

New Zealand Big Game Fishing Council

(Incorporated)

Patron: R C Dinsdale

President: J A Romeril

Secretary: R T Nelson



PO Box 93

Whangarei

Phone: 09 433 9648

Fax: 09 433 9640

Email: nzbgfc@ihug.co.nz

Website: www.fishing.net.nz

Randall Bess
Ministry of Fisheries
P O Box 1020
Wellington

Submission on the introduction of kingfish into the QMS

Overview

1. The NZ Big Game Fishing Council was formed in 1957 to act as an umbrella group for sport fishing clubs and to organise a tournament that would attract anglers from around the world. Club membership has grown steadily and we now represent over 33,000 members in 59 clubs spread throughout NZ. We run New Zealand's only nation wide fishing tournament, which has evolved over time and remains successful with up to 1400 entries each year.
2. NZBGFC compile and publish the New Zealand records for fish caught in saltwater by recreational anglers and are affiliated with the International Game Fish Association who compile world record catches. New Zealand has a world class kingfish fishery. We hold 20 of the 22 world line-class records for this species (*Seriola lalandi* the same species that occurs off Australia, South Africa, and South America).
3. Unlike the migratory tuna and marlin, kingfish are in our waters year round so we have complete control over the management of this fishery. It is the strongly held view of the NZBGFC that the kingfish fishery must be managed better to reverse the decline in the size and number of kingfish we have seen over the last 15 years. We are prepared to work with recreational fishers and other stakeholders to ensure this happens. Already, many of our clubs are encouraging members to take only one kingfish per day with a minimum size of a metre. We must also recognise that for young or inexperienced anglers catching a kingfish is a significant event and we would not want the Minimum Legal Size (MLS) increased beyond 75 cm.

Management context

4. Kingfish are an icon recreational species in New Zealand. If given the chance, they grow to be large and strong and smart. They offer a real challenge to recreational anglers whenever they are encountered. Non-commercial fishers have been concerned about the future of the kingfish fishery since they were left out of the Quota Management System (QMS) and became an easy target for commercial fishers with little quota.
 - It was recreational fishers who insisted on the introduction of a size limit and bag limit in the early 1990s.
 - It was recreational fishers, concerned about set netting over reefs, that instigated the closure of prime headlands and offshore islands to that method in 1993.
 - The by catch of kingfish by pilchard purse seine boats was seen as a new threat to the fishery in 1997 and this loophole was closed after considerable public concern was expressed.
 - The exemption to the Minimum Legal Size for commercial trawlers was finally removed in 2000 after being proposed by recreational representatives in 1998.
 - Recreational groups have campaigned for kingfish to be held outside the QMS as a non-commercial species over recent years.
 - Many fishing clubs are supporting voluntary catch limits of one metre minimum size and 1 kingfish per person for their members and contests.
5. The Minister and Ministry must be aware that all of this effort is part of a longstanding concern over the decline in quality of the kingfish fishery and the importance of kingfish as a non-commercial species.
6. There is no current commercial catch limit on kingfish. Commercial landings of kingfish were totally unconstrained until the MLS was introduced in 1993 and even then the main method of capture (bottom trawl) was exempt until December 2000.
7. Regulations introduced in 1991 prohibiting the targeting of non-QMS species unless the species is authorised on a fisher's permit were ineffectual. We have seen with swordfish that the Ministries ability to limit catch or enforce non-target status for species is nonexistent. It is the same with kingfish.
8. A few permit holders were authorised to target kingfish, and most of their catch was taken using setnets. In 1990-91 (before the restricted targeting regulation) the setnet catch was 85 tonnes by 1992-93 the setnet catch had increased to 278 tonnes a 327% increase (McKenzie et al). A large part of this period is used to determine Provisional Catch History (PCH) for fishers. It is only in the last two years that the MLS has applied to all commercial methods and the pseudo-targeting with setnets has died down. Recreational fishers are now concerned about a new method with the potential to catch whole schools of kingfish that is appearing in the catch records – midwater trawl.

Implications for management of kingfish

9. NZBGFC do not agree that current catch is best represented by the average of 9 years commercial catch that includes seven years with no MLS on trawl caught fish and significant pseudo-targeting with setnets.
10. Commercial fishers were unaware of which years would be used for setting Provisional Catch History (PCH) until the Fisheries Act 1996 was drafted. Between 1993 and 1995 there were still incentives for fishers to target non-QMS species in a “race for quota”. It is incorrect for the ministry to claim *‘using average commercial landings for the period between 1993 and 2002 as this period provides the best available information on current levels of commercial utilisation.’* (para. 38) The only valid years to use as the current level of commercial utilization are 2000-01 and 2001-02 when the MLS applied to all methods. The Minister should use the most recent fishing year as the estimate of current commercial catch as outlined in the table on page 13 of the IPP
11. The argument for increased utility is at first appealing but in the context of all the fisheries in New Zealand it is a double edged sword that could be used to reduce recreational rights to species with a high export value. In the case of kingfish there is little comparable data on values and no data on stock size, so it is hard to make a case based on utility alone. What is undeniable is that kingfish is a very important recreational target fishery (600 to 800 t) and a relatively minor commercial bycatch fishery (200 to 300 t from an inshore fishery of tens of thousands of tonnes). NZBGFC would prefer the Minister to use clear policy statements about the future of the kingfish fishery to direct management change, such as:
 - New Zealand should have a high quality non-commercial kingfish fishery.
 - To improve the quality in this fishery reductions in current harvest levels are needed.
 - The current MLS should be reviewed as a way of achieving reductions and placing more emphasis on catching mature fish rather than juveniles.
 - All sectors must review their handling practices to reduce the mortality of kingfish.
 - The TACC will be set at a level sufficient to cover incidental commercial bycatch of dead fish only.

Total Allowable Catch and allocation options

12. NZBGFC supports the objective of managing this fishery above the biomass that will support MSY. This can only be achieved by reductions in harvest that will in fact see recreational and commercial fishers taking less kingfish.
13. Feedback from members indicates that customary harvest is not currently high and the allocation, under all options, allows for potential increases in harvest for customary purposes.

14. It is time the ministry made an effort to finalize the results of the 2000 recreational harvest survey instead of shunting them from one Fisheries Working Group to another. In the absence of an agreed estimate for kingfish the ministry is recommending recreational and customary allocations based on wild guesswork alone.
15. MFish said *'The uncertainty revolves around the participation rates of recreational fishers used in each survey. Those for 1999-2000 may be too high and those for 1996 may be too low.'* (Annex One para. 12) Using the average of the two estimates is a gross over simplification of the situation that has been the focus of expensive follow up surveys, independent expert advice and several meetings. An error in the 1996 survey allowed for many refusals to participate in the survey to be counted as non-fishing households. On the other hand Professor Kearney from Australia reported that harvest estimates in the 1999-2000 survey had to be self adjusting for the number of non-fishers included in the survey.
16. Under MFish's Proportional Option the TACC (which they claim is 20% less than the current catch) will still be higher than the catch in 2001-02, which is the first full fishing season where the MLS applied to all methods. See Table 1. This "Claytons" reduction is not acceptable to recreational fishers.

Table 1. Allowances under the Ministries proportional option.

Stock	Commercial Catch 2001-02	Proposed TACC	Additional mortality commercial	Proposed recreational allowance	Additional mortality recreational	Customary allowance
Proportional		Proportional				
KIN1	98	119	22	460	31	76
KIN2	61	72	22	66	4	18
KIN3	1	1		1		1
KIN4		1		1		1
KIN7	8	7	1	10	1	2
KIN8	54	39	5	31	2	9
KIN10		1				
Total	222	240	50	569	38	107
% of 2001-02	100%	108%				

17. All the real reduction in catch under the Proportional Option would still be borne by the recreational and subsistence fisher with the size increase of 65 cm to 75 cm MLS. It is estimated that this size increase would reduce the number of kingfish currently landed by recreational fishers by 45%. Also a 65 cm kingfish is on average 3.7 kg while a 75 cm kingfish is much larger, at 5.5 kg (a 50% increase in size). A 75 cm size limit will significantly change the number and size of fish that recreational fishers can take. Therefore this option is not "proportional" at all.

18. The only option proposed that actually reduces the current commercial catch is the Reallocation Option. Even with this option the contribution made by commercial fishers to the rebuild is just 19% of the 2001-02 catch. (Table 2)

Table2. Allowances under the Ministries Reallocation Option

Stock	Commercial Catch 2001-02	Proposed TACC	Additional mortality commercial	Proposed recreational allowance	Additional mortality recreational	Customary allowance
Reallocation		Reallocation				
KIN1	98	80	15	504	33	76
KIN2	61	50	16	92	6	18
KIN3	1	1		1		1
KIN4		1		1		1
KIN7	8	7	1	10	1	2
KIN8*	54	39	5	31		9
KIN10		1				
Total	222	179	37	639	40	107
% of 2001-02	100%	81%				

19. NZBGFC urges the Minister to set the current commercial catch at the tonnage taken in the 2001-02 fishing year, as this is the only full year in which the MLS applied to all methods. The reallocation model should then be applied from this base line.
20. Also NZBGFC reject the MFish assertion that *'Recreational fishing is of less significance in KIN 8 and MFish considers that the application of an adjustment to further reduce yields is not necessary'*. There are certainly some very important recreational kingfish locations in KIN8 from Spirits Bay and Reinga in the north to Kapiti Island in the south. Also the likelihood that the recreational estimate for Kingfish in FMA8 was seriously underestimated in the 1999-2000 recreational survey was discussed at the Recreational Working Group.
21. The KIN8 recreational fishery IS important and the increase in recreational MLS to 75 cm will also apply to the west coast. Therefore it is equally important that the utility option applies in KIN8 as well.
22. Only if commercial fishers also contribute to the rebuild of the fishery as proposed in the Reallocation Option will NZBGFC support the 75 cm size limit. We will not support the 75 cm MLS if the Minister selects the Proportional Option.
23. NZBGFC support a one tonne TACC in the Kermadec Fisheries Management Area. A similar allowance should also be made for recreational fishers. There are a series of submerged reefs on the Kermadec Ridge, outside the marine reserve, that will get fished from time to time by passing yachts or long range fishing trips.

Management of Commercial Landings

24. NZBGFC do not support the removal of the commercial MLS and a requirement to land all kingfish. This would only increase the mortality of commercially caught kingfish to 100%. Studies estimate that about 60% of undersize kingfish caught by trawlers in KIN1 could be released alive (Walshe and Akroyd). This rate would be higher for longline and purse seine methods.
25. NZBGFC supports listing kingfish on Schedule 6 of the Fisheries Act to allow the release of live kingfish over the MLS. Whether this option is used or not there must be an effort by MFish and commercial fishers to develop a code of practice for handling kingfish that are returned to the sea. It is no longer acceptable that undersized fish are held on board trawlers, until the gear is back in the water and all the catch has been sorted, and then the bycatch is dumped over the side dead.
26. Ideally the incentives should be there for commercial fishers to return all live kingfish to the sea and retain the dead bycatch above the MLS. If this was the Ministers goal then we would support a commercial MLS of 65 cm combined with low TACCs.

Summary

27. NZBGFC do want to see a revitalised kingfish fishery. Whether the measures proposed by the Ministry go far enough, only time will tell. We are prepared to work with our membership, other recreational fishers and other stakeholders to develop codes of practice that reduce the other sources of fishing related mortality and increase the chances of rebuilding the kingfish fishery.
28. We believe that the Minister should choose the most recent commercial catch (2001-02) as the base line for current commercial catch. We propose that the percentage reductions in the Reallocation Option should then be applied to that years catch, so that commercial fishers do in fact contribute their share to a rebuild. Over the last two years our members have made submissions and written to the Minister asking that consideration be given to a non-commercial kingfish fishery. In reply the Minister and his officials have assured us that the QMS has the flexibility to deliver a better quality kingfish fishery. Now is the time to deliver on that promise.
29. Thank you for the opportunity to submit our views. Please send a copy of the final advice paper when it becomes available.

Yours sincerely

Jeff Romeril
President

NZ Big Game Fishing Council