

**PROPOSAL TO REVIEW THE TAC OF THE COROMANDEL SCALLOP  
FISHERY FOR THE 2004 FISHING SEASON**

**SUBMISSION ON BEHALF OF NON-COMMERCIAL FISHERS**

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## **1. Introduction**

### **1.1 Background**

The Ministry of Fisheries (MFish) has invited stakeholders to provide submissions on the proposal to review the TAC of the Coromandel scallop fishery (SCA CS) for the 2004 fishing season.

The Ministry is formally consulting on behalf of the Minister of Fisheries in relation to the proposed change, in accordance with the Minister's statutory obligations to consult under section 12 of the Fisheries Act 1996 (the Act). The Initial Position Paper provides the Ministry's initial position to provide for an in-season adjustment to the TAC under section 13 (7) of the Act.

A consultation meeting was held on 15 July at MFish Avondale. Submissions are due by 23 July 2004.

This document comprises the submission from option4, Mercury Bay Ocean Sports Club Inc, Mt. Maunganui Sportfishing Club Inc and Tauranga Game Fishing Club Inc. NGOs which promotes the interests of non-commercial marine fishers in New Zealand.

## **2. History**

The scallop fisheries have been managed under the illusion that the catch history somehow gives a sample of the potential productivity of the fishery. That is a misrepresentation of the facts of what actually happened in this fishery.

In the 1970s and 1980s scallop fishermen with their extremely destructive dredges kept finding new areas to fish. As one area became decimated and productivity fell because of the damage caused by the dredges, the fishermen simply moved to another area. The real consequences to productivity only became apparent once all the areas that could possibly be dredged had been dredged.

Looking at the catch history it is possible to track when the scallop beds were discovered and how long it took to decimate them. Now that all of the available dredge fisheries have been exploited and damaged by this method the productivity in the entire fishery has plummeted.

## **3. Sustainability**

There obviously needs to be a shift in emphasis regarding the management of this important species. option4 believes the environmental purpose and principles of the Fisheries Act 1996 are not being met under the current management strategy and the Minister needs to instruct the Ministry of Fisheries to take measures to address the environmental issues.

Section 8 (1) states, *“The purpose of this Act is to provide for the utilisation of fisheries resources while ensuring sustainability. (2) In this Act – Ensuring sustainability means - (b) Avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment:”* It is our belief it is the incessant use of heavy Victorian dredges, in the same area, year in year out has changed the environment to the point where it is no longer productive. We also believe that the reason why we are getting some strange diseases/intruders infesting the scallops, such as black gill disease and tubeworms, is due to destructive commercial dredging directly impacting on the environment and quickly spreading these problems through the beds. This is blatantly evident in the boom-and-bust nature of the commercial scallop fishery.

Section 9 of the Fisheries Act 1996 refers to the environmental principles that need to be taken into account: *“ All persons exercising or performing functions, duties, or powers under this Act, in relation to the utilisation of fisheries resources or ensuring sustainability, shall take into account the following environmental principles:*

- a. Associated or dependent species should be maintained above a level that ensures their long-term viability:*
- b. Biological diversity of the aquatic environment should be maintained:*
- c. Habitat of particular significance for fisheries management should be protected.”*

When the damaged/diseased area is not fished with heavy commercial dredges for a few seasons it seems to recover to a healthy state. It is our contention that it is the intensive commercial dredging of areas with good catch rates that is reducing the productivity of the best scallop beds and is causing or contributing to the spread of disease and unwanted foreign organisms.

#### **4. Minimum Standards**

There should be minimum standards that need to be met in order to participate in harvesting in the scallop fishery. There should be no such thing as an assured catch. Access to commercially harvest scallops should be based on how well fishers protect the biodiversity of the area and the condition of the seabed.

The yield should also be proportional to the amount of wastage of the actual target species and associated species. If fishers decide to use better technology that has a lower mortality rate they should be able to capitalise on their innovation and environmentally friendly technique.

The current system is devoid of incentives for fishers to experiment with more environmentally friendly fishing methods. Fishers should be rewarded for lowering the rate of damage to the environment, to undersized scallops and legal-sized fish that would normally be dumped at sea due to their damaged condition. Commercial fishers using improved technologies should be able to harvest the proportion of the fishery which they are not wasting. If this flexibility is not available to conscientious commercial fishers we will never see progress made with dredge technology and we sentence ourselves to low yields and degraded seabeds forever.

## 5. Management

option4 consider the scallop fishery managers should:

1. Set quotas, or a maximum number of dredge days for each of the known scallop beds at a level that sees only one pass of a dredge per season.
2. Base the ability to fish any area on the quality of the bottom after the previous years dredging. It should be determined by the following:
  - a. Is there a lack of diversity of organisms?
  - b. Is there a change in the proportion of organisms on the seafloor that is misaligned with what it was before it was dredged?
3. Close areas where scallop abundance is insufficient to warrant the inevitable damage caused by heavy dredges.

Dredging with the existing commercial dredges should only be allowed once scallop density rises to a certain level, and dredging should only be permitted in that specific area with the effort limited to sufficient dredge hours to cover the bed only once per season.

Other areas which are still recovering from damage from previous years of fishing should be left unfished until they show signs that the biodiversity has stabilised and the scallop population has recovered and is disease free.

If all the areas where commercial fishers operate their dredges are showing signs of environmental degradation there should be a zero catch allowance for that year.

We would support initiatives to better manage the scallop fishery for all stakeholders.

## 6. Size Differential

The original reason why commercial harvesters were permitted to take 90mm scallops compared to the non-commercial minimum size of 100mm was to prevent the need to dredge the same area more than once in a season. Where this theory fails is that now a 80mm scallop at the start of the season could conceivably be 90mm and legal near the end of the season. So nothing has changed, the beds are still exposed to double or triple assaults by dredges during the season. The Ministry should admit the size differential has not reduced dredge effort as promised and should take measures as suggested elsewhere in this submission to deliver the promised reduction in dredge activity.

Healthy scallop areas should only be open for harvest for a limited time to allow for one harvesting episode per season per bed to prevent excessive damage. This would prevent fishers revisiting the same scallop bed in the same season in the hope of harvesting scallops that weren't crushed, smashed, buried or diseased during the original dredging exercise and which may have actually grown despite the damage to their environment.

The pre-season survey should measure the area of the scallop bed, determine on average how much area a boat dredges per day and how many days it should take to cover that entire bed. That number of days should be the limit of dredging activity permitted on that bed in that season. To inflict any more damage than this on obviously sensitive scallop beds makes no sense at all, especially when all are aware of the adverse impact of heavy commercial dredges on the biodiversity and health of the environment.

## **7. Allocation Issues**

In the SCA CS area the Ministry appears to contend that there are two fisheries: commercial, who fish in commercial areas, and non-commercial fishers who fish in non-commercial areas. That is not true. There is only one scallop fishery and within that fishery commercial harvesters cannot use dredges outside the areas endorsed on their permits. Non-commercial fishers can fish anywhere (excluding marine reserves or other closed areas).

## **8. Summary**

option4 accepts that the scallop fishery is highly variable and acknowledges the need for caution when setting the TAC.

We believe that the dredge technology used to harvest scallops commercially is destructive and the impact of using this outdated technology is detrimental to the environment in reducing biodiversity and the productivity of the fishery.

In our opinion the environmental purpose and principles of the Fisheries Act 1996 are not being met in the scallop fisheries.

## **9. Recommendations**

- a. Permission to use commercial dredges in the scallop fishery should be dependent on the sustainable management of the biodiversity in the areas fished.
- b. A flexible management system which rewards fishers who use improved technology to reduce mortality and environmental damage in the scallop fishery should be implemented and those fishers using improved methods should be given a greater proportion of the TAC/ACE entitlement.
- c. Dredging should only be permitted when scallop density rises to a predetermined level and it should be limited to sufficient dredging days to cover the beds once only per season.
- d. option4 does not believe a fixed minimum quota is necessary if the surveys to estimate stock size are reasonably accurate.

## 10. Conclusion

option4 thanks the Ministry of Fisheries for the opportunity to have input into the process for this very important fishery for non-commercial fishers. We would like to be kept informed of future developments and to participate in management decisions for this fishery.

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