

Review of Rock Lobster Fisheries (CRA 3, 4 & 7)

A summary of MPI proposals for the New Zealand Sport Fishing Council

January 2017



The Ministry for Primary Industries (MPI) is seeking tangata whenua and stakeholder views on changes to selected rock lobster Total Allowable Catches (TACs) and Total Allowable Commercial Catches (TACCs) for 2017–18.

An increased TAC and TACC have been proposed for CRA 7 (Otago). Reductions in the TAC and TACC have been proposed for CRA 3 (Gisborne) and CRA4 (Hawkes Bay-Wellington). A new Management Procedure is also proposed for CRA 4.

This document provides a summary of the MPI proposals and a preliminary view from NZSFC. The Fisheries Management team is developing a submission in response to MPI. You are welcome to send your feedback **by 3 February** to John Holdsworth john@bluewatermarine.co.nz or Trish Rea trish@legasea.co.nz.

MPI submission deadline is 10 February 2017.

MPI will summarise submissions and write a Final Advice Paper (FAP) for the Minister for Primary Industries, Nathan Guy. Any Ministerial decision will apply from 1 April 2017.

MPI proposals from Consultation Document: *Review of Rock Lobster Sustainability Measures for 1 April 2017* -

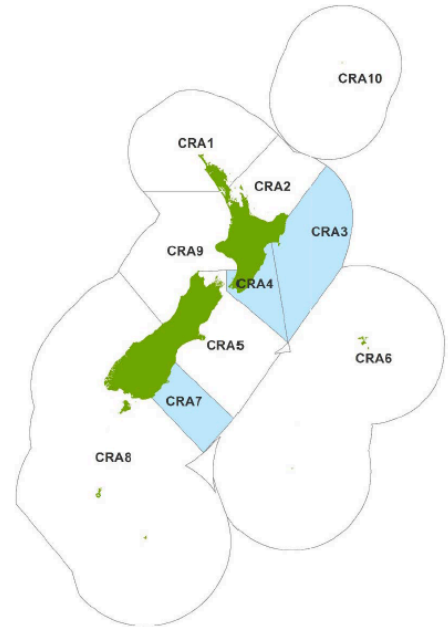


Table 2.1: TAC, allowance and TACC proposals for CRA 3, CRA 4 and CRA 7 from 1 April 2017 (all values in tonnes).

Stock	Option	TAC	TACC	Allowances		
				Customary Māori	Recreational	Other mortality
CRA 3	CRA3_01: Use the <u>current</u> CRA 3 management procedure and decrease the TAC by decreasing the TACC by 9%.	366.86 ↓	237.86 ↓	20	20	89
	CRA3_02 (<i>status quo</i>): Retain the current CRA 3 TAC, allowances and TACC.	389.95	260.95	20	20	89
CRA 4 ¹	CRA4_01: Use the <u>new</u> Rule 24 CRA 4 management procedure and reduce the TAC by reducing the TACC by 23%.	502 ↓	307 ↓	35	85	75
	CRA4_02: Use the <u>new</u> Rule 6 CRA 4 management procedure and reduce the TAC by reducing the TACC by 27%.	484 ↓	289 ↓	35	85	75
CRA 7	CRA7_01: Use the <u>current</u> CRA 7 management procedure and increase the TAC by increasing the TACC by 15%.	132.52 ↑	112.52 ↑	10	5	5
	CRA7_02 (<i>status quo</i>): Retain the current CRA 7 TAC, allowances and TACC.	117.72	97.72	10	5	5

Management Procedures

The New Zealand Sport Fishing Council (NZSFC) does not accept that the use of Management Procedures will rebuild stocks. The commercial catch rate (kilos per pot lift) is self-reported and can be manipulated to suit a pre-determined outcome, mostly to the advantage of a small group of commercial interests and at the expense of the ecosystem, and the social, economic and cultural wellbeing of the majority of New Zealanders.

National Rock Lobster Management Group

MPI advise the National Rock Lobster Management Group (NRLMG) is a “*national-level, multi-stakeholder group comprising representatives of customary, recreational and commercial fishing sectors and MPI*”. The NZSFC continue to object to the exclusive nature of the NRLMG. The NZSFC is the largest representative organisation of recreational fishing interests in the country, with over 33,000 members. Through LegaSea we also work with a number of interested organisations, including the New Zealand Angling and Casting Association and New Zealand Underwater, collectively representing over 60,000 people. Currently our representatives are excluded from having any meaningful input, nor do we receive any reports into the processes that occur behind closed doors. We remind MPI that crayfish are a taonga, a treasured species, for many New Zealanders not just the few who sit around the NRLMG table.

Crayfish 3 Gisborne (CRA 3)

MPI advise “*there are no sustainability concerns for the CRA 3 fishery*”. MPI propose a 9% TACC reduction or retention of the status quo. There are no proposed changes to the non-commercial allowances.



	TAC (tonnes, t)	Recreational allowance (t)	Customary allowance (t)	Other mortality (t)	TACC (t)
Status quo	389.95	20	20	89	260.95
Proposed 9% TACC reduction	366.86	20	20	89	237.86
NZSFC preliminary recommendation	XXX	20	20	120	XXX

There is no mention in the IPP that a commercial concession applies in CRA 3, enabling commercial fishers to take crayfish smaller than the Minimum Legal Size (MLS) applying to recreational harvest; this is a serious omission of relevant information from the “*Consultation Document*”.

CRA 3 Points of interest:

- Recent commercial Catch Per Unit of Effort (CPUE) suggests CRA 3 biomass in 2016 is lower than in 2014, but still considered above the biomass level required to produce Maximum Sustainable Yield (B_{MSY}).
- Catch Per Unit of Effort has been declining, reducing from 2.41 kg per potlift in 2012-13 to 1.79 kg per potlift in 2015-16.
- MPI advise the ongoing application of the CRA 3 Management Procedure will “*maintain fishing opportunities for all sectors by maintaining stock abundance above the agreed reference levels*”. The NRLMG need to reconsider those reference levels so CRA 3 can be rebuilt to a level that enables recreational fishers to access adequate numbers of legal sized crayfish.
- No proposed change to the customary allowance of 20 tonnes. In 2015 approx. 11,000 crayfish were reported harvested from CRA 3. There is no mandatory harvest reporting system. A 20 t estimate was used in the last stock assessment model in 2014.
- No proposed change to the recreational allowance of 20 t. The 2011-12 National Panel Survey estimated annual recreational harvest to be around 8.07 t.

- MPI advise, “*there is no reliable information on current levels of illegal catch*” and there is no proposed change to the ‘Other mortality’ allowance of 89 t, yet MPI are aware that no provision has been made for handling mortality of rock lobster returned to the sea.
- A 2012 report commissioned by MAF and with input from the NZ Rock Lobster Industry Council suggests total illegal catch in CRA 3 “*could approach 120 t per year*¹”.
- The 2012 report acknowledges the 120 tonnes is not a formal estimate of illegal take due to shortfalls, however, the Minister was not advised that there was no estimate of illegal take from the Napier sub-sector prior to his decision to increase the TAC by 29 t in 2012-13. Since then the TAC has increased by 21%, from 322 t to 390 t.

Comments:

While MPI note “*no regulatory or other changes are proposed as part of this document*” it is important for us to highlight the concession regulation because it is so unfair to non-commercial interests and it jeopardises the future productivity of CRA 3. NZSFC support the conservative management of CRA 3.

Needs:

There are mixed views on the abundance of crayfish in CRA 3, particularly close to Gisborne. It would be helpful to get further comments from clubs and cray fishers in the area on trends in recreational crayfish catch.

Recommendations:

- MPI recommend to the Minister -
 - Discontinue use of the Management Procedure to guide TAC and TACC settings in CRA 3 due to the continued decline of abundance of crayfish.
 - Revoke the CRA 3 commercial concession enabling commercial fishers to take crayfish smaller than the Minimum Legal Size (MLS) applying to recreational harvest.
 - The proportions of sub-MLS crayfish versus legal sized crayfish taken commercially in CRA 3 be recorded and reported publicly.
 - The TACC be reduced by more than 9% to enable a rebuild of CRA 3 abundance. (FMMP team to research an appropriate reduction for final submission)

Crayfish 4 Hawkes Bay-Wellington (CRA 4)

The Management Procedure (MP) applying to CRA 4 has expired. MPI has proposed a new MP to apply for the next 5 years, and a reduction to the TAC. Two TACC reductions have been proposed, either a 23% or 27% reduction. There are no proposed changes to the non-commercial allowances.



	TAC (tonnes, t)	Recreational allowance (t)	Customary allowance (t)	Other mortality (t)	TACC (t)
Status quo	592	85	35	75	397
Proposed 23% TACC reduction	502	85	35	75	307
Proposed 27% TACC reduction	484	85	35	75	289
NZSFC preliminary recommendation	XXX	85	35	75	XXX

¹ Developing and Applying a Methodology to Estimate Illegal Take from New Zealand Fisheries. MRAG. 9 February 2012.

CRA 4 Points of interest:

- Commercial catch rates have dropped about 46% since the 2012-13 peak. In 2012-13 CPUE was 1.4 kg per potlift, in 2015-16 it was 0.75 kg per potlift.
- The difference between the proposed reductions in the table above come from the options for the new Management Procedure. Both are more conservative than the current Management Procedure when CPUE is about average. It is not known if this is enough to rebuild the stock quickly, as all eastern North Island CRA stocks are in decline.
- Clearly rock lobster stocks are currently not as productive as the stock assessment models and Management Procedures predict.
- No proposed change to the customary allowance of 35 tonnes. Annual estimated harvest has been less than 5 t in the last 3 years, noting that there is no mandatory harvest reporting system.
- No proposed change to the recreational allowance of 85 t. The 2011-12 National Panel Survey estimated annual recreational harvest to be around 44 t. Changes to stock abundance will be required if the Minister is to fulfil his obligation to provide for recreational fishing interests in CRA 4.
- No proposed change to the 'Other mortality' allowance of 75 t. For the 2015-16 fishing year the illegal catch estimate used in the model was 40 t.
- The 2016 stock assessment assumed that handling mortality was 10% of returned crayfish until 1990, and 5% thereafter based on a literature review.
- In the 2016 model MPI assume that estimated levels of illegal catch (40 t) and handling mortality (18.14 t) are within the other mortality allowance.
- In 2016 MPI proposed a 5% TACC reduction, the CRA 4 Rock Lobster Industry Association (CRAMAC 4) recommended a 10% and then a 15% TACC reduction. The Minister approved the 15% reduction in March 2016.
- The NZSFC is concerned this fishery is continuing to decline despite the NRLMGs faith that the CRA 4 Management Procedure will produce a precautionary outcome.

Comments:

MPI highlight that both proposed TAC reductions will come from the TACC. The NZSFC believe that is the only reasonable approach given it is commercial exploitation that has depleted this fishery and the effects of past excesses are still making an impact. NZSFC support the conservative management of CRA 4.

Needs:

It would be helpful to get comments from clubs and cray fishers in the area on trends in recreational cray catch. Also, comments about the impact of the mataitai, which we understand is now providing a good supply of crayfish to non-commercial interests.

Recommendations:

- MPI recommend to the Minister -
 - Discontinue the use of the Management Procedure to guide TAC and TACC settings in CRA 4 due to the continued decline of abundance of crayfish.
 - The TACC be reduced to enable a rebuild of CRA 4 abundance. (FMMP team to research an appropriate reduction for final submission)

Crayfish 7 Otago (CRA 7)

MPI has proposed a 15% TACC increase or retention of the status quo. There are no proposed changes to the non-commercial allowances.

	TAC (tonnes, t)	Recreational allowance (t)	Customary allowance (t)	Other mortality (t)	TACC (t)
Status quo	117.72	5	10	5	97.72
Proposed 15% TACC increase	132.52	5	10	5	112.52
NZSFC preliminary recommendation	XXX	5	10	5	XXX

The NZSFC does not accept that Management Procedures (MP) based on commercial CPUE is a legitimate indicator of abundance, **so we do not accept the proposed CRA 7 TACC increase is valid.**

There is no mention in the IPP that a commercial concession applies in CRA 7, enabling commercial fishers to take crayfish smaller than the Minimum Legal Size (MLS) applying to recreational harvest; this is a serious omission of relevant information from the “*Consultation Document*”.

CRA 7 Points of interest:

- MPI advise there is a reliable estimate of current biomass, but no reliable estimate of B_{MSY} , the biomass level required to produce Maximum Sustainable Yield.
- MPI emphasise the revenue gain for the industry from the TACC increase as approx. \$1.07 million. No attempt is made to assess the value of an abundant CRA 7 fishery to non-commercial interests.
- Catch Per Unit of Effort has been over 2.06 kg per potlift since 2013-14. In 2015-16 it was 2.062 kg per potlift.
- CPUE includes concession fish. There is no data to describe the proportions of sub-MLS crayfish versus legal sized crayfish.
- In 2014-15 the TACC increased from 44 to 66 tonnes. In 2015-16 the TACC was increased again, from 66 to the current 97.72 t. If the fishery is really this healthy and able to cope with a 122% TACC increase then the concession needs to be revoked now.
- No proposed change to the customary allowance of 10 tonnes. An estimate of 1 tonne was used in the last 2015 stock assessment. There is no mandatory reporting system for customary harvest.
- No proposed change to the recreational allowance of 5 t. The 2011-12 National Panel Survey estimated annual recreational harvest to be around 0.23 tonnes, not reliable given it was based on one fisher's data. A 5 t harvest estimate has been used in the stock assessment.
- No proposed change to the ‘Other mortality’ allowance of 5 t. A 1 tonne estimate is used in the stock assessment model.

Comments:

While MPI note “*no regulatory or other changes are proposed as part of this document*” it is important for us to highlight the concession regulation because it is so unfair to non-commercial interests and it jeopardises the future productivity of CRA 7. NZSFC support the conservative management of CRA 7.

Needs:

It would be helpful to get comments from clubs and cray fishers in the area on trends in recreational crayfish catch.

Recommendations:

- MPI recommend to the Minister
 - Discontinue use of the Management Procedure to guide TAC and TACC settings in CRA 7.
 - Revoke the commercial concession enabling commercial fishers to take crayfish smaller than the Minimum Legal Size (MLS) applying to recreational harvest.
 - The proportions of sub-MLS crayfish versus legal sized crayfish taken in CRA 7 be recorded and reported publicly.
 - The current TAC, allowances and TACC be retained until the use of Management Procedures is discontinued.

Other matters

Crayfish 2 (CRA 2) Hauraki Gulf - Bay of Plenty fishery

MPI acknowledge the concerns about the availability (or not) of crayfish in CRA 2. MPI advise the Management Procedure recommends no change to the TAC this year. MPI also advises, *“there is no information to suggest a strong sustainability concern for the fishery at this time”*. The NZSFC do not accept this assessment given that recreational harvest has collapsed, it is now less than 30% (41 t) of the 140 t allowance set aside by the Minister to provide for recreational interests, and that there are regular, independent reports of once-prolific areas now devoid of any legal size crayfish.

The Management Procedure, applied since 2014, has failed. Commercial CPUE is now below 0.30 kg per potlift, meaning it takes 3.4 potlifts to harvest 1.02 kg of crayfish. In addition, commercial fishers in CRA 2 have ‘shelved’ 25% of their annual catch. MPI and the NRLMG cannot avoid the natural conclusion that this fishery is in trouble. The sooner we acknowledge this dire situation and address it, the sooner CRA 2 can be restored to an abundant state. Any other action, or inaction, represents a blatant disregard for the statutory duties of the Minister to manage fisheries at a level required to provide for both the needs of current fishing interests and those of future generations.

Crayfish 9 (CRA 9) Westland - Kaipara

MPI acknowledge the Management Procedure for CRA 9 was abandoned in 2015 *“when the NRLMG accepted advice that CPUE was not a reliable index of abundance for this stock²”*. MPI advise the Minister agreed not to use the CRA 9 MP in 2016 *“as long as alternative management approaches were explored”*. Five commercial fishers are now using logbooks to record catch rates and size frequencies. The Management Procedure was applied for the first time in 2014-15 to set an initial TAC of 115.8 t and increase the TACC by 29%, from 47 to 60.8 t. The Minister retained these catch levels in 2016 and they continue today even though the Management Procedure has been abandoned.

Documents

MPI proposal documents

<http://www.mpi.govt.nz/news-and-resources/consultations/review-of-rock-lobster-sustainability-measures-for-1-april-2017>

Previous NZSFC submissions on crayfish management

<http://www.nzsportfishing.co.nz/index.cfm/pageid/481/ViewPage/Crayfish-2016>

² Operation of Management Procedures. For the NRLMG. Starr & Breen. 16 November 2016.