

Marlborough Blue Cod Fishery Submission

30 September, 2010

Introduction

The history of the controversial ban on blue cod fishing in the Marlborough Sounds shows it was ushered in by the previous government in most unusual fashion. The first proposal was to ban all recreational line fishing throughout the Sounds which was naturally, strongly rejected by the public. That proposal was then altered to ban all blue cod fishing in the Marlborough Sounds. The Marlborough Recreational Fishers' Association (MRFA), not convinced of the justification held two public meetings one in Picton and the other at Waikawa, near Picton, both which were extremely well attended and both which unanimously at one and by the vast majority in the other, rejected the ban.

The feeling is shown by comments from the minutes of those meetings.

A charter boat operator doing 200 trips a year: "There are many more fish in the Sounds than previously." A long time fisher: "I fish Tory Channel every day, there are plenty of blue cod out there."

A fishing lodge owner: "Is there a cod crisis? Last year was the best year in our bay for blue cod, the biggest being 62 cms. In August we were getting 40-50 cm cod regularly. I believe the fishery is in good heart."

The Ministry claimed on their research: that blue cod stocks had been decimated by recreational fishing. Their solution, ban all recreational hook and line fishing for the species. As Scott Williamson then manager Ministry of Fisheries, Nelson, put it the "best science available shows that this (blue cod) fishery is "in serious decline."

But was there a cod crisis?

What is the "best science available" that Ministry of Fisheries manager Scott Williamson claimed was used?

The NIWA study, oft referred to by the Ministry, in fact showed a contrary view to the Ministry claims. It said there had been increases in a number of the outer Sounds zones while in the inner Sounds, there had been no significant changes in blue cod number. In other words the fishery was stable.

The ministry's handling left much to be desired. Consultation was poor. For example, in discussing boundary lines for the ban, it failed to consult Marlborough people and talked to a Nelson person(s).

Dr Ian Henderson, a fisheries analysis scientist, questioned the ministry's assumptions.

"There is a lot about blue cod not moving very far and spawning on their home reef. But there is a lack of detail though to explain how they know this, particularly for the inner Sounds."

That underlines the lack of knowledge and the pressing need for research.

Many experienced commercial and recreational fishers consider Sounds blue cod do indeed go somewhere else to spawn, probably along Marlborough's east coast.

Dr Ian Henderson has publicly criticised the Blue Cod Management Group's nine point proposal.

Opinion of the MRFA is that a number of the proposals are impractical, lack management meaning and the plan overall is too onerous.

The MRFA's committee have therefore formulated its own proposal for opening the fishery. On the committee or co-opted/consulted, are experienced recreational fishers, one member of the BCMG and very respected individuals like Dave Fishburn with a wealth of fishing experience encompassing commercial, charter and recreational.

The MRFA proposals are practical, economical and will allow the fishery to be "opened sooner rather than later."

Onerous regulations as proposed by the BCMG will be difficult to police, will achieve little and will occupy valuable time of Ministry compliance staff. We consider money would be better spent on research than ineffective and pointless compliance regulations.

MRFA Proposal

1. * **Marlborough Sounds to be a sub-zone** with primary management focus on the recreational fishery paramount.

Explanation:

Currently the Sounds are part of the area 7 stretching from Haast to Clarence River, east coast of South Island. Boundaries to be the "Soundfish" determined boundary starting at Cape Soucis (Tasman Bay) and finishing at Wairau Bar, (Cloudy Bay) and approximately 3.6 kms off shore. This would take in west side of D'Urville Island

2. * **Reopen fishery** January 1, 2011.

Explanation:

Timing it as such will allow holidaying New Zealanders access to the fishery

3. * **Retain current limit** at 3 cod per person.

Explanation:

In long term, subject to credible research, a bag limit of 6 applying to all the blue cod fishery should be the goal.

4. * **Retain limit** at 30 cms.

Explanation:

Increasing size limit will increase mortality of released fish so reject proposal of BCMG to increase size limit to 33 cms.

5. * **Strong educational programme (Code of Ethics)** with "Don't Kill your limit, limit your Kill" philosophy, use of large and barbless hooks, one hook per line, use of large circle hooks, handling and release techniques, e.g. tubes, moving to other site if catching small, undersized fish or presence of predators. limiting fishing during August/September spawning time.

Explanation:

At a meeting with Minister in March 2009, Nelson Marlborough fisheries manager Scott Williamson said "education is better than regulation." A regulation has to have a management reason otherwise its better to have a code of ethics system. BCMG have produced a code of conduct. However it and additional education, needs to be distributed by pro-active marketing.

6. * **Implementing a solid, credible research programme** to assess

(a) Pre-spawning movements (tagging) and spawning areas with particular focus on likely spawning area off Marlborough's east coast

(b) Egg and larvae drift

(c) A quest for knowledge via research. Encouraging all research and re-establishing rather than obstructing.

(d) An ongoing, incentive based, voluntary diary scheme with anglers, to assess catch rates, size, etc.

Explanation:

Research is severely lacking. To manage any fishery a knowledge of population dynamics of species is vital. For example, once the spawning pattern of blue cod is established, then a closed season (two months) during spawning could be considered for the spawning area.

7. * **Caught Fish**

(a) Possession of fish: No more than two daily bag limits of cod (i.e. 6 fish) may be held at any one time.

(b) Cod may be filleted "at sea"

Explanation:

Measurement of fillets according to Ministry compliance manager can assess original size of fish for compliance purposes.

8. * **Lower** the 20 cod limit in Cook Strait adjacent to the Sounds to current 3.

Explanation:

Currently Cook Strait just outside the Sounds has, in effect, a 20 cod limit. It is all part of the same blue cod fishery. While the discrepancy between limits remains, compliance is difficult to enforce. Making it the "same limit" would give consistency for MFish compliance purposes and conservation, ie wise use of resource. The IPP paper page 7, clause 28, mentions this need.

9. * **Cutting the commercial quota** to a realistic level

Explanation:

Currently commercial quota over 70 tonnes is set for area 7. The catch varies from 25 tonnes to 53 tonnes so quota is set far too high.

Commercial fishers should record catches within the designated Marlborough Sounds sub-zone.

MRFA believes that the blue cod fishery can be opened as outlined above, with the majority of the points 1 - 7 in place. Points 8 and 9 may take a little longer, but action should be taken on these issues sooner rather than later.

Initial Position Paper

Addressing each point from the Initial Position Paper individually:-

1. **Yes.**

There should be changes to the Marlborough Sounds boundary but not on reopening. There is a need for boundary adjustment to embrace the total area known as the Marlborough Sounds. However this should be dealt with separately after opening, by creating a sub-zone and realignment of boundaries. The Sounds should include all of that geological drowned valley ria system from Monkey Bay at Rarangi north around and south to Cape Soucis.

2. **No.**

No limit to number or size of hooks but in a code of practice/ethics that fishers be encouraged to:-

(a) use one hook per line

(b) size 6 circle hooks

A regulation hook number limit will prohibit set lining for other species, e.g. snapper.

3. **No.**

Current bag limit of 3 blue cod per person be retained.

There is no justification (data) to lower the bag limit. The NIWA survey showed increases in some outer Sounds zones and no significant changes in the inner. Fishermen experience indicated the fishery was fishing better than for many years. There was no "depletion" or no "crisis" as stated by some.

4. **No.**

Boat limit **not** supported. Charter boats, which this seems aimed at, are an access means for those fishers who do not own a boat because of income limitations or physical condition usually due to age. It is unjust and discriminatory to deny them their lawful right to the normal bag limit of 3.

All of anglers aboard whether on a charter boat or private boat, are recreational anglers and entitled to the individual bag limit.

The boat limit does not just discriminate against charter boats but anyone owning a larger boat that might be carrying more than three people.

So under a 10 limit:-

- * four anglers would be limited to 2.5 cod each,
- * six people to 1.6 cod each
- * 8 to 1.25 each.

Clearly the idea of a 10 fish boat limit or a recreational boat limit, is not only absurd but unfair and discriminatory.

Compared to commercial cod potters taking 13 tonnes (35,000 cod) in just a few weeks, the catches of charter boats is insignificant.

5. **Yes**

Agree to regulation of accumulation of two (2) daily bag limits. Notwithstanding fish may be consumed aboard.

6. **No** (to both 33 and 45 cm proposals.)

Reject 33 cms for MLS. Retain current minimum size limit of 30 cms.

Reject 45 cms maximum legal size. This could be put in a code of ethics.

Raising size limit increases mortality from released fish. The maximum size of 45 cms is meaningless in management terms and will make no difference to fish stocks. Far better to implement by education and a code of practice.

7. **No**

All fish should be allowed to be filleted at sea. This is/should be part of the service for charter boats to clients who may not have fished before.

Banning filleting will have no benefit impact on the fishery.

8. **No to closed season**

Once the Sounds are opened, keep it open. Closing next summer discriminates against holiday persons.

Bans achieve little and have negative impacts on adjoining areas becoming depleted. by concentrated pressure as happened with current ban.

Notwithstanding that once spawning areas are positively identified by reliable research then a closed season for two months e.g. September/October could be implemented for the spawning areas.

9. **Yes.**

Support closed area around Maud Island, but to all fishing, ie customary, commercial, recreational.

10. **No**

Strong opposition to a permit/licence system for blue cod or any fishing.

The reasons given to support a permit are spurious. To implement a diary scheme, a permit is not necessary. A diary scheme should be voluntary so that keen, dedicated anglers will provide the maximum of accuracy. Forcing people to do a diary will give

much less reliable data.

Conclusion.

The Marlborough Recreational Fishers Association wants a sustainable, sensibly managed fishery with tools based on solid reliable research information. And it believes management measures to be equally shared by all three sectors.