



## N Z RECREATIONAL FISHING COUNCIL

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To: John Taunton-Clark

Ministry of Fisheries  
Auckland

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Re: Submission to IPP Coromandel Scallops for 2010

The New Zealand Recreational Fishing Council thanks you for the opportunity to have input on this years proposal.

I have already given a briefing on the history of these fisheries and their importance to the non-commercial fishing community. Clearly the Coromandel fishery has significantly more commercial exclusion zones than Northland. This has come about primarily through population numbers and utilisation demands and the fact that we have a differential MLS in the Coromandel fishery. It is also a result of historic past broken voluntary agreements between commercial fishers and the recreational fishing community.

Historically the recreational representation has been limited due to the fact that we are unable to gain a fiscal return from this fishery, which means our participation has been reliant predominantly on MFish advice. We have always maintained a strong participation in this fishery which pre dates the early involvement by commercial fishers in the late 60s and early 70's when the fishery was discovered and thought to have commercial viability. We thank you for your invited earlier opportunity to have input into this years IPP.

We note that both commercial and Maori commercial gain financially from this fishery and yet remain reluctant to contribute to wider research costs and dredge management.

We also note that this fishery remains essentially a boutique commercial fishery and as such has limited commercial viability when considered in the wider scheme of our national fisheries.

In saying this we must acknowledge that the intrinsic values held by the non commercial sector be they Maori, Pakeha or new - New Zealander puts the economic worth of good access to the public at a far greater value than the expected port price to fishermen. When we consider the commercial value of this fishery at less than one million dollars, one then must consider the risks associated by the continued draconian use of the adapted Victorian box dredge fishing methods on the marine environment and the true cost of this environmental damage when weighted against the commercial value received to the wider community. While this might seem to be a hearty annual comment the ongoing environmental impact concerns remain very real.

While we fully appreciate the low economic returns from this fishery to fishermen and that these commercial fishers claim they are mostly responsible in adopting a precautionary approach. We question this when they continue to seek around a 100 tonnes meat weight when they could only catch 33 tonnes last year. Is this a case we will go for the 100 and if we cannot catch it we will be seen as the good guys. Sorry! We in essence still place the responsibilities of ongoing associated juvenile mortality and dredge damage to the marine environment squarely with the commercial fishers and as such they have both a moral and legal obligation to improve there fishing behaviour and methods. We see their continued target of a 100 tonnes not in keeping with reality of what is happening in the fishery and must question the allowance made for incidental mortality as a result of contact with commercial dredges. To continue to accept a 50% mortality rate by commercial fishing methods in a shared fishery is in our view totally unacceptable.

We find the unavailability of robust data on amateur catch levels and the status of the recreational beds frustratingly unacceptable, but recognise that the status and those commercial exclusion areas adjacent to the commercial fishing areas must in part be of similar biomass. It is important that we recognise this fact as to do otherwise only leaves us open to challenge from the commercial scallop fishermen, especially at a time when we have been seeking to confirm our share in this fishery.

In saying this, we note that the latest recreational survey indicates a higher abundance in 2009 than previously in 2002. However we have no option but to rely on the commercial sampling for the wider fishery and those amateur only areas not surveyed separately and must assume that this official report and IPP is also a fair indication of the state of the commercial closed areas where we border the open fishery. We have studied the science from NIWA and share concerns that the biomass is showing uncertainty on top of the 30% drop last year on top of 30% the previous year. Until there is more certainty in the data collected we are not prepared to accept that the current estimate suggested “cessation to this trending decline.”

We note that the science suggests that the fishery within the amateur only areas is showing a rebuild in spite of the declining trends in areas fished by commercial. **It is this uncertainty in biomass trends that is of real concern.**

The science of what drives scallop recruitment in shoulder areas is poor. However, to assist we have requested that dive surveys are undertaken in the traditional recreational only areas to assist in making these stock assessments. This sadly has not been done this season.

We support the current pre-season assessment system and preseason baseline and we see no just reason to change this management approach.

The NZRFC believes that the "conservative baseline" approach is a good one, potentially avoiding a lot of unnecessary costs. However, in the absence of guiding knowledge or research, the onus is on the Ministry to be certain that the baseline remains and is indeed conservative. If it's not, Ministry is simply allowing unrestrained fishing in times of poor information. We believe the existing base line meets this requirement and the Ministers stated policy of managing key fisheries at above BMSY should be reflected in all TACC decisions in this fishery.

Equally, we are unsure of how much reliance the recreational areas or more formally the commercial exclusion or closed areas have on the deep-water beds for reseeded and spat fall. Given this, it is hard to know how commercial fishing one area affects other areas, especially if they are closely associated.

Scallop larvae spend quite a time in the plankton, and it's likely that some of the known commercial beds support recruitment for others including non commercial areas, though exactly which beds export larvae and which import spat might vary from year to year as feed, weather, and sea conditions vary. We note that one of the true costs of having a dredge fishery is the risk of clear paddock fishing and the destruction of benthic communities and habitat structures that enable spat to settle out.

Costs are always an immediate incentive (to have a high baseline and few surveys), whereas risks are always "down the track" and sometimes "nebulous" (like environmental risk). We think all users should have a realistic input into the level of risk-aversion in the management of their resource.

The NZRFC equally believes that local authorities have a responsibility to ensure that our marine environment and local shellfish stocks are not contaminated or destroyed by urban runoff. This requires enforcement of breaches and implementation of the Resource Management Act measures. We were recently disappointed to find out that MFish chose not to submit on the recent dredge dumping proposals in the Hauraki Gulf. Fortunately this Council and local community group submissions were strong enough to stop the pepper pot dumping and the associated risks to shellfish beds.

It would be precautionary to assume that all the beds are inter-linked to an extent. It is important that Mfish play an active role in protecting our marine environment from urban pollution and as such they should be a constant lobby force to local authorities and any RMA process effecting our coastal environment from land development.

Therefore it is essential to set a conservative TAC which allows for the best estimates of the current non-commercial harvest and then the allowance for incidental mortality including environmental impacts and fish thieves needs to be set at a level which allows for the worse case situation in harvest methods and illegal extractions, prior to setting the allowance for the TACC.

In saying this, the NZRFC recognises the past willingness of the commercial fishers to communicate with recreational fishers with a view to improve this fishery to a level where they can enjoy some stability away from the boom bust scenarios has waned. We support and encourage the opportunity to work closer with commercial fishers but note the same spirit of cooperation appears to now be lost as they have been reluctant of late to discuss these issues openly with the public sector. Opting instead to have closed meetings with the Ministry Staff, which in itself may leave the process open to challenge.

Any past support for their initiatives in the past trial spat fall enhancement program has been withdrawn as no more work appears to have been done on this project.

As representative of a prominent stakeholder in this fishery the NZRFC would be happy to discuss any fishery plan that might lead to better sustainable management in this fishery and as such we would expect to be consulted in a timely fashion in order that we can consult with our membership and the general public. Unfortunately our best endeavours to date in fostering fish plans has been met with mistrust and distain from the commercial sector. This is particularly reflective in this case.

The NZRFC supports the current management measures of the commercial exclusion zones, bag limits and open/closed seasons, as appropriate for non-commercial management and allocation in this fishery. But we would wish to revisit the recreational bag limits given the better information now available at some stage in the future.

The commercial dredge method continues to concern us, but it's hard to see a realistic alternative while there is no commitment or support from the commercial fishers. The management group did have a look at two other dredge designs many years ago under duress and we note to date that no further work has been done on dredge efficiencies or design by the commercial fishers.

We note that as a consequence to their dredge inefficiencies and the associated high incidental mortality of 50% to be totally unacceptable. *“Box dredges catch only about 50% of the scallops that they encounter and it is estimated that up to 50% of those not caught die”*. We believe this incidental mortality on scallops on the seafloor while purported to be sustainable remains totally unacceptable to the wider public and local Maori. Many non-commercial fishers continue to question how can this be?

Commercial Fishers in the past have been reluctant to spend money on dredge development and have had little encouragement to be a bit more proactive in seeking to better their individual dredge performance. Fishing "style" probably affects efficiency (and damage) as much as the dredge itself. Some people like to fish "hard and fast" and trade off efficiency on each square metre of ground against covering more ground. Others fish more slow and careful, making the opposite trade-off. In the end, what a fisherman sees is scallops on the tray per hour, not efficiency, nor how many other scallops have been killed. Thus, the "better fishermen" who catch more, may or may not, be doing most damage.

We see no reason why future independent research into commercial dredge design and efficiencies should be delayed any further. It will only lead to further efficiencies and increased operating profits. In saying this we recognise that until the Ministry adopts a hard line conservative approach there will be no incentive for the commercial fishers to revisit their archaic destructive dredge fishing methods.

In presenting this submission we are mindful that the public has shared in the pain of past mistakes in this fishery and its future rebuild. If we are to manage this fishery to the benefit of all stakeholders, it is important that we be seen to share the rewards fairly and not ignore the needs and aspirations of recreational or non-commercial fishers. We are mindful of the highly variable nature of this scallop fishery, but this should not be an excuse for procrastination. We also note that we have spent a long time with a bag limit of 20 through both boom and bust years while our southern fishers have enjoyed greater benefits.

We are however concerned that the Ministry advisors could be being seen to be agreeing with commercial adjustments as an easy out while not taking into account the wider impacts and non commercial concerns.

In making our submission on the annual TAC we confirm our support to maintain a precautionary approach to this fishery and this view is reflected in our conservative response by not seeking a bag limit increase this year. However we believe it is now time for the Ministry to consider such and prepare the necessary process to facilitate such. We also believe that the amount allowed for non commercial take is an underestimate and question why this estimate has not been improved upon.

**Accordingly, the NZRFC submits the following;**

Given the nature of this fishery and while it is essentially the same biomass it is important for us that this fishery continue to be managed with a conservative approach and at above BMSY. Therefore given that the survey has indicated an uncertainty in the biomass we would expect this to be reflective in this years consideration for commercial allocation. We remain cautious with the broad aspects of the CAY approach.

We recognise that the industry have asked for 100 meat weight (MW). Given that they were through cost of catching and the low CPUE they failed to catch this amount and as such question what's changed. While we recognise that they could have been bloody minded and continued fishing during poor catches along with the added damage to the beds, we equally recognise the responsible approach of some fishers in exercising restraint. In saying this we do not believe this to be a conservative enough reduction at a time when we are faced with many variables. If we were to look at the now 60% reduction in two years and uncertainty this year, in keeping with the biomass drop the commercial allowance should equate to the same reduction in MW tonnes to maintain the conservative approach in the true sense of what is happening in the commercial scallop beds.

Likewise the ongoing unacceptable high level of incidental mortality continues unabated with no consideration to reduce this amount.

In regards to the recreational allocation we believe that 10 tonnes respectively for recreational and customary is light. While 20 tonnes collectively for non commercial might be close it is really semantics as we catch what we catch. Therefore it is important that we make a realistic allowance and the starting point for recreational should be around 20 to 25 tonnes. It should be recognised that the amateur sector will by effort alone be taking more than customary fishers. Equally what we do not catch gets to stay in the water. On this note we understand that there is no restriction that prevents the Minister from managing a fishery at or above BMSY.

Historically the recreational catch is managed by bag and size limit but the largest managing constraint to allocation is CPEU. Good seasonal and climatic years we catch more and in poor years less. In this situation we believe there is still a degree of uncertainty in the non-commercial take and will leave it to you to make the allocation on best information, as it really does not matter. What does matter is that we maintain a strong biomass out in our wild fish stock most of which is in the commercially accessible areas to ensure good distribution and spat fall.

We note that the commercial fishers have done little research of any consequence to their dredge efficiencies and the associated high incidental mortality. We believe killing 50% of escapee scallops on the seafloor while purported to be sustainable remains unacceptable. We believe that until we see some commitment from the commercial fishers to address their environmental impacts and unacceptable high level of mortality they should be restricted to the maximum of the baseline of 22 MW tonnes.

Because the commercial fishers are now expecting to take nearly 5 times their base line allocation in a fishery we asked that the same percentage increase be made for recreational take and the bag limit is increased from 7.5 to 37.5 to reflect our work and support to the rebuild and management of this fishery. However we acknowledge that in ensuring utilisation that this includes conserving fish stocks. This being the case we would recommend a more conservative approach when setting this years commercial allocation that given commercial only caught 33 MW tonnes of last years ACE that we set this years allocation at the base line of 22 MW tonnes with a provision for a later mid season review to increase to 65 MW Tonnes, if the fishery is responding with an abundance of take-able scallops.

We also recommend an increase in the non-commercial allowances to 20 tonnes respectively.

By doing this we believe the Ministry is duty bound to adopt a more precautionary approach to that taken so far this year in this fishery. While we note the science given in support of the commercial claims. We are mindful that frequently we find ourselves reacting to the results of flawed science decisions and given the known variability of scallops we believe it is safer for the Minister to err on the side of caution.

We look forward to discussing this submission further with you if you are unclear on any aspect of its content.

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