

Kenepuru & Central Sounds



Kenepuru & Central Sounds Residents Association Inc.

Manager, Fisheries New Zealand
Sustainability Review 2019

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12 February 2019

Dear Sir/Madam

**Kenepuru and Central Sounds Residents' Association
Submission on Fisheries New Zealand Review of
Sustainability Measures for Marlborough Sea Cucumber (SCC 7A) for 2019/20**

I write in my capacity as President of the Kenepuru and Central Sounds Residents' Association Inc., (**Association**).

1. Introduction

- 1.1 The Association was established in 1991 and currently has approximately 280 household members who live full time or part time in the Kenepuru and Pelorus Sounds. The Association's objects include, among others, to coordinate dealings with central and local government and represent members on matters of interest to them. For an overview of the wide range of issues we represent members on, go to our website – www.kcsra.org.nz
- 1.2 However, by way of example and given its extreme relevance to the above FNZ Discussion Document (**DD**), we will firstly touch on one matter the Association has been heavily involved in.
- 1.3 In 2014 community groups alerted the Association as to the rapidly declining scallop resource in the Marlborough Sounds. Upon investigation we formed the view that the primary driver behind this alarming state of affairs was due to commercial overfishing. After several years of effort we and other stakeholders were successful in having the fishery closed. A slightly unfortunate outcome, as arguably blameless recreational and customary fishers had to bear the brunt of a failed experiment in industry management of this much-cherished resource. We are now engaged in a collaborative working group looking to establish, among other things, some much needed parameters as to if or when the Sounds scallop resource has recovered to a stage that some level of take is sustainable into the future.

Kenepuru & Central Sounds Residents Association Inc.

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- 1.4 With the benefit of hindsight we now see the reluctance of industry and FNZ (MPI) to first do the hard yards and set reference biomass levels and hard and soft limits¹ as a primary reason why our struggle to save the Sounds Scallop Fishery has been so long and so contested.
- 1.5 Today, once again, community groups concerned as to what is been proposed for the SCA7 Sea cucumber fishery have approached us. Accordingly, alarm bells rang when on an initial review of the FNZ Discussion Document (DD) we realized no work had been done on reference limits and hard and soft limits². This is so, despite this fishery being in the Quota Management system since 2004.
- 1.6 Finally, it seems clear that a relatively small area of the Sounds – for obvious reasons – is the preferred hunting ground for commercial fishers of this fish species notwithstanding the relatively large area that is SCA7.

2. Discussion

- 2.1 **Inadequate Information:** We noted the advice of the authors of the DD that the latest available MPI/FNZ Fisheries Assessment Plenary document ³ for this fish species was the “*best available information*” and reviewed the same. It is a short chapter barely 5 pages (including references) long. It squarely underlines the fact that **little is known** about the commercially targeted sub species - *Stichopus mollis*. Proposing a massive increase in TACC based on this scarcity of information seems, we submit, contrary to the sustainability requirement of Section 8 of the Fisheries Act 1996.
- 2.2 In proposing Option 2 (a massive increase in TACC) the authors of the DD seemingly put much weight on the abundance of the *Stichopus mollis* Sounds resource by reference to by-catch data gathered in conjunction with various scallop biomass surveys. They also refer to a 2014 NIWA dive survey within the current main Sounds fishing ground for this species. The DD suggests this work was assessed by/through a Fisheries Science Working Group process. However **no links are given** or other information provided by the DD authors as to this work or its subsequent peer assessment. This is a most unfortunate departure from good consultation practice and requirements **as it deprives submitters** from carrying out their own assessment of the collated data and associated narrative.
- 2.3 Around 5 pm on the 10th of February FNZ suddenly produced what they said was the NIWA report of the 2014 dive survey referred to in the DD and used to substantiate the increase proposed by Option 2. **We protest** at this is too late in the piece “coming clean”. Imagine the horror if we asked FNZ to respond to a research paper we produced within 24 hours!! However, even a quick read of the Executive Summary of the NIWA report highlights disturbing differences as to the maths behind the FNZ claims as to the sustainability of moving from the status quo. We cover that briefly elsewhere.
- 2.4 **The Industry/markets:** Apart from noting the recent formation of a Sea Cucumbers Quota Owners Group⁴ no information is given as to the composition of quota holders (e.g., numbers, corporates or individuals) or any market information (eg domestic or export destinations), or where the green catch is processed and so on. This is an

¹ This best practice management strategy is set out in the MPI (now FNZ) 2008 publication “*Harvest Strategy Standard for New Zealand Fisheries*”.

² See paragraph 18 of the FNZ DD.

³ May 2018 Fisheries Assessment Plenary Voume 3 at pages 1293 and 1298 – See paragraph 66 of the FNZ DD.

⁴ See paragraph 61 of the FNZ DD.

unfortunate oversight.

- 2.4 **Diver Only?:** The DD is less than reassuring in terms of the fishing methods. It suggests it is diver only (free and assisted) and thus low impact on both habitat and catch mortality compared to say dredging or bottom trawling techniques. However it then goes on to state that it is only “*expected*” that if, as per Option 2, the TACC is **massively increased** from eight to eighteen tonnes then it will continue to be a diver only fishery. Bear in mind that the May 2019 Plenary extract records that once upon a time around 45% of the catch was taken as by catch in bottom trawling!
- 2.6 It is now well accepted in most quarters that the marine area of the Sounds is suffering adverse impacts on its ecosystem and habitats from many activities both marine and land based. Paving the way for additional dredging or bottom trawling in the Sounds is **not, we submit, acceptable**. Regulations need to be put in place as soon as possible requiring that commercial fishing of this species **be diver only**.
- 2.5 **The Maths:** In due course the DD authors attempt to put up some mathematical process/justification for arriving at the suggested TACC and that implicitly it is a sustainable figure. With all due respect we submit their logic seems rather hard to follow.
- 2.7 At paragraphs 19 to 21 of the DD some overview results from the surveys referred to above is given. The biomass estimate derived from the scallop surveys is said to cover a small area (no quantum given or what this area is relatively small in relation to) and a biomass range of 135 tonnes to 237 tonnes given. Presumably this is for the whole sampled area. The mid point is not given. No explanation is given as to why this range is “*likely to be biased low*”.
- 2.7 For the NIWA dive survey results no range is given other than that the mid point biomass figure for the area sampled in the NIWA dive survey is 349 tonnes. The authors then add this figure to the scallop survey figures to arrive at a range of 485 to 585 tonnes. This seems a fundamentally flawed approach.
- 2.8 We submit that a more valid approach is to use the mid point of each set of figures add them together and then divide that by two providing an average. This would seem to arrive at **a figure of about half** that suggested in the DD.
- 2.9 In any event at paragraph 30 of the DD the authors have another go. Here they appear to use the lower limit of the 95 % confidence range (not given) for each survey. They then appear to set an exploitation rate of 5%. They then presumably multiply the lower bound of each survey by 5% producing figures of 3.4 tonnes and 11.1 tonnes respectively. They then add these together and say a sustainable yield of 14.5 tonnes is available from these areas.
- 2.10 I stress we are forced to read between the lines a lot here but this approach seems more than a little hair raising. Further a fair proportion of it comes from an area not currently fished by the industry for this species. Straight away this puts undue fishing pressure on the population in the QC and Tory Channel areas.
- 2.11 As noted FNZ suddenly produced the NIWA report² of its 2014 dive biomass survey in

¹ See the likes of paragraph 32 of the FNZ DD

² “*Dive surveys of sea cucumbers in Queen Charlotte Sound (SCC 7A) and Hauraki Gulf (SCC 1B), 2014* New Zealand Fisheries Assessment Report 2016/58 J.R. Williams, C.L. Roberts, C.J. Middleton.

the Queen Charlotte commercial area re Sea Cucumbers at the eleventh hour. Our review of that report has of necessity been confined to the Executive Summary nor have we carried out a committee review. Nevertheless the report suggests a commercial sized biomass of 88 tonnes (95% CI = 58 – 115 tonnes). Using these figures and the approach taken by the authors of the DD as set out above we get a sustainable yield of **2.9 tonnes!!!**

- 2.12 Quite frankly this mismatch with the DD is appalling. We **strongly recommend** the senior NIWA author of the dive survey report be instructed to comment on the claims made in the DD and the findings of the dive report. In the interim we **caution FNZ against** supporting the use of the DD approach by the Minister to assist in his decision. This would be most unfortunate.
- 2.11 We submit the approach used with the data to hand clearly **does not support an increased TACC**.

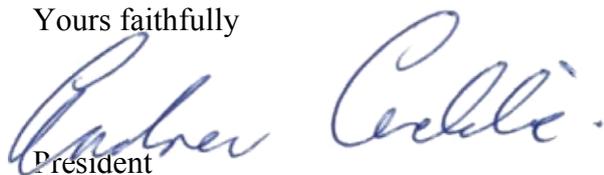
3. Conclusion

- 3.1 This is clearly a little known species with a history of fishing effort in SCA 7 being relatively concentrated in an area of the Sounds. The FNZ efforts at using their interpretation of existing data to arrive at the relative size of the resource seem fundamentally flawed as to approach and likely to arrive at a serious over estimate of the sustainability of the resource. Nor are they supported by the NIWA report on the 2014 dive survey. Adoption of Option Two is likely to result in a sustainability issue for an indigenous species whose role and place in the marine system seems very poorly known.
- 3.2 Accordingly the Association believes a precautionary approach is required pursuant to the provisions of the Fisheries Act and submits in favour of **Option One. – Status Quo**.

4. Next Steps

- 4.1 We **recommend** that the work streams mentioned in the DD at paragraph 61 of the DD are sound but need to be implemented **BEFORE** the TACC is raised. We submit accordingly. To these work streams we **also recommend** that work begin immediately on ascertaining reasonably defensible reference levels and hard and soft limits.
- 4.2 We **recommend** that a working group be set up comprising not only representatives from the Sea Cucumbers Quota Owners Group but also IWI, FNZ, technical advisers and community groups. The Working Group's terms of reference to include the development of a Fisheries Strategy for this resource in SCA7 (effectively the Sounds only).

Yours faithfully



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