



Proposed closures to harvesting of Pāua at Huriawa Peninsula and Mapoutahi Peninsula

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Figure 1: The East Otago Taiāpure including Huriawa Peninsula and Mapoutahi Peninsula

1 Introduction

This discussion document outlines options to address sustainability concerns for pāua at two locations within the East Otago Taiāpure; Huriawa Peninsula and Mapoutahi Peninsula (Figures 1, 3 and 4). The Ministry for Primary Industries (MPI) seeks stakeholder views on proposals to close these locations to harvesting pāua.

2 Context

The East Otago Taiāpure (the taiāpure) was gazetted in 1999 and the East Otago Taiāpure Management Committee (the Committee) was appointed by the Minister of Fisheries in 2001.

Pāua is a significant cultural fisheries resource within the taiāpure. Due to the Committee's concern about the state of pāua stocks within the taiāpure, in 2007 the daily bag limit for pāua was reduced from ten down to five, and a series of temporary closures around Huriawa Peninsula were implemented from 2010.

Surveys of the Huriawa Peninsula closed area and the remainder of the taiāpure show that pāua stocks in the closed area are stable or have recovered slightly, however pāua numbers in the areas outside the closure have declined. The surveys also show that the densities of pāua at Mapoutahi Peninsula are the lowest in the taiāpure.

The Committee has requested the Minister for Primary Industries (the Minister):

1. Renew the closure around Huriawa Peninsula to pāua harvest; and
2. Close the area around Mapoutahi Peninsula to pāua harvest.

The Committee has also requested the seaward boundary of the Huriawa Peninsula closure be extended to include some small offshore reefs. The closures would be under section 11 of the Fisheries Act 1996, and would address sustainability concerns at these two sites while the Committee develops proposals to address the overall decline in pāua numbers across the wider taiāpure.

2.1 HARVEST OF PĀUA WITHIN THE EAST OTAGO TAIĀPURE

Substantial parts of the taiāpure are closed to commercial harvest. Commercial harvest in remaining areas is intermittent and low, however, 2 440 kg was harvested from the taiāpure in the 2014 – 15 fishing year, the largest volume for some time. Following discussions with the Committee, on 9 February 2016 pāua quota holders agreed to withdraw from fishing within the taiāpure as a voluntary measure. They have also stated they would not oppose the introduction of a future regulation to prohibit commercial pāua fishing within the taiāpure.

There is no information available on the amount of recreational harvest of pāua specific to the Huriawa Peninsula or Mapoutahi Peninsula sites. As they are both accessible sites, harvest is likely to have been historically high. However, pāua are fished from rocky reefs and promontories right across the taiāpure, with areas such as Warrington most popular for recreational harvest.

Pāua is important to Kaiti Huirapa Rōnaki ki Puketeraki and is identified as a taonga species in the Te Waka a Maui me Ona Toka Fisheries Plan. Given the decline in abundance of pāua within the taiāpure, Tangata Tiaki/ Kaitiaki have not been issuing customary authorisations to harvest pāua within the taiāpure.

2.2 MANAGEMENT APPROACH

The East Otago Taiāpure & Taiāpure Committee

The Fisheries Act contains provisions allowing for the establishment of a taiāpure and the subsequent appointment of a management Committee¹. The object of this part of the Act (Part IX) is to “...make...better provision for the recognition of rangatiratanga and of the right secured in relation to fisheries by Article II of the Treaty of Waitangi”.

The Committee is made up of representatives from Kaiti Huirapa Rōnaki ki Puketeraki, local recreational fishers, the Karitane Commercial Fisherman’s Cooperative, the University of Otago and the River-Estuary Care Waikouaiti – Karitane.

Taiāpure Vision

A sustainable, healthy, abundant and accessible fishery inside the taiāpure that provides for the community’s customary, recreational and commercial needs.

Taiāpure Objectives

The objectives of the Committee for the East Otago Taiāpure are to:

- i) Ensure customary, recreational and commercial fishers have access to and use of abundant supplies of fisheries resources;

¹ Sections 174 to 184 of the Fisheries Act 1996.

- ii) Actively promote the use of traditional tikanga (customs) and kawa (protocols) such as rāhui (temporary closures) through the management regulations for the taiāpure (using law to give effect to the 'lore');
- iii) Ensure the adverse impacts of human activities on the marine environment, nursery areas, spawning grounds, fisheries habitat and associated and dependant species are avoided, remedied or mitigated;
- iv) Ensure all fisheries resources from the taiāpure are fit for human consumption.

The Committee recommended, and the government implemented in 2007, regulations to reduce bag limits of shellfish and finfish species within the taiāpure, including a daily bag limit of five pāua per person. Further, a temporary closure on taking pāua around Huriawa Peninsula, came into effect in October 2010. The temporary closure was renewed in 2012 and 2014.

These measures, along with Tangata Tiaki/ Kaitiaki not issuing customary authorisations for pāua, were intended to increase the size and abundance of pāua stocks in the taiāpure. However this has not been the case. Research undertaken on behalf of the Committee by the University of Otago shows a decrease in pāua abundance and accessibility across the taiapure, outside of the closed area at Huriawa Peninsula (Figure 2).

Accordingly, the Committee has requested the Minister, under section 11 of the Fisheries Act, extend the closure for Huriawa Peninsula and close Mapoutahi Peninsula to pāua fishing.

2.3 RESEARCH

Three pāua surveys have been undertaken within the taiāpure in 2008, 2012 and 2016. The surveys show that, overall, the percentage of pāua of legal minimum harvestable size in the taiapure decreased from 14.7% in 2008/09 to 4.1% in 2016 (Figure 2). The average linear decline over this period is $(-1.47\% \text{ year}^{-1})$ is statistically significantly ($t=7.06$, $p=0.019$). This decline suggests that the reduced daily recreational bag limits instituted in 2010 have failed to prevent a decline in the pāua populations within the wider taiāpure.

Inside the closed area at Huriawa Peninsula, however, the density of pāua shows a stable or increasing trend (although the increase is not statistically significant).

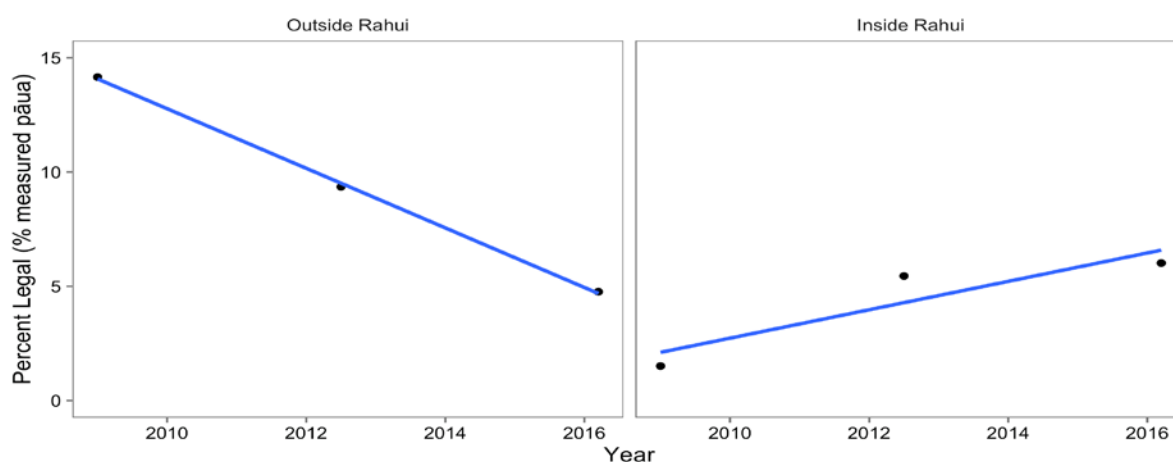


Figure 2: Percentage of measured pāua of a legally harvestable size in the taiapure, outside (left) and inside (right) the closed area (rahui) at Huriawa Peninsula over time. The line represents the slope of a linear regression including location (inside / outside) and year.

HURIAWA PĀUA FISHING PROHIBITION AREA

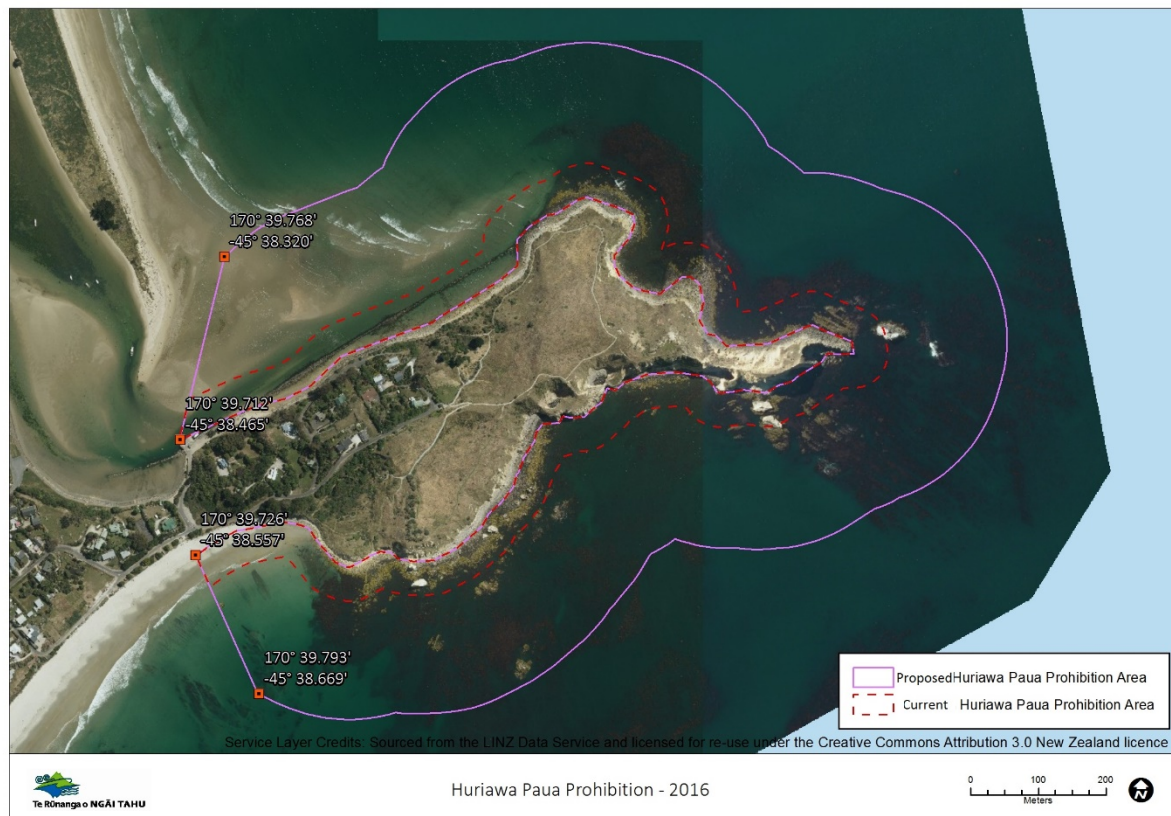


Figure 3: Huriawa Peninsula showing the area currently closed to pāua harvest that is proposed to be renewed and extended.

Purpose

There is concern for the pāua stocks around the Huriawa Peninsula despite the area being closed since 2010. The rate of recovery is slow and the East Otago Taiāpure Management Committee (the Committee) considers that a further temporary, but open ended, closure is required. Renewing the closure every two years, as has occurred since 2010, does not take into account the biology and slow growth of pāua which means recovery occurs over longer time scales. Instead the information available on the closed area will be assessed in three years' time and a recommendation made on whether the closure should be reviewed.

Tangata whenua and stakeholder views are sought on whether to put such a closure in place to pāua harvesting of both black foot pāua (*Haliotis iris*) and yellow foot pāua (*Haliotis australis*) around Huriawa Peninsula under section 11 of the Act.

Background Information

Pāua around the Huriawa Peninsula have been surveyed three times between 2008 and 2016. The Committee considers that pāua on the Huriawa Peninsula was once extremely abundant and was a significant resource for Kati Huirapa who occupied the Huriawa pā area.

The Committee also consider that pāua stocks at customary depths (inter-tidal and shallow sub-tidal, generally 0-1 m depth) on the Huriawa Peninsula are severely depleted. This is

preventing tangata whenua from exercising their customary use and management practises in relation to this taonga species.

Although the southern side of the Huriawa Peninsula was open to commercial pūua fishing before the current closures, no pūua have been commercially taken within the relevant statistical area since 2003/04.

In 2010, on the Committee's recommendations, Cabinet approved a two-year closure to the take of pūua around the Huriawa Peninsula. The regulations closed the area to the take of pūua for a period of two years.

In 2012 and 2014, the area was closed for two further two year periods under section 186B of the Act.² The most recent closure will expire on 24 September 2016.

The University of Otago is undertaking on-going research to monitor the effectiveness of the closure on the size and abundance of pūua around the Huriawa Peninsula. The Committee provided a research report, which compares relative changes in population structure and abundance since 2008 up to the present.

The research suggests that although the pūua stock in the area around Huriawa Peninsula is rebuilding, the rebuild is slow and the area remains depleted. The Committee considers that a rebuild will take a further significant period of time and a longer closure is needed to achieve the Committee's target level of rebuild, and to recognise and provide for the customary use and management practices of tangata whenua.

The Committee also considers that to fully protect the Huriawa Peninsula stocks, the seaward boundary of the proposed closure area should be extended slightly to include a larger component of the offshore reef. The area proposed to be closed is shown in Figure 3.

3 Legal Considerations

Following the consultation period MPI will prepare advice for the Minister to make decisions. If the Minister decides to put a closure in place at Huriawa Peninsula, this will be implemented prior to the expiry of the current closure on 24 September 2016.

The decision document that will be provided to the Minister to support his decisions will address the relevant statutory considerations including the following.

3.1 SECTION 9- ENVIRONMENTAL PRINCIPLES

The Act prescribes three environmental principles that the Minister must take into account when exercising powers in relation to utilising fisheries resources and ensuring sustainability.

Principle 1: Associated or dependent species should be maintained above a level that ensures their long-term viability.

The Act defines "associated and dependent species" as any non-harvested species taken or otherwise affected by the taking of a harvested species. Given the proposal is to close the area to harvesting pāua, there should not be any implications from the proposal for associated and dependent species.

² Fisheries (Huriawa Peninsula Temporary Closure) Notice 2014.

Principle 2: Biological diversity of the aquatic environment should be maintained.

“Biological diversity” means the variability among living organisms, including diversity within species, between species, and of ecosystems.

Determining the level of impact of fishing on biodiversity requires an assessment of the risk that fishing might cause a decline in the abundance of one or more species, or otherwise cause biodiversity to be reduced to an unacceptable level. The proposal is to close an area to fishing so is unlikely to detrimentally effect biodiversity.

Principle 3: Habitat of particular significance for fisheries management should be protected.

The maintenance of healthy fish stocks requires the mitigation of threats to fish habitat. Closing the area to pāua harvest is likely to enhance habitat of particular importance to fisheries management.

3.2 SECTION 10- INFORMATION PRINCIPLES

The nature of the data and assumptions used to monitor fisheries contain uncertainty. The Act specifies the information principles that must be taken into account when information is uncertain:

- Decisions should be based on the best available information – that is the best information that, in the particular circumstances, is available without incurring unreasonable cost, effort, or time;
- Decision makers should consider any uncertainty in the information available in any case;
- Decision makers should be cautious when information is uncertain, unreliable, or inadequate; and.
- The absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of the Act.

The best information available for pāua at Huriawa Peninsula is a report on the time series of abundance surveys conducted by Otago University. The report has been through MPI’s science review processes. Where there is uncertainty in information it is discussed within this paper. Further information provided through this consultation process will be incorporated into the decision document with the appropriate weighting.

3.3 SECTION 11- SUSTAINABILITY MEASURES

Section 11(1) of the Act allows the Minister to set or vary any sustainability measure for one or more stocks or areas, after taking into account any effects of fishing on any stock and the aquatic environment, any existing controls that apply to the stock or area concerned (for example the bag limits referred to earlier in this paper), and the natural variability of the stock concerned.

The proposals to close the pāua beds to harvesting seek to address the risk that fishing will result in the continuing decline of populations and lower numbers of large pāua.

Section 11(2) states that before setting or varying any sustainability measure, the Minister shall have regard to any provisions of: - any regional policy statements, regional plans, or

proposed regional plans under the Resource Management Act 1991; any management strategy or plan under the Conservation Act 1987; sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000; any regulations under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012; and any planning documents lodged with the Minister of Fisheries (Minister for Primary Industries) by a customary marine title group under section 91 of the Marine and Coastal Area (Takutai Moana) Act 2011. MPI is not aware of any specific matters under the above provisions that are relevant to this decision.

Section 11(2A) states that before setting or varying any sustainability measure the Minister must take into account any relevant fisheries plan, fisheries services or conservation services. There are no relevant approved fisheries plans.

Section 11(3) outlines a non-exhaustive list of sustainability measures that the Minister may set for a stock. Sustainability measures may relate to the areas from which any fish, aquatic life, or seaweed of any stock may be taken. The Minister may implement any sustainability measures by notice in the *Gazette* (as proposed in this paper) or by the making of regulations under section 298 of the Act. MPI is proposing an area closure to recreational and commercial harvest of pāua as the sustainability measure to address the observed declines in pāua populations.

Section 11(4) allows sustainability measures to be set or varied by *Gazette Notice* or by recommending the making of regulations. MPI proposes that the sustainability measures would be set by notice in the *Gazette*.

3.4 SECTION 12- CONSULTATION

Before implementing any section 11 sustainability measure, section 12 of the Act specifies the Minister shall consult with persons or organisations that the Minister considers have an interest in the stock or the effects of fishing on the aquatic environment in the area concerned, including Maori, environmental, commercial, and recreational interests. This paper forms part of that consultation process.

The Minister must also provide for the input and participation of tangata whenua having a non-commercial interest in the stock concerned or an interest in the effects of fishing on the aquatic environment in the area concerned. The Minister must also have particular regard to kaitiakitanga. The proposal has been developed by Kōti Huirapa and the East Otago Taiāpure Committee, who are tangata whenua for this area.

4 Proposed Options

MPI is consulting on the following management options to address sustainability concerns at Huriawa Peninsula.

Table 1: Proposed options for sustainability measures

Option 1 (<i>Status quo</i>)	The current closure, under 186B of the Fisheries Act 1996, will expire on 24 September 2016 and the Huriawa Peninsula will be open to harvesting pāua. ³
Option 2	Pāua harvesting around Huriawa Peninsula is closed to harvest under section 11 of the Fisheries Act 1996.

Option two renews and slightly extends the seaward boundary of the proposed closure area to include a larger component of the offshore reef.

Other possible options, such as further reductions in the bag limit or seasonal closures are not proposed as these have been found to be more difficult to enforce and may be less effective in addressing the concerns identified. Temporary closures have typically been used to manage fishing pressure on shellfish beds as they are easy to understand and enforce and are effective at addressing sustainability concerns from fishing.

4.1 OPTION 1 (*STATUS QUO*)

Under this option, no new sustainability measures will be set under section 11 for pāua fishing at Huriawa Peninsula and, as such, after 24 September, recreational and commercial fishers will have access to pāua.

This option would provide short term utilisation benefits by allowing fishing of pāua to resume in the currently closed area. While numbers of legal sized pāua within the closed area may be recovering slowly, they remain low, and legal sized pāua outside of the closed area are declining. Should the area around Huriawa Peninsula reopen it is likely that the pāua stocks would similarly decline. Therefore, the Committee has requested the Minister close Huriawa Peninsula to harvesting pāua until such time as the resource has rebuilt.

4.2 OPTION 2

Option 2 proposes to close Huriawa Peninsula to harvesting pāua in response to the survey information and the observations of decreasing numbers of legal sized pāua across the taiāpure. This option would remove fishing pressure on this area until such time as the area supports healthy stocks of pāua.

A closure is considered to be an effective measure for enabling a rebuild of pāua stocks at Huriawa Peninsula because:

- the surveys show the density of large pāua across the taiāpure continue to decline;
- a closure is an effective way of ensuring the populations are not being affected by recreational or commercial fishing, and is easily understood and enforceable;
- the survey highlights that other restrictions, such as bag limit reductions, are not reversing the decline in pāua density in those areas of the taiāpure that are open to pāua fishing;
- pāua are still able to be harvested at other areas within the taiāpure; and

³ Bag limit of 5 pāua for recreational fishers (per person per day) as specified in regulation 121 of the Fisheries (Amateur Fishing) Regulations 2013

- the closure will “...make...better provision for the recognition of rangatiratanga and of the right secured in relation to fisheries by Article II of the Treaty of Waitangi” for Kāti Huirapa Rūnaka ki Puketeraki.

Given the majority of the area has been closed for the last six years, MPI does not expect displacement of effort, or any compliance difficulties from this closure. Pāua are fished from rocky reefs and promontories across the taiāpure, with areas such as Warrington most popular for recreational harvest. Therefore, the pāua resource can continue to be utilised elsewhere in the taiāpure. The proposed closure is relatively easy to understand and cost-effective to enforce.

No end date would be placed on the closure; it is the Committee’s intention to continue to monitor the recovery until it has achieved sufficient density to facilitate customary harvesting practices previously used in the area. Given the slow recovery to date, rather than regularly having to make application to renew the closure, the information available on the closed area will be assessed in three years’ time and a recommendation made on whether the closure should be reviewed.

5 Conclusion

There is concern for the pāua stocks around the Huriawa Peninsula despite the area being closed since 2010. Scientific information suggests the rate of recovery is slow. A further temporary, but open ended, closure under section 11 of the Act would address the risk that fishing may cause a decline and would allow for a rebuild to occur over a timeframe that takes into account the biology of pāua.

A further closure would be easily understood and cost-effective to enforce and is not expected to displace effort to other parts of the taiāpure given it extends a closure that has already been in place for some time. Pāua are fished from rocky reefs and promontories across the taiāpure, with areas such as Warrington most popular for recreational harvest. Therefore, the pāua resource can continue to be utilised elsewhere in the taiāpure.

Stakeholder views are sought on this proposal to inform final advice to the Minister.

MAPOUTAHI PĀUA FISHING PROHIBITION AREA



Figure 4: Mapoutahi Peninsula showing the area proposed to be closed to pāua harvest.

Purpose

Mapoutahi Peninsula is situated toward the southern end of the East Otago Taiāpure (see Figure 1). Survey data shows that the densities of pāua at Mapoutahi are the lowest in the taiāpure. To allow pāua stocks in this area to rebuild, the East Otago Taiāpure Management Committee (the Committee) has asked the Minister for Primary Industries (the Minister) to close the area under section 11 of the Act to harvesting of pāua (*Haliotis iris*) and yellow foot pāua (*Haliotis australis*). Tangata whenua and stakeholder views are sought on this proposal.

Background Information

The pāua around the Mapoutahi Peninsula have been surveyed three times between 2008 and 2016. Numbers of pāua are very low and are surrounded by sand with few small animals present. They are thought to be a remnant population. Given this isolation, the Committee considers the area ideal for enhancement and translocation while monitoring the replenishing stocks. Mapoutahi was the site of a massacre of the inhabitants of a pa located on the Peninsula in the 1760s, and is waahi tapu. Therefore, customary fishing is not generally undertaken in the area.

In 2010, the daily bag limit for pāua within the taiāpure was reduced from ten down to five. This does not appear to have been effective in maintaining the density of stocks around Mapoutahi.

The University of Otago is undertaking on-going research to monitor the size and abundance of pāua within the taiāpure. The research compares relative changes in population structure and abundance since 2008 up to the present. In 2008 and 2012 only one site was sampled at Mapoutahi. In 2016 three sites were surveyed, however, only 24 pāua were found across all of the three sites in the 0-0.5m depth strata.

Based on the experience of the rebuild time required at Huriawa, the Committee considers that a rebuild at Mapoutahi will take a significant period of time. Even with the potential for enhancement and/or translocation, a period of closure that takes into account the biology and slow growth of pāua will be needed to achieve a rebuild.

6 Legal Considerations

Following the consultation period MPI will prepare advice for the Minister to make decisions. If the Minister decides to put a closure in place around Mapoutahi Peninsula, this will be implemented as soon as reasonably possible.

The decision document that will be provided to the Minister to support his decisions will address the relevant statutory considerations including the following.

6.1 SECTION 9- ENVIRONMENTAL PRINCIPLES

The Act prescribes three environmental principles that the Minister must take into account when exercising powers in relation to utilising fisheries resources and ensuring sustainability.

Principle 1: Associated or dependent species should be maintained above a level that ensures their long-term viability.

The Act defines “associated and dependent species” as any non-harvested species taken or otherwise affected by the taking of a harvested species. Given the proposal is to close the area to harvesting pāua, there should not be any implications from the proposal for associated and dependent species.

Principle 2: Biological diversity of the aquatic environment should be maintained.

“Biological diversity” means the variability among living organisms, including diversity within species, between species, and of ecosystems.

Determining the level of impact of fishing on biodiversity requires an assessment of the risk that fishing might cause a decline in the abundance of one of more species, or otherwise cause biodiversity to be reduced to an unacceptable level. The proposal is to close an area to fishing so is unlikely to detrimentally effect biodiversity.

Principle 3: Habitat of particular significance for fisheries management should be protected.

The maintenance of healthy fish stocks requires the mitigation of threats to fish habitat. Closing the area to pāua harvest is likely to enhance habitat of particular importance to fisheries management.

6.2 SECTION 10- INFORMATION PRINCIPLES

The nature of the data and assumptions used to monitor fisheries and the results produced contain inherent variation and uncertainty. The Act specifies the information principles that must be taken into account when information is uncertain:

- Decisions should be based on the best available information – that is the best information that, in the particular circumstances, is available without incurring unreasonable cost, effort, or time;
- Decision makers should consider any uncertainty in the information available in any case;
- Decision makers should be cautious when information is uncertain, unreliable, or inadequate; and.
- The absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of the Act.

The best information available for pāua at Mapoutahi Peninsula is a report on a time series of abundance surveys conducted by Otago University. The report has been through MPI's science review processes. Where there is uncertainty in information it is discussed within this document. Further information obtained through this consultation process will be incorporated into the decision document with the appropriate weighting.

6.3 SECTION 11- SUSTAINABILITY MEASURES

Section 11(1) of the Act allows the Minister to set or vary any sustainability measure for one or more stocks or areas, after taking into account any effects of fishing on any stock and the aquatic environment, any existing controls that apply to the stock or area concerned (for example the bag limits referred to earlier in this paper), and the natural variability of the stock concerned.

The proposals to close the pāua beds to harvesting seek to address the risk that fishing will result in the continuing decline of populations and lower numbers of large pāua.

Section 11(2) states that before setting or varying any sustainability measure, the Minister shall have regard to any provisions of: - any regional policy statements, regional plans, or proposed regional plans under the Resource Management Act 1991; any management strategy or plan under the Conservation Act 1987; sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000; any regulations under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012; and any planning documents lodged with the Minister of Fisheries (Minister for Primary Industries) by a customary marine title group under section 91 of the Marine and Coastal Area (Takutai Moana) Act 2011. MPI is not aware of any specific matters under the above provisions that are relevant to this decision.

Section 11(2A) states that before setting or varying any sustainability measure the Minister must take into account any relevant fisheries plan, fisheries services or conservation services. There are no relevant approved fisheries plans.

Section 11(3) outlines a non-exhaustive list of sustainability measures that the Minister may set for a stock. Sustainability measures may relate to the areas from which any fish, aquatic life, or seaweed of any stock may be taken. The Minister may implement any sustainability measures by notice in the *Gazette* (as proposed in this paper) or by the making of regulations

under section 298 of the Act. MPI is proposing an area closure to recreational and commercial pāua harvesting as the sustainability measure to address the observed declines in pāua populations. The rationale for this measure is outlined later in this document.

Section 11(4) allows sustainability measures to be set or varied by *Gazette Notice* or by recommending the making of regulations. MPI proposes that the sustainability measures would be set by notice in the *Gazette*.

6.4 SECTION 12- CONSULTATION

Before implementing any section 11 sustainability measure, section 12 of the Act specifies the Minister shall consult with persons or organisations that the Minister considers have an interest in the stock or the effects of fishing on the aquatic environment in the area concerned, including Maori, environmental, commercial, and recreational interests. This document forms part of that consultation process.

The Minister must also provide for the input and participation of tangata whenua having a non-commercial interest in the stock concerned or an interest in the effects of fishing on the aquatic environment in the area concerned. The Minister must also have particular regard to kaitiakitanga. The proposal has been developed by Kaiti Huirapa and the East Otago Taiāpure Committee, who are tangata whenua for this area.

7 Proposed Options

MPI is consulting on the following management options to address sustainability concerns at Mapoutahi Peninsula.

Table 1: Proposed options for sustainability measures

Option 1 (<i>Status quo</i>)	The area around the Mapoutahi Peninsula will remain open to harvesting pāua. ⁴
Option 2	Pāua harvesting around Mapoutahi Peninsula is closed to harvest under section 11 of the Fisheries Act 1996.

Other possible options, such as further reductions in the bag limit or seasonal closures are not proposed as these have been found to be more difficult to enforce and may be less effective in addressing the concerns identified. Temporary closures have typically been used to manage fishing pressure on shellfish as they are easy to understand and enforce and are effective at addressing sustainability concerns from fishing.

7.1 OPTION 1 (STATUS QUO)

Option 1 is the status quo. Under this option, no closure would be set under section 11 for the pāua fishery at Mapoutahi Peninsula.

The populations of legal sized pāua within the taiāpure are declining. Survey data shows that the densities of pāua at Mapoutahi are the lowest in the taiāpure. The Committee has requested that the Minister close Mapoutahi Peninsula to harvesting pāua until such time as the resource has rebuilt in this area. Should the area not be closed to harvest, it is most likely

⁴ Bag limit of 5 pāua for recreational fishers (per person per day) as specified in regulation 121 of the Fisheries (Amateur Fishing) Regulations 2013

that the pāua stocks around Mapoutahi Peninsula will continue to decline as have the pāua stocks in the remainder of the taiāpure.

7.2 OPTION 2

Option 2 would close Mapoutahi Peninsula to harvesting of pāua in response to the survey information showing the densities of pāua at Mapoutahi are the lowest in the taiāpure. This option would remove fishing pressure on this vulnerable area until such time as it once again supports healthy stocks of pāua.

A closure is considered to be an effective measure for enabling a rebuild of pāua stocks at Mapoutahi Peninsula because:

- the surveys show the density of large pāua in the taiāpure (excluding the rahui) continue to decline;
- a closure is an effective way of ensuring the populations are not being affected by recreational or commercial fishing, and is easily understood and enforceable;
- the survey highlights that other restrictions, such as bag limit reductions, are not reversing the decline in pāua density in those areas of the taiāpure that are open to pāua fishing;
- pāua are still able to be harvested at other areas within the taiāpure; and
- the closure will “...make...better provision for the recognition of rangatiratanga and of the right secured in relation to fisheries by Article II of the Treaty of Waitangi” for Kāti Huirapa Rūnaka ki Puketeraki.

No end date would be placed on the closure, however, it is the Committee’s intention to periodically monitor the recovery until it has achieved sufficient density to facilitate the customary harvesting practices previously used in the area. Given the slow recovery rate at Huriawa Peninsula, rather than regularly having to make application to renew a temporary closure, the information available on the closed area will be assessed in three years’ time and a recommendation made on whether the closure should be reviewed.

8 Conclusion

Survey information suggests the densities of pāua at Mapoutahi are the lowest in the taiāpure. A temporary, but open ended, closure under section 11 of the Act would reduce the potential for fishing to cause further decline and would allow for a rebuild to occur over a timeframe that takes into account the biology of pāua.

A closure would be easily understood and cost-effective to enforce and is not expected to displace effort to other parts of the taiāpure, given the low numbers of pāua around Mapoutahi Peninsula. Pāua are fished from rocky reefs and promontories across the taiāpure, with areas such as Warrington most popular for recreational harvest. Therefore, the pāua resource can continue to be utilised elsewhere in the taiāpure.

Stakeholder views are sought on this proposal to inform final advice to the Minister.