otago, namely TAR 1 (East), 2, 3, & 7 (Cook Strait).

The recreational bag limit for tarakihi is currently (20 per person) as per the fin fish limit.

As the recreational catch represents less than 5% of the estimated stock the Association **recommends that the current recreational bag limit should be retained**, since it makes a only a very small insignificant component of the total catch.

Therefore restoring the stock to levels of fifty years ago must be based on **reducing commercial catch** only in order to ease pressure.

The only possible change to recreational could be to increase the current 25cm minimum legal size to 27 cms.

In the past, tarakihi were very common around the Marlborough Sounds and Marlborough and Nelson inshore waters often comprising the majority species in a "day"s fishing.

However over-fishing by commercial and instances of dumping of tarakihi in Cook Strait have depleted stocks although recently there seems a slight rebuild as commercial pressure eases through attrition.

The eastern tarakihi stocks have been assessed as being at 17% of virgin (unfished) biomass. It is of deep concern that stocks have been so depleted.

The cause of this crisis is not recreational but commercial. Therefore the commercial catch should be reduced.

P Watson
President

P. Chapman
Secretary

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Maxwell Nolan Sole
Organisation (if applicable):	Client Number:8452259
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Option 1 – Status Quo, No change

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Submission:¹

Details supporting your views: I have been fishing for over 40 years so I know and understand the LFE 23 stock levels very well. The LFE 23 stocks are very sound (and increasing) to the point that I now would support increasing the TACC.

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 Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

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Submitter details:

Name of submitter
or contact person:

MICHAEL BROCK

Organisation (if applicable):

Email:

Fish stock this submission refers to
(delete any that don't apply):

- ~~SFE 20~~
- ~~SFE 21~~
- ~~SFE 22~~
- ~~SFE 23~~
- ~~LFE 20~~
- LFE 21
- ~~LFE 22~~
- ~~LFE 23~~

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

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Submission:¹

Details supporting your views:

MY SUBMISSION IS BASED ON OVER 40 YEARS AS A FULL TIME EELER SPENT SAY 90% IN THE LOWER WAIKATO AND OTHER IN HAURAKI PLAINS, BAY OF PLENTY AND WAIKATO HYDRO LAKES. MY FIRST BOAT I USED WAS CALLED 'LONG FIN', REG 2757, THIS WAS AROUND 1974-5 FROM MEMORY. I CEASED ALL FISHING IN FEB 2017. L.F. COMPRISED AROUND 10% OF MY CATCH WHEN FISHING IN FLOWING WATER BUT ALMOST NIL IN LOWLAND SWAMPS SUCH AS OPIATIA AND WOHANAMARINO. L.F ARE PROMINENT IN ALL SECTIONS OF THE WAIKATO R. FROM THE REED ISLANDS UP FROM PORT WAIKATO AND ALL THE LENGTH OF THE RIVER. MY FISHING DID NOT GO PAST HUNTLY. THE WAIHOU R. AND KAITUNA R. ARE BLESSED WITH A HEALTHY POPULATION OF L.F. AS WELL. I CAN NAME OTHER RIVERS AS WELL!! THERE HAVE BEEN MANY OCCASIONS WHEN THE EEL PROCESSOR I WAS SUPPLYING DID NOT TAKE L.F. BECAUSE OF MARKET CONDITIONS, EVEN IN THE '70S. IN THE EARLY YEARS OF MY FISHING HISTORY, L.F. WAS NOT DIFFERENTIATED FROM S.F. FROM AROUND 1980, THE CATCH WAS DEFINED AND THEN PRICED DIFFERENTLY TO S.F, USUALLY LOWER, BUT NOT ALWAYS. MORE RECENT AND SAY IN THE LAST 5 YEARS HAS SEEN L.F. EITHER NOT WANTED OR PRICED VERY LOW TO THE FISHER. THAT CAN CHANGE WHEN THE MARKET DOES. FOR MANY YEARS, I HAVE WITNESSED THE ANNUAL RECRUITMENT OF EELERS MOVING UP THE WAIKATO RIVER. USUALLY AROUND AUGUST. LONG FIN REMAIN IN HEALTHY NUMBERS IN ALL FLOWING WATERS I HAVE FISHED, I.E, POPULATIONS VARYING IN SIZE FROM NEW RECRUITMENTS TO LARGE FEMALE (15 KG PLUS ^{AT} NOT ALL UNCOMMON). L.F. ARE QUITE RESILIENT TO FARM RUNOFF, I.E, WAIKATO, WAIHOU, KAITUNA RIVERS. THE ONLY TIMES I HAVE WITNESSED DEAD EELS IN THESE WATERWAYS ARE FROM THESE PAISED THEM FLOOD PUMPS OR HYDRO DAMS. THOSE T.V REPORTS OF DEAD EELS IN STREAMS FROM POLLUTION ARE EXCLUSIVELY IN SMALL STREAMS AND FROM INDUSTRY. "CLIMATE CHANGE" IS HAVING NO EFFECT ON L.F. THAT I HAVE NOTICED. IN FACT, WHERE IS THE "CLIMATE CHANGE"?? I CALL IT WEATHER AS USUAL, I.E, DROUGHT, FLOOD, FBST ETC. L.F. HAVE ENDURED FOR EVER DESPITE MANY CHANGES IN CLIMATE WE KNOW THIS!! L.F. ARE AN IMPORTANT PART OF EEL FISHERY INCOME. THEY ARE HOWEVER NOT ALWAYS TARGETED. RELEASED EELS WILL ALWAYS SURVIVE IF HANDLED AND LET GO WHERE CAUGHT. FISHERS MOSTLY GRADE CATCH AS THEY ARE CAUGHT/LANDED. A REDUCTION OF QUOTA WOULD BE VERY DETRIMENTAL TO A FISHER. TAKE INTO ACCOUNT ALSO THE SIZE LIMITS IMPOSED AND THEN THE WAIKATO LIMITS, THERE ARE SAFE GUARDS IN PLACE TO ENSURE AN ONGOING ABUNDANCE OF L.F. CERTAINLY, L.F ARE

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 - MICHAEL BROCK - PG 2

NOT ENDANGERED OR EVEN IN ANY WAY HEADING FOR EXTINCTION AS
HAS BEEN REPORTED.

I HAVE A RARE INSIGHT INTO THE ACTUAL FISHERY OVER SUCH A
LONG TIME AND ON A DAILY BASIS. I FISHED IN MAJOR WATERWAYS
EXCLUSIVELY, I NO LONGER BENEFIT FROM THE HARVEST OF FEELS
OTHERS DO AND THEY DESERVE A FAIR GO. MY SUBMISSION HAS
BEEN TO RETAIN THE STATUS QUO AND NOT REDUCE AT ALL
THE AVAILABLE QUOTA. SAME APPLIES TO SFE 21.

M.B.

MICHAEL BROCK.

EX. COMMERCIAL FEE FISHING, AREA 21.

1973-2017.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	Michael Holmes
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	SFE I support option one , status quo. LFE I support option one , status quo

Official Information Act 1982

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I have been commercially fishing for eel since 1979.

I have fished in both islands, as far north as Keri Keri and as far south as Balclutha.

My fishing is now confined (by choice) to a small part of QMA 21.

Up until the introduction of eel to the QMS there was practically unrestrained fishing of eel, with intense competition between fishermen

In my current operating 'patch' I rarely if ever have to compete with anyone else. There are only 2 or 3 other fishermen that do some fishing in my 'patch'. Pre quota there were over 20 other fishermen and it was a constant issue to avoid fishing behind them.

The area of actual water that I now fish, or is anyone else fishes is now only a very small fraction of what was fished pre quota when nearly all waters were fished. In the company of the two Processors we filled in a map of water currently being fished in my area. We were all astounded at just how little that now is. Certainly far less than was the case during the Bentjes spatial review of only a few years ago.

I am now getting much bigger catches of much bigger eels in a much smaller area.

One can reasonably assume that eels stocks in the unfished area are bounding away?

I do have to fish to avoid LFE and return a lot to the water as quota is very limited, despite that landed about 20% of LFE 21 ACE last year.

Purely from a commercial fishing operation point of view the limit on LFE quota is becoming a serious problem. In my main fishing river it is about a 50/50 mix SFE LFE as is the wider catchment . Apart from the massive work load with returns, most of the fishery becomes uneconomic without reasonable balance between species.

Habitat is a vital issue for eel as much of it has been destroyed in the past.

Currently I am seeing some very good work being done by some farmers to rectify this, and the number of farmers doing good works appears to be increasing.

The greatest single problem, especially for LFE is the removal of willows from rivers by Regional councils. In most rivers no willows equates to no eels.

The government's intention to improve fresh water management outcomes is very welcome.

Public perception has posed some adverse issues for us.

The PCE's alarmist report on the state of LFE (On a Pathway to Extinction) was disappointing to say the least.

Our environment certainly requires it's champions because it is under pressure's.

The PCE is in a very strong position to advocate for the environment , indeed that is the sole role of the PCE.

Thus the support of the PCE for the continuation of 1080 poison 'To save birds' clearly demonstrated her total incompetence for her job.

I doubt that any one individual has done more to destroy our birdlife and wild life generally with such ill founded conclusions.

To follow this disaster she then went on to reviewing LFE and concluding that the best option to solve a problem that didn't exist was to ban commercial fishing when it was obvious to all that the overarching issue was the preservation of our freshwater systems.

One would reasonably expect Parliament to take more care selecting commissioners with at least a modicum of competence.

The outcome of this is that we, as an industry, FNZ , and individuals, have had to expend an

inordinate

The outcome of this is that we, as an industry, FNZ, and individuals, have had to expend an inordinate amount of time and resource on cleaning up the mess.

The PCE report served absolutely no useful purpose.

What we have now is much clamour by various members of the public about LFE being on the verge of extinction when that is demonstrably not the case.

It is also somewhat insulting to suggest that we, as Quota owners would not be the first to speak out if this were in fact the case.

After all we are the ones with the skin in the game.

It is difficult to understand why FNZ even suggested a TACC cut for LFE? They do not explain that.

In my view , it is hard to know just how much damage to the industry a further cut to LFE would do.

It certainly has no benefits for anyone. But the downside is serious for fishermen and consequently imperils the whole industry.

It would undermine the whole Quota management system. If a minister can arbitrarily cut a TACC for no apparent reason, let alone a legal reason then what value a Quota share? Or any other property right for that matter.

Mike.

WHATITIRI RESOURCE MANAGEMENT UNIT (WRMU)

PO BOX 98, Whangarei 0148

Represents for Whatitiri Maori Reserves Trust and for our hapu Te Uriroroi, Te Parawhau, Te Mahurehure of Poroti, Whangarei.

He waka eke noa

A canoe which we are all in with no exception. We are all in this together

Re: Submission Form – North Island Eels 2018 Consultation.

I, Millan Ruka make this submission on behalf of my hapu Te Uriroroi, Te Parawhau, Te Mahurehure of Poroti, Whangarei, Te Tai Tokerau Northland. Our rohe awa is the Wairua River, it is fed by the huge Hikurang Swamp and the Wairua flows on to feed the Kaipara moana.

- We refer to the area of LFE20 Northland in this submission.
- I am 67 years old, my family were eelers when our rivers and streams ran clean and tuna were abundant. Neither are sustainable now in my time. Our rivers are unswimmable and laden in cattle excrement and nitrate, We have a Power Station on our huge Wairua River Catchment that has held back 90% recruitment of elvers for 95 years till local hapu pushed and got an elver pass ladder in 5 years ago. Seven flood pump stations in the Hikurangi Swamp Flood 1980s Scheme cause massive fatality to our tuna each year and our Whangarei District Council does not meet its consent for safe fish passage. Our Northland Regional Council will not intervene to ensure compliant to the consent. Our whaka tuna heke and their habitat are near depleted, and our authorities are doing little to remedy the situation.
- By and large, I do not have the learned capacity to fully understand the Review 2018/2019 documents as I only received copy in hand last week. Today I had to respond to a matter where my hapu have just received a MPI Research Permit #688 to catch and release tuna over a 33 klm distance on the Wairua River. However commercial fishers advised today their members has just fished (distance unknown) through our survey area and this has great impact on our goals and aspirations for the survey. This raises the first issue –
- Northern Iwi have quota – but as yet our people do not fish it and it is shelved. There has to be a structure set up where MPI, the Commercial Fishermen, the Processors, where Iwi and hapu sit together to work out how for example Ngapuhi fit into a respectful working relationship with those already in the industry. We are well aware of the good work Te Ohu Kaimoana does in this regard, but times are a moving and our own hapu need to be part of the structure and respectably working together on the fish resources of our rivers and streams.

- I will from here try to give brief reply to the paragraph numbers on the MPI 2018/2019 document.
- #64 – Here MPI acknowledges the impacts from power stations and flood pumps may have significant impact. As stated we have considerable concerns with civil structures in our Wairua Catchment. MPI needs to step up its role to ID NZ structures that impede safe fish pass. We need a national register – then they should be assessed to see if it is practical to create a remedy.
- #71 – Unrecorded eels over 4 kg. - We recommend that these tuna are recorded and to include their length – by all commercial fisherman.
- #87 – Human impacts on the environment – MPI need to step up its interest in habitat and water quality – both are needed for a healthy tuna population.

*Water quality – We have a great length of the river (21 klm) of intensive dairy farming that is not subject to the LAWA water quality testing regime. All our written concerns to NRC have fallen on deaf ears. MPI should take an interest in this as here we have an avoidance of proper conduct that ensures inadequate monitoring. The NRC process of water monitoring is flawed – and works on “dilution is the solution”. Our hapu is working with DLS Digital Sensors Ltd (DSL). They have a nitrate sensor that sends to satellite and graphs discharge from dairy effluent POD-point of discharge. Hapu katoa want to participate in having cleaner, living waters.

* Loss of habitat – We see an immense loss of tuna habitat in Te Tai Taikorau. Every event the farmer has an excuse to dig out wetlands and swamps and the NRC approve of it through consent or even after the event by way of retrospective consent. Whatever happens – they will get approval to make these excavations. Our tuna are trying to live in a ditch now and that is not at all conducive to their lifecycle. We have a lack of will from our councils in the North to kaitiaki te repo and the riparian of our rivers and streams.

*Stock exclusion fencing – This is still a huge issue where the assessment is done by Fonterra and accepted by the Northland Regional Council. There is no external audit by true independents to back up the claims of 95% fenced. Just this year NRC have in their “Proposed 2018 Policy” that cattle not being milked on a dairy farm – need not be fenced as they are to be deemed “dairy support”. So anything not being milked on a dairy farm, does not require to be fenced from a waterway – MPI need to vet such policy to see if it is conducive to the freshwater fishery.

*Rahui – we agree with “rahui” – we need to consider to impose it in the rohe awa of out permitted tuna survey. How else can we gain cooperation from commercial fisherman. We have no rights and they have (nor MPI) not got a system for us to be able to contact them. It is quite strange that there is quite some secrecy and guarding around who has permit licences to fish our area of LFE20 Northland. They have an area of some 10,000 square kilometres – we have no idea who is permitted to fish our customary waters.

A3.6 Section 12 – Consultation and input and participation of Tangata Whenua

#204 – So far in my time and with my keen lifelong interest in all thing tuna – the Act has not fulfilled Maori people in Te Tai Tokerau. Our fishery is greatly depleted, and

we have almost nil participation in it. The consultation hui at MPI Northland in September was not well attended due to low panui output and the follow up MPI hui 20th July 2018 July was even less. In fact I heard about it by word and mouth on the same day and got there late. The genuine consultation has not been apparent and this was expressed by the four hapu reps in attendance. The previous September MPI hui had more than 20 hapu reps but this good attendance was by the communications of our “kumera vine” but we had little knowledge of this last hui. So to reflect, consultation for this submission leaves a lot to be desired.

I have lots more I wanted to write, but not I must meet the deadline of this submission.

Thank you.

Naku noa

Millan Ruka

Environment River Patrol – Aotearoa

Postal – PO Box 98, Whangarei

New Zealand

Poroti Springs – Coordinator for WMRT
and Resource Management Unit – hapu rep,
Te Uriroroi, Te Parawhau, Te Mahurehure.

millan@wairuaenergy.co.nz



I had some 3 or 4 spelling mistakes that I have corrected in V2 attached above

Also added the statement below - - - -

They have an area of some 10,000 square kilometres – we have no idea who is permitted to fish our customary waters.

I hope that you will accept this corrected version and my extra statement.

Thank you

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	Morgan Ngata
Organisation (if applicable):	NA
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	

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Submission:¹

Details supporting your views:

I am concerned at any commercial practice that involves threatening the environment of an endemic species of Aotearoa. This is the worst case in that we are killing an endemic species with significant cultural and environmental value. This must be stopped and Long finned tuna must be recognised as the taonga they are. We must give them the equal protection as our other endemic species.

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.

Karen Wilson

From: Murray Lambert [REDACTED]
Sent: Sunday, 8 July 2018 1:12 PM
To: FMSubmissions

Re YBF cuts in the Kaipara Hbr Consideration should be given to the amount of Sedimentation which is documented in reports This has got to have an effect on FLA AS THEY ARE BOTTOM FEEDERS There are also problems with Asian Date Mussel covering areas of mudflat where fla feed No crabs Generally rivers on the Kaipara have silted up Rocks where Mussel used to grow are covered with mud No mussels The decline of fla catch over the years is nothing to do with fisherman This problem is to do with the Health of the Harbour and rivers Such a drastic cut in TAC will hurt small fisherman driving up Lease prices I accept there should be a cut but a more modest one Until the Harbour cleans up i dont think there wil be any change in catches

Regards Murray Lambert

Sent from [Mail](#) for Windows 10

Karen Wilson

From: Mokau Motels [REDACTED]
Sent: Monday, 25 June 2018 8:33 AM
To: FMSubmissions; Erik Kuijten
Subject: Meeting

To whom this may concern,

I would like to call a face to face meeting.

I have been eeling fishing for over 40 yrs. I feel I have a lot of knowledge to offer the industry, knowledge that is not learnt by books, first hand experience, something that is not taught.

My main areas of concern being the abundance of longfin eels in area 23 and the amount and size of barren eels over 4 kg which are becoming a danger to other fish species and humans.

I will await your reply.

Kind regards

Murray Reed

Eels

Murray Reed
Box 38
Mokau 4350
[REDACTED]

I am writing this submission to give reasons why I think the T.A.C. in Area 23 should NOT be lowered.

With 42years of commercial eel fishing experience I am not saying I know all about eels but

I know alot more than most.

Firstly Area 23 is quite unique. It has always been predominantly Longfin due to mountains and hilly terrain (eg stoney rivers) and should be looked at totally separate from the rest of NZ.

There are several reasons why the T.A.C. has not been met in the last few years, it is not because

they are not there. It is because they are not being CAUGHT.

REASONS

1/ The main reason is lack of markets and the port price per kg which is the same as it was 25 years ago. With fuel being the main expense it is uneconomic to fish for eels and release 80% of your catch (re Long fin). I think the percentage of eels in Area 23 is 80% LF and 20% SF.

Most fulltime eel fishermen have become part-time fishermen and hence the T.A.C not being caught.

2/ The rugged terrain and the introduction of riparian planting. Almost all the streams and rivers are now fenced off with 2-5 wire electric fences which make it almost impossible to get over,

if you can get over the fence you are then faced with every noxious weed known to mankind

(eg gorse, blackberry, stinging nettle, barbery, toitoi, to name a few). These obstacles have

arrived in the last 10years and were not in Taranaki when the T.A.C. was set. Therefore most of

these areas are not being fished now.

3/ The expansion of farms and Work and Safety have also made it harder to get permission to fish on

private land. With the introduction of OSH or Work Safety farmers can't be bothered with the hassle

of having an eel fisherman on their farm for fear of an accident. So these areas are also not being

fished. OSH and Work Safe were in the early stages 10 years ago when the T.A.C was set and farmers were

more obliging.

Eels

In conclusion I would like to say I think the T.A.C. should remain status quo because the fencing off of streams and rivers will mitigate the survival of Longfin eels in Area 23.

Murray Reed.

Submission Form

North Island eels 2018 Consultation



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Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	Melanie Dixon
Organisation (if applicable):	The National Wetland Trust of New Zealand
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other Commercial fishing of longfin eels ceases, that is, the Total Allowable Commercial Catch for longfin eels in the North Island be set at zero for LFE 20, 21 and 23.

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1. Summary

The National Wetland Trust of New Zealand submits that:

- Commercial fishing of longfin eels ceases, that is, the Total Allowable Commercial Catch for longfin eels in the North Island be set at zero for LFE 20, 21 and 23.
- This moratorium on commercial fishing should remain in place until Fisheries NZ has a robust and transparent quantitative data set, from a variety of sources, that shows not only that the fishery is sustainable but also where it is sustainable.
- For all non-commercial harvesting, the harvest of any longfin migrating (silver) eels is prohibited.

2. Introduction

- 2.1 The National Wetland Trust of New Zealand welcomes the opportunity to submit on the review of North Island eel sustainability measures for 1 October 2018. Although this consultation considers the quota of both longfin and shortfin species, this submission relates to the management of the longfin eel (*Anguilla dieffenbachii*) only.
- 2.2 The National Wetland Trust is a non-profit organisation established in 1999 to increase the appreciation of wetlands and their values by all New Zealanders.
- 2.3 The National Wetland Trust aims to:
- Increase public knowledge and appreciation of wetland values.
 - Increase understanding of wetland functions and processes.
 - Ensure landowners and government agencies commit to wetland protection, enhancement and restoration.
- 2.4 The National Wetland Trust adopts the Ramsar¹ definition of wetlands which includes estuaries: areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres. As such, we consider the freshwater eels (the shortfin eel *Anguilla australis* and the longfin eel *A. dieffenbachii*) to be wetland species.
- 2.5 Further information about the trust can be found on our website: www.wetlandtrust.org.nz/.



3. Comment

3.1 Longfin eels are found only in New Zealand. They are our top freshwater predator, growing as up to two metres long and living sometimes over 100 years. Like all freshwater eels, they have an extraordinary lifecycle, undertaking a long journey north in the sea to breed at the end of a long life. Their larvae then have an equally long drift back to New Zealand before the juvenile eels (elvers) can make the sometimes hazardous journey upstream².

3.2 Longfin eels were once found in huge numbers throughout New Zealand, but now have the conservation status of “At risk - Declining”³. Former Parliamentary Commissioner (PCE) for the Environment, Dr Jan Wright’s, 2013 report “On a pathway to extinction? An investigation into the status and management of the longfin eel” concluded the weight of evidence was that this is a species in trouble⁴.

3.3 The PCE’s report noted that eels’ unique lifecycle makes assessing the status of their populations challenging. Eel stock numbers simply cannot be assessed in the same way as marine fish stock such as hoki, which breed annually. Eels also face a range of additional pressures, such as loss of habitat and the impact of hydroelectric dams, which need to be fully considered. Dr Wright recommended an independent expert peer review panel to assess the full range of information available on the status of the longfin eel population.

3.4 Following the PCE report an independent panel of three international experts was established in 2013. They criticised the limited amount of information being used to guide management decisions and made several recommendations on how to improve the quality of this information over time⁵.

3.5 However, five years on the only evidence that has been presented regarding the sustainability of the longfin eel populations⁶ relates to:

- Catch Per Unit Effort (CPUE) of the commercially fished area within each Quota Management Area (QMA); and
- annual recruitment of elvers (the number of juvenile eels returning each year) at specific dams throughout the North Island; and
- estimates of the amount of available longfin habitat that is commercially fished.

3.6 The above are standard fishery-based assessment of populations that are necessary but are by no means sufficient to assess the sustainability of the longfin eel population. For example, most fishers will become more efficient over time, and this can show as an increase in CPUE, even during a period when the fish stock itself might be diminishing⁷. The panel noted at least four known instances when CPUE can increase when the overall population is declining.

3.7 The National Wetland Trust of New Zealand recommends a halt (at least temporarily) in longfin eel harvesting - at least until Fisheries NZ can present stakeholders with clear and transparent evidence of the sustainability of any Total



Allowable Commercial Catch⁸. This would be consistent with the Fisheries Act 1996 which has the purpose of “ensuring sustainability”. We note that several eel fisheries in the Northern Hemisphere (e.g. Japan) have collapsed, and this alone is a reason to be especially cautious, especially as the exact reasons for the collapses are not always clear⁹.

- 3.8 The longfin eel has lived in New Zealand for over 20 million years and is of great cultural significance to Maori to whom they are as iconic as the kiwi or the kereru. We urge Fisheries New Zealand to take a conservative approach and cease commercial fishing altogether, pending collection of more robust data sets on population dynamics.

Notes:

1. The Convention on Wetlands, called the Ramsar Convention, is an intergovernmental treaty that provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources. New Zealand is a signatory to the Ramsar Convention.
2. Jellyman DJ 2012. *The status of longfin eels in New Zealand - an overview of stocks and harvest*. Prepared for Parliamentary Commissioner for the Environment, NIWA Project PCE11501, NIWA Client Report no. CHCH2012-00-revised.
3. Goodman, JM, Dunn, NR, Ravenscroft, PJ, Allibone, RM, Boubee, JAT, David, BO, Rolfe, JR (2014). Conservation status of New Zealand freshwater fish, 2013. New Zealand Threat Classification Series 7. Wellington: Department of Conservation. Retrieved from www.doc.govt.nz.
4. Parliamentary Commissioner for the Environment (2013) *On a pathway to extinction? An investigation into the status and management of the longfin eel*. Retrieved from <https://www.pce.parliament.nz>
5. Haro, A.; Dekker, W.; Bentley, N. (2015) 2013 *Independent review of the information available for monitoring trends and assessing the status of New Zealand freshwater eels*.
6. MPI 2018. *Review of North Island eel sustainability measures for 2018/2019. Consultation document*, MPI Discussion Paper No: 2018/04.
7. In Jellyman, DJ 2012
8. There are hints that there is more information available. For example, Footnote 26 of the MPI discussion paper notes that “Fisheries New Zealand conducted a review using a more comprehensive and integrated information base to inform the stock assessment process for longfin eels.” and this included “additional data provided by universities, the Department of Conservation, and local councils to assist in monitoring eel abundance”. The press release also has the



following quote (Scoop 20 June 2018) “Fisheries New Zealand Inshore Fisheries Manager Steve Halley says the review is based on a new scientific assessment by NIWA in 2017 for North Island eels.” This NIWA report does not appear available.

<http://www.scoop.co.nz/stories/BU1806/S00468/consultation-on-north-island-freshwater-eels.htm>

9. In Haro et al 2015



**PO Box 43, Te Kauwhata 3741
Ph: (07) 8263616**

North Island Eel Review,
Fisheries New Zealand, Ministry for Primary Industries,
PO Box 2526,
WELLINGTON 6140.

27th July 2018

**Submission on: Review of North Island eel sustainability measures for 2018/19
Fisheries New Zealand Discussion Paper No: 2018/04**

NZ Eel Processing Ltd (NZEP), managed by Southfish Ltd, processes shortfin and longfin eels which are caught commercially throughout the North Island. NZEP directly owns 28 tonnes of LFE quota and 96 tonnes of SFE quota. Our fishermen own another 45 tonnes of ACE and NZEP usually leases a further 38 tonnes of SFE or LFE ACE per annum, as required by market demand. Our Te Kauwhata factory directly processes 180-200 tonnes of eels per annum. The factory specializes in processing eels for niche export markets. These include live eels, smoked whole eels, and vacuum-packed smoked eel fillets. The factory employs 8 full-time equivalent staff. Additional part-time staff are employed by NZEP from time to time. The factory utilizes local businesses for servicing and maintenance of plant and equipment, provision of utilities and professional services. The factory and its staff have become very much part of the Te Kauwhata community landscape since 1965.

The address for service for the submitter is **Attn: Bill Chisholm,** [REDACTED]
[REDACTED]

NZEP has read the submission made by the Chairman of the Eel Enhancement Company Ltd, and we support and agree with all points raised in that submission. We have considered the options presented in the Discussion Paper, and submit the following:

1. **NZEP SUPPORTS the status quo remaining for all shortfin stocks.** We agree with the Discussion Document that this should occur because CPUE is increasing across all stocks.
2. **NZEP SUPPORTS the status quo (Option 1) for all longfin stocks.**
3. **NZEP OPPOSES Option 2 for any longfin stocks** (i.e. LFE20, LFE21, LFE22, LFE 23).

This review of management controls appears in large part to mirror that which occurred for South Island eels (SFE and LFE) in 2016. This earlier South Island review made extremely damaging decisions based on flawed scientific reasoning, ignoring scientific studies, and misuse of established policy.

We are now faced with precisely the same flawed arguments in the Discussion Document, through the “Option 2” proposal to reduce LFE TACC’s in all QMA’s by an average of 32%. NZEP is 100% opposed to this Option 2 for all LFE stocks for the following reasons:

1. Option 1 for LFE is supported by the best available information. Option 2 is not.

The Discussion Document correctly outlines the available information from the Plenary Report and elsewhere on longfin eels, which provides the rationale for maintaining the status quo, the same as for shortfin eels. S 10 of the Fisheries Act outlines certain information principles the Minister must use in his decision-making process. Later sections of that Act state that the Minister must consider the best available information when making his decisions. The best available information is that which has been collected, analyzed, discussed and peer reviewed using the scientific method. Anecdotal and other non-scientific information can also be useful, but only in the absence of scientific information, or where it is equivocal or weak. It cannot be used to supplant the robust scientific information provided in the North Island SFE/LFE Plenary Report. The rationale for implementing Option 2 for LFE appears to be based on non-scientific information alone.

2. Other measures are available to manage iwi sustainability concerns.

These are actually outlined in the Discussion Document (para 88), but the Discussion Document considers them ineffectual because of “...*financial and resource limitations.*” If finances are a limiting factor to iwi involvement in fisheries management, then that is solved through Fisheries NZ making their processes less costly and bureaucratic. There is no way that LFE quota owners and commercial fishers should be made to suffer quota cuts because of a system which does not allow the full participation of all stakeholders. Indeed, financial and resource limitations are a problem for all stakeholders, not just iwi, when it comes to fisheries management.

3. Option 2 for LFE would not survive a judicial review

Fisheries NZ had created an ugly precedent by severely cutting longfin quota in the South Island, contrary to best available information. Paragraphs 89-92 of the Discussion Document outline the rationale for this. NZEP submits that this rationale would not stand up to severe judicial scrutiny. Paragraph 94 of the Discussion Document outlines the differences between the South Island and North Island reviews. This provides even more evidence that any decision supporting Option 2 would not survive judicial review, especially the statement:

For three of the six longfin stocks and four of the six shortfin stocks in the South Island there was insufficient data to undertake a CPUE analysis, however for North Island eels there was sufficient data to undertake a CPUE analysis for all longfin and shortfin stocks.

4. Option 2 for LFE would adversely affect confidence and investment in the eel industry

If Option 2 was implemented, its flimsy and probably unlawful basis would send a signal to eel fishermen, eel processors, marketers and the wider fishing industry that Fisheries NZ is not interested in making fair decisions based on best available science. This actually

occurred in the South Island in 2016, and we can see the impacts of that decision on the South Island Eel Industry. These are listed as follows:

- All of the South Island Eel Industry's confidence in the Crown fisheries management system's ability to make sensible, non-political decisions was lost.
- There has been no appetite for industry to undertake new or innovative research or enhancement on eels.
- There has been no new investment in plant and equipment by South-Island based LFR's.
- There has been an ~80% reduction in eel advocacy and enhancement work by the South Island Eel Industry.
- There has been no new investment in overseas marketing.
- Nearly half of all active eel fishermen in the South Island will exit from the Industry by 2020.
- Recruiting capable new fishermen into the industry has become very difficult.
- Eel port prices remain at a low level.
- Quota value has fallen by 20-30% (additional to the direct losses from quota cuts).

These impacts will be mirrored in the North Island if Option 2 for LFE is implemented.

Summary and Conclusion:

Commercial SFE and LFE fishing in the North Island is fully sustainable under the existing regulatory and TAC/TACC regime. Scientific studies support this fact. NZEP takes particular offense at the implication from the Discussion Paper that longfin eels are somehow endangered and/or being overharvested. CPUE and other robust scientific data reveal that this is certainly not the case. In this situation, LFE quota reductions based on anecdotal information or political ideals, would not survive judicial review.

NZEP is a significant shareholder and contributor to the NZ Eel Enhancement Company Ltd, which has been at the forefront of advocating for eel habitats and sustainable harvest. NZEP also spends a considerable amount of its own on advocacy for eel habitats, submissions to Regional Plans etc. These measures provide far better alternatives for enhancing longfin eel populations than arbitrary and baseless quota cuts.

Yours faithfully



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27 July 2018

Submission: We support the FNZ proposed Option 2 for Rig 7 (SPO 7).

Recommendations

1. Fisheries New Zealand (FNZ) includes in the Final Advice Paper to the Minister our concern for the need to treat with caution the Catch Per Unit of Effort (CPUE) and trawl survey indexes.
2. FNZ Advice to the Minister includes our concerns that a 20% increase to the Total Allowable Commercial Catch (TACC), as per Option 3, is excessive.
3. FNZ advise the Minister that a conservative approach must be taken in order to properly meet the goals of the National Plan of Action for Sharks.
4. The Minister review the overall recreational allowance in SPO 7 when the results of the current National Panel Survey are available.

The submitters

5. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of Rig 7 (SPO 7). Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
6. 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'*.
7. 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]

8. The submitter's 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.
9. 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

10. Rig in SPO 7 is mainly caught in a target set net fishery along with other shark species, including school shark and spiny dogfish. Rig is also caught in the mixed inshore trawl fishery targeting flatfish, red gurnard, red cod and tarakihi. Set net restrictions to protect Hector's dolphins has reduced the available fishing area for Rig in SPO 7.
11. Total reported landings of rig increased rapidly during the 1970s and early 1980s. Rig were introduced into the Quota Management System in 1986. Landings declined to less than half those of the previous decade in response to TACCs that were set at levels that were lower than previous catches.
12. The TACC for SPO 7 was set at 240 tonnes and increased due to Quota Appeal Authority decisions, Ministerial decisions, and the Adaptive Management Programme, which enabled the TACC to increase by 20% in 1991-92. The SPO 7 TACC was raised to 246 t from October 2015 based on increased abundance.



FNZ proposals

13. Fisheries New Zealand has proposed an increase to the SPO 7 Total Allowable Catch (TAC), Total Allowable Commercial Catch (TACC) and the allowance for all other mortality to the stock caused by fishing.

Table 3: Proposed management settings in tonnes for SPO 7 from 1 October 2018, with the percentage change relative to the *status quo* in brackets.

Option	Total Allowable Catch (TAC)	Total Allowable Commercial Catch (TACC)	Allowances		
			Customary Māori	Recreational	All other mortality to the stock caused by fishing
Option 1 (<i>Status quo</i>)	306	246	15	33	12
Option 2	332 ↑ (8%)	271 ↑ (10%)	15	33	13 ↑ (10%)
Option 3	357 ↑ (17%)	295 ↑ (20%)	15	33	14 ↑ (20%)

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

Submission

14. The submitters support Fisheries New Zealand's **Option 2**.
15. Although the Catch Per Unit of Effort (CPUE) and the West Coast South Island (WCSI) trawl survey shows evidence of an increase in availability of rig, the submitters advise that this data ought to be treated with caution and consider that a 20% TACC increase, as per FNZ's Option 3, is excessive.
16. Both of the bottom trawl BT(all) CPUE and the WCSI data sets are generated from trawling, it is understood that the trawl speeds normally used are unlikely to catch large rig, therefore the status of this portion of the population is unknown.
17. These un-surveyed, larger females are important to the success of the SPO 7 stock due to the exponential increase observed between the number of young produced and the length of the female.
18. Given the known long migrations of large rig particularly females, having a better understanding of the biological links between stocks is important. A project to investigate this is being planned and we submit that any increases larger than FNZ's Option 2 must not be made without these research results.
19. The set net (038) CPUE has limited value as an index of stock abundance as it covers only one Statistical Area. This particular fishery is also likely to be targeting spawning and/or breeding aggregations of rig, which further reduces confidence that these are indicative of overall stock abundance.
20. Rig is not a species primarily targeted by the WCSI trawl survey, meaning that the survey coverage is not designed to capture this data. Therefore, the WCSI trawl survey results must be used with some caution. Implementing a 20% TACC increase, as proposed by FNZ in Option 3, based on these data would be irresponsible.
21. In order to properly meet the goals of the National Plan of Action for Sharks, a conservative approach must be taken, especially given the uncertainty in data available.
22. The submitters recommend increasing the allowance for all other sources of mortality. An allowance of less than 5% of the TACC is unlikely to account for the true mortality.
23. Being a Schedule 6 species numerous fish are returned to the water, and while rig is thought to be capable of surviving this release process, there must be mortality associated with trawl and set net capture. Any increase in the TACC will require an increased allowance to cover the mortality and ensure the Total Allowable Catch (TAC) is not exceeded.
24. The submitters recommend the Minister review the overall recreational allowance in SPO 7 when the results of the current National Panel Survey are available.

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27 July 2018

Submission: We support FNZ's Option 2 for ELE 3 with conditions.

Recommendations

1. The Minister applies FNZ's Option 2 for ELE 3 with the following conditions –
 - a. No further Total Allowable Commercial Catch (TACC) increases are granted until systems are in place to increase compliance.
 - b. No further TACC increases are granted until research is carried out to better understand the extent and effects of dumping and misreporting in this fishery.
 - c. The allowance set aside to allow for recreational interests is reviewed when the results from the current National Panel Survey are available.
2. Fisheries New Zealand must develop a coherent policy on setting allowances for other fishing related mortality.

The submitters

3. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of Elephant 3 (ELE 3). Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
4. 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'*.
5. 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].

6. The submitter’s 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.
7. 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

8. Elephant 3 (ELE 3) is a large management area off the South Island’s east coast. Elephant fish are fairly slow growing and late maturing with low reproduction, all contributing to the species being vulnerable to fishing pressure.
9. Commercial fishing for elephant fish in ELE 3 is seasonal, occurring mostly in spring and summer in inshore waters. elephant fish are primarily taken when trawlers are targeting red cod, flatfish and barracouta. Around 15% of ELE 3 landings are taken by set net fishery targeting a range of shark species.
10. From the 1950s to 80s landings of elephant fish of around 1000 tonnes per annum were common, with most catch coming from ELE 3. With the exception of 2002-03, commercial catches since 1986 have consistently exceeded the Total Allowable Commercial Catch (TACC). The initial TACC was set at 280 tonnes, increasing nine times between 1986 and 2015. A TAC of 1060 t was set in 2002, this included allowances for non-commercial interests and fishing related mortality. In 2009-10 the TACC was increased from 960 to 1000 t where it remains today.



FNZ proposals

11. Fisheries New Zealand has proposed an increase to the ELE 3 Total Allowable Catch (TAC), Total Allowable Commercial Catch (TACC), recreational allowance and the allowance for all other mortality to the stock caused by fishing.
12. FNZ propose the TACC increase on the basis of better utilisation of the stock and generating value.
13. The increase to the recreational allowance is proposed in order to align with the best available information, produced by the National Panel Survey of Marine Recreational Fishers 2011-12: Harvest Estimates.

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

14. The increase in the allowance for all other mortality to the stock caused by fishing is proposed to cover the increased mortality anticipated with the proposed increase in TACC.

Table 1: Proposed management settings in tonnes for ELE 3 from 1 October 2018, with the percentage change relative to the *status quo* in brackets.

Option	Total Allowable Catch (TAC)	Total Allowable Commercial Catch (TACC)	Allowances		
			Customary Māori	Recreational	All other mortality to the stock caused by fishing
Option 1 (<i>Status quo</i>)	1060	1000	5	5	50
Option 2	1228 ↑ (16%)	1150 ↑ (15%)	5	15 ↑ (200%)	58 ↑ (16%)

Submission

15. The submitters support FNZ Option 2 for ELE 3 with the following conditions -
- No further Total Allowable Commercial Catch (TACC) increases are granted until systems are in place to increase compliance.
 - No further TACC increases are granted until research is carried out to better understand the extent and effects of dumping and misreporting in this fishery.
 - The allowance set aside to allow for recreational interests is reviewed when the results from the current National Panel Survey are available.
16. Ministry reports such as [Operation Achilles](#) have revealed evidence of large-scale dumping, high grading and misreporting of up to 30% of elephant fish on vessels operating within ELE3. On some vessels between 20% to 100% of some quota fish were discarded on every haul. It was found that port price seemed to have the main influence on the discarding of small elephant fish. The low port price combined with the deemed value rate provided no incentive for fishers to land small elephant fish.
17. This ongoing behaviour, the refusal to increase the use of 125mm trawl mesh, and the blatant disregard for the future viability of the stock undermines the credibility of Catch Per Unit Effort (CPUE) data that is used to support the proposed increase in TACC and the estimated of fishing related mortality.
18. In trawl fisheries with known catch of small fish it is standard for the Minister to set aside an allowance of 10% of the TACC to 'allow for' other mortality caused by fishing. The latest FNZ proposals include an allowance of only 5% even though there is a documented history of dumping and wastage. There is also no consistency by FNZ in determining whether the increased allowance for other mortality ought to be deducted from the TAC or TACC when decisions are made. Fisheries New Zealand must develop a coherent policy on setting allowances for other fishing related mortality.
19. It is possible that the sustained CPUE is due to an increase in compliance and reporting, therefore increasing landing records while masking a true decline in CPUE.

20. This theory could be supported by the increases trend in ELE 3 average port price (Fig 1), therefore making landing elephant fish more economically feasible and discarding less appealing.

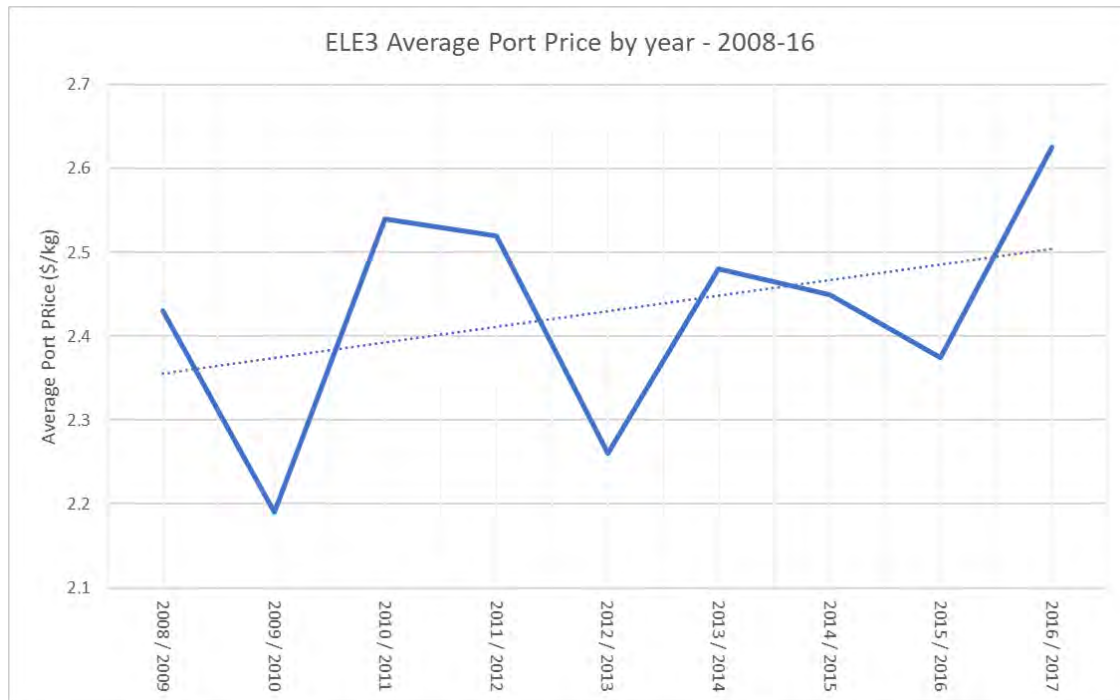


Figure 1: ELE3 Average port price by year - Sourced from FishServe

21. The East Coast South Island Trawl Survey shows no real change in ELE 3 giving some confidence that current catch levels are acceptable. However, without a true measure of fleet-wide CPUE we cannot determine if this survey is a true reflection of stock abundance.
22. The submitters agree that it is likely that this fishery is performing well and could possibly sustain the increased harvest, but in order to be confident of the long-term viability of this stock more information is required.
23. The apparent inability of commercial fishers to avoid elephant fish which has led to consistently exceeding the TACC is at least somewhat a symptom of the unselective harvest methods that are allowed to operate in our marine environment. In northern waters fishers use 125mm trawl mesh in mixed fisheries, there is no reasonable explanation for the ongoing use of 100mm mesh in southern mixed trawl fisheries, particularly given the prevalence of small fish in the south.
24. The use of these unselective methods must be removed from our inshore zone if we are to protect these valuable fish stocks to provide for the foreseeable needs of future generations.
25. The submitters support the Minister making a decision to increase the recreational allowance to better align with the most recent estimate of recreational harvest and recommend that consideration be given to reevaluating this once new estimates are obtained. The Minister has a statutory obligation to 'allow for' non-commercial harvest, both recreational and customary, so we would expect that an update to the overall recreational allowance would be the next step when the next harvest estimates are available.

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27 July 2018

Submission: We support FNZ's Option 3 for KIN 3.

Recommendations

1. The Minister extend the East Coast South Island trawl survey to include kingfish.
2. Fisheries New Zealand (FNZ) monitors and reports on any change to the targeting of kingfish due to the increased Total Allowable Commercial Catch (TACC) or other reasons.
3. The Minister regulate against the use of unselective harvest methods in inshore waters to protect valuable fish stocks and provide for the foreseeable needs of future generations.

The submitters

4. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of Kingfish 3 (KIN 3). Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
5. 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'*.
6. 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].
7. The submitter's 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.

8. 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

9. Kingfish 3 (KIN 3) is a large area spanning the east, south and southwest of the South Island. Kingfish are largely a warm water fish found predominantly around the upper North Island. There is increasing evidence that kingfish are more prevalent now in southern waters.
10. Kingfish were introduced into the Quota Management System in 2003 with the Total Allowable Catch (TAC) and Total Allowable Commercial Catch (TACC) initially set to discourage commercial fishers targeting kingfish. The KIN 3 TAC is set at 3 tonnes. Over the past 5 years the average commercial catch in KIN 3 has been around 190% of the 1 tonne TACC. In the most recent fishing year commercial catch was 353% of the TACC. FNZ advise there is no evidence of any increased targeting of kingfish by commercial fishers. Commercial catch landing records is used to monitor the stock. There are no accepted reference points to determine the status of kingfish stocks in relation to management targets, and a level of biomass that would support Maximum Sustainable Yield is unknown.
11. Minimum Legal Size (MLS) limits apply to kingfish catch, commercial MLS is 65cm, recreational is 75cm. Kingfish are a Schedule 6 species meaning they can be returned to the water only if they are likely to survive on return. Schedule 6 does not apply to kingfish caught in set nets.



FNZ proposals

12. Fisheries New Zealand has proposed two options for an increase to the Total Allowable Catch (TAC), Total Allowable Commercial Catch (TACC), recreational allowance and the allowance for all other mortality to the stock caused by fishing.

Table 1: Proposed management settings in tonnes for KIN 3 from 1 October 2018, with the percentage change relative to the *status quo* in brackets.

Option	Total Allowable Catch (TAC)	Total Allowable Commercial Catch (TACC)	Allowances		
			Customary Māori	Recreational	All other mortality to the stock caused by fishing
Option 1 (<i>Status quo</i>)	3	1	1	1	0
Option 2	9 ↑ (200%)	3 ↑ (200%)	2 ↑ (100%)	3 ↑ (200%)	1 ↑
Option 3	17 ↑ (467%)	6 ↑ (500%)	4 ↑ (300%)	6 ↑ (500%)	1 ↑

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

Submission

13. The submitters **support FNZ Option 3.**
14. The submitters support Option 3 even though kingfish is an important non-commercial, recreational and customary, species. However, given the relatively low commercial catches, FNZ's Option 3 seems a reasonable response to the increased availability of kingfish in this area.
15. The submitters support the Minister extending the East Coast South Island trawl survey to include kingfish as a surveyed species, particularly given the apparent increase in abundance of kingfish in KIN 3.
16. The submitters do not want the increase in TACC to become an incentive for commercial fishers to target kingfish, and we recommend that commercial catch is monitored and reported on in the following years.
17. The inability of commercial fishers to avoid kingfish which has led to exceeding the TACC is, in part, a symptom of the unselective harvest methods that are allowed to operate in our marine environment.
18. The use of these unselective harvest methods must be removed from our inshore zone if we are to protect these valuable fish stocks and provide for the foreseeable needs of future generations.

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27 July 2018

Submission: We do not support the FNZ options for the future management of Flatfish 1 (FLA 1). We propose an alternative package.

Recommendations

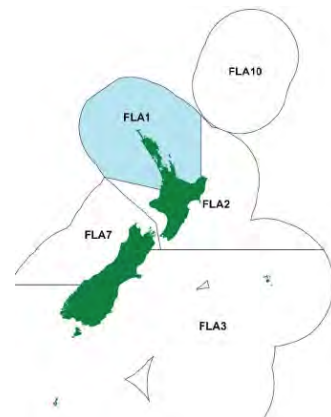
1. The Minister removes the headroom from overallocated Total Allowable Commercial Catches (TACCs) that fail to manage commercial harvest in any effective way. Fisheries New Zealand must include in their Final Advice Paper to the Minister a recommendation to achieve this outcome.
2. The Minister addresses long standing issues in the FLA 1 fishery that have caused conflict and localised depletion, which has had a detrimental effect on remote harbour communities.
3. In making his decision the Minister acknowledges the reality that the Quota Management System has not been effective at limiting flatfish catch or effort.
4. The Minister applies a staged approach to the sustainable management of FLA 1, including but not limited to the following package –
 - a. The TACC is set at the average FLA 1 commercial catch over the last 10 years, about 500 t. This will allow core fishers to remain viable and avoid the use of in-season adjustments which are inefficient and not suitable in areas where most of the catch is landed in spring and summer.
 - b. The FLA 1 Quota Management Area is split into five separate management areas. Splitting quota by area and obtaining agreement from the required proportion of quota holders will be easier with an adequate TACC.
 - c. Conduct a review of the FLA 1 fishery and establish new area based management with revised commercial catch data, CPUE analysis and recreational harvest estimates in three year's time.
5. FNZ advise the Minister in the Final Advice Paper that there is wide public support for local, high value fisheries that are well operated and managed, and able to supply quality product to the local community.
6. Fisheries New Zealand must develop a coherent policy on setting allowances for other fishing related mortality.

The submitters

7. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of Flatfish 1 (FLA 1). Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
8. 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'*.
9. 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]
10. The submitter's 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.
11. 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

12. Flatfish one (FLA 1) is a large Quota Management Area spanning the east and west coasts of the top half of the North Island. Most of the catch is taken by set net fishers working out of small boats in the harbours and Firth of Thames who are catching yellowbelly or sand flounder. The quota covers eight species of flounder, sole, brill and turbot. These combined species were introduced to the QMS in 1986 with a TACC of 1100 t, which increased to 1187 t (8%) following Quota Appeal Authority hearings.
13. Most flatfish are fast growing and short lived and abundance can vary from year to year. The initial TACC for FLA 1 was set at a level of the highest catches on record, to allow for increased catches of flatfish in years of higher abundance.
14. The TACC has never been fully caught in the last 31 years and there has been a long-term decline in commercial catches.



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

FNZ Proposals

15. Fisheries New Zealand (FNZ) propose significant cuts for the commercial TACC and recreational allowance in order to reduce overall harvest to estimates of current catch in Option 2, or in Option 3 to reduce the TACC 10% below the average catch for the last five years (Table 1).

Table 1: Proposed management settings in tonnes for FLA 1 from 1 October 2018

Option	Total Allowable Catch (TAC)	Total Allowable Commercial Catch (TACC)	Allowances		
			Customary Māori	Recreational	All other mortality to the stock caused by fishing
Option 1 (<i>Status quo</i>)	1762	1187	270	270	35
Option 2	487 ↓ (72%)	423 ↓ (64%)	27 ↓ (90%)	27 ↓ (90%)	10 ↓ (71%)
Option 3	444 ↓ (75%)	381 ↓ (68%)	27 ↓ (90%)	27 ↓ (90%)	9 ↓ (74%)

Submission

16. The submitters support removing the headroom from over allocated TACCs that fail to manage commercial harvest in any effective way. Flatfish is not the only species that was assumed to have highly variable recruitment and abundance and that had excessive quota tonnages set in the 1980s.
17. Most of the flatfish catch is taken by set net fishers in harbours and the Hauraki Gulf. These areas are monitored as discrete fisheries and most of the main target species are resident in each area. Some of the fishers are also resident and mainly fish locally, while others travel to fish where and when catch rates are best. There has been a longstanding problem in this fishery with a very large Quota Management Area, a surplus of cheap Annual Catch Entitlement (ACE), and a highly mobile set net fleet.
18. The Quota Management System (QMS) has not been effective at limiting flatfish catch or effort and it has created spatial conflict between resident fishers and the mobile commercial fleet, often referred to as “the mosquito fleet”. The risk of conflict can be mitigated by splitting the large QMA into 5 separate sub-stocks with their own TACC allocation.
19. The recreational and customary Maori fisheries for flatfish are long established and highly valued. There appears to have been a significant decline in recreational catch and fishing effort as catch rates declined. The results of the current 2017-18 National Panel Survey will show whether this trend has continued however, it may not tell all the story. Recreational and customary fishers in the Kaipara and Manukau Harbours have long argued that any increase in abundance is quickly mopped up by commercial effort. Commercial fishers are more mobile, fishing out areas and leaving few fish for the locals to sustain themselves. This is a particular concern for people in the upper reaches of the Kaipara where local fishing opportunities are limited. We don’t want a repeat of the situation in the 1990s where gunshots were fired however, those actions were a demonstration of how strongly some people feel about ensuring fish are available in their area.

20. There is no quantitative stock assessment that can assess the status of the flatfish stocks or predict the effect of limiting catch. There are too many species and discrete stocks for a typical stock assessment. Set net Catch Per Unit of Effort (CPUE) is not often accepted as a reliable index of abundance and there have been changes in net materials and some voluntary increases in mesh size since 1990 which are not taken into account in the CPUE analysis.
21. There has also been significant changes in harbour habitats, not just increased sedimentation but the spread of introduced species, particularly Pacific oysters and the Asian date mussels (*Arcuatula senhousia*). These changes appear to have reduced the habitat and catch rate for yellowbelly flounder, particularly in years with poor recruitment.
22. Flatfish and mullet are the primary target species for many of the commercial fishers involved. Their boats and equipment are not easily converted to other species.
23. The submitters are concerned that, given the nature of fishery, FNZ's proposals appear particularly heavy handed for an eight species assemblage with highly variable recruitment and poorly defined sustainability concerns. This is not a case like CRA 2 where a history of over exploitation led to a 60% reduction in the TACC because it was below the soft limit. Nor can the current proposals be compared to the current tarakihi consultation where a 59% reduction is proposed based on a quantitative stock assessment and the need to rebuild to a target biomass. **By comparison the 64% or 68% reduction proposed for FLA 1 seems to be excessive as the first stage in restructuring this fishery using a single blunt tool, the TACC.**
24. **The submitters do not support the use of the average of the last 5 years commercial catch in FLA 1 as the basis for TACC reductions** for a range of reasons including, but not limited to, the following –
 - a. The 64% reduction in FNZ's Option 2 is not based on any hard science and the effect on fishers may be greater than is warranted based on the sustainability risks for yellowbelly and sand flounder, which make up most of the catch.
 - b. Available quota will end up traded by speculators based on increased demand and higher prices. Furthermore, the ACE market does not function well when the TACC is close to fully caught.
 - c. If long-standing commercial flounder fishers are squeezed out then this will be another fishery sold off to the highest bidder seeking rent from hard working ACE fishers who shoulder all the risk for little reward.
 - d. Companies selling ACE may also require fishers to land their catch to that company, further reducing the ability of independent fishers to find the best price of their catch and removing the incentives to deliver the highest quality product.
25. The submitters support a staged approach to the sustainable management of this fishery by application of the following package of measures –
 - a. Setting the TACC at the average FLA 1 commercial catch over the last 10 years, about 500 t. This will allow core fishers to remain viable and avoid the use of in-season adjustments which are inefficient and not suitable in areas where most of the catch is landed in spring and summer.
 - b. Splitting the FLA 1 QMA into five separate management areas. Splitting quota by area thereby making the Minister's job easier in obtaining agreement from the required proportion of quota holders with an adequate TACC.
 - c. Reviewing the fishery and setting new area based management with revised

commercial catch data, Catch Per Unit of Effort (CPUE) analysis and recreational harvest estimates in three year's time.

26. FNZ must advise the Minister in the Final Advice Paper that there is wide public support for local, high value fisheries that are well operated and managed and able to supply quality product to the local community.
27. Fisheries New Zealand must develop a coherent policy on setting allowances for other fishing related mortality.

Footnote

28. Trying to manage a MSC certified hoki trawl fishery, and a shallow water set net fishery spanning several estuarine harbours, using the same output control levers is plain madness. The Quota Management System is a very blunt with an inflexible set of laws that causes more problems than it solves, and solving the FLA 1 problem of overallocation is not something it can resolve equitably.
29. Flatfish 1 is a fishery calling for an effort control regime, where permits are conditioned by effort limits. This practice is widespread and routinely used in Western Australia. The last 30 years of the QMS has proven that a species with wildly fluctuating and unpredictable recruitment is not suited to management by output controls alone. New Zealand can do better by our fisheries and our people.

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27 July 2018

Submission: We support a modified version of FNZ's Option 2 for Red Gurnard 3, our Option 2A.

Recommendations

1. The Minister applies option 2A, to increase the Total Allowable Catch in Red Gurnard 3 (GUR 3), and on the basis that the proposed allowance for fishing related mortality is set at 10% of the new TACC, not at FNZ's proposed 5% :
 - a. No further TACC increases are given until systems are in place to increase compliance;
 - b. No further TACC increases are given until research is carried out to better understand the extent and effects of dumping and misreporting in this fishery.
 - c. A review of the recreational allowance is conducted when the new recreational harvest estimates are obtained from the current National Panel Survey.
2. The Minister regulates against the use of unselective commercial fishing methods in the inshore zone, to protect our valuable fish stocks and to meet the statutory obligation to provide for the foreseeable needs of future generations.
3. Fisheries New Zealand must develop a coherent policy on setting allowances for other fishing related mortality.

The submitters

4. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of Red gurnard 3 (GUR 3). Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
5. The NZ 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*'.

6. 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]
7. The submitter’s 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.
8. 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

9. Red Gurnard 3 (GUR 3) represents a large Quota Management Area (QMA) spanning the east and west coasts of the South Island. Most of the catch is taken by coastal trawlers, with a small proportion of the catch harvested by Danish seiners. Around 90% of the GUR 3 catch is taken by the mixed trawl fishery targeting other species.
10. Red Gurnard was introduced into the Quota Management System in 1986. Under the Adaptive Management Programme (AMP) the GUR 3 TACC was increased in 1992 by 14%, to 600 tonnes (t). The TACC was increased again, from 600 t to 900 t, for the 1996-97 fishing year under the AMP, but decreased to 800 t in 2002-03. The TACC increased in 2009-10, from 800 t to 900 t, and allowances were made for non-commercial fishing interests and fishing related mortality. All AMPs ended in September 2009.
11. The TACC has been consistently over-caught since 2012. There is a known history of high grading, at-sea dumping and misreporting in the South Island mixed trawl fisheries including GUR 3.



FNZ proposals

12. Fisheries New Zealand (FNZ) has proposed an increase to the Total Allowable Catch (TAC), Total Allowable Commercial Catch (TACC) and the allowance for all other mortality to the stock caused by fishing.
13. FNZ advise that an 8% increase to the TACC is proposed because the stock is above the management target, and is likely to remain so in the short-term.

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

14. FNZ propose to increase the allowance for all other mortality to the stock caused by fishing to bring it in line with other stocks mainly taken by trawling (Table 1).

Table 1: Proposed management settings in tonnes for GUR 3 from 1 October 2018, with the percentage change relative to the status quo in brackets.

Option	Total Allowable Catch (TAC)	Total Allowable Commercial Catch (TACC)	Allowances		
			Customary Maori (t)	Recreational (t)	All other mortality to the stock caused by fishing. (t)
FNZ option 1 (status quo)	1290	1220	3	6	61
FNZ option 2	1395 (+8%)	1320 (+8%)	3	6	66 (+8%)
Submitters option 2A	1461 (+13%)	1320 (+8%)	3	6	132 (+116%)

Submission

15. The submitters support **Option 2A**, which is FNZ's Option 2 with conditions:
- No further TACC increases are given until systems are in place to increase compliance.
 - No further TACC increases are given until research is carried out to better understand the extent and effects of dumping and misreporting in this fishery.
 - The recreational allowance is reviewed when the new recreational harvest estimates are obtained from the current National Panel Survey.
16. Ministry reports such as [Operation Achilles & Hippocamp](#) have revealed evidence of large-scale dumping, high grading and misreporting of substantial quantities of gurnard on vessels operating within GUR 3. Between 20% to 100% of some quota fish were discarded during every haul. Ministry did not prosecute the offenders. This is a major concern to the submitters.
17. One report author noted: *"While this behaviour is alarming it is also not surprising as previous research and observations have indicated that the dumping/non-reporting has been occurring in this fishery for many years"*
18. [Operation Hippocamp](#) reported that between one and two thirds of gurnard, by number, were illegally dumped. The Ministry also found significant differences between the samples of gurnard measured and counted at sea, and what was landed to the Licensed Fish Receiver (LFRs). Upon investigation, the LFRs were found to be paying more for larger fish over 32cm and there was no specific price for gurnard smaller than 28cm. It was noted that this price differential was an incentive for fishers to high grade, dump smaller fish for larger one.
19. This ongoing behaviour and the blatant disregard for the future viability of the stock undermines the credibility of the Catch Per Unit Effort (CPUE) data used to support the proposed TACC increase.
20. It is possible that the current sustained CPUE is due to an increase in compliance and reporting therefore increasing landing while masking the true decline in CPUE.

21. This theory could be supported by the increases trend in GUR 3 average port price (Fig 1), therefore making landing gurnard more economically feasible and discarding less appealing.

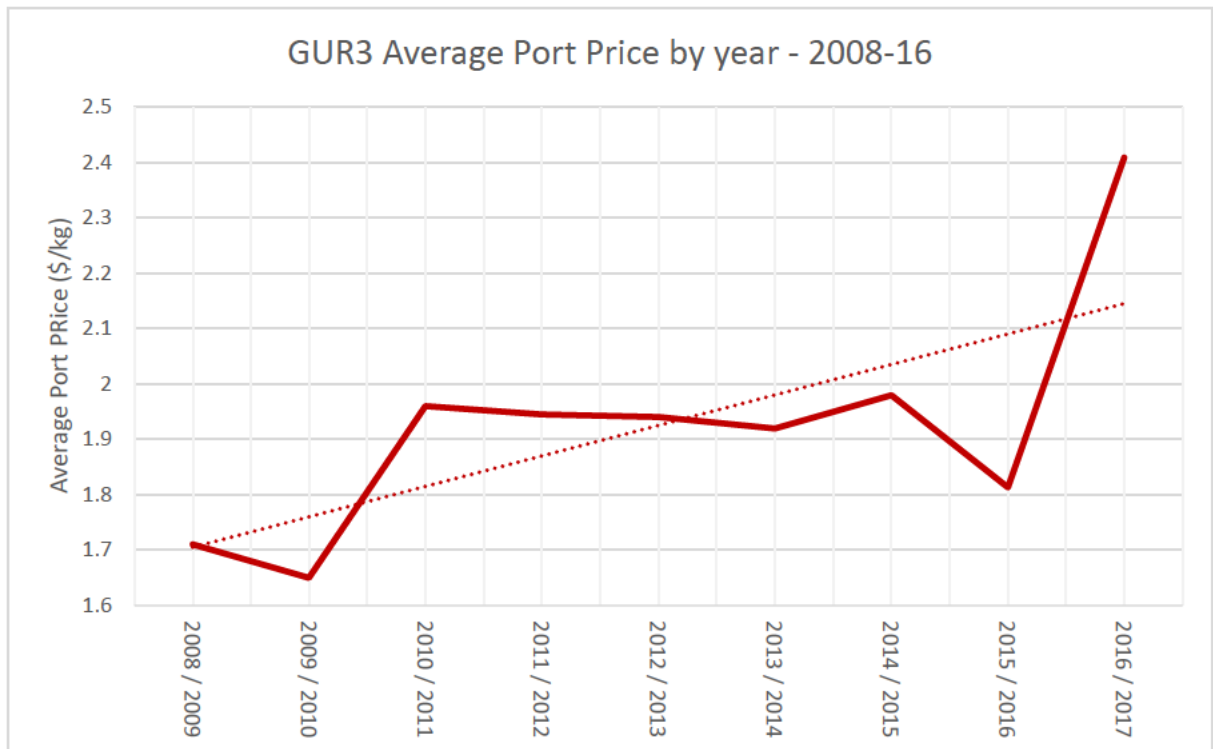


Figure 1: GUR3 Average port price by year - Sourced from FishServe

22. The East Coast South Island Trawl Survey shows no real change in GUR 3 indicating that current catch levels are sustainable for the short-term. However, without a true measure of fleet-wide CPUE we cannot determine if this survey is a true reflection of stock abundance.
23. The submitters agree with FNZ that it is likely that this fishery is performing well and could sustain the increased harvest, but in order to be confident of the long-term viability of GUR 3 more information is required.
24. Upon release of the recreational harvest estimates from the National Panel Survey, currently underway, we submit the Minister conducts a review of the recreational allowance in order to align the allowance with best available data.
25. We note there has been three TACC increases since 2006, largely made on the basis that the gurnard are unavoidable and with little supporting science aside from self-reported CPUE. This is a concern on its own.
26. Of equal or greater concern is the apparent inability of commercial fishers to avoid red gurnard which has led to consistently exceeding the TACC. This surely is, at the very least, a symptom of the unselective harvest methods that are allowed to operate in our marine environment. In northern waters fishers use 125mm trawl mesh in mixed fisheries, there is no reasonable explanation for the ongoing use of 100mm mesh in southern mixed trawl fisheries.

27. The use of wasteful, non-selective fishing methods must be removed from our inshore zone if we are to protect these valuable fish stocks and for the Minister to meet his statutory obligation to provide for the foreseeable needs of future generations.
28. In the Final Advice Paper FNZ must provide the Minister with more information about what is known about the levels of incidental mortality, discarding and dumping in this fishery We submit that an allowance of 10% of the TACC, as is standard in most other inshore mixed trawl fisheries, is required. It is not good enough to simply reduce the allowance for expected, and relatively well known, mortality just so the sum fits nicely within the proposed TAC.
29. Fisheries New Zealand must develop a coherent policy on setting allowances for other fishing related mortality.

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27 July 2018

Submission: We support a modified version of the FNZ proposed option 3 for John dory 1 (JDO 1).

Recommendations

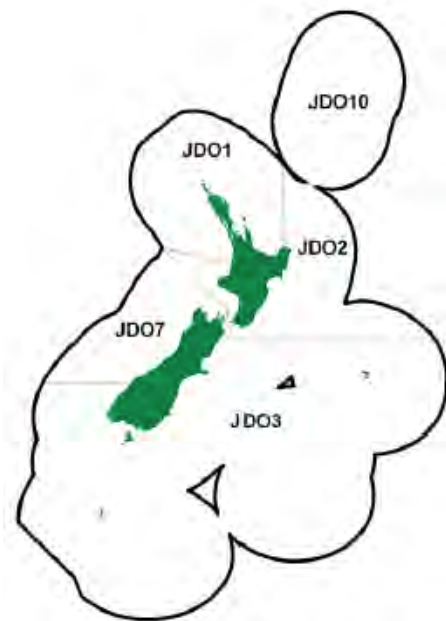
1. The Minister removes the headroom from overallocated Total Allowable Commercial Catches, including JDO 1, that fail to manage commercial harvest in any effective way. Fisheries New Zealand must include in their Final Advice Paper to the Minister a recommendation to achieve this outcome.
2. That FNZ Advice to the Minister notes that trawl CPUE may not be a true reflection of relative John dory abundance in JDO 1 or in any fisheries that have had no effective limit on commercial catch and that have been fished relatively hard for 30 years.
3. In making his decision for the future management of JDO 1 the Minister gives effective consideration to the wider impacts of fishing on the ecosystem.
4. The Minister decides to split the JDO 1 Quota Management Area (QMA) into separate west and east coast stocks.
5. The Minister sets a recreational allowance based on best available information.
6. Until there is both an agreement to split the QMA and transparent advice to the Minister as to why FNZ propose the allowance for fishing related mortality is set at 5% of the TACC rather than 10% as in most other inshore mixed trawl fisheries, the Minister makes the following decision (Option 3A) for the future management of JDO 1, reflecting in part FNZ option 3–
 - a. Sets the Total Allowable Catch at 403 tonnes.
 - b. Sets the Total Allowable Commercial Catch at 320 tonnes.
 - c. Sets aside an allowance of 15 tonnes for Maori customary interests.
 - d. Sets aside an allowance of 36 tonnes for recreational interests.
 - e. Sets aside an allowance of 32 t for fishing related mortality based on the standard 10% applied to most species in mixed trawl fisheries.
7. Fisheries New Zealand must develop a coherent policy on setting allowances for other fishing related mortality.

The submitters

8. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of John dory 1 (JDO 1). Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
9. 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'.
10. 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]
11. The submitter's 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.
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. John dory 1 (JDO 1) is a large Quota Management Area (QMA) spanning the east and west coasts of the top half of the North Island. Most of the catch is taken by bottom trawl and Danish seine methods on the east coast, and bottom trawl on the west coast. Most of the catch is taken when fishers are targeting snapper or tarakihi, but there is also a target fishery over summer.
14. John dory was introduced to the Quota Management System in 1986 with a TACC of 510 t, which increased to 704 t (38%) following Quota Appeal Authority hearings. The current TACC for the four QMAs is higher than that in any fishing year prior to 1986 and has only been fully caught once in the last 31 years. The landed commercial catch was 721 t in 1994-95 and there has been a long-term decline in commercial catches since then.



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

FNZ Proposals

15. FNZ propose significant cuts for the commercial Total Allowable Commercial Catch (TACC) to reduce harvest to estimates of current catch over the last 5 years in Option 2, or in Option 3 to reduce the TACC 10% below the average catch for the last five years (Table 1).

Table 1: Proposed management settings in tonnes for JDO 1 from 1 October 2018, with the percentage change relative to the *status quo* in brackets.

Option	Total Allowable Catch	Total Allowable Commercial Catch	Allowances		
			Customary Māori	Recreational	All other mortality to the stock caused by fishing
Current settings	-	704	-	-	-
Option 1	790	704	15	36	35
Option 2	423 ↓	354 ↓ (50%)	15	36	18 ↓
Option 3	387 ↓	320 ↓ (55%)	15	36	16 ↓
Option 3A	403	320	15	36	32

Submission

16. The submitters support removing the headroom from over allocated TACCs, including the existing JDO 1 TACC, that fail to manage commercial harvest in any effective way. John dory is not the only species that was assumed to have highly variable abundance and had excessive quota tonnages set in the 1980s.
17. There has been an increase in targeting of John dory and other (mixed) species as the snapper stocks in SNA 1 and SNA 8 have recovered from historically low levels, and as fishers have changed to spread the available snapper catch across the whole season. NZSFC has been told that the practice of fishing companies providing skippers with a “shopping list” of the species and quantity of catch for each trip has ended. We believe this practice contributed to discarding and dumping of snapper and also dumping of fish smaller than the market preferred for species such as gurnard and tarakihi.
18. There are areas and times of year where John dory aggregate on forage species or for spawning, when they can be, and are, effectively targeted by trawl and Danish seine methods. It follows that John dory is not just an unavoidable “bycatch”, but total landings can be managed by avoiding some areas at certain times of the year.
19. For the QMS to be an effective management regime and for us to achieve meaningful stock rebuilds the QMS needs to be capable of limiting commercial catch, particularly when there have been long-term declines in stocks.
20. There is currently no quantitative stock assessment that can assess the status of the John dory stocks. FNZ need to be cautious if using trawl Catch Per Unit of Effort (CPUE) and average CPUE as proxy for a biomass target. In fisheries that have had no effective catch limit and have been fished relatively hard for 30 years trawl CPUE may not be a true reflection of relative abundance. The eastern tarakihi stock is a case in point where, even though catch was limited,

an integrated stock assessment has revealed a state of long-term depletion rather than a gradual decline from average CPUE in the 1990s.

21. The JDO 1 fishery is a fairly minor component of the mixed trawl / Danish seine fishery in FMA 1 and FMA 9. The TACCs are much higher for these related stocks; for SNA 1 the TACC is 4,500 t, FMA 9 represents most of SNA 8 which has a TACC of 1,300 t, TAR 1 (E & W) is 1,447 t, TRE 1 TACC is 1,507, GUR 1 is 2,288 and BAR 1 is 11,000 t.
22. While FNZ propose to reduce the TACC in Options 2 and 3, the overall mixed species of landed commercial catch will hardly change.
23. Concerns have been raised about declines in productivity in northern inshore stocks and the need for the Minister to give effect to the wider ecosystem when making management decisions. Snapper appear to be rebuilding but growth rates are slowing, tarakihi is below the soft limit, John dory and gurnard catch is down. The major threats to the inshore ecosystem have been identified as increased sedimentation, climate change and bottom contact fishing gear². The Minister needs to act in a precautionary manner because single species fisheries management does not address the wider issues of lost productivity or ecosystem function.
24. There seem to be at least three separate stocks in JDO 1 and the large size of this Quota Management Area (QMA) is another barrier to effective management. As with other species like snapper, the boundary between Hauraki Gulf and the Bay of Plenty may not be well defined. The submitters support a split of the JDO 1 QMA into east and west coast areas, along with Tarakihi 1, Flatfish 1 and potentially other inshore species. The TACC could be split based on appropriate catch history years.
25. The submitters support setting the recreational allowance based on the best available information. It is unfortunate that the National Panel Survey underway now was delayed for a year, as a consequence there is no updated recreational harvest estimates to inform this review process.
26. The submitters support a modified Option 3, our Option 3A, with a 403 t TAC, 320 t TACC, 15 t customary allowance and a 36 t recreational allowance until there is agreement to split JDO 1 and set separate east and west coast TACCs.
27. In the Final Advice Paper FNZ must provide the Minister with more information about why the Ministry are proposing he set the allowance for other sources of fishing mortality at 5% of the TACC. The standard allowance for most species in mixed trawl fisheries is 10%. It is not good enough to simply reduce the allowance for expected, and relatively well known, mortality just so the sum fits nicely within the current proposed TAC. If the TACC needs to be reduced to accommodate the allowance for fishing related mortality within the TAC, so be it - that is the Minister's statutory duty. The submitters support a 32 t allowance for other sources of fishing related mortality.

² MacDiarmid, A.; McKenzie, A.; Sturman, J.; Beaumont, J.; Mikaloff-Fletcher, S.; Dunne, J. (2012). Assessment of anthropogenic threats to New Zealand marine habitats. New Zealand Aquatic Environment and Biodiversity Report No. 93. 255 p.

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27 July 2018

Submission: We support the closure of the Kaipara Harbour to all harvest of scallops until abundance is restored.

Recommendations

1. The Minister closes the Kaipara Harbour to all harvest of scallops until abundance is restored.

The submitters

2. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposal to close the Kaipara Harbour to all harvesting of scallops under section 11 of the Fisheries Act 1996. Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
3. 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'*.
4. 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]
5. The submitter's 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.

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

6. 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

7. A seasonal closure to scallop harvesting applies between 1 April and 31 August each year. The Minimum Legal Size for recreational harvest is 100mm and a 20 per person, per day bag limit applies.
8. The Kaipara Harbour is already closed to the commercial harvest of scallops. Best information suggests there is a sustainability risk to the scallop population in the Kaipara Harbour. The most recent 2017 scientific survey indicates abundance is low and the distribution of scallops is increasingly limited. There are few scallop beds holding scallops of harvestable size. Survey results show low juvenile scallop abundance, and sampled scallops within the Harbour were in poor condition with several diseases detected.
9. There have been three earlier closures of the Harbour to scallop harvesting under section 186A of the Fisheries Act 1996, from 2005-2007, 2007-2008 and 2008-2009. Closing all or significant parts of a scallop fishery has proven to be a successful strategy to rebuild scallop numbers, in New Zealand and overseas.

FNZ proposal

10. Fisheries New Zealand has proposed an indefinite closure to all harvest of scallops from the Kaipara Harbour under section 11 of the Fisheries Act 1996.

Table 1: Proposed options for the taking of scallops in the Kaipara Harbour

	Management action
Option 1 (<i>Status quo</i>)	No changes made to current management.
Option 2	Close the Kaipara Harbour to the taking of scallops as a sustainability measure under section 11 of the Fisheries Act 1996.

Submission

11. The submitters support **the closure of the Kaipara Harbour until scallop abundance is restored.**
12. It is clear that degradation of benthic habitat has reduced the ability of the scallops to reproduce and repopulate the surrounding area.
13. This effect can be seen in other areas around New Zealand, such as the Marlborough Sounds and Golden Bay regions.
14. Intensified land use activities are likely playing a large role in the sedimentation and destruction of sensitive habitat, crucial in the lifecycle of scallops.
15. More work must be completed in order to properly understand and develop mitigation techniques if we are to improve the overall health of scallop and other important fisheries.

16. The use of dredges, both commercial and recreational, needs to be restricted in important and sensitive areas across all New Zealand inshore waters to allow for proper restoration of the scallop populations.
17. The resuspension of sediment, removal of benthic structure important in larval settlement, and the destruction of other benthic organisms reduces the quality of benthic ecosystems.
18. The submitters note that the closure will be in place indefinitely, until new scientific information suggests scallop abundance has rebuilt to a level that can support harvest.
19. The submitters note another scallop abundance survey is planned for 2020. Information from that survey is expected to inform future decision-making.

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27 July 2018

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).

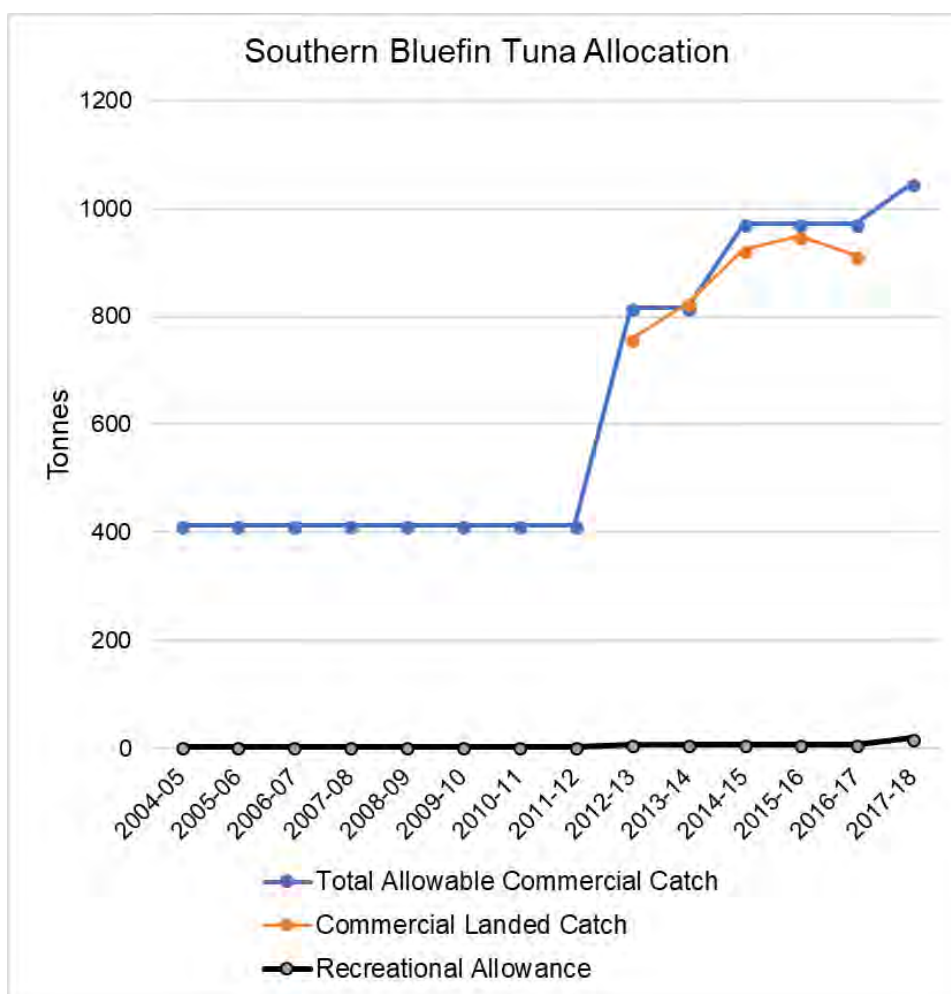


Figure 1: The allowances for commercial and recreational fishers for southern bluefin tuna made under the Quota Management System including the in-season adjustments made in 2017–18.

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 of 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.

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27 July 2018

Submission: We support a modified version of the FNZ proposed option 1 for the Tarakihi eastern stock.

Recommendations

1. The Fisheries New Zealand (FNZ) Final Advice Paper presents the Minister with a modified version of Option 1 to comply with FNZ's Harvest Strategy Standard Operational Guidelines.
2. In applying a modified and compliant version of FNZ's Option 1, the Minister –
 - a. Reduces the Total Allowable Commercial Catch (TACC) by about 65%;
 - b. Sets aside an increased tonnage to allow for other sources of fishing related mortality; and
 - c. Rejects FNZ Options 2 & 3 on the basis that they are non-compliant with their own Harvest Strategy Standard.
3. The Final Advice Paper includes the submitter's view that the short-term cost of rebuilding the eastern tarakihi stock is outweighed by the long-term benefits of having well managed fish stocks thriving in a healthy marine ecosystem.
4. The initial Total Allowable Catch (TAC) reduction must ensure the stock rebuild strategies, including the TACC reduction, are implemented as soon as possible.
5. That the amateur bag limit is reduced to 15 fish for tarakihi within the combined finfish bag limit, only on the basis that the TACC is reduced by about 65% to comply with the Harvest Strategy Standard.
6. The Minister resets the recreational allowances based on the 2011–12 National Panel Survey harvest estimates in TAR 1, TAR 2 and TAR 7. This is a reasonable approach given current low availability and abundance in most areas.
7. That the existing allowance of 15 t for TAR 3 be retained because the National Panel Survey estimates are based on an inadequate sample size.
8. The Minister directs research to concurrently collect high quality catch at age data from all tarakihi stocks.
9. That juvenile mortality be addressed, firstly by FNZ setting standards requiring more selective fishing methods are used to avoid small fish.
10. Where a method cannot meet acceptable selectivity, bycatch, and environmental standards the particular fishing method must be excluded from the area.
11. That TAR 1 is split into separate east and west coast QMAs, as these are clearly different stocks with different management requirements.
12. That proportional reductions to TACCs are based on recent catch within the TACC, this includes the reduction in TAR 7.

The submitters

13. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposals for the future management of Tarakihi 1, 2, 3, & 7. Fisheries New Zealand (FNZ) advice of consultation was received on 4 July, with submissions due by 27 July 2018.
14. The NZ 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.
15. The New Zealand Angling and Casting Association (NZACA) is the representative body for its 35 member clubs throughout the country. The Association promotes recreational fishing and the camaraderie of enjoying the activity with fellow fishers. The NZACA is committed to protecting fish stocks and representing its members' right to fish.
16. Collectively we are '*the submitters*'. 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]
17. The submitter's 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.
18. 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

19. Tarakihi has long been an important component of catch for customary Maori, commercial and recreational fishers. It is distributed around New Zealand, preferring cooler, deeper waters in the north and has a wide distribution in southern areas. Tarakihi are long lived, relatively slow growing, and tagging studies show some long distance movement. Generally, there are more young fish in the south and more older fish in the north.
20. Most of the information used in the stock assessment comes from catch, effort and fish age structure from the commercial fishery, which represents over 90% of the landed catch, with trawlers taking the majority of catch. Integrated stock assessment models combined all available information on tarakihi in each Quota Management Area (QMA) but worked best when all of the east coast of the North and South Islands were considered as one stock, with separate fisheries operating in each QMA. The model estimates the tarakihi spawning stock biomass (total weight of mature fish) to be at 17% of the unfished biomass. FNZ Harvest Strategy Standard Guidelines are that **a rebuild of the stock to the target of 40% of the unfished biomass in 10 years is required.**

¹ International Airport Ltd and Air New Zealand (CA 23/92, 73/92[1993] 1 NZLR 671).
Tarakihi submission. Non-commercial. 27 July 2018.

21. When tarakihi was introduced to the Quota Management System in 1986 the combined Total Allowable Commercial Catches (TACCs) for TAR 1, 2, 3 & 7 was 4,520 tonnes. This increased to 5,286 t (up 17%) following Quota Appeal Authority hearings. Area based increases in the 2000s brought the total to 5734 t. The current TACC for the four QMAs is close to the highest catch years in the 1970s, but not quite as high as the peak years in the 1960s when the stock was being fished down. However, a large part of TAR 7 and half of TAR 1 are not considered part of the eastern tarakihi stock in the current assessment.

FNZ proposals

22. FNZ have developed three options to reduce the Total Allowable Catch (TAC), Total Allowable Commercial Catch (TACC) and recreational allowances. The allowances for customary fishing are unchanged and FNZ propose the allowance for other sources of fishing related mortality is increased to 10% of the TACC (Table 1). The recent stock assessment model was used to predict the reduction in catch required to rebuild the stock to 40% in 10 years (Option 1), in 10 years with commercial catch reductions phased in (Option 2), and a 20 year rebuild period (Option 3) (Table 1).

Table 1: Proposed management settings in tonnes for TAR 1, 2, 3, & 7 from 1 October 2018, with the percentage change relative to the current settings in brackets.

Stock	Option	Total Allowable Catch	Total Allowable Commercial Catch	Allowances		
				Customary Māori	Recreational	All other mortality to the stock caused by fishing
TAR 1 ¹	Current settings	2029	1447	73	487	22
	Option 1	1221 ↓ (40%)	983 ↓ (32%)	73	110 ↓ (77%)	55 ↑ (250%)
	Option 2 (year 1)	1466 ↓ (28%)	1205 ↓ (17%)	73	110 ↓ (77%)	78 ↑ (355%)
	(year 2)	1307 ↓ (36%)	1061 ↓ (27%)			63 ↑ (286%)
	(year 3)	1181 ↓ (42%)	946 ↓ (35%)			52 ↑ (236%)
	Option 3	1384 ↓ (32%)	1131 ↓ (22%)	73	110 ↓ (77%)	70 ↑ (318%)
TAR 2	Current settings	2082	1796	100	150	36
	Option 1	1017 ↓ (51%)	735 ↓ (59%)	100	73 ↓ (51%)	109 ↑ (303%)
	Option 2 (year 1)	1556 ↓ (25%)	1225 ↓ (32%)	100	73 ↓ (51%)	158 ↑ (439%)
	(year 2)	1206 ↓ (42%)	906 ↓ (50%)			127 ↑ (353%)
	(year 3)	926 ↓ (56%)	652 ↓ (64%)			101 ↑ (281%)
	Option 3	1376 ↓ (34%)	1061 ↓ (41%)	100	73 ↓ (51%)	142 ↑ (394%)
TAR 3	Current settings	1503	1403	15	15	70
	Option 1	725 ↓ (52%)	579 ↓ (59%)	15	3 ↓ (80%)	128 ↑ (183%)
	Option 2 (year 1)	1150 ↓ (23%)	965 ↓ (31%)	15	3 ↓ (80%)	167 ↑ (239%)
	(year 2)	873 ↓ (42%)	714 ↓ (49%)			141 ↑ (201%)
	(year 3)	653 ↓ (57%)	514 ↓ (63%)			121 ↑ (173%)
	Option 3	998 ↓ (34%)	837 ↓ (40%)	15	3 ↓ (80%)	143 ↑ (204%)
TAR 7 ²	Current settings	1088	1088	-	-	-
	Option 1	986 ↓ (9%)	952 ↓ (13%)	1 ↑	23 ↑	10 ↑
	Option 2 (year 1)	1067 ↓ (2%)	1026 ↓ (6%)	1 ↑	23 ↑	17 ↑
	(year 2)	1014 ↓ (7%)	978 ↓ (10%)			12 ↑
	(year 3)	973 ↓ (11%)	940 ↓ (14%)			9 ↑
	Option 3	1041 ↓ (4%)	1002 ↓ (8%)	1 ↑	23 ↑	15 ↑

Submission

- 23. The submitters do not support any of the Fisheries New Zealand (FNZ) options. The submitters support a modified version of FNZ's Option 1.**
24. We submit that a modified version of Option 1 correctly follows the Operational Guidelines of the Harvest Strategy Standard and this modified option must be available to the Minister to consider in the Final Advice Paper.
25. FNZ state that they consider that the stock will reach the target when an assessment estimates that it is as likely as not (50% probability) that biomass is at 40%. FNZs *"progressive approach to the rebuild strategy"* (para 1003) does not inspire much confidence that a 10-year rebuild to 40% will be achieved, particularly given the current level of opposition from quota holders about the target and rebuild strategy.
26. The submitters agree with FNZ that it is important that the *"initial TAC reduction should provide a high level of confidence that it will ensure the start of the stock rebuild"*. To achieve an adequate level of confidence (70%) that the target of a 10 year rebuild to 40% is reached the following is required:
- a. A TACC reduction of at least 65%; and
 - b. An increased allowance for other fishing related mortality based on the model projections supplied by FNZ.
27. The submitters are concerned that FNZ do not have a consistent rationale or policy on setting an allowance for other sources of fishing related mortality. For trawl caught fish where a minimum legal size (or industry minimum economic size) results in discarded fish, there needs to be a more consistent approach. Usually this is set as a proportion of TACC. The submitters support the default setting of 10% of the TACC and ask that any variation from this is adequately explained.
28. The allowances for other sources of fishing related mortality for tarakihi are variable and confusing. The allowance made in the stock assessment was most likely 10% of commercial catch. In addition, there are errors in the estimates of the percentage increase in the allowance for other sources of fishing related mortality. They are overstated by 100% in each case. The increase from 22 t to 55 t in TAR 1 is 150%.
29. The submitters reject FNZ's Options 2 & 3 for a 3-year staged reduction or a 20-year rebuild. The three-year staged reductions to the bluenose TACCs were not fully implemented because of a temporary increase in commercial catch rates and support for the industry by the Ministry. This pattern of behaviour by the Ministry does not inspire confidence that FNZ can follow through with progressive cuts at the same time as a revised and updated stock assessment is underway.
30. The submitters reject the commercial fishing industry's proposal to voluntarily shelve 20% of quota prior to the next stock assessment. Their proposal clearly signals they are not taking the need for a rebuild seriously. After all the promises and PR it appears the commercial fishing industry's enthusiasm for science based fisheries management has waned. From the latest stock assessment and industry's data it is abundantly clear that the eastern tarakihi stock has been overfished for a long time.
- 31. We urge the Minister to heed the best available scientific information and not stall the start of the rebuild.**
32. The stock assessment model has been extensively reviewed over the last two years. There was considerable inter-annual variation in recruitment in the eastern stocks. The 2007 and 2009

year classes were particularly strong and these 9 and 11 year old fish may be supporting an increase in catch rates in FMA 2 in the last few years.

33. However, **catch alone is not a good indicator of stock abundance** and reliance on one or two strong year classes in a long-lived species like tarakihi is a high risk strategy, which we do not support.
34. Concurrent collection of high quality catch at age data across the eastern stock will be required for future assessments. There is some uncertainty in the extent of movement within the eastern stock and linkages with other regions. However, we note that a model that separated the stock into three regions estimated almost the same stock status (17.8% SB_0) as the single stock model (17.0% SB_0). If anything the 3-stock model showed a larger decline in tarakihi since 1975 than the single stock model (Figure 1).

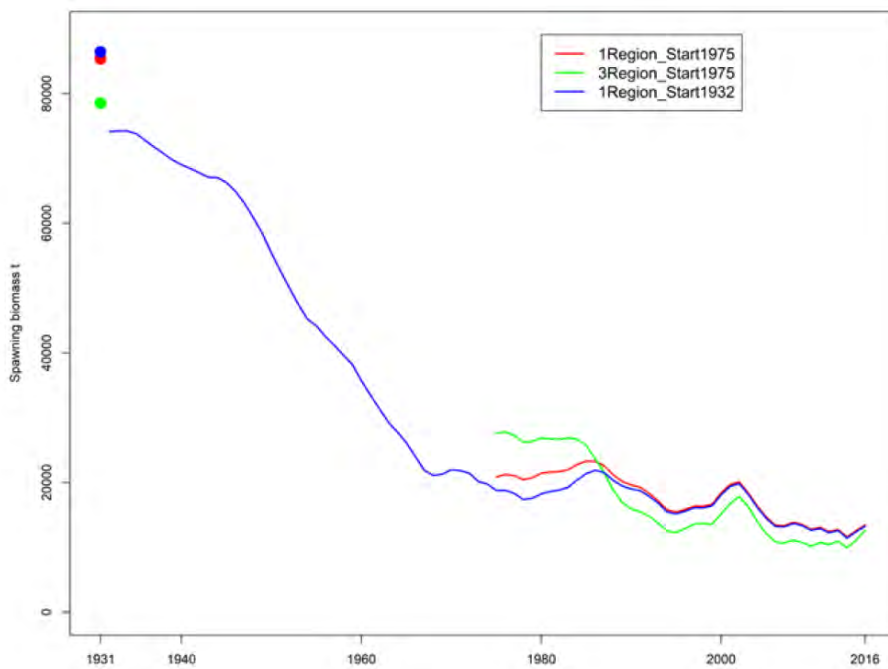


Figure 1: Results of the eastern tarakihi stock assessment model estimating biomass since 1931 (blue), for three separate regions since 1975 (green), and the one region base case model since 1975 (red).

35. The logical conclusion is that **the eastern tarakihi stock has been fished down to a low level.** Occasionally there is good recruitment and biomass increases, as happened in the early 2000s. The Ministry responded to that improvement in fishing by recommending the Minister allocate additional quota in TAR 1, 2 & 3, which he did. Since then the combined TACC has not been caught and the stock has declined further.
36. **Good years of recruitment must be protected and used as opportunities to rebuild the stock not as a reason to abandon good management.**
37. It is international best practice to follow the lead of high quality, age structured stock assessment models, accept the state of depletion, and then implement a rebuild plan to reach the target biomass in a reasonable time. The tarakihi stock has been well below target since 1975 and the current combined TACCs are just as high today as the peak catch years in the 1970s. Moreover, the fishing mortality rate (F) has increased steadily over the last 25 years.
38. We submit the Quota Management System has favoured high tarakihi exploitation over sound stock management for too long. **Now is the time to reset management for this important fishery.**

Recreational controls

39. The submitters have had discussions with some members and supporters about potential changes to the amateur fishing regulations. However, the inadequate 18 working days consultation period has denied us the opportunity to canvass the views of our wider affiliated member base.
40. Of the members and supporters we have spoken with there is a general willingness to accept some change, taking into account that current overall catch and individual catch per day has been affected by low availability and abundance in areas where the public fish.
41. There is conditional support for an increase in the minimum legal size (MLS) for tarakihi off the east coast of the North Island on the basis that any MLS increase also applies to commercial catch taken by fishers using gear that meets selectivity standards in avoiding undersize fish.
42. The submitters will support a daily bag limit reduction to 15 tarakihi within the combined finfish bag limit to align with southern management only on the basis that the TACC is reduced by about 65% to comply with the Harvest Strategy Standard.
43. **The submitters advocate that tarakihi remains within the combined bag limit of 20 in the North Island and 30 (for a larger number of species) in the South Island.** The submitters note that there is no intent to reduce the current low recreational catch but as the stock rebuilds a lower bag limit may better distribute the benefits amongst recreational fishers.
44. **The submitters celebrate the conservation efforts of many recreational fishers** who choose not to take their daily bag limit. However, tarakihi are primarily a table fish that appeals to both children and adults, and they are a target species for charter vessels looking to provide a reasonable catch for their clients.
45. The proposed reductions to the overall recreational allowances are large, but based on reasonable harvest estimates from the 2011–12 National Panel Survey (NPS) in TAR 1, 2 and 7. The harvest estimates from TAR 3 need to be treated with caution because they are based on an inadequate sample size and are therefore unreliable. The submitters support the retention of the existing allowance of 15 t for TAR 3 until the next review. Preliminary results of the next NPS are expected to be available in 2019.

Impacts on the marine environment

46. There is widespread public support for a more caring approach to the marine environment and better management of natural resources. The massive increase in concern over plastics in the ocean and wasteful fishing practices is testament to this. An assessment by the Ministry in 2012 found that of the direct human impacts on New Zealand's marine habitats the most important was bottom trawling². Bottom trawling was identified as having the third equal highest negative impact on inshore ecosystems. The highest scoring threat was ocean acidification and climate change. Land-based sedimentation also ranked high. Trawling causes significant physical impacts on benthic communities, reducing biodiversity and productivity.
47. The use of 100 mm nets (cod ends) causes high mortality of juvenile, undersize tarakihi, particularly in TAR 3. The South Island east coast trawl surveys show a much higher incidence of 25 cm and 26 cm tarakihi observed at sea than recorded during sampling of landed catch in Licensed Fish Receiver premises. Discarding of small, uneconomic catch has been prevalent in New Zealand commercial fishers for over 100 years.

² MacDiarmid, A.; McKenzie, A.; Sturman, J.; Beaumont, J.; Mikaloff-Fletcher, S.; Dunne, J. (2012). Assessment of anthropogenic threats to New Zealand marine habitats. New Zealand Aquatic Environment and Biodiversity Report No. 93. 255 p.

48. In 2004 the Ministry's Director of Fisheries Management wrote to his colleagues, *"As you are aware discarding is a systemic failure of the current system and something we have not been able to get on top of since day 1 of the QMS [Quota Management System]. Fisheries Management can't quantify the tonnages involved but **we suspect they are significant to the point that they are impacting on stocks.** We estimate that if we found the golden bullet to stop discarding, we would probably put over half of the inshore fleet out of business overnight through a lack of ACE [Annual Catch Entitlement] availability to cover by-catch"*. Over the years there have been numerous investigations with few significant prosecutions.
49. **Wasteful practices from the past are no longer acceptable.**
50. **It is time trawl and Danish seine methods were removed from inshore nursery areas.** The calls for removal will only become louder if FNZ continues down the track of 'land-all catch' for most commercial vessels with cameras.
51. Modern fishing technology must strive for more selective, less environmentally damaging fishing gears, rather than killing all catch, regardless of size limits, to support the effectiveness of the proposed camera-based monitoring on boats. There are some species that are susceptible to barotrauma and fishing mortality, and others that are more hardy. The submitters will be very concerned if some methods are allowed to operate in inshore waters under the recently talked about 'land-all catch' policy.
52. It is becoming increasingly apparent that **the Quota Management Areas for a number of species in northern New Zealand are too large.** These unwieldy areas are presenting challenges for management of separate stocks. Tarakihi, flatfish and John dory are species in this year's sustainability round with QMAs that include the east and west coast of the top half of the North Island. The submitters support the division of the TAR 1 into separate east and west coast QMAs, as clearly these are different stocks with different management requirements.
53. The distribution of TACC reductions across QMAs complicates FNZ's proposed management options. The scientific advice is that there is no particular advantage or rationale for differential TACC reductions. The proportional reductions based on recent catch within the TACC seem reasonable and are supported, this includes the TACC reductions in TAR 7 even if there is no current agreement on how to restrict fishing effort in that part of Cook Strait (statistical areas 017 and part of 018).

Commercial interests position paper

54. The submitters object to the circulation of the commercial industry's proposal paper alongside the consultation documents produced by Fisheries New Zealand.
55. The simultaneous release of the FNZ and industry's papers is misleading, by making the public believe that Fisheries New Zealand is supporting the commercial industry's proposal.
56. The commercial industry's document that was circulated was neither independently prepared nor peer review through the science working groups, which is standard practice for all fisheries work shared by Fisheries New Zealand.
57. We submit this action by Fisheries New Zealand only serves to increase suspicion of the capture of the consultation process by commercial interests.
58. The submitters recommend that in future a document of this nature is considered and presented as being **ONLY** supporting information for commercial interests' submission, and clearly not endorsed by FNZ or part of the official consultation process.

Submission Form

North Island eels 2018 Consultation



Fisheries New Zealand

Tini a Tangaroa

Once you have completed this form

Email to: FMSubmissions@mpi.govt.nz

While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

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Submitter details:

Name of submitter or contact person:	Dolly Baker
Organisation (if applicable):	Nga Tirairaka o Ngati Hine Environmental Organisation
Email:	ngatirairakaongatihine@gmail.com
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> LFE 20
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	<p>LFE 20 - We support Option 2: Reduce the TAC (by an average of 15% across all QMAs) and the TACC (by an average of 32% across all QMAs).</p> <p>Furthermore, we agree that the allowances for LFE 20 customary, recreational fishing remain unchanged.</p> <p>Regarding SFE 20 – Our preferred option would be to advocate for a reduction of the TACC with no change to customary or recreational take however we do not oppose the current status quo remaining unchanged.</p>

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Submission:¹

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Having discussed this in detail we make the following statements:

The consultation process for this tuna review is flawed. We urge the Minister to extend the review and allow more opportunity for hapu and tangata kaitiaki to be heard on this matter.

In the north this review has been directed at MIO's who are the only ones' that have been officially invited to meet/consult. Lack of consultation with hapu/kaitiaki has occurred, which is disappointing as that is where the data you need to inform this review, exists. Not with MIO's

If genuine and meaningful engagement with tangata whenua is the intent of this tuna review and the desired outcome for MPI is gathering accurate information, then we suggest the Minister extends the review period and ensures hapu/kaitiaki are invited to all meetings. Finding out about meetings a day before or on the day of the meeting creates animosity. Where is the reciprocal faith or goodwill shown by MPI? Particularly when it desires customary harvest data and information from our kaitiaki.

For future reference, please include us in any meetings related to freshwater tuna, freshwater tuna reviews and TACs/TACCs. We are the mana whenua voice for our rohe moana and rohe awa and we invite engagement with MPI.

Furthermore, we will encourage our hapu to engage in its own customary research for SF/LF Tuna. We would like to do this in partnership with MPI. The outcome of that would be to inform future reviews with a baseline of actual, quantifiable, culturally sound data for monitoring and reviewing of TACs and TACCs in our rohe.

Also

- Commercial fishers should be required to fish within their respective areas. Furthermore, those areas should be stipulated on their permit: e.g. Waikato commercial fishermen stays within the Waikato boundary, etc.
- Iwi and hapu should be able to view a register of permitted commercial fishermen operating within their boundaries. The register should outline who they are and what their TACC is. We acknowledge that MPI must consider peoples privacy however we maintain that this will encourage mutual management of the stocks, foster a safer working/cohabitating relationship between all parties and ensure sustainability of the resources. An added bonus would be the potential to create educational programs run by commercial and customary fishers for the next generation of responsible fishers.
- As alluded to above, Hapu/MPI co-management is essential. It is hapu kaitiaki who manage the customary resources (tuna) on the ground. The more direct the relationship is between MPI and kaitiaki the better it is for MPI in terms of access to current, accurate and informed customary information. This cannot be done through Te Runanga a Iwi o Ngapuhi as they are not the people actively engaged in tuna fishing and MPI will, most likely be redirect MPI back to kaitiaki anyway. The eye-to-eye (kanohi ki te kanohi) approach is faster, friendlier and more conducive to building a better future model for the management of freshwater tuna for all of Aotearoa.
- There are Moana people and there are Awa people. Consulting with Moana people about freshwater tuna and consulting with freshwater tuna people about flat fish, tarakihi and scallops etc will give an inconsistent result and create unnecessary tension. Particularly when coastal hapu, who do not view freshwater tuna as a taonga species, have an effect on the TACs/TACCs likely to impact the inland people and vice versa.
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- Regarding flat fish, John Dory, Tarakihi and scallops we support our coastal relatives and their choices where these species are concern. We understand that their preference for each species is a decrease in TACCs with no change to customary or recreational take.
- Regarding Bluefin Tuna we support a decrease in the TACC amount. Furthermore we insist that the customary amount be increased to match the amount allocated for recreational.

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Submitter details:

Name of submitter or contact person:	NGARANGI KANEWA WALKER
Organisation (if applicable):	
Email:	
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 21 <input type="checkbox"/> LFE 21
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	OTHER

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Details supporting your views:

As an uri of Te Whanau a Apanui and Ngati Porou with whakapapa to other iwi of Tairawhiti (iwi with in the SFE/LFE 21), I do not support rules or regulations that continue to allow commercial take on our customary species, especially in regards to tuna, both long finned and short finned.

Supporting this stance is the WAI262 “the place of Maori culture, identity and traditional knowledge in New Zealand’s laws, and in government policies and practices. It concerns who controls Maori traditional knowledge, who controls artistic and cultural works such as haka and waiata, and who controls the environment that created the Maori. It also concerns the place in contemporary New Zealand life of core Maori cultural values such as the obligation of iwi and hapu to act as kaitiaki (cultural guardians) towards toanga (treasured things) such as traditional knowledge, artistic and cultural works, important places and flora and fauna that are significant to iwi or hapu identity” (Waitangi Tribunal, 27 July, 2018 <https://www.waitangitribunal.govt.nz/news/ko-aotearoa-tenei-report-on-the-wai-262-claim-released/>).

My hapu of Ngati Hinekehu, Te Aitanga a Mate and Te Whanau a Rakairoa in Ngati Porou and Te Awemapara at Hiruharama are immortalised in our traditional and cultural works of song and dance with lines “he tuna pakupaku” “nga tuna o Waingakia” – in reference to our our tuna/elvers spawning in our waterways, particularly Waingakia. Our waterways are home to both long and short finned tuna.

As a whanau, we continue the practice of rama tuna and kai tuna. We also only catch to eat, never to sell. At special events in the hapu and iwi you may see tuna as a demonstration of manaaki manuhiri – the notion of caring for visitors with delicacies such as tuna or kaimoana.

I would be supportive of a commercial ban in Tairawhiti SFE21/LFE21 of both longfinned and shortfinned tuna.

I am supportive of the practices of my iwi and ngai Maori to sustainably catch and maintain our stocks in accordance with whanau, hapu and iwi tikanga and kaitiakitanga of our taonga and our mahinga kai tikanga. These practices should in no way be hindered by government policy settings, that allow the decline of our taonga species to continue.

TE AITANGA A MAHAKI TRUST

PRESS RELEASE

July 20, 2018

IWI CALLS TO BAN COMMERCIAL EELING IN THE WAIPAEOA RIVER

Gisborne Iwi, Te Aitanga a Mahaki are calling for a ban on commercial eel fishing in the Waipaoa River until catches are back to their 2008 baseline levels.

Fisheries scientist Ian Ruru said “we were alarmed to see a 90% decline in eel numbers after repeating a 2008 stock assessment survey this year. Both our endemic longfins and native shortfin species have suffered big losses. In 2008 we caught 353 longfins but only 12 this year. For shortfins the numbers were 602 now down to 79. The implications for sustaining our 12 marae are huge.”

The research team used the innovative mauricompass.com framework to assess eel numbers and quantify the decline in the mauri (lifeforce) of the Waipaoa and its waterways. “That has been a huge advance in sophistication because we can now measure changes in mauri as required under the Tairāwhiti Resource Management Plan. The effectiveness of remedial action such as a ban on commercial eeling and mauri restoration plans can now be tracked over time” says Mr Ruru.

Ian’s late father Bill Ruru, who led the original 2008 survey, often joked that he was sick of the sight of eels as a child because it was their staple diet growing up in Waituhi. In less than one generation those traditions, tikanga (practices) and matauranga (knowledge) have been lost.

Pene Brown, Te Aitanga a Mahaki Chairman says there is a reciprocal relationship between the iwi and the Waipaoa River. “Eels are our taonga species (ancient treasure) – a talisman for the mauri of our ancestral river. As Kaitiaki (guardians) we need to rebuild the tuna populations by improving habitat and water quality. This in turn increases the ability of the Waipaoa River to sustain important cultural and spiritual practices of Te Aitanga a Mahaki”.

Te Aitanga a Mahaki also holds commercial eel quota but has always volunteered not to catch it nor profit from it. Tama Brown, Te Aitanga a Mahaki Asset Holding Company Director says that “our 12 marae could benefit from the extra commercial eel income but we have chosen to consistently forgo that quota as a matter of principle and until the eel population has recovered to the 2008 baseline”.

Te Aitanga a Mahaki is making a formal submission to Fisheries New Zealand as part of the Review of North Island eel sustainability measures for 2018.

Contact: Ian Ruru: mahakitrust@gmail.com

Links: mauricompass.com mahaki.com



Ngāti Kahungunu Iwi
INCORPORATED

North Island Eel review
Inshore Fisheries Management
Ministry of Primary Industries
PO Box 2526
Wellington 6140
FMSubmission@mpi.govt.nz

27 July 2018

Submission: Review of sustainability settings for North Island freshwater eels.
From: Ngāti Kahungunu Iwi Incorporated

Tēnā koe

Background

Ngāti Kahungunu Iwi Incorporated (NKII) is the mandated iwi organisation for Ngāti Kahungunu. The iwi has the third largest iwi population (61,626¹) and the second largest tribal rohe, from Paritu north of Wairoa to Turakirae in South Wairarapa. Ngāti Kahungunu Iwi Incorporated is responsible for implementing the *Kahungunu ki Uta, Kahungunu ki Tai, Marine and Freshwater Fisheries Strategic Plan* (KKUKKT Strategy). The KKUKKT Strategy was the product of collaboration between NKII, the Kahungunu Asset Holding Company and hapū.

The KKUKKT Strategy sets out the aspirations and interests of Ngāti Kahungunu tāngata whenua regarding the management of their marine and freshwater fisheries. The KKUKKT Strategy seeks to reintegrate customary non-commercial, customary commercial and recreational fishery interests and management creating a genuinely holistic and sustainable approach to fisheries management. The KKUKKT Strategy prioritises greater local management in accordance with tikanga and supports the mana of hapū. Development of the KKUKKT Strategy includes ongoing consultation with Ngāti Kahungunu tangata whenua and other relevant stakeholders throughout the rohe to listen, gather issues and to discuss and develop solutions.

The KKUKKT Strategy sets out our goals and aspirations for our fisheries. These aspirations include:

- A healthy fisheries environment
- An abundant fishery and thriving people
- A sustainable and stable commercial fishery

Our kaupapa or vision is:

Kaitiakitanga o nga rawa a Tangaroa mo ngā uri whakatupu
Guardianship of Tangaroa's multitudes on behalf of all the generations yet to come

¹ 2013 Census of Population and Dwellings, New Zealand Kahungunu population only.

Introduction

Ngāti Kahungunu has elected to “shelve” i.e. not commercially fish its entitlement to commercial eel quota. This approach aligns with many iwi throughout Aotearoa. There were two main reasons for electing not to commercially fish eels: 1. Conservation purposes and concerns of tangata whenua, 2. Low value of fishery.

However, despite the intent and actions of iwi, this has made little to no difference to amount of eels commercially fished as individual iwi technically do not yet hold the quota.

We agree with the consultation document in its reference to concerns from tangata whenua, Ngāti Kahungunu Iwi Incorporated have also received feedback from tangata whenua concerned regarding the decline of eel stocks particularly the long fin eel. In June this year a hui was held in Wairoa, where the Hawke’s Bay Regional Council Māori Committee recommended a moratorium on commercial eel fishing in Hawke’s Bay – this was supported in principle by Hawke’s Bay Regional Council.

Ngāti Kahungunu acknowledges that there are many pressures influencing the abundance and health of eel stocks, such as fish passage, dams, habitat destruction, drain clearing and land use – support of regional councils is invaluable.

Fisheries Plan for Eels in Ngāti Kahungunu

From at least 2003 – 2004, Ngāti Kahungunu Iwi Incorporated embarked on the development of a Fisheries Plan for Eels in Kahungunu. This plan was assisted by Ministry of Fisheries and developed before ‘fisheries plans’ become common place in the Ministry. Unfortunately, for whatever reason support from the Ministry ceased. This was disappointing given the efforts made by the iwi and the involvement and collaboration of all interest groups, i.e. customary, recreationally, and commercial; who all came together and discussed the following goals:

- Maximise the commercial value of the fishery, doubling it within five years.
- Encourage customary activities especially revitalise customary fishing.
- Increase size and abundance of eels in the major rivers and closed areas.

In support of these objectives the following additional objectives were sought:

- Increase and improve habitat so more eels can grow more rapidly.
- Improve passageways for recruitment and migrations.
- Transfer young eels into habitats that do not have reliable natural recruitment.
- Progressive close areas near Marae.
- Develop voluntary programs in Marae to enhance eel’s habitats.
- Especially involve young people to increase familiarity with customary knowledge.

Kahungunu ki Uta, Kahungunu ki Tai

Many of these objectives are still relevant however, further work is needed verify the relevance, understand current issues, determine priorities and plan a way forward in terms of proactive management and enhancement. This approach is beyond the scope that the discussions document and Fisheries New Zealand, Ministry of Primary Industries provides.

Collaborating and involving other organisations such as Local Councils and the Ministry for Environment to assist in a wider program of management for this taonga species would be logical and efficient; resources and willingness permitted.

Kahungunu Position

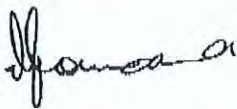
Ngāti Kahungunu call for a moratorium on commercial fishing of long fin eels in the rohe of Ngāti Kahungunu until a “Fisheries Plan for Eels in the rohe of Ngāti Kahungunu” is developed.

Failing the above request, Ngāti Kahungunu Iwi Incorporated support - Option 2. Reduce the TAC (by an average of 15% across all QMAs) and the TACC (by an average of 32% across all QMAs).

In addition, Ngāti Kahungunu recommend that the boundaries of Ngāti Kahungunu should be considered as a separate or sub-management area (see appendix 1). Further refinement if need be could be developed through the proposed plan development process. To provide context this request was made by the iwi prior to eels entering the quota management system. This would make sense, geographically, culturally and management wise to have the greater localised management with boundaries that aligns with the geography, catchments and the rohe of Ngāti Kahungunu.

For any additional information on this submission, please contact Ngaio Tiuka Pouarataki – Te Taiao me ona Rawa, Ngaio@kahungunu.iwi.nz.

Ngā mihi,



Ngahiwi Tomoana
Tumuaki/Chairman
Ngāti Kahungunu Iwi Incorporated

Tangaroa a mua, tāngata ki muri
If Tangaroa is abundant, the people will thrive

Appendix 1 – Proposed Eel Management Area – Ngāti Kāhungunu



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Tini a Tangaroa

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Submitter details:

Name of submitter or contact person:	Dolly Baker
Organisation (if applicable):	Ngati Kopaki - Ngati Te Ara Hapu - Rohe Awa
Email:	[REDACTED] [REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> LFE 20
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	<p>LFE 20 - We support Option 2: Reduce the TAC (by an average of 15% across all QMAs) and the TACC (by an average of 32% across all QMAs).</p> <p>Furthermore, we agree that the allowances for LFE 20 customary, recreational fishing remain unchanged.</p> <p>Regarding SFE 20 – Our preferred option would be to advocate for a reduction of the TACC with no change to customary or recreational take however we do not oppose the current status quo remaining unchanged.</p>

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Submission:¹

Details supporting your views:

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Having discussed this in detail we make the following statements:

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In the north this review has been directed at MIO's who are the only ones' that have been officially invited to meet/consult. Lack of consultation with hapu/kaitiaki has occurred, which is disappointing as that is where the data you need to inform this review, exists. Not with MIO's

If genuine and meaningful engagement with tangata whenua is the intent of this tuna review and the desired outcome for MPI is gathering accurate information, then we suggest the Minister extends the review period and ensures hapu/kaitiaki are invited to all meetings. Finding out about meetings a day before or on the day of the meeting creates animosity. Where is the reciprocal faith or goodwill shown by MPI? Particularly when it desires customary harvest data and information from our kaitiaki.

For future reference, please include us in any meetings related to freshwater tuna, freshwater tuna reviews and TACs/TACCs. We are the mana whenua voice for our rohe moana and rohe awa and we invite engagement with MPI.

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- Commercial fishers should be required to fish within their respective areas. Furthermore, those areas should be stipulated on their permit: e.g. Waikato commercial fishermen stays within the Waikato boundary, etc.
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- As alluded to above, Hapu/MPI co-management is essential. It is hapu kaitiaki who manage the customary resources (tuna) on the ground. The more direct the relationship is between MPI and kaitiaki the better it is for MPI in terms of access to current, accurate and informed customary information. This cannot be done through Te Runanga a Iwi o Ngapuhi as they are not the people actively engaged in tuna fishing and MPI will, most likely be redirect MPI back to kaitiaki anyway. The eye-to-eye (kanohi ki te kanohi) approach is faster, friendlier and more conducive to building a better future model for the management of freshwater tuna for all of Aotearoa.
- There are Moana people and there are Awa people. Consulting with Moana people about freshwater tuna and consulting with freshwater tuna people about flat fish, tarakihi and scallops etc will give an inconsistent result and create unnecessary tension. Particularly when coastal hapu, who do not view freshwater tuna as a taonga species, have an effect on the TACs/TACCs likely to impact the inland people and vice versa.
- Lack of enforcement for those commercial fishers who are found to be in breach of their TACCs. More needs to be done to minimise breaches and to stop the overfishing of our resources.

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Submitter details:

Name of submitter or contact person:	Dale-Maree Morgan
Organisation (if applicable):	Ngāti Maniāpoto Raukawa ki Wharepuhunga, Te Tai Rāwhiti
Email:	wakawahine@gmail.com
Fish stock this submission refers to (delete any that don't apply):	<input checked="" type="checkbox"/> SFE 20 <input checked="" type="checkbox"/> SFE 21 <input checked="" type="checkbox"/> SFE 22 <input checked="" type="checkbox"/> SFE 23 <input checked="" type="checkbox"/> LFE 20 <input checked="" type="checkbox"/> LFE 21 <input checked="" type="checkbox"/> LFE 22 <input checked="" type="checkbox"/> LFE 23
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Submission:¹

Indigenous Long Fin Tuna

This precious 80 million year old Taonga we need to cease the commercial sale of. The Long Fin Tuna is in serious decline across the country, South Wairarapa being one of the worst affected areas. This is due to the historical and continued practise of intensive dairy farming in the area. The waterways in South Wairarapa are in rapid decline, from farming, all functions of fresh water eco-systems are exhausted and in crisis situations across the country.

Regional and Local Councils need to have better considered decision making and monitoring of our precious waterways, that are treated like endless commodity resources.

As Waikato Tainui people are now experiencing, with the establishment of the Waikato River Authority, which co-manages the Kaitiakitanga of the river with government entities, the River quality was very poor as a direct result of historical council consents and decision making. Thus returning a very unhealthy river, and the expectation lwi to foot half the restoration river bill costs to restore the health of our treasured Tupuna Taonga – Te Awa o Waikato. Many parts of the river have seen a massive decline in Tuna population, along the Waikato and its source waterways.

This also highlights where more Indigenous Representation on council boards, to protect and remind councils of their obligations to this Taonga and all other indigenous matters.

<http://www.longfineel.co.nz/wp-content/uploads/2011/06/Tuna-Kuwharuwharu-Longfin-Eel.pdf> - Take on the findings of what this report which was produced by a peer government department.

Don't let this Indigenous Taonga, be sold to extinction.

Nāku noa nā,

Dale-Maree Morgan

Raukawa ki Wharepuhunga, Ngāti Maniapoto, Te Tai Rāwhiti

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Dale-Maree Morgan

Raukawa ki Wharepuhunga, Ngāti Maniapoto, Te Tai Rāwhiti

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While we prefer email, you can also post your submission to: North Island Eel Review, Fisheries New Zealand, PO Box 2526, Wellington 6140

Submissions must be received no later than 5pm 27 July 2018.

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:	[REDACTED]
Organisation (if applicable):	Ngātokowaru Marae Ngāti Pareraukawa
Email:	[REDACTED]
Fish stock this submission refers to (delete any that don't apply):	<input type="checkbox"/> SFE 20 <input type="checkbox"/> SFE 21 <input type="checkbox"/> SFE 22 <input type="checkbox"/> SFE 23 <input type="checkbox"/> LFE 20 <input type="checkbox"/> LFE 21 <input type="checkbox"/> LFE 22 <input type="checkbox"/> LFE 23
Your preferred option as detailed in consultation document (write "other" if you do not agree with any of the options presented):	Other

Official Information Act 1982

All submissions are subject to the Official Information Act and can be released (along with personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. Fisheries New Zealand will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Submission:¹

Details supporting your views:

Ngāti Pareraukawa have been the tangata whenua at Hōkio (Horowhenua) since before the signing of the Te Tiriti o Waitangi. We know that one of the major attractions for our tūpuna to Hōkio was the pristine environment, clean clear water and the abundance of tuna (eel) as a source of food and nutrition. Today we cannot catch adequate tuna – there are insufficient numbers, and the population that remains are predominantly small and male.

We know that two major issues have affected the sustainability of the eel fishery, and in turn our cultural and physical survivability at Hōkio. These issues are

- (1) *environmental degradation* and
- (2) *commercial fishing*.

These two issues have decimated our tuna population and in turn had a major effect on our ability to sustain ourselves as a human population at Hōkio.

We believe that if the pressure of commercial fishing was removed the eel that eel could begin to rebuild their numbers to a level where customary fishing could be sustained. We also know that more tuna would then return to the Pacific to spawn and restocking rates would increase.

Critical Aspects: Your research is not thorough enough for us to have faith in it. We have been told in recent decades that Lake Horowhenua has a sustainable eel fishery. Our local fishing experts tell us that the fishery is far from ideal – and current fishing rates are unsustainable. Presence/absence monitoring does not tell us how many large puhi eel are available for us to customarily harvest. Neither does it give us surety that there are mature tuna returning to spawn.

The solutions:

Environmental restoration is required but this may take a century to achieve. There are some major issues in our area (water quality, water extraction, unsustainable land use (market gardening, dairy farming, ag/hort practices)). The other issue is that the agencies tasked with environmental restoration are not the appropriate bodies to be leading. This is very slow going as the perpetrator is left in control of the justice that is being sort against themselves.

Commercial fishing: The problematic issue of commercial fishing can be fixed overnight by you! We have witnessed commercial eel fisher-people illegally fishing (outside their quota, fishing techniques, etc) but no-one is willing to fix this problem. Local sustainable regimes need to be initiated and supported.

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.



NGATI TAHU-NGATI WHAOA
RUNANGA

ENVIRONMENTAL DIVISION
Ngati Tahu-Ngati Whaoa Runanga Trust
Waiotapu Office
PO Box 162, Reporoa 3060

Submission on the Review of North Island Eel Sustainability measures for 2018/19

Fisheries New Zealand Discussion Paper no: 2018/04

There has been no consultation with Ngati Tahu-Ngati Whaoa to date on the management of the eel fishery within our rohe of Huka Falls to Atiamuri. The eel sustainability review consultation document is focused purely on total allowable customary, recreational and commercial catch and as such, does not address our concerns regarding the wider management of the commercial fishery as it affects our part of Te Awa o Waikato. This lack of consultation regarding a taonga species and how it is managed as a whole is not deemed to be appropriate for the following reasons:

- No reference is made to our Iwi Environment Plan for the sustainable management of the fishery
- There has been little opportunity to develop a relationship where commercial fishers, Fisheries NZ (or MPI) and our iwi can work together for the benefit of sustainable fishery management mainly because there is no requirement to do so
- Because of the above point there is a lack of knowledge on whether commercial fishing methods used within the rohe are sustainable
- There is minimal monitoring of the commercial eel fishery in this rohe. Iwi participation in this type of monitoring has not been discussed or offered as an option nor is there a government agency monitoring this activity in our sub-catchment
- Members of our iwi have witnessed poor practices on the river such as eels left in a holding pen so long they were eating each other and do not know who to contact to report such behaviours.
- There is a perceived pressure on other mahinga kai species such as koura, due to being eaten by an overabundance of eel in some areas

In 2016 Ngati Tahu-Ngati Whaoa participated in a project to support mahinga kai values where iwi members interviewed on the topic of eel (tuna) raised the following concerns many of which concerned the management of the commercial tuna fishery within the rohe:

- Eels are unhealthy to consume
 - have shag worms
 - eels are smaller
 - eels are skinny (in poor condition)
- Eels are overfished
 - harder to find eels in good condition
 - fewer good sites within the rohe
- Excessive amounts of elver released in one area not sustainable
 - competing for food with other species

Ka ora te iwi – Ka ora te tangata



ENVIRONMENTAL DIVISION
Ngati Tahu-Ngati Whaoa Runanga Trust
Waiotapu Office
PO Box 162, Reporoa 3060

Ph: (07)366-6177
Mob: (022) 6581153
Email: michelle@tahu-whaoa.com

- Changes to the fishery over time, especially commercial fishing, has impacted on the ability of the iwi to gather a traditional kai source. Please note: this is an assumption only as there is currently no evidence available to support this finding
 - exported instead of used to feed our people
 - lack of information about where they are operating within the rohe
 - lack of consultation/contact by commercial fishers
 - tikanga disregarded-only take what you need/can eat
 - want to be included in monitoring commercial fishing in the rohe
 - details about who to contact about commercial fishing in our rohe

Since 2016 the Ngati Tahu-Ngati Whaoa Runanga Trust have actively engaged with both ECCO, the commercial fishing company working in our rohe, and MPI on our concern over the lack of data available on the management of stock within the fishery for our specific catchment area (Lakes Ohakuri and Atiamuri) as part of our consultation regarding the renewal of the trap and transfer special permit application for these lakes. Although the amount and type of elvers trapped and transferred to the lakes are recorded, the amount and type caught in commercial fishing operations for this area are not. Instead, the catch data is captured based on the wider catchment including the whole of Te Awa o Waikato which is not a useful measurement for our iwi to base any type of informed decision on.

Also, there does not seem to be an appetite for monitoring at a smaller sub-catchment level by any government department or ECCO, the commercial fishing company. MPI did recommend that the iwi apply for funding from their customary research fund to undertake our own research but as yet we have not pursued this option mainly because we believe that the responsibility lies with the government agency managing the fishery to gather such data, not specific iwi. We would however consider it worthwhile to be included in the process in some appropriate way should this proceed. We have considered conducting a survey by recreationally harvesting in similar places along the river during the same months as the commercial company and recording our findings on the volume, type and health of the catch however we have not been made aware of when and where they are operating (nor is there any compulsion to provide such information) so are unable to complete such a survey at this stage.

Another relevant consideration for the sustainable management of the tuna fishery is the carrying capacity of our specific area. Ngati Tahu-Ngati Whaoa believe that this should take into consideration the commercial catch for each specific area not only as a means of determining the volume of elvers trapped and transferred based on catch demand but also based on the health, habitat (including any possible food issues) and mortality of those tuna that are caught and sold for commercial gain. This is particularly significant for the long term population status of long-fin tuna considering their status is already rated as "Threatened". Some of these considerations may be managed by the commercial fishing company already such as harvesting during certain months of the year based on the expected health of the fish however no evidence or information was provided

Ka ora te iwi – Ka ora te tangata



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of such practices during our previous consultation process with them. Although there is no doubt that there is some recreational fishing in the area, with our iwi members applying Matauranga Maori practices to gauge the health of the fishery, this is not considered to play a significant part in the overall management of the fishery as the volume taken is minimal compared to that of the commercial fishing company.

In summary Ngati Tahu-Ngati Whaoa table this submission as a means of expressing their concern over the lack of measuring and monitoring of the commercial eel (tuna) fishery to demonstrate that the fishery is managed in a sustainable manner. Eel sustainability measures must demonstrate the overall health of the fishery to be effective, not just total allowable catch.

Naku noa, na

Michelle Phillips

Environmental Resource Consents Officer
Ngati Tahu-Ngati Whaoa Runanga Trust

Ka ora te iwi – Ka ora te tangata

NGATI WHATUA FISHERIES LIMITED
Proposals for changes to sustainability measures for the fishing year commencing 1 October 2018

Stock	Proposal	NW	ACE Holding	Ngati Whātua Decision
Tarakihi TAR 1, 2, 3, 7	Decrease catch limits and/or allowances	TAR 1	15891	<ul style="list-style-type: none"> Recreational – Option 2 Customary – Option 2 Commercial – Option 2 The current default QMAs need to be investigated for redefinition
		TAR 4	24	
Shortfin eel SFE 20-23 [North Island]	No changes proposed	SFE20		<ul style="list-style-type: none"> Recreational – Status Quo Customary – Status Quo Commercial – Status Quo The current default QMAs need to be investigated for redefinition
Longfin eel LFE 20-23	Two options proposed either status quo or reduce	LFE20		<ul style="list-style-type: none"> Recreational – Option 2 Customary – Option 2 Commercial – Option 2 The current default QMAs need to be investigated for redefinition
John Dory JDO 1	Decrease catch limits and/or allowances	JDO 1	7 812	<ul style="list-style-type: none"> Recreational – Option 2 Customary – Realigned with recreational at 36 tonne Commercial – Option 2 The current default QMAs need to be investigated for redefinition
John Dory JDO 7	Increase catch limits and/or allowances	Nil	Nil	N/A
Flatfish FLA 1	Decrease catch limits and/or allowances	FLA 1	24 445	<ul style="list-style-type: none"> Recreational – Option 2 Customary – Option 2 Commercial – Option 2 The current default QMAs need to be investigated for redefinition (Manukau, Kaipara, Hauraki)
Rig SPO 7	Increase catch limits and/or allowances	Nil	Nil	N/A
Paua Paua 5B (Stewart Island)	Increase catch limits and/or allowances	Nil	Nil	N/A
Green lipped mussel GLM 9 (Ninety Mile beach)	Spat ratio and catch limit options	GLM 9	11 226	<ul style="list-style-type: none"> Recreational – Option 2 Customary – Option 2 Commercial – Option 2
Scallops in Kaipara Harbour	Closure of fishery			<ul style="list-style-type: none"> Recreational – Option 2 Customary – Option 2 Commercial – Option 2
Kingfish KIN 3	Modest increase in catch limits	Nil	Nil	N/A

	and/or allowances.			
Red gurnard GUR 3	Increase catch limits and/or allowances	Nil	Nil	N/A
Elephant fish ELE 3	Increase catch limits and/or allowances	Nil	Nil	N/A
Bluenose BNS 3		BNS 3	75	<ul style="list-style-type: none"> Recreational – Must be aligned with customary take Customary – Must be aligned with recreational take Commercial – Must be aligned with customary take
Southern Bluefin Tuna STN 1		STN 1	3 750	<ul style="list-style-type: none"> Recreational – Option 2 Customary – Realigned with recreational at 36 tonne Commercial – Option 2 <p>The current default QMAs need to be investigated for redefinition</p>
Deepwater Stocks				
Ling LIN 5		LIN 5	5 068	<ul style="list-style-type: none"> Recreational – Option 1 Customary – Option 1 Commercial – Option 1
Oreo OREO 4		OREO 4	7 360	<ul style="list-style-type: none"> Recreational – Option 3 Customary – Realigned Option 3 Commercial – Option 3
Orange Roughy ORH 3B		ORH 3B	4 323 (4 500)	<ul style="list-style-type: none"> Recreational – Option 2 Customary – Option 2 Commercial – Option 2
Scampi SCI 3		SCI 3	985	<ul style="list-style-type: none"> Recreational – Option 3 Customary – Realigned Option 3 Commercial – Option 3
Deemed values	Stocks for deemed value review to be confirmed after current rates are reviewed against guidelines.			
Bluenose BN3				<ul style="list-style-type: none"> That these fish stocks are set to deemed value prices at or above Port prices to discourage blatant over catching of species and to encourage a vessel catch plan before fishing.
John Dory JDO 1				
Pilchard PIL 8				
Tarakihi TAR 1				
Trevally TRE 1				
Trevally TRE 1		TRE 1	3 643	

From: wthorburn@farmside.co.nz
To: [FMSubmissions](#)
Subject: North island eel review
Date: Saturday, 21 July 2018 12:22:26 PM

Name of submitter

Warren Thorburn
Fishstock SFE20
LFE20

Preferred option

Option 1

Supporting views

I have been a commercial eel fisherman for 42 years, in that time have had nil returns for one period only, which was a 3 month period last winter. In that 42 year period

I would have landed in excess of 600 ton of a mix of longfin and shortfin eels in the Northland Area 20.

I have represented other fishermen at meetings and hui and worked with crown officials in introducing fresh water eels into the QMS.

I have also worked with NIWA scientists in establishing Fish Passes and Elva capture in Northland.

I am 70 years old no longer own Quota have no hidden agenda, and feel that I can offer a practical and Honest evaluation of the eel fishery in Area 20.

For several years now NZ Long Fin Eels have been hard to sell overseas, on today's prices we are paid \$3.50 per KG less lease of 75 cents a kilo which eq. \$2.75 before

Tax and expenses. Short Fin Eels are between \$4.50 and \$6.50 per KG, Why would anyone target Long Fin at that price. Long Fin have only been caught as By catch

for several years now, hence the low return figures for Long Fin Eels.

We have rivers and streams that hold Long Fin Eels that haven't been fished for over Ten Years. If the science is telling the crown that Long Fin are under threat by

adding the numbers in our returns and we don't catch them, then how can the science be wright.

Long Fin and Short Fin are in great shape, if we could afford to catch them the numbers would prove it. Short Fin Eels in Area 20 are as good as I have seen for many years, and the figures show that, with the Elva transfer and the QMS working well, therefor I have no Hesitation in recommending option one for Area 20 in the North Island Eel review.

Yours sincerely

WARREN THORBURN





OCEAN FISHERIES LTD

11 Cyrus Williams Quay
PO Box 144
Lyttelton
New Zealand

Phone: (03) 328 8550

Fax: (03) 328 8791



5/07/2018

Sustainability Review for 1st October 2018
Fisheries Management
Ministry for Primary Industries
PO Box 2526
Wellington 6011

Email : FMsubmissions@mpi.govt.nz

Dear Sir / Madam,

Re: Review of Sustainability.

This submission is made on behalf of :

Ocean Fisheries Ltd
PO Box 144
Lyttelton



AND

Ocean Fisheries Quota Holding Company Ltd
PO Box 144
Lyttelton



Back Ground :

Ocean Fisheries Quota Holding Company Ltd is as the name suggests our quota holding company.

Ocean Fisheries Ltd operate 4 Inshore Trawlers, the FT Frontier, the FT Endeavour, the FT Legacy and the FV Nessie J, all of which are based from the Port of Lyttelton.

Ocean Fisheries Ltd has been fishing inshore waters from the Port of Lyttelton since 1967.



Our submission is as follows :

We have received and considered the document for the review of sustainability measures for selected inshore fish stocks.

Our submission on TACC increases concentrates on ELE3, GUR3 and KIN3 as unfortunately these are the only species you have seen fit to review that fit within our scope of interest.

ELE3

- We constantly avoid areas where we know ELE3 can be easily caught as a target species, even outside these areas unavoidable by-catch can be a major issue.
- The return to high stock levels of ELE3 is not without good reason – the industry agreed not to fish in their spawning grounds – 1mile from bottom beach south of Akaroa, and this is directly attributable as to why the increase has occurred.
- So industry acts in the best interests of the future sustainability of a fishery, and MPI reap the rewards through increasing Deem Value revenue, and the lag for any increase in ACE means this income stream will continue for years to come.
- The disappointing point is that they are in such abundance that big areas of the ocean have become no fish zones, what is being landed is correctly identified in the paper as largely by-catch with limited targeting, we believe a 16% increase is a very conservative increase – and will still no where near allow this fishery to be utilised to the opportunity that exists.
- **We support Option 2, for a TACC increase of 15% from 1000 to 1150 tonnes, but believe it should have been much higher.**

GUR3

- This is another huge success story – the abundance of GUR3 is forcing us to avoid areas where they are caught in more abundance. The exact reason is unknown, but it has been over a prolonged period, so does not appear to be a one off event.
- It is always a by catch species for our operations, it cannot be targeted.
- The disappointing point is that they are in such abundance that big areas of the ocean have become no fish zones, and essentially as a by-catch it is unavoidable.
- Once again an 8% increase is an extremely conservative increase and shows scant regard for the levels of fish stock that are being observed at sea.
- It will without doubt continue to be overcaught and result in significant Deem Value Penalties being paid by law abiding fishers.
- **We support Option 2, for a TACC increase of 8% from 1220 to 1320 tonnes – but also state this is far too conservative.**

KIN3

- We have been fishing this same area since 1967, and we have never traditionally caught KIN3 – no one did – hence the 1000kg TACC.
- It is not a fish we want to catch and land as there appears very little appetite in the local market for fresh Kingfish.
- However the TAC and TACC should reflect the increasing abundance of this species so that should the opportunity arise with a market that we can utilise this species.
- It is an extremely tough fish, and it needs to remain on Schedule 6.
- **We strongly support Option 3, for a TACC increase of 500% from 1 to 6 tonnes but once again believe it should have been a bigger increase – as its not likely to become a target species commercially and once altered now – won't get any further input until huge amounts of DV have been paid.**

For the record, we strongly believe that BCO3 and SCH3 also urgently require TACC increases, they are both unavoidable by-catch in our mixed trawl fishery, but are becoming more abundant and a major deem value issue.

Being 100% by catch it is difficult to accept the Deemed Value rates – especially for SCH3 which start at \$3.20 and ramp to \$7.20 – yet the average price received by our company as a fisher is only \$2.40 per kg + GST.

We trust that they can be included for review at the next earliest opportunity.

Our submission on Deem Value Rates concentrates on TAR3 being the primary species under review that fits within our fish catch.

TAR3

- We really struggle with the values attached to the proposed deem value of \$3.50 ramping through to \$5.75.

As a major catcher of TAR3 we agree that largely it is a target fishery, however as has been explained at various meetings, the same areas that we target TAR3 we also target and catch WAR3 and RCO3, so it is not a single species target area.

It is an extremely mixed fishery, and therefore the target does not always result in catching TAR3 when we want it – and likewise when we are targeting WAR3 or RCO3 we can catch TAR3.

As we are as yet not aware of the extent of the TAR3 TAC decreases, it is difficult to quantify exactly the impact an increase in Deem Value will have on our operation.

However we make the following points.

- Not everyone agrees that all TAR stocks are contiguous.
- Catching in one FMA and Reporting in another is an offence and should be dealt with appropriately without penalising all fishers with the same Deemed Value.
- Balancing catch with ACE regularly throughout the year only occurs when there is abundant ACE, or when you live in Fantasy Land.

Since TAR3 does not have abundant ACE even now – (we are restricted in catch due to unavailability of ACE), and after any downward review of the TACC definitely won't be in a better position, AND we don't live in Fantasy land – so we can almost guarantee that balancing throughout the year will NOT be able to happen – so increased Deem Value payments will occur.

- Our current market price for TAR3 is averaging \$2.33 per kg, please explain how \$3.50 ramping to \$5.75 is fair when ACE is almost guaranteed to be under pressure with any of the proposed cuts to ACE ?

SCH3

As per the above commentary regarding TACC increases for BCO3 and SCH3.

In similar vein to your comments about "Balancing catch with ACE regularly throughout the year" please explain how this works for SCH3.

There is not enough ACE, it is a 100% unavoidable by-catch in the Area 03 trawl fishery in which we operate, therefore fishers such as ourselves cannot obtain ACE, but must land it – to face the penalty of Deem Value.

Please explain how a fisher is not encouraged or forced to break the law when the likely return on landing the fish is \$2.50 per kg and then they will be required to pay \$3.20 - \$7.20 per kg in Deem Value.

The system is wrong – it is setting up fishers to break the law in order to survive.

We have less fishers and still there is not enough ACE to go around – it must be that there are more fish around – probably because there is little or no pressure from Set Netters.

Where the species is abundant, the TACC needs to be at the right level before the Deem Value system seeks to crush fishers into a pulp or turn them into criminals in an effort to stay in business – just because there is an abundance of fish and the TACC system is too slow to catch up.

We would appreciate your response to the above.

Should you wish to discuss any of our comments in more detail please do not hesitate to contact the undersigned.

Yours faithfully

A handwritten signature in blue ink, appearing to read "A. Stark", is written over a light blue circular stamp.

Andrew Stark.
Chief Executive.

Ref: maf0054

Kaipara scallops sustainability round Fisheries New Zealand online survey

Fisheries New Zealand received 15 responses to an online survey for Kaipara scallops.

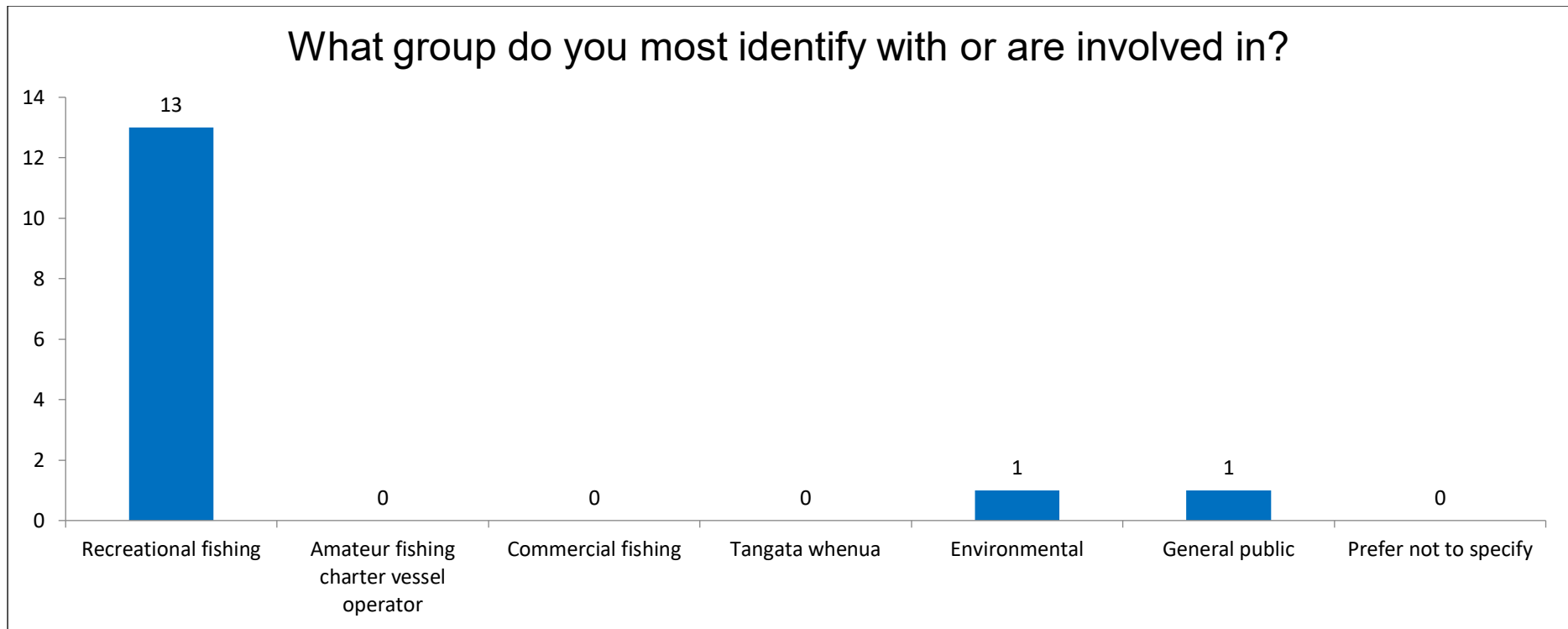


Figure 1: Fishing groups that respondents most identify with.

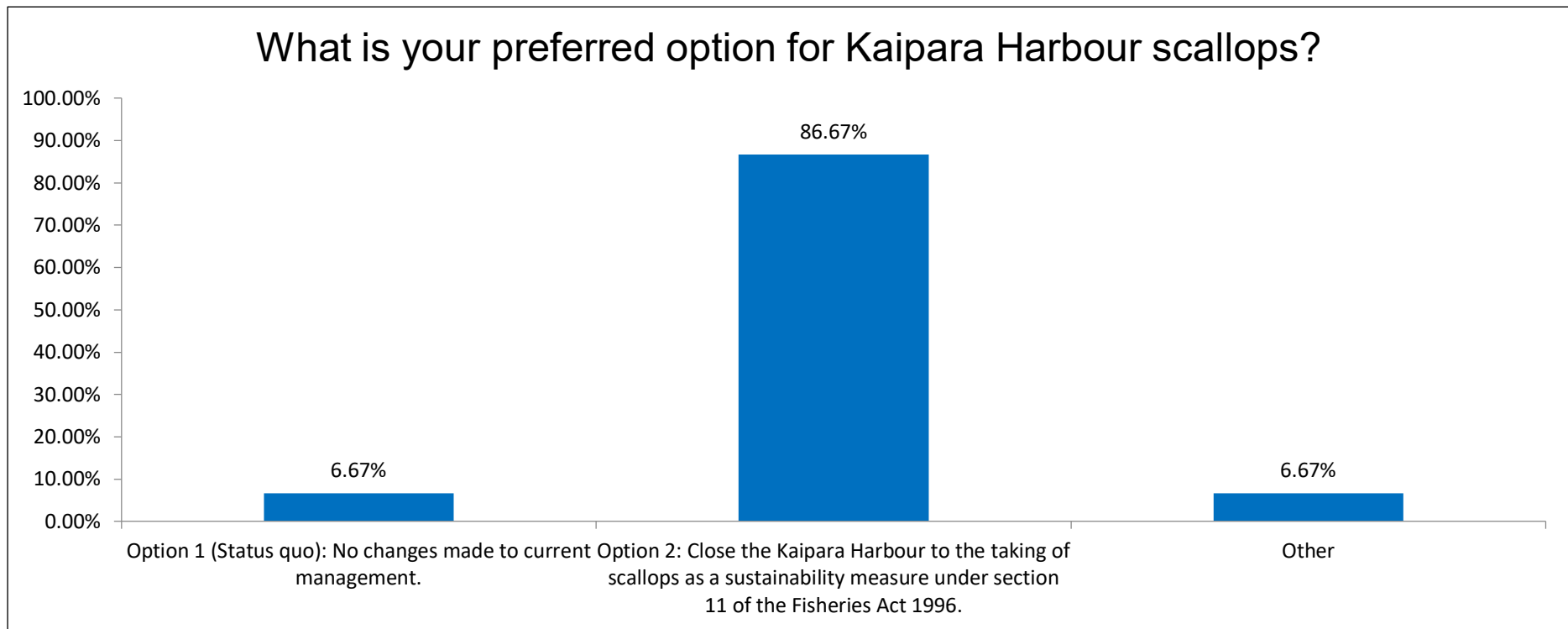


Figure 2: Preferred option for Kaipara scallops management settings.

Text comments from each sector

Number	Sector	Supporting information
1	Recreational fishing	I love scallops and dredging for a few after a fish out on the harbour but have noticed the lack of abundance and quality of the scallop over the past few years so fully support a complete ban till they've made a decent recovery, most likely a few years... Just like commercial fishing should stop for a few years off the west coast as there's bugger all Gurnard and less snapper than there used to be for sure... there should be a limit on how much fish you can buy wholesale to stop fisheries from destroying fish stock's just for the sake of lazy people who don't catch there own, caus that's the plain truth...the stocks are decimated
2	Environmental	It is so important not to let our fishstocks get overly depleted and with Kaipara scallops in particular recreational fishing by dredging has a significant impact on the bottom habitat and future recruitment of the scallops, so yes recreational fishers need to play their part.
3	Recreational fishing	a complete closure for a set period of time
4	Recreational fishing	Shorten season and reduce daily bag limit
5	Recreational fishing	In the last five years, I believe the Kaipara harbour has been closed for scallops, this has shown us that there has been no real improvement of stock. in the best interest of the Scallop, the Kaipara harbour should be closed for at least 10 years, then revaluated

North Island eels sustainability round Fisheries New Zealand online survey

Fisheries New Zealand received 49 responses to an online survey for North Island eels.

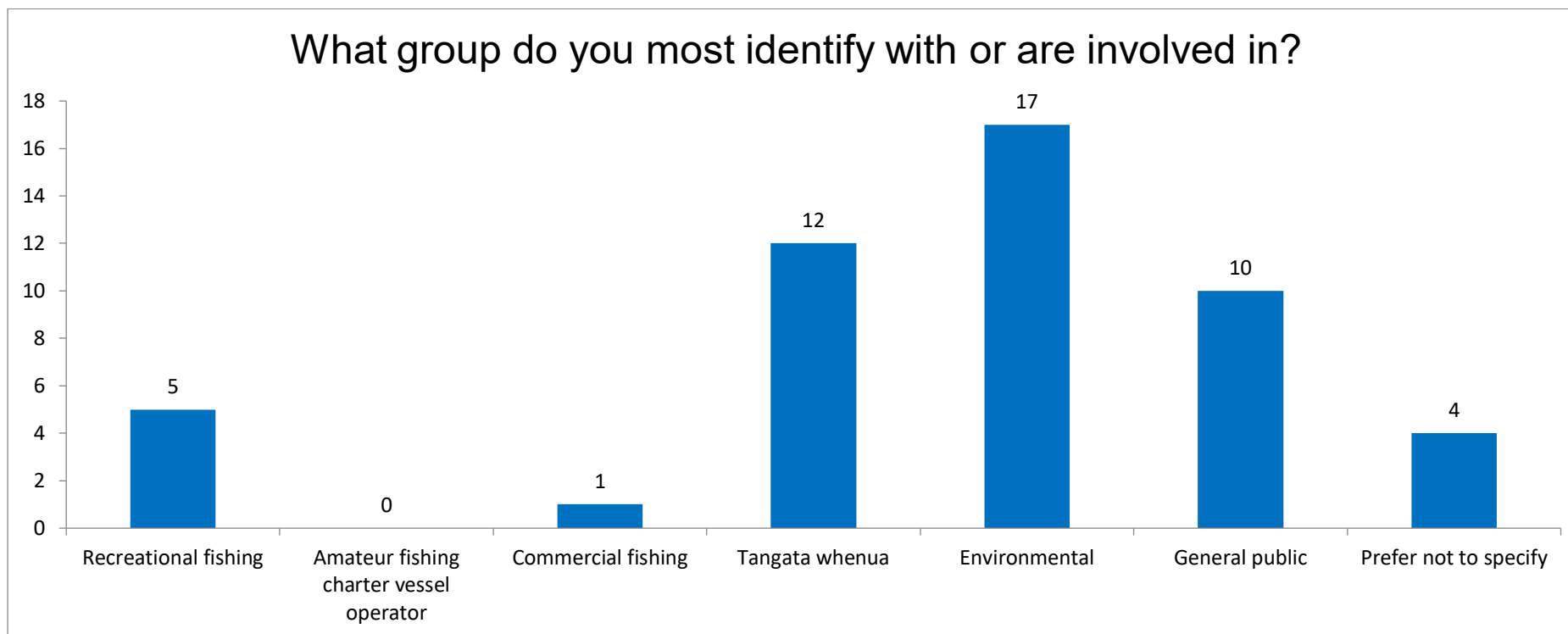


Figure 1: Fishing groups that respondents most identify with.

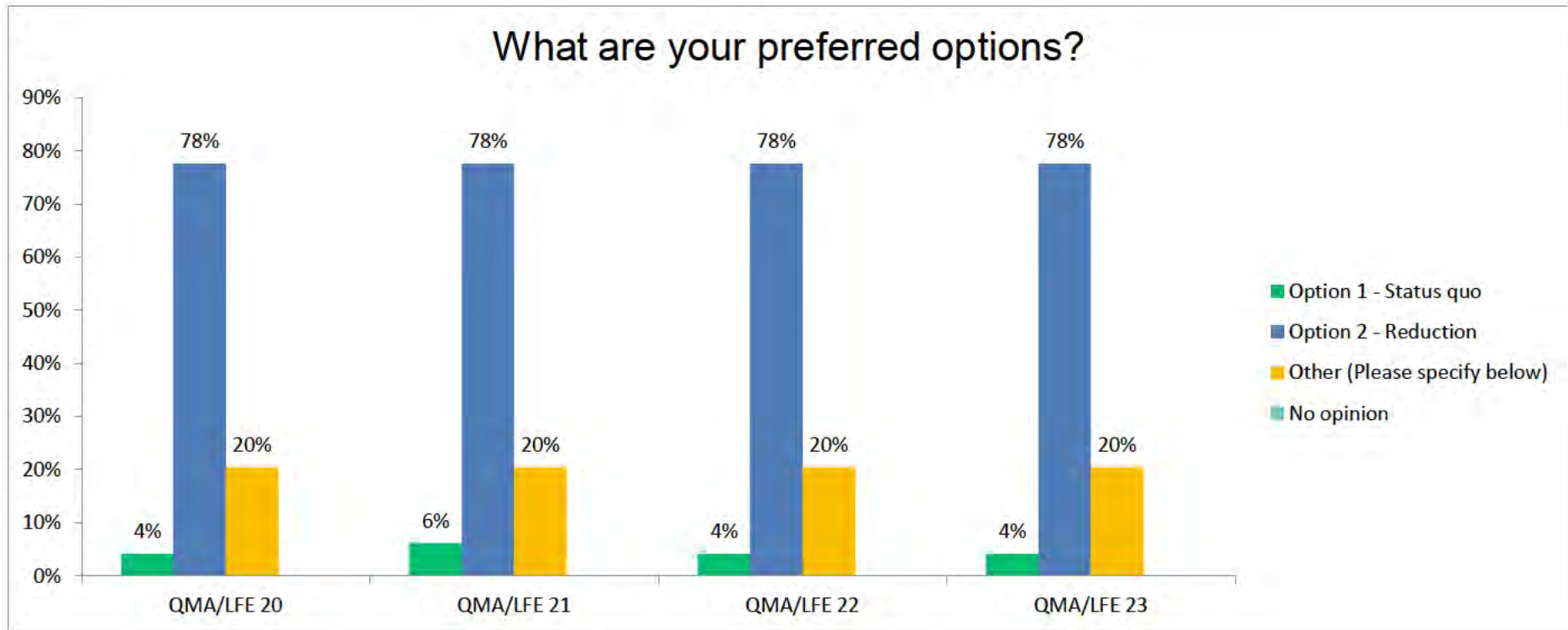


Figure 2: Preferred options for North Island longfin eels management settings.

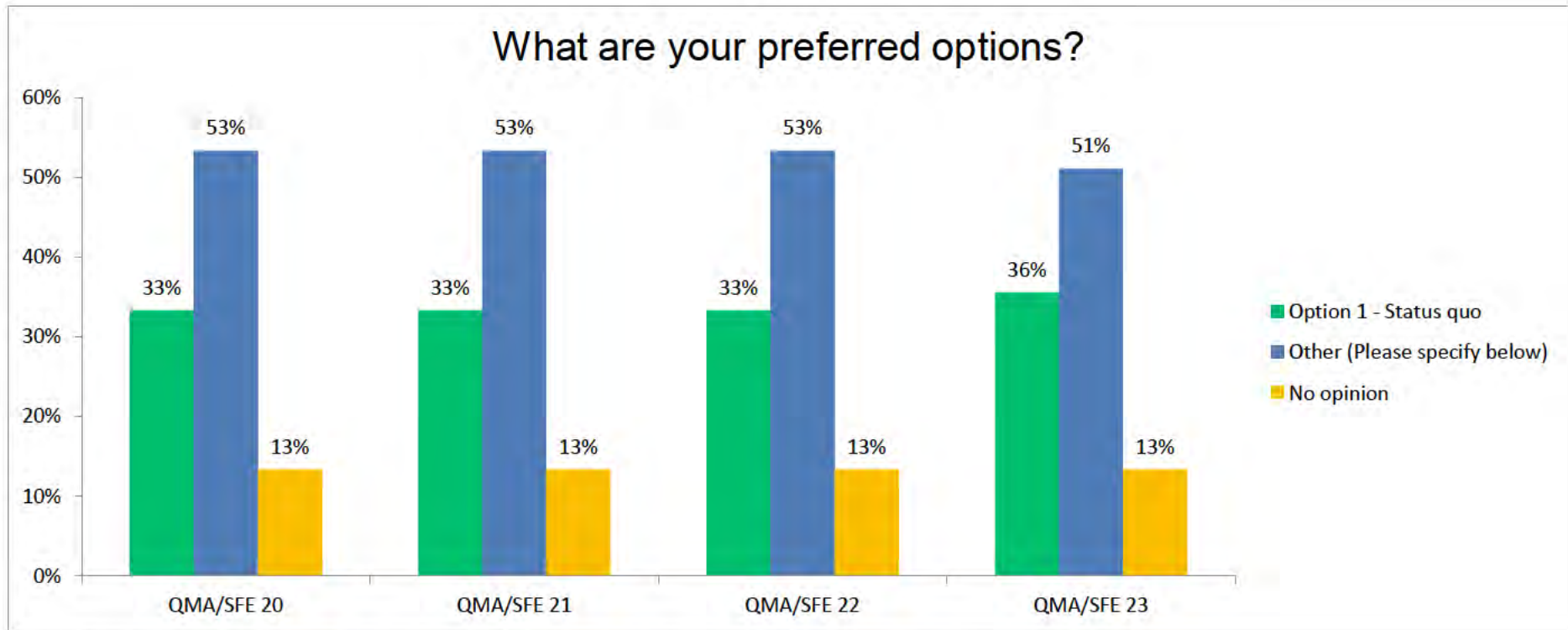


Figure 3: Preferred options for North Island shortfin eels management settings.

Text comments from Tangata whenua

Number	Comments on longfin eel options	Comments on shortfin eel options
1	<p>As tangata whenua who live off the river and its resources we have noticed a significant decline in eel catch. Not a perceived decline. An actual significant decline. This is based on feedback from our hapu members who go eeling for customary purposes. They are unanimous that there is a decline in eels based on what we used to catch one or two generations ago. A decline in numbers, a decline in size of eels and a decline in eating quality. This decline is so significant that some hapu no longer go eeling. Many are of the opinion that commercial take of eels are a significant reason for decline. However it must also be noted that many other environmental factors are also contributing to the decline in eel numbers, such as swamp drainage for farming, pollution, pumps and turbines in waterways. We also noted that during the annual eel run back to the sea for spawning that there are definitely less volume of eels every year. So if our area is recording a significant decline, not a perceived decline, it's probable that the whole country is also in same situation. Especially when you consider that many tangata whenua are telling you this. Which then raises the question on accuracy of eel stock figures. .. We therefore request a reduction in the number of TACC while eel stock accuracy figures are qualified. And a suggestion that tangata whenua perception of volume numbers are a key indicator of eel volume</p>	<p>No other options besides status quo gives a false impression that all submitters support the status quo. This is in spite of what iwi have been indicating that there is a decline in catchable eel volumes. As tangata whenua who live off the river and its resources we have noticed a significant decline in eel catch. Not a perceived decline. An actual significant decline. This is based on feedback from our hapu members who go eeling for customary purposes. They are unanimous that there is a decline in eels based on what we used to catch one or two generations ago. A decline in numbers, a decline in size of eels and a decline in eating quality. This decline is so significant that some hapu no longer go eeling. Many are of the opinion that commercial take of eels are a significant reason for decline. However it must also be noted that many other environmental factors are also contributing to the decline in eel numbers, such as swamp drainage for farming, pollution, pumps and turbines in waterways. We also noted that during the annual eel run back to the sea for spawning that there are definitely less volume of eels every year. So if our area is recording a significant decline, not a perceived decline, it's probable that the whole country is also in same situation. Especially when you consider that many tangata whenua are telling you this. Which then raises the question on accuracy of your eel stock figures. .. We therefore request a reduction in the number of TACC while eel stock accuracy figures are qualified. And a suggestion that tangata whenua perception of volume numbers are a key indicator of eel volume</p>

Number	Comments on longfin eel options	Comments on shortfin eel options
2	<p>As tangata whenua who historically lived off the river and its resources, we have noticed a significant decline in eels. Not a perceived decline. An actual significant decline. We also carry out an elvers transfer programme in partnership with NIWA, Northpower, and DOC in which we record volumes transferred. There has been a definite decline in elver numbers we are now transferring in comparison with 8 years ago when we started this initiative. We also noted during the annual eel run back to the sea for spawning that there are definitely less volumes of eels every year. So if our area is recording a significant decline, not a perceived decline, it's probable that the whole country is also in the same situation. Especially when you consider that tangata whenua are telling you this. Which then raises the question on the accuracy of eel stock figures.</p>	<p>If there is no alternative option, why have this in. It gives the misconception that submitters by default support the status quo. In reality, we as tangata whenua seek a reduction in TAC. Reasons being as outlined in first comments. As tangata whenua who historically lived off the river and its resources, we have noticed a significant decline in eels. Not a perceived decline. An actual significant decline. We also carry out an elvers transfer programme in partnership with NIWA, Northpower, and DOC in which we record volumes transferred. There has been a definite decline in elver numbers we are now transferring in comparison with 8 years ago when we started this initiative. We also noted during the annual eel run back to the sea for spawning that there are definitely less volumes of eels every year. So if our area is recording a significant decline, not a perceived decline, it's probable that the whole country is also in the same situation. Especially when you consider that tangata whenua are telling you this. Which then raises the question on the accuracy of eel stock figures.</p>
3	<p>I believe longfin stocks are impacted by more than just fishing, and therefore reducing the TAC and TACC will help the longfin recover properly</p>	<p>Shortfin stocks are also impacted by more than just fishing and so I believe the TACC and TAC's should be reduced to assist with keeping eel stocks abundant</p>
4		<p>reduction is best solution with provision for hapu/iwi to undertake customary fishing when vital.</p>
5	<p>We need to protect the breeders for future generations to come and our food source would be plentiful</p>	
6		<p>In favour of a reduction in the commercial quota for all tuna. Lets replenish stocks for a bit, no harm.</p>
7		<p>Reduction</p>

Text comments from each sector

Number	Sector	Comments on longfin eel options	Comments on shortfin eel options
1	Commercial fishing	<p>As a commercial fisher operating in SFE20/LFE20 for the past 10 years I can report that there has been a steady increase in abundance of both stocks. This has progressed to the point where longfin are at plague proportions in a large percentage of the fishery. I say this as longfin have been harder to sell at times including recently being unable to land them to the factories for almost a year, although they have started taking longfin again recently. It is also clear to me that in a catchment where longfin are not harvested they begin to overrun the shortfin population. There is also a large amount of oversized longfin in most catchments which compete with both smaller longfin and shortfin for food and territory. Stopping longfin fishing will not only negatively affect shortfin numbers but also hurt the total number of longfin through an increase in large, cannibalistic longfin.</p>	
2	Environmental	<p>I strongly support the largest reduction possible of allowable takes</p>	<p>I strongly advocate for a further reduction in recreational and commercial Eel takes rather than Status Quo</p>
3	Environmental	<p>Stop all commercial fishing of longfin eel.</p>	<p>Reduce quota in lieu of there not being an option to stop all eel fishing.</p>

Number	Sector	Comments on longfin eel options	Comments on shortfin eel options
4	Environmental	Consideration for the fresh water habitat of the long fin tuna, is rapidly being reduced, polluted, lost in NZ	Prefer a whole review of all eel fisheries. Possible breeding /commercial enterprises developed, protect native population
5	Environmental	I see habitat deraded and disconnected on a daily basis. Stocks are artificially high as the juveniles are more concentrated across fewer sites.	Reduce significantly until such time as MPI commits to habitat restoration and management.
6	Environmental	TACC to zero - moratorium on commercial harvest	
7	Environmental		reduction in fishery quota
8	Environmental	Closure	
9	Environmental	Complete ban on Longfin eel catch amounts - TAC and TACC. If this option is not allowed, then option 2 - Reduction is second choice, but should be be a step towards total ban.	
10	Environmental		Habitat improvements are also needed.
11	Environmental		15% Reduction of TACC
12	Environmental	Better to under-fish than over-fish. Under-fishing leads to a happy future, over-fishing leads to disaster.	
13	Environmental	No quota for longfin eels. Toanga species.	
14	Environmental	Longfin eels are a unique addition to our fauna. Their longevity and unique life history traits are awe inspiring. I would like to see more of these taonga in our rivers and streams.	
15	Environmental		Given that there is little understanding or thought given to the wider ecosystem dynamics associated with fishing this species at a level that it only maintains or slightly