



## Office of Hon Nathan Guy

**MP for Otaki**

Minister for Primary Industries

Minister for Racing

Dear Stakeholder

### **Sustainability measures and other management controls for 1 October 2013**

I write to inform you of the decisions I have made for the fish stocks under review for the 2013/14 fishing year. My decisions on Total Allowable Catches (TACs), allowances, Total Allowable Commercial Catches (TACCs) and deemed values will come into effect on 1 October 2013. Copies of the initial position papers and final advice papers are available on the Ministry for Primary Industries' (the Ministry) website ([www.mpi.govt.nz](http://www.mpi.govt.nz)).

The decisions I have made reflect my desire to increase the benefits obtained from fisheries while ensuring sustainability. Where I consider there to be opportunities for increased utilisation, I have increased TACs. However, for several stocks I have decided to maintain the current TAC.

In reaching my decisions I have considered the submissions received on the Ministry's initial position papers and the final advice papers provided to me by the Ministry. This advice included the Ministry's analysis of submissions received during the consultation process. I also considered the relevant legislative provisions and my obligations under the Fisheries Act 1996 (the Act). I would like to thank everyone who took the time to make submissions during the consultation period.

The specific decisions for each stock are attached.

A handwritten signature in blue ink that reads "Nathan Guy".

Hon Nathan Guy  
**Minister for Primary Industries**

## Hoki (HOK1)

I have decided to increase the TAC for HOK1 from 131,340 tonnes to 151,540 tonnes for the 2013/14 fishing year. Within this TAC, I have increased the TACC from 130,000 to 150,000 tonnes and the allowance for other sources of fishing-related mortality from 1,300 to 1,500 tonnes. I have retained the Maori customary non-commercial and recreational fishing allowances at 20 tonnes each.

Although the TAC is set for HOK1 as a whole, the stock consists of two sub-stocks that are managed separately. A key factor in my decision was the most recent hoki stock assessment results, which shows biomass of both sub-stocks has continued to increase and is currently at or above the biomass that can produce the maximum sustainable yield ( $B_{MSY}$ ) and the management target of 35-50% of un-fished biomass ( $B_0$ ). Projections using the 2013 stock assessment model show that both stocks are highly likely to remain above  $B_{MSY}$  and at or above the management target range for the next five years under the new TAC.

As in previous years, my decision is made with assurances from industry of their continued support of the catch split arrangement. The catch split manages the proportion of the TACC harvested from each stock to avoid potential sustainability concerns that could arise if the entire TACC was harvested from a single stock. I am comfortable that this arrangement has proven an effective mechanism to avoid such concerns and acknowledge that the industry has worked well to adhere to this arrangement in recent years. I expect this high level of adherence to continue during 2013/14.

My expectation is that the full 20,000 tonne increase to the TACC will be harvested from the western stock, thereby increasing the catch limit for this stock from 70,000 tonnes to 90,000 tonnes. The catch limit for the eastern stock will remain at 60,000 tonnes.

I do not consider it necessary to alter the existing annual and interim deemed value rates this year.

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
151,540	150,000	1,500	20	20

## Ling (LIN5 and LIN6)

The Stewart-Snares shelf (LIN5) and Campbell Plateau (LIN6) fisheries are considered to be the same biological stock. However, these stocks are managed separately and are considered as two stocks under the Act.

I have decided to increase the LIN5 TAC for the 2013/14 fishing year by 403 tonnes from 3,633 tonnes to 4,036 tonnes, and to set a TACC of 3,955 tonnes. I have retained the Māori customary non-commercial and recreational fishing allowances at one tonne each, and set an allowance of 79 tonnes (2% of the TACC) for other sources of fishing-related mortality. Historically, the allowance for other sources of fishing-related mortality in LIN5 has been set at 1% of the TACC. However, potential drivers for misreporting and non-reporting of catches have been identified and it is considered that the TAC should include a higher allowance to address this issue.

In making this decision I considered the most recent stock assessment for this stock, which indicates it is very likely that current biomass is well above  $B_{MSY}$  and the management target level of 40%  $B_0$ . I also noted that the catch limit is regularly caught or exceeded in LIN5 which is likely to continue given ling is often caught in association with hoki and I have increased the hoki TACC by 20,000 tonnes.

In contrast to LIN5, LIN6 has been significantly under-caught since 2004/05. Therefore, I have decided not to make any changes to the TAC of 8,590 tonnes in LIN6. The allowance for other sources of fishing-related mortality is to remain at 1% of the TACC (85 tonnes). I have also decided to retain nil allowances for both recreational and Māori customary non-commercial fishers in LIN6 because there is no known recreational or customary ling catch in LIN6.

In making this decision, I considered the submissions from stakeholders who are concerned an increase to LIN6 does not appear warranted, particularly if it results in an oversupply of annual catch entitlement (ACE) combined with an increase in levies for quota owners.

I do not consider it necessary to alter the existing annual and interim deemed value rates.

#### **LIN 5**

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
4,036	3,955	79	1	1

#### **LIN6**

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
8,590	8,505	85	0	0

#### **Ling (LIN7)**

I have decided to increase the west coast South Island (WCSI) LIN7 TAC for the 2013/14 fishing year from 2,501 tonnes to 3,144 tonnes and the TACC from 2,474 tonnes to 3,080 tonnes. I have retained the allowances for Māori customary non-commercial and recreational interests at one tonne each, and increased the allowance for other sources of fishing-related mortality from 1% of the TACC to 2% of the TACC (an increase from 25 to 62 tonnes).

I am aware that an increase was supported by a majority of submissions from stakeholders. All submissions in support of an increase in LIN7 referenced the stock being estimated at 71%  $B_0$ . These submissions emphasised the need to allow for additional by-catch of ling in the WCSI hoki fishery if there was to be any increase to the hoki TAC, as much of the LIN7 catch is taken as a by-catch in the WCSI hoki target fishery. I also noted other submissions that expressed some concern about the health of this stock. On balance, I considered that the Ministry's peer reviewed science information was more reliable as the basis for my decision.

Consequently, I placed considerable reliance on the most recent stock assessment for LIN7, which estimated the stock to be well above  $B_{MSY}$  and the management target of 40%  $B_0$ . The TACC for LIN7 has been exceeded by more than 10% in the previous two years. Catches in

2012/13 are expected to be at a similar level and to increase again in 2013/14, particularly as I have also increased the TAC for HOK1. Although LIN7 catches have historically been above the TACC, the stock assessment indicates that the stock has never been heavily fished and that the TAC I am setting is relatively conservative.

I do not consider it necessary to alter the existing annual and interim deemed value rates this year. However, the Ministry will monitor fishing activity during the 2013/14 fishing year to assess whether this regime remains appropriate.

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
3,144	3,080	62	1	1

### Orange roughy (ORH3B)

I have decided to increase the TAC for ORH3B for the 2013/14 fishing year from 3,780 tonnes to 4,725 tonnes and set the TACC at 4,500 tonnes. I have retained nil allowances for Maori customary non-commercial and recreational fishing interests and set an allowance of 225 tonnes for other sources of fishing-related mortality.

My decision to increase the TAC was based on the best available information that shows there has been a significant increase in orange roughy biomass within ORH3B in recent years. Two consecutive research surveys have confirmed the presence of a significant new aggregation of orange roughy on the Chatham Rise, a positive sign that New Zealand's oldest orange roughy fishery is rebuilding.

A feature of the ORH3B stock is that it is made up of several sub-stocks for which separate catch limits are in place. The responsible and co-operative attitude of the industry in its adherence to these sub-stock catch limits is vital to the management of this fishery and I acknowledge industry's previous commitment and expect adherence to sub-stock catch limits to continue. The increase to the ORH3B TACC will be applied only to the East and South Chatham Rise sub-stock, thereby increasing that catch limit from 1,950 tonnes to 3,100 tonnes. I have also decided to remove the 250 tonne allowance for the East and South Chatham Rise sub-stock to cover research catch in ORH3B. As with other fisheries, further research catches will be covered via special permit if necessary. I have retained the existing catch limits for the remaining ORH3B sub-stocks.

I do not consider it necessary to alter the existing annual and interim deemed value rates. However, the Ministry will monitor fishing activity closely during the 2013/14 fishing year to assess whether this regime is appropriate.

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
4,725	4,500	225	0	0

### Scampi (SCI2)

I have decided to increase the TAC for the SCI2 fishery from 105 tonnes to 140 tonnes for the 2013/14 fishing year. I have retained nil allowances for Māori customary non-commercial and recreational fishing interests and set an allowance of seven tonnes for other sources of fishing-related mortality. The remaining 133 tonnes is allocated as the TACC.

My decision is based on the results of the recent SCI2 stock assessment which indicated that the stock is above  $B_{MSY}$ , and above the management target of 40%  $B_0$ . Furthermore it is projected that catches at this increased level will continue to maintain the stock at or above the management target with 97% probability.

I do not consider it necessary to alter the existing annual and interim deemed value rates, as current rates appear to be providing the correct incentive for fishers to maintain catches within available ACE.

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
140	133	7	0	0

### Bluenose (BNS 1, 2, 3, 7 and 8)

I have decided to maintain the BNS 1, 2, 3, 7 and 8 TACs at current levels (1,195 tonnes) for the 2013/14 fishing year. Under the previous rebuild plan, there would have been further reductions this year to complete a three-year phased reduction. However, new information suggests that stocks may be more abundant than previously predicted and I consider it important to get more information to better understand what is happening with the bluenose fisheries.

I am satisfied that delaying the reductions for a year will not adversely impact the rebuild over the longer term. The delay does provide time for the information to be properly considered by the Science Working Group and for the stock assessment to be updated. This will help inform future decisions about bluenose catch limits, which are very likely to be reviewed again next year.

I understand that there has been over-catch in BNS3 during the 2012/13 fishing year which came to light after consultation on the BNS and deemed value initial position papers. I am cautious about making amendments to the special provisions relating to the Chatham Islands which were carefully developed to reflect the unique economics associated with the Island fishery to benefit Chatham Island fishers. I believe there is opportunity for industry on the Islands to resolve this issue. MPI will carefully monitor the situation over the coming year. I do not want the rebuild of the fishery to be put at risk by overfishing.

### Kingfish (KIN7)

After careful consideration, I have decided to increase the TAC for KIN7 from 21 tonnes to 41 tonnes. Within this TAC, I have decided to set allowances and the TACC as follows:

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
41	15	4	2	20

I recognise that this fishery is highly valued by the recreational sector. The increase to the TAC will cover the current catch of kingfish only. There are strict controls in place to manage commercial catch of this species. The low TACC, high penalties for landing without ACE and ability to return any kingfish that are likely to survive to the sea means that commercial catch that is landed above the level of TACC will be dead and unavoidable bycatch. There is no information to suggest that catch at this level is causing a decline in overall abundance. Given that this catch is likely to be unavoidable I believe a small increase in the catch limit is reasonable to cover this catch. To further encourage commercial fishers to remain within the proposed new TACC limits, I am revising deemed value rates, setting an annual value of \$8.90, an interim charge of \$8.00 and a differential schedule starting at 20% over-catch.

An increase in the recreational allowance will reflect the new information available from the 2011-12 national panel survey and provide for current estimated levels of recreational catch.

I have considered the submissions from recreational fishers who are concerned about an increase in TAC for the KIN7 fishery. I do not believe that my decision will impact significantly on the availability of kingfish to the recreational sector.

I have also considered the submissions of those commercial fishers who sought a larger increase in the TAC for KIN7. Given the level of information available on the KIN7 stock status, I do not consider an increase above this level would be appropriate at this time.

### Leatherjacket (LEA3)

After considering the options presented to me by the Ministry, I have decided to set the TAC, TACC and allowances for LEA3 at the following levels:

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
140	130	7	1	2

These decisions include an increase to the TAC, TACC and allowance for other sources of fishing-related mortality while maintaining the current allowances for customary and recreational fishing.

The increase to the TAC, TACC and other sources of fishing-related mortality takes into account the current catch levels for LEA3 and is considered to pose a low sustainability risk to the overall abundance of the LEA3 fish stock. The intention is to ensure continued

monitoring through trawl surveys and the analysis of commercial catch per unit effort (CPUE) – this will enable the Ministry to make any necessary changes swiftly should the abundance of the stock be threatened.

No further information was provided in submissions with respect to Māori customary and recreational fishing. Consequently, I consider the existing allowances for both are appropriate.

#### Oyster 4 (OYS4)

After considering all options presented to me by the Ministry, I have decided to set TAC, TACC and allowances for OYS4 as follows:

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
50	43.5	2.5	2	2

These levels reflect significant increases to the TAC, TACC and allowances for other sources of fishing-related mortality, while maintaining the status quo for the Māori customary and recreational allowances.

The increases to the TAC and TACC are an acknowledgement of the developmental potential of this fishery along with the need to offset costs associated with sanitation and biotoxin requirements. The increase to the allowance for other sources of fishing-related mortality from 1 tonne to 2.5 tonnes notes the potential loss of the juvenile oyster population as a result of harvesting adult oysters which have live spat attached to their shells.

No information was provided in submissions on either Māori customary or recreational fishing in OYS4. Therefore, as there is currently no information about the level of catch from either of these sectors, the allowance has remained unchanged.

#### Snapper 7 (SNA7)

After careful consideration, I have decided to keep the TAC for SNA 7 unchanged. The TAC, TACC and allowances will remain as follows:

TAC (t)	TACC (t)	Other Sources of Fishing-Related Mortality (t)	Māori Customary Allowance (t)	Recreational Allowance (t)
306	200	0	16	90

The best available information for SNA7 suggests that the biomass has increased with a recent pulse in recruitment, but the magnitude of the increase is uncertain, as is the period for which this recruitment pulse is likely to persist. Despite this increase, the SNA7 stock is still at a low level, with information about the SNA7 stock status relative to target levels also uncertain. I am, therefore, taking a cautious approach to managing this stock. Without better information, such as catch-at-age data, I consider that more time is needed to indicate a solid rebuild before increasing the SNA7 TAC.

This approach will mean a faster rebuild of the SNA7 stock, benefiting all stakeholders with more certainty of future catch levels. I would like to encourage stakeholders to continue to work with the Ministry to obtain the information needed to support the future management of this stock.

### **Sea Perch (SPE1)**

Having carefully considered all information, I have decided to set the TAC, TACC and allowances for SPE1 as follows:

<b>TAC (t)</b>	<b>TACC (t)</b>	<b>Other Sources of Fishing-Related Mortality (t)</b>	<b>Māori Customary Allowance (t)</b>	<b>Recreational Allowance (t)</b>
58	53	3	1	1

This decision includes a substantial increase to the TAC and TACC to reflect current catch levels. The information provided, while uncertain, indicates that there is minimal risk that this level of increase will affect the sustainability of this fish stock. As no information was provided in submissions on either Māori customary or recreational fishing for SPE1, the allowances for these groups have remained unchanged.

### **Deemed Values**

I have decided to adjust deemed value rates for several fish stocks to ensure they provide an effective incentive for commercial catch to be balanced with ACE.

My decisions are consistent with both the deemed value guidelines and my statutory legislative obligations. For the stocks reviewed, I have given particular consideration as to how best to avoid creating incentives to misreport, whilst still ensuring the long term value of the stocks. Table 1 summarises my decisions on deemed value rates.



Table 1: Deemed value rate changes to apply on and from 1 October 2013

Species	Stock	Current deemed value rates /kg			New deemed value rates /kg				
		Interim	Annual	Differential <sup>1</sup>	Interim	Annual	Differential		
Elephant fish	ELE1	\$ 0.24	\$ 0.48	Standard schedule	\$ 1.35	\$ 1.50	Standard schedule		
	ELE2	\$ 0.84	\$ 1.67		\$ 1.35	\$ 1.50			
	ELE3	\$ 1.40	\$ 1.65		\$ 1.50	\$ 1.65			
	ELE5	\$ 1.40	\$ 1.65		\$ 1.50	\$ 1.65			
	ELE7	\$ 0.58	\$ 1.16		\$ 1.50	\$ 1.65			
Kingfish	KIN1	\$ 4.45	\$ 8.90	Standard schedule	\$ 8.00	\$ 8.90	Standard schedule		
	KIN2	\$ 2.46	\$ 4.92		\$ 8.00	\$ 8.90			
	KIN3	\$ 4.45	\$ 8.90		\$ 8.00	\$ 8.90			
	KIN4	\$ 4.45	\$ 8.90		\$ 8.00	\$ 8.90			
	KIN7	\$ 4.45	\$ 8.90		\$ 8.00	\$ 8.90			
	KIN8	\$ 4.45	\$ 8.90	Starting at 20% over catch but steeper	\$ 8.00	\$ 8.90	Starting at 20% over catch but steeper		
Leatherjacket	LEA1	\$ 0.12	\$ 0.23	Do not apply	\$ 0.40	\$ 0.45	Standard schedule		
	LEA2	\$ 0.12	\$ 0.23		\$ 0.40	\$ 0.45			
	LEA3	\$ 0.23	\$ 0.45		Standard schedule	\$ 0.40		\$ 0.45	Starting at 20% over catch but flatter
	LEA4	\$ 0.12	\$ 0.23		Do not apply	\$ 0.40		\$ 0.45	Standard schedule
Skate (rough and smooth)	RSK1	\$ 0.22	\$ 0.44	Standard schedule	\$ 0.32	\$ 0.35	Standard schedule		
	RSK3	\$ 0.15	\$ 0.30		\$ 0.32	\$ 0.35			
	RSK7	\$ 0.22	\$ 0.44		\$ 0.32	\$ 0.35			
	RSK8	\$ 0.22	\$ 0.44		\$ 0.32	\$ 0.35			
	SSK1	\$ 0.22	\$ 0.44		\$ 0.32	\$ 0.35			
	SSK3	\$ 0.15	\$ 0.30		\$ 0.32	\$ 0.35			
	SSK7	\$ 0.22	\$ 0.44		\$ 0.32	\$ 0.35			
	SSK8	\$ 0.22	\$ 0.44		\$ 0.32	\$ 0.35			
Sea perch	SPE1	\$ 0.63	\$ 1.25	Standard schedule	\$ 0.50	\$ 0.55	Standard schedule		
	SPE2	\$ 0.08	\$ 0.15		\$ 0.50	\$ 0.55			
	SPE3	\$ 0.08	\$ 0.15		\$ 0.50	\$ 0.55			
	SPE4	\$ 0.08	\$ 0.15		\$ 0.36	\$ 0.40			
	SPE4 (CI)	\$ 0.04	\$ 0.08		Removed – see SPE4				
	SPE5	\$ 0.12	\$ 0.24		Do not apply	\$ 0.36		\$ 0.40	
	SPE6	\$ 0.12	\$ 0.24		\$ 0.36	\$ 0.40			
	SPE7	\$ 0.13	\$ 0.25		Standard Schedule	\$ 0.50		\$ 0.55	
	SPE8	\$ 0.12	\$ 0.24		Do not apply	\$ 0.50		\$ 0.55	
SPE9	\$ 0.12	\$ 0.24	\$ 0.50	\$ 0.55					
Stargazer	STA1	\$ 0.28	\$ 0.56	Standard schedule	\$ 0.90	\$ 1.00	Standard schedule		
	STA2	\$ 0.34	\$ 0.68		\$ 0.90	\$ 1.00			
	STA3	\$ 0.45	\$ 0.90		\$ 0.90	\$ 1.00			
	STA4	\$ 0.51	\$ 1.01		\$ 0.90	\$ 1.00			
	STA4 (CI)	\$ 0.36	\$ 0.72		Removed – see STA4				
	STA5	\$ 0.51	\$ 1.01		\$ 0.90	\$ 1.00			
	STA7	\$ 1.31	\$ 1.45		\$ 0.90	\$ 1.00			
	STA8	\$ 1.21	\$ 1.22		\$ 0.90	\$ 1.00			

<sup>1</sup> Under a standard differential deemed value rate schedule (standard schedule) the applicable deemed value rate increases by 20% for every 20% of catch in excess of ACE holdings, up to a maximum 100% increase for all catch 100% or more in excess of ACE holdings.