

## Review of sustainability measures for southern bluefin tuna (STN 1) for 2024/25

Fisheries New Zealand Discussion Paper No: 2023/28

ISBN No: 978-1-991120-46-5 (online) ISSN No: 2624-0165 (online)

December 2023

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## Stock being reviewed

Southern bluefin tuna / Ika tira iti (STN 1) - All of New Zealand and Extraterritorial



Figure 1: Quota Management Areas (QMAs) for southern bluefin tuna.

## 1 Why are we proposing a review?

- 1. Southern bluefin tuna is internationally managed by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), of which New Zealand is a founding member. The CCSBT sets the Global Total Allowable Catch (GTAC) for southern bluefin tuna using a science-based management procedure in three-year blocks, which is in turned allocated to individual member countries. Fisheries New Zealand (FNZ) is satisfied that the advice from the CCSBT's Scientific Committee represents the best available information to inform management decisions.<sup>1</sup>
- 2. At its latest meeting in October 2023, the CCSBT agreed to increase the GTAC for the threeyear block from 2024 to 2026, by 3,000 tonnes to 20,647 tonnes, in accordance with recommendations from its scientific committee. As a result of this, New Zealand's national allocation has increased by 186 tonnes. There is now a utilisation opportunity to reflect this international decision within New Zealand's domestic catch settings for southern bluefin tuna.
- 3. Southern bluefin tuna has a fishing year starting on 1 October in New Zealand. To give effect to the CCSBT decision, FNZ is proposing to implement an in-season increase in the Total Allowable Catch (TAC) of STN 1, pursuant to section 14(6) of the Fisheries Act 1996 (the Act). This would provide for increased utilisation within New Zealand's national allocation within the current October fishing year, which runs from 1 October 2023 to 30 September 2024. As part of this proposal, FNZ is seeking feedback on appropriate settings for the allowances within the TAC.
- 4. In addition to this in-season increase, FNZ proposes that the TAC settings made in the inseason increase will also apply to the full fishing year from 1 October 2024, pursuant to section 14(1) of the Act.

<sup>&</sup>lt;sup>1</sup> The Report of the Twenty Eighth Meeting of the CCSBT's Scientific Committee can be found here.

## 2 Summary of proposed options

#### 2.1 Proposed in-season increase

- 5. FNZ proposes that the TAC for 2023/24 fishing year be set to the level of New Zealand's country allocation set by the CCSBT (Table 1). No change is made to the Total Allowable Commercial Catch (TACC) when implementing an in-season increase. Instead, additional Annual Catch Entitlement (ACE) is generated for southern bluefin tuna that equals the amount in tonnes by which the Minister would have increased the TACC. This in-season increase, if agreed to, will take effect from 1 April 2024.
- 6. An increase of 35 tonnes to the recreational allowance is also proposed to align with the latest estimate of recreational catch. FNZ will continue to monitor the growing recreational catch and can consider additional controls in late 2024, in advance of the 2025 season.
- 7. No changes to the allowances for customary fishing or all other sources of mortality caused by fishing are proposed.

			Additional		Allowances	
Option	TAC	TACC	Additional ACE <sup>2</sup>	Customary Māori Recreational		All other mortality caused by fishing
Current settings	1,102	1,046	-	2	34	20
Option 1	1,288 (个 186)	1,046	151个	2	69 (🛧 35)	20

#### Table 1: Proposed management option (in tonnes) for STN 1 from 1 April 2024 to 30 September 2024.

#### 2.2 Proposed TAC change for 1 October 2024 fishing year

- 8. FNZ is also proposing that the TAC settings made in the in-season increase will also apply to the full fishing year from 1 October 2024. These settings are included in Table 2.
- 9. No changes to the allowances for customary fishing or all other sources of mortality caused by fishing are proposed.

	Table 2: Proposed m	anagement option	(in tonnes) for	STN 1 from 1	October 2024.
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				Allowances	3
Option	TAC	TACC	Customary Māori Recreational		All other mortality caused by fishing
Current settings	1,102	1,046	2	34	20
Option 1	1,288 (个 186)	1,197 (🛧 151)	2	69 (🛧 35)	20

10. FNZ welcomes feedback and submissions on the option proposed, or any alternatives.

<sup>&</sup>lt;sup>2</sup> During an in-season increase, under section 68 of the Act, the Minister shall create an additional amount of Annual Catch Entitlement for the stock that equals the amount by which he or she would have increased the TACC, whilst the TACC remains unchanged.

<sup>2 •</sup> Review of sustainability measures April 2024: STN 1

## 3 About the stock

#### 3.1 Biology<sup>3</sup>

- 11. Southern bluefin tuna is a highly migratory species, traversing between the high seas and states' exclusive economic zones (**EEZ**s) throughout the southern hemisphere, primarily in waters between 30 and 45 degrees south. Southern bluefin tuna are apex predators and have been recorded to live up to 40 years old, weighing over 200 kilograms and reaching over two metres in length.
- 12. Adults are broadly distributed in the South Atlantic, Indian, and western South Pacific Oceans, and are predominantly found in temperate latitudes. Juveniles are broadly distributed along the continental shelf of Western and South Australia and in high seas areas of the Indian Ocean. Southern bluefin tuna caught in the New Zealand EEZ appear to represent the easternmost extent of the stock.
- 13. There is some uncertainty about the average size and age at which southern bluefin tuna reach maturity. Available information suggests that maturity may be at around 1.5 metres in length and no younger than eight years of age. The Indian Ocean south-east of Java, Indonesia is the only known area where spawning takes place. Spawning occurs between September and April.

#### 3.2 Fishery characteristics

- 14. Southern bluefin tuna is a highly migratory species that is seasonally present in New Zealand waters. It is valued by customary, commercial, and recreational fishers.
- 15. Domestically, southern bluefin tuna is primarily caught in a target commercial fishery using the surface longline fishing method and accounts for 98% of commercial catch in the last three complete October fishing years.
- 16. Surface longline fishing targeting southern bluefin tuna primarily occurs off the west coast of the South Island and along the east coast of the North Island. The fishing season for southern bluefin tuna generally begins in April/May and finishes in July/August. However, catch has been expanding of the east coast of the South Island in recent years and continued to expand in 2022.<sup>4</sup>
- 17. Southern bluefin tuna is also caught as bycatch in domestic surface longline fisheries targeting bigeye tuna/swordfish and yellowfin tuna. Very small amounts are also caught by trolling fisheries targeting albacore.
- 18. Game fishing is a highly valued past time for many New Zealanders, and southern bluefin tuna is an important fishery to recreational fishers. The primary recreational method used for catching southern bluefin tuna is trolling lures.

#### 3.3 Management background

#### 3.3.1 International management context

19. Southern bluefin tuna is internationally managed by the CCSBT, of which New Zealand is a founding member. The CCSBT sets the GTAC using a science-based Management Procedure that is designed to ensure that the southern bluefin tuna spawning stock biomass reaches the CCSBT's rebuilding current target of 30% of initial Total Reproductive Output (TRO<sub>0</sub>)<sup>5</sup> by 2035,

<sup>&</sup>lt;sup>3</sup> Information in this section references <u>Attachment 8</u> of the <u>Report of the Twenty-Eighth Meeting of the Scientific Committee</u> <sup>4</sup> Trends by area and fleet for the domestic commercial ST reported in New Zealand's Annual Report to the CCSBT Scientific Committee can be found <u>here</u>

<sup>&</sup>lt;sup>5</sup> TRO<sub>0</sub> is the total reproductive output summed over all age classes weighted by their relative individual contribution to reproduction for an unfished fishery.

which is the CCSBT estimate of  $B_{MSY}$ .<sup>6</sup> Under the adopted Management Procedure, the GTAC is set in three-year quota periods which is then allocated to individual member countries.

20. Under the CCSBT, all members have a binding obligation to manage their catch of southern bluefin tuna within their allocation. Members must account for all sources of mortality of southern bluefin tuna, including those related to discards, as well as customary, commercial, and recreational fishing.

#### 3.3.2 Domestic management context

- 21. Domestically, southern bluefin tuna is managed under the National Fisheries Plan for Highly Migratory Species,<sup>7</sup> which was approved in 2019 by the then Minister of Fisheries under section 11A of the Act.
- 22. Southern bluefin tuna was introduced into the quota management system (**QMS**) on 1 October 2004 under a single quota management area, STN 1, with allowances for customary and recreational fisheries and other sources of mortality, and a commercial TACC.
- 23. The domestic TAC for southern bluefin tuna was last increased for the October 2021/22 fishing year. For the three-year period from 2021 to 2023, the CCSBT retained the previous GTAC of 17,647 tonnes. However, due to a change in how non-member catch is incorporated into the Management Procedure, there were an additional 306 tonnes to be allocated between members. As a result of this, New Zealand's allocation was increased by 14 tonnes, from 1,088 tonnes to 1,102 tonnes per annum. This process saw an increase in the TAC, with a 14-tonne increase to the recreational allowance.

### 4 Status of the stock<sup>8</sup>

- 24. As southern bluefin tuna is a highly migratory species, migrating over considerable distances and spending only part of its time in New Zealand waters, it is not possible to calculate the Maximum Sustainable Yield (**MSY**)<sup>9</sup> for the portion of the stock found within the New Zealand EEZ.
- 25. The best available information on the global stock status of southern bluefin tuna is in the 2023 stock assessment undertaken by the CCSBT Scientific Committee. The CCSBT stock assessment is updated every three years (not coinciding with years when a new GTAC is calculated from the MP), to provide information on whether the stock is rebuilding, the projected timeframe to meet the objective for the rebuilding plan (i.e., 30% of TRO<sub>0</sub>) and estimate current biomass and fishing mortality relative to refreshed models. This timing is to ensure that the advice about the stock status is distinct from the operation of the management procedure which is used to recommend the GTAC. The stock assessment is not used to run the management procedure or recommend the GTAC.<sup>10</sup>
- 26. The 2023 stock assessment indicated that the southern bluefin tuna TRO used to monitor the stock size is estimated to be 23% of initial TRO. The stock remains below the level that could produce *MSY*, and is still about as likely as not to be below the soft limit. However, the stock status has improved and indicates further rebuilding of the stock since the last assessment in 2020, which indicated that the TRO was at 20% of TRO<sub>0</sub>.
- 27. As estimated by the 2023 stock assessment, abundance has trended upwards since its low point of 10% TRO<sub>0</sub> in 2009. The rebuilding plan for southern bluefin tuna appears to be on track to achieving the objective of reaching 30% of TRO<sub>0</sub> by 2035 (with 51% certainty).<sup>11</sup>

 $<sup>^{6}</sup>$  B<sub>MSY</sub> is the biomass (total weight of fish) that can support harvest of the maximum sustainable yield. See footnote 9 for definition of MSY.

<sup>&</sup>lt;sup>7</sup> National Fisheries Plan for Highly Migratory Species can be found <u>here</u>.

 <sup>&</sup>lt;sup>8</sup> Details of the CCSBT 2023 stock assessment for southern bluefin tuna can be found <u>here</u> or in the <u>November 2023 Fisheries</u> <u>Assessment Plenary</u> (manuscript submitted for publication).
<sup>9</sup> Maximum sustainable yield (**MSY**) is the largest long-term average catch or yield that can be taken from a stock under

<sup>&</sup>lt;sup>9</sup> Maximum sustainable yield (**MSY**) is the largest long-term average catch or yield that can be taken from a stock under prevailing ecological and environmental conditions.

<sup>&</sup>lt;sup>10</sup> Specifications of the Management Procedure can be found <u>here</u>.

<sup>&</sup>lt;sup>11</sup> CCSBT 2023 stock assessment.

## 5 Catch information and current settings within the TAC

#### 5.1 Commercial

- 28. Southern bluefin tuna is a highly valuable commercial species, primarily sold for use as sashimi in the Japanese market. The New Zealand commercial southern bluefin tuna fishery provided export earnings of around \$9.1 million NZD in 2022.<sup>12</sup>
- 29. Annual commercial landings and the TACC for STN 1 since 1986 are shown in Figure 2. Total STN catch steadily increased from the early 1990s, peaking in 2018 at 1,008 tonnes and dropping to 876 tonnes in 2021/22. The COVID-19 outbreak, particularly the effective closure of the Japanese export market for a period coupled with low prices for exports, contributed to a slight under- catch of the TACC in 2019/20. It should also be noted, that the commercial sector may not catch all of the allocated entitlement, as happened in previous years (Figure 2).



Figure 2: Annual commercial landings of southern bluefin tuna (STN 1) against the TACC.

30. For the 2022/23 fishing year (based on preliminary figures, not shown above), the southern bluefin tuna TACC was 1,046 tonnes, and commercial catch was 1,097.6 tonnes (exceeding the TACC), the highest level to date. However, the entire New Zealand catch has still been within New Zealand's Annual Total Available Catch<sup>13</sup> (Figure 3).

<sup>&</sup>lt;sup>12</sup> For more on export statistics for STN, visit Export Stats - Seafood NZ

<sup>&</sup>lt;sup>13</sup> Annual Total Available Catch means New Zealand's TAC allocation plus any amount of unfished allocation carried forward to that quota year. The total quota carried forward from one year to the next shall not exceed 20% of that Member's Effective Catch Limit (**TAC**) for the year from which the quota is being carried forward. Information on Resolution on Limited Carry-forward of Unfished Annual Total Available Catch of Southern Bluefin Tuna can be found <u>here</u>.



- Figure 3: Annual Total Available Catch of southern bluefin tuna and catch by sector, in tonnes. Note the Annual Total Available Catch means New Zealand's TAC allocation plus any amount of unfished allocation carried forward to that quota year.
- 31. New Zealand-owned and operated longliners began fishing for southern bluefin tuna in 1991. The number of domestic vessels targeting southern bluefin tuna grew throughout the 1990s and early 2000s prior to the introduction of southern bluefin tuna into the QMS.
- 32. Since the introduction of southern bluefin tuna into the QMS in 2004, the number of vessels operating in the fishery declined from 99 vessels in 2004 to 25 vessels in 2021/22. The fleet primarily comprises smaller vessels, which are typically at sea for a few days at a time.
- 33. Currently, commercial fishers may return to the sea southern bluefin tuna that are alive or likely to survive, under the new exception provision set under in the Act. These returns do not have to be balanced with a commercial fisher's ACE. The ability to provide exceptions was clarified and tightened on 1 November 2022 when the Fisheries Amendment Act 2022 came into effect. The amendments changed the rules for how a QMS species or stock can (or must) be returned to the sea, based on a set of new provisions.
- 34. As the current exception for southern bluefin tuna enables, but does not require, fishers to return these tuna, and requires them to be alive at return, it has been assessed against section 72A(2)(a) of the Act permitting a stock or species to be returned to or abandoned in the sea or other waters from which it was taken if the stock or species has an acceptable likelihood of survival if returned or abandoned in the manner specified by the instrument. FNZ is currently reviewing if an exception for southern bluefin tuna will continue and be provided for in the Fisheries (Landing and Discard Exceptions) Notice.

#### 5.2 Customary Māori

- 35. Customary non-commercial fishing for southern bluefin tuna is provided for under the Fisheries (South Island Customary Fishing) Regulations 1999, the Fisheries (Kaimoana Customary Fishing) Regulations 1998, or regulations 50-52 of the Fisheries (Amateur Fishing) Regulations 2013. There are currently no records held by Fisheries New Zealand of southern bluefin tuna being taken under customary authorisation.
- 36. However, during the Mai i nga Kuri a Wharei ki Tihirau lwi Fisheries Forum in 2018, tangata whenua indicated an intention to take southern bluefin tuna using some of the regulatory mechanisms listed above. Feedback received during those forum meetings also indicated that southern bluefin tuna was being used for customary purposes but taken under the general provisions for recreational fishing.

37. FNZ welcomes input from tangata whenua to inform advice on this allowance.

#### 5.3 Recreational

- 38. Prior to 2017, recreational catches of southern bluefin tuna are likely to have been rare because of the locations and seasons during which southern bluefin tuna are found in New Zealand waters. This is generally during winter months and in areas where little recreational fishing occurs.
- 39. In 2017, recreational catch was estimated at much higher levels than those previously seen in the fishery around the East Cape of the North Island. This resulted from an increase in recreational fishing effort targeting southern bluefin tuna, which was likely due, in part, to favourable weather conditions, fishery exposure on social media, and the relative proximity of the fish to shore that year. This helped inform the then Minister's decision to increase the recreational allowance from 8 to 20 tonnes in 2018.



#### Figure 4: Recreational catch estimate vs recreational allowance, 2016 – 2023. Weight is in tonnes.

- 40. Recreational interest in this fishery has continued to grow. The increase in catch in recent years can largely be attributed to a higher number of fishers and increased availability of fish within range of vessels. This is likely due to oceanic conditions and abundance of forage species (Holdsworth, 2022). This informed the then Minister to increase the recreational allowance from 20 to 34 tonnes from October 2021. In recent years, recreational catch estimates have been increasing and have exceeded the recreational allowance (see Figure 4). The increase in recreational catch of STN corresponds to an increase in recreational effort. However, the total New Zealand catch has still been within New Zealand's annual Total Available Catch (Figure 3).
- 41. Fisheries New Zealand funds a research project to estimate recreational southern bluefin tuna catch. This project includes a boat ramp survey at Waihau Bay and a targeted survey of South Island fishers, with other information collected from a variety of sources including sport fishing club records, authorised recreational take from commercial vessels, amateur charter vessel reporting, and anecdotal information.
- 42. The primary management measure for recreational fishing for southern bluefin tuna is a bag limit of one southern bluefin tuna per person, per day, introduced in 2019. In 2023, 55% of surveyed private boat trips did not catch a southern bluefin tuna. The catch rates of trips catching more than one southern bluefin tuna are significantly higher than recorded in previous surveys (Holdsworth, 2023) (Figure 5).



## Figure 5: The number of southern bluefin tuna landed per private boat trip (per day) in 2023 from on-site survey data and the proportion of trips with zero catch (red).

- 43. The recreational catch estimate for 2022/23 is 69.3 tonnes. This is 35.3 tonnes higher than the current allowance of 34 tonnes and equates to 5% of the annual Total Available Catch for that fishing year.
- 44. Fisheries New Zealand will continue to monitor recreational catches of southern bluefin tuna, with further consideration on revised recreational management measures for this emerging fishery in late 2024, once the latest estimates are available. Any additional measures could be in place in time for the 2025 season.

#### 5.4 Other sources of mortality caused by fishing

- 45. The allowance for other sources of mortality caused by fishing is intended to provide for unrecorded mortality of fish associated with fishing activity. This includes fish that escape through trawl net mesh and subsequently die from injuries, accidental loss (such as from fish dropping off hooks), predation, and misreporting.
- 46. The current allowance for all other sources of mortality to STN 1 caused by fishing is set at 20 tonnes. In 2019, the then Minister increased this allowance from 4 tonnes to 20 tonnes. The lower figure of 4 tonnes was based on observer data for what was at the time a low level of predation and discards within the southern bluefin tuna fishery. In 2019, the higher abundance and increased effort in the fishery increased the risk of additional mortality from returns made under the provisions of Schedule 6 of the Act<sup>14</sup> and from unlawful discards.
- 47. The 20-tonne allowance reflects estimated mortality from live releases along with any potential underreporting. FNZ does not have any new information that would suggest a review of this allowance is necessary. FNZ considers the overall mortality to the stock is likely to remain at similar levels under the proposed management option.

## 6 Treaty of Waitangi obligations as set in legislation

48. Section 5(b) of the Act requires that the Act be interpreted, and that people making decisions under the Act will act, in a manner that is consistent with the Treaty of Waitangi (Fisheries

<sup>&</sup>lt;sup>14</sup> Repealed on 1 November 2022, by <u>section 21</u> of the Fisheries Amendment Act 2022.

<sup>8 •</sup> Review of sustainability measures April 2024: STN 1

Claims) Settlement Act 1992 (**the Settlement Act**). The Settlement Act provides that noncommercial customary fishing rights continue to be subject to the Principles of the Treaty of Waitangi and give rise to Treaty obligations on the Crown.

- 49. Section 10 of the Settlement Act requires the Minister to develop policies and programmes to recognise the use and management practices of tangata whenua. The Minister must also recommend the making of customary fishing regulations under section 186 of the Fisheries Act to recognise and provide for customary food gathering by Māori and the special relationship between tangata whenua and those places of customary food gathering importance. Consistent with this section, FNZ has worked with iwi to develop the Fisheries (South Island Customary Fishing) Regulations 1999 and the Fisheries (Kaimoana Customary Fishing) Regulations 1998 to manage the activity of customary fishing.
- 50. FNZ has also consulted with tangata whenua to develop policies on the best way to establish engagement processes that enable iwi to work together to reach a consensus where possible and to inform the Ministry on how tangata whenua wish to exercise kaitiakitanga in respect of fish stocks in which they share rights and interests and how those rights and interests may be affected by sustainability measures proposed by FNZ. These policies support the requirements under section 12 of the Fisheries Act to provide for the input and participation of tangata whenua into sustainability process and to inform the Minister on how tangata whenua exercise kaitiakitanga.

#### 6.1 Input and participation of tangata whenua

- 51. The manner in which the Ministry provides for input and participation of Māori is not discretionary but arises as a legal obligation from section 10 of the Settlement Act and section 12 of the Fisheries Act. Section 12 (b) of the Act requires that before undertaking any sustainability process the Minister shall provide for the input and participation of tangata whenua who have a non-commercial interest in the stock or an interest in the effects of fishing on the stock. In considering the views of tangata whenua, the Minister is required to have particular regard for kaitiakitanga from the perspective of tangata whenua.
- 52. Input and participation of tangata whenua into the sustainability decision-making process is provided mainly through lwi Fisheries Forums, which have been established for that purpose. Each lwi Fisheries Forum can develop an lwi Fisheries Forum Plan that describes how the iwi in the Forum exercise kaitiakitanga over the fisheries of importance to them, and their objectives for the management of their interest in fisheries. Iwi Fisheries Forums may also be used as entities to consult iwi with an interest in fisheries.<sup>15</sup>
- 53. Each lwi Fisheries Forum can develop an lwi Fisheries Forum Plan that describes how the iwi in the Forum exercise kaitiakitanga over the fisheries of importance to them, and their objectives for the management of their interest in fisheries. Iwi Fisheries Forums may also be used as entities to consult iwi with an interest in fisheries (however, FNZ will also engage directly with iwi on matters that affect their fisheries interests in their takiwa).
- 54. The list of stocks being considered for inclusion in the April 2024 sustainability round and a summary document outlining the current status of STN 1 have been provided to recent hui of lwi Fisheries Forums around the country.
- 55. FNZ will engage with lwi Fisheries Forums during consultation to seek input on the option outlined in this proposal. FNZ also welcomes any input and submissions on the option from tangata whenua outside of this planned engagement.

<sup>&</sup>lt;sup>15</sup> However, FNZ also engages directly with Iwi (outside of Forums) on matters that affect their fisheries interests in their takiwa (district) and consults with any affected Mandated Iwi Organisations and Iwi Governance Entities where needed.

#### Table 3: Summary of engagement with Iwi Fisheries Forums.

lwi Fisheries Forum	Engagement on STN 1
Te Waka a Maui me ona Toka Fisheries Forum	The forum raised concern about the information gap regarding recreational catch estimates. They consider that the recreational allowance is being increased based on very uncertain information regarding recreational catch estimates.

#### 6.2 Kaitiakitanga

- 56. Information provided by forums, and iwi views on the management of fisheries resources and fish stocks, as set out in Iwi Fisheries Plans, are ways that tangata whenua can exercise kaitiakitanga in respect of fish stocks.
- 57. The Te Waka a Māui me Ōna Toka Forum, Mai Nga Kuri a Wharei ki Tihirau Fisheries Forum, Te Hiku o Te Ika Fisheries Forum and Chatham Islands Fisheries Forum all identify southern bluefin tuna as taonga species of significance in their fisheries plans. Tangata whenua have shown greater interest in southern bluefin tuna and its management over recent years.
- 58. There are no customary fisheries management tools such as mātaitai, taiāpure or section 186A or 186B temporary closures relevant to these proposals as southern bluefin tuna fishing largely takes place offshore. However, southern bluefin tuna migrate, and are caught recreationally and commercially, through a number of rohe moana such as Ngā Hapū o Taimai ki Te Marangi, Ngäti Kuta/Patukeha (Te Rawhiti Marae) and Ngāti Takapari, many of which extend out to 200 nautical miles from shore.
- 59. FNZ is seeking input from tangata whenua on how the proposed option for STN 1 may or may not provide for kaitiakitanga as exercised by tangata whenua, and how tangata whenua consider the proposal may affect their rights and interests in this stock.

# 7 Environmental and sustainability considerations under the Act

#### 7.1 Overview

- 60. The changes proposed would be made under section 14 of the Act. These are sustainability measures. Before setting or varying a sustainability measure, the Minister must adhere to section 11 of the Act. When making a decision the Minister must also act consistently with the requirements in section 5, and sections 8-10 (Purpose and Principles of the Act).
- 61. The requirements and details of each of these sections are set out below, in the following order:
  - a) Section 5 (Application of international obligations and Treaty of Waitangi (Fisheries Claims) Settlement Act 1992);
  - b) Section 8 (Purpose);
  - c) Section 9 (Environmental principles);
  - d) Section 11 (Sustainability measures);
  - e) Section 14 (Setting an alternative Total Allowable Catch for stocks specified in Schedule 3); and
  - f) Section 10 (Information principles).

## 7.2 Application of international obligations and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 – section 5 of the Act

62. The Minister must act in a manner consistent with both the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and New Zealand's international obligations relating to fishing. Discussion of these relevant obligations is provided in the *Overview of legislative requirements and other considerations* document available on our website: (https://www.mpi.govt.nz/consultations/review-of-sustainability-measures-2024-april-round).

#### 7.3 Purpose of the Act – section 8 of the Act

63. The Act's purpose is to "provide for the utilisation of fisheries resources while ensuring sustainability." Guidance on the meaning of section 8 and how it should be applied for decision making (for all the stocks being reviewed as part of this round) is provided in the *Overview of legislative requirements and other considerations* document available on our website: (https://www.mpi.govt.nz/consultations/review-of-sustainability-measures-2024-april-round).

#### 7.4 Environmental principles – section 9 of the Act

- 64. The environmental principles that must be taken into account when considering sustainability measures for southern bluefin tuna, are as follows:
  - Associated or dependent species should be maintained above a level that ensures their longterm viability.
  - Biological diversity of the aquatic environment should be maintained; and
  - Habitat of particular significance for fisheries management should be protected.

#### 7.4.1 Associated or dependent species – section 9(a)

65. Associated or dependent species include marine mammals, seabirds, fish, and invertebrate species caught as bycatch in the southern bluefin tuna target and bycatch fisheries. Commercial fishers must file daily reports about what they have caught. FNZ is now releasing these reports quarterly on our <u>webpage</u>. It is important to note that in some cases FNZ has made assumptions about the likely fishing method.

#### Sea turtles

- 66. New Zealand's southern bluefin tuna surface longline fishery occasionally interacts with sea turtles. The 2020/21 fishing year was an exceptional season for turtle interactions in New Zealand waters with a marked increase in the surface longline fishery. Fifty-six were caught, of which 50 were leatherback turtles. The average annual number of interactions prior to that season was 18 (reported or observed). The majority of these turtles are reported as released alive (around 95%).
- 67. Five species of sea turtles migrate through New Zealand waters; all are protected under the Wildlife Act 1953. The International Union for the Conservation of Nature has ranked species according to threat of extinction. Two species are ranked as critically endangered: the Western Pacific population of leatherback turtles, and the Hawksbill turtle.
- 68. To address the issue of turtle captures in the surface longline fishery, FNZ implemented changes to the Fisheries (Commercial Fishing) Regulations 2001 to mitigate accidental sea turtle bycatch in surface longline fisheries. As of 3 August 2023, it is now mandatory for commercial fishers who are surface longlining in New Zealand waters to use circle hooks.<sup>16</sup> Mandating the use of circle hooks is part of a wider cross-agency (FNZ and Department of Conservation (**DOC**)) programme of work to manage turtle interactions in commercial fisheries, including supporting the continued implementation of best practice handling and release methods, ongoing support from the Department of Conservation's Protected Species Liaison Programme, and exploring a dedicated bycatch reduction plan for sea turtles.

<sup>&</sup>lt;sup>16</sup> Fisheries (Commercial Fishing) Amendment Regulations 2023- surface longlining hooks.

#### Marine mammals

- 69 The southern bluefin tuna longline fishery is known to interact with fur seals. Incidental captures on longlines typically occur when fur seals attempt to feed on used bait and caught fish during hauling. Most New Zealand fur seals are released alive, typically with a short snood<sup>17</sup> or trace still attached. New Zealand fur seal captures in surface longline fisheries have generally been observed in waters south and west of Fiordland, but also in the Bay of Plenty-East Cape area.
- 70. During the 2021/22 fishing year there were 10 observed fur seal captures in the surface longline STN-target fishery, all of which were released alive. Between 2002/03 to 2020/21 fishing years there were an average estimated 122 fur seal captures per year, <sup>18</sup> with estimated captures as high as 447 in the 2018/19 fishing year. Based on observer information, most fur seals encountered in surface longline gear are able to be released alive. FNZ recognises that the proposed higher catch limits may result in increased effort in the fishery (depending on trends in catch per unit of effort) and therefore a likely increase in fur seal interactions.
- 71. The Department of Conservation classify the fur seal population as 'Not Threatened - Least Concern' and note that the New Zealand population has been increasing in recent years (FNZ-AEBAR, 2021).

#### Seabirds

- 72. The southern bluefin tuna surface fishery, both commercial and recreational, is known to interact with seabirds. No seabirds were reported caught or tangled by any of the crews interviewed at Waihau Bay during the 2021/22 recreational survey (Holdsworth, 2023). However, there is uncertainty in this, given that the Waihau Bay survey does not cover the whole area of recreational fishing effort for southern bluefin tuna.
- 73. In the commercial fishery, captures on longlines typically occur when the seabirds attempt to feed on the baited hooks during setting and hauling. Most seabird captures result in mortality, with the bird having been hooked or tangled during the setting of gear. Seabirds captured during hauling are usually able to be released alive, however there is the possibility of subsequent unseen mortality.
- 74. FNZ monitors seabird bycatch as part of its at-sea observer programme. Observations are used to calculate total estimated captures. This information is further used to model risk from fishing to each seabird species. According to the most recent FNZ risk assessment<sup>19</sup> the six species with the highest risk ranking all have recorded captures in the southern bluefin surface longline fishery.<sup>20</sup> During the 2021/22 fishing year, there were 51 observed seabird captures in the southern bluefin tuna surface longline fishery (with 8% of effort observed). Between 2002/03 to 2020/21 fishing years there were an estimated average of 301 seabird captures per year. Estimated captures were as high as 516 in the 2018/19 fishing year.<sup>21</sup>
- 75. The DOC New Zealand Threat Classification System has ranked species according to the threat of extinction. A number of species with the highest ranking 'Threatened - Nationally Critical' are captured in the surface longline fishery (black petrel, Salvin's albatross, Westland petrel, fleshfooted shearwater, southern Buller's albatross, and Gibson's albatross).
- 76. FNZ recognises that the proposed higher catch limits may result in increased effort in the fishery (depending on trends in catch per unit of effort) and therefore a higher risk of seabird interactions.
- The 'National Plan of Action Seabirds 2020' guides management of seabird interactions with 77. New Zealand fisheries. It sets out the framework for managing impacts of fishing on seabirds, including the use of Mitigation Standards which are a mix of regulatory and voluntary measures.
- In 2023, FNZ consulted on proposed changes to the regulated seabird mitigation measures 78. applicable to commercial fishers using the surface longlining method of fishing within New

<sup>&</sup>lt;sup>17</sup> A snood is a short branchline attached to the main line using a clip or swivel, with the hook at the other end.

<sup>&</sup>lt;sup>18</sup> Estimated fur seal captures in the STN fishery can be found here.

<sup>&</sup>lt;sup>19</sup> Update to the risks assessment for New Zealand seabirds can be found here.

<sup>&</sup>lt;sup>20</sup> The surface longline fishery poses a substantial portion of the fisheries risk to: black petrel, Salvin's albatross, Westland petrel, flesh-footed shearwater, southern Buller's albatross, and Gibson's albatross. <sup>21</sup> Estimated seabird captures in the STN fishery can be found <u>here</u>.

Zealand waters. The consultation included potential options to further reduce the estimated risk of surface longline fishing to seabirds, while also considering potential impacts on fishing operations. A decision is expected in the coming months.

#### Fish and invertebrate bycatch

- 79. Bigeye tuna, Pacific bluefin tuna, swordfish, ray's bream, and blue sharks are often caught as bycatch in the New Zealand southern bluefin tuna surface longline fishery. These species were introduced into the Quota Management System on 1 October 2004, and their TACCs are generally under caught. Albacore tuna, a non-QMS species, is also often caught as bycatch in the STN 1 longline fishery. FNZ recognises that the proposed higher catch limits may result in increased effort in the fishery (depending on trends in catch per unit of effort) and therefore a higher risk of fish bycatch.
- 80. The shark species caught as bycatch in the STN 1 fishery are currently well below the TACC for these species. Any increased effort associated with the increased southern bluefin tuna limit proposed is considered unlikely to put significant pressure on the TACCs for these species. During the 2021/22 fishing year, there were no observed captures of protected shark species (chondrichthyans)<sup>22</sup> in the STN-target surface longline fishery.

#### 7.4.2 Biological diversity of the aquatic environment – section 9(b)

81. There are no known benthic impacts associated with the southern bluefin tuna fishery (FNZ-AEBAR, 2021).

#### 7.4.3 Habitats of particular significance for fisheries management – section 9(c)

- 82. Southern bluefin tuna is a highly migratory species, moving between New Zealand's EEZ, the EEZs of other states, and the high seas. The only known spawning ground for southern bluefin tuna is in the Indian Ocean, south-east of Java, Indonesia, where spawning occurs during September and April.
- 83. Juvenile southern bluefin tuna migrate south from Indonesia down the west coast of Australia during the summer months (December-April). Southern bluefin tuna found in New Zealand's waters represent the easternmost extent of the stock. There are no known habitats of particular significance for southern bluefin tuna identified in New Zealand's EEZ that could be impacted by the changes proposed in this paper.

## 7.5 Considerations for setting sustainability measures under section 11 of the Act

- 84. Section 11 of the Act sets out various matters that the Minister must take into account or have regard to when setting or varying sustainability measures (such as a TAC). These include:
  - a) any effects of fishing on any stock and the aquatic environment; and
  - b) any existing controls under the Act that apply to the stock or area concerned; and
  - c) the natural variability of the stock concerned; and
  - d) any relevant planning instruments, strategies, or services.<sup>23</sup>

#### 7.5.1 Effects of fishing on any stock and the aquatic environment – section 11(1)(a)

85. In setting or varying a sustainability measure the Minister must take into account any effects of fishing on any stock and the aquatic environment.

<sup>&</sup>lt;sup>22</sup> There are seven species of chondrichthyans protected under Schedule 7A of the Wildlife Act in New Zealand: Oceanic whitetip shark, basking shark, deepwater nurse shark, white pointer shark/white shark, whale shark, manta ray, and spinetail devil ray.

<sup>&</sup>lt;sup>23</sup> Sections 11 (2) and (2A).

86. Direct effects of fishing on the stock are described in '*Catch information and current settings* within the TAC', and other effects of fishing on the stock and aquatic environment are described in 'Associated or dependent species- section 9(a)'.

#### 7.5.2 Existing controls that apply to the stock or area – section 11(1)(b)

- 87. In setting or varying a sustainability measure the Minister must take into account any existing controls under the Act (including rules and regulations made under the Act (section 2(1A)) that apply to the stock when setting or varying the TAC.
- 88. Current management controls in place for fishing for southern bluefin tuna are described under headings 5.3 '*Recreational*' and 6.2 '*Kaitiakitanga*'.

#### 7.5.3 Relevant statements, plans, strategies, provisions, and documents - section 11(2)

89. In setting or varying the TAC of this stock, the Minister must have regard to relevant statements, plans, strategies, provisions, and planning documents under section 11(2) of the Act, that apply to the coastal marine area. The following plans and strategies apply to southern bluefin tuna.

#### National Fisheries Plan for Highly Migratory Species

- 90. Before setting or varying any sustainability measure (such as the TAC), the Minister must take into account any conservation or fisheries services, and any relevant fisheries plans approved under section 11(2A) of the Act.
- 91. Domestically, southern bluefin tuna are managed under the National Fisheries Plan for Highly Migratory Species (**HMS**) 2019. The National HMS Plan sets out management objectives and strategies for HMS fisheries, the most relevant to STN 1 being:
  - **Management Objective 1**: Support viable and profitable commercial HMS fisheries in New Zealand;
  - **Management Objective 2**: Maintain and enhance world class game fisheries in New Zealand fisheries waters;
  - Management Objective 3: Māori interests (including customary, commercial, recreational and environmental) are enhanced;
  - **Management Objective 4:** Maintain sustainable HMS fisheries within environmental standards;
  - Management Objective 7: Maintain an effective fisheries management regime; and
  - Management Objective 8: Recognise and provide for Deed of Settlement obligations.
- 92. The National Fisheries Plan for Highly Migratory Species is a formally approved section 11A fisheries Plan, which the Minister must take into account when making sustainability decisions.

#### Regional rebuilding plan

- 93. Southern bluefin tuna is a highly valued species currently subject to an international rebuilding plan under the CCSBT. In line with the rebuilding plan, the CCSBT sets the GTAC for southern bluefin tuna for three-year periods, with the GTAC allocated to individual member countries (see Table 4). A recent increase in New Zealand's allocation presents an opportunity to increase utilisation within the confines of the rebuilding strategy.
- 94. In 2011, the CCSBT agreed that a science-based management procedure would be used to guide the setting of the global total allowable catch for southern bluefin tuna. The management procedure is designed to recommend an appropriate global catch limit that will allow the spawning stock biomass to achieve the rebuilding target of 30% of unfished spawning stock biomass by 2035 (with 51% certainty).
- 95. Based on the results of the management procedure operation for 2024-26 quota block undertaken in 2022 and agreed in 2023, the CCSBT agreed to increase the GTAC for 2024-2026 by 3,000 tonnes to 20,647 tonnes.

Table 4: Global Total Allowable Catch and New Zealand's allocation (in tonnes)

	2011	2012	2013	2014	2015-17	2018-20	2021-23	2024-26
Global total allowable catch	9,449	10,449	10,949	12,449	14,647	17,647	17,647	20,647
New Zealand allocation	570	800	830	910	1,000	1,088	1,102	1,288

## 8 Considerations for setting Total Allowable Catch – section 14 of the Act

#### 8.1 Section 14 – Alternative TAC for stocks specified in Schedule 3

96. The TAC for southern bluefin tuna is set under section 14 of the Act. This section provides for an alternative TAC to be set for stocks specified in Schedule 3 (including southern bluefin tuna) if the Minister is satisfied that the purpose of the Act is better met in this way. In general, TACs are set in accordance with the provisions of section 13(2) of the Act (i.e., in a manner that would maintain, or move the stock towards, a biomass at or above the level that can support *MSY*). This is not possible for southern bluefin tuna in New Zealand alone since, being a highly migratory species, it is not possible to calculate *MSY* for the portion of the stock found within the New Zealand EEZ (section 14(8)(b)(iv)). Setting a TAC under section 14 also recognises that a national allocation for New Zealand has been determined as part of an international agreement (section 14(8)(b)(ii)).

#### 2023/24 in-season increase

97. In New Zealand, southern bluefin tuna is managed within the QMS, with a 1 October to 30 September fishing year. The TAC effective on 1 October 2023 does not currently reflect the increase that was confirmed at the Commission meeting this year. Section 14(6) of the Act allows for changes in the TAC to occur in-season for southern bluefin tuna. The use of this mechanism would enable New Zealand to apply its increased national allocation in time to be utilised in the first fishing year (2024) of the current three-year block, and realise greater economic and social benefits. Under the Act, the TAC shall revert to its previous level at the end of that fishing year (section 14(7)). In this instance, however, FNZ is also reviewing the TAC for 2024/25 as part of this process.

#### 2024/25 TAC change

98. FNZ is also proposing changes to the 2024/25 TAC as provided for under section 14 of the Act. Setting a TAC under section 14(1) of the Act requires consideration of how to best meet the purpose of the Act as outlined in section 8 – that is, to provide for utilisation whilst ensuring sustainability.

#### 8.2 Harvest Strategy Standard

- 99. A Harvest Strategy Standard (HSS) was adopted for New Zealand fisheries in October 2008. The HSS outlines classifications of stocks based on their status in relation to target and limit reference points. For highly migratory species (including southern bluefin tuna), policy guidance outlines where an international organisation or agreement has adopted harvest strategies and rebuilding plans that meet or exceed the minimum standards contained in the Standard, the approach of FNZ to the international organisation or agreement will generally be to support those strategies. This approach has been reflected in the position taken by New Zealand officials at CCSBT when advocating for a precautionary approach in rebuilding the stock.
- 100. FNZ is satisfied that the advice from the CCSBT Scientific Committee represents the best available information to inform management decisions. In 2022, the management procedure was run and provided a recommendation that the GTAC for the 2024-2026 TAC block should

increase by the maximum amount of 3,000 tones (from 17,647 tonnes to 20, 647 tonnes). The 2023 scientific committee concluded that there is no evidence of exceptional circumstances and therefore confirms the TAC recommended for 2024-2026 of 20,647 tonnes per year.

101. The HSS outlines the Ministry's approach to relevant sections of the Act. It is therefore a core basis for the Ministry's advice to the Minister in the management of fisheries, particularly the setting of TACs under section 14 of the Act.

# 9 Information principles: Uncertainties and unknowns - section 10 of Act

- 102. Under section 10 of the Act, decision-makers are required to take into account four information principles:
  - a) decisions should be based on the best available information.<sup>24</sup>
  - 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.
- 103. FNZ considers that the information presented in this paper represents the best available information.
- 104. In various sections of this paper (see headings 3.1 '*Biology*' and 7.4.1 '*Associated or dependent species section* 9(*a*)') FNZ has pointed out where information is uncertain and warrants caution, in line with the principles above.
- 105. Uncertainty exists in the recreational catch estimates for southern bluefin tuna given that the recreational survey does not cover the whole area of recreational fishing effort for southern bluefin tuna. Although there has been a targeted recreational survey taking place since 2018, the survey results acknowledge and provide for a level for uncertainty in the total recreational catch estimates.
- 106. Since 2018, members of the CCSBT have been required to account for all sources of southern bluefin tuna mortality (from commercial fishing operations, releases and/or discards, recreational fishing, customary and traditional fishing, and artisanal fishing<sup>25</sup>). New Zealand led and advocated for this change at CCSBT. Therefore, there are reputational risks at the CCSBT in terms of not accounting for all sources of mortality within New Zealand's domestic catch settings.

## 10 Options and analysis

#### 10.1 Proposed in-season increase

#### 10.1.1 Current settings

TAC: 1,102     TACC: 1,046	Customary: 2	Recreational: 34	Other mortality: 20
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<sup>107.</sup> The *status quo* is not proposed as an option in this review for STN 1. Retaining the current catch settings would not reflect the recent decision by the CCSBT to increase New Zealand's increased national allocation and the resulting utilisation opportunity. Also, retaining the current TAC for STN 1 would not reflect the most recent information received from the recreational and

<sup>&</sup>lt;sup>24</sup> Section 2(1) of the Act defines "best available information" to mean "the best information that, in the particular circumstances, is available without unreasonable costs, effort, or time"

<sup>&</sup>lt;sup>25</sup> Fishing for subsistence by coastal or island ethnic groups using traditional methods.

commercial sectors that indicated notably increased catches in both fisheries (not evident in Figure 2, which does not include provisional 2022-23 estimates).

108. Failing to utilise the increased national allocation would result in forgone economic and social benefits from the potential additional catch (outlined under *Option 1* below). Maintaining the current TAC is unlikely to provide any benefit in terms of stock rebuild based on the parameters of the existing management procedure.

#### 10.1.2 Option 1

<b>TAC:</b> 1,288 ( <b>1</b> 86)	TACC: 1,046	ACE: 151	Customary: 2	Recreational: 69 t (135)	Other mortality: 20
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109. Option 1 proposes to increase the STN 1 TAC by 186 tonnes, and then, split the increase between commercial and recreational fishers.

#### TACC and additional ACE

- 110. As noted above in '*Proposed in-season increase*', No change is made to the TACC when implementing an in-season increase. Instead, additional ACE is generated for southern bluefin tuna that equals the amount in tonnes by which the Minister would have increased the TACC.
- 111. FNZ proposes to increase the available Annual Catch Entitlement for commercial fishers by 151 tonnes. This option would allow the commercial sector to benefit from increases permitted under the stock rebuilding strategy adopted by the CCSBT, whilst better reflecting the most recent information on commercial landings that indicated notably increased catch for the 2022/23 fishing year. It should also be noted, however that the commercial sector may not catch all of the allocated entitlement, as happened in previous years (Figure 2).
- 112. As southern bluefin tuna is primarily exported, the commercial sector would benefit from a catch limit increase, in the form of export revenue. Based on the average value derived from 2022/23 export statistics, an additional 151 tonnes allocation to the commercial sector is expected to create \$1.1-\$1.2 million in additional annual export revenue.

#### Allowances

- 113. The current allowance for recreational fishing does not align with the best available information for estimates of recreational fishing (which indicate recreational catch of 69.3 tonnes in the 2022/23 fishing year). Currently, the allowance is 34 tonnes, which is 35.3 tonnes lower than the 2022/23 estimates of recreational catch.
- 114. Option 2 proposes increasing this allowance to 69 tonnes so that it would better reflect the new information available on catch estimates in this developing fishery, while noting catch rates have been increasing in recent years. FNZ recognises the need to closely monitor the growing recreational catch and can consider additional controls in late 2024, once the latest estimates for that season are available.
- 115. There are potential reputational risks to New Zealand in not recognising the increased recreational activity in the STN 1 recreational fishery within its domestic allocation mechanisms. Failing to recognise this increased recreational catch domestically (i.e., allocating the entire increase to commercial) may put New Zealand at risk of exceeding its annual Total Available Catch under the CCSBT.
- 116. The customary allowance and the allowance for other mortality caused by fishing would be maintained at current levels.

#### 10.2 Proposed TAC change for the 2024/25 year

117. FNZ proposes that the TAC settings made in the in-season increase will also apply to the full fishing year from 1 October 2024, pursuant to section 14(1) of the Act.

#### 10.2.1 Current settings

TAC: 1,102     TACC: 1,046     Customary: 2     Recreational: 34     Other mortality: 20	
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118. The *status quo* is not proposed as an option in this review for STN 1.

#### 10.2.2 Option 1

	<b>TAC:</b> 1,288 ( <b>1</b> 86)	<b>TACC:</b> 1,197 ( <b>1</b> 51)	Customary: 2	Recreational: 69 (135)	Other mortality: 20
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119. Option 1 would increase the TAC by 186 tonnes, and split the increase between commercial and recreational fishers for the full fishing year from 1 October 2024.

#### TACC

120. FNZ proposes that the TACC be increased to 1,197 tonnes. Rationale for this option is discussed under heading 10.1 '*Proposed in-season increase'*.

#### Allowances

- 121. FNZ proposes that the recreational allowance be increased to 69 tonnes. Rationale for this option is discussed under heading 10.1 '*Proposed in-season increase'*.
- 122. The customary allowance and the allowance for other mortality caused by fishing would be maintained at current levels for the full fishing year from 1 October 2024.

## 11 Economic considerations

- 123. Failing to utilise the increased country allocation would result in forgone economic and social benefits from the additional potential catch. Maintaining the current TAC is unlikely to provide any significant additional benefits in terms of stock rebuild based on the parameters of the existing management procedure.
- 124. The STN 1 commercial fishery supports many people including quota owners, commercial fishers, licensed fish receivers (**LFR**s), and seafood processing facilities. To give a sense of scale and distribution, based on data from the last three October fishing years, in STN 1 there have been on average 111 quota owners, providing ACE to 42 permit holders, landing southern bluefin tuna to 19 LFRs, using 57 vessels. The number of participants has increased from the 10-year average for all parts of the supply chain except quota owners. The October 2021/22 fishing year saw an increase in participation, with an 80% increase of vessels from the year prior.
- 125. Port prices have fairly steadily declined since October 2013-14 and there have been no average ACE transaction prices available since October 2006-07. Export free on board<sup>26</sup> revenue also peaked in the December year ending 2012, and export prices have not returned to their 2012 peak.

### 12 Deemed value rates

- 126. Deemed values are the price paid by fishers for each kilogram of unprocessed fish landed in excess of a fisher's Annual Catch Entitlement (**ACE**) holdings. The purpose of the deemed values regime is to provide incentives for individual fishers to acquire or maintain sufficient ACE to cover catch taken over the course of the year, while allowing flexibility in the timing of balancing, promoting efficiency, and encouraging accurate catch reporting.
- 127. The <u>Deemed Value Guidelines</u> set out the operational policy FNZ uses to inform the development of advice to the Minister on the setting of deemed values.

<sup>&</sup>lt;sup>26</sup> Exports (including re-exports) are valued as free on board (**FOB**), which is the value of goods at New Zealand ports before export, and are shown in New Zealand dollars.

<sup>18 •</sup> Review of sustainability measures April 2024: STN 1

128. The deemed value rates for STN 1 are shown in table 5.

Stock	Interim rate (¢/kg)	А	nnual differen	tial rates (\$/kg	) for excess c	atch (% of ACE	:)
	interim rate (\$/kg)	100-120%	120-140%	140-160%	160-180%	180-200%	>200%
STN 1	\$42.2	\$46.9	\$56.3	\$65.7	\$75.1	\$84.5	\$93.8

Table 5: Standard deemed value rates (\$/kg) for STN 1.

129. Southern bluefin tuna has a punitive deemed value, which is currently set at \$42.2 per kg, to reflect our international obligations to remain within our national allocation at CCSBT. Fisheries New Zealand considers the option outlined in this paper will not result in changes to fishing behaviour. Therefore, no changes to deemed value settings are being considered.

## 13 Questions for submitters

- Do you support the proposed options for revising the TAC and allowances? Why?
- If you do not support the options proposed, what alternative(s) should be considered? Why?
- Are the allowances for customary Māori, recreational and other sources of mortality appropriate? Why?
- Do you think the options adequately provide for social, economic, and cultural wellbeing?
- Do you have any concerns about potential impacts of the proposed options on the aquatic environment?
- 130. We welcome your views on this proposal. Please provide detailed information and sources to support your views where possible.

## 14 How to get more information and have your say

- 131. Fisheries New Zealand invites you to make a submission on the proposals set out in this discussion document. Consultation closes at 5pm on 2 February 2024.
- 132. Please see the Fisheries New Zealand sustainability consultation webpage (<u>https://www.mpi.govt.nz/consultations/review-of-sustainability-measures-2024-april-round</u>) for related information, a helpful submissions template, and information on how to submit your feedback. If you cannot access to the webpage or require hard copies of documents or any other information, please email <u>FMSubmissions@mpi.govt.nz</u>.

## 15 Legal basis for managing fisheries in New Zealand

133. The Fisheries Act 1996 provides the legal basis for managing fisheries in New Zealand, including the Minister's responsibilities for setting and varying sustainability measures. See the separate document *Overview of legislative requirements and other considerations* at <a href="https://www.mpi.govt.nz/dmsdocument/60415">https://www.mpi.govt.nz/dmsdocument/60415</a> for more information.

## 16 Referenced reports

- Commission for the Conservation of Southern Bluefin Tuna (2019). *Resolution on Limited Carryforward of Unfished Annual Total Available Catch of Southern Bluefin Tuna.* Accessible at: <u>https://www.ccsbt.org/sites/default/files/userfiles/file/docs\_english/operational\_resolutions/Resol</u> <u>ution\_Limited\_Carry\_forward.pdf</u>
- Commission for the Conservation of Southern Bluefin Tuna (2023). Report of the Twenty-Eighth Meeting of the Scientific Committee, 1 September 2023. Attachment 8: *Report on Biology, Stock Status and Management of Southern Bluefin Tuna: 2023.* Accessible at: <u>https://www.ccsbt.org/sites/default/files/userfiles/file/docs\_english/general/ESC28\_Attachment0\_8\_ReportOnBiologyStatusManagement.pdf</u>

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