

**PROPOSAL TO REVIEW THE TAC FOR THE COROMANDEL
SCALLOP FISHERY (SCACS) FOR THE 2007 FISHING SEASON**

SUBMISSION ON BEHALF OF NON-COMMERCIAL FISHERS

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Executive Summary

1. This document comprises the submission from the Hokianga Accord, the New Zealand Big Game Fishing Council Inc. (NZBGFC), the Tauranga Game Fishing Club, the Mt. Maunganui Sport Fishing Club and option4 (the submitters), organisations which promote the interests of non-commercial marine fishers in New Zealand. This submission includes comments on the latest Ministry of Fisheries (MFish) proposal and reiterates relevant statements from earlier submissions.
2. The submitters accept that the Coromandel scallop fishery (SCACS) that extends from Cape Rodney around Hauturu (Little Barrier) to Motiti in the Bay of Plenty is highly variable and acknowledges the need for caution when setting the TAC. We remind MFish and the Minister of Fisheries (the Minister) that the public regard scallops as kaimoana, it is not a sport fishery and people harvest scallops to feed their families.
3. We believe that the box dredge technology used to harvest scallops commercially is destructive and the impact of using this outdated technology is detrimental to the environment in reducing biodiversity, rebuild rates and productivity of areas in this fishery.
4. Because of this we are concerned that the sustainability purpose and environmental principles of the Fisheries Act 1996 (the Act) are not being met in the scallop fisheries and that there are no incentives for commercial fishers to change their fishing gear or methods, even in areas where abundance is low.
5. The baseline level for both customary Maori and recreational fishers should be increased from 7.5 to 15 tonne each per season based on the likely maximum harvest that would allow for these interests. This would mean that no annual adjustment was necessary for the non-commercial sector.
6. Commercial dredging should only be allowed in areas where there is sufficient scallop density and sustainable management of the environmental effect of fishing. This is particularly important where the commercial and amateur fisheries overlap. The competitive advantage that commercial fishers now have in these areas with a 90mm size limit and six-week head start on their season is huge.

Recommendations

7. The submitters recommend the following allocation and allowances should apply to the Coromandel scallop fishery for the 2007 fishing year:
 - TAC be set at 117 tonnes (t) meatweight.
 - The baseline level for customary Maori be set at 15 t
 - The baseline level for recreational fishers be set at 15 t
 - Levels for fishing related mortality be set at 22 t
 - The TACC remain at 22 t and additional ACE of 43 t be provided.
8. We reject both proposals to provide 86 t of additional ACE for the 2007 fishing year on the grounds of sustainability. However, if commercial dredging could be excluded from Waiheke, Waihi and Papamoa/Motiti a TACC of 90 tonnes could be supported by the amateur fishers we represent.

Introduction

9. MFish has invited stakeholders to provide submissions on the proposal for an in-season TAC increase for the Coromandel scallop fishery (SCACS) for the 2007 fishing year. Submissions are due by 23rd July 2007.
10. MFish has proposed two management options based on information about scallop abundance in SCACS obtained during the current fishing year. Those options are to increase the total allowable catch (TAC) to either 165 t meatweight or 160 t.
11. At the end of the 2007 scallop fishing season MFish propose the TAC reverts to 48 t.

Table 1: Current and proposed total allowable catch and allowances for Coromandel scallops (tonnes meatweight).

	Total allowable catch (TAC)	Recreational allowance	Customary allowance	Allowance for other mortality	Total allowable commercial catch (TACC)
Current levels	48	7.5	7.5	11	22
MFish option 1	165	10	10	37	108
MFish option 2	160	7.5	7.5	37	108
Our submission	117	15	15	22	65

Background

12. Coromandel scallops (SCACS) were introduced into the quota management system (QMS) in 2002 and are managed under section 13(7) of the Act. This and other scallop stocks were added to the Second Schedule because scallop population can fluctuate markedly between seasons. Second Schedule and s13(7) provisions entitle the Minister to increase the catch limits within a fishing season if the pre-season survey shows an increase in abundance.
13. The main commercial scallop areas have been surveyed annually for 29 years to help monitor the productivity of these stocks.
14. In the 1970s and 1980s scallop fishermen with their extremely destructive dredges kept finding new areas to fish. As one area became decimated and productivity fell because of the damage caused by the dredges, the fishermen simply moved to another area. The real consequences to productivity only became apparent once all the areas that could possibly be dredged had been dredged.
15. The most obvious catch declines have occurred in the Hauraki, Barrier and Bay of Plenty scallop statistical (stat) fishing areas.
16. Concerns are also held for the long-term productivity of the 'Mercury' area, stat areas 2L and 2K, around Whitianga and Mercury Island. These areas have suffered the most intensive commercial fishing effort of all sub-areas within the Coromandel boundaries and local fishers have expressed concerns that they are having to travel further to access sufficient quality and numbers of scallops.

17. MFish note there is no current assessment of the entire SCACS stock on which to base a TAC.
18. We have noted that this years NIWA survey of commercial beds from Little Barrier to Motiti a number of estimates of current annual yield (CAY) for the SCACS stock. The most pessimistic is for a sustainable yield of just of 61 t in 2007. A more optimistic estimate of about 231 t meatweight for commercial areas is based on a number of assumptions including an average dredge efficiency for the survey of just 27%.
19. However, the 231 t estimate used by MFish includes the weight of scallops in large areas of low density (less than one scallop per 25 square meters) which may not be economic to fish commercially.
20. The 2007 survey of the SCACS beds estimates a 30 percent decrease in total scallop biomass, at the time of the survey, compared to the 2006 survey. The 2005 and 2006 surveys were high estimates when compared to the previous fifteen years. Estimates prior to 2004 were at least two thirds lower than those between 2005 and 2007.

Statutory Requirements

21. The purpose of the 1996 Fisheries Act is the foundation on which all fisheries management decisions made. That purpose is to provide for the utilisation of fisheries resources while ensuring sustainability.
22. Ensuring *sustainability* has two parts:
 - Maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations; and
 - Avoiding, remedying or mitigating any adverse effects of fishing on the aquatic environment.
23. *Utilisation* means conserving, using, enhancing and developing fisheries resources to enable people to provide for their social, economic and cultural wellbeing.
24. Supporting the Act's purpose are the environmental and information principles. Fishing has to be conducted in a manner that minimises the effects of that activity on the environment and other fisheries. Information principles enable the Minister to make management decisions in the absence of complete data. These principles have to be taken into account when fisheries management decisions are made.
25. All parts of the Act are connected and cannot be considered in isolation. They are interlinked and need to be applied together to achieve the purpose, which is sustainable utilisation *to enable people to provide for their social, economic and cultural wellbeing*.
26. Justice Rhys Harrison's ruling from the High Court judicial review of the Minister's 2004 and 2005 kahawai decisions (the Kahawai Legal Challenge) held that on a plain reading of section 8 of the Act, "***the bottom line is sustainability. That must be the Minister's ultimate objective. Without it, there will eventually be no utilisation***"¹.

¹ CIV-2005-404-44495 heard on 6, 7 and 9 November, and 11 December 2006, para. 17.

Sustainability

TAC

27. When deciding on the use of fisheries the Minister has to first decide on what the total allowable catch (TAC) will be in order to achieve the purpose and principles of the Act.
28. The submitters advocate for a conservative TAC of 117 t for the 2007 fishing year because of concerns for the long-term sustainability of key scallop beds in the SCACS fishery. The High Court confirmed this approach when it ruled that, “*the Minister must not allow current utilisation of a stock at a level which puts its future sustainability at risk. He is obliged to take the long view*”².
29. This TAC level would reflect the variable nature of the fishery and also encourage commercial fishers to only fish areas once per season, as discussed later in this submission. (paras 69-71)
30. Within the TAC the Minister has a statutory obligation to ‘allow for’ non-commercial interests, both customary and recreational, and also for an amount of fish that are killed during the process of fishing called other mortality.
31. MFish note there is no statutory obligation to make an adjustment to customary or recreational allowances when the TAC is varied under s13(7) of the Act. However, s68(1) requires the Minister to consider the provisions of s21.
32. While MFish may consider there is no statutory obligation to adjust the allowances, the law quite clearly states that *all* mortality must be accounted for, irrespective if that mortality is caused by, or in the process of, commercial, recreational or customary fishing.

Commercial Allocation and Allowances

33. The High Court has established that the purpose of the Act is sustainable utilisation *to enable people to provide for their social, economic and cultural wellbeing*. However the emphasis in the MFish SCACS proposals seems to be more on making provision for an in-season ACE (Annual Catch Entitlement) increase while not taking the issue of allowances that seriously.
34. This is an interesting approach given that the High Court judge’s decision clarified that it was open to the Minister to set the TACC at zero but not the allowance for recreational fishers. If non-commercial interests exist in a fishery then both customary and recreational interests *must be*³ provided for before a commercial catch limit is set.
35. We also note that Justice Harrison specifically noted in para 58 of his decision, “*When setting a TACC the statutory starting point is to identify and make an appropriate allowance for recreational interests by reference to the social, economic and cultural value of the resource to their wellbeing*”⁴.

² CIV-2005-404-44495 heard on 6, 7 and 9 November, and 11 December 2006, para. 44.

³ CIV-2005-404-44495 heard on 6, 7 and 9 November, and 11 December 2006, para. 24.

⁴ CIV-2005-404-44495 heard on 6, 7 and 9 November, and 11 December 2006, para. 58.

36. Therefore, setting the TAC is about sustainability whereas setting the TACC is about utilisation - the use of the fish available *after* non-commercial fishing interests and mortality have been taken into account and 'allowed for'.
37. The submitters recognise that this process is about creating additional ACE rather than setting or varying the TACC, however the same principles apply when s68(1) of the Act is taken into account.
38. The allowances of 7.5 t each for recreational and customary fishers were set in 2002 and based on the 1996 harvest estimate of recreational catch.
39. In 2005 the Minister agreed to two management changes that MFish agree has most "*likely to have improved recreational access to the Coromandel scallop fishery*". One of those measures now allow a diver to take a bag limit of scallops for up to two 'safety people' on board a vessel during diving. The other removed the ban prohibiting the 'shucking' of scallops at sea, in recognition that many people spend more time 'living aboard' their boats.
40. The Minister has to 'allow for' all mortality, and while the bag limits have not changed since 2005 the increased take due to these two management measures would undoubtedly have increased the mortality to the Coromandel scallop population. MFish admit in the Initial Position Paper (IPP) that "*recreational catch might still exceed the recreational allowance*"⁵. MFish and the Minister cannot pretend this mortality has not already occurred.
41. These management changes are likely to have an impact on the harvest level every year, hence the Minister must 'allow for' this take, as he is obliged to do.
42. Another factor is the change of harvesting season for recreational fishers. Having the season starting and finishing six weeks later means improved access to better conditioned scallops. Factor in the likelihood of more people making the most of daylight saving hours and harvesting scallops has to increase the overall scallop take.
43. The MFish proposal to either leave the recreational and customary allowances at 7.5 t or increase to 10 t until the end of the fishing year does not make logical sense when considered in light of the sustainability requirements of the Act.
44. The submitters propose an increase to the **baseline level** for both the customary and recreational allowances to 15 t. This is recognition that:
 - overall harvest would have increased since the 2005 management changes; and
 - the population with access to the SCACS area has increased markedly since the 1996 harvest survey
 - this would fulfil the Minister's statutory obligation to 'allow for' non-commercial fishing interests and all other mortality caused by fishing as per section 21(1)(a and b) of the Act; and

⁵ Ministry of Fisheries Initial Position Paper – Proposal to Review the TAC for the Coromandel Scallop Fishery (SCACS) for 2007, para 30.

- that this is likely to be the maximum level of harvest in any given fishing year.
45. Setting the baseline allowances at a high enough level so that it is seldom reached is a sound long-term management strategy. Non-commercial fishers could then exercise their judgement whether it was worth fishing hard in a particular season (and coming close to the allowance) or to expend their efforts elsewhere and leave the beds to rebuild.
 46. The policy of having baseline catch levels well above average catch is not new. The flounder 1 (FLA1) fishery is managed in a similar manner, whereby the TACC is set at a very high level. In 2005 the Ministry explained this management strategy as,

“The existing management of FLA1 relies on a TACC well above current catches, to provide flexibility for commercial fishers to take flatfish in larger numbers in years of high abundance”⁶.
 47. There is no logical reason why the same strategy cannot be applied to the allowances for the non-commercial sector in the Coromandel scallop fishery.
 48. Another advantage for both MFish and the Minister if the recreational and customary baseline level were increased to 15 t is that there would be no annual adjustment necessary for the non-commercial sector, thus making future in-season scallop review processes much simpler.
 49. If it is not possible to adjust the baseline non-commercial allowance during this process then we request that this measure be included for Coromandel and Northland (SCA1) in the next sustainability round.

Customary allowances

50. As previously mentioned, the Minister has a statutory obligation to ‘allow for’ Maori customary non-commercial fishing interests. The only true way to ‘allow for’ those interests is to have sufficient scallops (tipa) in the water available to be caught.
51. Traditional access to the quantity and quality of scallops by tangata whenua has diminished over time. This is due to a combination of factors including the commercial use of outdated box dredge technology reducing the ecological biodiversity and productivity of the scallop fishery.
52. Section 12 of the Act requires that the Minister provides for the “input and participation” of tangata whenua having a non-commercial interest in the stock concerned, the effects of fishing on the aquatic environment and to ***have particular regard to kaitiakitanga.***
53. The submitters do not accept that allowing the deployment of Victorian box dredges within SCACS meets the Minister’s statutory obligations, takes into account and ‘allows for’ Maori’s non-commercial fishing and environmental interests or has any regard for kaitiakitanga.

⁶ Executive summary, FLA1 Final Advice Paper, Ministry of Fisheries 2005, page 185.

54. Merely stating that there is “no quantitative information on the level of customary take of SCACS is available,” does not meet the purpose of the Act nor does it comply with another statement from the recent High Court ruling which says in part, “there is no evidence that either MFish or the Minister followed the necessary process of evaluating or taking account of both the quantitative and qualitative elements of people’s wellbeing when setting the TACCs and allowances”⁷.
55. The submitters strongly advise MFish to resource tangata whenua in a manner that enables them to exercise their traditional tikanga and to assist them in providing meaningful “input and participation” into fisheries management processes such as the in-season scallop reviews.
56. While it accepted that much of the harvesting by tangata whenua is exercised under the ‘recreational’ fishing right the Minister, through MFish, still has an obligation to ‘allow for’ customary use of the SCACS fishery by ensuring those fish are there when required by tangata whenua.

Other mortality allowance

57. It is still a major concern to non-commercial fishers that the mortality associated with commercial scallop fishing is estimated to be 34.4% of the catch level. This is an unacceptably high level of fishing related mortality.
58. The submitters note the current mortality rate is set at 11 tonnes when the TACC is set at 22 t. This is a 50% mortality rate at baseline levels.
59. MFish propose to increase the mortality allowance to 37 t meatweight if the TAC is increased to their proposed 160 or 165 t. It would be logical to assume that mortality is proportional to fishing effort.
60. The submitters request an explanation from MFish as to why they propose to ‘allow for’ different mortality rates.
61. The submitters acknowledge and accept that incidental mortality from recreational dredging is likely to be minor. We also note that the predominant harvesting method by non-commercial fishers in SCACS is diving as opposed to dredging.

Environmental Impacts

62. There obviously needs to be recognition of the adverse effect on benthic communities in the management of this fishery. The submitters believe the environmental principles of the Fisheries Act 1996 are not being met under the current management strategy and the Minister needs to instruct the Ministry of Fisheries to take measures to address the environmental issues.
63. Section 8 (1) states,

“The purpose of this Act is to provide for the utilisation of fisheries resources while ensuring sustainability. (2) In this Act – Ensuring sustainability means - (b) Avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment:”

⁷ CIV-2005-404-44495 heard on 6, 7 and 9 November, and 11 December 2006, para. 62.

64. It is our belief it is the incessant use of heavy Victorian dredges in some areas has changed the environment. We also believe that the reason why we have experienced some strange diseases/intruders infesting the scallops, such as black gill disease and tubeworms, is due to destructive commercial dredging directly impacting on the environment and quickly spreading these problems through the beds.
65. Section 9 of the Fisheries Act 1996 refers to the environmental principles that need to be taken into account:
- “All persons exercising or performing functions, duties, or powers under this Act, in relation to the utilisation of fisheries resources or ensuring sustainability, shall take into account the following environmental principles:
- a. Associated or dependent species should be maintained above a level that ensures their long-term viability:
 - b. Biological diversity of the aquatic environment should be maintained:
 - c. Habitat of particular significance for fisheries management should be protected.”
66. While there is natural variability in most scallop populations driven by variable recruitment, we believe that heavy dredging on beds with low density only makes the situation worse and delays recovery.

Minimum Standards

67. There should be minimum standards that need to be met in order to participate in harvesting in the scallop fishery.
68. The current system is devoid of incentives for fishers to experiment with more environmentally friendly fishing methods. Fishers should be rewarded for lowering the rate of damage caused to:
- The seabed environment
 - Diverse benthic communities that provide attachment and shelter for spat and juveniles
 - Scallops that pass underneath the dredge and are damaged
 - Undersized scallops and legal-sized fish damaged in the dredge that would normally be dumped at sea due to their broken condition.

Management

Management Framework

69. The submitters consider the scallop fishery managers should be able to direct fishing effort, due to in-season increases of ACE, toward areas where the surveys have determined that scallop density is highest, to ensure higher catch rates and overall less dredging would be required to reach the ACE limit. In fifteen of the past 18 years the most abundant sub-area has been the Whitianga/Mercury Bay area. While higher fuel prices and a reduction in the number of vessels fishing may mean that fishers will do this anyway, MFish should have the ability to close areas within SCACS because of low scallop density.

70. Dredging with the existing commercial dredges should only be allowed once scallop density rises to a commercially AND environmentally acceptable level.
71. Other areas which are still recovering from damage from previous years of fishing should be left unfished until they show signs that the biodiversity has stabilised and the scallop population has recovered and is disease-free.
72. This year the survey clearly shows that the beds off Waihi and Papamoa/Motiti have low density of scallops 90 mm or larger and very low density of scallops 100 mm and larger (see Figure 4 from NIWA report below).⁸ In these areas amateur and commercial fisheries overlap and it is unreasonable for the Minister to allow large increases in the TACC on these beds where commercial fishers not only have vastly more fishing power but also are allowed to keep scallops 10 mm smaller than amateur fishers.

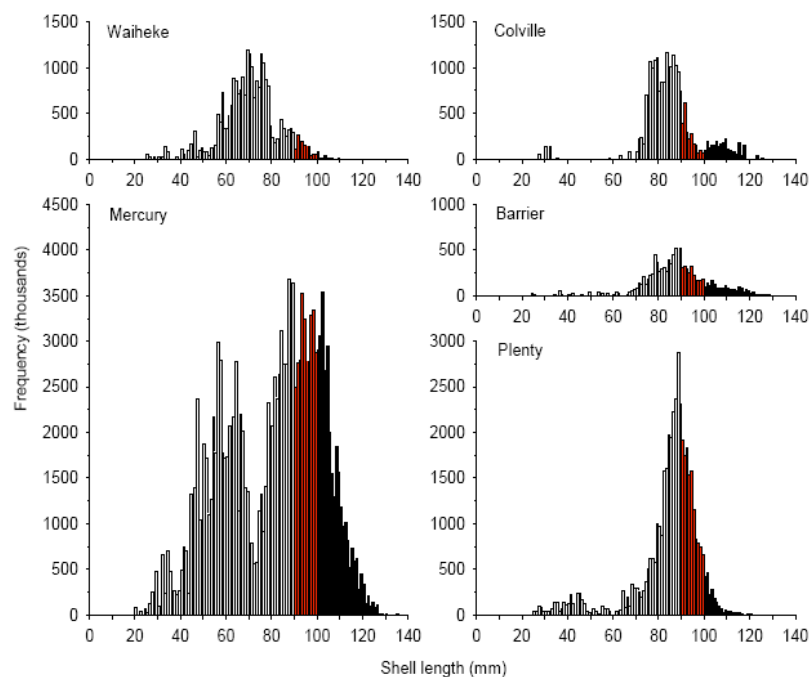


Figure 4: Length frequency distributions for the five major locations of the Coromandel fishery (corrected for historical average dredge efficiency), May 2007. Shaded bars show scallops larger than 90 mm shell length and black bars show scallops larger than 100 mm.

73. Note the plot at the bottom right. It shows a large number of scallops between 85 and 95 mm but very few 100 mm or more. Amateur fishers in the south western Bay of Plenty are very concerned that the scallop beds are given a chance to recover. These beds were heavily fished between 2002 and 2004 and are only just starting to improve.
74. Commercial fishers on these beds are also now able to start fishing six weeks before amateur fishing. We submit that commercial fishers have a number significant advantages over amateur scallop fishers and in areas with low abundance of scallops

⁸ Williams 2007, Biomass surveys and stock assessments for the Coromandel and Northland scallop fisheries, 2007.

100 mm or more the area should be closed for the season to commercial operators. This year these areas are off Waiheke, Waihi and Papamoa/Motiti.

75. If adjustment to the TACC is the only management tool available then this must be set conservatively at 65 tonnes for SCACS.
76. If commercial dredging could be excluded from Waiheke, Waihi and Papamoa/Motiti a TACC of 90 tonnes could be supported by the amateur fishers we represent.
77. The submitters note MFish's comments in para 44, "*that significant areas of the Firth of Thames and inner Hauraki Gulf are not open to commercial dredging*". Truth is there is only one scallop fishery and within that fishery commercial harvesters cannot use dredges outside the areas endorsed on their permits. Non-commercial fishers can fish anywhere (excluding marine reserves or other closed areas). This is consistent with the purpose of the Act, to manage fisheries to enable people to provide for their social, economic and cultural wellbeing.
78. We would support initiatives to better manage the scallop fishery for all stakeholders.

Daily Bag Limit Increase

79. There are mixed opinions on whether the individual daily bag limit should be increased. The submitters acknowledge that an increase in the individual bag limit is important to some people but we have not had the opportunity to canvas all the people we represent due to the limited time for responding to this proposal. From our perspective the most meaningful and truthful gain would be found:
 - In an increased baseline allowance for all non-commercial fishers
 - That the new baseline allowance remains after the end of the fishing season

Hauraki Gulf Marine Park Act

80. MFish acknowledge that the main scallop beds targetted by non-commercial and commercial fishers are within the Hauraki Gulf Marine Park. As such, when setting a TAC the Minister is required under s11(2)(c) of the Act, to *have particular regard* to sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000. This is in recognition of the Gulf's national significance, the wellbeing of people and the potential of the natural resources.
81. MFish continue to explain in para 44 that there has been "*broad-scale changes in bethnic communities that can be directly related to fishing*". The impact of land-based activities is also highlighted.
82. The submitters encourage MFish to work with other agencies that are responsible for activities within and around the Hauraki Gulf area to improve the potential of the Hauraki Gulf for the benefit of tangata whenua, the community at large and the environment.
83. The submitters note that MFish advise all of last year's commercial scallop catch from SCACS was sold domestically and that any ACE increase in 2007 is likely to be sold on the domestic market. This would benefit both commercial fishers and consumers.

84. MFish estimate that the gross benefit to commercial fishers would be around \$1.2 million dollars if the ACE is increased from 22 t to 108 t.
85. MFish also advise they cannot qualify or quantify the social, economic or cultural wellbeing for non-commercial fishers if ACE or the allowances are increased. Due to this uncertainty and the statutory requirements of the Minister, MFish should take the precautionary approach when setting the level of ACE.

Research

86. The submitters welcome the news that MFish is scheduled to begin research in October to establish the relationship between scallop abundance in areas where commercial fishers are excluded and recreational only areas.
87. We would reinforce previous calls for improving the study of non-commercial scallop catch across the whole Coromandel scallop fishery, in recognition that this is an important fishery for social, economic and cultural reasons.

Consultation

88. While the submitters accept that the consultation period for in-season adjustments are necessary for management purposes we do not accept the lack of provision for tangata whenua to have meaningful “input and participation” as per s12 of the Act.
89. Section 12 of the Act requires that the Minister, ‘before doing anything’ – making any decisions on sustainability measures, including s13(7) – must provide for the input and participation of tangata whenua (iwi or hapu holding mana whenua over the particular area) having a non-commercial interest in the stock concerned, or an interest in the effects of fishing on the aquatic environment in the area concerned. The Minister must also consult widely with Maori, environmental, commercial and recreational interests. Before making any decision on a proposed measure it is obligatory on the Minister to *have particular regard to kaitiakitanga*.
90. The submitters recommend the Crown avoids creating any new grievances by providing for tangata whenua’s non-commercial fishing interests in further processes regarding this socially and culturally important fishery.

Fisheries Plans

91. MFish mention the draft Coromandel scallop fisheries plan that has been under development since late 2005. The submitters have had doubts about the practicalities of the Fisheries Plans process since they were first mooted in 2005. Those reservations have now been confirmed given the difficulties the non-commercial sector has experienced in the Coromandel process.
92. The non-commercial sector stands to lose the most in the Fisheries Plans process. Resources are hard to come by for both customary and amateur fishers who are expected to provide equal input to the fully funded commercial fishers’ lobbyists, scientists and lawyers. We have little hope of getting a fair and reasonable outcome from any Fisheries Plan process under the current regime.
93. MFish has previously acknowledged that there will only be multi-sector Fisheries Plans, no single sector plans. We believe co-operative plans are merely a smokescreen to cover MFish’ failures in many other fisheries.

94. For twenty years the Ministry has failed to manage many of our important shared fisheries according to the Fisheries Act, i.e. at or above Bmsy. We have absolutely no faith in their ability to somehow change their management, just because a plan is in place. From what we have seen to date, we would be kidding ourselves if we thought MFish and industry participants in the Fisheries Plans process had our non-commercial interests at heart.

Conclusions

The submitters thank MFish for the opportunity to have input into the process for this very important fishery for non-commercial fishers.

We accept that the Fisheries Act allows for increased commercial harvest in years of greater abundance. The submitters recommend a precautionary approach to account for the highly variable nature of the Coromandel scallop fishery.

Some areas have low scallop abundance and commercial fishers with greater fishing power, a six week head start with their season and a 10 mm smaller size limit could seriously affect the rebuild of these fisheries and ability of amateur fishers catching legal-sized scallops. If the areas of low abundance at Waiheke and southwestern Bay of Plenty could be closed to commercial dredging then a higher TACC could be warranted to take advantage of the current abundance in the Mercury Bay area.

New baseline levels for non-commercial fishers would be an appropriate recognition of the potential harvest levels from the Coromandel scallop fishery and improve the management regime.

We would like to be kept informed of future developments and to participate in further management decisions for this fishery.

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