

Phil Appleyard
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
FMSubmission@mpi.govt.nz

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Gisborne Tatapouri Sports Fishing Club, NZ Sport Fishing Council submission on the review of the CRA 3 (Gisborne) rock lobster fishery

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1. RECOMMENDATIONS

1. The Minister improves the performance of the CRA3 fish stock by firstly addressing the sustainability concerns of non-commercial stakeholders, and agreeing to:
 - a. Remove the concession enabling the commercial harvest of crayfish smaller than the Minimum Legal Size.
 - b. Stop the use of Management Procedures based on Catch Per Unit of Effort (CPUE) controls; and
 - c. Initiate a full review of rock lobster management in Aotearoa.

2. INTRODUCTION

2. For some time the Gisborne Tatapouri Sports Fishing Club, the New Zealand Sport Fishing Council and supporters of our LegaSea outreach (the submitters) have been concerned that current rock lobster management and the National Rock Lobster Management Group (NRLMG) processes show little regard for the public’s interests, in environmental and fishing terms, and for our social, economic and cultural wellbeings. These interests and wellbeings are largely ignored or passed over with a cursory paragraph or two.

3. This sense of disengagement is amplified by the truncated submission periods offered to stakeholders by the Ministry for Primary Industries (MPI) and the NRLMG. It seems 18 working days is the norm. This timeframe does not allow for adequate consultation, particularly for NGOs such as ours that need to consult with a range of interests and volunteers.
4. This current process for CRA3 was notified on 27 September 2016 with submissions due by 21 October. Another 18-working day process. A public drop-in session was held in Gisborne on 5 October. This change of management approach is interesting in that it seems like a very poor attempt to isolate communities and limit feedback.
5. The Gisborne Tatapouri Sports Fishing Club has around 4300 members. The New Zealand Sport Fishing Council (NZSFC) has over 32,000 affiliated members. As affiliates of a national organisation, with a committed team of advocates and fisheries management specialists, we object to this bid to isolate our regional members, while also accepting the challenge to promote measures that will increase the abundance and availability of legal size crayfish in CRA3, for the benefit of the Gisborne and wider East Coast regional communities.
6. We remind the Ministry 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. Under current management we do not believe this statutory obligation can be or is being met in CRA3.
7. MPI has specifically asked for feedback on how the CRA3 rock lobster fishery is performing. In simple terms, the CRA3 fishery is performing poorly and MPI's performance is embarrassing given the inability of the Ministry to manage commercial fishing, effort, and the industry's dominance of the science and management processes. This influence is to the detriment of our long-term interests in the CRA3 fish stock.
8. 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 Dave Lockwood, secretary@nzsportfishing.org.nz.

3. SUBMISSION

9. MPI has specifically asked for feedback on how the CRA3 fishery is performing. In a word – poorly. This assessment is based on the fact that –
 - a. The Minister has set aside 20 tonnes as an annual allowance to provide for recreational fishing interests. Amateur fishers can collectively only harvest less than half that allowance, that is 8.07 tonnesⁱ. (NPS, 2011-12)
 - b. Recreational fishers have asked, for more than a decade, for the concession allowing commercial fishers to take crayfish smaller than the Minimum Legal Size to be removed, and yet it is still in place.
 - c. The CRA3 policy developed by the Gisborne Tatapouri Sports Fishing Club and NZSFC in 2014 has been ignored by MPIⁱⁱ.
 - d. The regional recreational fisheries forum advised MPI in a 2014 letter that, *“The FMA2/ FMA8 Forum has lost faith in the fisheries processes and policies and indeed in MPI themselves. We advise that we have a VOTE OF NO CONFIDENCE in MPI, in respect to their non-commercial and commercial fish stock management in FMA2 and FMA8”*ⁱⁱⁱ.
 - e. In February 2015 the Gisborne Tatapouri Sports Fishing Club submitted, *“In respect to the current rock lobster management the Board of the Gisborne Tatapouri Sports Fishing Club have a vote of no confidence in the current management plan for the CRA3 area and do not endorse”*^{iv}.

10. During this current process MPI highlight that the introduction of the concession in 1993 has reduced “*sector competition*” over the summer months. They go on to suggest that, “*Some recreational fishers are concerned that the male winter commercial size limit is affecting the availability of legal-sized rock lobsters over summer*”.
11. What MPI fail to advise is that the concession was introduced at a time when the TACC was reduced due to concerns about the viability of the CRA3 stock. The Minister reduced the TACC from 330.9 tonnes to 163.9 t from the 1993-94 fishing year. To mitigate the impact on commercial fishers the Minister introduced a “temporary” concession enabling commercial fishers to harvest crayfish 2mm smaller than the recreational Minimum Legal Size. This “temporary” concession is still in place and is the basis for a lot of accusations of mismanagement and bias towards commercial interests.

Table1: Crayfish harvest estimated by recreational fishers from the National Panel survey for 2011-12.

HARVEST BY FISHSTOCK							
QMA	Number of Fishers	Number of Events	Number Harvested	cv	Average Weight (kg)	Harvest (tonnes)	cv
CRA 1	32	90	29739	0.30	0.81	23.98	0.30
CRA 2	69	168	58455	0.24	0.70	40.86	0.24
CRA 3	26	47	13912	0.33	0.58	8.07	0.33
CRA 4	69	206	53847	0.17	0.82	44.17	0.17
CRA 5	44	143	49274	0.23	0.88	43.47	0.24
CRA 8	22	58	15534	0.30	1.16	17.96	0.30

12. The National Panel Survey 2011-12 estimates recreational harvest of crayfish in CRA3 as 8.07 t at an average of 580g, the lowest total harvest and lowest average weight per animal in the country. This is disgraceful given the historic abundance of rock lobster and prime habitat within CRA3.
13. It is clearly nonsense to consider that the Minister can lawfully manage CRA3 at an availability level that only enables the public access to 2% of the Total Allowable Catch (TAC). This is unreasonable when the tonnage set aside to allow for our recreational interests represents 5% of the TAC. And even more unreasonable when considering the low decile population and their inability to afford the retail price of crayfish.
14. The submitters acknowledge and appreciate the Ministry’s targeted enforcement effort to reduce illegal catch in recent years.
15. The Gisborne Tatapouri Sports Fishing Club and NZSFC policy is clear, the Minister must revoke the concession because in some areas close to town there are now very few female crayfish and few legal sized male crayfish at or above the Minimum Legal Size of 54mm available to recreational fishers.
16. We are also concerned that commercial fishers are reliant on concession fish. Concession fish has been earlier estimated at making up to 60 to 70 percent of landed commercial catch. We cannot verify this because MPI has not released any details on composition of landed catch. Over the past few years we have consistently asked for but not received any of the following information. We again request:
 - a. What percentage of crayfish below the national MLS are landed, per stock?
 - b. Where and when crayfish below the national MLS are being harvested, per stock?
 - c. What proportion of legal rock lobster catch is returned to the sea?
 - d. What is the trend in high grading over time in each rock lobster fishery?

17. As noted previously, we are not dealing in state secrets. Public demand for this data will increase as long as this information is withheld.
18. We submit it must be made mandatory for fish processors to record the number and weight of crayfish of concession size.
19. We are also concerned that the age structure of the crayfish population is atypical and fits a stock severely growth overfished. The southern stat area (911) holds a population more typical of a productive fishery and the difference between the areas has been dismissed as, “*The Mahia fishery behaves differently than the rest of CRA3*”. The difference seems to be less fishing effort and that commercial fishers “volunteer” to not harvest concession 52mm males.
20. There is a claim on one of the posters that “*Commercial catch sampling suggests there is a good size range of male and mature female rock lobsters across the fishery.*” The graph used to support this claim clearly shows this statement to be false. Over 90% of male crayfish have a tail width of 59 mm or less. There are very few mature female crayfish on the East Coast so most of the crayfish plotted on the right will have come from the Mahia fishery. Even so, there are almost no females over 70 cm tail width. When compared to other crayfish populations such as CRA 1 it is clear that CRA 3 has one of the poorest size ranges in the country (Figure 2).

Figure 1: The CRA 3 size distribution (tail width) from research catch sampling of commercial pots during the 2013 spring/summer.

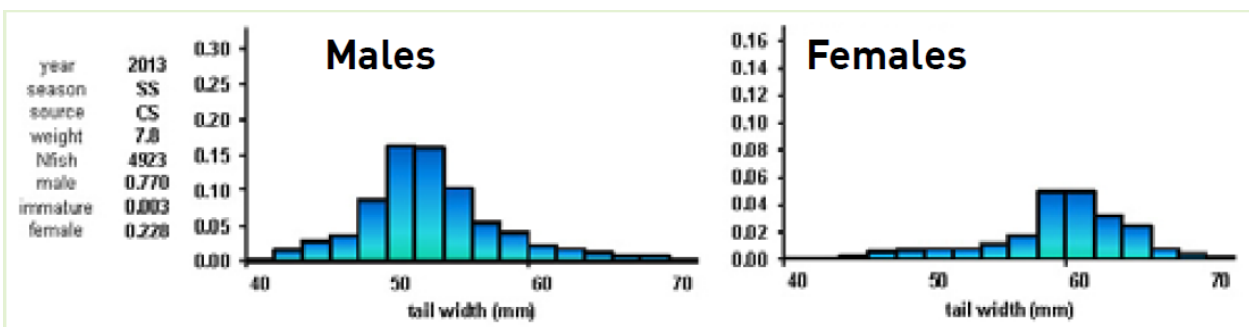
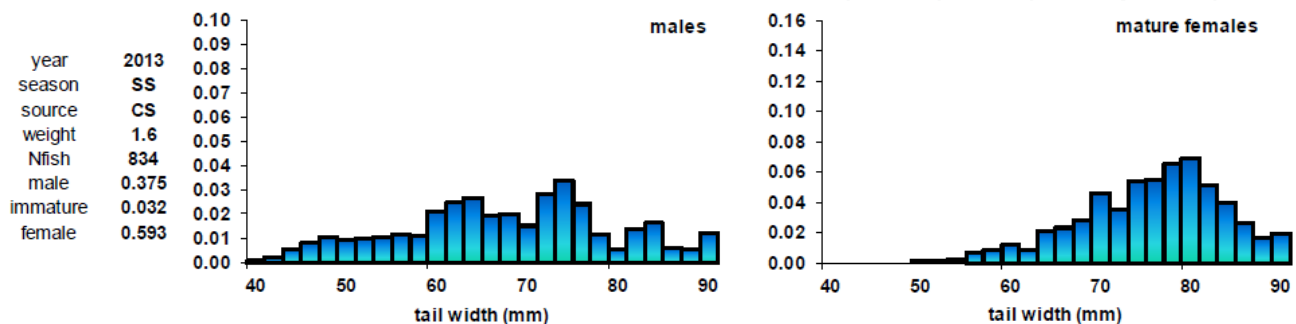


Figure 2: The CRA 1 (Northland) size distribution from research catch sampling of commercial pots during the 2013 spring/summer.



21. There is no doubt that the establishment of Te Tapuwae O Rongokako marine reserve has displaced commercial effort closer to Gisborne city where recreational interest in crayfish is high. This displacement proves the folly of implementing a marine reserve without applying an integrated management approach to reduce overall harvest and change attitudes and behaviours. It also highlights the inevitable conflict that would arise and has since eaten away at the Gisborne community, eroding

trust between sectors and the Ministry. It is time to heal that damage and a simple solution is to remove the concession so all interest groups can get together and work on a long-term plan for the CRA3 fishery.

Management procedures. CPUE

22. The New Zealand Sport Fishing Council has in numerous submissions raised concerns about the assumptions and risks of CPUE-based Management Procedures. Assuming that commercial Catch Per Unit of Effort (CPUE) is proportional to abundance comes with many risks. CPUE is the term for kilo caught or harvested per potlift. Commercial CPUE is often affected by operational changes, discard rates and market demands, but there is no consistent way that these changes are recorded or taken into account. <http://goo.gl/R4j73C>
23. 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.
24. 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 change their operation to ensure stable or increasing CPUE.
25. 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 2016 is not directly comparable to a potlift 10, 20 or 35 years ago.
26. 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.
27. To better 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.
28. 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.
29. 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, as has happened in CRA 2.
30. The rock lobster population is fished at different rates across its range. Areas close to home are often 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 area is exhausted another move is made, allowing stocks to be serially depleted without any apparent decline in CPUE to highlight changes in stock size.
31. 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.

32. In future, some form of electronic logging of location and catch by potlift would show the extent of shifting effort.

Current management

33. In 1992 the National Rock Lobster Management Group (NRLMG) was established as a statutory body with representatives from major stakeholder groups to provide advice to the Minister on managing the rock lobster fisheries. The New Zealand Recreational Fishing Council was nominated to provide a recreational view.
34. It is now time to review the NRLMG membership and process. A number of members have been there a long time and developed entrenched positions. It is not clear to us who the recreational members are representing as the New Zealand Recreational Fishing Council is no longer a functioning entity.

4. PREVIOUS SUBMISSIONS

35. The New Zealand Sport Fishing Council maintains an online record of our rock lobster submissions, Ministry proposals and the Ministers decisions -
- 2016 – Submission on the review of Rock Lobster [sustainably measures for 1 April 2016](#).
 - 2015 – Submission on the review of Rock Lobster [sustainably measures for 1 April 2015](#).
 - 2014 – GTSFC-NZSFC [Crayfish 3 \(CRA3\) management policy](#)
 - 2014 – Submission on the review of Rock Lobster [sustainability measures for 1 April 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](#).

ⁱ Wynne-Jones, J.; Gray, A.; Hill, L.; Heinemann, A. (2014). National Panel Survey of Marine Recreational Fishers 2011-12: Harvest Estimates.

ⁱⁱ Crayfish 3 Policy. Gisborne Tatapouri Sports Fishing Club. New Zealand Sport Fishing Council. July 2014.

ⁱⁱⁱ FMA2 FMA8 Forum no confidence in MPI FINAL. August 2014.

^{iv} Gisborne Tatapouri Sports Fishing Club submission on the review of Rock Lobster sustainability measures for 1 April 2015. 17 February 2015.