

Phil Appleyard  
President  
NZ Sport Fishing Council  
PO Box 207-012  
Hunua 2254  
[secretary@nzsportfishing.org.nz](mailto:secretary@nzsportfishing.org.nz)



Inshore Fisheries Management  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6011  
[FMSubmissions@mpi.govt.nz](mailto:FMSubmissions@mpi.govt.nz)

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## **NZ Sport Fishing Council submission on the review of controls for the Coromandel scallop fishery, for 1 April 2016**

### **Recommendations**

- The Minister exercise his statutory powers and obligations to prohibit the use of Victorian box dredges in the Coromandel scallop fishery due to their damaging effects on scallops, benthic communities and habitats that sustain other species.
- MPI provide information requested by the Council in 2012 and 2013, for electronic and hard copies of the data collected during the 2012 biomass survey, and copies of the CPUE-limit rule programme including details of the data collection, analysis and operation in the Coromandel Scallop fishery.
- That MPI work with stakeholders to develop an agreed management plan incorporating in-season controls and an annual public report outlining harvest strategies and commercial operations.
- MPI provide information on port price and export returns for Coromandel scallops.
- MPI invite New Zealand Sport Fishing Council representatives to the March 2016 workshop to discuss current assessment procedures and potential improvements.

### **NZ Sport Fishing Council - LEGASEA**

1. The New Zealand Sport Fishing Council and our outreach LegaSea (the submitters) appreciate the opportunity to submit on the review of controls for the Coromandel scallop fishery. The Ministry for Primary Industries (MPI) released their Discussion Paper on 14 January 2016 with submissions due by 11 February. Any changes will apply from 1 April 2016.
2. The New Zealand Sport Fishing Council (NZSFC) is a national sports organisation with over 32,000 affiliated members from 57 clubs nationwide. The Council has initiated LegaSea to generate widespread awareness and support for the need to restore abundance in our inshore marine environment. Also, to broaden NZSFC involvement in marine management advocacy, research, education and alignment on behalf of our members and LegaSea supporters. [www.legasea.co.nz](http://www.legasea.co.nz)
3. We are committed to ensuring that sustainability measures and environmental management controls are designed and implemented to achieve the Purpose and Principles of the Fisheries Act 1996, including “maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations...” [s8(2)(a) Fisheries Act 1996]

4. The submitters continue to object to the Ministry's tight consultation timetable, it seems 18 working days has become the norm. In our view this timeframe does not allow for adequate consultation, it is particularly offensive for non-commercial organisations such as ours that need to consult with a range of interests and volunteers. This is unacceptable consultation and, in our opinion most likely unlawful as per ss 12 and 13 of the Fisheries Act and as judged by the Court of Appeal<sup>1</sup>.
5. In an effort to alert people to this review process and better inform our members and supporters, the Council developed a document summarising the proposed change to the commercial catch limit in the Coromandel scallop fishery. That summary was distributed to clubs, other groups, and organisations aligned with LegaSea's Principles, encouraging feedback prior to development of this submission.
6. NZSFC 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.

### Coromandel scallops

7. Scallops mature at about 70mm shell length. In the Hauraki Gulf scallops can grow to 100mm in 18 months or less, elsewhere this can take 3 years or more. Scallops are very fertile and may spawn several times each year. Scallop populations can be highly variable from one year to the next; these variations can occur independent of fishing. The growth of scallops within the Coromandel fishery is variable among areas, years, seasons and depths. The maximum age for a scallop is thought to be about 6 or 7 years.

### Background

8. The New Zealand Sport Fishing Council has made earlier submissions on the mismanagement of the Coromandel scallop fishery. These are online at <http://goo.gl/AfKNKD>. The 2013 submission details our concerns. The current review demonstrates those concerns are still valid today.
9. In 2013 the Minister for Primary Industries increased the Total Allowable Catch (TAC) for Coromandel scallops from 47 to 131 tonnes (t). The Total Allowable Commercial Catch (TACC) was increased from 22 to 100 t meatweight. Commercial landings over the last 8 years have averaged 47 tonnes. Commercial landings in 2014/15 was 34 t.
10. Application of the Deemed Value Guidelines identified Coromandel scallops requiring a review this year. MPI has recommended no change to deemed value rate of \$37.00 per kilo of meatweight.

### Proposals

11. MPI consider the increased catch limit set in 2013 may not be supported by current information. The 2013 increase was based on the discovery of a large bed in the Hauraki Gulf, 2W. This bed was fished between 2011 and 2013, but has not been fished since 2013. Commercial fishers report the 2W bed no longer exists, repeating a pattern of discovery and destruction documented in historic reports. These accounts are supported by CPUE information collected by the fleet.
12. MPI proposals for Coromandel scallops -

**Table 1: Proposed Management Settings for SCACS**

Option	Total Allowable Catch (t)	Total Allowable Commercial Catch (t)	Allowances		
			Customary Māori (t)	Recreational	Other sources of fishing-related mortality
Option 1 (Status Quo)	131	100	10	10	11
Option 2	81	50	10	10	11

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

13. A biomass survey has not been undertaken since 2012 so it is not available to inform this review. MPI suggest the Minister use section 13(2A) of the Fisheries Act 1996 to set the TAC and TACC in the absence of biomass information.

## Submission

14. Current management is based on un-validated, industry-only supplied data that is kept from public view. The poor quality MPI proposal paper omits vital information, including a table of landings and details of s111 landings, where commercial fishers take scallops for recreational use.
15. Little consideration is given to importance of scallops in sustaining biodiversity and ecosystem function, and the impacts of exploitation on other species.
16. Poor regard is also given to the concerns of the Hauraki Gulf community and the issues raised in previous, comprehensive NZSFC submissions since 2007. <http://goo.gl/X8iZpW>
17. The NZSFC objects to the ongoing use of the Victorian box dredge that plows the seabed to the cost of benthic life. The results are the continued destruction of once-healthy scallop beds. A more environmentally responsible and modern response is to insist that scallops are selected on the seafloor in such a manner that enables sub-legal fish to escape without injury.
18. Continued destruction of scallop beds is a serious concern. The Hauraki Gulf Forum's *State of the Gulf* reports and other historic research identifies a time series of fished out and abandoned beds throughout the management area.
19. We submit the loss of the highly abundant 2W Hauraki Gulf bed in two seasons, between 2011 and 2013, signals serious benthic damage. The current Total Allowable Commercial Catch (TACC) was set on the assumption that this bed would be fished.
20. The last biomass survey was conducted in 2012. Questions have been raised about the utility of a stock assessment that applies across the Quota Management Area, from Leigh in the north to Motiti in the Bay of Plenty, with the added pressures of funding annual surveys for a short lived species.
21. There is a decision rule being used by the fishermen in Coromandel scallop fishery, referred to as the CPUE-limit rule. Since 2013 the Council has requested information about this rule, the Catch Per Unit of Effort (CPUE) scheme and data collected during the last abundance survey conducted in 2012. MPI has withheld this information.
22. The decision rule uses CPUE, the proportion of undersize scallops in the catch, and meatweight to greenweight recovery rates. Reporting is daily, and whenever one or more of these triggers are hit the bed is closed for the season.
23. We submit that there is merit in having the ability to monitor and react in-season. However, the decision rules and data trends need to be more transparent. We see considerable merit in providing real time public access to the data supported by an agreed stakeholder management plan. That plan would outline harvest strategies, target and reference levels applying in the fishery.
24. An annual public report would be a good start. To have credibility it would need to include details about the commercial operation and harvesting for that year, and the rules that apply during that season so there are no secrets as to where commercial catch is being harvested, and where stocks are low.
25. There is increasing public interest in the marine environment and growing concerns around the impacts of bulk harvesting methods such as dredging so New Zealanders must be given the opportunity to scrutinise how their natural, marine resources are being exploited.