



22nd August 2007

Att: Tracey Steel

Ministry of Fisheries
P O Box 1020
WELLINGTON

e-mail: tracey.steel@fish.govt.nz

Dear Ms Steel

REF: SUBMISSION ON THE IPP FOR THE REVIEW OF REGULATORY MEASURES AND OTHER MANAGEMENT CONTROLS FOR 1 APRIL 08 – WITH PARTICULAR REFERENCE TO THOSE CONCERNING PADDLECRABS:

On behalf of the fishers set out below, we believe that if the Ministry consulted on an annual basis on all regulatory measures and management controls up for review with the stakeholders concerned there would be an overall benefit for all those involved. Paddle crab stakeholders also believe that it would be much more constructive if there was more clarity brought to bear by the Ministry on those review processes.

From the outset of this submission, it should be stated that the paddle crab fishers support the proposal to list paddle crab on Schedule 6 of the Fisheries Act 1996 to enable their return to the sea following capture. Stakeholders agree that paddle crab caught in pots are more likely to survive a return to the sea than netted or trawl caught species. There is sufficient evidence that trawl caught crab and set net crab have a very high mortality rate.

It is recognised that there are two different fisheries involved in the paddle crab industry, one is based on potting that creates value and the other is a fishery based on unavoidable by catch by set netting and trawl methods which creates a cost. The two fisheries have different issues requiring to be addressed in terms of management.

Most paddle crabs landed are reported as being caught by potting which allows for the harvesting of whole live crabs and the market sets the crab size. Though different regions have varying market requirements,

required size exceeds a 110mm carapace width size limit and potting harvests crabs covering a wide size range. Potters consider the proportion of catch that is below the desirable market size to be between 50 – 60%.

The fishers with quota who target paddle crabs by potting support the return to sea of live crabs which they see as a sensible measure of sustainability and providing a mechanism for quota and ACE holders to obtain maximum value without the need for deemed value penalties for harvesting small size crab which have no market value.

There is also strong support from quota holders for the listing of potted paddle crab on the 6th schedule and for the introduction in area 1 of an MLS of 90mm for crabs caught by all methods.

However, there is evidence from the available information that life history traits for paddle crab can vary with location and which cannot be readily explained by latitudinal variation, i.e. water temperatures. This means that it may not be appropriate to assume that data collected from more southern areas can be used for the Bay of Plenty or that trends in growth rate, size and maturity with latitude can be extrapolated to more northern climes. In general terms then a minimum size limit can be usefully applied to a fishery and can be expected to have beneficial effects if there is concern over the spawning potential of the population.

If it is considered that yield per recruit is being depressed by concentration of the fishery on young individuals and if there is a significant pressure on the population and if the undersized individuals caught are returned to the population, the species has a good chance of survival.

It is recognised that there is a certain amount of paddle crab caught by trawling and discussions with those who land crab with this method indicates that it is minimal in the northern FMAs and that a significant proportion survive in good condition.

It is also recognised that crabs can unavoidably be caught in set nets as an unwanted by catch, but there are fishers who actually target the species by netting methods which means that the crabs tend to be broken, creating many discards if fishers are able to bring nets ashore before sorting – which is not a great practice. All nets, if used, should be cleared at sea.

There should be no incentive for such fishers to land the damaged or small crabs. As a QMS species in regions where no MLS exists, fishers cannot discard any of it at present and in MLS areas fishers can only discard the product under the MLS restrictions. There is no mechanism to record set net

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by catch of the paddle crabs if a licensed fish receiver refuses to accept the product.

With particular reference to the introduction of a prohibition on the landing of buried females, protection of buried females could be introduced in conjunction with either the MLS restrictions or on its own. It is not known to what extent this would benefit the population but as long as the fishing intensity remains low in the face of the developed fishery applying heavy fishing pressure to all sizes of mature females, a prohibition of the landing of buried females might be a useful effort of control for sustainability.

It should be noted that this submission is made in the first instance by e-mail and will be, on the advice of David Allen of the Ministry of Fisheries Auckland office, followed by a hardcopy containing the signatures of all those paddle crab quota holders who support this submission:

They are: Peter McKinnon
Fin No. 979 0104

Ian Steed
Fin No. 863 0019

Andrew Signal
Fin No. 979 1457

Brian Kincaid
Fin No. 893 0045

Terry Olsen
Fin No.(to be supplied)

Submission on the proposed amendment to the Recreational Scallop Fishing Season in Fisheries Management Area 9

Kaipara Harbour Sustainable Fisheries Management Study Group
C/- C.Yardley
40 Oxford St
Whakapirau
Maungaturoto 0581

29.08.07

The Study Group supports options (b) and (c) with the following details:

The season should start later – 1st October, and close earlier – 14th January.

Background:

The Study Group can comment specifically on the Kaipara scallop fishery but assumes that other west coast areas of the scallop fishery may well be subject to similar conditions.

The scallop beds in the Kaipara fishery, prior to the present closure, were under increasing pressure. Heavy fishing at the start of the season, when condition of the scallops is poor, can result in lower returns. There have also been occasions of poor reproduction, parasitic attack and black gill. The beds are then not able to withstand fishing pressure during the peak of the season in December and January.

Night dredging can provide a cover for illegal activity and is hard to police.

Dredge design plays a part in the amount of damage done to the beds.

Recommendation:

The harvesting pressure applied to the Kaipara scallop beds should be limited to coincide with the peak condition of the scallops. This would maximize returns from the resource, while reducing waste.

The Study Group submits that:

- **The annual open season for scallops on the Kaipara should be from 1 October to 14 January inclusive.**
- **Night dredging be banned**
- **Changes in dredge design be encouraged to reduce the damage to undersize scallops**

- A programme of ongoing monitoring be established as a means of measuring the effectiveness of these measures and the health of the fishery.

RJ & JE Butts Limited
Motupipi Fishing Company Limited
517 Abel Tasman Drive
TAKAKA 7183

23 July 2007

Ministry of Fisheries
PO Box 1020
WELLINGTON

**Submission to the Ministry Of Fisheries Paper
Paddle crab: Allowing for return to sea**

**Joint submission from: RJ & JE Butts Limited. QRN 8462044; and
Motupipi Fishing Company Limited. QRN 9260057.**

Thank you for the opportunity to submit on this fishery.

We support option 3

Add paddle crab taken by the potting method to the sixth schedule

And

b) remove the minimum legal sizes that apply to crab in PAD 3,4,5 and 6

Our companies have worked in the trawling, set netting, long lining and potting industries.
The only fishing method that routinely returns live crab to the sea is potting.
The methods used to remove crabs from nets usually result in a huge mortality rate.

From: Mark Soboil [mailto:SoboilM@afl.maori.nz]
Sent: Friday, 31 August 2007 9:25 a.m.
To: Baker, Rachel; Leslie, Stefan
Cc: Tony Craig; Malcolm McNeill; Live Fish NZ; Alan Riwaka
Subject: Crabco Submission

Dear Rachel;

This submission is part of the review of regulatory measures and other management controls for 1 April 2008.

Crabco Ltd, a joint venture between Aotearoa Fisheries, New Zealand Longline, Te Ohu Kai Moana and Live Fish NZ support the proposal to list Deepwater Crab on Schedule Six of the Fisheries Act 1996.

Crabco are currently undergoing exploratory fishing to determine the feasibility of a target deepwater crab fishery. Commercial catches are increasing and the company expects to catch the entire total allowable commercial catch (TACC) in QMAs 1, 2 and 9 by the years end. Enabling deepwater red crab (CHC), giant spider crab (GSC) and king crab (KIC) to be returned to the sea will increase value and improve the sustainability of the stocks in the fishery.

Crabco's only reservation is that the Sixth Schedule amendment would only be appropriate for deepwater crabs that are likely to survive and caught with potting because of the non-invasive nature of the gear.

Sincerely,

Mark Soboil

Mark L. Soboil
Economist
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Submission on the Review of the Regulations for Stalling of Nets on the Kaipara Harbour

Kaipara Harbour Sustainable Fisheries Management Study Group
C/- Christine Yardley
40 Oxford St
Whakapirau
Maungaturoto 0581

29.08.07

The Study Group presented the following view in the Strategy Document 'Fishing for the Future' that:

'stalling should be allowed as long as fishers are present and actively working their net.'

Background:

The existing regulation allows for stalling of commercial set nets on the Kaipara Harbour provided these are not longer than 540m. The study Group understands that stalling means allowing fish in a net to strand due to the falling tide.

It has been reported that some fishers are allowing their nets to stall in a way that leaves fish stranded for hours. This has a significant effect on fish quality and prevents the live return of juvenile and by-catch fish to the sea.

Discussion:

There is a case for allowing stalling of nets on the Kaipara because of the extreme tidal nature of this harbour. Changes in weather conditions can lead to significant alterations in the tides which means that even the most careful fishers can be caught out at times. However there is also a need to ensure that fish quality is enhanced and that juvenile/by-catch mortality is reduced.

Conclusion:

The Study Group submits that the current regulation allowing stalling be modified to provide for stalling only when the fisher is in attendance and actively working their net.