



Office of Hon Phil Heatley

MP for Whangarei

Minister of Fisheries and Aquaculture

Minister of Housing

H0821

Dear Stakeholder

This letter outlines my decision on the in-season Total Allowable Catch (TAC) review for the Coromandel scallop fishery for the 2010-11 fishing year.

I have decided to increase the TAC for the fishery from 48 tonnes meat weight to 154 tonnes meat weight. The increase will take effect from the day following publication of the Gazette notice.

I have decided to allocate the TAC as follows:

- The allowance for Maori customary non-commercial fishing is increased from a baseline of 7.5 to 10 tonnes meat weight;
- The allowance for recreational fishing is increased from a baseline of 7.5 to 10 tonnes meat weight;
- The allowance for other sources of fishing related mortality is increased from a baseline of 11 to 34 tonnes meat weight; and
- The annual catchment entitlement (ACE) is increased from a baseline of 22 to 100 tonnes meat weight.

The 2010-11 fishing season concludes on 31 March 2011 and at this time the TAC and allowances will revert back to baseline levels.

In coming to my decision, I noted that:

- The current biomass estimate of scallops is 540 tonnes meat weight;
- The current annual yield (CAY) estimate is 172 tonnes meat weight;
- In developing this CAY estimate NIWA has already taken into account the other sources of fishing-related mortality. That is, there is additional biomass available in the surveyed bed above the CAY estimate to cover this allowance; and
- There is additional biomass outside the surveyed beds, in particular that within the areas where commercial scallop fishing is prohibited which is available to the non-commercial sector.

In making this decision, I have considered all relevant legislation, including the Fisheries Act 1996 and the Hauraki Gulf Marine Park Act 2000.

In allocating the TAC, I note the uncertainties surrounding the actual catch by both the Maori customary non-commercial sector and the recreational sector, and I note that the Ministry of Fisheries has processes in place to address these issues. The Fisheries Act 1996 obliges

me to make a decision on the best available information. It also requires that I do not use a lack of information as a reason for not making a decision.

I am persuaded that catch by both the Maori customary non-commercial sector and the recreational sector is likely to increase with increasing scallop abundance, and therefore I have provided modest increases to these allowances.

I note that the commercial sector sought an ACE allocation of 100 tonnes. The biomass estimate suggests that the fishery can support commercial catch at this level and I consider that the social, economic and cultural benefits of such an allocation are real and persuasive.

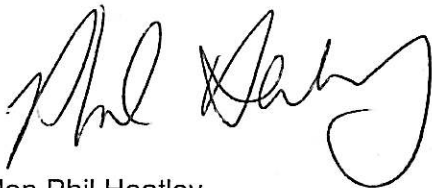
There was much discussion by the submitters about the other sources of fishing related mortality. Currently, the best information I have is that the estimate is 34% when fishing at the level of the CAY, and I have made an allowance for other sources of mortality based on this information.

A number of submitters also raised issues outside the scope of the in-season TAC review. I have noted these.

I thank you for participating in this year's in-season TAC review process. It is pleasing to see the continued care and interest of stakeholders in this fishery.

A copy of the Ministry's Final Advice Paper and my decision is available on the Ministry's website, www.fish.govt.nz.

Kind regards

A handwritten signature in black ink, appearing to read 'Phil Heatley', with a large, stylized flourish at the end.

Hon Phil Heatley
Minister of Fisheries and Aquaculture