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Ministry of Fisheries
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Tena koe Jodi,

INITIAL POSITION PAPER - PROPOSAL TO REVIEW THE TAC OF THE COROMANDEL SCALLOP FISHERY FOR THE 2005 FISHING SEASON

INTRODUCTION

1. This submission is made in response to your letter dated 4 July 2005, inviting Te Ohu Kai Moana Trustee Ltd (Te Ohu) to provide comments on the proposal contained in the Initial Position Paper entitled *Proposal to review the TAC of the Coromandel Scallop Fishery for the 2005 Fishing Season*.
2. While Te Ohu has drawn the contents of the consultation document to the attention of Iwi we have not had the time or opportunity to discuss its contents. As such, this response conveys only the views of Te Ohu and does not remove the responsibility of MFish to consult with tangata whenua as specified in section 12(1) of the Fisheries Act 1996.

POSITION ON IPP

3. Te Ohu does not support the MFish recommendation to increase the SCA CS TAC from 48 to 239 tonnes meat weight and to increase the recreation and customary allowances to 40 tonnes meat weight, for the 2005-06 fishing year.
4. Te Ohu recommend an increase in TAC from 48 to 189 tonnes meat weight, and within the TAC:
 - (i) the allowance for recreational fishing be increased from 7.5 to 15 tonnes meat weight.
 - (ii) the allowance for customary fishing be increased from 7.5 to 15 tonnes meat weight.
 - (iii) the allowance for other sources of mortality is increased from 11 tonnes meat weight to 41 tonnes meat weight.
 - (iv) the TACC is increased from 22 tonnes meat weight to 118 tonnes meat weight.
5. At the end of the 2005-06 fishing year for SCA CS, the TAC is to revert to the base allowances.

GENERAL COMMENTS

Consultation

6. MFish states in paragraph 12 of the IPP that they will consult with “tangata whenua” as part of the process to review the TAC. Te Ohu has provided MFish with a list of the Iwi having an interest in the SCA CS fishery and we request confirmation from MFish that each of the Iwi has been consulted.
7. We also note paragraph 72 which states “The 2005 in-season review of the Coromandel scallop TAC is based on the process that operated for SCA CS in previous years, and stakeholders are now familiar with the process.” Te Ohu accepts that this may be the case with Industry but we doubt whether the statement is true for Iwi and recreational interests. This is evidenced by the lack of responses from Iwi and recreational interests since SCA CS was introduced to the QMS in 2000.
8. MFish should review the quality and delivery of consultation to Iwi and recreation within SCA CS. The review needs to result in quality engagement and input by Iwi and recreation with respect to sustainability and fisheries management decisions

Sustainability

9. Te Ohu is satisfied there are no sustainability issues in the commercial beds and that current biomass trends are consistent with a recovery in the fishery from the events of 1997/98, especially in the Mercury Islands where most of the 2005 biomass is concentrated. We note however that the densities in some areas of these commercial beds are below 0.04m⁻² (ie. one recruited scallop for each 25m² of seabed) and are unlikely to support commercial fishing. When these areas are excluded from the survey results the biomass estimates are reduced, although an upward trend in stock biomass is still maintained. For Colville and Waiheke Island the biomass estimates decline by 20-25% and the Bay of Plenty area more than 50%.
10. As with all previous surveys, none of the non commercial beds, which are to a large extent spatially separated from the commercial beds, were surveyed in 2005. Therefore, there is no scientific information provided to support any biomass estimates in these areas. However we note that the IPP assumes that trends in scallop abundance in the non commercial beds are likely to be similar to those for the surveyed commercial beds. Te Ohu does not accept this assumption.

Commercial Allowance

11. Te Ohu supports the MFish recommendation to increase the TACC from 22 to 118 tonnes meat weight. That support is based upon the 2005 biomass surveys of commercial beds.

Recreation Allowance

12. Te Ohu is strongly of the view that the above assumption should not form the basis for a fivefold increase in the recreation allowance. An increase of this size should be supported by biomass estimates derived from surveys in the relevant beds. As noted above, there has been absolutely no biomass surveys conducted in any of the non-commercial scallop beds.
13. Any proposal to increase the recreation allowance should also be supported by reliable recreation harvest data. Te Ohu notes the telephone/diary surveys conducted in 1993-1994(8.8 t), 1996 (7.5t) and 1999-2000 (3.8t) and the associated harvest estimates for those periods. We are far from convinced that these surveys provide reliable harvest estimates and that they should be used to inform the current assessment. It is worth

stating though that, even if the estimates were accurate, it is difficult to see how you arrive at a fivefold increase in the recreation catch.

14. In the absence of any biomass and reliable harvesting estimates Te Ohu will only support doubling the current 7.5 tonne meat weight allowance for recreation. This decision takes into account:
- trends in a number of other fisheries where recreational harvest has increased as a consequence of improvements in the fishery;
 - not all the biomass may be available for harvesting owing to low densities in some areas;
 - despite the significant improvement in the commercial beds, the fishery is still in recovery mode;
 - the need for a precautionary approach when making decisions without good information;
 - the sustainability risk associated with setting a recreation allowances at the levels proposed by MFish.

Customary Allowance

15. Te Ohu notes the general criterion applied by MFish in estimating customary harvest levels. That criterion requires that in the absence of information and where the fishery is of known importance to Maori, the recreational allowance is used as a benchmark to set the customary allowance. Te Ohu does not accept this criterion.
16. Te Ohu has a preference for MFish to contact each of the Iwi having an interest in the SCA CS fishery and request access to the scallop information that is recorded by kaitiaki when issuing customary authorisations. Te Ohu is aware of at least 6 Iwi that have expressed an interest in the SCA CS fishery. This should make it less difficult to obtain catch information so that it can be made available to the Minister prior to him making any decisions on in-season adjustments to the TAC.
17. We note MFish's stated efforts to improve communications with Iwi through the appointment of pouhononga under the Treaty Strategy. MFish should request these people to approach Iwi.
18. In the absence of any of the above information being available, including biomass data for the non commercial beds, Te Ohu will only support doubling the current allowance for customary

REVIEW OF BASE TAC

19. Te Ohu notes that the proposal responded to above is for an in-season adjustment. Given the size of the TAC in-season adjustments over the last 3 years, including the latest proposal, we request MFish reviews the base TACC for SCA CS. See Table 1.

Table 1

Fishing year	TAC	In-season increase TAC (t)	TACC (<i>previous allowance</i>)	Recreational allowance (<i>previous allowance</i>)	Customary allowance (<i>previous allowance</i>)	Other sources of mortality (<i>previous allowance</i>)
2001	*		22	*	*	*
2002	48	62	35 (22)	7.5	7.5	12 (11)
2003	48	93	58 (22)	7.5	7.5	20 (11)
2004	48	120	79 (22)	7.5	7.5	26 (11)
2005 – PROPOSALS ONLY	48	239	118 (22)	40 (7.5)	40 (7.5)	41 (11)

* Information was not available for inclusion in

Noho ora mai

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