

Dear Stakeholder

SETTING OF SUSTAINABILITY MEASURES FOR GREEN-LIPPED MUSSEL STOCKS TO BE INTRODUCED INTO THE QUOTA MANAGEMENT SYSTEM ON 1 OCTOBER 2004

Introduction

- 1 This letter outlines my final decisions for the setting of sustainability measures for green-lipped mussel (GLM). With the enactment of the Fisheries Amendment Bill No.3 all green-lipped mussel stocks, including GLM 9, will be introduced into the Quota Management System (QMS) on 1 October 2004. Given the relevance of the enactment of the Fisheries Amendment Bill No. 3 to green-lipped mussel stakeholders, I will outline its implications in this letter.
- 2 In reaching my final decisions on sustainability measures for green-lipped mussel, I have carefully considered MFish's Final Advice Paper (FAP), dated 5 July 2004, and the issues and information put forward by stakeholders for each of the stocks and regulatory proposals in response to the Initial Position Paper (IPP), dated 9 March 2004.
- 3 I have also given careful regard to the legislative provisions of the Fisheries Act 1996 (1996 Act), especially those relating to its purpose (s 8), environmental and information principles (ss 9 and 10, respectively), and the setting and amending of sustainability measures (ss 11 and 13).

Sustainability Measures

- 4 I have decided to set the TACs and allowances for green-lipped mussel stocks as outlined in Table 1.

Table 1 TACs, allowances and TACCs for green-lipped mussel stocks (tonnes)

Stock	TAC	Customary allowance	Recreational allowance	Other sources of mortality	TACC
GLM 1 (FMA 1)	415	243	162	0	10
GLM 2 (FMA 2)	35	15	10	0	10
GLM 3 (FMAs 3, 4, 5, 6)	155	87	58	0	10
GLM 7A (Northern FMA 7)	1 548	29	19	0	1 500
GLM 7B (Southern FMA 7)	23	8	5	0	10
GLM 8 (FMA 8)	43	26	17	0	0
GLM 9 (FMA 9)	278	59	39	0	180
GLM 10 (FMA 10)	0	0	0	0	0

5 I note eleven of the twelve submissions received on the proposed sustainability measures for green-lipped mussel relate to the proposals for GLM 9. After MFish received submissions on the IPP a stakeholder agreement on how to introduce GLM 9 into the QMS was put forward. In line with this stakeholder agreement I have supported changes to the Fisheries Amendment Bill No.3. The enactment of the amended Fisheries Amendment Bill No.3 provides for the following to occur by 1 October 2004:

- GLM 9 introduced into the QMS;
- Quota shares for GLM 9 allocated to parties named in a schedule to the Fisheries Act 1996;
- Section 67Q2(b) of the Fisheries Act 1983 is repealed so no new spat catching permits for harvesting spat without structures can be approved;
- All existing s 67Q2(b) spat catching permits are revoked; and
- A ‘spat ratio’ for GLM 9 will deem for reporting and balancing purposes that 50% of the weight of the seaweed and spat material taken will be green-lipped mussel spat.

6 I have decided on a TACC of 180 tonnes for GLM 9 as a sustainable level of take at this time and stakeholders agree this amount best provides for the utilisation of the stock. I agree with MFish that the best way to address issues such as biosecurity, method control, and the commercial take of adult green-lipped mussel in GLM 9 is through joint quota holder action. The risks associated with each issue do not justify regulation and can be more efficiently addressed by contractual arrangements between quota holders and ACE holders, and eventually a fisheries plan.

7 I have decided to categorise GLM 9 as a low knowledge fishery for setting deemed values. A lower deemed value provides more incentive for ACE holders to remain efficient, as if they increase prices too high other parties will have the opportunity to access the fishery by paying deemed values. As all the green-lipped mussel stocks are categorised as low knowledge fisheries, no overfishing thresholds or differential deemed values apply to these stocks.

8 I note MFish received one submission on the proposed sustainability measures for GLM 7A and GLM 7B. I agree a TACC of 10 tonnes for GLM 7B instead of the proposed 0 tonnes is appropriate given the development potential for the fishery.

However, I support the proposed TACC of 1 500 tonnes for GLM 7A, as it is based on the best information available and provides more than a 20% increase on the highest reported annual landing in the past 13 years. I consider the TACC provides for further development now and the opportunity exists for quota holders to show in the future the TACC can be increased while meeting sustainability and environmental standards.

- 9 I would like to take this opportunity to acknowledge your participation in the MFish consultation process. I appreciate the amount of work and effort that went into the formulation of submissions within the timeframe available. I now encourage stakeholders to make the most of the opportunities provided by the QMS for managing the green-lipped mussel stocks.

Yours sincerely

Hon David Benson-Pope
Minister of Fisheries