



**Fisheries New Zealand**

Tini a Tangaroa

# Review of Sustainability Measures for Sea Perch (SPE 9) for 2020/21

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# 1 Stocks being reviewed

## Sea Perch (SPE 9)

*Helicolenus percoides*, Pohuiakaroa

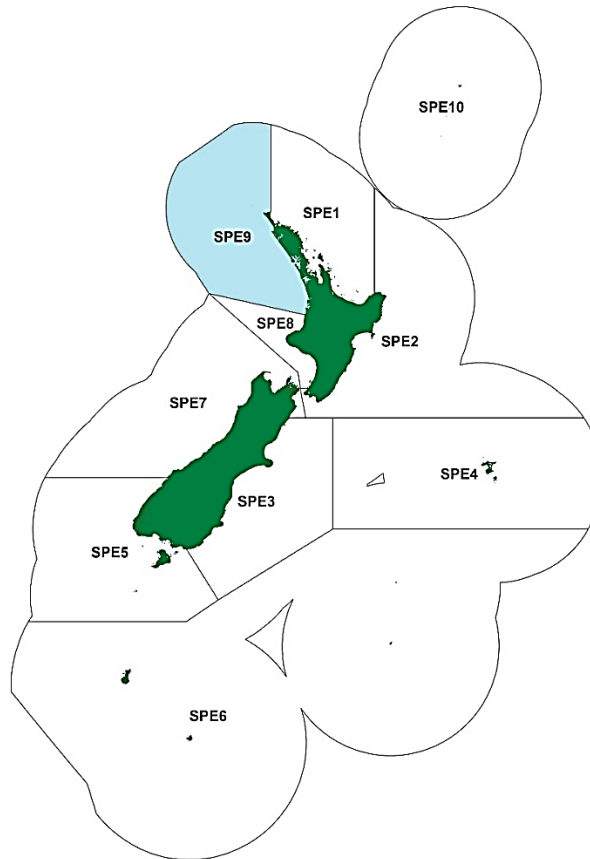


Figure 1. The Quota Management Area (QMA) for sea perch 9 (SPE 9).

## 2 Summary

1. Fisheries New Zealand is proposing to review the sustainability measures for sea perch in Quota Management Area (QMA) Sea Perch 9 (SPE 9) for the 1 October 2020 fishing year.
2. SPE 9 is situated off the north-west of the North Island (Figure 1). Sea perch in SPE 9 is caught mostly as bycatch across all sectors and is seldom targeted. Commercial fishers are responsible for the majority of catch, with most SPE 9 bycatch coming from trawl fisheries.
3. The catch limits and allowances for SPE 9 have not been reviewed since its introduction into the Quota Management System (QMS) in 1998. At the time of introduction, the settings for SPE 9 were low when compared to other sea perch stocks in New Zealand. In the last 5 fishing years, catch of SPE 9 has increased. Commercial fishers have reported that the higher catches of SPE 9 have impacted the ability to target other species. The increasing trend in higher catches may indicate that there is an opportunity to provide for increased utilisation. However, sea perch are a relatively slow growing species and currently, the status of the stock with respect to the biomass that can produce the maximum sustainable yield, is unknown.

4. Fisheries New Zealand is seeking feedback and submissions on whether increases to the Total Allowable Catch (TAC), total allowable commercial catch (TACC) and allowances should be made.
5. The TAC of the stock is currently 8 tonnes, of which 6 tonnes is the TACC. Customary and recreational fishing are allocated 1 tonne each. The allowance for other mortality associated with fishing is set at 0.
6. Two options are proposed for SPE 9:
  - Option 1 is to maintain the status quo, with no increases to the TAC, TACC and allowances.
  - Option 2 is a 6 tonne (75%) increase to the TAC, made up of a 4 tonne (67%) increase to the TACC and 1 tonne increases to recreational allowance (100%) and other mortality as a result of fishing allowance. Changes to the customary allowance are not being proposed.
7. Option 1 makes no changes to the current settings. This option carries the least sustainability risk by putting the most weight on the uncertainty regarding the stock status of SPE 9.
8. The increases proposed under Option 2 are unlikely to carry significant sustainability risk given sea perch is widely distributed and commercial fishing is spatially excluded from multiple areas within the QMA. As a minor bycatch of the trawl fishery, this option is not thought to pose any significant changes to the interactions with marine mammals, seabirds, or the benthic environment. The proposed changes are small when compared to settings in other sea perch stocks around New Zealand.

### 3 Quota Management System

9. Sea perch was introduced into the QMS in October 1998. At that time the TAC, TACC and allowances for SPE 9 were set and have not been reviewed since. These allowances were set using the best available information at the time. The fishing year for SPE 9 runs from 1 October to 30 September.
10. For more information about the QMS go to <https://www.mpi.govt.nz/law-and-policy/legal-overviews/fisheries/quota-management-system/>.

### 4 Legal basis for managing fisheries in New Zealand

11. The Fisheries Act 1996 (the Act) provides the legal basis for managing fisheries in New Zealand, including the Minister's responsibilities for setting and varying sustainability measures.
12. The TAC for SPE 9 is set under section 13 of the Act. Section 13 requires the Minister for Primary Industries (the Minister) to set a TAC for SPE 9 that enables the stock to be maintained at, or move towards, a level at or above the level that will produce the maximum sustainable yield ( $B_{MSY}$ ).
13. The available information on SPE 9 is insufficient to enable reliable estimates of  $B_{MSY}$ . Where reliable estimates of  $B_{MSY}$  are not available, s13(2A) of the Act requires the Minister to use the best available information to set a TAC that is not inconsistent with the objective of maintaining the stock at or above, or moving the stock towards or above, a level that can produce the maximum sustainable yield.
14. See the separate document *Overview of legislative requirements and other considerations* at <https://www.fisheries.govt.nz/dmsdocument/40502> for more information.

## 5 Treaty of Waitangi obligations

### 5.1 Input and participation of tangata whenua

15. 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 can develop 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.
16. Due to COVID-19 travel restrictions, input and participation from Iwi Fisheries Forums was sought through remote mechanisms. In late April 2020, a two-page document with information on the proposal to review the SPE 9 stock was provided to the relevant Iwi Fisheries Forums, and input sought.
17. This was followed up with an opportunity for Forum hui via video conferencing and additional contact of individual forum members. Prior to consultation, the review of SPE 9 was discussed with members of the 'Mid North', Nga Hapu o te Uru and Te Tai Hauauro forums. Feedback received from Nga Hapu o te Uru and the Mid North Forums urged caution in managing fisheries with a low level of information available.
18. Given the current challenging circumstances, and reduced ability to engage, it is acknowledged that not all input and participation from Iwi forums has been received.
19. Fisheries New Zealand seeks further input and information on the proposed options for SPE 9 from tangata whenua during consultation and before final advice and recommendations are made.

### 5.2 Kaitiakitanga

20. SPE 9 has been identified as a taonga species by the Te Hiku o te Ika (Far North) Iwi Fisheries Forum. Fisheries New Zealand considers that the management options presented in this consultation paper are in keeping with the objectives of the iwi fisheries plan which generally relate to active engagement with iwi and the maintenance of healthy and sustainable fisheries, but seeks further input from iwi to help inform final advice on this review.
21. Available information indicates that there are currently very low levels of customary take of sea perch and there have been no reported customary authorisations for SPE 9. It is possible that sea perch harvested for customary purposes is being taken under the Fisheries (Amateur Fishing) Regulations 2013, and has therefore not been reported in the Māori customary harvest information available to Fisheries New Zealand.
22. Table 1 lists the customary fisheries areas that fall within the quota management area SPE 9.

Table 1. Customary fisheries in SPE 9.

	Management type
Aotea Harbour Mātaitai	Mātaitai Reserve
Marokopa Mātaitai	Mātaitai Reserve
Kawhia Aotea Taiāpure	Taiāpure

23. Commercial fishing is not permitted within mātaihai reserves, but recreational and customary fishing is allowed. All types of fishing are permitted within a Taiāpure unless the local community initiate a management process to implement further regulation. Sea perch is not prohibited from being caught in the Kawhia or Aotea Taiāpure. Sea perch is not known to be targeted regularly in any of the customary areas in Table 1. Also, given none of these mātaihai or Taiāpure overlap with preferred sea perch habitat, it is unlikely the proposals will impact on the availability or abundance of sea perch in these areas.

## 6 Relevant acts, plans, strategies, statements and context

24. Sea perch are managed under the Draft National Inshore Finfish Fisheries Plan (the Finfish Plan) which provides guidance on management objectives and strategies for finfish. The Finfish Plan will guide the operational management of inshore finfish fisheries for the next five years and is aimed at progressing New Zealand towards more ecosystem-based fisheries management. Stocks are grouped within the Finfish Plan, with management approaches and objectives tailored accordingly for each group. Sea perch falls into Group 3, which recognises that it is subject to less fishing pressure than some other stocks, and that less comprehensive information for management is required. The general approach is to minimise management costs by using catch trends as the key monitoring tool. SPE 9 landings in excess of the TACC are used as a trigger for further investigation and consideration of review.

## 7 Current state of the stock

25. Sea perch are widely distributed around most of New Zealand. They inhabit waters ranging from the shoreline to 1500m depth, but are most common between 150m and 500m.
26. The current state of the stock is unknown. The best available information about the state of SPE 9 is from trends in catch.
27. Sea perch growth is relatively slow throughout its life and maturity is reached around 5 years, with a maximum age of a similar Australian species being reported at 40 years.
28. There are two recognised species of sea perch in New Zealand; *H. percoides* and *H. barathri*, and there is some information that a third species is present. The existing management of sea perch combines all species of *Helicolenus*.
29. There is limited information relevant to biological stock boundaries.

## 8 Recent catch levels and trends

30. The best available information on the SPE 9 catch levels and trends is from commercial catch and fishing effort reporting. Figure 2 below shows an increasing trend in catch of SPE 9 since 2010-11. Catch decreased from 2017-18 to 2018-19 but still exceeded the TACC. Landings have exceeded the TACC each year for the last 5 years, with the average catch over that period being 7.8 tonnes – 1.8 tonnes above the TACC. Commercial fishers have reported that the low TACC of SPE 9 is restricting the targeting of other fish species as most landings of sea perch have been reported as bycatch, predominantly in trawl fisheries.
31. The current allowances for customary and recreational fishing were set based on best available information of customary and recreational catch and have remained unchanged since the introduction of SPE 9 to the QMS. There is no current estimate for recreational catch of SPE 9 available as SPE 9 was not reported in the National Panel Survey of Marine Recreational

Fishers 2017/18. However, the survey estimated that 62.7 tonnes of sea perch was taken by recreational fishers in other areas of New Zealand in the 2017-18 fishing year.

32. Customary catches of sea perch have not been reported in SPE 9 in the last five fishing years, although, reporting of customary catch is not currently mandatory across SPE 9. It is likely that Māori customary fishers utilise the provisions under recreational fishing regulations. The information on Māori customary harvest under the provisions made for customary fishing is limited. This may be due to large parts of the QMA not being gazetted under the Fisheries (Kaimoana Customary Fishing) Regulations 1998. Customary fishing authorisations in many parts of the SPE 9 QMA, if issued, would be under the Fisheries (Amateur Fishing) Regulations 2013, where there is no requirement to report on authorisations.

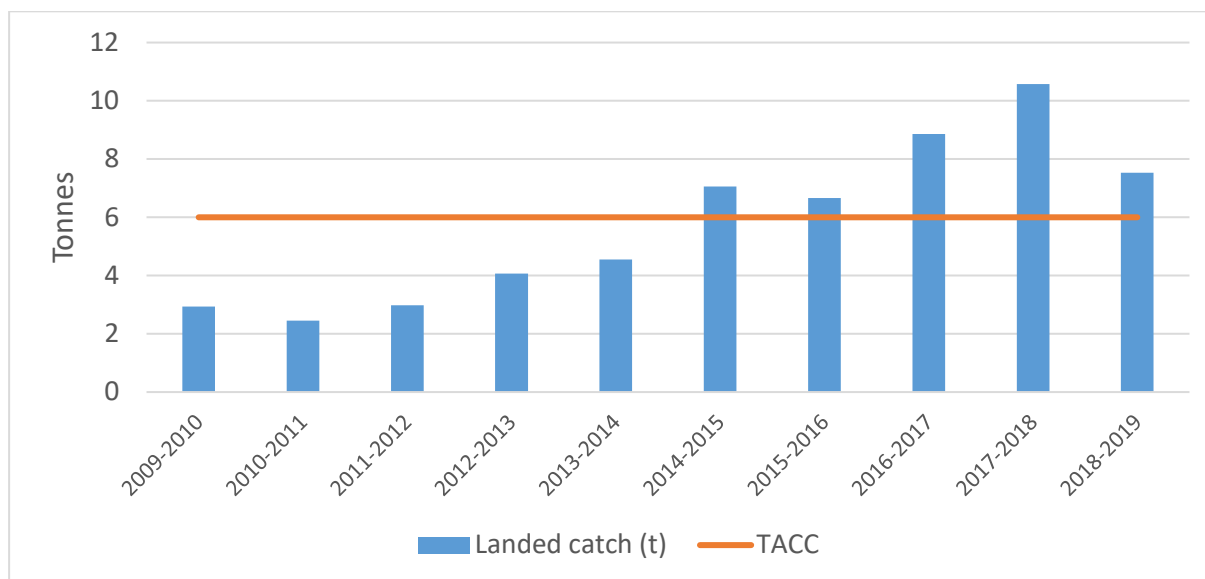


Figure 2. Commercial landings for SPE 9 (in tonnes) from 10 most recent complete fishing years.

## 9 Current TAC, TACC and allowances

Table 2. Current TAC, TACC and allowances (all in tonnes) for SPE 9.

Total Allowable Catch (t)	Total Allowable Commercial Catch (t)	Allowances		
		Customary Maori (t)	Recreational (t)	All other mortality to the stock caused by fishing (t)
8	6	1	1	0

## 10 Current other controls

33. There is no recreational minimum legal size or daily bag limit for sea perch in SPE 9.
34. Controls in the commercial fishery for SPE 9 include a minimum set net mesh size of 125mm, and multiple method and spatial restrictions, including exclusion from Maui dolphin habitat. The spatial restrictions relate to vessel size, and distance from shore and prevent trawling in inshore waters, particularly near the coast line and where threatened species are found.



## 11 Options – varying the TAC, TACC and allowances

35. Two options are proposed for the TAC, TACC and allowances for the SPE 9 stock. Feedback is sought on these options, or alternatives within this range.

Table 3. Options for varying TAC, TACC and allowances (all in tonnes) for SPE 9

Option	Total Allowable Catch (t)	Total Allowable Commercial Catch (t)	Allowances		
			Customary Māori (t)	Recreational (t)	All other mortality to the stock caused by fishing (t)
Option 1 ( <i>Status quo</i> )	8	6	1	1	0
Option 2	14 ↑ (75%)	10 ↑ (67%)	1	2 ↑ (100%)	1 ↑

### 11.1 Total Allowable Catch

36. Option 1 is the status quo TAC of 8 tonnes for SPE 9. This option reflects a cautious approach to management as well as the uncertainty in information on the status of the stock and therefore carries the least sustainability risk.
37. Option 2 proposes to increase the TAC from 8 tonnes to 14 tonnes for SPE 9 which is a 75% increase. This option takes into account that commercial catches of sea perch have increased since 2010 with some fluctuations. This information from commercial catches may indicate that the abundance of SPE 9 has increased since catch limits were first set. SPE 9 is not regularly targeted by commercial or non-commercial fishers and it is unlikely that a moderate increase in limits and allowances will present a significant sustainability risk. SPE 9 will be reviewed again if monitoring suggests that this is required.

### 11.2 Allowances

38. Option 1 is to maintain the status quo. Under this option it is proposed that no changes to allowances will be made.

#### Customary

39. Fisheries New Zealand considers that the current allowance of 1 tonne provides for current customary harvest and is not consulting on an increase to the customary allowance under Option 2. Fisheries New Zealand is aware that iwi throughout New Zealand are looking at better ways to utilise the customary allowance, including the use of commercial fishing vessels. The allowances can be reviewed in future if new information indicates the current setting does not adequately provide for customary harvest.

## Recreational

40. Under Option 2, the recreational allowance is proposed to increase from 1 tonne to 2 tonnes on the basis that SPE 9 abundance and the availability of SPE 9 to non-commercial fishers may have increased. This is reflected by information from the National Panel Survey of Marine Recreational Fishers 2017/18 that sea perch is a species often caught by recreational fishers in considerable numbers in parts of New Zealand where sea perch are more common.

### All other mortality as a result of fishing

41. Currently, there is not an allowance for all other mortality of SPE 9 caused by fishing.
42. In 2018, the Minister of Fisheries made a decision to set an allowance for all other sources of mortality caused by fishing at a minimum of 10% of the TACC for inshore stocks that are taken predominantly by trawl<sup>1</sup>.
43. Where there is no information available to quantify all other mortality to the stock caused by fishing, 10% best reflects the overall level of uncertainty in this information across all stocks in this category.
44. Option 2 proposes to set the allowance for all others sources of mortality from fishing at 1 tonne, 10% of the proposed TACC. This is considered appropriate in line with the Minister's previous decision, the biological characteristics of the stock and expected mortality of SPE 9 caused by commercial and non-commercial fishing.

## 11.3 Total Allowable Commercial Catch

45. Under Option 1 for SPE 9 there will not be an increase to the TACC.
46. Under Option 2 the TACC would increase from 6 tonnes to 10 tonnes.
47. Based on the reported port price (which does not reflect the total economic benefit), this increase may support an approximate increase in revenue of \$4,300 per year. Reported data on commercial landings show that, on average, the TACC has been over caught by approximately 1.8 tonnes across last 5 years, with the average landed catch sitting at 7.8 tonnes.
48. SPE 9 is considered an unavoidable bycatch species. It is likely that the real value to commercial fishers from an increase in TACC will be related to the operation of vessels targeting other stocks.

Table 4. Predicted changes to commercial revenue for the proposed options, based on recommended port prices of \$1.08/kg for SPE 9 in the 2019/20 fishing year.

Option	Change from current setting (tonnes)	Predicted revenue changes (\$p.a.)
Option 1 (status quo)	NA	NA
Option 2	4↑	\$4,320.00↑

<sup>1</sup> <https://www.mpi.govt.nz/dmsdocument/30846-2018-october-sustainability-round-decision-letter-signed>

## 12 Uncertainties and risks

49. The biological makeup of the biomass is uncertain, with 2 confirmed species in New Zealand and a possible third species that little is known about. Sea perch have relatively slow growth throughout their life and are a long-lived species.
50. There are no estimates of current and reference biomass available for any SPE stocks in New Zealand. It is not known if recent catch levels are sustainable. The low level of information available on SPE 9 presents some risk in terms of the ability to monitor the fishery and assess fishery performance.
51. Digital monitoring across all commercial fisheries will provide finer scale and more timely information on sea perch catch, which will support better monitoring.

## 13 Environmental interactions

52. SPE 9 is predominantly taken by trawl and is largely taken as bycatch in a number of other target fisheries. The proposed increase to the TACC for SPE 9 is unlikely to result in any change to the total amount of fishing effort, while acknowledging there may be a small increase in the number of tows. As a result, Fisheries New Zealand does not foresee there to be significant changes in fishing interactions with marine mammals, fish bycatch, seabirds and the benthic environment.
53. It is acknowledged that SPE 9 overlaps with Māui and Hector's dolphin North Island distributions. It is not anticipated that the proposed options will increase the risk of interactions between Māui or Hector's dolphins and fishing activity.

## 14 Questions for submitters on options for varying TACs, TACCs and allowances

- Which option do you support for revising the TACs and allowances? Why?
  - If you do not support any of 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?
  - Are the allowances for other sources of mortality appropriate? Why?
  - What other management controls should be considered for both recreational and commercial fishers? Why?
54. Please provide detailed, verifiable information and rationale to support your views.

## 15 Deemed values

55. There are no proposed changes to the deemed values for SPE 9.

## 16 Referenced reports

Draft National Inshore Fisheries Plan. November 2019

<https://www.fisheries.govt.nz/dmsdocument/38045-national-inshore-finish-fisheries-plan-draft>

Fisheries Assessment Plenary May 2020: <https://www.fisheries.govt.nz/news-and-resources/science-and-research/fisheries-research/>

Aquatic Environment and Biodiversity Annual Review 2018 (AEBAR 2018):

<https://www.mpi.govt.nz/dmsdocument/34854-aquatic-environment-and-biodiversity-annual-review-aebar-2018-a-summary-of-environmental-interactions-between-the-seafood-sector-and-the-aquatic-environment>

National Panel Survey of Marine Recreational Fishers 2017-18.

<https://www.mpi.govt.nz/dmsdocument/36792-far-201924-national-panel-survey-of-marine-recreational-fishers-201718>

## 17 How to get more information and have your say

56. Fisheries New Zealand invites you to make a submission on the proposals set out in this discussion document. Consultation closes at 5pm on 1 July 2020.
57. Please see the Fisheries New Zealand sustainability consultation webpage (<https://www.fisheries.govt.nz/news-and-resources/consultations/review-of-sustainability-measures-for-1-october-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](mailto:FMSubmissions@mpi.govt.nz).