



Review of sustainability measures for selected stocks with a zero tonne TACC

1 October 2020 Fishing Year Stocks

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Requests for further copies should be directed to:

Publications Logistics Officer
Fisheries New Zealand
PO Box 2526
WELLINGTON 6140

Email: brand@mpi.govt.nz
Telephone: 0800 00 83 33
Facsimile: 04-894 0300

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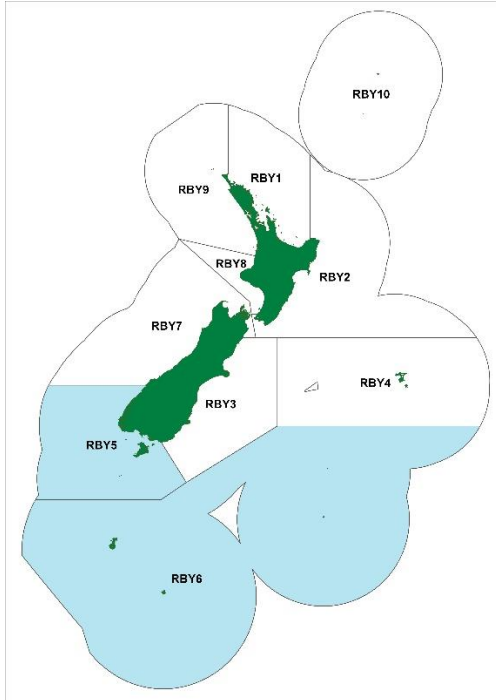
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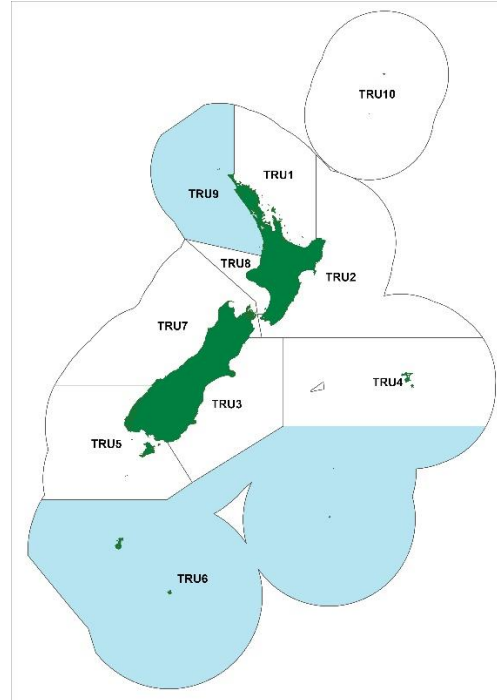
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1. Stocks being reviewed

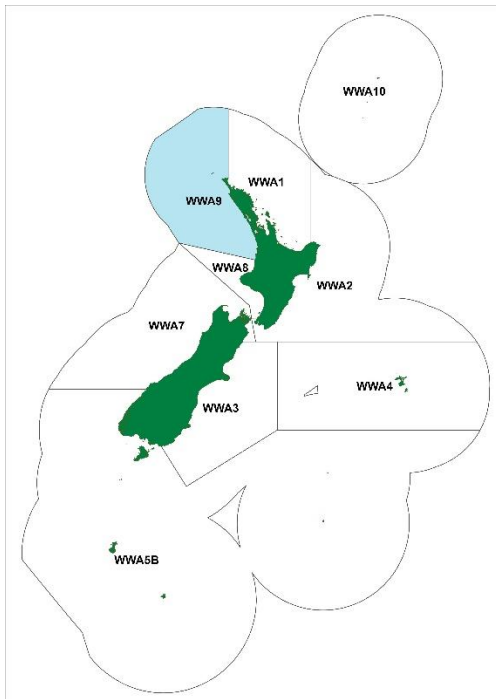
Rubyfish (RBY 5, RBY 6)
Plagiogeneion rubiginosus



Trumpeter (TRU 6, TRU 9)
Latris lineata, kohikohi



White warehou (WWA 9)
Seriola caerulea, warehou



Yellow-eyed mullet (YEM 5)
Aldrichetta forsteri, aua, awa, matakawhiti

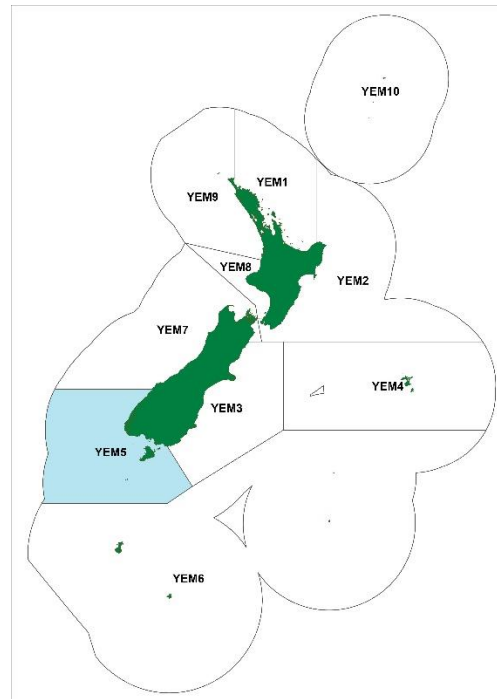


Figure 1: Quota Management Areas (QMAs) for the six stocks being reviewed

2. Summary

1. Fisheries New Zealand proposes to increase the Total Allowable Catch (TAC) and Total Allowable Commercial Catch (TACC) for six stocks across four species that currently have a TACC of zero tonnes (refer Table 1). The TAC for five of the six stocks is also currently set at zero tonnes.
2. When the six stocks were introduced into the Quota Management System (QMS) in 1998, the TACCs, and most TACs, were set at zero based on reported catch in previous years. In the period after QMS introduction, modest catches of each of the six stocks have been reported. Possible reasons for catch being reported in areas where it had not previously been reported could include better reporting and/or species identification by fishers, changes in species distribution, and changes in fishing activity.
3. Rationale for increasing the TAC/TACCs for the six stocks is that where fish are being caught, and there are no sustainability concerns, it is appropriate to consider setting TAC/TACCs that provide fishers the opportunity to balance catch with annual catch entitlement (ACE).
4. A zero tonne TACC means that no ACE is generated which, consequentially, means fishers must pay deemed values as there is no ability to balance catch with ACE.
5. This paper also considers whether allowances for customary and recreational interests and other sources of mortality are appropriately set and proposes changes to these allowances for one of these stocks.
6. Fisheries New Zealand proposes nominal TACCs of one or two tonnes for the six stocks, and is seeking input from tangata whenua and stakeholders on the proposed increases. Any decisions to increase catch limits would come into effect on 1 October 2020, the start of the next fishing year for these stocks.

Table 1: Options proposed for varying TAC, TACC and allowances (in tonnes)

| Stock | Option | Total Allowable Catch (tonnes) | Total Allowable Commercial Catch (tonnes) | Allowances | | |
|-------|-----------------|--------------------------------|---|--------------------------|-----------------------|---|
| | | | | Customary Māori (tonnes) | Recreational (tonnes) | All other mortality to the stock caused by fishing (tonnes) |
| RBY 5 | Current setting | 0 | 0 | 0 | 0 | n/a |
| | Option 1 | 2 ↑ | 2 ↑ | 0 | 0 | 0 |
| RBY 6 | Current setting | 0 | 0 | 0 | 0 | n/a |
| | Option 1 | 1 ↑ | 1 ↑ | 0 | 0 | 0 |
| TRU 6 | Current setting | 0 | 0 | 0 | 0 | n/a |
| | Option 1 | 1 ↑ | 1 ↑ | 0 | 0 | 0 |
| TRU 9 | Current setting | 0 | 0 | 0 | 0 | n/a |
| | Option 1 | 4 ↑ | 2 ↑ | 1 ↑ | 1 ↑ | 0 |
| WWA9 | Current setting | 0 | 0 | 0 | 0 | n/a |
| | Option 1 | 1 ↑ | 1 ↑ | 0 | 0 | 0 |
| YEM 5 | Current setting | 2 | 0 | 1 | 1 | n/a |
| | Option 1 | 3 ↑ (50%) | 1 | 1 | 1 | 0 |

3. Background

7. Fisheries New Zealand is using the April 2020 sustainability round as an opportunity to progress early decisions on October stocks where available information allows us to, and to reduce the number of stocks stakeholders may be asked to submit on during the October 2020 sustainability round.

4. Quota Management System

8. All six stocks proposed for review covered above were introduced into the QMS on 1 October 1998, with TACCs based on average landings prior to QMS introduction.
9. Ten QMAs were created for each species introduced into the QMS in 1998 (one for each 10 fishery management areas). This meant that for some stocks at the edge of a species' distribution, no landed catch had been reported.
10. The view expressed at the time was that with entry into the QMS, the landing information from the new fishstocks would improve and would result in opportunities to review TACs/TACCs and other management controls. The TAC and TACC of the six stocks in this discussion document have not been reviewed since QMS introduction in 1998.
11. For more information about the QMS go to <https://www.mpi.govt.nz/law-and-policy/legal-overviews/fisheries/quota-management-system/>.

5. Legal basis for managing fisheries in New Zealand

12. The Fisheries Act 1996 provides the legal basis for managing fisheries in New Zealand, including the Minister's responsibilities for setting and varying sustainability measures. See the separate document *Overview of legislative requirements and other considerations* on the Fisheries New Zealand sustainability consultation webpage (<https://www.fisheries.govt.nz/news-and-resources/consultations/review-of-sustainability-measures-for-1-april-2020>) for more information.

6. Treaty of Waitangi obligations

6.1 Input and participation of tangata whenua

13. Input and participation into the sustainability decision-making process is provided through Iwi Fisheries Forums, which have been established for that purpose. Each Iwi Fisheries Forum has developed an Iwi Fisheries Forum Plan that describes how the iwi in the Forum exercise kaitiakitanga over the fisheries of importance to them, and their objectives for the management of their interests in fisheries. Particular regard will be given to kaitiakitanga when making sustainability decisions.
14. Iwi Fisheries Forums may also be used as entities to consult iwi with an interest in fisheries.
15. The proposal to review a small number of October fishing year stocks with a zero tonne TACC was signalled at the November 2019 Iwi Fisheries Forum meetings. At the time of these meetings, however, the stocks for review had not been confirmed.
16. The relevant Iwi Fisheries Forums to which these stocks relate are, Te Hiku o Te Ika (Far North), the Mid North Forum, Nga Hapu o Te Uru o Tainui (Waikato/West Coast North Island) and Te Waka a Māui me Ōna Toka (South Island). Noting that the proposals were under

development at the time of engaging with the forums, there were no detailed concerns raised or feedback provided by these forums.

17. Further input from these forums and tangata whenua across the regions covered by these proposals is being sought during consultation and before final advice and recommendations are made.

6.2 Kaitiakitanga

18. The relevant Iwi Forum Fisheries Plans regard all species as taonga. While all Plans identify some species or stocks to be of particular importance or significance to tangata whenua, the six stocks under review are not explicitly identified in the relevant Iwi Forum Fisheries Plans.
19. Fisheries New Zealand considers the proposals presented in this discussion paper to be generally consistent with the management objectives of the relevant Iwi Forum Fisheries Plans as they relate to balancing use objectives with sustainability.

7. Current state of the stocks

20. There is no information on the status of any rubyfish, trumpeter, white warehou or yellow-eyed mullet stock, or whether the current catch is sustainable.
21. It is not known whether different biological stocks of rubyfish, trumpeter, or yellow-eyed mullet occur in New Zealand. The existence of three possible spawning areas for white warehou at the same time of the year suggests the possibility of three separate stocks.

8. Recent catch levels and trends

22. The best available information on each stock is from commercial reporting and is summarised in this section.
23. To aid understanding, we have included a summary of the different types of information that commercial fishers are required to provide in Table 2.

Table 2: Types of catch information

| | |
|---|---|
| Event level reporting | <p>Fishers provide information at the level of fishing events. For example, for trawl methods, event level reporting is on a tow by tow basis. The number of species required to be reported differs between methods and has changed over time. Typically however, fishers are required to report the top five or eight species by weight.</p> <p>When caught, the six stocks that are the subject of this paper are often outside the top five or eight species and there are limited instances of them being reported at the event level.</p> |
| Trip level reporting <i>(landing reports)</i> | <p>Trip level reporting and disposal reports summarise all fish taken during a trip. If a species has not been reported at the event level during a trip, it should still be recorded at the trip level.</p> <p>Under paper-based reporting, fishers were required to provide a report summarising how much fish was taken during a trip. Similar requirements apply under electronic reporting although trip level reporting only applies to fish that is landed. Fish that is not landed, (e.g. eaten or returned to the sea), is reported on disposal reports on a daily or event basis.</p> |
| Monthly reporting | <p>Monthly reporting is required for catch balancing purposes. Permit holders provide reports summarising catch of all QMS species taken during a month by all vessels they operate. Since 2001, monthly reporting has been in the form of Monthly Harvest Returns (MHRs). The precursor to Monthly Harvest Returns were called Quota Monitoring Reports (QMRs).</p> |

Rubyfish

24. Most commercial catch of rubyfish is taken by trawl methods at depths of between 200 and 400m. Since QMS introduction, total annual nationwide catch has varied between around 200 and 750 tonnes. Most catch taken is taken in RBY 1 and RBY 2, with smaller quantities taken in all other stocks.

RBY 5

25. Most rubyfish taken in FMA 5 come from trawl vessels targeting squid or bottom longline vessels targeting bluenose or ling. The presence of rubyfish in this area has been confirmed by Fisheries New Zealand Observers.
26. A total of 5,402 kg of RBY 5 has been reported since 1998. The year with the greatest catch was 2001/02 (1,410 kg), with nil catch being reported in four of the 21 completed fishing years (see Figure 2).

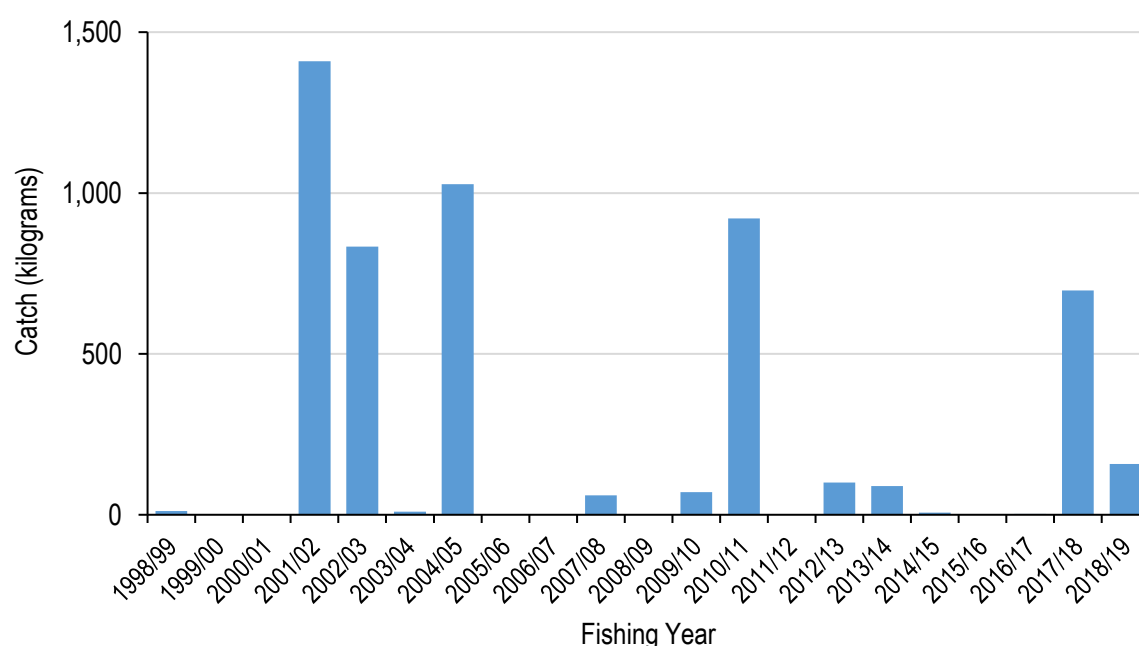


Figure 2: Catch of RBY 5 reported on Quota Monitoring Reports / Monthly Harvest Returns since introduction into the QMS in 1998/99 (kg)

RBY 6

27. A total of 210 kg of RBY 6 has been reported since 1998, with nil catch reported in 11 of the 21 completed fishing years (see Figure 3). Reported catch was taken by factory trawlers that were likely targeting species such as southern blue whiting and hoki. This species has not been recorded by Fisheries New Zealand Observers in FMA 6.

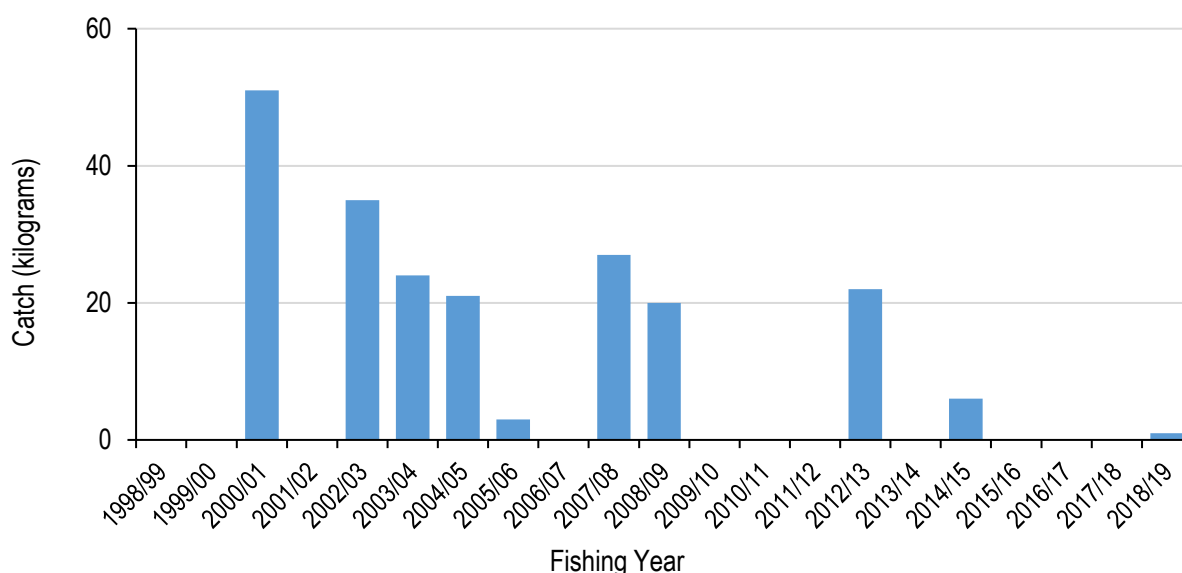


Figure 3: Catch of RBY 6 reported on Quota Monitoring Reports / Monthly Harvest Returns since introduction into the QMS in 1998/99 (kg)

28. Catch of rubyfish in neighbouring stocks (RBY 3, RBY 4 and RBY 7) is generally in the order of less than 10 tonnes a year, with the occasional year's catch in the tens of tonnes. There has been no trend in catch since 1998.

Trumpeter

29. Trumpeter is caught in depths ranging from just a few metres to around 200m. Most catch is taken around the lower South Island (FMA 5) and Chatham Islands (FMA 4). Since QMS introduction, annual nationwide commercial catch has ranged between 25 and 110 tonnes.

TRU 6

30. A total of 32 kg of TRU 6 has been reported since 1998, with nil catch reported in 11 of the 21 completed fishing years (see Figure 4). All catch reported was taken by factory trawlers that were likely targeting species such as squid and scampi. Reports of TRU 6 catch have become more frequent in recent years.

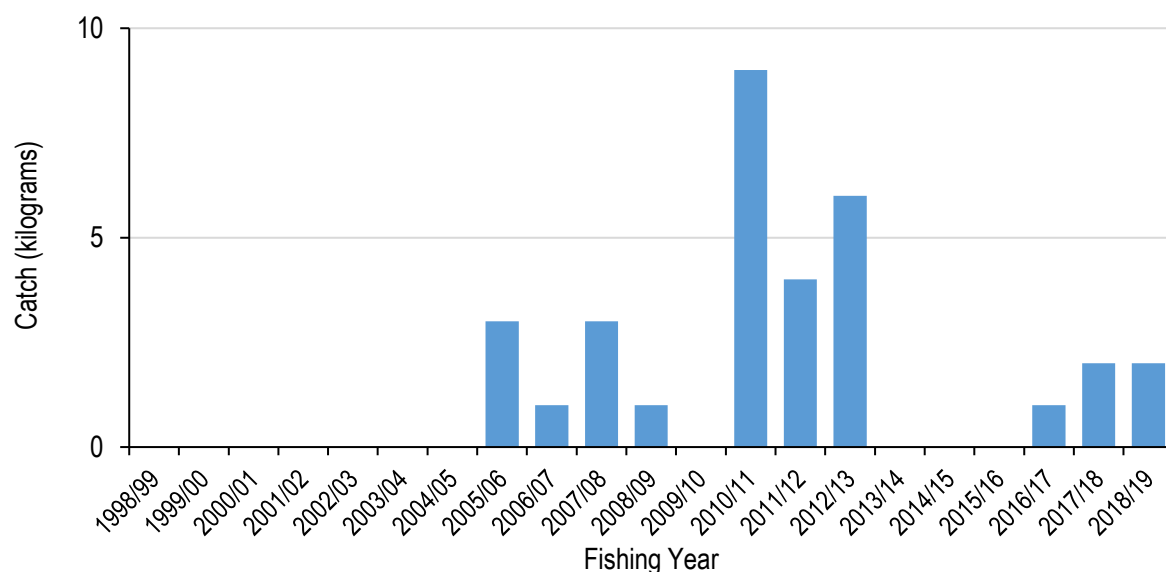


Figure 4: Catch of TRU 6 reported on Quota Monitoring Reports / Monthly Harvest Returns since introduction into the QMS in 1998/99 (kg)

TRU 9

31. A total of 476 kg of TRU 9 has been reported since 1998, with nil catch being reported in six of the 21 completed fishing years (see Figure 5). Trumpeter has been taken in TRU 9 by inshore trawl, bottom longline, and set net fisheries. The presence of trumpeter in this area has been confirmed by Fisheries New Zealand Observers. Reports of TRU 9 catch have become more frequent in recent years.

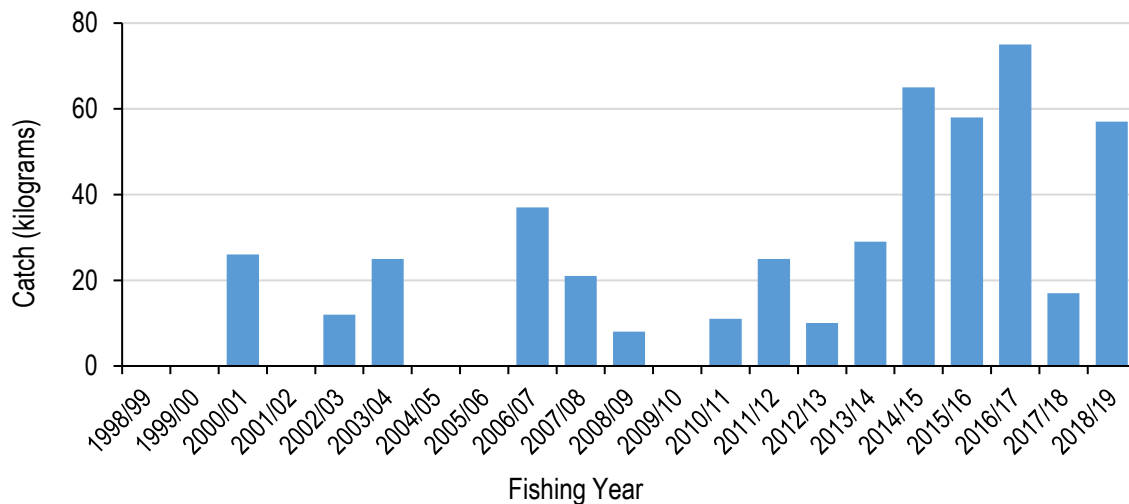


Figure 5: Catch of TRU 9 reported on Quota Monitoring Reports / Monthly Harvest Returns since introduction into the QMS in 1998/99 (kg)

32. In terms of the adjacent trumpeter stocks, a total of around 6,000 kg was reported for both TRU 1 and TRU 2 over the same 21 year period, with an average annual catch of around 300 kg.

White warehou

33. Most white warehou is taken between depths of 300 and 700m by trawl methods. It is taken as a target species, as well as bycatch to hoki, squid, ling and silver warehou. Since QMS introduction, nationwide commercial catch has ranged between 820 and 3,350 tonnes. Most catch is taken on the Stewart/Snares Shelf and on the Chatham Rise.

WWA 9

34. White warehou has been taken in WWA 9 in ling trawl and bluenose bottom longline fisheries. A total of 289 kg of WWA 9 has been reported since 1998, with nil catch reported in 13 of the 21 completed fishing years (see Figure 6).
35. In terms of the adjacent white warehou stocks, a similar quantity has been reported from WWA 8 over the same time period (258 kg) while total catch reported from WWA 1 was 1,741 kg.

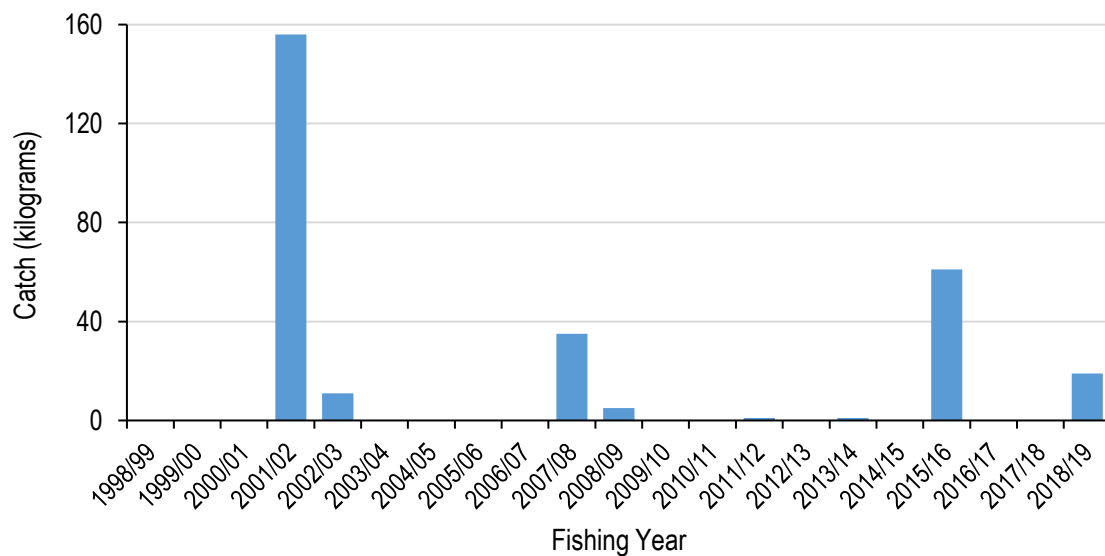


Figure 6: Catch of WWA 9 reported on Quota Monitoring Reports / Monthly Harvest Returns since introduction into the QMS in 1998/99 (kg)

Yellow-eyed mullet

36. Most nationwide catch of this species is reported in harbours and estuaries. Since QMS introduction, nationwide catch has ranged between 13 and 45 tonnes, with most catch taken in the upper North Island.

YEM 5

37. All records of yellow-eyed mullet in YEM 5 come from set netting for flatfish in shallow water, including harbours and estuaries.
38. A total of 941 kg of YEM 5 has been reported since 1998, with nil catch reported in 12 of the 21 completed fishing years (See Figure 7). Reports of YEM 5 have become more common in recent years.
39. In the neighbouring yellow-eyed mullet stocks, catch in YEM 3 has averaged 4,300 tonnes since 1998 and has fluctuated without obvious trend. Catch in YEM 7 has averaged around 700 kg since 1998. Catch has also fluctuated over time but has been considerably lower since 2012/13 than preceding years.

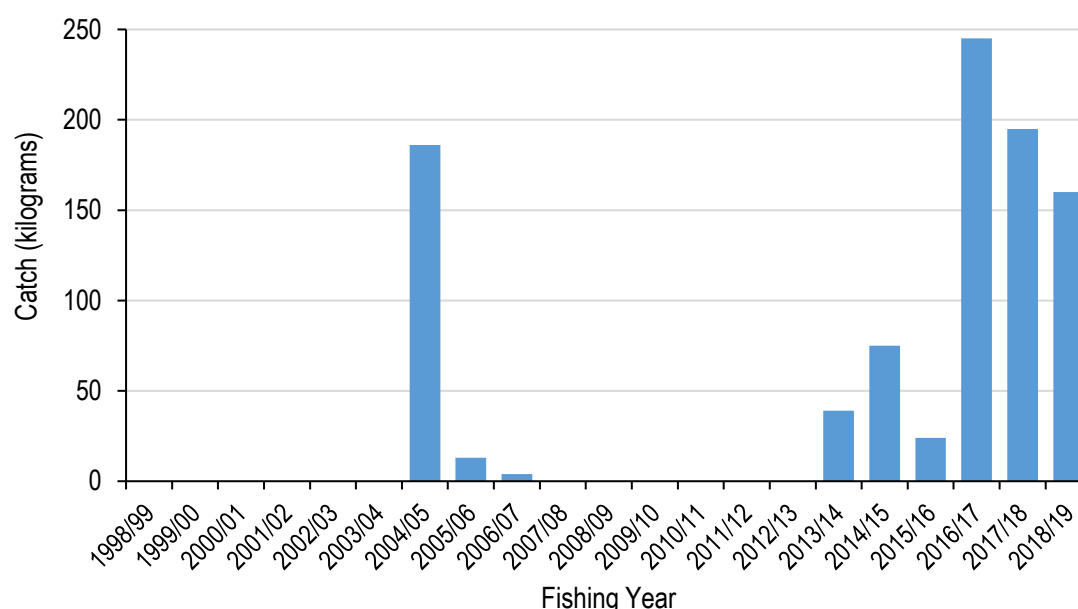


Figure 7: Catch of YEM 5 reported on Quota Monitoring Reports / Monthly Harvest Returns since introduction into the QMS in 1998/99 (kg)

Other information

40. In terms of recreational catch, the only stock for which information is available is YEM 5. The 2017/18 National Panel Survey of Marine Recreational Fishers recorded 251 individual yellow-eyed mullet taken by recreational fishers in FMA 5 during the survey period. This species is commonly targeted by recreational fishers in estuaries and the lower reaches of several rivers in Southland.
41. There are no records of customary catch for any of the six stocks although it is likely that customary catch is taken of the species that are commonly distributed in inshore waters, being YEM 5 and TRU 9.

9. Current TAC, TACC and allowances

42. With the exception of YEM 5, all stocks currently have their TAC/TACC and allowances set at zero. YEM 5 has TAC of two tonnes and a TACC of zero; the TAC is divided equally between the customary and recreational allowances.

Table 3: Current TAC, TACC and allowances (tonnes)

| Stock | Total Allowable Catch | Total Allowable Commercial Catch | Allowances | | |
|-------|-----------------------|----------------------------------|-----------------|--------------|--|
| | | | Customary Maori | Recreational | All other mortality to the stock caused by fishing |
| RBV 5 | 0 | 0 | 0 | 0 | n/a |
| RBV 6 | 0 | 0 | 0 | 0 | n/a |
| TRU 6 | 0 | 0 | 0 | 0 | n/a |
| TRU 9 | 0 | 0 | 0 | 0 | n/a |
| WWA 9 | 0 | 0 | 0 | 0 | n/a |
| YEM 5 | 2 | 0 | 1 | 1 | n/a |

43. The introductory section of the advice paper provided to the Minister for the stocks introduced into the QMS on October 1998 recommended that 'a zero allowance is made for other fishing related mortality in 1998-99'. However, in each of the species-specific recommendations, the Minister was not explicitly asked to set an allowance for all other sources of mortality to the stock caused by fishing. Fisheries New Zealand's interpretation to date has been that an allowance for all other sources of mortality has not been set for the six stocks.

10. Current other controls

44. Yellow-eyed mullet in YEM 5 is the only stock within this paper for which there is a recreational allowance. There is, however, no recreational daily limit for this species in FMA 5.

11. Options – varying the TACs, TACCs and allowances

45. For each stock, one option is proposed for the TAC, TACC and allowances (refer Table 1). Feedback is sought on the option for each stock, or alternatives to these options.

11.1 Total Allowable Catch / Total Allowable Commercial Catch

46. Fisheries New Zealand proposes to set modest TAC/TACCs that will provide commercial fishers the opportunity to balance the small amounts of catch taken with ACE. As noted earlier, there is no information on the status of any of the six stocks, or whether current catch is sustainable.
47. Fisheries New Zealand proposes a minimum TAC/TACC of one tonne unless the largest annual catch reported between 1998/99 and 2018/19 has exceeded one tonne (RBY 5) or there is anecdotal information regarding the quantum of catch likely to be reported once ACE is available for catch balancing purposes (TRU 9).
48. Fisheries New Zealand considers that the modest TAC/TACCs proposed are unlikely to cause any sustainability concerns for the relevant stocks. We consider that being able to balance catch taken with ACE will encourage better and more accurate reporting by fishers. Together with mandatory electronic reporting and geospatial position reporting, we expect considerably more information will be available to inform management. The enhanced information will allow us to better monitor catches from the six stocks more closely, and adjust limits as necessary.

11.2 Allowances

49. Fisheries New Zealand proposes to increase the customary Māori allowance for TRU 9 to 1 tonne, given that TRU 9 is commonly distributed in inshore waters and there is likely to be small amounts of customary catch. Fisheries New Zealand also proposes to retain the existing customary Māori allowance of zero tonnes for all other stocks. This is because they are distributed further offshore and available information indicates that there is no customary catch of these stocks. The exception is YEM 5, which already has a 1 tonne allowance that we propose to retain.
50. Fisheries New Zealand also proposes to increase the recreational allowance for TRU 9 to 1 tonne and retain the existing recreational allowance, which is 1 tonne for YEM 5 and zero tonnes for all other stocks. The rationale for the proposed recreational allowance settings matches that provided in the paragraph above.
51. Fisheries New Zealand proposes that an allowance for all other sources of mortality to the stock caused by fishing is explicitly set for each stock, and that that allowance is 0 tonnes. Given the nominal TACs proposed for the six stocks, any allowance other than zero would be negligible.

12. Environmental interactions

52. All six stocks are outside the core areas of each species' distribution and the species, to date, have not been targeted within the area encompassed by the stocks. The proposed nominal TACCs are unlikely to result in any change to fishing activity or environmental interactions in those areas.

13. Questions for submitters on options for varying TACs, TACCs and allowances

- Do you support revising the TACs? Why?
 - If you do not support the options listed, what alternative(s) should be considered? Why?
 - Are the allowances for customary fishing appropriate? Why?
 - We ask tangata whenua to provide any additional information you may have on customary catch.
 - Are the allowances for recreational fishing appropriate? Why?
 - Is retaining a zero allowance for other sources of mortality appropriate? Why?
53. Please provide detailed, verifiable information and rationale to support your views.

14. Deemed value rates

54. Deemed values are an economic tool that incentivises commercial fishers not to catch in excess of their individual annual catch entitlements.
55. A discussion of the deemed value rates for WWA 9 and YEM 5 is included in the accompanying consultation document "Review of Deemed Value Rates for Selected Stocks April 2020". It proposes increasing the interim deemed value rate for a number of April and October fishing year stocks (including for WWA 9 and YEM 5) from 50% to 90% of the annual rates. These proposals follow the recommendations of the Deemed Values Working Group.
56. As noted earlier, increasing the TACCs for these stocks will provide fishers with the means to be able to balance catch with ACE rather than having to pay deemed values. Addressing this issue is consistent with the outcomes of the Deemed Values Working Group. For more information on this please refer to the April 2020 sustainability round deemed values discussion paper (<https://www.fisheries.govt.nz/news-and-resources/consultations/review-of-sustainability-measures-for-1-april-2020>).

15. How to get more information and have your say

57. Fisheries New Zealand invites you to make a submission on the proposals set out in this discussion document. All submissions must be received by Fisheries New Zealand no later than 5pm on **Wednesday 5 February 2020**.
58. Please see the Fisheries New Zealand sustainability consultation webpage (<https://www.fisheries.govt.nz/news-and-resources/consultations/review-of-sustainability-measures-for-1-april-2020>) for related information, a helpful submissions template, and information on how to submit your feedback. If you cannot access to the webpage or require

hard copies of documents or any other information, please email
FMSubmissions@mpi.govt.nz.