

Summary of the Review of Regulatory and other Management Controls for 1 April 2008

The Ministry of Fisheries (MFish) is currently consulting on a number of management measures with the intention of implementing any changes on 1st April 2008. Submissions are due by 24th August 2007.

The three proposals of particular interest to non-commercial fishers are:

- the review of stalling of set nets in the Kaipara Harbour; and
- review of the west coast scallop season; and
- surf clam dredge size.

The surf clam issue would only be of interest if there was an environmental risk. At this stage it is unknown whether there are any additional environmental impacts of increasing the dredge size. MFish do not believe there is any added risk and have proposed three options including the status quo. More information is online at MFish <http://www.fish.govt.nz/en-nz/Consultations/default.htm>

Amendment to Recreational Scallop Season in FMA9

Fisheries Management Area 9 (FMA9) is the area of the west coast of the North Island between North Cape and Tirua Point, Taranaki.

The total allowable commercial catch (TACC) for FMA9 south of Ninety Mile Beach is one tonne. Commercial scallop fishing has been banned from west coast harbours since the 1970s.

Scallop abundance is highly variable. Scallops grow relatively fast and mature at about 60mm so they have at least one spawning season before reaching the minimum legal size (MLS) of 100mm.

The current open season for gathering scallops is between 15th July and 14th February inclusive. These dates have been in place since 1973.

From this year the season for gathering scallops in FMA1 (North Cape to Cape Runaway) has changed to 1st September to 31st March inclusive.

Catch

Most of the scallop catch in FMA9 is taken within the west coast harbours. Dredging is the main fishing method used to gather scallops, although there is some hand gathering and diving.

Scallops are an important fishery for non-commercial fishers, both customary and recreational.

MFish advise that during the 2006 consultation process they were informed that scallops are in peak condition from October to December in both the Manukau and Kaipara Harbours. Scallop abundance in the Kaipara has declined significantly in recent years.

Management

In an effort to address concerns about the decline of scallops in the Kaipara a section 186A temporary closure was imposed in July 2005 for a two-year period. Tangata whenua and the local community have requested an extension to the prohibition of taking scallops for another year.

MFish does not have information on scallop gathering in all areas of FMA9 and also advise that some stakeholders have suggested a shorter season for both the Manukau and Kaipara Harbours¹.

MFish considers that any change to the scallop season could create confusion for fishers and compliance difficulties, as it would mean four different seasons nationally.

The Ministry has also suggested that closing the season early may reduce the amount of under-sized scallops being harvested and that this would reduce pressure on compliance.

MFish Proposals

MFish are seeking views on three options and alternative season opening and closing dates. MFish have no fixed view on what the opening and closing dates should be.

1. Status quo - no change to existing scallop season.
2. Open the scallop season later by either:
 - a. Four weeks (new opening date 15th August).
 - b. Seven weeks (new opening date 1st September).

And/or

3. Close the scallop season earlier by either:
 - a. Three weeks (closing date 24th January).
 - b. Six weeks (closing date 1 January).

MFish Rationale for options

Status quo

1. Current dates have existed for 30 years and any change could cause confusion.
2. Will not improve the quality of scallops.
3. Will not reduce the taking of under-sized scallops.

Later opening

1. Improve the quality of recreational take by minimising the take of scallops when they are in poor condition.
2. The four week timeframe is suggested as this is when the scallops are in poor condition.
3. A seven week delay would provide scallops more protection.
4. A seven-week change would align the west coast season opening with east coast (FMA1) season.

Earlier closing

1. Improve sustainability and quality of scallops.
2. Reduces the likelihood that recreational fishers would take under-sized scallops.

¹ Subject to the expiry of the section 186A temporary closure to the taking of scallops in the Kaipara.

Issues to address in submission

- Scallop abundance and condition varies between harbours.
- Is it highly unlikely that MFish would consider having different length seasons for respective harbours.
- The Kaipara Harbour Sustainable Fisheries Management Group (commercial, recreational and customary fishers and Kaipara community representatives) has recommended a shorter scallop season for the Kaipara Harbour.
- It is unclear who has been consulted in regards to reducing the Manukau Harbour scallop season.
- Do you think MFish should maintain the status quo, opening the scallop season from 15th July to 14th February? Please provide your reasons.
- Do you think the season should be aligned with the east coast season, from 1st September to 31st March? Please provide your reasons.
- Do you think the season should open later? Please provide your reasons.
- Do you think the season should close earlier? Please provide your reasons.
- Do you think the season should be shorter? Please provide your reasons.
- Any reduction to the harvesting season would mean reduced access to a food fishery of importance to both recreational and customary fishers.
- Closing the season earlier to both reduce the take of under-sized scallops and thereby the pressure on compliance is not justifiable. If there is an issue with compliance then that needs to be addressed through education and higher profile enforcement measures.
- This is a sustainability measure under section 11 of the Fisheries Act 1996 therefore section 12 obligations apply. There is no mention in the Initial Position Paper (IPP) of any provision for the input and participation of tangata whenua in this process and no reference to the Minister's statutory obligation to have particular regard to kaitiakitanga.
- Research has confirmed that incidental mortality from recreational dredging is likely to be minor.

Your views

We would like to hear your views on the scallop season proposals and any reasons for answers to the questions above.

If you have additional matters related to FMA9 scallops that should be raised please advise. We want to give MFish as much information as possible.

If non-commercial fishers agree a submission is worthwhile then a draft can be developed and distributed for initial comment. Submission deadline is 24th August so a first draft should be available by Thursday 9th August with subsequent drafts including feedback.

Contacts

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