
From: Alex Flavell-Johnson
Sent: Tuesday, 3 February 2015 9:11 a.m.
To: FMSubmissions
Subject: Management of crayfish stocks.

Hi there,

I am writing in response to proposed rule changes regarding crayfish management.

I fully oppose the increase of commercial take of crayfish in the northland area, and oppose the increase in commercial take in any of the crayfish management areas.

I do support decreases to the commercial take of crayfish, and support better and more sustainable management practices throughout our fisheries.

MPI can do better job of looking after all our fish and shellfish stocks and I would like to see more sustainable management throughout our fisheries to ensure the health of our ecosystems, to ensure there is Kai moana for future generations, and protection of our marine species.

Regards,
Alex Flavell-Johnson

From: Andrew Dellow
Sent: Tuesday, 3 February 2015 10:40 a.m.
To: FMSubmissions
Subject: Cray fish

I am writing to give some first hand experience on crayfish stocks around New Zealand. My experiences come as a recreational diver both free and scuba and I have dived on many different coast lines around NZ.

I firmly believe that most of the North Island is suffering from a huge over harvest problem.

Most of the places I have dived in the past 4-5 years I have visited due to the stories I have been told about the area and it's abundance in crayfish and or paua(I believe paua is also being over exploited but that is another topic). However in places like the Coromandel, Bay of Plenty, Mana and Kapiti region as well as Wellington's south Coast Wairarapa's east and south coasts on arrival I have, after combined hours of searching, hunting and gathering, come to the realisation that these places no longer live up to their reputation as abundant stores for crayfish while I am not saying that there are zero crayfish in these areas for recreational divers. What I am commenting on is the health of the area in terms of numbers. In the coromandel I found numbers to dwindle to well below anything I had seen anywhere else in the country. The wairarapa and wellingtons south Coast I often find there are lots of juvenile crays but legal crays a few and far between. Mana and kapiti populations have been decimated over the past few years however the introduction of marine reserves has slowly been feeding the surrounding areas and I believe more areas should be turned into marine reserves to help with this increase.

I hope my experience helps in making the right decision on the future of crayfish in New Zealand

Andrew Dellow

From: Baden !
Sent: Tuesday, 3 February 2015 9:11 a.m.
To: FMSubmissions
Subject: Crayfish and fish levels

Good morning,

I was made aware that there are changes pending to be made to the crayfish management around New Zealand and to email my experience here.

I live in the Wellington region and I understand that this is zone CRA4 which does not appear to be facing changes but I really wish there was.

I have been thinking of contacting someone regarding the crayfish and fish management for some time. For the last 12 years I have been diving on the south coast of Wellington, west coast near Plimmerton & Kapiti and east coast at a place called Flat Point.

I am a recreational diver and spend most my time free diving and spearfishing. I have a scuba ticket and do some cray diving. I have seen a steady decline in fish and crayfish stock on all three coast but specifically I want to raise one issue/experience I have really been upset by.

My family have owned a property at Flat Point on the Waiarapa coast since 1999. There would be no more than 30 houses on this wild peace of the east coast.

When we first started diving Flat Point by scuba or free diving you would always see cracks full of crayfish and could pick and choose enough for a feed. Back then we would take possibly 20-30 crayfish a year (for the family of 5). It was truly a great experience to see such numbers of crayfish and it was normality. We could also find large blue moki and butterfish regularly.

Over the last 3 years I have dived the area and our experience has drastically changed. We can still spear a feed of butterfish but the chance of even seeing a crayfish are next to none. I have not taken a single crayfish from Flat Point in more than 3 years. In December & January we dived several times looking for crayfish in our favourite spots and new spots. All the cracks that once were full with crayfish were empty and barren. A dive on my "moki rock" which always produced big blue moki at that time of year left me to see 1 single small moki.

I love the coast and to see such a remote part of the Waiarapa barren from sea life does not seem right. The only public access is by walking and as I said there are no more than 30 houses there. So what is taking all the fish and crayfish?

My parents are out at Flat Point every fortnight and early morning, mid-day, evening if they look out to the coast they will always see the big commercial catamarans working away. The catamarans allow the commercial fishermen to be on the ocean in all sorts of swell and weather and they are hammering it.

As I mentioned earlier I was out at Flat Point over the December to January period. Every day we went to the beach we saw the big commercial tractors and boat trailers. It has always been normal to see a commercial fisherman working out at Flat Point but what we see now is 8 Tractors and trailers all set up for large commercial catamarans.

My father was speaking to a commercial fisherman who operates out of Tora (south of Flat Point). He said because of the technology these days it cost him next to nothing to go up and down the coast (as far as Flat Point). So not only do we have at least 8 commercial fishing vessels launching at Flat point but we have other vessels heading up and down from other areas of the coast.

I heard another commercial fisherman who no longer catches his crayfish from Flat Point because he said there is none. Now he travels to the South Coast of Wellington to catch them now.

Something really needs to be done to improve the management of all our marine life. Free diving has become a popular sport these days but from my experience it's not the average bloke hammering the marine stock it is the commercial fishing vessels. I have been told that it is hard for the ministry of fisheries to record the recreational fisherman's take is a year and its effect on the sea. Why have I never seen any campaigns or surveys at the dive shops, boat ramps, dive competitions, or online shared on social media. I would be more than happy to answer questions about my fishing habits and take. The recreational fisher from my experience cares about the sea stock as they are not in it for a commercial gain but to put a feed on the table and have a great day out.

If I was to estimate my catch from the Wellington Region over the last year:
No more than 20 dives in 2014 and a couple of fishing expeditions

Butterfish average of 140 for the year
Blue Moki 5 for the year
John Dory 1 for the year
blue cod - about 10 for the year
tarakihi 4 for the year
kahawai 10 for the year
Crayfish 5 for the year
paua 10 for the year

Please do something more to control the marine life. Commerical vessels are the greatest threat in my experience and I have seen them pillage an entire reef system on the east coast.

Kind regards,

Baden Phillips

From: Bart Cheetham
Sent: Monday, 2 February 2015 7:51 p.m.
To: FMSubmissions
Subject: Diving for crays in northern Hawkes Bay

To whom it may concern.

I regularly dive for Cray fish in Hawkes Bay and although find crays there the small average size can make getting more than 1 or 2 legal size in every 10 or so is quite difficult. I often dive remote location hoping to find unfished areas but even in these areas the average size of fish is small.

Thank you for your time in considering this matter.

Bart Cheetham |



The information contained in this e-mail is privileged and confidential and intended for the addressee only. If you are not the intended recipient, you are asked to respect that confidentiality and not disclose, copy or make use of its contents. If received in error you are asked to destroy this e-mail and contact the sender immediately. Your assistance is appreciated.

From: Bruce
Sent: Wednesday, 4 February 2015 7:40 p.m.
To: FMSubmissions
Subject: Cra2 concerns

Hi

I understand you are looking at reviewing the crayfish areas but notice cra2 is not included?

I am concerned with the number of commercial pots around the alderman islands. We used 9 tanks over a few days diving for crays and only saw a single red cray!! Crays pots were absolutely everywhere! It was even a challenge to find a place to anchor as so many pots around.

I have never seen so many pots anywhere in NZ and I've never known this area to be so scarce of crayfish. Not even small baby crays!! I know a there are four commercial boats working this area now. It is a very sad day when a recreational diver struggles to even see a crayfish let alone catch a crayfish. I have been diving all my life do I know how to find them!!

Just thought it was worth a email. I think there needs to be some urgent action taken to save our stocks.

Regards,

Bruce O'Brien

Sent from my iPhone. Please excuse any spelling auto corrects!



16th February 2015

Burkhart Fisheries Ltd Submit upon;

Review of Rock Lobster Sustainability Measures for 1 April 2015

Re: CRA 5 Management Procedure.

Burkhart Fisheries Ltd supports:

Option CRA 5_02 Retain the current CRA 5 TACC;

1. Burkhart Fisheries Ltd (BFL) has operated in the Cra 5 Zone amongst others from 1975.
2. Becoming the 1st Pioneer of the Live Lobster Industry in the South Island and amongst the very first within New Zealand (NZ) The Burkhart Family is perhaps the largest Rock Lobster Fishing Family owning Cra Quota with in NZ.
3. We believe the Burkhart Family has enhanced the Rock Lobster Fisheries overall management from the very beginning of its commercial development and before as recreational fishers from as early as the late 1940's. BFL has also been integral to the development of the Cramac Stakeholders groups from their initial National Party inception concept with Doug Kidd at the helm as a past Minister of Fisheries; back during the 1990's
4. Through the 1980's and 90's huge steps were taken to rationalize and protect the NZ fisheries overall. This necessitated continually updating guidelines and rules to further protect and enhance in equitable manners for the use of all user groups. The Ministry of Fisheries also evolved into MFish and now MPI. This required throughout various responsibility-shifting, but with the overall objectives remaining to the fore and intact.
5. BFL with CRAMAC 5; strives to attain Commercial and Recreational goals by adding value and enhancing abundance using; best practice, developing technology, and seeking scientific guidance and advice where ever possible.



6. BFL was instrumental in turning down possible increased quota options over the last 14 year period, believing abundance would ensure long term overall stability and protection for the Cra 5 Rock Lobster resource. Thus the Dollar Motivation factor has always been well behind the long term health of the Cra 5 fishery.
7. BFL has supported Management Procedures (MPs) as a Rock Lobster Fishery Management Tool; but now believes it should be a tool to manage the TAC not only the TACC. Every extractor user of the Rock Lobster resource benefits from MPs rules.
8. BFL does not believe the commercial sector should be the only user group to be responsible in providing and maintaining a high Rock Lobster stock abundance.
9. BFL supports and agrees with the Cramac5 submission filed.
10. Future MPs setting considerations, as in the past; requires using accurate optimal available extraction weight totals from each extraction group to develop future MP tools for CRA 5
11. CRAMAC 5 designed the current Cra 5 MP during 2010 based upon a voluntary MP that was researched and designed and actioned during 2005. The 2010 MP was perhaps naively developed at the time; Cramac not being totally aware of the degree a sudden impact of a dramatic increase in extraction level growth from other sectors would impact upon the CPUE trigger level over such a short period of time. Thus no tolerance factors were considered at that time. And also anecdotal evidence suggests no consideration for the commercial code X returned fish would be taken into account in assessing the CPUE's each season.
12. BFL believes the Cra 5 resource now appears to be under far more extractive pressure than the previous 5 years based upon the outcome of the MP trigger and the apparent CPUE reduction.
13. BFL does not believe the CPUE drop is due to any growth or mismanagement from the commercial sector.
14. The one extraction user group that has been clearly been identified and forecast by MPI is the growth of the Recreational effort in the CRA 5 fishery.

15. In the 2010 CRA 5 stock assessment, recreational catch estimates from 1994, 1996, 2000 and 2001 recreational harvest surveys were used to construct a recreational catch trajectory through time. The model assumed that recreational catch was proportional to the spring-summer commercial CPUE for statistical area 917 (Kaikoura). The resulting recreational catch trajectory showed a strong increasing trend since the mid-1990s, exceeding 100 t since 2005 and exceeding 150 t in 2009. The model assumptions of recreational catch suggest catches are exceeding the 40 tonne allowance for CRA 5 recreational interests.

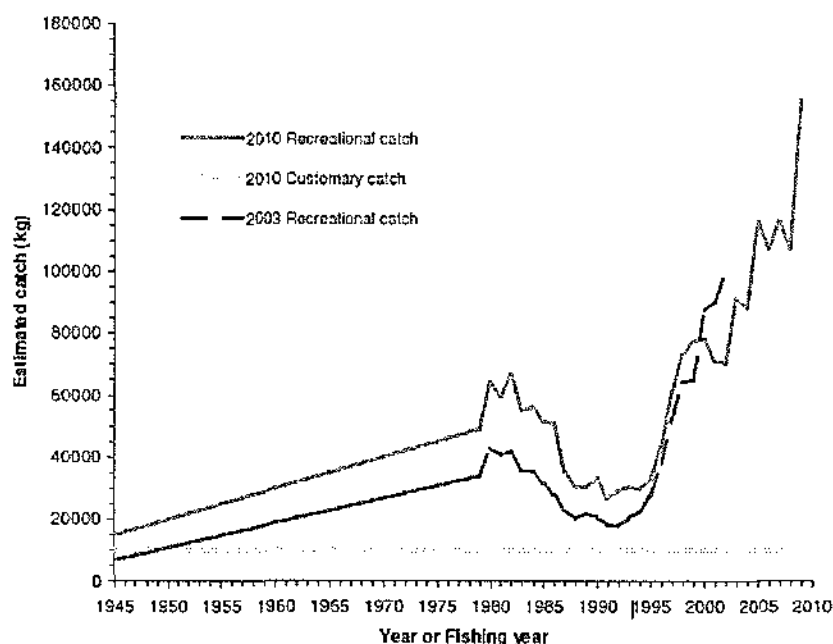


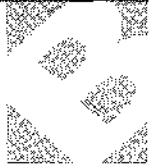
Figure 8.2: Recreational (blue line) catch trajectory (kg) for the 2010 stock assessment of CRA 5 made proportional to spring-summer CPUE in statistical area 917. For comparison, the green dashed line is the recreational catch trajectory used for the 2003 CRA 5 stock assessments. The pink line is the customary catch trajectory used in the 2010 assessment. Section 111 catches which were taken by commercial fishers for non-commercial purposes were added to the 2010 recreational catch trajectory (i.e. a maximum of 6.2 tonnes).



16. BFL suggests MPI expands the above projection out to 2025. This will clearly illustrate action must be taken immediately.
17. All sectors that participate in the utilisation of a natural resource should prefer a higher abundant fish stock and be equally responsible in managing their sector to maintain that abundance!
18. One of the tasks MPI now has is how to address the current rapidly developing inequitable utilisation situation in CRA 5 Rock Lobster fishery.
19. MFish during 2005 clearly pointed out and advised the then Minister of Fisheries; Hon Jim Anderton; the future requirements re increased certainty required over allocation between user groups being necessary to secure the benefits of the Quota Management System (QMS).
20. The TAC purpose is to maximize value across sectors around; uncertainty, CPUE and yield.
21. The credibility and the integrity of our overall Fisheries Management regimes depends on having and applying effective management measures to ensure the Commercial and Recreational and other sector groups takes are maintained within allocations and do not exceed the TAC.
22. Cra 5 Recreational extraction management is presently very imprecise and based upon very limited and expensive gathering information. Also the public access to this information leaves much to be desired. In contrast the Cra 5 Commercial extraction information is very precise and easily accessed by the public virtually right down to be able to check individual Fishers catches within 3 to 1 monthly periods.
23. Thus the requirement for accurate and reliable information on catch and extraction is fundamental for truly effective long term Cra 5 Fisheries Management.
24. MFish back during 2005 did have a "Shared Fisheries Project" (SFP) progressing, and from what information BFL was able to secure; fundamentally MFish appeared to be progressing well and definitely on the correct track.



25. As the information from the SFP shows New Zealand's MFish / MPI has had and still has, some of the worlds' highest calibre experience personnel around Fisheries Management and management concept development tools and ideas.
26. MFish was well aware and noted during 2005 that allocation provisions then were a key weakness in the then Cra 5 Fisheries Management. It appears even more so present day.
27. Issues around any sector allocation will certainly be complex and perhaps controversial. But should not be swayed from a political perspective, but more through equitable solutions from the government using commitment to purpose and leadership.
28. Hon Colin Moyle back in the 1980's certainly stood up to the Fisheries Management task and the NZ Fisheries QMS now-days is envied by many Countries.
29. The concept of Cray Area Stakeholder Group's is to provide pathways for all user sector groups to input and assist with fisheries management. BFL believes is a sound approach.
30. BFL believes the concept of Cray Stakeholder Groups is basically to provide a structure for an over-arching group that encompasses all user sectors, and affected parties to ultimately provide consensus around the agreed common goals over the long term sustainable utilisation and sharing of our Cray resources. To work with Government to react, enhance and manage in a timely way one of the prime; nations and worlds; fish stock.
31. Ideally BFL believes the Government's goal is to provide a valued non-political balance, based upon the best available science and all user sectors overall consensus; effective management tools and protocols to meet the expectations of the Minister from the Fisheries Act. Within effective timeframes.



Recommendations and Conclusion.

The Minister retains the current CRA 5 TACC for the 2015-16. season.

BFL suggests the Minister promptly takes the next urgently required "Giant step Forward" using the Shared Fisheries Concept and allocates definitive shareholdings to the defined user sectors in the Cra5 Zone. Thus protect and continue to enhance the New Zealand QMS and Cra5 Quota management system.

The Minister instructs and assists MPI to develop precise, user friendly, Recreational and other user sector groups, extraction measuring systems and mechanisms that can be used to ensure compliance on not exceeding yearly allocated Cra 5 share volumes.

New Zealand's inshore Fisheries is one of our citizens and Countries most precious assets, thus requires only the very best guidance and management.

Governments Ministers are selected to make leadership decisions around pathway guidance.

Cra 5 requires that long term Ministers decision making and guidance immediately.

10 years with no reaction to conclusive information, advice, forecasts and results is not acceptable. Boom & Bust management must go!

Kind Regards

Dennis Burkhart
Managing Director

From: Christian Jensen '
Sent: Thursday, 5 February 2015 7:37 a.m.
To: FMSubmissions
Subject: Crayfish stocks

To whom It may concern,

I think the recreational gatherer of crayfish will generally say it is getting harder each year. I for one have been diving in the Coromandel area around the Hahei region and I have noticed it been harder in the past few years compared to 10-15 years ago. This just so happens to coincide with additional commercial potting in the area.

I hope this helps

From: Corne Ferreira
Sent: Wednesday, 4 February 2015 5:36 p.m.
To: FMSubmissions
Subject: Crayfish stock protection

To who it concerns, including the penny counters who just dont give a rat about the future and only think of the here and now.

Protect our stock its that simple no need to reduce quote keep it where it is but make it one size for all the recreational size is fair to all gives the crayfish time to do their thing and reproduce. Im also in support for reducing the recreational day limit to 4 per person no need to take more per dive 20 per boat thats 5 people on a boat 4 each. No more trophy bucks they protect the nest once you take them out the nest is in danger to other predators.

This should be for all zones. No more fighting because commercial guys take small crayfish, no more we dont get a big enough quote fish for the target size fill your quota on that and enjoy the higher price as demand dictates pricing. Or flood the market with over fishing get a weaker price and soon we will have nothing.

As a skin diver I can tell you the impact over the last 10 years has gone from going out for a 1h dive and returning with dinner of 4 crayfish jus about guaranteed ever too diving for 3h hoping to return with 2 crayfish my last few dives have all been 1 or no crayfish. Your allowing our stocks to be depleted.

Still want small crayfish why not start farming them will take 7 years and a lot of money but in the end its better for our ocean, economy and all kiwis.

Corne Ferreira

Tairāwhiti Rock Lobster Industry Association Inc.

CRAMAC 3

Private Bag 24-901 Wellington 6142

February 17th 2015

NATIONAL ROCK LOBSTER MANAGEMENT GROUP PROPOSALS FOR THE 2015/16 ROCK LOBSTER FISHING YEAR.

The Tairāwhiti Rock Lobster Industry Association Incorporated (TRLIA) holds the mandate for the CRA 3 industry sector.

The Tairāwhiti Rock Lobster Industry Association supports Option CRA3_01, Rule 4, as the new CRA 3 Management Procedure.

While the immediate outputs of both CRA 3 Management Procedure options described in the consultation document are the same, the TRLIA believes that there are significant differences in how the two options behave if the CRA 3 CPUE is below 2kgs/potlift.

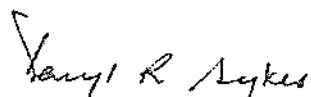
CRA 3 has operated at a CPUE around or below 1kg/potlift for much of the fisheries history. The previous 'rebuild' Management Procedure has produced real gains in stock abundance that have led to improved efficiencies in commercial operations and increased availability for customary and recreational harvesters.

The CRA 3 industry believes that the critical area in the CRA 3 CPUE profile is between 1kg and 2kg/potlift. If CPUE reduced below 2kgs/potlift, using Rule 4, industry would get a clear signal that a TACC reduction was required. Using Rule 6, the TACC would drop from 260t. to 225t. at 2kgs/potlift but then would have no response until the CPUE reduced to 1.25kgs/potlift.

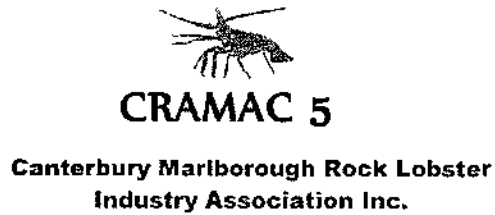
Even with the minimum change threshold for the TACC of 5%, the responsiveness of Rule 4 outweighs the perceived administrative advantage of Rule 6, which is about possibly reducing the frequency of seasonal TAC/TACC adjustments. Option CRA3_01, Rule 4 is a rule that has a more timely response to changing CRA 3 stock abundance.

Yours sincerely

On behalf of the Tairāwhiti Rock Lobster Industry Association Executive Committee



Executive Officer
NZ Rock Lobster Industry Council



P O Box 4
Ward 7248
Marlborough
New Zealand

Phone: 64 3 5756877
Fax: 64 3 5756803
larnce@burkhart-fish.co.nz

CRAMAC 5 Submit on;

Review of Rock Lobster Sustainability Measures for 1 April 2015

Re: CRA 5 Management Procedure

CRAMAC 5 supports: Option CRA 5_02 Retain the current CRA 5 TACC

1. CRAMAC 5 is the CRA 5 Canterbury Marlborough Commercial Rock Lobster Stakeholder group, the CRAMAC 5 committee has eight executives that are elected by our members to represent them on the executive committee, the executive committee have members that are located in each statistical area plus entities that are associated with the two largest shareholders and the two main exporters in CRA 5. The committee is well represented across all aspects of the commercial sector including members affiliated with iwi. CRAMAC 5 is a progressive group that engage in a number of committees and groups that have an interest in inshore fisheries and the environment. With this CRAMAC 5 takes a great interest in meeting our commercial goals and adding value where we can, we take pride in what we can manage and what we have achieved in our sector including developing an electronic logbook data recording unit, developing devices that will provide a greater understanding of the environment that we work in and can provide each vessel owner with the ability to monitor the performance of their harvesting effort, finally CRAMAC 5 achieved a third party international accreditation from Friends of the Sea.
2. CRAMAC 5 was unaware of the thresholds of 5% that have been incorporated in to all of the other regions Management Procedures; this was not mentioned or offered at the time of installing the CRA 5 Management Procedure, as we were informed that the level of confidence in the Management Procedure adopted did not require a threshold limit to be set, if this was the case we would not be submitting on the outcome from the off-set year assessment of CRA 5 Management Procedure. We see this situation as an administrative situation not a stock decline at a level that requires management action. We see our situation should be addressed the same as the rest of the regions in New Zealand. Some may say why should we expect that, and we believe it is simply because we were not offered what has been installed in the other regions, why, because science did not consider we would ever get down to the trigger point level set due to the level of 90% Bmin probability and Bref 99% probability. We also now understand that the probability is based on a 20 year assessment and not the 5 year life of the MP which may well be very different % of probability which would promote a lot more conservative or aggressive MP approach.

3. ACE allocation; each season at least 35mt of ACE moves between statistical regions by ACE managers and independent ACE transactions, this management is based on transferring ACE between the statistical regions to balance the productivity of each statistical region right down to fishing area based on the past seasons performance from LFR landings and the individual fishermen, this in the industry eyes is a very responsible practice undertaken by the two main ACE managers in CRA 5 prior to each season commencing. This practice in other words is fine scale management at its best. Having 14.19mt taken off the CRA 5 TACC will not change anything at all apart from denying fishermen in a highly productive area from harvesting 14.19mt and denying NZ of export earnings of around \$1.3 million.
4. 4.05% minimal TACC change being 14.19 tonnes. Based on the large unknown variables observed in the recreational catch allowances 40 – 110mt or 150mt and the mortalities from 35mt to a possible 52mt the change in the TACC will make absolutely no impact that is likely to improve the CRA 5 lobster abundance, full stop. When you consider a contribution of 14.19mt TACC reduction to balance the downward trend of the CRA 5 CPUE means nothing when you compare a possible difference of 60 – 110mt of recreational removals or a possible 17mt variance in the mortality allowance, one could call this pathetic in comparison to a TACC reduction of 14.19mt. It certainly appears other management entities should be brought to account before looking at any TACC reduction. CRAMAC 5 entered a MP based on managing our involvement in the fishery and correcting any action that we may be responsible for, we do not accept the MP to be a balancing tool between a TACC and other extractive user groups, management must be aimed at those that appear to be responsible for situations occurring based on best available information.
5. CRAMAC 5 supports Management Procedures as a lobster fishery management tool but we believe it should be managed as a TAC tool not just a TACC tool as everyone who extracts from the resource benefits from a MP rule action, we do not believe the commercial sector should be the only sector to be responsible in providing or maintaining a high lobster stock abundance for all sectors, this point alone will set the future CRAMAC 5 considerations in developing the new MP for CRA 5.
6. CRAMAC 5 designed the MP in 2010 based on a voluntary MP that was put in place in 2005, CRAMAC 5 was not aware at that time of what the vast differences meant in the allowances and the assessed extraction levels of the recreational sector, we made our decisions without giving considerations for the large variations in designing the MP, we became more aware after the fact. If that information and understanding was available when designing the MP CRAMAC 5 would have been less optimistic in the CPUE increasing and a lot more realistic in setting a lower CPUE trigger point knowing the resource was coming under a lot more extractive pressure. The outcome of the MP has triggered the CPUE reduction of the TACC due to only one area that can be identified and that is the growth of the recreational effort in the CRA 5 fishery, it has not been triggered due to commercial over exploitation or based on a marginally high TACC setting. CRA 5 TACC has been consistently harvested since an increase in 1999 and three other possibilities for increasing the TACC has been turned down by the CRA 5 quota shareholders in favour of creating a more robust lobster resource, this is so we could increase harvesting efficiencies so harvesting can occur with greater confidence when the market prices were at their highest, prior to being able to harvest to market highs CRAMAC 5 considers we have added at least a 30% increase

in earnings for both the fishermen and NZ export earnings from the CRA 5 resource due to a conservative business strategy. All other sectors have benefited from this management.

7. With what would be considered a good conservative business practice based on building a good strong asset value for the CRAMAC 5 shareholders we find regardless of the conservative practice we now know that outside influences other than natural occurrences can impact on our asset without any way of managing where that impact has originated. The 14.19mt has a current market asset value of around \$12mill; this will be wiped off the shareholders quota portfolio, this also equates to an annual loss of earnings of around \$1-1.3mill.
8. The total market value of the CRA 5 quota share value is in the area of \$297,000,000, CRAMAC 5 considers this as our business value although it has many parts that make the whole value, if you include the vessels, gear and land values relating to holding systems and export facilities the total value would exceed \$400mill, regardless we treat this as a very high valued business and we make business decisions with these values in mind so we do not act in a blasé manner in fact we work to protect our valuable asset, enhance our asset and even get a third party international accreditation body the Friends of the Sea to assess our management of the CRA 5 regions fishery so we know and the public can know that we are a responsible and socially accountable commercial sector that operates in CRA 5.
9. We now find that all the above means absolutely nothing if the Government cannot manage other sectors extraction levels, we received CRA 5 quota allocations based on historical catch levels then it was reduced by 52%, CRAMAC 5 was active in the early 90's and became formally constituted in 1997 and is one of the most proactive regional lobster management groups in NZ if not the world. All this and now CRAMAC 5 may not be able to manage the situation we are in due to political forces of the *"powerful recreational sector influences over politicians"* (quote from Legasea web site), a \$400,000,000 million industry possibly undermined at the mercy of political influences. CRAMAC 5 is told by our shareholders to go all the way to the highest court to protect our assets from being further eroded due to poor management, (as explained to the committee by a shareholder, what is \$200,000.00 when I am going to lose or get \$3.2mill written-off my asset) the asset that we received through our catch history or purchased since quota was introduced was considered or in fact it is stated as being an asset in perpetuity, this is not the case regardless of what effort goes in to managing our involvement in extracting from a natural resource. Perpetuity is simply a word used in the wrong context. We would accept fate if we had a settlement decline or a natural weather event the likes of cyclone Bowler and we would implement a rebuild strategy if that was the case, in our current situation we cannot do anything about it, it is up to MPI to address our current inequitable utilisation situation in our CRA 5 lobster fishery and we do not have confidence this will happen.

Home Truths through CRAMAC 5 Eyes

- What will it take to manage and balance the extractive use of a natural resource? First responsibility of those that extract from the resource and CRAMAC 5 considers our history has proven that we have taken the responsible approach.

- The recreational sector is in an inevitable position of not being able to generate a responsible sector position on the overall extractive use of the public from a natural resource when politics are part of their main utilisation strategy.
- Politics plays a greater role than the Government trying to manage a resource at high abundance which provides higher export earnings in which they are asking industry to achieve.
- CRAMAC 5 now concedes that the Government effort in managing a fishery appears to have a default position of using a scenario called BOOM and BUST, meaning NO action required until a reference level is struck where all sectors end up with a reduced take which flows on and creates greater effort, all that due to ignoring signals when a resource is at a level of abundance that all sectors enjoy accessing. This approach also is very divisive and installs conflict between sectors.
- CRAMAC 5 considers a MP is a very helpful tool for MPI to side step their responsibility in balancing the use of another sectors effort in the CRA 5 resource.
- All sectors that participate in the utilisation of a natural resource and prefers a higher abundant fish stock should be equally responsible in managing their sector to maintain that abundance? A TAC MP would resolve this point.

G Basher
Chairman
CRAMAC 5 Association



The Otago Rock Lobster Industry Assoc.Inc.

23 ERIN STREET DUNEDIN 9010

12th February 2015

Fisheries Management-Inshore Fisheries

Ministry for Primary Industries

P.O.Box 2526

Wellington 6140

OTAGO ROCK LOBSTER INDUSTRY ASSOCIATION [ORLIA]

Submission on

REVIEW OF ROCK LOBSTER SUSTAINABILITY MEASURES FOR 1ST APRIL 2015

The ORLIA Supports

Options CRA7_01 – Be guided by the CRA 7 management procedure and increase the TAC

The Otago Rock lobster Industry Associations members hold 95% of quota shares and are 80% of CRA7 fishers. The association welcomes the opportunity to present this submission on the review of Rock lobster Sustainability Measures for 1st April 2015.

The CRA7 fishery is unique among New Zealand lobster fisheries in having a significantly smaller MLS. This regional difference, being in recognition of the predominantly settlement habit of the Otago Coast, and the regular southern migration of 4 to 6 year old lobster.

The wider rock lobster industry standard of growing and 'banking' abundance to increase catch rates and maintain seasonal catches at sustainable levels has never worked in CRA7. The migratory nature of the Otago fishery will always have to be at the forefront when considering management options. We have a significant increase in abundance we can responsibly harvest.

The wider rock lobster industry standard of growing and 'banking' abundance to increase catch rates and maintain seasonal catches at sustainable levels has never worked in CRA7. The migratory nature of the Otago fishery will always have to be at the forefront when considering management options. We have a significant increase in abundance which we can responsibly harvest.

BACKGROUND

The CRA7 fishery has always been a cyclical fishery. The combination of predominantly settlement habitat, regular emigration and only episodic high settlement creates a fishery with peaks of abundance 4 to 5 years after each settlement event.

2007 was the start of the most recent peak of abundance, arising from a period of strong puerulus settlement in 2002/2003. Regular emigration combined with a mass emigration event in 2009 resulted in the 2012 season being at the bottom of the stock abundance cycle.

Strong showings of puerulus in 2009/2010/2011/2012/2013 at Moeraki, combined with a high abundance of legal sized lobster in this seasons catch, gives us confidence for the future.

The TACC for 2014/15 was landed in under 4 months, with high grading being a feature of the fishers' response to high abundance.

THE ORLIA VIEW

The ORLIA supports the application of Management Procedures; which respond quickly to both increase and decrease in abundance.. We believe this represents a pragmatic and pragmatic and conservative approach to the management of the CRA7 fishery. NIWA have recorded five seasons of strong settlement in the Moeraki puerulus collectors.

The future CRA7 fishery could be significantly enhanced by the re-establishment of lost lobster habitat, particularly Kelp forest, and development of techniques to create consistent settlement.

Simon Gilmour
Executive Officer

CRAMAC 9
CRA 9 INDUSTRY ASSOCIATION INCORPORATED
75 THE CLIFFS, NELSON
Phone 0275390399 email g.levy@xtra.co.nz

CRAMAC 9 Submit on;

Review of Rock Lobster Sustainability Measures for 1 April 2015

Re: CRA 9 Management Procedure

CRAMAC 9 supports: Option CRA 9_02 Retain the current CRA 9 TACC for the 2015-16 fishing year.

1. CRAMAC 9 notes the operation of the CRA 9 Management Procedure in 2014 but does not support the position of status-quo to retain the current TACC. The CRAMAC 9 committee have met with our members and fishermen and the information we have been provided although anecdotal persuades us that there is no sustainability issue in the CRA 9 fishery.
2. The CRAMAC 9 Committee has reviewed the data available to the CPUE standardisation process and can highlight a number of situations that have occurred in the CRA 9 fishery that we believe would impact on the CPUE as used in the operation of the CRA 9 Management Procedure.
3. For example – we note that data from only four vessels was used whereas we can confirm five full-time vessels in the fleet; we can document significant landings supervised by MPI Compliance for which no provision is made for reporting in CELRs and MHRs; we also note that the Fisheries Assessment Working Group report drew attention to uncertainty in CRA 9 CPUE related to the very small amount of data available to the standardisation process.
4. The CRA 9 Stock Status summary in the statutory consultation document confirms at 10.1 *“there are some concerns that the CRA 9 CPUE indices are sensitive to different catching patterns rather than changes in stock size because of the small number of vessels targeting rock lobster in the area”*. CRAMAC 9 highlights that the CRA 9 management area stock status is being determined only from five vessels working less than 30 nautical miles of coastline between Fox River mouth and the Kaipara Harbour and only in two general locations – top of the South Island and Cape Egmont.

5. CRAMAC 9 therefore proposes that the Management Procedure outcome be set aside pending a review of data inputs and the utility of the Procedure given the small amount of data available. We recommend that this work should be undertaken as part of the Fishery Assessment Working Group programme for 2015.
6. CRAMAC 9 is to install electronic logbook units on all CRA 9 commercial rock lobster vessels from 01 April 2015 and anticipates that more detailed catch and effort information will assist scientists and managers in better understanding the fishery in the future.

G Levy

Chairman
CRAMAC 9

From: derek
Sent: Wednesday, 4 February 2015 1:00 p.m.
To: FMSubmissions
Subject: Crayfish Management Submission

To whom it may concern,

I am a recreational diver who has noticed a decline in the available numbers and size of crayfish in the CRA1 and CRA2 areas over the past 20 years of my diving experience.

In my diving experience in the CRA1 (and CRA2) area I have noticed a steady decline in the number and size of crayfish during my dives. This can only be due to commercial fishing as the % of catch by non-commercial fishers is so small as to make no real statistical difference. Therefore I would oppose any increase to the Commercial Catch limit (In fact I believe it should be reduced to rectify the reduction in crayfish size and numbers I have observed in this area).

I am concerned that the proposals do not adequately protect the rights of the non-commercial crayfishers. There is very little data on the non-commercial catch and the data that is there shows a large statistical variation. There cannot be enough surety to ensure that the 50 t proposal for CRA1 is adequate for non-commercial interests. The population pressure is increasing every year, so logic would be that the non-commercial take should increase at a faster rate than the commercial. As the non-commercial catch will quite often not be caught (and unlike the commercial - cannot be monitored effectively) I believe that there should be a larger buffer over the current estimates to ensure that non-commercial interests are looked after.

In addition there needs to be much more restrictions on the commercial crayfish catch. Of particular concern is the number of commercial operators that can operate in the same area. There needs to be a quota for each particular stretch of coast or island - not just a broad area. For example in the Tairua region there are a few commercial operators who work the same stretch of coast, resulting in a scarcity of crayfish. At the Aldermans this year (around Xmas) 9 dives resulted in the sighting of just 5 spiny red lobsters. This is appalling, and is the direct result of overfishing by the commercial sector. Furthermore, some stretches of coast need to be reserved for non-commercial interests. Prior to the summer holiday periods commercial crayfishers have been known to increase the extent and frequency of potting around holiday destinations, effectively ensuring that there are no crayfish left for non-commercial fishers.

Please revise your proposals to safeguard every New Zealanders right to be able to catch crayfish. Currently the system is too skewed in favour of commercial interests and it is becoming increasingly difficult to catch legal crayfish.

Regards,

Derek Bradley |

From: Gary Horan
Sent: Monday, 2 February 2015 8:40 a.m.
To: FMSubmissions
Subject: crayfish stocks

I would like to add to the submissions on crayfish stocks in cray 3. I have been diving in and around Opito bay and the coromandle region for nearly 35 years . I used to be able to get a few crays with ease at most of my diving spots . over the last 4 years it has become very difficult to find crays at any of my spots as commercial boats have pillage the areas to the extent there are non left. I have read all of your reports saying the cray quotas in this area are in good shape . As an experienced diver looking for a feed I can say that that statement is an absolute lie .the stocks are very depleted and there are few legal sized cray remaining and very few breeding stock crays .

GAZZA

From: Kim Basher
Sent: Tuesday, 10 February 2015 12:17 p.m.
To: FMSubmissions
Subject: Review of Rock Lobster Sustainability Measures for 1 April 2015

To whom it may concern,

We support the CRAMAC 5 submission for CRA 5 to retain the current TACC

Geoff and Kim Basher - CRA 5 ACE Harvesters

Dorado Ltd - CRA 5 ACE Shareholders

From: Gerard
Sent: Tuesday, 3 February 2015 10:11 a.m.
To: FMSubmissions
Cc:
Subject: Future management of cray fish stocks CRA4

To whom it may concern

I have been a property owner at Flatpoint on the Wairarapa coast for 16 years.

I have been recreational diving for over 50 years.

The last few summers I have not been able to find a legal crayfish at Flatpoint reef or the surrounding submerged reefs. Potting has also been futile.

I spear fish often and always look for crays. The nature of the overhanging reefs means I can scan a significant range with each dive. Cracks that were shoulder to shoulder with crays now have none.

When we first moved there in 1998 crayfish were plentiful I always caught two or three free diving and a bag limit on scuba.

Potting was also productive sometimes with 30 plus crayfish and always a few legal size.

The number of commercial boats seems to have increased but more importantly the technology and boat types are now so sophisticated that every nook and cranny is exploited.

The bom borer reef in front of our place was never potted commercially being protected by the swell but now with the multi hulls and GPS/bottom scanners the very shallow reef is overwhelmed.

I heard that one of the commercial operators was struggling to catch his quota and was considering moving a boat to the Wellington south coast because of this.

It is frustrating and disappointing that it appears my children will unlikely ever catch a cray at Flatpoint.

I note there appears to be no revised management plan for CRA4 and wonder why this is?

Yours sincerely

Gerard Phillips

Gerard Phillips

4

A disclosure statement is available on request and free of charge

This email message and any accompanying attachments may contain information that is confidential and subject to legal privilege. If you are not the intended recipient, do not read, use, disseminate, distribute or copy this message or attachments. If you have received this message in error, please notify the sender immediately and delete this message.



GISBORNE TATAPOURI SPORTS FISHING CLUB

PO Box 693
GISBORNE

54 The Esplanade
Wharf Shed 2

Phone: 06 868 4756
Email: michelle@gistatapouri.co.nz
Website: www.gtsfc.co.nz

GISBORNE
Fax: 06 868 4716

Rock Lobster Submissions
Fisheries Management – Inshore Fisheries
Ministry for Primary Industries
PO Box 2526
Wellington 6140
FMSubmission@mpi.govt.nz

17 February 2015

Gisborne Tatapouri Sports Fishing Club
submission on the review of Rock Lobster sustainability measures for 1
April 2015

In respect to the current rock lobster management the Board of the Gisborne Tatapouri Sports Fishing Club have passed a vote of no confidence in the current management plan for the CRA 3 Gisborne – East Coast area and do not endorse it.

In July 2014 the NZSFC and Gisborne Tatapouri Sports Fishing Club issued a Crayfish 3 policy designed to increase the size and abundance of rock lobster in CRA3 Gisborne-East Coast and ensure the needs of customary and amateur fishers are met. This policy was submitted to MPI in 2014 and has subsequently been ignored, despite the support of more than 3000 club members and the Council.

Yours Sincerely

Linda Coulston
On behalf of the GTSFC Board

From: Glenn Pope
Sent: Saturday, 14 February 2015 10:00 a.m.
To: FMSubmissions
Subject: Submission on Review of Fisheries Sustainability measures for 1 April 2015

To whom it may concern,

Please consider these comments in relation to the review of lobster fisheries management. As a recreational scuba diver, I have been diving in the Hauraki Gulf and the east coast of Northland in various places since 2000. My submission is quite simple. I have seen the photos taken during the mid 20th century of the commercial crayfish catch. I have read the stories of crayfish being crushed up for fertiliser and fish food during that time. I have seen the barren reefs of the north eastern coast of New Zealand and the kina barrens caused by the removal of snapper and crayfish. Lobster management should be based on achieving abundance, not on achieving short term profit for commercial interests who export lobster off shore.

My wish is that you design fisheries management not simply to allow for a maximum sustainable commercial yield. My wish is that you be bold and set fisheries management with the sole purpose of rebuilding stocks to "abundant" levels and that they are maintained at that level. That is, levels where not only commercial fishers can profit monetarily, but where NZ society can profit intrinsically through the commercial, environmental and social benefits of a healthy fishery.

I submit that fisheries should be subject to temporary closures (rahui) to allow stocks to rebuild. You would be interested to know that I enjoy both scuba and recreational fishing. I WANT to catch fish. I WANT my mates to be able to catch fish. I WANT all kiwis to be able to catch fish and everyone should be able to get out there and gather a feed of crays if they want also.

Specifically, I DO NOT SUPPORT any increase in commercial quota or TACC in any CRA fishery management area. I also do not support the TACC or quota remaining at the current levels. The only support I would give is to a reduction in quota or TACC. "New management" tools will not work. That is lip service from the industry who are quaking in their boots about losing any quota. Surely they understand that to get more, they need to take a hit now? I also do not support the practices of some commercial lobster fishers who hammer one area month on month then when nothing is left, move to the next. That is simply unsustainable and ruins it for the majority of users.

The Minister for Fisheries, Mr Guy, has heard from regular kiwis (even those who vote for his party - mostly middle/upper class pakeha like me) that he should not favour industry over recreational / customary parties. Afterall, the seas are not simply a field to be plowed relentlessly until nothing is left. We have a moral obligation to undo the damage of the past and leave the crayfish fishery in a better state than it is currently.

Finally, my hope is that one day, my young daughters will find (perhaps in 10 to 15 years) that they can head to the bach at Managwhai and go snorkelling round the rocks and get some crayfish. Or, they can head round to Langa Beach to the reefs off the south end and dive for crayfish and not see empty caves and cracks and barren reefs surrounded by crayfish pots as far as the eye can see. I went diving just last week on the exact same spot I dived not 2 months ago. Whena friend and I dived there before Christmas, we got 8 crays from 2 dives each... and it was HARD work I tell you (but there were dozens of commercial pots everywhere). This

time round though, the cracks were empty... there were NO crayfish there at all. And still, the pots were there. You could not say this was due to recreational effort, it just isn't possible for crayfish to be hunted, caught and systemically removed from a reef in that space of time without a collective, organised effort from hundreds of divers over that time. You could summarise that the crays were simply there to shed or to breed and they finished and left. But I tend to look at the obvious due to the lack of ANY crays. The pots sir.... the pots.

I leave you with that. Thank you for the opportunity to relay my thoughts on this. I look forward to seeing a rational decision made by MPI and the Minister on this matter and look forward to the days of abundance ahead.

Kind Regards
Glenn Pope

From: Grant Hunt
Sent: Wednesday, 4 February 2015 3:41 p.m.
To: FMSubmissions
Subject: Crayfish submission

To whom it may concern

I have been scuba diving for 30 years. The three areas that I have significantly dived are:

- 1) Marlborough Sound / Cook straight
- 2) Kaikoura
- 3) Fiordland (inner sounds)

My experience over 30 years is:

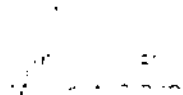
Marlborough Sounds/Cook Staight – no decrease in number or size

Kaikoura – a small reduction in both numbers and size

Fiordland (inner sounds) – a significant reduction in both number and size

Regards,

Grant Hunt,



This e-mail is confidential and intended for use by the recipient only. Any unauthorised use, distribution or copying of the contents is expressly prohibited. If you have received this e-mail in error, please advise us by return e-mail or telephone and then delete this e-mail together with all attachments. Any attached files are provided, and may only be used, on the basis that the user assumes all responsibility for any loss, damage or consequence resulting directly or indirectly from their use.

From: deane gregg
Sent: Tuesday, 10 February 2015 2:28 p.m.
To: FMSubmissions
Subject: CRA5 quota reduction

I Deane Gregg quota shareholder and ace harvester from Gregg Fishing coy ltd support the CRAMAC5 submission.

From: Hilton & Michelle Leith
Sent: Wednesday, 28 January 2015 11:17 a.m.
To: FMSubmissions
Subject: RE: Review of sustainability measures for selected fishstocks for 1 April 2015

Dear Minister

Please do not increase the TACC in CRA1.

Thank you

Hilton Leith

CRA1 Quota Owner

From: FMSubmissions [<mailto:FMSubmissions@mpi.govt.nz>]

Sent: Tuesday, 20 January 2015 3:48 p.m.

Subject: Review of sustainability measures for selected fishstocks for 1 April 2015

Dear all

The Ministry for Primary Industries (MPI) is seeking feedback from tangata whenua and stakeholders on proposals to review sustainability measures for the following stocks for the 2015-16 fishing year, beginning 1 April 2015:

- Rock lobster (CRA 1, CRA 3, CRA 5, CRA 7 and CRA 9)
- Southern blue whiting (SBW 6B)
- Giant spider crab deemed values (all stocks).

The consultation documents along with a letter informing you of the consultation process are available on the MPI website at: www.mpi.govt.nz/news-and-resources/consultations/?opened=1&cat=8

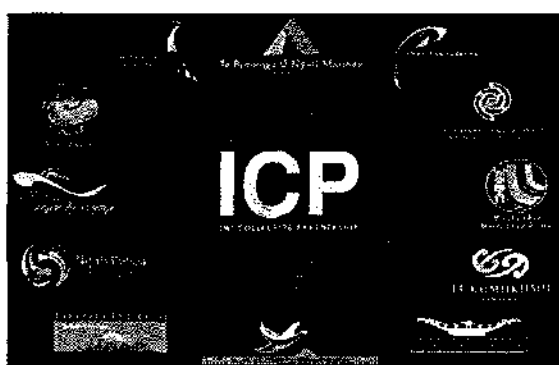
Please ensure that MPI receives your submission on the proposals no later than **5 pm on Tuesday, 17 February 2015**.

Written submissions should be sent to:

Email: FMSubmissions@mpi.govt.nz

Post: Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6140

Kind regards



Iwi Collective Partnership
General Manager
Maru Samuels
Auckland

17 February 2015

Fisheries Management
Ministry of Primary Industries
PO Box 2526
Wellington 6140

Email: FMSubmissions@mpi.govt.nz

Tena koe,

Review of Sustainability Measures for 1 April 2015

Thank you for the opportunity to submit on the review of sustainability measures for selected fish stocks for the 1 April 2015 fishing year. The review specifies that all submissions must be received by the Ministry of Primary Industries (MPI) no later than **5pm Tuesday, 17 February 2015**.

This submission is presented on behalf of the Iwi Collective Partnership (ICP), a limited partnership of 12 iwi partners, formed in 2010. The companies representing each iwi partner have their genesis in the Maori Fisheries Act 2004. Our 12 iwi partners own both settlement and general quota in CRA1, CRA3, CRA9, SBW6B and GSC which are subject stocks of this review.

In providing our submission we also wish to state our support for the submissions of our individual iwi partners. The following table lists our 12 iwi partners. Furthermore, the ICP has a formal arrangement to manage quota on behalf of two additional iwi, Rongowhakaata and Te Aitanga a Mahaki.

No.	Iwi	Region
1	Te Arawa	Bay of Plenty
2	Ngati Tuwharetoa	Bay of Plenty
3	Ngai Te Rangi	Bay of Plenty
4	Whakatohea	Bay of Plenty
5	Ngati Awa	Bay of Plenty

6	Ngai Tai	Bay of Plenty
7	Ngati Manawa	Bay of Plenty
8	Ngati Ruanui	Taranaki
9	Nga Rauru	Taranaki
10	Taranaki Iwi	Taranaki
11	Te Rarawa	Northland
12	Ngati Porou	Gisborne

Table 1: List of ICP Iwi Partners

The ICP prides itself on being an active participant in the management of New Zealand's fisheries. Our participation stems not only from our commercial ownership of quota but more importantly from the unique position of our 12 iwi partners as the original inhabitants, owners and fisheries managers of Aotearoa, New Zealand. Our beliefs are embodied in our organisation purpose which is to, *"share sustainable Maori seafood with the world"*.¹

1. CRA1

In summary, three of the five review options for CRA1 are based on the current Total Allowable Commercial Catch (TACC) whilst two options seek an increase. All five options reference different Total Allowable Catch (TAC) volumes.

CRA 1 Options	TAC	Custom	Recs	Other mortality	TACC
1. Use the new rule 8d and set following TAC, allowances and TACC	269.62t	10t	50t	72t	137.62t
2. Use the new rule 8d and set following TAC, allowances and TACC	279.62t	20t	50t	72t	137.62t
3. Use the new rule 9d and set following TAC, allowances and TACC	263.062t	10t	50t	72t	131.062t
4. Use the new rule 9d and set following TAC, allowances and TACC	273.062t	20t	50t	72t	131.062t
5. Retain the current CRA 1 TACC (no TAC or allowances have been previously set for CRA 1)	0	0	0	0	131.062t

While it is acknowledged that the CPUE (catch per unit effort) has improved for CRA1, there is some uncertainty whether the improvement is the result of greater abundance or the result of improved efficiencies relating to larger vessels, more horsepower, larger pots but less in number and improved technologies.

The ICP supports a conservative approach that begins by retaining the current TACC until such time as the improvements to the CPUE are clearly shown to be the result of abundance. In this respect we would

¹ The Iwi Collective's commercial aspirations to supply sustainable seafood to the world is consistent with our ethical value of manakitanga – that is to present the best of our kaimoana (seafood) to our manuhiri (visitors but customers in widest context) as the responsibility of tangata whenua (hosts). Manakitanga or sharing is not a choice, it is a culturally essential practice of being Maori as predetermined by the tikanga (practices) of our tupuna (ancestors). These things are what distinguish us as being unique in the world as Maori yet similar to the practices of other international First Nations Indigenous Peoples. Coupled within this is the obligation for the kaimahi (workers) in this process to come from the host area. This later point leads into the importance of employment and sustainable job creation within rural Maori communities such as Gisborne (Ngati Porou) and Rotorua (Te Arawa).

support either option 3 or 4 without stating a specific view on the level of customary catch. For the sake of clarity, we do not support options 1, 2 and 5.

2. CRA3

In summary, there are two review options for CRA3 both involving the same TAC, customary catch, recreation, mortality and TACC as shown in the following table.

CRA 3 Options	TAC	Customs	Recs	Other Mortality	TACC
1. Use the new Rule 4 CRA 3 management procedure and retain the TAC, allowances and TACC	389.95t	20t	20t	89t	260.95t
2. Use the new Rule 6 CRA 3 management procedure and retain the TAC, allowances and TACC	389.95t	20t	20t	89t	260.95t

Both review options have been tested and both will result in the desired outcome of maintaining stock abundance above the statutory reference level *B_{msy}*. There are very little differences in the models but the potential frequency of change in TACC for Rule 6 is slightly less.

As seen previously, CRA3 stock abundance can be variable due to a range of biotic and abiotic factors. The ICP believes both options provide the appropriate means to manage the fishery but believe Option 1 (Rule 4) is more dynamic and responsive and has the ability to set catch limits that reflect the current state of the fishery more accurately than Option 2 (Rule 6).

Therefore the ICP supports the use of a new management procedure to guide TAC and TACC setting in CRA3 being Option 1 (Rule 4).

3. CRA9

In summary, there are two review options for CRA9. The first involves a decrease while the second retains the current TACC.

CRA 9 Options	TAC	Customs	Recs	Other Mortality	TACC
1. Use the current CRA 9 management procedure and decrease the TAC and TACC	101t	20t	30t	5t	46t
2. Retain the current CRA 9 TAC, allowances and TACC	115.8t	20t	30t	5t	60.8t

Option 1 to reduce the TAC appears to be the result of a faulty Management Procedure. The number of fishers and catch scenarios appears to be too low for the model which has created a recommendation that is not supported by catch effort on the water. In fact the empirical evidence tends to point to a healthy fishery.

Therefore the ICP supports Option 2 which is to retain the current TACC. However, our support comes with the proviso that the Management Procedure is reviewed as to whether it is operating correctly, or whether it is in fact the correct Procedure. Appropriate amendments should be made based on the result of the review. If a TACC reduction is then warranted under the newly amended Management Procedure,

that cut should be supported. Conversely, if the review supports retention or an increase to the TACC, that should also be supported.

We support the submission of Port Nicholson Fisheries and Ngati Porou.

4. Southern Blue Whiting (SBW6B)

Option	TAC (t)	TACC (t)	Customary Māori (t)	Recreational (t)	Other sources of fishing-related mortality (t)
Current Settings	7,000	6,860	0	0	140
Option 1	4,000	3,920	0	0	80
Option 2	3,000	2,940	0	0	60
Option 3	2,000	1,960	0	0	40

The science is clear that there are issues with the SBW6B fishery biomass having peaked in 2008 and declined ever since. Modelling has shown the fishery to be below the default management target of 40% Bo the results of the 2015 survey not being accepted.

In terms of the economic impact, the ICP currently receives \$85k annual revenues from SBW6B, and the impact of each review option can be demonstrated as follows:

Option 1: 43% reduction to \$48,571.

Option 2: 57% reduction to \$36,429.

Option 3: 71% reduction to \$24,284.

However, irrespective of the present day economic impact, the ICP supports Option 2 which equates to a 57% reduction in the TAC and ICP revenue from SBW6B. The new TAC should apply until such time as catch improvements indicate an increase in biomass at which point quota owners could commission a new biomass survey.

Nga mihi,

Maru Samuels
General Manager
Iwi Collective Partnership

From: Jacob Brown
Sent: Tuesday, 3 February 2015 12:44 p.m.
To: FMSubmissions
Subject: Bringing back our crays !!!

Hi there

I'm a recreational diver and fisherman in the cray! area and would just like to tell you what I've seen happen in last few years while diving.

Now I'm based out of whangarei heads and am in the water at least twice a week. I've covered alot of whangarei coast line doing cave diving and have noticed the number of crays dropping quite quick. Now I'd use to see crays the size of dive tanks on most dives but it's been 2 years since I come across 1 which is very sad !!

Now I put this down to the potting in our area ! In a 100m stretch I've seen up to 20 pots!! They crays have no chance with this amount being put in one area !! There should be a rule where the pots have to be at least 100 m apart to give them a chance!!

I hope this helps with your campaign ! I am 100% behind this! So u have my support !! Let's hope the government listens to the people .

Cheers Jake the cave diver

Sent from Yahoo Mail on Android

From: Jason Elliott
Sent: Tuesday, 3 February 2015 5:19 a.m.
To: FMSubmissions
Subject: Crayfish management

Hi Nathan Guy and the MPI team,

I would like to start by thanking you for the effort and time that you contribute to our country by doing a job that is by no means easy or glamorous. Your innovative ideas and effort has meant we are a world leader in managing our primary resources. Maintenance of such a position however demands an iterative approach which will see our resources protected and profited from well into the future.

What follows is my plan to get the best from our crayfish resource over the medium to long term:

Reduce our crayfish take both recreationally and commercially to a minute or nil level for a defined period (say 3-5 years or as required) in order to allow cray stocks to build to the 40% of natural biomass which is deemed to be the globally accepted sustainable level.

Once this level is reached fishing will be able to recommence with a larger yet still sustainable take. More for commercial (6per day is enough for recreational). A rough example would be to cease fishing in an area with a 20% biomass and then recommence when it reaches 40% and then allow twice the quota (if sustainable) to be taken. A 100% increase on production over a few years is rather enticing.

The Positives:

More export dollars for New Zealand- they're generally good to have..

Repairing our Clean Green image - our global brand is both valuable and fragile, it can be broken or built by the stroke of a pen.

More crayfish in the sea - because they are delicious.

Restoring important ecological balance - more crays will help restore the natural predator prey balance, benefiting the whole ecosystem and other fishable stocks.

Politically being seen as progressive and Green which I need not say is very important for the succession plans.

The Negatives

In the short term some eggs will be cracked.. Jobs will be temporarily lost and there will be some unhappy faces in the fishing company offices. Luckily we have a social system just for these moments and avenues that can aid in the finding of new work for those affected. To minimise the impact to the overall economy the process can be rolled out so that only one fishery area is affected at any one time. The other areas could then support those affected by offering employment of staff among other things and expect reciprocation when it comes to their turn.

Our government has a plan to make exports 40% of GDP by 2025 to serve the ever increasing demand of the middle incomes in the emerging Asian markets. To meet this goal we need to increase our output of high value products.

We also find ourselves sitting on the greatest little rock in the world with a treasure trove worth protecting. The status quo is ok but represents the halt to the great pillage of our fisheries, the next step is to rebuild our resource to get the maximum recreational and commercial return that we can squeeze from it into the future.

If your still with me I would like to thank you and I hope you take my thoughts into consideration.

I would love the opportunity to offer further explanation or answer any of your questions and perhaps to offer some more accurate numbers to accompany my examples.

Your loyal patriot,
Jason Elliott

Sent from my iPhone

From: Jason Willis
Sent: Monday, 2 February 2015 11:21 a.m.
To: FMSubmissions
Subject: crayfish management Submission

To the MPI

With the ministry and commercial interests, I know in the past, the words “unscientific” and “anecdotal” are brandished around to dismiss recreational perspectives and reports low stocks. Trying to catch a few crayfish for my family is a very important part of my culture and wellbeing as well as a supplement to our food budget.

As the marine environment and the ability to catch my own seafood is so important, me and mine spend most of our spare time in the Hauraki gulf, mainly in the Whangaparaoa and Kauwau area. I have lived in this area all my life as did my Father and Grand Father who moved to Whangaparaoa in the late 1940s after serving in WW2.

My Father tells stories of crayfish bycatch when snapper fishing with a rod and line. This happening now would be so rare it's not worth a mention.

As a very frequent diver, in the last 20 years, it has become more and more difficult to get a feed of crayfish. In places I have dived all my life, I now see very few if any crayfish at all. This is not a once off occurrence but an observed trend over long time.

So why are the areas I have caught crayfish in all my life so depleted? The easy answer (not withstanding disease or predation), is over fishing. We see a very intensive commercial effort in the areas we fish during the spring months with what I would guess to me in excess of 100's of cray pot buoys which also, incidentally are a substantial navigation hazard. We assume this concentrated effort is to “clean” out all stock prior to the recreational effort is able to get out into the water when it warms up and the weather is more settled. In my last 2 dives in the last few weeks – one at the seaward side of Motu Kiti Kiti and one on the north side of Kauwau – WE DID NOT SEE ONE CRAYFISH. We normally see a few if even undersized. WE SAW NOTHING. This is very disturbing

I can't speak for other areas of the country and the differences between actual numbers of crayfish available to recreational fishers and what the MPI measures - average pot lift weight. This is only an indication and highly subject to manipulation and this intensive hop scotch method of cleaning these areas out, with the places in easy reach of recreational fishers being targeted prior to the Christmas then the harder to reach and more expensive places such as Little Barrier.

Whilst the measurement methodology is a constant indicator it does not tell an accurate story. The clever strategy employed by the commercial operators in this “cleaning” out of an area approach is not fair. As a basis for allocating an ever greater harvest is heavily in favour of the commercial sector both in the catch on the day as well as leading to increased quota in the future. In reality, after these commercial operators have done their work, the crabs left for Recreational, Traditional and other are substantially depleted.

For the reasons above I propose the ministry considers the following:

- A reduction in the length of time a commercial operator may set pots in one area. An area being around something like at least 5 square nautical miles. The time limit being something like 1 week in that area once every 6 months.
- Absolutely NO increases in TAC based on average pot lift. The afore mentioned reduction in area fishing intensity would have an impact on effectively increasing the average pot lift weight as there would be more numbers available for all parties in each area.

- Continued Spot check in all areas by the MPI or NIWA, where they place a few pots in strategic areas and study actual numbers rather than the commercial supplied numbers. Yes, we don't trust them.
- Change the size limits of crayfish to make all sectors the same – commercial sizes be the same as recreational.
- In an effort to do our part, reduce the rec limit to 5 per day (not that it would make any difference to 99% of dives locally).

I sincerely hope the effort and thought I have made into putting this submission together is seriously considered by the MPI as I feel commercial has the financial clout to stomp all over my rights and needs.

Best Regards

Jason Willis

From: jordan.downes30
Sent: Tuesday, 3 February 2015 3:16 a.m.
To: FMSubmissions
Cc:
Subject: CRA1 area review submission

To whom it may concern

I am writing to express my concern with the review of the commercial quota in CRA1. I believe that the presence to commercial cray fisherman has already depleted the once abundant stock of crayfish for recreational divers. Any increase in quota size will jeopardise what us kiwis value most, the ability to gather seafood and teach the next generation what sustainable fishery stocks should look like.

I appreciate the quantity of submissions you will receive and I thank you for taking the time to consider mine.

Regards, Jordan Downes.

Sent from Samsung Mobile

From: Leigh Jenden
Sent: Wednesday, 4 February 2015 1:27 p.m.
To: FMSubmissions
Subject: submission of proposal for new crayfish quota in the Nth

To all those who are monitoring the feedback from kiwis

I am gobsmacked at this proposal.

- a. For the ridiculously small amount of time you have allocated for submissions
- b. It is ludicrous to fulfil overseas markets when our own recreational divers find supplies in such low numbers

Who owns these waters?? NZers do!

We are long term boaties as are all our family members and we speak to so many divers esp from the North who chant the same song

- couldn't find any today
- too small
- nothing down there

Anyone who has had anything to do with diving knows the supply has diminished and you now want to open it up to commercial fishing in even bigger numbers – where did this insane idea come from?

The government can't even stop the plundering of cockles at Kawakawa beach as seen on TV last night, let alone the decimation of the prized NZ crayfish.

This needs to be a referendum.

Last year we were in Kaikoura – another 'heartland' of the crayfish. We were absolutely shocked to see undersized crays being sold in the shops. This small size is apparently legal for commercial catches – this shouldn't even be allowed – this is breeding stock being decimated – why do we have 2 standards even now for commercial and recreational???

I am horrified that this idea was even muted in the first place and I can only hope someone has the guts and know how to stop this idea in its tracks

Leigh Jenden

8

Information from ESET Endpoint Antivirus, version of virus signature database 11119
(20150203)

The message was checked by ESET Endpoint Antivirus.

<http://www.eset.com>

From: Luke Carter
Sent: Friday, 6 February 2015 9:24 a.m.
To: FMSubmissions
Subject: Cray Fish

To whom it May Concern

I have a beach house in Matapouri.

There is a Commercial Cray fisherman who operates out of Tutakaka with a 40 tonne quota for this region.

Why should 1 x commercial crayfisherman ruin the stocks of crayfish and effectively leave the Tutakaka Coast barren of crays for recreational fisherman .

Crayfish are also an important part of the Eco system.

Crayfish eat the Kina that eat the kelp (we need kelp to provide a habitat for fish) and therefore leave the Tutakaka coast devoid of fish .

The Tutakaka Coast now has an over abundance of Kina, minimal Kelp and minimal fish stocks

This summer the Tutakaka Coast has experienced the worst year for catching Snapper. I have been fishing the Coast for 25 years. We are talking about recreational fisherman catching no snapper when they go out for a fish!

There is definitely a link between the commercial crayfisherman and also the commercial snapper fisherman depleting the fish and crayfish stocks in the Bream Tail to Poor Knights and Cape Brett.

This region should be a Commercial Fishing free Zone

This will allow the fish stocks to recover and flow on to the Poor Knights marine reserve.

The economic gain from Tourism and the recreational fishing industry is far greater than the economic contribution from a few commercial fisherman with fishing quota in this region

Regards

Luke Carter

From: Mark B
Sent: Monday, 2 February 2015 8:56 p.m.
To: FMSubmissions
Subject: Crayfish management submission

Increase abundance

Increasing abundance in our crayfish stocks would yield many benefits for the Minister and New Zealanders, including:

- Improved marine environment, with more diversity and robust fisheries
- Increased real-time catch rates for commercial fishers
- Increased size and abundance of rock lobster available to non-commercial interests
- Reduced conflict between various interest groups
- Simplified and more credible management processes, inclusive of stakeholders' input.

From: Mark Foo
Sent: Monday, 2 February 2015 6:04 p.m.
To: FMSubmissions
Subject: Crayfish stocks

Dear sir

I dive frequently in CRA1 and CRA2 and I have noticed in recent years the crayfish stocks have been decimated, most likely by commercial fisherman. It seems like the pots are everywhere and the crays barely have a chance. Action needs to be taken so that my kids can enjoy what New Zealand has to offer the same way I did growing up.

Increase the size limit

The size limit for commercial fisherman is too small. Crayfish take many years to reach breeding age and only a small percentage make it. It's a miracle every time one does and the taking of Juvenile fish is having a severe impact on stocks.

Decrease the catch limit

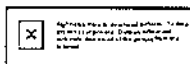
A no brainer. Talk to anyone who dives regularly and everyone is saying the same thing - the commercial guys are depleting stocks rapidly. Just 2 years ago I was able to go out and get my limit on most diving trips. The last 2 summers I've averaged 1 or 2 crayfish per trip between myself and my dive buddy.

Pay the commercial guys more

Everyone knows our commercial guys get next to nothing for their catch, while it's sold for huge profit overseas. They will welcome the above changes if their rates for Crayfish are regulated and made fair.

Thank you for your time and I hope my email and others are taken seriously. I voted for this government, please don't let me down.

Kind Regards
Mark Foo



From: Matt Cameron -
Sent: Wednesday, 4 February 2015 9:24 a.m.
To: FMSubmissions
Subject: Crayfish Submissions

Dear Nathan,

With the ministry and commercial interests, I know in the past, the words “unscientific” and “anecdotal” are brandished around to dismiss recreational perspectives and reports low stocks. Trying to catch a few crayfish for my family is a very important part of my culture and wellbeing as well as a supplement to our food budget. As the marine environment and the ability to catch my own seafood is so important, me and mine spend most of our spare time in the Hauraki gulf, mainly in the Whangaparaoa and Kawau area. I have lived in this area all my life as did my Father and Grand Father who moved to Whangaparaoa in the late 1940s after serving in WW2.

My Father tells stories of crayfish bycatch when snapper fishing with a rod and line. This happening now would be so rare it's not worth a mention.

As a very frequent diver, in the last 20 years, it has become more and more difficult to get a feed of crayfish. In places I have dived all my life, I now see very few if any crayfish at all. This is not a once off occurrence but an observed trend over long time.

So why are the areas I have caught crayfish in all my life so depleted? The easy answer (not withstanding disease or predation), is over fishing. We see a very intensive commercial effort in the areas we fish during the spring months with what I would guess to me in excess of 100's of cray pot buoys which also, incidentally are a substantial navigation hazard. We assume this concentrated effort is to “clean” out all stock prior to the recreational effort is able to get out into the water when it warms up and the weather is more settled. In my last 2 dives in the last few weeks – one at the seaward side of Motu Kiti Kiti and one on the north side of Kauwau – WE DID NOT SEE ONE CRAYFISH. We normally see a few if even undersized. WE SAW NOTHING.

This is very disturbing

I can't speak for other areas of the country and the differences between actual numbers of crayfish available to rec fishers and what the MPI measures - average pot lift weight. This is only an indication and highly subject to manipulation and this intensive hop scotch method of cleaning these areas out, with the places in easy reach of rec fishers being targeted prior to the Christmas then the harder to reach and more expensive places such as Little Barrier.

Whilst the measurement methodology is a constant indicator it does not tell an accurate story. The clever strategy employed by the commercial operators in this “cleaning” out of an area approach is not fair. As a basis for allocating an ever greater harvest is heavily in favour of the commercial sector both in the catch on the day as well as leading to increased quota in the future. In reality, after these commercial operators have done their work, the crays left for Recreational, Traditional and other are substantially depleted.

For the reasons above I propose the ministry considers the following:

- A reduction in the length of time a commercial operator may set pots in one area. An area being around something like at least 5 square nautical miles. The time limit being something like 1 week in that area once every 6 months.
- Absolutely NO increases in TAC based on average pot lift. The afore mentioned reduction in area fishing intensity would have an impact on effectively increasing the average pot lift weight as there would be more numbers available for all parties in each area.
- Continued Spot check in all areas by the MPI or NIWA, where they place a few pots in strategic areas and study actual numbers rather than the commercial supplied numbers. Yes, we don't trust them.
- Change the size limits of crayfish to make all sectors the same – commercial sizes be the same as recreational.
- In an effort to do our part, reduce the rec limit to 5 per day (not that it would make any difference to 99% of

dives locally).

I sincerely hope the effort and thought I have made into putting this submission together is seriously considered by the MPI as I feel commercial has the financial clout to stomp all over my rights and needs.

Regards

Matt Cameron

From: Melody McLaughlin
Sent: Wednesday, 4 February 2015 3:53 p.m.
To: FMSubmissions
Subject: Crayfish
Attachments: Bidi.vcf

To whom it may concern,

I would like to make a submission opposing the increase on commercial fishing of our crayfish or red rick lobster. Stocks need to be restored which means an abundance of the different sizes, and a broad age range of crayfish in our marine ecosystem. we cannot continue to take from our amazing environment then to expect there to be an endless supply.

There is no science/facts to support this increase other than pressure from commercial areas and the misinformation placed out in the community.

Please reconsider and accept that no change to the quota must have a positive benefit to the marine environment and therefore by default to us as a species totally dependant on this environment.

I personally would prefer to see a reduction in the quotas but given this countries complete addition to commercialism I cannot see that happening any time soon.

Kind regards
Melody

Melody McLaughlin

From: mike woodbury
Sent: Monday, 2 February 2015 3:58 p.m.
To: FMSubmissions
Subject: Crayfish proposals

Hi there,

I recently went on a dive charter out to little barrier island and was very disappointed in the lack of crayfish. There were 8 divers on the boat and on the first dive only one diver saw 2 crayfish and they were too small to take. It was a similar situation on the second dive. There were commercial cray pots everywhere and it seemed blatant to me that this area is massively overfished and very disappointing considering I paid over \$200 for the charter. Where I dive in Melbourne the catch limit is only 2 and there is little to no commercial crayfishing and the stocks aren't that plentiful probably due to overfishing in the past. The only way for the fishery to become abundant again is to reduce the commercial quotas not increase them. I grew up in Auckland and can remember going on holidays and feasting on crayfish so was very disappointed at coming back after so long and seeing how bad the stocks are. Just my two cents. Thanks.

Mike



NZ ROCK LOBSTER INDUSTRY COUNCIL

Ka whakapai te kai o te moana

PRIVATE BAG 24-901 WELLINGTON 6142
64 4 385 4005 PHONE
64 4 385 2727 FAX
lobster@seafood.co.nz

STATUTORY CONSULTATION ON 2015/16 TAC DECISIONS FOR ROCK LOBSTER FISHERIES

February 17th 2015

The NZ RLIC has canvassed all nine CRAMACs in the preparation of this submission and is confident that the majority views where expressed each carry very significant mandate from the rock lobster industry.

INTRODUCTION:

STANDARD OF CONSULTATION

The NZ RLIC contends that the statutory consultation documents released under the banner of the NRLMG in January 2015 are incomplete and inadequate in the context of the intended rock lobster fisheries management framework.

Given the obligations of the Fisheries Act and the objective of the current Government to increase yield and value from fisheries, we submit that support for effective management of all sectors and support for commercial security needs better mention than currently referenced by the NRLMG report.

Despite sections 2, 4, 5 and 11 of the statutory consultation document the NZ RLIC remains un-convinced that the NRLMG report makes a sufficiently strong comment about the strategic importance of:

- measuring non-commercial catch/effort;
- enforcing non-commercial allocations;
- eliminating allocations to fish thieves; or
- the effects of neglect of Ministerial/MPI duty in such areas on: rock lobster biomass; stock sustainability; available yield; and commercial equity.

It would seem that the NRLMG is somehow obliged to withhold such concerns from the Minister now that the annual reports are replaced by draft IPPs. If the issues noted above are not germane to considerations of TAC and sector allowances within the same then perhaps the IPP document should say why and state the

alternative policy that the NRLMG (or MPI) does follow. Where are such items to be discussed and when does NRLMG recommend actions?

Or do stakeholders make such comments in our separate submissions to Ministers and therefore undermine the status of the NRLMG as a primary source of management advice?

Alternatively, are we able to have them included in the body of the NRLMG reports, preferably as recommendations to the Minister? The NZ RLIC understands the wish for consensus in the NRLMG recommendations but also recalls the inclusion of both majority and minority recommendations in past years.

It is our firm view that there is more to the management of rock lobster fisheries than options for TAC/TACC decisions and in that regard the NRLMG is remiss in not alerting the Minister to the wider scope of management responsibility that ultimately rests with him.

THE 2015/16 TAC PROPOSALS

CRA 1:

CRAMAC 1 has not been able to secure a clear consensus for either of the two most preferred options. The prospect of the modest TACC increase associated with **CRA1-01 Rule 8D** is tempered by nervousness about the spatial heterogeneity of the CRA 1 assessment as noted in consultation documents.

There is another area of uncertainty that concerns many of the CRA 1 industry participants – a perception that the recent stock assessment may be over-estimating productivity. CRAMAC 1 notes that the NRLMG confirms there is no reliable information on levels of *“other sources of fishing-related mortality”*.

“The RLFAWG used available MPI estimates for illegal catches from 1989 and a constant illegal catch of 72 tonnes per year from 2002 to 2013 as an estimate for other mortality. The NRLMG and RLFAWG have little confidence in the estimates of illegal catch because the estimates cannot be verified”.

CRAMAC 1 considers that the allowance made for illegal unreported removals is possibly excessive and recommends that MPI should institute a review during 2015 to determine just how credible that allowance

is; currently there seems to be very little evidence in support of the estimates used. Industry is more than willing to work alongside MPI Compliance managers to audit and evaluate possible levels of illegal activity.

It will be the CRAMAC 1 position that if no changes are made to illegal estimates then any such level of illegal unreported removals must be matched immediately by an MPI compliance and enforcement effort to materially reduce that level of theft from the fishery.

If the estimates are substantially revised downwards then the matter should be referred back to the Fishery Assessment Working Group to determine whether or not the productivity estimated from the most recent CRA 1 stock assessment requires revision.

These considerations by CRA 1 industry participants lead to a significant level of support for the more conservative **CRA1-04 Rule 9D** being operated until such time as the trend in CRA 1 CPUE stabilises and/or improves.

CRAMAC 1 acknowledges that the CRA 1 stock assessment process completed in November 2014 needed to deliver a TAC – a first for the fishery - and the CRAMAC generally supports the allowances proposed for recreational and commercial users under both of the preferred rules but as noted above, industry is still very uncertain about having an explicit and very significant allowance for illegal unreported removals.

There is definitely consensus across all CRAMAC 1 constituents that their fishery is meeting their expectations at current catch levels and current CPUE. Additional catch from a modest TACC increase from April 2015 would be a bonus but is not considered essential to the ongoing economic performance of the industry.

CRA 3:

The Tairawhiti Rock Lobster Industry Association Inc (TRLIA) supports **Option CRA3_01, Rule 4**, as the new CRA 3 Management Procedure.

While the immediate outputs of both CRA 3 Management Procedure options are the same, the TRLIA believes that there are significant differences in how the two options behave if the CRA 3 CPUE is below 2kgs/potlift.

The CRA 3 industry believes that the critical area in the CRA 3 CPUE profile is between 1kg and 2kgs/potlift. If CPUE reduced below 2kgs/potlift, using Rule 4, industry would get a clear signal that a TACC reduction was required. Using Rule 6, the TACC would drop from 260t to 225t at 2kgs but then would have no response until the CPUE reduced to 1.25kgs/potlift.

Even with the minimum change threshold for the TACC of 5%, the responsiveness of Rule 4 outweighs the perceived administrative advantage of Rule 6, which is about possibly reducing the frequency of seasonal TAC/TACC adjustments. Option CRA3_01, Rule 4 is a rule that has a more timely response to changing stock abundance.

TRLIA supports Option CRA 3-01 to retain the TAC at 389.95 tonnes, retain the customary allowance at 20 tonnes, retain the recreational allowance at 20 tonnes, retain other mortality at 89 tonnes, and retain the TACC at 260.95 tonnes.

This option is a management procedure rule which reflects the Association's representation to the Fishery Assessment Working Group and to the NRLMG on behalf of the CRA 3 industry and is a slightly modified version of a rule initially developed by the Committee.

CRA 5:

The CRAMAC 5 Committee supports **Option CRA5-02** to retain the current TAC at 467 tonnes, retain the customary allowance at 40 tonnes, retain the recreation allowance at 40 tonnes, retain other sources of mortality at 37 tonnes, and retain the TACC at 350 tonnes.

CRAMAC 5 supports Option CRA5-02 because

- (a) a new CRA 5 stock assessment will be completed in 2015 and from that a range of management procedures will be developed for the consideration and decision of stakeholders, and
- (b) the current CRA 5 Management Procedure does not have a 5% or greater threshold for change when operated. Other than for CRA 4, minimum change thresholds are a feature of current management procedures. The CRA5-01 option reduction would not have been invoked had the CRA 5 Management Procedure included a 5% change threshold.

The apparent decline in CRA 5 CPUE is of great concern to industry in circumstances where puerulus settlement strengths have not shown great variation over the period associated with the most recent offset year but for the same period the recreational charter fishing and dive industry activities in some parts of CRA 5 have increased exponentially.

Industry is far from satisfied that sufficient is being done to audit and monitor recreational removals of rock lobsters and remains concerned that various MPI compliance and enforcement initiatives, as successful as some are, still do not produce results which justify the allowance made for illegal unreported removals.

The uncertainty in relation to real impact of that illegal activity and the allowance made for it is possibly greater than the TACC reduction that might otherwise be imposed by the operation of the CRA 5 Management Procedure (Option CRA5-01).

This and a number of related issues will be the subject of more detailed CRAMAC 5 and NZ RLIC submissions in the lead up to the CRA 5 stock assessment process scheduled for 2015. In the meantime industry submits that there is no urgency for any CRA 5 TACC adjustment for the 2015/16 season.

CRA 7:

The Otago Rock Lobster Industry Association supports **Option CRA7-01** to increase the CRA 7 TAC to 117.72 tonnes, retain the customary allowance at 10 tonnes, retain the recreational allowance at 5 tonnes, and increase the TACC from 66 tonnes to 97.72 tonnes.

The wider rock lobster industry standard of growing and 'banking' abundance to increase catch rates and maintain seasonal catches at sustainable levels has never worked in CRA 7. The migratory nature of the Otago fishery will always have to be at the forefront when considering management options.

The CRA 7 fishery has always been a cyclical fishery. The combination of predominantly settlement habitat, regular emigration and only episodic high settlement creates a fishery with peaks of abundance 4 to 5 years after each significant settlement event.

Strong showings of puerulus in 2009/2010/2011/2012/2013 at Moeraki, combined with a high abundance of legal sized lobster in the current seasons catch, gives ORLIA confidence for the future. The 2014/15 TACC was landed in under four months, with high-grading being a feature of the fishermen's response to high abundance.

The ORLIA supports the application of management procedures which respond quickly to both increases and decreases in abundance. We believe this represents both a pragmatic and a conservative approach to the management of the CRA 7 fishery.

The future CRA 7 fishery could be significantly enhanced by the re-establishment of lost lobster habitat, particularly kelp forests, and development and application of techniques to create consistent settlement strengths. These are projects currently being explored by the ORLIA.

CRA 9:

CRAMAC 9 notes the operation of the CRA 9 Management Procedure in 2014 but supports the status-quo option to retain the current TAC/TACC.

The CRA 9 Rock Lobster Industry Association is faced with considerable difficulty when reviewing the two options circulated for statutory consultation. There is tacit industry support for the use of management procedures to inform and guide TAC setting, however in our view it is improbable that stock abundance in CRA 9 has declined sufficiently from one season to the next to warrant the TACC reduction imposed by Option CRA9-01.

Operation of the CRA 9 Management Procedure has invoked a TACC reduction – the industry in CRA 9 and elsewhere was both shocked and surprised by that outcome. There was an expectation across the CRA 9 fleet that the procedure would generate an increase effective from April 2016.

As noted above, industry are generally agreed that management procedures provide a sound basis for guiding seasonal TAC decisions but in the case of CRA 9 the outcome of the operation of the current procedure is just so counter-intuitive to the commercial fishing experience in the current season. We genuinely feel that the CRA 9 Management Procedure is less reliable than others currently operating because we just cannot bring sufficient catch and effort data to the CPUE standardisation process.

With only six vessels in the CRA 9 fleet, split between north and south island fishing grounds; and each vessel fishing only a small portion of the management area over a relatively short period of time in each season we feel that CRA 9 CPUE lacks the ‘substance’ that is observed in other management areas.

In CRA 5 and CRA 8 for instance, the fleets are larger, fishing is more constrained spatially and within season, and TACCs are considerably higher than CRA 9. As a consequence much more data are available to the CPUE standardisation processes for those two stocks.

The CRAMAC 9 Committee has reviewed the data available to the CPUE standardisation process and can highlight a number of situations that have occurred in the CRA 9 fishery that we believe would impact on the CPUE as used in the operation of the CRA 9 Management Procedure.

For example – we note that data from only four vessels was used whereas we can confirm five full-time vessels in the fleet during the most recent offset year; we can document significant landings supervised by MPI Compliance for which no provision is made for reporting in CELRs and MHRs; and we also note that the Fisheries Assessment Working Group report drew attention to uncertainty in CRA 9 CPUE related to the very small amount of data available to the standardisation process.

The CRA 9 Stock Status summary in the statutory consultation document also confirms at 10.1 *“there are some concerns that the CRA 9 CPUE indices are sensitive to different catching patterns rather than changes in stock size because of the small number of vessels targeting rock lobster in the area”*.

CRAMAC 9 highlights that the CRA 9 management area stock status is being determined at best from only five vessels working fishing grounds within less than 40 nautical miles of coastline between Westport and the Kaipara Harbour and only in two general locations – top of the South Island and in the vicinity of Cape Egmont.

CRAMAC 9 therefore proposes that the Management Procedure outcome be set aside pending a review of data inputs and the utility of the existing procedure given the small amount of data available. We recommend that this work should be undertaken as part of the Fishery Assessment Working Group programme for 2015.

At present the CRA 9 Rock Lobster Industry Association is recommending Option CRA9-02 – that the Minister should retain the customary allowance at 20 tonnes, retain the recreational allowance at 30 tonnes, retain other mortality at 5 tonnes, and retain the 60.8 tonnes TACC.

Industry contends that its position is credible in the circumstances – the current TAC is well within the bounds of sustainability and the nominal 13.2 tonnes TACC reduction which arises from Option CRA9_01

represents catch which might otherwise accrue to non-commercial users and/or fish thieves in the absence of any effective monitoring and audit of such removals.

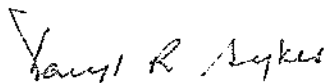
CRAMAC 9 intends to work with stock assessment scientists to explore ways in which commercial record keeping and reporting and fishery data collection can be enhanced to give better and more reliable contrast between seasons and more substance to the CPUE standardisations.

CRAMAC 9 will install electronic logbook units on all CRA 9 commercial rock lobster vessels from 01 April 2015 and anticipates that more detailed catch and effort information will assist scientists and managers in better understanding the fishery in the future.

It is also our view that if CRA 9 stock abundance is deemed to have declined then the burden of rebuild must be shared equitably between all extractive users. In a fishery where 55 tonnes is allowed for non-commercial removals and only 60.8 tonnes for commercial we would expect a 'shared' response to any confirmed stock decline. As noted in the NRLMG consultation document – "*A management procedure is a kind of decision rule that is used to guide the setting of catch limits in rock lobster fisheries*". (Emphasis added). CRAMAC 9 does not consider that limits should apply only to commercial catches.

On behalf of the NZ Rock Lobster Industry Council and contributing CRAMACs

Yours sincerely

A handwritten signature in black ink, appearing to read 'Yancy R. Sykes'. The signature is written in a cursive, slightly slanted style.

Executive Officer.



NZACA Inc
PO Box 12-042
Rotorua 3045

Jim Yeoman
President NZ Angling & casting Assoc.

19 Feb. 2015

Fisheries Management – Inshore Fisheries
Ministry Primary Industries
PO Box 2526
Wellington 6140

RE SBMISSIONS ROCK LOBSTER

The New Zealand Angling and casting Association wishes to endorse and support in full those Submissions made by the New Zealand Sports Fishing Council and LegaSea.

Further, as President of the NZACA I would like to voice my concern regarding the limited time made available to produce a responsible document in response. The time frame in this instance was totally farcical when considering the comprehensive detail that needed to be covered. As an Organisation acting on behalf of our Members and all acting on a voluntary basis it was impossible to dedicate the time needed to offer a respected Submission on our own behalf.

I would like to believe that a better time frame for Submissions will be implemented for the future.

Jim Yeoman
President
New Zealand Angling & Casting

Mark Connor
President
NZ Sport Fishing Council
PO Box 93
Whangarei
secretary@nzsportfishing.org.nz

Rock Lobster submissions
Fisheries Management – Inshore Fisheries
Ministry for Primary Industries
PO Box 2526
Wellington 6140
FMSubmissions@mpi.govt.nz



18 February 2015

NZ Sport Fishing Council submission on the review of Rock Lobster sustainability measures for 1 April 2015

Contents

1. INTRODUCTION.....	2
2. EXECUTIVE SUMMARY	3
3. RECOMMENDATIONS.....	4
4. ROCK LOBSTER MANAGEMENT	6
4.1. NRLMG ADVICE.....	6
4.2. CPUE AS A PROXY FOR ABUNDANCE	7
4.3. APPLICATION OF MANAGEMENT PROCEDURES	8
4.4. MLS AND SIZE CONCESSIONS	8
4.5. FISHERIES ACT SUPPORT FOR REASONABLE PUBLIC CATCH	9
5. ROCK LOBSTER PROPOSALS.....	9
5.1. CRAYFISH 1 (CRA 1) KAIPARA TO MANGAWHAI.....	9
5.2. CRAYFISH 3 (CRA 3) EAST CAPE – GISBORNE.....	13
5.3. CRAYFISH 5 (CRA 5) CANTERBURY/MARLBOROUGH	16
5.4. CRAYFISH 7 (CRA 7) OTAGO	18
5.5. CRAYFISH 9 (CRA 9) KAIPARA HARBOUR – WESTLAND	20
6. OTHER MATTERS.....	23
7. PREVIOUS NZSFC SUBMISSIONS.....	23
8. APPENDICES	24

1. INTRODUCTION

The New Zealand Sport Fishing Council (NZSFC) is a National Sports Organisation with over 32,000 affiliated members from 57 clubs nationwide and a growing number of contributing supporters to LegaSea, our public outreach initiative. Our representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this review and would like to be kept informed of future developments. Our contact is Roz Nelson, secretary@nzsportfishing.org.nz.

In July 2014 the NZSFC and Gisborne Tatapouri Sports Fishing Club issued a Crayfish 3 policy designed to increase the size and abundance of rock lobster around Gisborne and the East Coast, and ensure the needs of customary and amateur fishers are met. This policy was submitted to MPI in 2014 and has subsequently been ignored in advice papers despite the support of more than 3000 club members and the Council. (Refer Appendix One)

The New Zealand Sport Fishing Council and LegaSea supporters (the submitters) are seriously concerned that Nathan Guy, the Minister for Primary Industries, is again being exposed to a public backlash arising from shallow commercial advantage being disguised as balanced advice from the National Rock Lobster Management Group. The Group's latest advice is within the *Discussion Paper No: 2015/04 Review of Rock Lobster Sustainability Measures for 1 April 2015*. Flaws in the National Rock Lobster Management Group's process and advice have been identified in many past submissions and this year mistakes are repeated.

As submitters we are interested in firstly, maintaining the marine ecosystem so species such as rock lobster (crayfish) can thrive, and secondly, to ensure the public has reasonable access, taking into account the state of the ecosystem and popularity of the species.

In respect of current rock lobster management, the National Rock Lobster Management Group (NRLMG) processes show little regard for the public's interests, in environmental and fishing terms, and our social, economic and cultural wellbeings.

These interests and wellbeings are largely ignored or passed over with a cursory paragraph or two. This creates a sense of disengagement, which is amplified by the truncated submission periods offered to stakeholders by the Ministry for Primary Industries (the Ministry, MPI). In particular, we have had little time to consider the implications of a new Management Procedure and non-commercial allowances for CRA 1 and a revised Management Procedure for the contentious CRA 3 area.

Rock lobster must be abundant to enable us to provide for our social, economic and cultural wellbeings. Our members, LegaSea supporters and others nationwide are becoming disillusioned with the ongoing mismanagement and subsequent depletion of our taonga [treasure], our crayfish.

The Minister must be advised that we object to the Ministry's short timeframes for submission preparation and constituency consultation so offensively. The Ministry released the latest proposals on 20 January 2015, with submissions due by 17 February 2015.

It is unreasonable to expect non-commercial representative entities to either fulfill proper, respectful process amongst constituent organisations and their members, or respond with adequate information to inform the Minister's decision, as required by ss12 and 13 of the Fisheries Act 1996 (the Act).

Our team used its collective resources to develop a summary of the proposals, to try and explain the process and points of interest. This document was prepared for the NZSFC and LegaSea supporters and distributed on 29 January. It then took us until the February 9th to develop and distribute our first draft submission. There were five subsequent drafts before this submission was finalised. This process has used up a vast amount of scarce resources and energy.

The ongoing lack of respect for the quality consultation the Minister so desires results in the erosion of goodwill and the all-important good faith such processes depend upon for robust outcomes.

We question the legality of this current process, of only 18 working days, and whether it complies with the Court of Appeal's definition of effective consultation –

"Consultation must allow sufficient time, and a genuine effort must be made. It is a reality not a charade. To consult is not merely to tell or present. Nor, at the other extreme is it to agree. Consultation does not necessarily involve negotiation towards an agreement, although the latter not uncommonly can follow, as the tendency in consultation is to seek at least consensus. Consultation is an intermediate situation involving meaningful discussion.....Consulting involves the statement of a proposal not yet fully decided upon, listening to what others have to say, considering their responses and then deciding what will be done.

"Implicit in the concept is a requirement that the party consulted will be (or will be made) adequately informed so as to be able to make intelligent and useful responses. It is also implicit that the party obliged to consult, while quite entitled to have working plan in mind, must keep its mind open and be ready to change and even start afresh. Beyond that, there are no universal requirements as to form."¹

This current process compromises our ability to offer the NZSFC club delegates and their committees, and LegaSea supporters the opportunity to review and offer feedback on our draft submission.

The New Zealand Sport Fishing Council and LegaSea supporters urge the Minister to take a more active role in the management of rock lobster, to restore abundance and to decrease the risks associated with low biomass levels, and to provide for reasonable public use of the resource.

In the management of rock lobster there is a disconnect between the commercial CPUE index and the Minister's duty to provide reasonable allowance for recreational fishing. The Supreme Court reiterated that qualitative factors are an important component of recreational fishing interests yet the NRLMG's Discussion Paper makes no attempt at understanding these factors, assessing and allowing for them. A simple estimate of past catch is deemed sufficient without any qualification.

While we aspire to have abundant rock lobster populations the models and management advice appear to favour maximum exploitation, especially in areas like CRA 2 where fishing effort has been very high for 60 years or more.

We remind the National Rock Lobster Management Group and MPI that the Minister for Primary Industries has a statutory duty to sustainably manage fisheries to maintain the potential of our fisheries resources to meet the reasonably foreseeable needs of future generations, pursuant to s8(2)(a) of the Fisheries Act 1996 (the Act).

2. EXECUTIVE SUMMARY

1. Catch Per Unit of Effort (CPUE) point estimates, with little supporting information, are not a reliable proxy for abundance. In our view implementation of the proposed Management Procedures will not meet the statutory obligations in the Fisheries Act 1996 (the Act).
2. The growing gap between modeled stocks and the observed stocks is diverging to the point where the standardised CPUE, the Management Procedures based on CPUE, and stock assessment models can no longer be relied upon as providing the 'best available information', as required by the Act. Where there is uncertainty in what is being measured by CPUE the Minister is obliged to apply a precautionary management approach to ensure sustainability.
3. A full review must be undertaken to correct the misnomer that in all rock lobster stocks 'CPUE is a reliable indicator of abundance'. An alternative management strategy must be used where CPUE does not reflect abundance, and we remain unconvinced it does in any NZ stock.
4. The exploitation rate of rock lobster in CRA2 and CRA3 is huge, meaning large numbers of new recruits are killed each year to take the Total Allowable Commercial Catch (TACC).
5. The once-prolific Gisborne fishery, CRA 3, is now so depleted that surveys of recreational catch estimate just 8 tonne of catch, with the lowest average weight (580g) per crayfish in the country.

¹ International Airport Ltd and Air New Zealand (CA 23/92, 73/92[1993] 1 NZLR 671).

Recreational harvest is being constrained by low levels of availability, small animal size and the concession granting commercial fishers access to undersized rock lobster. While the concession remains the submitters will reject any Total Allowable Commercial Catch (TACC) increase.

6. The submitters remain committed to opposing the CRA 7 (Otago) concession allowing commercial fishers to harvest undersized crayfish. We reiterate our requests to review the data on the number of concession-sized crayfish taken by fishing year and the proportion of CRA 7 landings in this category. If stock abundance is improving then there is no need for the concession, which contributes to growth overfishing. Growth overfishing is where the adults are removed and young fish make up the catch. Typical of a high exploitation rate, where the catch is mostly made up of new recruits and future catch is reliant on next year's recruits. Growth overfishing needs a lower exploitation rate; that is less young fish being killed allowing the survivors to grow and build the stock.
7. CRA 9, extending from the Kaipara Harbour to Westland, west coast of the South Island has a relatively healthy fish stock with a reasonable number of large adult fish. The CPUE has dropped since last year, the first year a Management Procedure applied to this stock. A stable stock and stable fishing mortality, as typified in CRA 9 before the Management Procedure was implemented, is a worthy target and should be delivered by maintaining a conservative exploitation rate.
8. The Minister cannot continue to hide behind the veil of the National Rock Lobster Management Group when it comes to the sustainable management of our taonga, our crayfish. Consultation, the science and ongoing management processes are being hijacked by a few interested parties, to the detriment of our marine environment. It is time the Minister became more active and risk averse when managing our fragile fisheries and near shore ecosystems.

3. RECOMMENDATIONS

- The Minister must take a more active role in the management of rock lobster, to restore abundance and to decrease the risks associated with low biomass levels, and to provide for reasonable public use.
- The Minister addresses the sustainability concerns of non-commercial stakeholders by agreeing to stop the use of Management Procedures based on Catch Per Unit of Effort (CPUE) controls, and to initiate a full review of rock lobster management.
- CRA 1 -
 - The Minister must identify and consider both the quantitative and qualitative factors implicit in his decision when setting aside a tonnage to allow for recreational interests.
 - The Minister must ensure that the recreational allowance is able to be caught and is sufficient to provide for recreational fishing interests. CRA 1 CPUE is maintained by fishing effort migrating from the east coast to offshore islands and previously lightly fished exposed northwestern coasts – this CPUE has zero connection with recreational fishing interests and little to do with abundance.
 - The Minister must be advised that the 2013–14 amateur harvest estimate for rock lobster in CRA 1 of 42 t probably underestimates landed catch, and that higher estimates were used in the stock assessment models.
 - The ability to redirect commercial effort back to the east coast is a real threat to the provision of a reasonable recreational allowance. It is futile to leave the issue of effort migration within a Quota Management Area to a time when it has already damaged local abundance – as demonstrated in CRA 2.
 - **Increase the recreational allowance to 75 t to provide for maximum estimated catch, thereby ensuring the Total Allowable Catch (TAC) will not be exceeded. In CRA 1 it is equally important to consider both where catch is taken and how much is taken.**
 - The Minister sets a TAC of 296.062 t to ensure CRA1 continues to provide sufficient abundance for future generations.
 - The Minister sets aside 20 t to allow for Maori customary interests in CRA 1.

- The Minister sets aside 75 t to allow for recreational fishing interests in CRA 1.
- The Minister sets aside 70 t to allow for illegal harvest in CRA 1.
- The Minister retains the current TACC of 131.062 t in CRA 1.
- **CRA 3 –**
 - The Minister must be convinced that the high exploitation rate in the northern stat areas, combined with a very small Minimum Legal Size, is ensuring sustainability. The age structure of the population is atypical and fits a stock severely growth overfished. The southern stat area holds a population more typical of a productive fishery and the difference between the areas has thus far been dismissed in a glib manner.
 - The ongoing dissatisfaction articulated by the Gisborne recreational fishing public will not be mitigated by Management Procedures, and rather than leave decisions to ‘the market’ the Minister would be well advised to reduce commercial pressure on the few local areas intensively used by the public.
 - We support the work done by the Gisborne Tatapouri Sports Fishing Club in preparing sensible policy and their striving for greater abundance and improved public fishing opportunity. The continuing size concession, granted to commercial fishers in a time of stock crisis, stands in the way of any attempts at “collaborative management”.
 - **The Ministry work with the Gisborne public to identify local areas where commercial effort needs reducing to reasonably allow for recreational interests. The status quo is unreasonable.**
 - **Remove the size concession and reduce the exploitation rate on the stock.**
 - The Minister sets a TAC of 334 t to ensure CRA 3 rebuilds to provide sufficient abundance for future generations.
 - The Minister sets aside 30 t to allow for Maori customary interests in CRA 3.
 - The Minister sets aside 50 t to allow for recreational fishing interests in CRA 3.
 - The Minister sets aside 89 t to allow for illegal harvest in CRA 3.
 - The Minister sets a TACC of 165 t in CRA 3.
- **CRA 5 –**
 - The Minister needs to be warned that technology in detecting rock lobster habitat and ‘dens’ has been greatly enhanced within the CRA 5 fishery. CPUE, despite the claims of ‘standardising’, has less to do with abundance with every detection technology step. The Minister is requested to act in a precautionary manner as CPUE declines and recruitment remains uncertain.
 - Rather than follow the decline in abundance with small incremental reductions, the Minister is advised to make a step-change in landings and ‘ensure’ sustainability and abundance for future generations.
 - The Minister sets a TAC of 430 t to provide sufficient abundance for future generations.
 - The Minister sets aside 40 t to allow for Maori customary interests in CRA 5.
 - The Minister sets aside 50 t to allow for recreational fishing interests in CRA 5.
 - The Minister sets aside 40 t to allow for illegal harvest in CRA 5.
 - The Minister sets a TACC of 300 t in CRA 5.
- **CRA 7 –**
 - The Minister cannot reasonably increase the TACC in CRA 7 while a commercial size concession continues, one that was originally established to enable the ‘bottling’ of immature rock lobster. The first consideration is the implausible nature of the increase in CPUE following the introduction of a Management Procedure – it does seem contrived in this fishery.
 - **The only actions required by the Minister are to remove the concession, monitor CPUE and independently verify abundance in CRA 7. If no legal sized rock lobster form a fishable stock in CRA 7 then there isn’t a ‘fishery’.**

- The Minister sets a TAC of 40 t to provide sufficient abundance for future generations.
- The Minister sets aside 10 t to allow for Maori customary interests in CRA 7.
- The Minister sets aside 10 t to allow for recreational fishing interests in CRA 7.
- The Minister sets aside 10 t to allow for illegal harvest in CRA 7.
- The Minister sets a TACC of 10 t in CRA 7.
- CRA 9 –
 - The Minister is asked to respond to a past mistake – the interference in a TAC/TACC that was generating the most stable and useful CRA area. The TACC increase, and failure to show its sustainability means a simple decision to reverse the 2014 decision is required. A stable stock and stable fishing mortality, as typified in CRA 9 before a Management Procedure was implemented is a worthy target, and should be delivered by maintaining a conservative exploitation rate. The NRLMG science advice seems driven to finding maximum harvest strategies for commercial gain, leaving everything else in the margin.
 - The Minister sets a TAC of 110 t to provide sufficient abundance for future generations.
 - The Minister sets aside 20 t to allow for Maori customary interests in CRA 9.
 - The Minister sets aside 40 t to allow for recreational fishing interests in CRA 9.
 - The Minister sets aside 10 t to allow for illegal harvest in CRA 9.
 - The Minister sets a TACC of 40 t in CRA 9.

4. ROCK LOBSTER MANAGEMENT

4.1. NRLMG advice

9. In 1992 the National Rock Lobster Management Group (NRLMG) was established as a statutory body to provide advice to the Minister on managing the rock lobster fisheries. It is advertised as a multi-stakeholder group comprising representatives of customary, recreational and commercial fishing interests, and the Ministry for Primary Industries (MPI). In reality, sector representatives are limited to Te Ohu Kaimoana (TOKM), NZ Rock Lobster Industry Council (NZ RLIC), New Zealand Recreational Fishing Council (NZRFC) and the Environment and Conservation Organisations of Aotearoa New Zealand (ECO). Clearly the NZRFC are disillusioned with the NRLMG process – as per their submission to the 2014 review. We draw your attention to para 18, 21, 22 and 23 in that submission copied in Appendix Two.
10. Representatives sitting on the NRLMG routinely select data with the comment “agreed to by Working Group members”. This arises from the demands of the stock assessment models or Management Procedures for information, much of which is unknown. In our view, the unknowns overwhelm what is known about rock lobster stocks.
11. The potentially most valuable data sets to inform on the status of a rock lobster fishery relate to:
 - a. Annual recruitment and abundance of pre-recruits; and
 - b. The full description of the catch and harvest by sex and size.
 It seems that this data is missing or merely guessed at.
12. The purpose and principles of the Fisheries Act 1996, sections 8-10, support the management of fisheries at abundant levels to enable people to provide for their social, economic and cultural wellbeings. The public has rights to fish for food and recreation under the Act and failure to properly provide for these rights is unreasonable. There are many ways that the public’s fishing interest in the rock lobster stocks could be advanced in advice papers, but these are forgone in the pursuit of commercial benefits through higher catches.

13. In our view the NRLMG fails to give advice that enables all sectors to maximise the benefits from the rock lobster fisheries, instead adopting strategies and crafting advice that benefit commercial users, while barely noting the effect of continued low abundance on non-commercial fishers.
14. In 2001 it was agreed by the Minister and the NRLMG that the group would *"provide well informed, credible, and consistent research and management information and advice to sector groups, Government agencies, and Ministers"*². The NRLMG must be held accountable to all stakeholders for achieving this unfulfilled commitment.
15. The submission period is too short. Details of the review of rock lobster sustainability measures for CRA 1, 3, 5, 7 and CRA 9 were released on 20 January 2015 with submissions due on 17 February. A submission timeframe of just 18 working days has limited our consultation to only a few of our members and interested parties.
16. Consultation, the science process and ongoing management are being hijacked by commercial interests, to the detriment of the marine ecosystem. It is time the Minister became more active and risk averse when managing our fragile fisheries. The Minister cannot continue to ignore the weaknesses in the NRLMG process that enables commercial interests to so easily capture the advice he is given.

4.2. CPUE as a proxy for abundance

17. The NRLMG makes the assumption that commercial Catch Per Unit of Effort (CPUE) is proportional to abundance however, this assumption comes with many risks. Commercial CPUE is often affected by operational changes and market demands, but there is no consistent way that these changes are recorded or taken into account.
18. The practice of high grading and returning the less profitable grades to the sea has become widespread. This practice is allowed under Schedule 6 of the Fisheries Act. Legal fish released are included in the CPUE (kg/potlift) estimate. Our concern is that fishers' estimates of the weight of those released crayfish has a significant influence on CPUE in some areas.
19. The use of holding pots also complicates the recording of retained catch, which has to be estimated by the fisher each day. At the peak of the season some fishers work a lot of pots or work further afield. Is the fishing effort of a pot lifted every day the same as a pot lifted every 2 or 3 days? No account seems to be taken of these operational changes when assuming that standardised CPUE is proportional to abundance.
20. Another critical assumption is that commercial fishing effort effectively samples the vulnerable biomass. The submitters reject the assumption that CPUE gives an unbiased sample of population abundance, primarily on the grounds that rock lobster have always suffered serial depletion, as the stock is fished down effort is redeployed to pockets of remaining adult stock.
21. The rock lobster population is fished at different rates across its range. Areas close to home ports such as Gisborne are the first to be depleted. As catch rates diminish pots are moved to grounds holding a less heavily fished population, where abundance is greater. When that is getting exhausted another move is made, allowing stocks to be serially depleted without any apparent decline in CPUE to highlight changes in stock size.
22. Without knowing what effort is applied to the same area, in the same way, and the catch composition, the changes in raw CPUE data becomes non-attributable.
23. In future, some form of electronic logging of location and catch by potlift would show the extent of shifting effort.

² NRLMG 2003 Annual Report.

4.3. Application of Management Procedures

24. Management Procedures are a mechanism used to guide catch limit decisions in most rock lobster fisheries. Management Procedures are driven by the annual standardised CPUE from the previous year.
25. Setting and altering the Total Allowable Catches (TACs) based on un-validated fisher-recorded catch, including legal crayfish returned to the sea and number of potlifts, requires a good deal of faith to overcome the possibility that fishers can ignore the high incentive to report a CPUE increase.
26. Fishers have ready access to better boats, better haulers, and pots. Electronic aids such as sounders, sonar, GPS and bottom mapping software are now available. A potlift in 2015 is not directly comparable to a potlift 10, 20 or 35 years ago.
27. The basic understanding of rock lobster settlement, recruitment, growth, migration, natural mortality, and natural variances are mostly missing. A few small pieces have been studied, but the knowledge base is dominated by the unknown, and this alone reinforces the need for the Minister to act in a lawful, precautionary manner when managing rock lobster fisheries.
28. To understand how the stock is affected by fishing it is critical that we know the numbers of each cohort being taken in commercial crayfish pots. This data is important if we are to have any understanding of population changes and exploitation rate, particularly when no reliable index of rock lobster settlement and recruitment exists.
29. The introduction of Management Procedures for CRA 1 for the first time is a significant management change. Once adopted it may not be reviewed for the next five years. We have raised concerns about problems with CPUE-based Management Procedures in previous submissions and these latest proposals just reinforce our concerns regarding this high-risk strategy and the lawfulness of this approach.

4.4. MLS and size concessions

30. Tracking changes in the age/size composition of the harvest is essential if the effects of a Minimum Legal Size (MLS) concession are to be understood. Concessions enabling commercial fishers to take rock lobster below the MLS, at 52mm and 53mm, apply in CRA 3 (Gisborne), CRA 7 (Otago) and CRA 8 (Southland).
31. We are seriously concerned that commercial fishers, in CRA 3 in particular, are reliant on concession fish. At earlier CRA 3 regional meetings fisheries managers advised that concession fish were estimated to be between 60 and 70% of landed catch.
32. The Minister must insist that information is made available on where, when, and how many concession fish are being harvested. This information is critical to determining whether it is the abundance of these small fish that are skewing the CPUE results. Having validated this information the Minister will then be empowered to make a more informed TAC decision. Without this information we can only guess at the proportion of how many rock lobster below the MLS are contributing to the CPUE.
33. In 2013 and 2014 the NZSFC requested the following information. We received no response. We repeat our questions with the expectation of receiving answers this year –
 - c. What percentage of fish below the national MLS are landed, per stock?
 - d. Where and when fish below the national MLS are being harvested, per stock?
 - e. What proportion of legal rock lobster catch is returned to the sea?
 - f. What is the trend in high grading over time in each rock lobster fishery?

Management without this supporting information means there is no ability to cross check the changes observed in CPUE. Validation of such important information enables credible management.

34. In a fishery of such high social, economic and cultural value it is important for the Minister to insist he receives full and balanced advice, and MPI must provide the Minister with the best information – not just an all-powerful point estimate of standardised average CPUE.

4.5. Fisheries Act support for reasonable public catch

35. Advice to the Minister includes comments on his statutory duties when making decisions under the provisions of the Fisheries Act 1996. This advice would include, among other matters, how the decision conforms to the Act's purpose in section 8.
36. The purpose directs the Minister to manage fisheries sustainably, to both enable people to provide for their social, economic and cultural wellbeing, and to maintain the potential of the fishery to meet the reasonably foreseeable needs of future generations, s8(2)(a & b) of the Act.
37. The Supreme Court has also identified the obligations of the Minister in saying, *"the notion of people providing for their wellbeing, and in particular their social wellbeing, is an important element of recreational interests"*³.
38. The submitters urge the Minister to make a lawful decision. To do so, the Minister must be informed that the application of Management Procedures to set TACs and TACCs ignores the public's fishing interests and has resulted in further depriving the public of an opportunity to a reasonable catch.
39. Increasing abundance in our rock lobster fisheries would yield many benefits for the Minister and all other interests including, but not limited to:
 - a. Improved marine environment, with more diversity and robust fisheries;
 - b. Increased real-time CPUE for commercial fishers;
 - c. Increased size and abundance of rock lobster available for non-commercial use;
 - d. Reduced conflict between various interest groups; and
 - e. Simplified and more credible management processes inclusive of stakeholder input.

5. ROCK LOBSTER PROPOSALS

5.1. Crayfish 1 (CRA 1) Kaipara to Mangawhai

Stock	Option	TAC	Customary	Recreational	Other mortality	TACC
CRA 1	CRA1_01: Use the <u>new Rule 8d</u> CRA 1 management procedure and set the following TAC, allowances and TACC	269.62 t	10 t	50 t	72 t	137.62 t ↑
	CRA1_02: Use the <u>new Rule 8d</u> CRA 1 management procedure and set the following TAC, allowances and TACC	279.62 t	20 t	50 t	72 t	137.62 t ↑
	CRA1_03: Use the <u>new Rule 9d</u> CRA 1 management procedure and set the following TAC, allowances and TACC	263.062 t	10 t	50 t	72 t	131.062 t
	CRA1_04: Use the <u>new Rule 9d</u> CRA 1 management procedure and set the following TAC, allowances and TACC	273.062 t	20 t	50 t	72 t	131.062 t
	CRA1_05: Retain the current CRA 1 TACC (no TAC or allowances have been previously set for CRA 1)	N/A	N/A	N/A	N/A	131.062 t

Table 1: MPI summary of Total Allowable Catch, allowances and Total Allowable Commercial Catch proposals for CRA 1.

³ NEW ZEALAND RECREATIONAL FISHING COUNCIL INC AND ANOR V SANFORD LIMITED AND ORS SC 40/2008 [28 May 2009]. Para 54.

5.1.1 Points to note

40. There is a new stock assessment for CRA 1. It shows a steady increase in biomass, from a low point in the mid-1990s to the mid-2000s. Biomass has been relatively constant since then.
41. The stock assessment model is largely driven by the commercial catch rate (CPUE) in kg per potlift, which is higher when commercial fishing effort is based in the Three Kings and Far North areas.
42. The stock assessment estimates current vulnerable biomass is 850 tonnes (t). The Total Allowable Commercial Catch (TACC) has been about 131 t since the mid-1990s and is fully caught each year.
43. CRA 1 was introduced into the QMS in April 1990. No Total Allowable Catch (TAC) has been set and no allowances for non-commercial interests have been made in CRA 1.
44. If the status quo is retained under option CRA1_05 the NRLMG propose that no TAC will be set and no allowances will be made for non-commercial interests.
45. If the new Management Procedure is applied to alter the TACC, a TAC and allowances will need to be specified. The NRLMG proposes a 50 t allowance for recreational fishers and options of 10 t and 20 t for the customary allowance.
46. Two Management Procedures are provided as options in the Discussion Paper. The first has a step up at 1.5 kg per potlift the second has the step up at 1.7 kg per potlift. The 2014 standardised CPUE was 1.580 kg/potlift so the first rule results in a 6.6 t increase in TACC while the second holds the TACC at 131 t.
47. An allowance of 72 tonnes is proposed for other sources of fishing-related mortality in CRA 1. Most of this is based on an old estimate of illegal catch, but seems very high given the frequency and scale of illegal crayfish detected in recent years.
48. Commentary in the Discussion Paper is clearly designed to highlight the benefits of increasing utilisation if the Minister increases the TACC. There is no similar emphasis on highlighting the benefits of increasing the environmental, social and cultural outcomes, by setting aside an adequate allowance for both present and future non-commercial (recreational and customary) interests.

5.1.2 Management Procedures

49. The submitters note the National Rock Lobster Management Group (NRLMG) has developed a new Management Procedure for use in CRA 1, to be applied from 1 April 2015. As noted previously, the submitters do not accept Management Procedures as a legitimate way for the Minister to 'allow for' the public's non-commercial fishing interests, as required by the Fisheries Act 1996.
50. The submitters note the NRLMG is confident they have available key stock indicators for CRA 1 including an estimate of estimated biomass required to produce maximum sustainable yield (Bmsy), a conceptual proxy of reference biomass level (Bref), the minimum stock size (Bmin), spawning stock biomass, biomass of all fish and numbers of all fish. We are not confident that any of these estimates are reliable or sufficiently robust to be used together or separately to calculate an increase in the TAC and TACC.
51. The inescapable truth is that what is known about rock lobster stocks is overwhelmed by the unknowns. Our concern is that the above indicators will become key inputs into future management via a Management Procedure when they are largely guesses. The Minister cannot expect to rely on these indicators to guide decisions using Management Procedures when it is his duty to act in a precautionary manner in the absence of reliable information.
52. We submit the Minister's decision must be independent of any CPUE-related data.

5.1.3 Catch Per Unit of Effort (CPUE)

53. The NRLMG considers that catch rates are a reliable indicator of how much fish is in the water. Catch rates are measured by commercial Catch Per Unit of Effort (CPUE). Current CPUE is 1.58 kg per potlift in CRA 1. This compares to CRA 2, further south, where CPUE is around 0.4 kg/potlift and 2.095kg/potlift in CRA 9, Kaipara-Westland.
54. It is difficult to reconcile the Rock lobster Working Group decision to continue to treat CRA 1 as a single stock when all available evidence demonstrates differences in landings and CPUE between the sub-management areas – statistical areas 903 and 904 (East Coast Northland), 901 (Three Kings Is), 902 (Far North) and 939 (West coast). The Working Group surmise the exploitation rate across the entire CRA 1 management area is similar. The proposed Management Procedure uses CPUE as the abundance indicator.
55. We do not believe commercial CPUE is a reliable indicator of abundance because many factors influence catch rates, including market demand for particular size fish, weather and sea conditions on the west coast and regional variations in crayfish size.
56. There are relatively few commercial fishers in CRA 1 compared to other crayfish stocks. Around 2000 there was a noticeable increase in fishing effort around the Three Kings Islands. More recently catches at the Three Kings have declined and effort has shifted to the northwest coast, between 90 Mile Beach and north Kaipara Head. As these populations are fished down CPUE is likely to decrease.
57. If catch rates in the Far North and Three Kings decline much more then more commercial effort could shift back to the southeast area, between Takou Bay and Mangawhai. This area has smaller crayfish and consistently low commercial CPUE. This is the area where most of the recreational catch comes from and there are few areas within CRA 1 that commercial fishers do not target. The concern is that commercial fishers can intensively fish a small area within CRA 1 and then move on. Any shift of commercial effort to this southeastern area will have a major impact on availability of crayfish. Recreational fishers are genuinely concerned their local area will be quickly depleted. The retail price of crayfish excludes many Kiwis from enjoying this shellfish; any depletion on this popular coastline will have an effect on the social and cultural wellbeing of these coastal communities.

5.1.4 CRA 1 management options

58. The NRLMG propose options CRA1_01 and 02 to set a Total Allowable Catch (TAC) for the first time and increase utilisation of the fishery through a Total Allowable Commercial Catch (TACC) increase. The NRLMG advise non-commercial utilisation of the fishery is not likely to change because the stock is expected to be maintained above reference levels. Given the unreliability of the information underpinning the reference points for CRA 1 the submitters do not accept the TACC increase in CRA1_01 and 02 as viable options for the future management of this stock.
59. The NRLMG propose options CRA1_03 and 04 to set a Total Allowable Catch (TAC) for the first time, to retain the current TACC, and to set initial allowances for non-commercial interests and fishing related mortality. This is expected to maintain current commercial and non-commercial utilisation of the fishery.
 - The submitters support the Minister in setting a TAC for CRA 1, and making allowances for non-commercial interests and other mortality, without the need to apply a Management Procedure.
60. The NRLMG also propose CRA1_05, to retain the status quo. No Management Procedure would be applied and “periodic” stock assessments will be used. It has been 12 years between the previous and most recent stock assessment (2002 – 2014).
 - We would expect more frequent monitoring if option CRA1_05 is approved for the future management of CRA 1.

61. Te Puna Mataitai Reserve was established on 27 August 2013. This Mataitai excludes commercial fishing and potting from a large area of the western Bay of Islands, including Cape Wiwiki to the Black Rocks. Any Ministerial decision on commercial catch limit needs to take account of this large area where commercial harvest is prohibited, the potential to displace commercial effort to other areas, and what impact that may have on the environment and non-commercial fishing interests.
62. Most recreational catch is taken in the Whangarei and Bay of Islands regions. Overall recreational catch for the 2013-14 year was estimated to be around 42 tonnes. The submitters support an allowance of 75 t to be set aside for recreational interests, to allow for maximum estimated catch, thereby ensuring the TAC will not be exceeded.
63. Little is known about Maori customary catch, but given the number of marae along the CRA 1 coastline an initial allowance needs to be high enough to account for current catch and potential future growth. The submitters support an allowance of 20 t to allow for Maori customary interests in CRA 1.
64. An allowance of 72 tonnes is proposed for other sources of fishing-related mortality in CRA 1. Most of this is based on an old estimate of illegal catch, but seems very high given the frequency and scale of illegal crayfish detected in recent years. The highest annual estimate of illegal catch is 31 t in 1992. In the absence of any other estimate, the submitters support a precautionary allowance of 70 t to be set aside to allow for illegal harvest in CRA 1. A revised estimate should be made before the next stock assessment.
65. The NRLMG note there is “no major differences” between the two proposed options for managing commercial effort. Rule 8d results in a 6.6 t increase to the Total Allowable Commercial Catch (TACC). Rule 9d results in no change to the 131 t TACC.
66. We submit any TACC increase will have an effect on non-commercial interests and the environment from where those extra crayfish are taken. This is just another example of downplaying the impact of any commercial catch increase!
67. The Minister must ensure that the recreational allowance is sufficient to provide for recreational fishing interests. CRA1 CPUE is maintained by fishing effort migrating from the east coast to offshore islands and previously lightly fished exposed northwestern coasts – this CPUE has zero connection with recreational fishing interests and little to do with abundance.
68. The 2013–14 amateur harvest estimate for rock lobster in CRA 1 of 42 t probably underestimates landed catch. We note that higher estimates were used in the stock assessment models.
69. The ability to redirect commercial effort back to the east coast is a real threat to the provision of a reasonable recreational allowance. It is futile to leave the issue of effort migration within a Quota Management Area to a time when it has already damaged local abundance – as demonstrated further south in CRA 2.

5.1.5 Recommendations for CRA 1

- Increase the recreational allowance to 75 t to provide for maximum estimated catch, thereby ensuring the Total Allowable Catch (TAC) will not be exceeded. In CRA 1 it is equally important to consider both where catch is taken and how much is taken.
 - The Minister sets a TAC of 296.062 t to ensure CRA 1 continues to provide sufficient abundance for future generations.
 - The Minister sets aside 20 t to allow for Maori customary interests in CRA 1.
 - The Minister sets aside 75 t to allow for recreational fishing interests in CRA 1.
 - The Minister sets aside 70 t to allow for illegal harvest in CRA 1.
 - The Minister retains the current TACC of 131.062 t in CRA 1.

5.2. Crayfish 3 (CRA 3) East Cape – Gisborne

		TAC	Customary	Recreational	Other mortality	TACC
CRA 3	CRA3_01: Use the <u>new</u> Rule 4 CRA 3 management procedure and retain the TAC, allowances and TACC	369.95 t	20 t	20 t	89 t	260.95 t
	CRA3_02: Use the <u>new</u> Rule 6 CRA 3 management procedure and retain the TAC, allowances and TACC	369.95 t	20 t	20 t	89 t	260.95 t

Table 2: MPI summary of Total Allowable Catch, allowances and Total Allowable Commercial Catch proposals for CRA3.

5.2.1 Points to note

70. There is a new stock assessment for CRA 3. It shows a rapid increase in biomass from 2009 to 2013 and a decline in 2014. The model is largely driven by the commercial catch rate (CPUE) in kg per potlift. Biomass is projected to decline by 15-31% in the next four years.
71. The stock assessment estimates current vulnerable biomass is 525 t. The TACC increased from 164 t to 261 t under the old Management Procedure and this has been fully caught each year.
72. The distribution of crayfish is unusual, with an abundance of small males and few females north of Gisborne, and larger crayfish with more females further south, around Mahia Peninsula.
73. The NRLMG proposes no change to the 20 t allowance for recreational fishers or the 20 t customary allowance.
74. An allowance of 89 tonnes is proposed for other sources of fishing-related mortality in CRA 3. Most of this is based on an old estimate of illegal activities, but seems high. Ironically, one of the justifications for implementing the concession was to reduce black market sales from commercial vessels that were struggling to catch legal size crayfish.

5.2.2 Management Procedures

75. The NRLMG propose two options to replace the previous Management Procedure. The old CRA 3 Management Procedure allowed the maximum 10% increase in the TAC every year and would have provided another 10% this year if it were not being replaced.
76. The new Management Procedures have a number of plateaus and steps that apply to the TACC only, in line with recent practice.
77. The first option, CRA3_01, has a ramp up from 1 to 2 kg per potlift then a plateau between 2 and 3 kg per potlift. The second option is similar, but with a plateau between 1.3 and 2 kg per potlift that would hold the TACC at 225 t for CPUE in that range.

5.2.3 Catch Per Unit of Effort (CPUE)

78. The NRLMG considers that catch rates are a reliable indicator of how much fish is in the water. Catch rates are measured by commercial Catch Per Unit of Effort (CPUE). The 2014 standardised CPUE was 2.214 kg per potlift in CRA 3. This compares to CRA 2, further north, where CPUE is around 0.4 kg/potlift and 2.095kg/potlift in CRA 9, Kaipara-Westland. Both proposals would retain the current TACC of 261 t.
79. We are concerned that even with the new Management Procedure to guide decision-making, the stock is expected to decline by 15-31% over the next four years. CPUE is projected to reduce to 0.77 kg per potlift by 2017. Both proposed Management Procedures would have the TACC at 150 t if that happened. This would be an historic low.

5.2.4 CRA 3 management options

80. No changes to current catch levels or allowances are proposed. The current discussion revolves around which of two Management Procedures to apply to CRA 3 from 2015 until 2020.
81. Best available information suggests CRA 3 is above Bref. Both options CRA3_01 and 02 are expected to maintain the stock above Bref and help prevent a substantial decline in abundance.
82. However, with current catch levels and recent recruitments CRA 3 biomass is projected to decline in the next four years, but remain above reference points. If abundance is proportional to biomass we submit the projected decrease will have a detrimental effect on the availability of crayfish to non-commercial fishers.
83. We also submit the Minister must act in a manner that sustains the fishery at an abundance level that provides for the foreseeable needs of future generations, pursuant to s8(2)(a) of the Fisheries Act. Given the ongoing conflict in this area the required abundance level is likely to be well above current estimates.
84. There is an existing allowance of 89 tonnes to account for other sources of fishing-related mortality in CRA 3. Most of this is based on an old estimate of illegal activities, but seems high. We note the Rock lobster Working Group has little confidence in the illegal harvest estimate as it cannot be verified. Ironically, one of the justifications for implementing the concession was to reduce black market sales from commercial vessels that were struggling to catch legal size crayfish.
85. The non-commercial allowances are 20 t for Maori customary interests and 20 t for recreational fishing interests. No change is proposed to either allowance.
86. NRLMG advise that in 2013-14 about 26,000 rock lobsters were reported as caught in CRA 3 under the Kaimoana Regulations. And that 20 t was used in the 2014 stock assessment model to represent customary catches. It is unclear what these 26,000 crayfish equate to in tonnes, but at an average of 500g that would equal 13 t. This seems implausible when compared to the most recent recreational harvest estimate of 8.07 tonnes at an average of 580g, the lowest average weight per animal in the country.
87. It is also unclear why the NRLMG used an estimate of 20.42 t in their stock models given that the recent recreational harvest estimate is 8.07 t. It is possible that cray fishers were under-represented in the NRB year long panel survey, but anecdotal reports are that it is still difficult to catch a crayfish above the recreational MLS.
88. Both recreational harvest estimates include 2.94 tonnes of recreational catch taken by commercial fishers under s111 of the Fisheries Act 1996.
89. It is clearly nonsense to consider that the Minister can lawfully manage CRA 3 at an availability level that only enables the public access to 2% of the TAC. This is unreasonable when the tonnage set aside to allow for these same recreational interests represents 5% of the TAC. And more unreasonable when considering the low decile population and their inability to afford the retail price of crayfish.
90. The submitters acknowledge and appreciate the Ministry's targeted enforcement effort to reduce illegal catch levels in recent years. All catch must be accounted for within the TAC to ensure sufficient abundance for future generations.

5.2.5 CRA 3 concessions

91. CRA 3 is a relatively small but significant fishery for commercial, customary and recreational fishers. It is well documented that recreational fishers feel disadvantaged by the existing concession allowing undersized male rock lobster to be taken by commercial fishers. This concession was implemented in 1993 as a "temporary" measure.

92. Council's policy on concessions is the same as the Gisborne Tatapouri Sports Fishing Club's policy. The Minister must revoke the concession, enabling commercial fishers to harvest crayfish during winter, at 52 and 53mm. In some areas close to town there are now few legal sized crayfish, at or above 54mm, available to recreational fishers.
93. We are concerned that commercial fishers in CRA 3 are reliant on concession fish. Concession fish has been earlier estimated as making up to 60 to 70% of landed catch. Over the past few years we have consistently asked for, but not received, any of the following information. We again request:
- What percentage of fish below the national MLS are landed, per stock?
 - Where and when fish below the national MLS are being harvested, per stock?
 - What proportion of legal rock lobster catch is returned to the sea?
 - What is the trend in high grading over time in each rock lobster fishery?

We are not dealing in state secrets. Public demand for this data will increase as long as this information is withheld.

94. The submitters note MPI is proposing to discuss CRA 3 size limits, for commercial and recreational fishers, with stakeholders during a separate process in 2015. The submitters want to be actively involved in discussions regarding the future management of CRA 3 and the removal of the concession.

5.2.6 Recommendations for CRA 3

- The Minister must be convinced that the high exploitation rate in the northern stat areas, combined with a very small Minimum Legal Size, is ensuring sustainability. The age structure of the population is atypical and fits a stock severely growth overfished. The southern stat area holds a population more typical of a productive fishery and the difference between the areas has thus far been dismissed in a glib manner.
- The ongoing dissatisfaction articulated by the Gisborne recreational fishing public will not be mitigated by Management Procedures, and rather than leave decisions to 'the market' we recommend the Minister reduces commercial pressure on the few local areas intensively used by the public.
- We support the work done by the Gisborne Tatapouri Sports Fishing Club in preparing sensible policy and their striving for greater abundance and improved public fishing opportunity. The continuing size concession, granted to commercial fishers in a time of stock crisis, stands in the way of any attempts at "collaborative management".
- The Minister must reject the implementation of any Management Procedure in CRA 3 until the commercial concession has been revoked.
- The Ministry work with the Gisborne public to identify local areas where commercial effort needs reducing to reasonably allow for recreational interests. The status quo is unreasonable.**
- Remove the size concession and reduce the exploitation rate on the stock.**
 - The Minister sets a TAC of 334 t to ensure CRA 3 rebuilds to provide sufficient abundance for future generations.
 - The Minister sets aside 30 t to allow for Maori customary interests in CRA 3.
 - The Minister sets aside 50 t to allow for recreational fishing interests in CRA 3.
 - The Minister sets aside 89 t to allow for illegal harvest in CRA 3.
 - The Minister sets a TACC of 165 t in CRA 3.

5.3. Crayfish 5 (CRA 5) Canterbury/Marlborough

	TAC	Customary	Recreational	Other mortality	TACC
CRA 5					
CRA5_01: Use the <u>current</u> CRA 5 management procedure and decrease the TAC and TACC	452.81 t ↓	40 t	40 t	37 t	335.81 t ↓
CRA5_02: Retain the current CRA 5 TAC, allowances and TACC	467 t	40 t	40 t	37 t	350 t

Table 3: MPI summary of Total Allowable Catch, allowances and Total Allowable Commercial Catch proposals for CRA5.

5.3.1 Points to note

95. The current TAC in CRA 5 is 467 tonnes. Best available information suggests CRA 5 is above Bmsy. Ongoing management is expected to maintain stock abundance above the reference levels, but in decline. A stock assessment will be conducted in 2015, a year earlier than originally planned.
96. If the stock continues to decline a bigger decrease in the TAC may be required for April 2016 if the proposed decrease is not applied in April 2015.

5.3.2 Management Procedures

97. The NRLMG propose two options CRA 5_01 and 02.
98. Option CRA5_01 means the existing Management Procedure will be applied to reduce the TAC and TACC and retain existing allowances. The TACC will be reduced by 4%, from 350 to 336 t.
99. Option 02 means the Management Procedure is not applied and the status quo is retained for all interests. The TAC would stay at its current level for the 2015-16 fishing year. This option has initial support from industry.
100. Some of the Management Procedures applying in other areas have a 5% threshold for changing the TACC. The NRLMG advise this was not applied to CRA 5 as the science suggested a decline below 1.4 kg per potlift was unlikely. The CPUE in CRA 5 is now at 1.355 kg/potlift.
101. Management Procedures have been used in the rock lobster fishery since 1997. The CRA 5 Management Procedure has applied since 2012. We question the validity of the stock modelling when a CPUE decrease below 1.4kg/potlift was not anticipated.
102. NRLMG advise retaining the status quo under CRA5_02 is unlikely to pose a sustainability risk. They also advise a stock assessment will now be done in 2015 rather than 2016, and that initial consultation around allocation will be conducted with regional fishery interests. We are unclear who the NRLMG are referring to as “regional fishery interests”.
103. Also, while we do not support the application of Management Procedures the NRLMG seems to apply them when convenient, to increase the TAC and TACC, but are reluctant to apply them when a reduction is possible. We note the NRLMG advise, “*If a decision is made not to follow the results of the CRA 9 Management Procedure in 2015, the procedure cannot be used to guide TAC setting in future years*”. No such advice is given in regards to CRA 5. The submitters are unsure if this omission is deliberate or an oversight.
104. NRLMG advise that CRA5_02 allocation decisions can be considered in conjunction with a new stock assessment model and Management Procedure evaluation. This suggests that it is okay to ignore the Management Procedure in the year prior to a stock assessment, as long as the TAC and TACC are retained. The submitters do not agree with this assumption. There is no such thing as a freebie year, catches either need to be reduced or they don’t, and the TAC decision needs to be made by the Minister independent of any consideration of the TACC.

5.3.3 Catch Per Unit of Effort (CPUE)

105. The NRLMG considers that catch rates are a reliable indicator of how much fish is in the water. Catch rates are measured by commercial Catch Per Unit of Effort (CPUE). The commercial CPUE in CRA 5 has decreased since 2009, but remains at a reasonable level. The 2014 standardised CPUE was 1.355 kg per potlift. This compares to CRA 7, further south, where CPUE is around 2.3 kg/potlift and 2.1kg/potlift in CRA 9, Kaipara-Westland.
106. CRA 5 was considered to be in reasonable shape. Commercial fishers may be a bit surprised at the sudden decline in CPUE. They may look for a scapegoat, such as blaming increasing recreational catch or possibly the effect of implementing of the Te Korowai agreement on the east coast of the South Island.

5.3.4 CRA 5 management options

107. The NRLMG propose two options CRA 5_01 and 02. Neither option would change the existing allowances.
108. Maori customary catch is considered to be well below the current allowance of 40 tonnes. An estimate of 10 t was used in the 2010 stock assessment model.
109. The recreational harvest estimates include annual catch taken by commercial fishers as “recreational” under s111 of the Fisheries Act 1996, up to a maximum of 6.2 tonnes.
110. No change is proposed to the 40 t recreational allowance. However, a recreational harvest survey of Kaikoura and Motunau boat based catch estimated a recreational harvest of 55 t. The catch from other areas in CRA5 and by shore-based fishers is likely to be significant. It is likely that the current recreational harvest is much more than last year’s allowance and that proposed for 2015.
111. The stock assessment model shows an increasing trend in catch, exceeding 100 t since 2005 and exceeding 150 t in 2009.
112. The submitters are concerned that there is no attempt to adjust the recreational allowance to provide for current catch or interests. Our recreational interests extend beyond just catch, there are qualitative aspects to our recreational fishing that is not just measured in kilos or tonnes.
113. The non-commercial allowances (and TACC) have not changed since 1999, 16 years ago. As has happened in previous reviews such as SNA1, a perceived large increase in recreational catch estimates could trigger commercial pressure to reduce bag limits. This would be patently unfair if the tonnage set aside to ‘allow for’ recreational interests, as per s21 of the Act, is not sufficient to provide for our interests.
114. Irrespective of the existence of the Management Procedure and NRLMG advice, the Minister must turn his mind to how he is going to “allow for” current recreational interest in CRA 5.
115. Importantly, the Supreme Court has considered the TAC and allowances and ruled that, *“Starting with the figure for the total allowable catch, the Minister must decide what allowances to make for what will be taken by the specified non-commercial fishing interests, and all other mortality caused by fishing. The Minister deducts the sum of these allowances from the total allowable catch and the difference is the total allowable commercial catch.”*⁴
116. The Minister cannot knowingly allow the TAC to be exceeded or make a recreational allowance that he knows will be exceeded. Medium-term recreational harvest rates may be affected by the change due to implementation of the Te Korowai agreement, however this mainly restricts harvestable areas and will likely shift effort to outside this region.

⁴ NZRFC INC AND ANOR v SANFORD LIMITED AND ORS SC 40/2008 [28 May 2009] para 53.

117. NRLMG propose no change to the 37 tonne allowance for other sources of fishing related mortality. For the 2009-10 fishing year the estimate from the Rock lobster Working Group model was 52 t. The NRLMG advise this, “*suggests the current CRA 5 other mortality allowance of 37 tonnes may be being exceeded. However, there is little confidence in the estimates of illegal catch because the estimates cannot be verified. The NRLMG does not propose to vary the CRA 5 other mortality allowance until a better estimate of illegal take becomes available*”.
118. The submitters do not agree. It is unlikely there will ever be a better estimate of illegal take and so the Minister must act in a precautionary manner now and increase the tonnage set aside to allow for other sources of fishing related mortality.
119. The Minister is obliged to set the TAC to maintain CRA 5 at or above Bmsy. This TAC needs to be made first, before any utilisation decision. The Minister must consult with relevant interests then he can apply wide discretion when apportioning a TAC. However, as the Supreme Court has already identified, “*in setting the total allowable commercial catch the Minister is required to have regard to the total allowable catch, and to allow for mortality to the stock that is caused by both non-commercial fishing interests and all other mortality*”⁵.

5.3.5 Recommendations for CRA 5

- The Minister is warned that technology in detecting rock lobster habitat and ‘dens’ has been greatly enhanced within the CRA 5 fishery. CPUE, despite the claims of ‘standardising’, has less to do with abundance with every detection technology step. The Minister is requested to act in a precautionary manner as CPUE declines and recruitment remains uncertain.
- Rather than follow the decline in abundance with small incremental reductions, we recommend the Minister makes a step-change in landings and ‘ensure’ sustainability and abundance for future generations.
 - The Minister sets a TAC of 430 t to provide sufficient abundance for future generations.
 - The Minister sets aside 40 t to allow for Maori customary interests in CRA 5.
 - The Minister sets aside 50 t to allow for recreational fishing interests in CRA 5.
 - The Minister sets aside 40 t to allow for illegal harvest in CRA 5.
 - The Minister sets a TACC of 300 t in CRA 5.

5.4. Crayfish 7 (CRA 7) Otago

	TAC	Customary	Recreational	Other mortality	TACC
CRA 7					
CRA7_01: Use the <u>current</u> CRA 7 management procedure and increase the TAC and TACC	117.72 t ↑	10 t	5 t	5 t	97.72 t ↑
CRA7_02: Retain the current CRA 7 TAC, allowances and TACC	86 t	10 t	5 t	5 t	66 t

Table 4: MPI summary of Total Allowable Catch, allowances and Total Allowable Commercial Catch proposals for CRA7.

5.4.1 Points to note

120. The current TAC in CRA 7 is 86 tonnes. In 2014 commercial Catch Per Unit of Effort (CPUE) was well up and the TAC and TACC was increased. The TACC was increased by the maximum 50% allowed under the Management Procedure, from 44 to 66 tonnes.
121. NRLMG advise, “*There is a reliable estimate of current biomass, but no reliable estimate of Bmsy. Because of this any variation to the CRA 7 TAC [Total Allowable Catch] must be done under s13(2A)*” of the Fisheries Act 1996.

⁵ NZRFC INC AND ANOR v SANFORD LIMITED AND ORS SC 40/2008 [28 May 2009] para 48.

122. The submitters remain opposed to the CRA 7 concession allowing commercial fishers to harvest undersized crayfish. We repeat our information request, as per CRA 3, to have made available data describing the number of concession sized crayfish taken by fishing year and the proportion of CRA 7 landings in this category.

5.4.2 Management Procedures

123. The NRLMG propose two options CRA 7_01 and 02.
124. Option CRA7_01 means the existing Management Procedure will be applied to increase the TAC and TACC and retain existing allowances. The TAC would be increased by 48%, from 86 to 118 t and TACC would be increased by 48%, from 66 to 98 tonnes.
125. Option 02 means the Management Procedure is not applied and the status quo is retained for all interests. The TAC would stay at its current level for the 2015-16 fishing year.
126. NRLMG advise CRA7_02 could result in increased abundance in CRA 7 in the short term, increased non-commercial catches and higher CPUE for commercial fishers, but would mean commercial interests forgo the potential gains to be made from applying option CRA7_01.

5.4.3 Catch Per Unit of Effort (CPUE)

127. The NRLMG considers that catch rates are a reliable indicator of how much fish is in the water. Catch rates are measured by commercial Catch Per Unit of Effort (CPUE). The 2014 standardised CPUE was 2.304 kg per potlift. This compares to around 1.4 kg per potlift in CRA 5, further north, and 2.1kg/potlift in CRA 9, Kaipara-Westland.
128. The commercial CPUE in CRA 7 has spiked sharply in the last two years. Typically this is a result of good recruitment with young fish entering the fishery. Current understanding is that after a few years crayfish recruited in 2014 and 2015 will move out of CRA 7 to Foveaux Strait and Stewart Island. We submit this Management Procedure will always be chasing the tail of CPUE and probably won't reflect true abundance in the current or the following fishing year.
129. In 2012-13 CPUE in CRA 7 increased by 69%, to 1.36kg per potlift. The 2014 CPUE is 2.3kg/potlift. If CPUE is a reliable indicator of abundance, it is unreasonable to think that the stock has almost doubled in size in one year. This change just reinforces our concerns that there are many factors that influence CPUE and that the Management Procedure does not account for the migratory habits of rock lobster moving out of CRA 7 to other areas.

5.4.4 CRA 7 management options

130. The NRLMG propose two options CRA7_01 and 02. CRA7_01 applies the Management Procedure to increase the TAC and TACC. CRA7_02 retains the status quo. Neither option would change the existing allowances.
131. Option CRA7_01 increases the TAC and TACC, even so the NRLMG note that, "*overall utilisation benefits are likely to increase for all sectors under the Management Procedure approach through increases to CRA 7 abundance*". Interesting comment, we would welcome any evidence that demonstrates an increase in abundance while providing for extra commercial catch.
132. The wildly fluctuating CPUE means the TAC and TACC also fluctuates, changing by the maximum 50% over the past two years. For example, in 2013 the TACC was reduced by 31%, from 64 to 44 tonnes. In 2014 the TACC was increased by 50%, from 44 to 66 t. The NRLMG now propose a 48% increase, from 66 to around 98 tonnes.
133. The submitters oppose any change to the TACC until the concession, enabling the commercial harvest of undersized crayfish, has been revoked.
134. No change is proposed to the 10 tonne Maori customary allowance. An estimate of 1 tonne was used in the 2012 stock assessment model.

135. No change is proposed to the 5 tonne recreational allowance in CRA 7. Based on the 2012 stock assessment model, the average catch from 1979 to 2011 was 10 t. Section 111 harvest of crayfish taken by commercial fishers as “recreational” catch (a maximum of 1.7 t) was added to the recreational catch estimate in the model. It is noted that s111 catch represents up to 34% of the allowance in some years.
136. NRLMG note the 5 tonne recreational allowance “*may have been exceeded at times over this period, but given the uncertainty associated with the model estimates of recreational catch it is proposed that no change is made to the recreational allowance at this time*”.
137. The submitters note the 32-year average harvest was 10 tonnes, 50% more than the current allowance. The submitters ask at what threshold of excess would be required before the NRLMG recommend an increase (or change) to the recreational allowance?
138. As per previous comments, the Minister cannot knowingly allow the TAC to be exceeded. He must act in a precautionary manner and set aside a reasonable allowance, as highlighted by the Supreme Court.
139. No change is proposed to the 5 tonne allowance for other sources of fishing related mortality. The Rock lobster Working Group used a 1 tonne estimate in the stock assessment model, but this is not considered reliable and cannot be verified.
140. There is little information on the rationale used to set the initial allowances.

5.4.5 Recommendations for CRA 7

- We submit the Minister cannot reasonably increase the TACC in CRA 7 while a commercial size concession continues, one that was originally established to enable the ‘bottling’ of immature rock lobster. The first consideration is the implausible nature of the increase in CPUE following the introduction of a Management Procedure – it does seem contrived in this fishery. **Therefore we recommend the only actions required by the Minister are to remove the concession, monitor CPUE and independently verify abundance in CRA 7. If no legal sized rock lobster form a fishable stock in CRA 7 then there isn’t a ‘fishery’.**
 - The Minister sets a TAC of 40 t to provide sufficient abundance for future generations.
 - The Minister sets aside 10 t to allow for Maori customary interests in CRA 7.
 - The Minister sets aside 10 t to allow for recreational fishing interests in CRA 7.
 - The Minister sets aside 10 t to allow for illegal harvest in CRA 7.
 - The Minister sets a TACC of 10 t in CRA 7.

5.5. Crayfish 9 (CRA 9) Kaipara Harbour – Westland

		TAC	Customary	Recreational	Other mortality	TACC
CRA 9	CRA9_01: Use the <u>current</u> CRA 9 management procedure and decrease the TAC and TACC	101 t ↓	20 t	30 t	5 t	45 t ↓
	CRA9_02: Retain the current CRA 9 TAC, allowances and TACC	115.8 t	20 t	30 t	5 t	60.8 t

Table 5: MPI summary of Total Allowable Catch, allowances and Total Allowable Commercial Catch proposals for CRA9.

5.5.1 Points to note

141. CRA 9 covers a large area of exposed west coast in the North and South Islands. Commercial effort is not high and weather conditions and access to suitable rocky reef areas may affect CPUE as much, or more than, abundance. Reportedly there are a lot of large crayfish in areas such as Taranaki, good for recreational fishers, but not the preferred target size for commercial fishers.
142. The current TAC in CRA 9 is 115.8 tonnes. CRA 9 is considered to be above Bmsy.
143. A TACC of 47 tonnes was in place from 1992 to 2014. Last year the TACC was increased to 61 t, under the first year of the new Management Procedure with CPUE at an historic high, at over 3 kg per potlift.
144. In 2015 option CRA9_01 means the TACC will be back at 46 t. This fluctuation over just one year again proves the folly of relying on CPUE as a measure of abundance.
145. NRLMG note that CPUE could be affected by different catch patterns rather than changes in stock size.
146. We re-submit that commercial CPUE is not a good measure of abundance or the risk to sustainability of this fish stock.

5.5.2 Management Procedures

147. The NRLMG propose two options CRA 9_01 and 02.
148. Option CRA9_01 means the existing Management Procedure will be applied to decrease the TAC and TACC and retain existing allowances.
149. Option 02 means the Management Procedure is not applied and the status quo is retained for all interests. The TAC would stay at its current level for the 2015-16 fishing year.
150. NRLMG advise retaining the current TAC for another year, under option 2, is unlikely to pose a sustainability risk to the stock in the short term.
151. NRLMG caution against ignoring the Management Procedure under option 2. *"If a decision is made not to follow the results of the CRA 9 Management Procedure in 2015, the procedure cannot be used to guide TAC setting in future years. The current TACC could pose a risk to stock sustainability in future years unless a revised Management Procedure is evaluated or a new assessment is performed"*.
We submit this statement is intimidating and could deter best management decisions for 2015-16 fishing year. This advice was not included in regards to in CRA 5, what makes CRA 9 so special? Is it that the Management Procedure has only been in effect for one year and the NRLMG want to maintain it on principle?

5.5.3 Catch Per Unit of Effort (CPUE)

152. The NRLMG considers that catch rates are a reliable indicator of how much fish is in the water. Catch rates are measured by commercial Catch Per Unit of Effort (CPUE). The 2014 standardised CPUE in CRA 9 was 2.095 kg per potlift. This compares to 1.58 kg per potlift in CRA 1, further north, and 1.355 kg/potlift in CRA 5, Canterbury/Marlborough.
153. From 1982 to 2000 CPUE was about 1 kg/potlift. It increased markedly as catch effort changed, to a new peak of 3.2 kg/potlift.
154. It is unreasonable to think that the stock has fluctuated to the extent of the changes in CPUE. The west coast is a rugged environment that holds large animals. Relatively few boats fish CRA 9.
155. Large rock lobster caught and release are included in the standardised CPUE. A healthy fish

stock has a reasonable number of large adult fish. Large crayfish are prime breeding stock and can play an important role in the ecosystem. It is encouraging that CRA 9 still has reasonable numbers of large crayfish.

5.5.4 CRA 9 management options

156. The current TAC in CRA 9 is 115.8 tonnes. The NRLMG propose two options CRA9_01 and 02. CRA9_01 applies the Management Procedure to decrease the TAC and TACC. CRA9_02 retains the status quo. Neither option would change the existing allowances.
157. Under option 01 the TAC would be decreased by 13%, from 116 to 101 t and TACC would be decreased by 24%, from 61 to 46 tonnes.
158. The NRLMG note that CRA9_01, *"will decrease the current utilisation benefit of the fishery. How the reduction is shared amongst the fishery sectors will depend on allocation decisions"*. Another interesting comment.
159. We submit that commercial interests reaped all the benefits from the TAC and TACC change in 2014 and, given that the fishery requires catch reductions, those reductions need to be attributed to the commercial sector.
160. Also, we do not accept an allocation. As the Supreme Court has already identified, the allowances made under s21(1) for non-commercial fishing interests differ in nature from the TACC, and encompass more than just monetary values. Non-commercial fishing, both recreational and Maori customary, enables people to provide for their social, economic and cultural wellbeings, but only if there is sufficient abundance in the areas fished.
161. No change is proposed to the 20 t allowance made for Maori customary interests. An estimate of 1 tonne was used in the 2013 surplus production model.
162. No change is proposed to the 30 t recreational allowance. In 2011-12 recreational catch in CRA 9 was estimated at 18 tonnes.
163. NRLMG provide no details in the proposal paper on how many tonnes of rock lobster were harvested by commercial fishers as "recreational" catch, under s111 of the Fisheries Act 1996. In CRA 7 s111 catch represents up to 34% of the recreational allowance in some years.
164. No change is proposed to the 5 t allowance set aside to account for other sources of fishing related mortality. A 1 tonne estimate was used in the 2013 stock assessment. It is assumed that illegal catch fits within the current allowance.
165. As noted above, we submit it is unreasonable to think that the stock has fluctuated to the extent of the changes in CPUE and consequent TACC change. This just highlights again the mistaken belief that Management Procedures are an adequate management tool. For such a high value fishery we would expect the Minister to apply his discretion and make a precautionary decision based on the best available information and not be constrained by the Management Procedure.

5.5.5 Recommendations for CRA 9

- The Minister is asked to respond to a past mistake – the interference in a TAC/TACC that was generating the most stable and useful CRA area. The TACC increase, and failure to show its sustainability means a simple decision to reverse the 2014 decision is required. A stable stock and stable fishing mortality, as typified in CRA 9 before a Management Procedure was implemented is a worthy target, and should be delivered by maintaining a conservative exploitation rate. The NRLMG science advice seems driven to finding maximum harvest strategies for commercial gain, leaving everything else in the margin.
 - The Minister sets a TAC of 110 t to provide sufficient abundance for future generations.

- The Minister sets aside 20 t to allow for Maori customary interests in CRA 9.
- The Minister sets aside 40 t to allow for recreational fishing interests in CRA 9.
- The Minister sets aside 10 t to allow for illegal harvest in CRA 9.
- The Minister sets a TACC of 40 t in CRA 9.

6. OTHER MATTERS

166. There is a high level of catch classed as “recreational” taken by commercial under s111 of the Fisheries Act. This catch is taken using commercial methods and inflates the recreational harvest figures. There is nothing specified in CRA 9, but in CRA 7 it is 1.7 t of a 5 t allowance, 34% of known catch.

Stock	S111 catch (t)	Recreational allowance (t)	% of recreational allowance
CRA 1	5.01	50 (proposed)	10
CRA 3	2.94	20	14.7
CRA 5	6.2	40	15.5
CRA 7	1.7	5	34
CRA 9	--	30	--

Table 6: Summary of section 111 catches taken by commercial fishers for non-commercial purposes. These catches are added to recreational catch estimates.

7. PREVIOUS NZSFC SUBMISSIONS

- 2014 – Submission on the review of Rock Lobster sustainability measures for 1 April 2014.
- 2014 – NZSFC & Gisborne Tatapouri Sports Fishing Club Crayfish 3 Policy. July 2014.
- 2013 – Submission on the review of Rock Lobster sustainability measures for 1 April 2013.
- 2012 – Submission on the review of Rock Lobster regulatory controls.
- 2012 – Submission on the review of Rock Lobster sustainability measures for 1 April 2012.
- 2011 – Submission on the review of Rock Lobster commercial Concession Area Regulations
- 2011 – Submission on the review of Rock Lobster sustainability measures for 1 April 2011
- 2010 – Submission on the review of sustainability measures for CRA 3 & 4 for 1 April 2010.
- 2010 – NZSFC Zone 5 clubs submission on the review of CRA sustainability measures for 1 April 2010.

8. APPENDICES

Appendix One

Crayfish 3 Policy

Gisborne Tatapouri Sports Fishing Club
New Zealand Sport Fishing Council



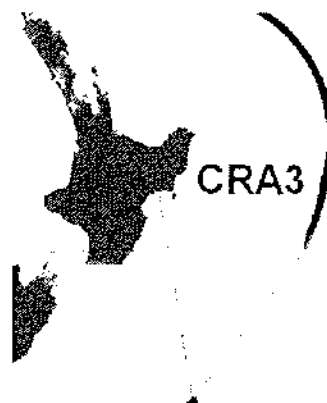
JULY 2014

Goal

To increase the size and abundance of rock lobster in Crayfish 3 (CRA 3) and ensure the needs of customary and amateur fishes are met.

Policy -

- No increase to the Total Allowable Commercial Catch (TACC) in Crayfish 3 until:
 - The concession enabling commercial fishers to take undersized rock lobster is revoked.
 - There is adequate allowance made for illegal and unseen mortality.
 - The stock is sufficiently abundant to provide for public use in a reasonable manner and timeframe.
 - The stock is capable of meeting the reasonably foreseeable needs of future generations; and
 - Those needs have been adequately identified and allowed for.
- Commercial Catch Per Unit of Effort (CPUE) does not adequately reflect the abundance and availability of crayfish to customary and amateur fishes in Area 3.
- The voluntary commercial closure applying in statistical area 909 and 910 from 1 September to 15 January be retained.
- Selected areas within the 30 m depth contour are closed to commercial fishing year-round, to ensure adequate access for customary and amateur fishers.
- Management responsibility of New Zealand's crayfish stocks must be returned to the Crown. Advice from the National Rock Lobster Management Group is considered unbalanced and crafted to benefit commercial users of the crayfish fishery, while barely noting the effect of ongoing low abundance on the ecosystem, associated and dependent species, and non-commercial customary and recreational fishing interests.
- Information on the proportion of concession size fish landed to overall landings, in numbers and weight, must be collected and made available for public review.
- The Minister must implement measures to collect valuable data to inform on the status of the crayfish stock, this includes:
 - Annual recruitment and abundance of pre-recruits; and
 - The full description of the catch and harvest by sex and size.



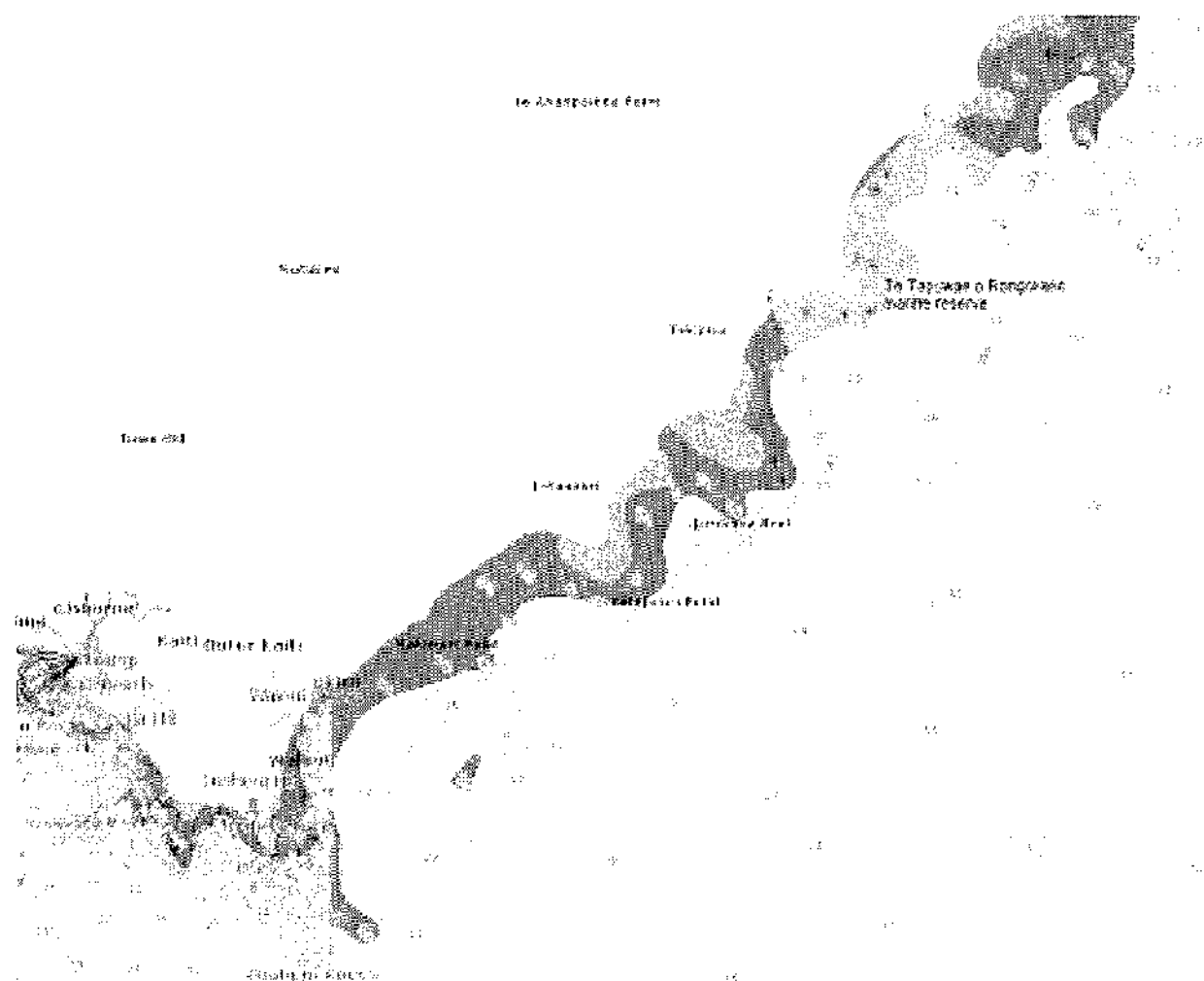
Strategy

1. While recent recruitment has supported improvements in the commercial fishery the availability

of rock lobster to non-commercial fishers remains inconsistent, especially in accessible areas north of Gisborne. Increases in the TACC leads to increased commercial effort in areas used by non-commercial fishers, especially closer to town. Any new management strategy must ensure better access to crayfish for customary and amateur fishers.

2. Reduce commercial effort that has collapsed the local fishery near Gisborne. Substantial commercial effort was displaced when Te Tapuwae o Rongokako marine reserve was established in 1999. This marine reserve spans 2450 hectares of coastline and is around 16 kilometres north of Gisborne. Near shore areas (within the 30 m depth contour) either side of the reserve should be closed to commercial rock lobster potting
3. Initiate research and consultation on what additional voluntary measures could be embraced to reduce fishing related mortality, to better look after the environment and to accelerate the rebuild.

Example of the location of the 30 m depth contour north of Gisborne.



This policy was developed by the Gisborne Tatapouri Sports Fishing Club and in conjunction with the New Zealand Sport Fishing Council. This policy was ratified and adopted by the NZSFC at the Council's Annual General Meeting on 27th September 2014.

Appendix Two



NZ RECREATIONAL FISHING COUNCIL

P.O. Box 276
Motueka

Phone	03 5287511
Cell Phone	021 1193295
Email	NZRFC@kinect.co.nz
Web Site	www.recfish.co.nz

21 February 2014

NEW ZEALAND RECREATIONAL FISHING COUNCIL

Submission on Review of Rock Lobster Sustainability Measures For April 2014

Inshore Fisheries Management
Ministry for Primary Industries
PO Box 2526
Wellington 6011
FMsubmissions@mpi.govt.nz

The Council and its Representation

1: The national organisations represented by this body are N.Z. Angling & Casting Association, N.Z. Trailer Boat Federation, N.Z. Marine Transport Association, N.Z. Sports Industry Association and N.Z. Underwater Association. We also support the Ministry led and funded recreational forums of which many of these regional members are now members as individuals.

2: The Council maintains close contact with a number of Iwi representatives. While every effort has been made to consult we do not suggest that this submission is representative of their views.

3: This Council represents over 76,000 recreational and sustenance amateur fishers. In addition by default we represent the public interest in the fishery and those amateur fishers who are non-members. We say by default because we are the only constituted representative body that has been recognised by Government and the Courts of doing so.

4: Over one million people or by recent Ministry of Fisheries figures 20% of New Zealanders fish for sport or sustenance. This does not include those elderly or infirmed amateur fishers who can no longer actively participate in catching seafood for the table. The 1996 research to provide estimates of Recreational and Sustenance Harvest Estimates found that there are approx 1.35 million and increasing recreational and sustenance amateur fishers in New Zealand and therefore we effectively, through our associated member groups, and lack of any other democratically elected or statutory recognised group represent this number also.

5: The Council has been recognised in three court cases as representing the recreational and amateur fishers of New Zealand. The Council was attached to two of these cases without its prior knowledge and the court papers show it was ordered, "To represent the recreational fishing public of New Zealand". The first of these was the order of attachment to the High Court Action on the Manukau, Taiapure application. The second relates to the SNAI challenge of the Minister's decision that was heard by the High Court. The Council also holds "Approved Party Status" for consultations with the Ministry of Fisheries and is recognised by them and the Minister of Fisheries as a stakeholder group. In the third case this Council along with the NZ Big Game Fishing Council were the applicants in the recent Kahawai case.

6: The Council has a Board of democratically elected officers and members. The Council consults with its members and the public using various means. These include newsletters, both written and electronic, its web site and various press releases. In addition it consults through the various fishing media and meetings it holds and receives input through those forums.

7: This submission has been prepared and presented after consultation via email and our web site to our members and board members.

8: As previously stated, we are aware that many of our National Affiliates and Regional Members are submitting their own submissions and in most cases we have seen and support these submissions where they are not in direct conflict with this submissions intent or requested outcome.

9: In the submission we talk of both recreational and amateur fishers as these two descriptions are so intertwined. For sake of some clarity recreational fishers referred to are generally those who have an interest in supporting recreational fishing interests while amateur refers to all fishers who exercise their rights to fish under the amateur fishing regulations.

10: The NZRFC participates as fully as possible for a voluntary organisation in the annual management rounds and in addition we have made submissions on many of the recent Bills before Parliament relating to our marine systems.

11: NZRFC Submission on the Review of Rock Lobster Sustainability Measures for April 2014

Management Procedures (MP's)

The NZRFC has supported the use of MP's in the past and believes if they are applied in a fair and equitable manner good outcomes can be achieved. We are concerned about how they are now being used to lock in increased TACC's while at the same time reducing or limiting noncommercial allowances.

12: In CRA5 when it was proposed to tie the noncommercial allowance to CPUE the method was changed. In CRA3 and CRA7 other regulations are being fiddled to enhance commercial take while noncommercial take is strongly regulated.

13: The move to bring a MP into CRA2 is going to do the same thing with the MP doing its best to hold the TACC in spite of it being obvious noncommercial catch has been suffering for years because the TACC is too high.

14: No doubt we will also see a significant TACC increase in CRA9 once the MP is in place and noncommercial catches will decline as a result.

15: In general the principle of having better abundance is good, but where there is serious competition for catch from noncommercial, MP's are set to favor commercial.

16: New MPS.

The new MP in CRA2 has been designed to protect the commercial TACC at the expense of noncommercial. We will be surprised if abundance increases to allow noncommercial to catch the allowance within the TAC. This hasn't happened for years because abundance has been low because of a too high TACC. We know commercial interests struggle to accept the most recent noncommercial catch estimates and will ensure their TACC is protected. Rec representatives at the NRLMG table will simply be out voted at any time commercial want as the Customary reps seem to be more interested in protecting their commercial interests rather than those Customary fishers seeking a feed.

17: In CRA9 the new "allowances" set will favor commercial and with large numbers of large fish sitting in the water, CPUE will be driven through the roof resulting in vastly increased TACC's within a few years. Rec fishers will be negatively impacted upon when that happens. The rec allowance in CRA3 should be set at 50 tonnes otherwise the TACC will be allowed to increase too fast.

18: Proposed allowances in all fisheries.

It will make not one jot of difference what we write here as MPI has failed to collect decent data on rec fishing for years, has allowed excessive TACC's to persist, and neither them or their minister have paid any regard to past submissions on improving public access to or fisheries. Instead they support the retention of concessions for commercial when they can fish all day with hundreds of pots

against the draconian rules rec fishers have to put up with. Once again rec fishers at the NRLMG are ganged up on and virtually all proposals are quashed.

19: The MPs will generate what they generate and if noncommercial are lucky there will be a reasonable level of abundance in some fisheries.

20: CRA3 is showing increases in abundance because of the 10% rule. That will be reviewed this year and there is little doubt commercial will want it gone so they can take more. This of course while they still retain the concession enabling them to effectively remove the competition from some parts of the fishery.

21: CRA7 can only be described as a sick joke where most public fishers don't even bother. There has been more bullshit put about by commercial interests in this fishery than virtually any other. It is disgusting that a once 600 tonne per year fishery now musters about 50 tonne. Shame on you all.

22: The idea of a NRLMG is good but the whole process is flawed with MPI so easily being able to over-rule any recommendations that don't suit their commercial goals. There is also a total lack of balance between the opportunities of the various stakeholders to represent their respective groups. Commercial have the backing of a 400 million dollar industry and recreational have less than 50 thousand dollars to represent their interests in all fisheries combined, including finfish and shellfish. Successive versions of MPI and various Governments have done nothing to remedy this so it is no wonder groups like "Legasea" are being spawned.

23: In most instances rec fishers would be better to go fishing for the day rather than take part in such a lop-sided show.

24: The NZRFC submits that in all CRA fisheries the most conservative MP's are implemented and that when agreed abundance level is reached decent public allowances are set.

25: The public fishers of New Zealand care about the way the fisheries are managed. They want to see equity of allocation guiding management decisions MPI need to look at the way they engage the fishing public of this country. This needs to change from the present. The allocation discussion needs to take place. Then and only then can we look forward to a world leading sustainable fisheries management system.

26: We look forward to our concerns being addressed, especially those around consultation and allocation. We would like to be kept informed of any future developments. The NZRFC is always available to discuss this submission and fisheries management in general in more detail if needed.

Yours faithfully,

NEW ZEALAND RECREATIONAL FISHING COUNCIL

Sheryl Hart

Vice President

From: Bill Udy
Sent: Tuesday, 10 February 2015 11:56 a.m.
To: FMSubmissions
Subject: CRA5 submission

Kia ora

Ngāi Tahu Seafood has ownership of CRA5 ACE shares and having read and understood fully supports CRAMAC5 TACC submission.

Best regards

Bill Udy
Northern Area & Trading Manager



Ngāi Tahu Seafood Limited
6 Bolt Place / PO Box 3787
Christchurch, New Zealand
T: +64 3 358 2761
www.ngaitahuseafood.com

CAUTION: This email and any attachment(s) contains information that is both confidential and possibly legally privileged. No reader may make any use of its content unless that use is approved by Te Rūnanga o Ngāi Tahu and its subsidiary companies separately in writing. Any opinion, advice or information contained in this email and any attachment(s) is to be treated as interim and provisional only and for the strictly limited purpose of the recipient as communicated to us. Neither the recipient nor any other person should act upon it without our separate written authorization of reliance. If you have received this message in error, please notify us immediately and destroy this message.



24th February 2014

To the Ministry of Primary Industries
Fisheries management
PO BOX 2526
WELLINGTON

Tena Koutou

This is a late submission of our feedback on the proposals to review sustainability measures for selected fish stocks for the 2015-16 year, but we anticipate that you would still consider our input to the management of this taonga.

The following is the response of Ngāti Kuri te iwi whose whenua and marine interests extend from the entrance of the Maunga Tohoraha (Houhora harbour) to the west to Hukatere, north to Te Rerenga Wairua (Cape Reinga) east to Murimotu (North Cape) and south to the Maunga Tohoraha. Including Rangitahua (Kermadecs) and Manawatawhi (3 Kings) and all whenua and moana contained within that area.

Our cultural interests are within the CRA1 (AND CRA10) and we welcome the introduction of a total allowable catch and the introduction of non commercial allowances for CRA1.

Currently the TACC is 131.062t, and there will be new rules to include an allowable catch for customary 20t and 50t for recreational fishers. We also support an increase to Total Allowable catch based on the new management procedure. However, should the fishery or the (Bmsy) be jeopardised that there is a process in the management to reduce this TAC immediately.

We query "other mortality" 72t (25% - 26%) of the TAC, it seems high, or is there a reason for this percentage? are our mortalities really this high?

Thank you for the opportunity to have feedback to this review

No Reira

Kahuipani Petera (Miss)
For Ngāti Kuri Trust Board



Ngati Porou Seafoods Ltd

SUBMISSION

Review of Rock Lobster Sustainability Measures and Controls for 1 April 2015

Submission Compiled by: Ken Houkamau (Quota and Resource Manager – NPSL)
Date Completed: 17/02/2015

Foreword

This submission is presented on behalf of Ngati Porou Seafoods Limited, the commercial asset holding company established under the Maori Fisheries Act settlement process to receive and manage the quota assets allocated to Ngati Porou.

Ngati Porou Seafoods Limited reaffirms our commitment to effective fisheries management and sustainability which has been an intergenerational part of our core values and culture.

We are descendants of Tangaroa (God of the sea). The relationship is recorded in our history and in our lifestyles. From fishing in the Pacific, trapping crayfish in whanau allotted pools, travelling the Tasman trading goods gathered in Ngati Porou, to enforcing rahui for the conservation of our kapata kai by sheer force of mana. We are part of the sea and other fisheries, and they are part of us.

This philosophy is further embodied in our company vision statement and purpose for its existence;

**Me tieki i te moana me ona rawa, ka taea te whakahiato nga kai moana tokomaha rawa atu ma
Ngati Porou me ona hapu mo ake tonu atu.**

*'To manage, protect and enhance Ngati Porou's seafood resources and environment in a profitable
and sustainable manner for the future'*

The onset of colonial contact brought the Treaty of Waitangi and its guarantee of our rangatiratanga and other tikanga. They form the basis of the rights now metamorphosized into a bundle of assets allocated under the Maori Fisheries Act to Ngati Porou on agreement with the Crown.

In making this submission Ngati Porou Seafoods Limited, which (through our ultimate parent, Te Runanganui o Ngati Porou) represents more than 70,000 registered members as well Nga Hapu o Ngati Porou, indicates its strong desire to ensure our resources are managed in a responsible manner and agreements with the Crown as well as our tikanga are maintained and honoured.

We agree with the Minister of Fisheries statements pertaining to the importance of fisheries to New Zealand's economy, heritage, culture and national identity.

We also bring to the attention that Ngati Porou Seafoods Limited is a member of the Iwi Collective Partnership which is a collective of fourteen iwi across the North Island that have pooled their annual catch entitlement together, including Rock Lobster, to improve management decisions, returns, and opportunities within the fisheries sector.

Executive Summary

This submission is in response to the National Rock Lobster Management Group's Review of Rock Lobster Sustainability Measures for 1 April 2015.

It is presented on behalf of Ngati Porou Seafoods Limited (NPSL), the commercial asset holding company established under the Maori Fisheries Act settlement process to receive and manage the quota assets allocated to Ngati Porou.

NPSL support the following options in the CRA3 Rock Lobster fishery:

- **Support the use of a new management procedure** - This is used to guide TAC setting in the CRA 3 fishery for five years from the 2015-16 to 2019-20 fishing years
- **Support option CRA3_01 – Rule 4**
- **Use the new Rule 4 CRA 3 management procedure and retain the current CRA 3 TAC**

NPSL continues to support the use of a management procedure as we believe it delivers better outcomes in regard to stock sustainability and utilization than the traditional stock assessment approach.

NPSL believes Option CRA3_01 (Rule 4) is more dynamic and responsive and has the ability to set catch limits that reflect the current state of the fishery more accurately than option CRA3_02 (Rule 6).

Submission

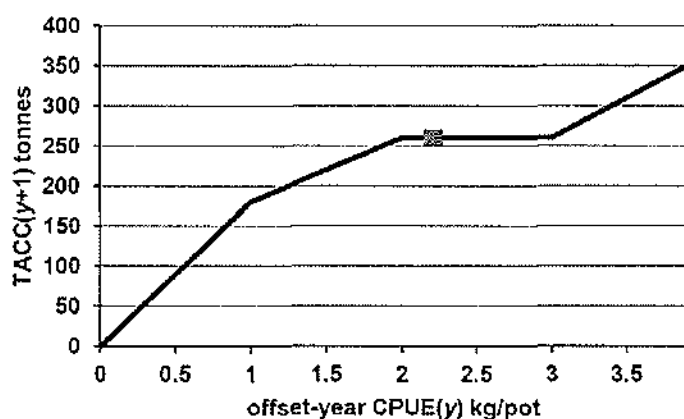
Ngati Porou Seafoods Limited (NPSL) welcomes the opportunity to write in response to the National Rock Lobster Management Group's (NRLMG) Review of Rock Lobster Sustainability Measures for 1 April 2015.

This submission focuses on the proposals discussed in the document on CRA3. These proposals are to:

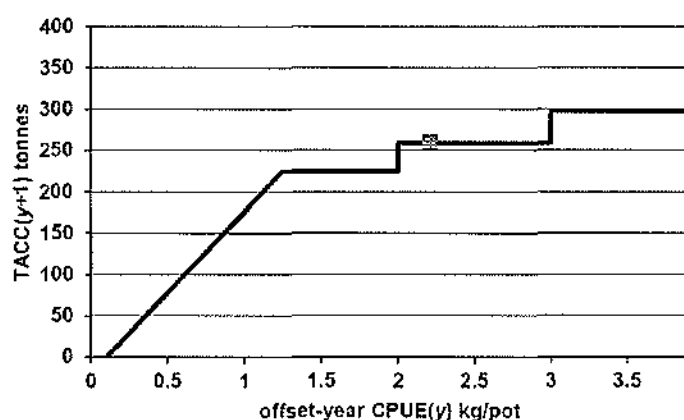
- a) Support the use of a new management procedure and use it to guide TAC and TACC setting in CRA3 for the 2015-16 to 2019-20 fishing years.
- b) Support one of the following two management procedure options;
 - i) Option CRA3_01 (Rule 4)
 - ii) Option CRA3_02 (Rule 6)

The Gisborne CRA3 multi-stakeholder Hui held on the 15th of July 2014 gave an opportunity for stakeholders to provide input to the new management approach for the CRA3 fishery. Common themes were identified at this meeting, i.e. stability and sustainability, which have guided the development of the new management procedure rules.

There are two new management procedure rules (rule 4 and 6) proposed to replace the current one that has expired, they are as follows



Rule 4 - The new Rule 4 CRA 3 management procedure, showing the TACC for the 2015-16 fishing year resulting from the rule evaluation performed in 2014



Rule 6 - The new Rule 6 CRA 3 management procedure, showing the TACC for the 2015-16 fishing year resulting from the rule evaluation performed in 2014

The proposed new Rule 4 CRA 3 management procedure is a non-standard rule. For Rule 4: the TACC is zero at a CPUE of zero, the TACC increases linearly with CPUE, reaching 180 tonnes at a CPUE of 1.0 kg/potlift. The TACC then increases linearly to reach 260 tonnes at a CPUE of 2.0 kg/potlift. The TACC remains at 260 tonnes until CPUE reaches 3.0 kg/potlift, after which the TACC increases linearly again with a slope of 100 tonnes per 1 kg/potlift.

The proposed new Rule 6 CRA 3 management procedure is a generalised plateau step rule. For Rule 6: between CPUEs of zero and 0.1 kg/potlift the TACC is zero, the TACC increases linearly with CPUE to 225 tonnes at a CPUE of 1.25 kg/potlift. The TACC remains at 225 tonnes until CPUE reaches 2.0 kg/potlift and then increases by 15% in CPUE steps of 1.0 kg/potlift¹.

Both proposed management procedures are not expected to pose a risk to stock sustainability.

Proposed Management Procedure

NPSL supports local area management initiatives and developing long term sustainable fisheries using the best fisheries management tools and data collection available. As stated in previous submissions, NPSL believes management procedures deliver better outcomes in regard to stock sustainability and utilization than the traditional stock assessment approach. The recent success of the CRA3 fishery can be in part, attributed to the current procedure and the timely availability and use of current data.

Both Option CRA3_01 (Rule 4) and Option CRA3_02 (Rule 6) have been tested and both will result in the desired outcome of maintaining stock abundance above the statutory reference level *B_{msy}*. The models produce similar outputs but the potential frequency of TACC change for Rule 6 is slightly less.

NPSL think both options provide the appropriate means to manage the fishery but believe Option CRA3_01 (Rule 4) is more dynamic and responsive and has the ability to set catch limits that reflect the current state of the fishery more accurately than option CRA3_02 (Rule 6).

History suggests, CRA3 stock abundance can be variable due to a range of biotic and abiotic factors. Therefore accurate setting of the TAC that reflects the current fishery is essential in balancing stock sustainability with utilization benefits for all stakeholders.

NPSL Position

- Support the use of a new management procedure and use it to guide TAC and TACC setting in CRA3 for the 2015-16 to 2019-20 fishing years.
- Support using Option CRA3_01 – using (Rule 4)

¹ National Rock Lobster Management Group (2015). Review of Rock Lobster Sustainability Measures for 1 April 2015 Pg38

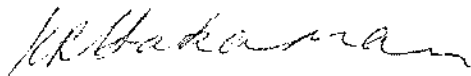
2015-16 TAC Setting

NPSL Position

- NPSL support using the Rule 4 management procedure to guide CRA3 TAC setting

That is to retain the TAC at 389.95 tonnes, retain the customary allowance at 20 tonnes, retain the recreational allowance at 20 tonnes, retain other mortality at 89 tonnes, and retain the TACC at 260.95 tonnes.

Noho ora mai koe



Kenneth Houkamau
Ngati Porou Seafoods Ltd
Quota and Resources Manager

47-53 The Esplanade, Gisborne 4010
P O Box 1296, Gisborne 4040
T: 06 868 1644 F: 06 868 1639

E: KHoukamau@npsl.co.nz

From: Eddie Watts
Sent: Saturday, 7 February 2015 11:38 a.m.
To: FMSubmissions
Subject: Review Rock Lobster Sustainability Measures Cra1

Ngati Whatua Fisheries would like to support option CRA1 -02 . Having fished in Cra1 for 10 years commercially I believe that there is the problem of CPUE data showing a imbalance in CRA1 fishery with regards to the northern areas of CRA1 to the southern boundaries . My concern is if this CPUE data is taken across the board of CRA1 there obviously would have to be a management tool in there to counter this

Regards Eddie Watts Ngati Whatua Fisheries

From: Paul Reinke
Sent: Friday, 13 February 2015 12:38 p.m.
To: FMSubmissions
Subject: CRAMAC 5 TACC submission

Hi, my wife and I are quota shareholders and ACE harvesters and we along with our son (crew member) and brother in law (skipper) support CRAMAC 5 submission on the TACC submission.

Cheers Paul & Fay Reinke

From: rob bolland
Sent: Monday, 2 February 2015 4:57 p.m.
To: FMSubmissions
Subject: Crayfish numbers in corromandle

Hi

I am a recreational diver that dives mainly around the corromandle area over the summer months, I have noticed fewer and fewer cray especially this year and an ever increasing number of pots, they are everywhere..

Hopefully the size limit for the commercial guys could be increased a bit to give them a chance to breed..

My opinion is the commercial size limit is disgusting and needs to be looked at as well as the volume there taking compared to rec guys.

Perhaps look at pot free areas around popular holiday areas aswell.

Cheers

Rob Bolland

From: Ryan Datson
Sent: Tuesday, 3 February 2015 8:39 a.m.
To: FMSubmissions
Subject: Crayfish proposed limits

To Mr Guy,

I am appalled at the incredibly short timeline your ministry has provided for feedback on the proposal against the crayfishing limits. 18 days cannot be seen by anyone as a reasonable period of time to respond and collate a broad range of views on this issue and can only be seen as an attempt to slip under the public radar, with more unsustainably high commercial quotas that will not only further decimate our crayfish stocks here in NZ, but sell them offshore to other nations.

This has gone on too long, and needs to change!! You have the power to do this!! Recreational fishers have always been hit the worst when it comes to quota setting, and this must change!! We contribute such a miniscule percentage of the catch, yet we are the ones who should have the predominant rights over fishing and catching in our OWN waters!! We are average kiwis just trying to do what we have done for generations! There is absolutely no evidence that anyone could provide that this industry is "doing fine" or being managed sustainably. I challenge you to personally visit any fishing club or boat ramp and ask for yourself. I'm sure you have a heavy involvement with the commercial sector, and would no doubt hear their side, but I implore you to form your own opinion fairly! There is not a recreational Kiwi in the country that will tell you that the crayfish stocks are doing well! They have been stripped!!

I myself have been diving for about 15 years. Even in my time diving I have noticed a sharp decline in cray stocks, in both Northland and Coromandel. (I live in Auckland but there is no cray stocks to even speak of there! To give you an idea, I have done over 600 dives in my time (not all of them were for crayfish), and in ALL of these dives, only ONCE have I EVER reached my recreational limit of 6. I do not and would not always take 6 given the opportunity, as I feel VERY strongly about the sustainability of this pastime. I would be MORE than happy, to have the recreational limit reduced by 50% if the commercial quota did the same.

As the minister of fisheries, your responsibility is to manage the fisheries stocks sustainably, for the best of the NATION's interest. Not the interest of other nations. Nor should you consider the opinions and desires of a small greedy few who are in the commercial sector. Their views will ALWAYS be biased, and should be given no more weighting than any other New Zealander who wishes to be able to provide a crayfish for the table.

You have the power to make a really positive change here, and a change that may be challenged by hundreds, but will be feverishly welcomed by tens of thousands...

Reduce the commercial crayfish limits substantially.

Regards

Ryan Datson

From: Sam Millar
Sent: Wednesday, 4 February 2015 7:57 p.m.
To: FMSubmissions
Subject: Crayfish Management Proposals

Hi,

I am an avid long-time snorkeler and advocate for conservation of all marine resources within New Zealand. I currently live in Christchurch which boasts ever-dwindling resources of crayfish around Banks Peninsula and the Kaikoura region. Around Banks Peninsula, tanks are usually required to get any crayfish and it is extremely rare for anyone to reach their full quota (even with tanks). Kaikoura crays are growing sparser and are extremely small. Even in the few years I have been diving, stocks have plummeted. Talking with people who remember stories of the "old days" is always a sad conversation.

When Kaikoura had its Fisheries laws overhauled in October, I thought for sure that much would change for the region. I was disappointed to see the crayfish quota remain at 6.

Any reductions in recreation and commercial catch limits, increases in minimum sizes and the addition of more marine reserves would be a huge step forward for the country. Banks peninsula especially is in need of a marine reserve close to Christchurch since the sanctuary at Flea Bay has minimal effect on any popular diving locations nearby. I have often thought Sumner to Taylors mistake seems like the obvious choice for a marine reserve to encourage immediate sea-life increases.

Please consider my opinions of placing tighter restrictions on crayfish and other sea-life

Regards,

Sam Millar

Christchurch

From:
Sent: Tuesday, 3 February 2015 12:24 a.m.
To: FMSubmissions
Subject: Crayfish Depletion Great Barrier Island

Follow Up Flag: Follow up
Flag Status: Completed

The commercial Cray fisherman are Hammering the coasts of our Island with more and more venom.
Now setting their pots in the " Locals " spots with out a care.

Steve

Sent from my iPad

From: Stu Shaw
Sent: Monday, 2 February 2015 7:10 a.m.
To: FMSubmissions
Subject: Crayfish review

To whom it may concern,

As a Northland recreational fisherman and diver I respectfully request that there be NO increase in the allowable commercial catch of crayfish throughout New Zealand but particularly in CRA1.

Thank you

Stu Shaw

From: Ted Howard
Sent: Tuesday, 17 February 2015 4:36 p.m.
To: FMSubmissions
Subject: Review of Rock Lobster Sustainability Measures for 1 April 2015

Inshore Fisheries Management Team - MPI

This is a submission that I have not consulted widely about, in part due to recent events in my life, including the recent death of my brother.

I attended the Crayfish Science Working group in Wellington on the 17th November 2014, and was struck by several features.

1/ No information was presented from the models that was in a form generally accessible to recreational fishers. There were no graphs of abundance vs size or abundance vs age. Without such information it is hard for any ordinary recreational fisher to make a meaningful assessment of model output.

2/ With respect to CRA3, the model was unable to localise to historical data. The only possible reason for that in one sense is that the reality of the situation must have been outside the constraints imposed by MPI on the model.

The model is capable of dealing with multiple areas, but was not allowed to.

The model is capable of dealing with death rates that are sensitive to exploitation rates - and limits put in place prevented that from happening.

The situation around Gisborne city is extreme in times of low abundance. Debbie Freeman's thesis data makes that abundantly clear - inconveniently so it appears.

Given the inability of the model in CRA3 to localise to historical data, there can be no confidence with respect to any data from the model.

There are no reliable ground in science or statistics for any of the assertions published in this document.

It is the contention of the recreational fishing community that there is a severe local issue of over exploitation by commercial fishing that results in severe depletion and impact on the recreational experience, that is especially prominent during years of low recruitment.

We acknowledge that the situation is complex with many reasons why no one is interested in telling the whole truth, or dealing with the realities present, as it conflicts with their current dogma - not cabinet, not treasury, not the Department of Conservation, not MPI.

This situation is intolerable to the recreational fishing community.

We have tried for many years to bring this to resolution within the system.

Addressing the document specifically:

7.1 CRA 3 STOCK STATUS make statements about the status of the stock that come from the outputs of the CRA3 model, but cannot be justified because the model could not be made to localise to historical data within the constraints supplied.

I strongly suspect that the model would get much closer to a fit if subdivided into the 3 stat areas of 909, 910, & 911.

I suspect one would also need to loosen the constraints on the variability in death rates with respect to abundance.

The scientific fact is that with the model being unable to localise to historical data, the model outputs are, in the statistical sense, little better than random noise.

Section 7.3 of the discussion document states that the concession is at the heart of the dispute. This is incorrect.

The concession makes a bad situation much worse.

The situation at the heart of the recreational issue is the intense concentration of commercial fishing activity, much of it displaced from the creation of the marine reserve to the north of town.

The intensity of the commercial pots close to Gisborne during times of low recruitment means that the situation is made even worse because growth rates are severely reduced and mortality rates increased due to stress induced from multiple recaptures in commercial pots (this is shown by analysis of Debbie Freeman's dataset).

During these periods of low abundance and slow growth (meaning two years or more of growth to get through the commercial concession) the presence of the concession effectively makes it a commercial only fishery, as less than 10% of the biomass of males make it through recreational size.

When abundance is high, and growth rates are high enough that recreational fishers get first hit at the fish that grow through the concession size range in the spring moult, the concession is not nearly as much of an issue.

The problem is basically one of too much commercial activity in a restricted area, leading to very high mortality and low growth during periods of low recruitment, and everyone suffers as a result, and the ones who suffer most are the recreational fishing public of Gisborne.

It is a case of removing an area from fishing, without removing effort, leading to collapse of nearby systems - not something that fits with the dogma of the conservation lobby (governmental or NGO), or treasury.

The QMS is too blunt an instrument to effectively address this issue (that fact does not sit well with MPI or treasury dogma).

And we all suffer, because such blatant disregard for justice leads to a general societal disrespect for all forms of authority. People can still be basically socially cooperative at the personal level, but this sort of blatant systemic injustice leads to a disrespect bordering on hatred for all forms of institutionalised authority.

These facts are demonstrable beyond any shadow of reasonable doubt.

And it is also a political reality that there are many ways to make inconvenient facts disappear, if individuals within the systems put their own short term interests over their personal integrity or the long term integrity of

the ecosystems.

Ted Howard
President - NZ Recreational Fishing Council
<http://www.recfish.co.nz>

President - Kaikoura Boating Club
<http://kaikouraboatingclub.org.nz/>
Club: PO. BOX 98, KAIKOURA

17 February 2015

TE OHU
KAIMOANA

MĀORI FISHERIES TRUST

To National Rock Lobster Management Group

Tena Koutou,

RE: NATIONAL ROCK LOBSTER MANAGEMENT GROUP PROPOSALS FOR THE 2015-16 ROCK LOBSTER FISHING YEAR

Introduction

This paper sets out the views of Te Ohu Kaimoana (Te Ohu) on the National Rock Lobster Management Group (NRLMG) proposals for the 2015-16 fishing year. In developing this submission we have made available our draft submission to Mandated Iwi Organisations and Iwi Asset Holding Companies, and we have taken on board the feedback received.

Proposals

The NRLMG proposes options for CRA1, CRA3, CRA5, CRA7, and CRA9. We have provided a summary of the proposals in Table 1 below.

Table 1. Summary of proposals for 2015-16 fishing year

Options	TAC	Custom	Recs	Other mortality	TACC
CRA1					
01. Use the new rule 8d and set following TAC, allowances and TACC	269.62t	10t	50t	72t	137.62t
02. Use the new rule 8d and set following TAC, allowances and TACC	279.62t	20t	50t	72t	137.62t
03. Use the new rule 9d and set following TAC, allowances and TACC	263.062t	10t	50t	72t	131.062t
04. Use the new rule 9d and set following TAC, allowances and TACC	273.062t	20t	50t	72t	131.062t
05. Retain the current CRA 1 TACC (no TAC or allowances have been previously set for CRA 1)	0	0	0	0	131.062t
CRA3					
01. Use the new Rule 4 CRA 3 management procedure and retain the TAC, allowances and TACC	389.95t	20t	20t	89t	260.95t
02. Use the new Rule 6 CRA 3 management procedure and retain the TAC, allowances and TACC	389.95t	20t	20t	89t	260.95t
CRA5					
01. Use the current CRA 5 management procedure and decrease the TAC and TACC	452.81t	40t	40t	37t	335.81t
02. Retain the current CRA 5 TAC, allowances and TACC	467t	40t	40t	37t	350t

CRA7					
01. Use the current CRA 7 management procedure and increase the TAC and TACC.	117.72t	10t	5t	5t	97.72t
02. Retain the current CRA 7 TAC, allowances and TACC	86t	10t	5t	5t	66t
CRA9					
01. Use the current CRA 9 management procedure and decrease the TAC and TACC	101t	20t	30t	5t	46t
02. Retain the current CRA 9 TAC, allowances and TACC	115.8t	20t	30t	5t	60.8t

TE OHU'S POSITION

Recommendations:

In relation to CRA1, we support option 04 to set the TAC at 273.062t, set a customary allowance of 20t, set a recreation allowance of 50t, set other mortality at 72t, and maintain the TACC at 131.062t.

In relation to CRA3 we support option 02 to retain the TAC at 389.95t, retain the customary allowance at 20t, retain the recreational allowance at 20t, retain other mortality at 89t, and retain the TACC at 260.95t.

In relation to CRA5, we support option 02 to retain the current TAC at 467t, retain the customary allowance at 40t, retain the recreation allowance at 40t, retain other mortality at 37t, and retain the TACC at 350t.

In relation to CRA7, we support option 01 to increase the TAC to 117.72t, retain the customary allowance at 10t, retain the recreational allowance at 5t, and increase the TACC from 66t to 97.72t.

In relation to CRA9, we support option 02 to retain the TAC at 115.8t, retain the customary allowance at 20t, retain the recreational allowance at 30t, retain other mortality at 5t, and retain the TACC at 60.8t.

COMMENTS

CRA1

We support option 04 to set the TAC at 273.062t, set a customary allowance of 20t, set a recreation allowance of 50t, set other mortality at 72t, and retain the TACC at 131.062t.

Background

This is the first time that CRA1 has been reviewed since 2002. It is also the first time a management procedure has been developed for CRA1, and that a TAC and non-commercial allowances have been proposed. Currently there is only a TACC of 131.062t.

There are two management procedure Rules proposed for CRA1 - Rule 8d and Rule 9d. The Rule selected will be in place for 5 years starting in the 2015-16 fishing season. The IPP states there are no major differences between the two Rule options, except that operation of Rule 8d results in an increase to the TACC from the current 131.062t to 137.62t, an increase of 6.558t. The other major difference which is not identified in the IPP is any increases in customary allowance is simply added on top of the TACC and other allowances. Rule 9d results in no proposed change to the TACC.

Rule Preferences

Te Ohu's preference is for Rule 9d because it provides marginally higher levels of stability and CPUE than for Rule 8d. However we would be equally comfortable with Rule 8d provided commercial fishers can reach an agreement on how any increases can be caught without causing any spatial or sustainability issues across all or some of the statistical areas in CRA1.

Non-commercial allowances

In regards to non-commercial allowances we support setting the 50t recreational allowance and a 20t customary allowance. Our support for the customary allowance is based upon the following key reasons:

1. The principles and methodology that have been applied by Te Ohu in estimating a customary allowance for CRA1 are exactly the same as those applied in last year's response to the NRLMG IPP on CRA9. We have also applied this approach in previous years.
2. Last year members of MPI, Industry, and Recreation endorsed our approach to the CRA9 customary allowance and described it as principled.
3. Best available information suggests a 20 tonne allowance is appropriate.
 - Iwi advocate a 20t customary allowance
 - There are 8 Iwi in the CRA1 quota management area
 - The CRA1 area has the highest Maori population of all quota management areas
 - There are 91 Marae in the CRA1 area
 - The Ministry of Primary Industries acknowledges in the IPP that they know very little about customary catch levels.

Other Mortalities

We fully support the NRLMG and FAWG view that the 72t allowance for other mortalities is too high and that MPI compliance is unable or unwilling to validate the information. Our sense is a 60t (60,000 x 1kg fish) estimate would still be too high. If MPI compliance continues to refuse to validate their 72t estimate we would encourage the NRLMG to adjust the estimate to something more realistic.

TACC

As indicated above, we support retaining the TACC at 131.062t.

CRA3

We support option 02 to set the TAC at 389.95t, retain the customary allowance at 20t, retain the recreational allowance at 20t, retain other mortality at 89t, and retain the TACC at 260.95t.

Background

The most recent rule for CRA3 has now expired and two new rules – rule4 and rule6 – are proposed. The NRLMG recommends that one of the two new management procedure options replaces the current CRA3 management procedure. Neither of the new management procedures pose any risk to sustainability.

There are no major differences between the new rule options, except that Rule6 reduces the frequency of an annual change in the TACC from above 60% to about 50% over a period of 20 years. Rule 4 results in more frequent changes to the TACC when CPUE is between 1 and 2kg/potlift, while Rule 6 retains the TACC at 225 tonnes between CPUEs of 1.25 and 2 kg/potlift

Our Preference for a Rule

In our view Rule6 is the better rule because it provides 10% more stability than for Rule4. We note that both of the new rules aim to reduce the risk of any substantial decreases in the future, as indicated in the 2014 stock assessment results. Continued application of the existing Rule is not supported because it does not take account of changes in recruitment like the other two options.

TAC

The application of Rule 6 produces a TAC equivalent to the existing TAC. We support a 260.95t TAC.

Non-commercial allowances

We support retaining the existing allowances.

Other Mortalities

As with CRA1, we have no confidence in the 89t setting for other mortalities (more than 1/3rd of the TACC). If MPI compliance continues to not validate their 89t estimate we would encourage the NRLMG to reduce it to a number that is more realistic.

If the estimate is true then we are concerned that MPI compliance continues to do nothing to address this problem which has existed since at least 2002. This can be interpreted as MPI endorsing illegal take.

TACC

We support a 260 .95t TACC.

Other Considerations

MPI has identified they are currently exploring different options for equality in the CRA3 fishery. MPI propose consulting with tangata whenua and stakeholders during 2015.

Te Ohu supports the proposed consultation but it should also include CRAMAC3 members in the process. Furthermore it is extremely important for MPI to ensure relevant facts are available to all participants in the process. We encourage Iwi commercial and non-commercial interests to engage in the process. Te Ohu will look to facilitate a meeting of CRA3 Iwi once the MPI consultation begins.

CRA5

We support option 02 to retain the current TAC at 467t, retain the customary allowance at 40t, retain the recreation allowance at 40t, retain other mortality at 37t, and retain the TACC at 350t.

Background

In 2014 there were no sustainability issues for CRA5 as the stock biomass was considered to be well above Bmsy, Bref, and Bmin. Since 2009 however there has been a decrease in CPUE but it remains at high levels.

A management procedure for CRA5 was approved by the Minister in 2012, therefore it is not necessary to select any rules. There are however two options for consideration following application of the current Rule.

Option 1 is to apply the current CRA5 management procedure and decrease the current TAC (467t to 452.81t) and TACC (350t to 335.8t). Option 2 is to retain the current CRA5 TAC (467t), allowances, and TACC (350t).

We note industry support for maintaining the TACC at 467t and reviewing the fishery in 2016 in conjunction with new stock assessment results. We also note the lack of a rule to require any TAC increases in CRA5 to be above 5%, as is required in all other QMAs, and MPI intentions to consult Iwi and stakeholders in relation to non-commercial allowances and the latest recreational catch estimates. Furthermore, retaining the TAC and allowances at the current settings will not cause any long term sustainability issues.

Our Position

We are prepared to support maintaining the status quo for the 2015-16 year based upon the reasons expressed in the above paragraph.

We also note the industry stance of not having taken a TACC increase for more than a decade when there were opportunities along the way to do so. It seems to us at least that industry is not

responsible for any imbalances in the TAC. When CRA5 was last reviewed the fishery was in a very good state with a lot of "fat" in the system. Now it's gone. We would like to know why?

Since the last CRA5 review there has also been a lot of discussion about the recreational catches and what they might be. We are concerned that recreational catches are increasing and exceeding the current allowance for recreation, or that we never had the estimate right to start with. The issue poses the question of how much of the TAC should non-commercial interests, particularly recreation, be allowed? Surely the QMS was not designed to completely erode commercial interests over time, or disincentive industry to continue participation in multi stakeholder approaches to management.

CRA7

We support option 01 to increase the TAC to 117.72t, retain the customary allowance at 10t, retain the recreational allowance at 5t, retain other mortality at 5t, and increase the TACC from 66t to 97.72t.

Background

The most recent CPUE information suggest the fishery is above B_{ref}, B_{msy} and B_{min} with reasonable probability. There has been a substantial increase in CPUE since 2012. The current TAC is 86t.

A management procedure has been in place since 2013 and will run until 2018-19. Application of the management procedure increases the TAC from 86t to 117.72t, and the TACC from 66t to 97.72t.

Our position

We support option 1 to increase the TAC and TACC and retain the non-commercial allowances.

CRA9

We support option 02 to retain the TAC at 115.8t, retain the customary allowance at 20t, retain the recreational allowance at 30t, retain other mortality at 5t, and retain the TACC at 60.8t.

Background

Application of the agreed management procedure has resulted in a decrease in the TACC. As with CRA5 we are extremely surprised with the result. Our expectation was there would be an increase in the TACC in the upcoming year. But the opposite has occurred and CPUE has gone from 3.2kg down to 2.095kg with a reduced TACC of 46t. This is an extremely disappointing result. It would be fair to say that all of the NRLMG members should be equally surprised with the result given that management procedures are not designed to get a TAC reduction in the first year of operation.

Our position

We support option 2 to retain the TAC and TACC, and to retain non-commercial allowances. We do not believe a cut in TAC and TACC is necessary. The 2013 assessment of CRA9 indicated there was a higher than 90% probability that stocks were above B_{msy}. From our perspective it is unlikely this figure will have changed given the minute foot print left behind by the 5 vessels that fished CRA9 last year. CRA9 is a huge area which starts half way down the South Island and extends to the Kaipara

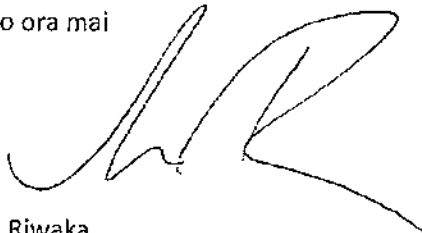
Harbour in the North Island. Furthermore, the feedback we have received from commercial fishers is there is a lot of fish in the water and many of the areas fished last season will not be fished this season.

Despite the above, we would like the NRLMG to undertake further work as to why the CPUE has declined, and provide more of the detail around the CPUE information. We are particularly interested in the grooming process and what information was actually used in the end to drive the management procedure. The other question we have is, did we ever have enough CPUE information to be able to accurately estimate a TAC?

There have been suggestions that recreational activity has increased in CRA9 over the last couple of years, and that management initiatives should be put in place if the current allowances do not reflect what is happening on the water. We would like to know what information is available to support the current recreational allowance and any potential increase.

Please feel free to contact the writer on any matters concerning this submission.

Noho ora mai

A handwritten signature in black ink, appearing to be 'AR' with a stylized flourish extending from the 'R'.

Alan Riwaka
Senior Fisheries Management Advisor

From: Tim Bulmer
Sent: Monday, 2 February 2015 8:36 p.m.
To: FMSubmissions
Subject: Crayfish quota submission

Hi there,

I am aware of the changes to the crayfish stocks 1, 3, 5, 7 and 9 and would like to question why the crayfish stock 2 is not seeing any changes. As a youth and now well experienced free diver, I almost only attempt to crayfish, both with pots and free diving gear in the crayfish stock 2 catchment. It has been incredibly difficult to find and catch legal sized crayfish in this area over the past 6 years since I have been able to regularly attempt. I have dived around the coromandel at least 20 times and have seen many under sized crayfish, but I am yet to catch a legal sized crayfish. I have dived and set pots around the coast at Tapuaetahi (North East of Kerikeri), set pots around Waiheke Island and set pots and dived around Great Barrier Island a few times.

I don't think that lack of experience is why I haven't seen many legal sized crayfish and crayfish pots are more impartial to experience.

I propose some restrictions about how close to the coast commercial crayfishing can occur to increase the ease of catching crayfish recreationally.

At Tapuaetahi, we went to a bay nearby which the locals said was laden with crayfish, but had recently had commercial fishermen in it. When I went for a dive, I spent an hour in the water and only managed to find one crayfish which was only marginally big enough to take.

I personally think that it is unfair that commercial crayfisherpeople who are the most able to access territory are allowed to fish some of the most easy to access territory for recreational fishermen. As recreational crayfishing can be completed without a vessel, they should be equally as able to catch an adequate amount of crayfish as they have an equal right to the fishery.

For a rough number, I believe the law should be changed so that commercial fishermen cannot catch crayfish within 500 metres of the true coast.

I hope this submission is not brushed off and I feel compelled to write this as the time taken for submissions is relatively short.

All the best for changing the fishery for a brighter future,

Kind Regards,

Tim Bulmer
Age: 20

From: Tyrone Mapp
Sent: Monday, 2 February 2015 8:55 a.m.
To: FMSubmissions
Subject: Crayfish Quota

Dear Sir / Madam,

I am a Citizen of New Zealand and want my children and their children and so on to enjoy the recreational fishing NZ has to offer. This includes diving or potting for crayfish anywhere on our coastline and being able to be successful at it.

I Vehemently oppose any increase to Quota and any rule change that favor's commercial interests. Our Crayfish market is almost entirely exported, therefore our heritage is being exported for the benefit of very few of our citizens and what is our birthright is effectively being given to overseas interests.

This is a voting matter and I will not vote for any Government that refuses to honor the heritage and Mana of the people of New Zealand in favor of corporations who couldn't care less about the people of New Zealand.

Regards

Tyrone Mapp (BCS)

---//-----\\---

From: v.hokianga
Sent: Tuesday, 10 February 2015 2:15 p.m.
To: FMSubmissions
Subject: Cramac 5 submmision

As a quota share holder, and a owner operator of a small family fishing business, we support Cramac 5 submission. We really do our best to grow the fishery, by having a responsible attitude.

Yours Sincerely V&C Fishing .