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Submission: The New Zealand Sport Fishing Council support the proposed temporary closure of the Southern Scallop (SCA 7) fishery, including Port Underwood.

Recommendations

1. The New Zealand Sport Fishing Council (NZSFC) support **Option 1 – Continued total closure of the SCA 7 fishery, including Port Underwood.**
 - a. The closure must apply for all of the 2018 scallop season.
 - b. This option is the most likely to maximise the growth of juvenile scallops and rebuild populations in areas with the most suitable habitat.
2. The NZSFC supports finer scale spatial management of beds where there is sufficient yield available for harvest -
 - a. Recommendations from the SCA 7 Multi-Sector Group to the Minister ought to allow a staged resumption of scallop harvest. Some beds may be opened for non-commercial use only while the largest beds in the outer Sounds may be opened when sufficient yield is available to sustain both non-commercial and commercial exploitation.
 - b. Upon reopening the fishery, non-bottom contact means of collection (hand gathering) ought to be the only methods permitted until such a time as the full effect of bottom contact methods such as dredging are understood and consequences mitigated.
3. NZSFC request a position on the Multi-Sector Working Group formed to review possible options for the future management of Southern Scallops, SCA 7 and Port Underwood.

NZ Sport Fishing Council - LegaSea

4. The New Zealand Sport Fishing Council (NZSFC) appreciates the opportunity to submit on the proposed temporary closure of the Southern Scallop (SCA 7) fishery, including Port Underwood (*Southern Scallop fishery*). Fisheries New Zealand (FNZ) advice of consultation was received on 11 June, with submissions due by 25 June 2018.
5. The NZ Sport Fishing Council is a recognised national sports organisation with over 34,000 affiliated members from 56 clubs nationwide. The Council has initiated LegaSea to generate

widespread awareness and support for the need to restore abundance in our inshore marine environment. Also, to broaden NZSFC involvement in marine management advocacy, research, education and alignment on behalf of our members and LegaSea supporters. www.legasea.co.nz. Collectively we are ‘*the submitters*’.

6. The submitters are committed to ensuring that sustainability measures and environmental management controls are designed and implemented to achieve the Purpose and Principles of the Fisheries Act 1996, including “maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations...” [s8(2)(a) Fisheries Act 1996]
7. The submitter’s representatives are available to discuss this submission in more detail if required. We look forward to positive outcomes from this review and would like to be kept informed of future developments. Our contact is Helen Pastor, secretary@nzsportfishing.org.nz.

Submission

8. The submitters support the Minister in applying a total closure of the Southern Scallop fishery under section 11 of the Fisheries Act 1996. We believe section 11 could be utilised more often to restore fisheries abundance and productivity in our marine environment.
9. The submitters support the Minister in taking management control of the Southern Scallop fishery primarily in the national interest, in the interests of the local community including local businesses, and the wider public who visit the area and access the scallop fishery to provide for their social and cultural wellbeing.
10. The submitters support the proposed **Option 1** – Continue a total closure of the Southern Scallop fishery to commercial and recreational scallop fishing for the 2018-19 scallop season.
 - a. The submitters have supported the closure of Southern Scallop fishery for the past two years.
 - b. The submitters reject the suggestion from the Challenger Scallop Enhancement Company (CSEC) for an interim closure, with a potential reopening of the Southern Scallop fishery later this year.
 - c. The Southern Scallop fishery must remain closed to boost the modest recovery seen to date with a further, comprehensive review of scallop biomass before reopening selected areas for harvest.
11. The submitters note that members of Te Waka a Maui me ana Toka Forum covering all of the South Island are concerned about the sustainability of fishery should the Southern Scallop fishery reopen. The submitters acknowledge that the majority of the Forum support a further closure.
12. The Southern Scallop stock is assumed to be below 10% of the unfished biomass, the hard limit for the fishery. This low stock level is primarily in Golden and Tasman Bays. The submitters acknowledge that fishing is not the only driver of depletion and that some research is underway to determine other contributing factors.
13. Scallop biomass in Golden and Tasman Bays collapsed in the 2000s and remains at negligible levels. The submitters have received reports that non-dredged areas in the inner Marlborough Sounds have rapidly recovered, with scallops available in less than two meters of water. Anecdotal reports advise abundance is “incredible, best ever”.
 - a. An abundance survey method must be developed for recreational scallop beds in the inner Marlborough Sounds. Blanket closures because of declines in the main commercial beds are unhelpful as recreational fishers are potentially being denied access to healthy scallop populations using low impact, hand gathering methods.

- b. We submit FNZ must include the inner Sounds beds utilised by recreational fishers in future abundance surveys and report those results separately to the Tasman/Golden Bay/outer Sounds.
14. Given past behaviour and current biomass the submitters do not share CSEC's views in the FNZ discussion document that commercial fishers are able to "self-manage a limited season to ensure any commercial harvest from the beds is sustainable".
 - a. The beds are in the current state largely because of commercial harvest and the use of heavyweight industrial, bottom damaging dredges.
 - b. We note FNZ report CSEC's belief that "in some circumstances, fishing can enhance productivity and utilise scallops before they senesce". [wither]. Given current high abundance of juvenile scallops and relatively low densities in the Marlborough Sounds widespread disturbance will be detrimental to productivity.
 - c. From our perspective, it is preferable to restore benthic habitats and have a range of ages in fish/shellfish populations. It's okay if some of them wither and die of old age, that is the natural order of things.
15. We reiterate the points made in our last submission, that if the Southern Scallop fishery is to rebuild to abundant levels further research into the causes of the decline and possible mitigation measures must be planned and implemented before reopening. This work on long-term management of the fishery must include:
 - a. A review of the effects of dredging on scallop population, larval settlement and mortality of juvenile scallops.
 - b. A review of commercial and recreational regulatory controls.
 - c. The feasibility of commercially hand gathering scallops.
 - d. An assessment of scallop densities in diver-only areas open to recreational fishers.
16. The submitters acknowledge that the current management controls, including bag limits, were developed when the Southern Scallop fishery was at its peak. We accept the need for new management controls when the Southern Scallop fishery reopens. The submitters want to take an active role in working with others to develop finer scale spatial management plans and revised management controls.
17. FNZ has requested suggestions on what actions might be required to sustainably manage the Southern Scallop fishery in the longer-term. These suggestions and any information provided will be considered by a multi-sector working group prior to any new consultation and assessment process. Suggestions discussed so far include:
 - a. Increasing the Minimum Legal Size for commercial and recreational harvested scallops.
 - b. Changing the season opening day from 15 July to 1 September, to align nationally.
 - c. Lowering the recreational daily bag limit from 50 to 20 per person, to align nationally.
 - d. Changing the width, ring size and design of commercial and recreational scallop dredges.
 - e. Dive only areas.
18. The submitters add to these suggestions and recommend that –
 - a. There is a need for fine scale spatial management planning that separates recreational and commercial fishing to allow some areas to be opened to limited harvesting. Complete closures based on commercially viable scallop densities on the largest beds are a very blunt tool.
 - b. Changes to the timing and area covered by the Marlborough Sounds scallop surveys make long-term comparisons in abundance and biomass difficult. The information provided in Figure 2 of the FNZ Discussion Document is not well explained and may be misleading.

- c. A survey method must be developed for recreational scallop beds in the inner Marlborough Sounds that are currently not covered by the commercial dredge survey.
- d. Upon reopening the fishery, non-bottom contact means of collection (hand gathering) ought to be the only methods permitted until such a time as the full effect of bottom contact methods such as dredging are understood and consequences mitigated. While recreational dredging is popular in some areas and most convenient for older people who can or no longer dive, the environmental effects of dredging are becoming more obvious. If recreational interests want commercial dredging removed from the Southern Scallop fishery then all dredging must be banned to protect the benthic environment that support scallops and many other species.
- e. If the fishery is reopened to both commercial and recreational dredging that the existing measures controlling commercial dredging to just two areas in the Queen Charlotte Sound must remain. Local advocates have worked hard over many years to secure some constraint of commercial effort and we do not want to see FNZ squander this effort.

Previous submissions

- 19. **May 2017.** The NZSFC submission supporting the Ministry for Primary Industries' Option 2 – Close all of SCA 7 and Port Underwood to scallop fishing for the 2017-18 season. This option was supported because it is the most likely to ensure the survival of the stock and minimise the risk of further decline. [Read more.](#)
- 20. **July 2016.** The NZSFC recommend the Southern Scallop fishery is closed to all fishing until abundance surveys indicate a surplus yield is available for harvest, and then a staged re-opening for non-commercial harvest first. [Read more.](#)
- 21. **February 2014.** The NZSFC submit an alternative management option be implemented to rebuild the Southern Scallop fishery within a reasonable timeframe. Until the fishery is rebuilt the commercial catch limit ought to be set at zero in Golden Bay, Tasman Bay and the Marlborough Sounds. [Read more.](#)