

SOUNDFISH

Incorporated

Submission on:

INITIAL POSITION PAPER – LOCALISED DEPLETION OF BLUE COD IN THE MARLBOROUGH SOUNDS

April 2008

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Introduction

1. SoundFish is a constituted multi sector group made up of Recreational Fishers, Commercial Fishers and Customary Advisors and was formed by the Marlborough District Council. The formation of SoundFish was an outcome from a Hui that was held at the Omaka Marae in October 2002 to address the fishery and habitat issues of the Marlborough Sounds, it was not until January 2007 that the group was formally constituted.
2. The members of Soundfish committee have a vast experience and knowledge of the Marlborough Sounds (MS); they also come with many years of working with local and regional groups with in the district. The network that the various committee members bring around the table has been invaluable when taking into account the many groups that can provide input into providing solutions to the issues that arise.
3. SoundFish understands that it will take regulations to manage the fishing effort that is currently affecting the BCO fish stock in the MS. The concern on managing the effort within the inner MS is that it will transfer the effort to the outer Sounds and that the outer coastal area will eventually being faced with the same fish stock decline. Soundfish sees this situation as possibly trying to fix one problem and creating another if the outer coastal area is over exploited. Soundfish have used a lot of antidotel information that has been made available through the consultation process. The Soundfish view is that antidotel information is sound information once we hear the same information from sources that are not related, the information has come forward from Fishing Clubs, Residents Associations, public meetings and individuals from Westcoast, Canterbury, Wellington and local.

Background

4. The MS BCO biomass has been a discussion point for many years with in the recreational fishing sector, the biomass reduction based on the preliminary NIWA surveys quantify this by the results provided. The past management controls implemented by MFish with in the fishery have not been successful in rebuilding or maintaining the BCO biomass, SoundFish recognise that fishing effort must be reduced to achieve success of the objectives in rebuilding the BCO biomass in the MS.
5. Measures that will be required to be adopted must also take in the consideration of the ever increasing number of fishers utilising the Sounds. The region is facing a possible increase of mooring also dry docking a further 500 vessels in Waikawa and Picton marinas; this alone provides an indicator of the increases the region will be experiencing in the future. As more vessels enter the Sounds for recreation and fishing SoundFish consider the fishing effort must be directed at vessel line-fishing methods which excludes land-fishing which covers fishing from a wharf/jetty and shore-fishing for snapper and other fish species that does not impact of the BCO fish stock.
6. The SoundFish options paper that was put forward for consideration to MFish prior to the public IPP consultation process was sent out to other sector groups; a distribution list of 109 community groups and individuals have received the Soundfish options paper. Another 200 copies were provided at the public meetings held by the Marlborough Recreational Fishing Association. Several motions were put forward at both of the public meetings and one motion taken from the minutes of the meetings held states.

Motion: That this meeting supports in general the actions and proposals of Soundfish.

(Dalliessi/Sharon Smith)

When support from a public meeting shows a level of 85% support from an attendance of around 120 people at each meeting, Soundfish can not ignore a

public response of this magnitude; this is one example where antidotal information must be brought into consideration.

Need for Action

7. There is without a doubt that the Soundfish committee agrees there is a need to take action in addressing the BCO decline in the MS. There must also be consideration to the social and economical status of the MS when considering options to adopt. There maybe a need to install what would be the first phase of introducing measures to stop the BCO decline, a one round of introducing regulations that would include taking away other opportunities that the recreational fisher may still have an activity in pursuing would certainly create some major public response.
8. SoundFish consider taking a practical step at a time, measure the success and adjust according to the results. This method would save using the sledge hammer approach to crack a nut. A staged program with regular monitoring should be adapted to better measure the success of the changes implemented. If we have not done enough to start turning the BCO situation around we will need to implement tighter measures.

Marlborough Sounds Management Area:-

SoundFish requires a recognised boundary for SoundFish to achieve the MDC objectives in assisting to manage the fishery and habitat. The objectives are clearly identified in the MRPS as objectives.

Objective 1 - Sustainability

A sustainable fishery in the Marlborough Sounds that will meet the cultural, economic and social needs of the future generations.

Objective 2 – Management

Management based on sound knowledge and research.

Objective 3 – Community Ownership

Community knowledge and ownership of the Marlborough Sounds fishery applying the principals of Kaitiaki and stewardship.

Objective 4 – Ecosystem Protection

To support initiatives that promotes a healthy marine ecosystem.

The MDC has informed the Marlborough rate payers and the public in the MRPS (Marlborough Regional Policy Statement) that the boundary for managing the marine habitat, marine ecosystem and supporting fisheries management, it is also the duties of the MDC to establish a Coastal Marine Policy, the MDC Harbour Limits is taken from the territorial boundaries of MDC Marlborough Sounds RMA boundary. SoundFish has used the Harbour Limits as a boundary to work with in. When consideration is given to the concerns of the close proximity of the Harbour Limits line around some parts of the coast and also the land mark points where the boundary changes direction we identify there will be compliance issues in relation to fishing recognising whether a vessel is in or out of the management zone.

- a) SoundFish recommend that the Marlborough Sounds Management Area be moved out to a radius of 2nm from all the land marks that are currently used as the harbour limits, the radius excludes the start points at Cape Soucis to the West and end point and Wairau Bar to the South.
- b) The boundary GPS marks as to the recommendations of SoundFish, we wish that MFish support these boundaries as they will assist with further fishery management initiatives in the future and establish a management area that Soundfish was established to assist in managing.
- c) SoundFish recognise the outer 2nm boundary being requested; is to be installed in the Challenger Amateur Regulations; this will assist with easier compliance management, it will relieve any doubt whether a fisher is in or out of the main fishing grounds and that they do abide by the rules set with in the management area.

Marlborough Sounds Management Area

Charts NZ 615 & NZ 614. scale 1:100 000.

A 2nm radius from each of the following points.

1-- Chart NZ 614 : outer small Island "Bottle Point".

2-- Chart NZ 614 : exposed rock "Nile Head".

3-- Chart NZ 615 : "Stephens Island. Light".

4-- Chart NZ 615 : under water rock "Cook Rock".

5-- Chart NZ 615 : "The Brothers Light".

5-- Chart NZ 615 : "Awash Rock".

6-- Chart NZ 615 : "Rununder Point".

Drawing straight lines (starting land fall "Cape Soucis" Chart 614 and finishing land fall South side "Wairau Bar" Chart 615) that pass the outer edge of each 2 nm radius, where these straight lines cross the following Long/Lat positions were created.

1 - Cape Soucis (land fall) 41°.03.1' S x 173°.35.8' E

2 - Nile Head./ Bottle Point. 40°.43.35' S x 173°.47.80' E

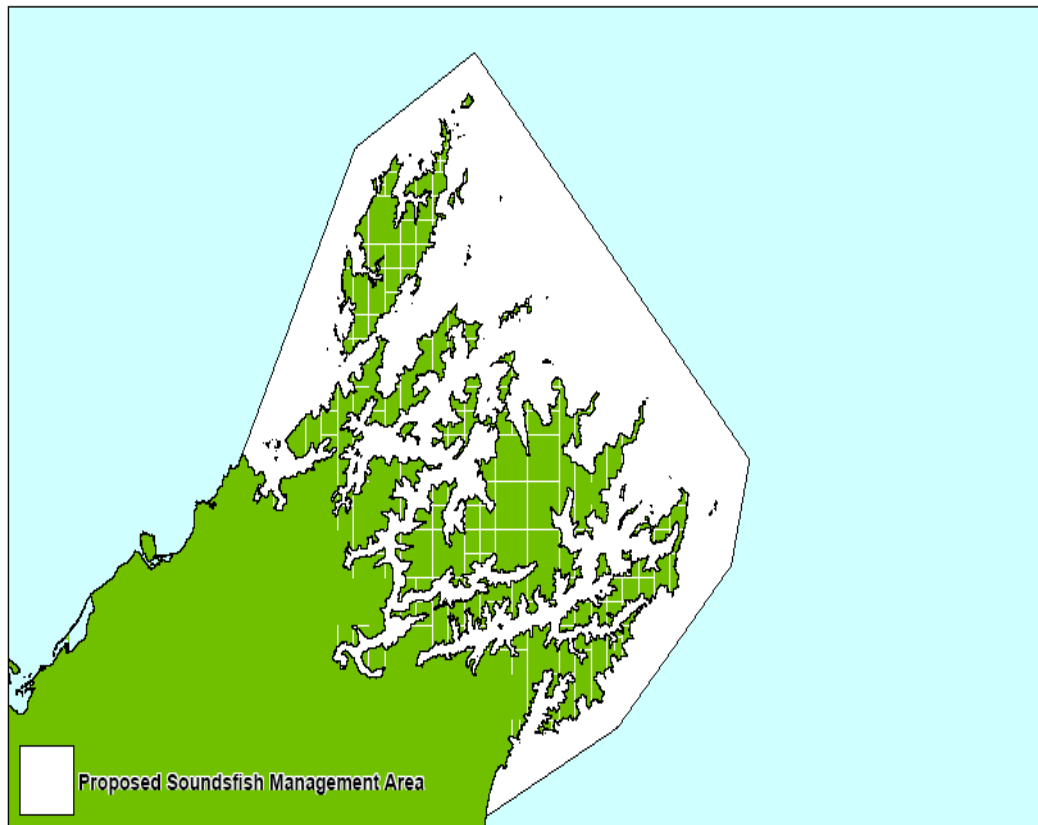
3 - Stephens Island. 40°.37.20' S x 174°.00.60' E

4 - Cook Rock./Brothers Island. 41°.03.55' S x 174°.30.1' E

5 - Awash Rock. 41°.10.3' S x 174°.28.15' E

6 - Rununder Point. 41°.20.85' S x 174°.15.9' E

7 - Wairau Bar (land fall) 41°.26.4' S x 174°.01 9' E



Proposed Soundsfish Management Boundary

Geographical Boundary.

- a) The proposed Management Area will recognise and clearly identify The Ministry of Fisheries Regulations and the geographical MS area.
- b) A Marlborough Sounds Management Area has not been considered by The Ministry of Fisheries despite resident groups and fishers recognising the need. **The Ministry must be congratulated for supporting Soundfish's request to have their proposed Marlborough Sounds Management Area included in the IPP.**
- c) A considerable number of diverse and variable land and water activities occur within the proposed Marlborough Sounds Management Area which can have a direct or indirect affect on the MS fishery. Any of these activities which are proven to be having a detrimental affect on the fishery can be better managed by having an identifiable Fisheries Management Area that can be incorporated into one area.

- d) MFish in their IPP- Localised Depletion of Blue Cod in The Marlborough Sounds have put forward options to close various areas of the Sounds. These options, whatever is decided, will put more fishing pressure on the outer Sounds therefore a clearly defined outer boundary will be beneficial to assist MFish with compliance.
- e) Existing or future "fine scale" management regulations can still co-exist within the broader Management Area.
- f) Activities outside the proposed management area that are or may have a detrimental impact on the fishery within the Management Sounds Management Area can more easily be resolved because the negotiating parties will have a recognised area in statute. The 2nm distance from prominent land marks will act as a useful "buffer zone". Popular "hot spot" recreation fishing areas such as West D'Urville, Stephens Island, McManaway Rock, Cook Rock, The Brothers, Awash Rock and Port Underwood are within the proposed Management Area. This extended boundary will prove to be a very important management tool should the proposed inner Sounds closed fishing areas become a regulation as the current proposals have ignored Port Underwood as a fishery. The existing controversial "3 BCO line" that passes through The Brothers Light will need to be moved to reflect the proposed new Management Boundary. MFish will be aware of the 20 vs 3 cod bag limits in this area and down the East Coast to Port Underwood. The extended boundary will assist with compliance in this area of Cook Strait.
- g) Proposed Challenger Fin Fish Plan: - A Recreational Fishing Management Area introduced into the Amateur Fishing Regulations **at this time** will carry significant "weight" in any future Fin Fish Plan and/or Fisheries Regulations.
- h) MFish consultations with Sfish: - During the period of consultation between MFish and Soundfish in preparation of the MFish BCO IPP, Soundfish held strong, the importance for both parties of having a Marlborough Sounds Management Area now and into the future. **At no time did MFish give any reason not to support this**

proposal.

In fact it was acknowledged by MFish that such a Management Area will have a number of benefits to them i.e.: -ease of compliance, identification of areas for research and surveys and working with other stakeholder groups within the identified Marlborough Sounds Area.

The most important benefit to Soundfish would be, when working with MFish on fisheries matters both parties would share a common regulatory area and would be able to speak with the same mandate as MFish.

j) At the Omaka Marae October 2002 Hui (which lead to the formation of Soundfish) it was identified that a Marlborough Sounds Management Area should be created. After all these years and now thanks to this Mfish IPP the wishes of the large number of people who attended that milestone Hui may now have the opportunity to see a Marlborough Sounds Management Area created. Soundfish identifies the outcome of that Hui as the mandate from the MDC and endorsed by the then Minister of Fisheries. We firmly believe that regional management is the key to looking after the future management in the region. We understand that other groups from out side of the Marlborough District are laying claim to the management rights. This same understanding is not shared by Soundfish; we have no interest in becoming involved in assisting to manage Tasman and Golden Bay for example.

k) The multi sector Soundfish committee which consists of Commercial, Customary & Recreational groups were unanimous in their support that the proposed Marlborough Sounds Management Area is included in the Soundfish submission for the MFish BCO IPP.

Marlborough Sounds Management Area Consultation:-

a) In the very short consultation period, Soundfish has meet with;

- Marlborough Recreational Fishing Groups.
- Nelson Recreational Fishing Group
- MFish TOTS Forum members.
- Made contact with M Sounds residents

- Resident Groups via the MDC mailing list.
- Made many phone contacts with individual MS residents.
- Meet with the Pelorus Boating Club.
- Attended two public meetings hosted by MRF Asn.
- Subscribed to news paper articles.
- Replied to many written and email enquiries.

b) Almost without exception strong support was given to a Marlborough Sounds Management Area.

c) The well attended public meetings held in Blenheim and Picton passed three motions, two giving support to the creation of a Marlborough Sounds Management Area.

Motion 1 in part: - "entire Marlborough Sounds area after boundary adjustments"

Motion 2 in part: - supporting in general "the actions and proposals of Soundfish".

The "actions and proposals" referred to in the motion are the Marlborough Sounds Management area proposed in the Soundfish Recommendation on the BCO IPP.

d) At the Soundfish meeting with TASFISH on the 30th March: - "Tasfish agrees with the principle that Soundfish needs a boundary to manage within". They disagree that the boundary should include West D'Urville (Not in the Tasman District Council Region). The main area of concern is "that if MFish agree to the Soundfish complete boundary other current regulated boundaries may become one and they would loose their 10 snapper bag limit", and "they do not trust MFish to maintain the same snapper rules as today." Hardly a compelling argument considering the overall and long term benefits that the boundary will have. MFish confirmed that this would not happen without their usual regulatory process.

e) At the April 10th 08 TOTS MFish Forum meeting called to prepare their submission to the BCO IPP the members were not unanimous, **not** to support the proposed Marlborough Sounds Management Area.

Reasons given not to support the proposed Marlborough Sounds Management Area:-

- 1- "Because they see no immediate fisheries management reason for having this boundary."
- 2- "The Forum feels the amendment of boundaries should be a longer term issue, dealt with through the Challenger Inshore Finfish Plan."

Hardly compelling reason considering the above mentioned supportive argument and the Ministries **urgent** desire to address the fast depletion of Blue Cod in the MS. Soundfish members were invited and attended this Forum meeting to explain the Soundfish Recommendations for inclusion in the IPP. Only one question came from a member which related to " where a 6/0 hook may be fished". No questions or contra views were expressed to Sfish by the Forum members to Soundfish's proposed Marlborough Sounds Management Area.

- f) Soundfish acknowledges MFish's commitment and recognition of the importance of Soundfish's proposed Marlborough Sounds Fisheries Management Area and look forward to working with them on fisheries management and planning issues affecting its area in the future.

Blue Cod Minimum Legal Size

9. Soundfish supports the status quo of the 30cm amateur minimum legal size for BCO. We do not support increasing the minimum legal size to 33cm as promoted by other submitters.

The survival rate of BCO between 30 and 33cm is a concern when the NIWA tag and recapture hand line data (NIWA 2007) is taken into account as the natural mortality is around 16% pa. It takes 2-3 years for the BCO to grow another 3cm. It is feasible to estimate that a possible additional mortality of around 35% for fish surviving from 30-33cm. The concern of transferring the fishing effort to the outer coast will only increase the risk of creating a higher mortality if the size is increased.

Soundfish considers high grading in the recreational fishery is a practice that should be made illegal, there is no confidence that a fisher will accept a 33cm BCO when they would prefer a 40cm BCO so changing of the size will not

eliminate this greed factor of the recreational fishers. It is very hard to understand the mentality of fishers that complain about the abundance of a fish stock and accept that high grading as a normal fishing practice. Educating the fishers not to high grade would reduce the fishing pressure and assist substantially reduce fishing time and fishing effort.

We understand that increasing the size of the BCO up to 33cm as a possible rule to be introduced when temporary closed areas are reopened.

Recreational Bag Limit

12. Soundfish oppose reducing the BCO bag limit down to 2. A number of people have stated that the BCO population has actually increased; this information is supported by the residents and the frequent fishers of the Sounds.

There is no doubt that the local fishers have better knowledge of the fishery and the fishing grounds than those that visit the region through the holiday periods. There is also a common belief that the boats that come from the North Island abuse the rules in the Challenger region to obtain their 20 DBL to take home. This understanding is shared by all locals including the commercial fishers that observe such practice; the locals fish a reef for 30 minutes to obtain their DBL where the N.I. boats fish the same reef for 1-2 hours. Soundfish supports the locals understanding that the central BCO area should be brought into the same DBL rules as the Challenger area.

13. Soundfish supports that all BCO should be landed in a whole gutted or Gill & Gutted state. Soundfish does not accept the reasons behind not having BCO landed whole gill and gutted fish due to freezing or handling. The compliance behind this rule outweighs the concerns of those that oppose it.

14. Vessel limits; Soundfish agrees in principal but disagrees with the amount of BCO that MFish have put forward.

BCO Boat limits:

15. The Ministry suggestion of 6 BCO boat limit is set so low and consideration must be given to set a 10-12 fish boat limit at a level which again would see greater acceptance from recreational fishers.

Charter boats would also be controlled within this requirement as these vessels are operated as recreational fishers, they are also responsible for the BCO depletion, and no exemption can be given.

Temporary Closed Areas:

16. The Soundfish recommendation of meaningful closures based on the survey data that is available, with buy in from recreational fishers and Sound residents with the BCO No Take areas will have a settling period, where no take areas are clearly intended to enhance BCO stocks, education by mail out encouraging people to take a greater part in the responsible management of the Marlborough Sounds fish resources could be largely self policing.

17. These No Take areas would require an increased level of research, to determine the effectiveness of the No Take areas, there will be a time when BCO will be a large by-catch when targeting other species, a balance will need to be addressed if it is seen that the by-catch becomes a high mortality.

18. More specific research would be required within the No Take areas, beginning from the closure to establish the benchmark and including Tory Channel and Port Underwood which has no survey data, and updating the research annually with the primary objective of monitoring enhancement rates of BCO stocks, Soundfish is willing to assist in establish a monitoring program similar to what is in place in the Fiordland closed areas that involves a marine scientist and recreational fishers.

19. The Ministry would have to be prepared to also ban the commercial take of fin fish within a No Take area as it would be considered BCO would have a higher level of by-catch and discards are not recorded, other methods that are exempt i.e. set netting, or potting (rock lobster) would remain as status-quo.

20. It would be inconceivable to consider that an area was to get agreement from recreational fishers to be closed to recreational taking of fin fish for the purpose of stock enhancement and commercial bottom trawling to be still allowed, where no records are kept of discarded juvenile fish. SoundFish will continue to hold discussions with the commercial stakeholders as to the concerns that have risen in the IPP options process. For example access to closed areas for commercial, BCO catch effort spread in the MS region, reviewing the past commercial voluntary agreements that have been in place in the MS.

21. Soundfish suggestions for consideration of temporary BCO No Take areas would meet the criteria as outlined by Soundfish as meaningful closures based on the best information, and would most likely gain acceptance from recreational fishers in that the areas where there is primarily a declining BCO fishery and still allowing access to other fish species.

22. Soundfish have a reluctance to include Tory Channel as being part of the BCO No Take due to no research survey data being available for BCO fish stock and our option to include Tory Channel is inconsistent with the other areas that have a low BCO stock survey data. Not to include Tory Channel will only direct the fishing effort to that area, the information that is available based on Piero Rocco's study does show that Tory Channel is a feeder of BCO eggs from the outer coast, the protection of Tory Channel is important.

Soundfish Proposed BCO No Take Fishing Boundary

23. Queen Charlotte Sound; Soundfish recommends that the MFish northern boundary line in strata area OQCH be moved in slightly to include East Bay fishery, the line will be from land marks Bottle Point over to Pickersgill Island across Pickersgill Passage to land. From this boundary out in the green zone of EQCH will remain open to BCO fishing. East Bay would still allow a fishing effort in sheltered waters, there are a number of fishing points in that area that still fish very well.
24. Tory Channel out to East Head and across to West Head.
25. Pelorus Sound: Soundfish recommends that the MFish outer boundary of strata area OPEL be moved in to
26. D'Urville Island; Sound recommend that an area is set aside as a BCO No Take area on the east coast of D'Urville Island. The southern boundary recommended starts at Bonne Point over to the south of the Trio Island outer east point of the Trio island to the south point of Puangiagi Island to the outer east point of Wakaterapanui Island and north to Patuki or Hapuka Rocks. This area has been identified as a BCO declining area based on the survey data, to be consistent with the survey data this area must also come under the new management rules. Future surveys will confirm if this area will assist with the BCO stock rebuild.
27. Port Underwood; Soundfish is not making any recommendations for a BCO No Take are in Port Underwood, we strongly recommend that Port Underwood is bought in to the survey strata areas. We are concerned that a greater fishing effort will be directed in to Port Underwood and close attention will be required to monitor this region.

Benefits

28. Soundfish has held numerous discussions on what is best to rebuild the BCO fish stock, supporting a No Take BCO fishing areas is seen as less complicated although not perfect in relation to compliance and still allowing the public fishers access to other fish species. Over time the public will become accustomed to targeting other species and treating the BCO in the right manner. The proposals are not that different to other stakeholder groups yet Soundfish has concentrated more on the survey data that has been provided, along with the other recommendations with hooks Soundfish understand that the No Take BCO areas will make a difference.

29. Totally closed areas on their own will be insufficient to slow the depletion of BCO stocks as effort shifting will occur, therefore further measures as outlined in the Soundfish proposal will require adoption. We acknowledge that if the entire MS was closed to BCO fishing it will tempt fishers with vessels that are suitable to the inner MS to go out to the outer coast to catch BCO in a vessel that is not suitable for open coastal waters, safety must also be a consideration to the rules that are needing to be adopted, hence areas the likes of East Bay in the QC will allow some sheltered fishing areas.

30. Laws to restrict gear use within the controlled areas with single hook rigs of hook size of minimum 6/0 would assist with reduction of the capture of juvenile fish BUT caution must be given to not restricting access to alternative valued species i.e.: tarakihi and snapper and gurnard where historically hooks smaller than 6/0 are used. The single hook requirement on its own should be a consideration, as this would restrict use of popular multi hook flasher rigs which are deadly on juvenile BCO.

31. Soundfish recognises the compliance issues around regulating a 6/0 or greater hook due to no standards set by the manufactures of hooks. If it is found that MFish can not introduce a 6/0 regulation then a greater emphasis must be put in to education, this would go right through to recommending tackle retailers to sell BCO hooks in a BCO marketing package.

Comments:

32. Soundfish is seen as a Marlborough multi sector management group, our involvement in fishery issues will be extending further than BCO. Soundfish is aware that the MS habitat management will be introduced under the Coastal Management Plan as a directive from central Government (Coastal Policy Statement) this will require future management in recognising the impact the likes of bottom trawlers, recreational and commercial dredging, forestry and the ever increasing development of residential and tourism properties. Soundfish recognise and respect the views of the recreational extraction groups but Soundfish is to be focused on finding solutions to the problems in the MS. The interaction with fishing will provide some challenges in the future.

33. The speed and pace of Mfish to set a management proposal that will be installed in the Amateur Regulations does give us concern based on the incomplete research over the entire region, Tory Channel and Port Underwood being the two most obvious exclusions. There is a possibility that the current IPP proposals may cause serial depletion of BCO in the region (we are already in that situation in certain areas) therefore Soundfish considers that the current proposal maybe suboptimum in reaching the objectives. Yet Soundfish can not suggest anything else due to the lack of complete research other than use the research that is currently available. This point alone makes the decision making process very difficult.

34. Research needs to be prioritised for the MS so the region can accept comprehensive management decisions in the future, for example; have the data ready for when this interim management proposal runs its course. When this management term is over what information will be available to display what is next best, it would not be accepted by the public to say this didn't work lets try something else, not acceptable given we have around 3-4 years to obtain better information. Priority must be given to establish better data to make good informed decisions with.

35. The result of the future surveys will require further management initiatives when it comes time to re-open the restrictions, Soundfish has discussed this and considers the likes of increasing the BCO minimum legal size to be bought up to 33cm should be considered. To reopen an entire region would not be recommended, Soundfish would support bringing the controlled lines gradually back into the MS as the BCO stock surveys allow for.
36. Soundfish as a multi sector group has not been able to achieve a full consensus but we have achieved a majority, members of the committee that would like to support total closed areas based on many good reasons agree to disagree but feel the recommendations put forward by Soundfish will still assist with a BCO rebuild.