



Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

**Proposals to temporarily close parts of the
fishery until 14 February 2017**

Appendix 1: Copies of Submission Part Two

MPI Information Paper No: 2016/21

ISBN No: 978-1-77665-323-2 (online)

ISSN No: 2253-394X (online)

July 2016

From: Forest and Bird, Golden Bay Branch,
C/- J. Vaughan.

s 9(2)(a)

30th June, 2016.

To: Inshore Fisheries,
Ministry for Primary Industries,
P.O. Box 2526,
Wellington 6011.

SUBMISSION ON PROPOSED CLOSURE OPTIONS FOR
SCALLOP FISHERY IN MARLBOROUGH SOUNDS

The Southern Scallop fishery has had a very chequered past history since 1981. All kinds of interventions have been tried in Golden Bay to enhance a healthy fishery yet the fishery has shown severe symptoms of stress for many years.

Shore dwellers in our community have reported with horror of the way desperate commercial dredgers have trashed the seabed in an attempt to harvest sufficient crop to warrant their time, financial needs and overheads. In recent times, under CEO Mitch Campbell, strong controls were put in place, enabled by tracking devices to be compulsorily installed on every vessel and issued strict guidelines as to where harvesting could take place. This may have ended 'wild west' behaviour but it was too much too late.

The benthos has been so seriously degraded that it is our opinion that recovery is maybe hundreds of years into the future, but very possibly, unlikely ever to recover. If it does eventually show recovery, we would request that commercial dredging is never allowed to return and that control of the seabed return to local management, with a management plan and strict overview from the Ministry for the Environment.

Ours is a small community, surrounded by National Parks and mountains and there are few natural resources we can use to help sustain our population. The bay could have been one very special resource had it not been trashed. Tourism, next to the dairy industry, is our major source of employment and income. Had we retained control of fishing in the bay we could have had a much better managed resource and the income would have directly advantaged the local community. Instead we have experienced uncaring fishing boats

arriving for the various seasons from outside the bay, and returning taking their catches with them back to the communities they originated from.

An Environment Court hearing in the late 1990s triggered by the local community to attempt to achieve some control over activities in our bay, made it clear that the true 'owners' of our bay were quota holders who could fish for their quota wherever it was to be found. This we found disempowering, and it is this disempowerment which has led to the benthos of our bay being trashed to maybe a state beyond recovery.

Please don't apply yet more science to 'ensure sustainability for future recovery to rebuild the fishery', just close it and inform would be fishers that no one knows how long recovery will take, if ever.

An interesting side-effect from the new AMA's established (an outcome from the Environment Court Hearing in the 1990s which involved Forest and Bird), is that these AMAs are providing the best habitat in the bay for scallops. Scallops are doing better in the shelter of the mussel farms than they are anywhere else in the bay. Surely this indicates that protection from dredging, plus a source of available food, are the requirements of healthy scallop recovery.

Sorry this submission is rushed and close to the deadline. The SCA 7 Public Drop-In information session happened last night.

CONCLUSION.

WE WANT THE GOLDEN BAY SCA 7 FISHERY CLOSED TO ALL SCALLOP DREDGING FOR THE FORESEEABLE FUTURE, BOTH COMMERCIAL AND RECREATIONAL. WE WOULD LIKE MPI TO ALSO SERIOUSLY ADDRESS COMMERCIAL TRAWLING OF OUR BAY AND LIMIT COMMERCIAL FISHING TO LONG LINE FISHING. LIMIT SCALLOP HARVESTING TO INDIVIDUAL DIVING TO HARVEST.

Jo-Anne Vaughan – Secretary for Forest and Bird, Golden Bay.

s 9(2)(a)

From: Anna Mather s 9(2)(a)
Sent: Friday, 1 July 2016 11:18 a.m.
To: FMSubmissions
Subject: Submission on Temporary Closure of the Southern Scallop Fishery for 2016/17

I live in Golden Bay where data indicates that scallops have declined from healthy, productive, sustainable numbers to almost zero in 12 years. Information on the MPI website states that there is no scientific consensus about the cause of the decline.

Although there may be several factors causing the reduced scallop numbers, the most likely reason must surely be damage to the scallop beds by dredging and also over fishing.

How well have the previously spatial closures been monitored to ensure that the beds were left undisturbed to allow the scallops to regenerate optimally?

There are other fish species such as snapper which also require undisturbed sea floor to benefit their spawning.

I would like to see Golden Bay closed for all dredging and a full scientific study undertaken regarding marine management for the Bay.

This closure should be for a period long enough to gain answers to scientific questions and for the scallop beds to recover.

To allow continued fishing when causes for the decline in the scallop population remain unknown, is irresponsible in the extreme.

This is a precious resource which should be protected to prevent complete collapse.

We owe it to future generations to fight for the survival of our fish stocks.

I therefore wish to go with Option 2 of the MPI discussion paper 2016/2017 but include Golden Bay and for a much longer period of time.

Anna Mather

s 9(2)(a)

Roger Gibbons
Company Director
s 9(2)(a)
Nelson

Postal address:

s 9(2)(a)

01/07/2016

To whom this may concern,

My name is Roger Gibbons and I am a keen recreational fisherman.
I wish to make the following submission based on the following from your report you state:

(1) there is no scientific reason for the reduction in scallop stocks

and

(2) "The proposed closures would rest the beds, allowing mature scallops to spawn uninterrupted and juvenile scallops to grow. This approach has been used successfully in scallop fisheries around the world to stimulate their recovery."

I have recently toured Nova Scotia. Calling into many interesting fishing ports discussing their fishery with local fishermen. One very interesting discussion I had in Port of Digby with a scallop fisherman of 34 years' experience, I learnt that it was illegal for them to land scallops in the shell. All scallops are shucked at sea!

I advised him in NZ that was illegal and he couldn't believe it saying that was "madness ". He further said by not returning the rest of the scallop the lifecycle of sustainability is broken. He said one cannot take all and not return anything as it is necessary for the whole replenishment cycle of spawning etc. let alone all the other fish and creatures in the food chain down there. Refer to point (2) above spawning etc.

Refer to point (1) above no scientific reason.

I am not an expert in marine biology but thought it be beneficial for you to investigate.
Is this the "missing scientific reason"?

When one thinks about it thousands and thousands of tonnes of scallops have been removed from the beds and nothing returned. He asked me why we did this and I advised it's a compliance issue. MPI need to be able to measure the scallops on landing. He was amused.

If there is no scientific evidence that shucking at sea is harmful which is not the case in Nova Scotia and it appears to be a reason to do so, then is this a "huge mistake " by the MPI only for measurement reasons.

In the Port of Digby (south west Nova Scotia area), they are landing over a thousand ton of scallop meat per year. This surely is evidence we are doing something wrong?

My submission therefore is that MPI should investigate this practice ASAP and declare areas where shucking takes place at sea and monitor.

Compliance should not overrule sustainability.

By way of comment this maybe harming our fish stocks not being able to fillet fish at sea, breaking the food chain recycle.

Now the Options :

"Option 1: Temporarily close all of area 7H in Tasman Bay, and some or all of the following parts of the Marlborough Sounds to scallop fishing for the 2016-17 season (until 15 February 2017): Wynens Bank, Guards Bank, Ships Cove, Pelorus Sound and Dieffenbach Point.

Option 2: Temporarily close all of the Marlborough Sounds and area 7H in Tasman Bay to scallop fishing for the 2016-17 scallop season.

Option 3: (Status quo) No new scallop fishing closures are implemented for the 2016-17 scallop season."

I submit on options 1 and 2 that if closure is decided both areas should be closed. If not pressure would be put on the areas not closed.

I submit on option 3 (status quo):

That unless there is a substantial reduction of the recreational limit to 25 per person I oppose status quo. A 50 limit encourages repeatedly overfishing by many and fines should be increased.

Regards,

P1 

Roger Gibbons

Friends of Nelson Haven & Tasman Bay Inc
P O Box 365
Nelson M.C.
7040
1 July 2016

Ministry of Primary Industries
Wellington

Submission on Temporary Closure of the Southern Scallop Fishery for 2016/17

Friends of Nelson Haven & Tasman Inc., (FONH) established in 1973, is a community group that has continuously advocated for the protection and enhancement of the natural and physical values associated with the coastal and marine areas of the Top of the South Island.

FONH fully supports the submission of FOGB, adding that all dredge type fisheries whether scallop dredging or trawl methods in contact with the bottom/benthos in Golden Bay, Tasman Bay and the Marlborough Sounds should stop.

The scallop fishery should be developed as a dive only fishery both recreational and commercial. This will allow better selection of scallops to size, while greatly reducing the impact on the habitat.

Signed: Gillian Pollock

Secretary, Friends of Nelson Haven and Tasman Bay Inc.

s 9(2)(a)

From: Bridget Orman s 9(2)(a)
Sent: Friday, 1 July 2016 12:01 p.m.
To: FMSubmissions
Subject: Submission to Scallop Review

Submission on the review of management measures for the Southern Scallop Fishery (SCA7) in 2016

I submit:

- 1 Option 2 is the only course: to close the fishery and allow recovery from this crisis stage
2. When stock assessment shows abundant recovery, then conservatively allow non-commercial harvest, i.e. customary and recreational
- 3 A recovery board comprising recreational customary and commercial be set up to formulate long term sustainable management.

Briefly the past mismanagement of the scallop fishery across the top of the south, should give strong lessons, both in the undue political influence that commercial companies have exerted and the lack of timely preventive action. Corporates have shareholder pressure and are interested in short term profits.

Future management should be guided by non-commercial sectors who have a passionate basis for sustainable management.

While some argue about not apportioning blame for the dire situation, it is vital to avoid the mistakes of the past.

Bridget Orman

s 9(2)(a)

s 9(2)(a)

From: Tony Orman s 9(2)(a)
Sent: Friday, 1 July 2016 11:29 a.m.
To: FMSubmissions
Subject: submission on scallops

I submit

- (a) Option 2 is the only viable course, i.e. close the fishery to allow recovery from a crisis stage
- (b) When stock assessment shows sufficient recovery, then conservatively allow non-commercial harvest, i.e. customary and recreational
- (c) An establishment board be set up comprising recreational customary and commercial to formulate long term sustainable management.

Briefly the past mismanagement of the scallop fishery should serve strong lessons, both in the undue political influence that commercial companies have exerted. Corporates are interested in quick short term profits. Future management should be guided by non-commercial sectors who have a passionate basis for sustainable management.

While some argue about not apportioning blame for the dire situation, it is vital to avoid the mistakes of the past.

Tony Orman
Marlborough

Tony Orman
Journalist/Editor
s 9(2)(a)

s 9(2)(a)

From: Greg Goodall s 9(2)(a)
Sent: Friday, 1 July 2016 11:29 a.m.
To: FMSubmissions
Subject: Submission on Sca 7 Review.

To whom it may concern,

My name is Greg Goodall and I live at Tasman. I am a member of several recreational fishing interest related organisations, including MPI's Challenger Recreational Forum which appears to have been totally abandoned by the Ministry. That group's recommendations were not sought in the formulation of this review and I suggest this inaction does MPI no credit.

Obviously the Challenger scallop resource is in a seriously depleted state and that this is general to almost all areas of the fishery. It is also obvious that there has been a steady decline of the fishery over recent years and this trend shows few signs of a possible recovery.

Therefore I believe that in order to facilitate a recovery and be fair to all parties, the entire Sca 7 fishery should be closed to all sectors. Initially this closure should only be for one year to allow further proper research and the development of a robust management plan for a sustainable recovery.

I also believe that the Challenger Scallop Enhancement Company should continue to play the major role in managing the fishery as they are able to make more timely informed decisions, arguably before MPI analysts can get out of bed. However I would like to see MPI insist that CSEC become more cogniscent of the real concerns around long term sustainability and meaningful dialogue with other sectors. This would be a change from the current situation where CSEC virtually do just as they see fit.

I am mindful that the commercial scallop industry has unquestionable rights in this fishery, but surely they must realise that their long term viability has to be at risk unless they too are prepared to make some radical sacrifices, but hopefully short term.

While the status quo option is surely not tenable, proposals 1 and 2 suggest closing only some areas to all fishers. I contend that any partial closures are a bad idea as they would almost certainly lead to a serious depletion of the remaining open areas, all of which also appear to be in a fragile state. Hence my opinion to close the fishery to all.

Yours sincerely,

Greg Goodall

Sent from [Mail](#) for Windows 10

s 9(2)(a)

From: Murray Fawcett s 9(2)(a)
Sent: Friday, 1 July 2016 12:54 p.m.
To: FMSubmissions

Review of sustainability measures for the Southern Scallop Fishery (SCA 7)
Murray Fawcett - Property owner Milton Bay, Bay of many Coves, Queen Charlotte Sounds
Postal address: s 9(2)(a)

I agree with Closure option number 1.

I also believe a shorter season elsewhere in the Marlborough Sounds would benefit the scallop population recovery - 1st october 2016 - 14th February 2017.

AND I ALSO WOULD LIKE TO KNOW WHY THE FISHERY WAS OPENED UP TO COMERCIAL OPERATORS LAST YEAR AS THIS SEEMS TO HAVE HAD A MAYOR EFFECT ON THE STATE OFF THE SOUNDS FISHERY

s 9(2)(a)

From: Miranda Fawcett s 9(2)(a) >
Sent: Friday, 1 July 2016 12:43 p.m.
To: FMSubmissions
Subject: Submission: Review of sustainability measures for

Review of sustainability measures for the Southern Scallop Fishery (SCA 7)
Miranda Fawcett - Property owner Milton Bay, Bay of many Coves, Queen Charlotte Sounds
Postal address: 32 Poto Road Normandale Lower Hutt 5010

I agree with Closure option number 1.

I also believe a shorter season elsewhere in the Marlborough Sounds would benefit the scallop population recovery - 1st September 2016 - 14th February 2017.

Miranda Fawcett

s 9(2)(a)

s 9(2)(a)

From: Heather & Rick s 9(2)(a)
Sent: Friday, 1 July 2016 12:09 p.m.
To: FMSubmissions
Subject: submission on scallop closure and snapper fishery Tasman Golden bay

I would like to submit to these proposals. The scallop fisheries in all 3 areas should be closed for an indefinite period long enough to replenish the scallop fisheries, and to survey that this has happened.

For snapper I want to see all catch done without trawling. We need immediately a compulsory no trawl line coinciding with the voluntary one at present.

Thankyou, Rick Cosslett

s 9(2)(a)

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

s 9(2)(a)

From: Martyn Barlow s 9(2)(a)
Sent: Friday, 1 July 2016 12:07 p.m.
To: FMSubmissions
Subject: SCA7 Submission

To Whom it May Concern

Submission on SCA7
Submitter: Martyn Barlow

I live in Mapua Tasman and have been a recreational fisher for almost all my life and have taken an active role in recreational advocacy in the Challenger Fisheries Management Area 7 since the early 2000's being involved with different working groups and MPI forums during this time.

It is extremely disappointing to see the state of the SCA7 fishery and its continued decline over recent years, especially when previously recreational fishers had enjoyed many good years of access to scallops once the fishery had been allowed to recover from overfishing in earlier times and the enhancement of the fishery by industry due to the earlier successful management of the fishery by the Challenger Scallop Enhancement Company.

Clearly due to the decline of abundance and differences of opinion between the sectors and MPI driven by what can only be considered as greed this has resulted in a need to close this fishery to plan a new way forward.

There are many theories around why this fishery has declined ranging from over fishing, poor recruitment, environmental events, forestry runoff and sedimentation from development and no one has been able to prove any of it and it is likely all of these factors have contributed to the decline.

I submit the entire SCA7 fishery should be closed for 1 year. The closure must have a sunset clause in it to ensure the fishery is to be opened the following year, and so another consultation process is needed to close it for a second year..

This will allow for the assessment of new information on abundance and allow time for all sectors and MPI to form an agreed management group and harvest rules ensuring all sectors are represented fairly and that any regulations have the right incentives and create the ability to manage the fishery more dynamically based on where abundance is, to ensure the long term viability for industry and the economic, social and cultural well-being of all sectors.

Martyn Barlow
s 9(2)(a)

Submission on the SCA 7 Scallop Fishery.

I wish to submit that I think all Scallop beds should be closed for a minimum period of 5yrs.

This should include recreational fishers as they do more damage than the commercial boats.

However, I would like to see the commercial fishers planning ahead and ease out of dredging and collect by scuba diving or some other method which does not damage the basic ground sediment and benthos so that the Scallops can continue to breed and survive in a healthy environment.

Yours sincerely,

Margaret Bell.

s 9(2)(a) .

Submission on Temporary Closure of the Southern Scallop Fishery for 2016/17

Friends of Golden Bay (FOGB) have been active in Golden Bay and particularly the marine environment for over 20 years. We have a strong membership base of over 90 members, and participate regularly in reviews of environmental management in our area. FOGB were very involved in the aquaculture management areas for many years, resulting in the outcome we now have.

Regarding this submission: We are disappointed that submissions were due to close within two days after the public information meeting. This is hardly public consultation and certainly no time to discuss effectively with our community. Expensive posters and staff from as far away as Dunedin must have had a huge cost. It seems that MPI doesn't truly wish to engage with our community in a meaningful way.

FOGB do not see the two proposals for scallop closure and snapper increased quota as separate issues. If, as has been suggested and seems to be the only likely explanation, that the environment for scallop recruitment has been severely damaged by trawling, then increasing the trawling quota for snapper will only further damage the benthos for scallops. We ask MPI to consider only longlining or other non-bottom trawling means for snapper to be allowed, in order to protect scallops as well as all the other benthic fisheries e.g. flounder etc, that need an undisturbed benthos.

We note there is no proposal to close the scallop fishery in Golden Bay, although the data shows a tragic loss of biomass from a healthy productive one to almost zero in 12 years. There seems no explanation for this other than "political" which is not a good management tool. This absence of scallops is both inside and outside the voluntary no trawl line, so fishers are apparently not willing to self-control their take. **We would like to see the whole of Golden Bay closed to scalloping, and for a period long enough to ensure good recruitment.** One year is not even long enough to get scallop to a harvestable size, let alone sexual maturity for ongoing populations.

We would also like to see Golden Bay closed for all trawling and a robust analysis done for a future marine management plan for the Bay, which may or may not delineate areas where trawling, fishing and no take areas can be investigated. Competing fisheries are clashing and not considering how best to divide up a precious resource, with the inevitable outcome we have now of a ruined scallop industry.

We are all stake holders in New Zealand for these taonga; they must be available for generations to come. It is to our shame we have done so much destruction in such a short time. Our submission applies as well to Tasman Bay and the Sounds. A much greater effort must be made to protect the benthos here with all areas in decline- (the whole identified area) and closed for a much longer time. Snapper and other fish stocks need to be carefully balanced against each other and all protected, not one species caught at the expense of another. "Unintended consequences of the quota management system" as was told to me at the meeting, must be sorted out.

In summary these proposals seem inadequate to protect anything other than allowing greater snapper catch for fishers. We have allowed this industry to destroy many species' healthy populations in such a

short time, and now it is beholden on us to do a lot more than these proposals suggest in order that the fisheries are repaired.

Heather Wallace, Vice chair

Friends of Golden Bay,

s 9(2)(a)

30.6 16.

s 9(2)(a)

From: s 9(2)(a)
Sent: Friday, 1 July 2016 1:37 p.m.
To: FMSubmissions
Subject: Southern Scallop Fishery for 2016/17

I support option 2 - the closure of all of the Marlborough Sounds for the 2016-17 season.

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For the future, a more locally representative group is needed to manage this fishery. Scallops are rarely sufficiently mature by July, resulting in wasteful harvesting. A later starting date would be preferable.

.

Regards

s 9(2)(a)

Sent from [Mail](#) for Windows 10

s 9(2)(a)

From: johnhawk s 9(2)(a)
Sent: Friday, 1 July 2016 1:18 p.m.
To: FMSubmissions
Subject: Review of management controls for the snapper 7 fishery (sna7) in 2016

Dear Sir/Madam

After visiting the drop-in information session held in Nelson we feel that our recreational interests should change:

Option 2

and increase the minimum length to 27cm and decrease the allowable amount to 5 per person per day for both the challenger and marlborough sounds

and only ONE long line with maximum of 25 hooks per vessel.

Kind Regards

s 9(2)(a)

[Redacted signature block]

s 9(2)(a)

From: s 9(2)(a)
Sent: Friday, 1 July 2016 12:57 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Dear Sir/Madam

We would like to select OPTION 2. This should include all commercial, recreational and iwi harvesting of scallops in area 7H Tasman Bay and all of the Marlborough Sounds for the 2016/17 season.

Kind Regards

Sue and John Hawkins

Recreational Fishers

Members of the Dawnbreakers Fishing Club

s 9(2)(a)

s 9(2)(a)

From: Alisha s 9(2)(a)
Sent: Friday, 1 July 2016 12:56 p.m.
To: FMSubmissions
Subject: Sustainability measures for the Southern Scallop Fisheries

Importance: High

Hi,
I would like to make a submission on the Review of sustainability measures for the Southern Scallop Fishery (SCA 7).

Alisha Hospenthal

My partner's family have a property in Cockle Cove, BMC.

My address is s 9(2)(a)

I would choose option 1.

A shorter season (1st September 2016 - 14.2.2017) everywhere in the Marlborough Sounds would help the scallop numbers increase.

Keep the catch limit at 20 per person.

Alisha Hospenthal

Office Manager

s 9(2)(a)

www.gtw.kiwi.nz



Inshore Fisheries Management
Ministry for Primary Industries
PO Box 2526
Wellington 6011

Dear Sir/Madam

Submission – MPI Discussion Paper (2016/19) – Review of Sustainability Measures for SCA7-Scallops

We wish to make a submission expressing our support of the KCSRA recommendation in their submission to favour **Option Two - the temporary close of all the Marlborough Sounds and area 7H in Tasman Bay to scallop fishing for the 2016/17 scallop season.**

It is indeed disappointing to realise just how severely depleted the scallop beds have become, despite the fact that this should have been managed sustainably under the Purpose of the Fisheries Act 1996.

For us personally, we remember the holidays in Curious Cove (Kahikatea Bay) when we could go out in a dinghy and gather a few scallops for dinner. That has disappeared years ago. Likewise, our local Manawatu Himatangi Beach was a place that we, as children, could gather some Toheroa but this was closed long ago, never to be re-opened. What sort of heritage are we leaving for our grandchildren, who have never had the opportunity for these experiences? How vitally important it is to treasure what there is left on our seashores, and manage this in a sustainable way.

In this case, it means the scallop fishing has to cease until a significant growth in numbers can be confirmed. It would be important to continue research on this resource, to follow and understand the threats as well as the opportunities.

The KCSRA has followed this issue for some years, committing much personal time and effort to gain the widest understanding of the situation. It makes good sense that this group, with their wisdom and impartiality, should be a key part of government initiatives looking at long term operational management measures.

Suzanne and Godfrey Walker

s 9(2)(a)

s 9(2)(a)

From: tony blomfield s 9(2)(a)
Sent: Friday, 1 July 2016 1:40 p.m.
To: FMSubmissions
Subject: SCA 7 Fishery Submission

To Who It May Concern

This is my submission supporting Option 3 - SCA7 Fishery.

Queen Charlote Sound - Ships Cove

I suggest to relocate the fish from Ships Cove due to overpopulation (4 year classes) in between Motuara and Long Island. Another reason for relocation is that Ships cove has soft bottom compare to sandy bottom at Motuara/Long Island. Last season Commercial boats fished 2 days on soft bottom and 4 days on sand and the quality of fish was better on sandy bottom. I believe that it is due to volume of population per square meter.

Pelorus Sound

I suggest to remove large percentage of old stunted unhealthy fish to avoid over population which leads to starvation of entire volume of scallops. These are the main areas of concern - Waitata Bay, Ketu Bay, Richmond Bay and Horseshoe Bay. I suggest to work on one area as a trial and if successful a regular maintenance plan could be put in place. I believe if the areas are not worked on they get unwanted build up (sludge) specially in low tidal flow areas.

Regards

Tony Blomfield
Blomfield Fishing Ltd

s 9(2)(a)

From: Alan Vaughan s 9(2)(a)
Sent: Friday, 1 July 2016 1:39 p.m.
To: FMSubmissions
Subject: Re: Automatic reply: scallop closure

Dear Sirs

May I add to my submission that I support the proposed Option 2 of the MPI consultation document.
Alan Vaughan

From: [FMSubmissions](#)
Sent: Wednesday, June 22, 2016 1:55 PM
To: [Alan Vaughan](#)
Subject: Automatic reply: scallop closure

Kia ora

Thank you for your submission. Please accept this as confirmation that your submission has been received, this will be processed accordingly.

Kind regards

FMSubmissions Team

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Introduction:

1. Thank-you for the opportunity to provide submissions on the Review of Sustainability Measures for the Southern Scallop Fishery 2016.
2. A short story of my experience/knowledge of the fishery. I have been involved in gathering scallops in Queen Charlotte Sound since my first memories, some 50 years ago. Initially our family ran a small dredge from our launch and, as I grew and became more able, I free dived for them in various locations throughout the Sound. Today I only occasionally dive for them as the waters where I live, Port Underwood, are often subject to heavy turbidity making gathering them challenging when holding one's breath! I also act as an Honorary Fishery Officer so, in season, am often inspecting scallop catches and observing fishers behaviours and attitudes to the fishery.
3. The Southern Scallop Fishery is clearly an important shared fishery for all sectors and it is vital that the fishery is able to perform at a level that is enduring in four key dimensions, that is; from environmental, cultural, social and economic perspectives.
4. It would appear; based on the evidence of the discussion paper, personal observation, various habitat reports and anecdotal information provided by fishers that this is not currently the case and management intervention from Central Government is required.

Preferred Option:

5. Of the three options presented in the discussion paper **Option 2 has my strong support** however I would like to see consideration given to ***extending the closure to include Port Underwood***.

Rationale:

Reason for Extending Closed Area:

6. I recommend closing Port Underwood to scallop fishing also. As noted in the discussion paper's analysis of Option 2, if only parts of the fishery were to be closed there would be a shift of effort to those areas remaining open. While I acknowledge that it is unlikely the commercial fleet would journey to Port Underwood the recreational sector would. We have already seen one scallop bed in Port Underwood (north of the Knobbies) be overfished (when a local recreational fisher discovered it and spent the summer dredging there) to the point where it has not produced a daily bag limit for three years.
7. The scallop fishery in Port Underwood is not greatly abundant, compared to other areas of the Marlborough Sounds and that makes what scallop fishery there is here even more susceptible to overfishing.
8. Closing the fishery along with the rest of the Marlborough Sounds will impact very few fishers but will protect what fishery there is here whilst the rest of the Marlborough Sounds recovers and the future management of the fishery is resolved.

Recent Management of the Fishery:

9. It appears that recent management of the fishery has been insufficient to ensure sustainability. Whilst the drivers of the lack of abundance are likely to be beyond ***only*** fishing related removals and associated mortalities ***none the less management of the fishery should have taken those others drivers into account*** when setting annual catch limits. For the fishery to be in the state it is this has clearly not occurred.

10. I am aware that when it comes to setting the annual commercial catch limits and areas there has been strong disagreement between the recreational and commercial sectors philosophies towards the management of the fishery and the appetite for risk versus adopting a more conservative approach.
11. I am aware that there has been a growing groundswell amongst the recreational sector over recent years to review the amateur rules regarding minimal legal size, the daily bag limit, the additional bag limits allowed for, introduction of vessel limits and the timing/length of season. The existing management has seen none of this occur and one might speculate that because of inter-sector tensions the recreational sector are reluctant to limit their catches when the commercial sector is not seen as thinking the same way.
12. For these, and other, reasons recent management of the fishery has been supremely sub-optimal.
13. Until an equal share based multi-sectored management model can be established that has clearly defined and agreed scope, objectives, performance management frameworks in place and can provide transparency of process and outcomes to all with an interest in the fishery then, in my view, the fishery should remain closed.
14. This should be seen as a non-negotiable.

Building an Enduring Abundance:

15. I agree that this closure should include 7H for the reasons noted in the discussion paper.
16. Also, as noted in the discussion document, the most reliable, risk adverse and productive manner in which to rebuild the fishery is close as much area as possible. Particularly if some of those areas hold, relatively, good scallop stocks as these would provide a good spawning basis.
17. To build an enduring abundance there are several other supporting measures that need to be assessed and considered; many of these are noted in the discussion document. I would support a review of such measures whilst the fishery is closed such as noted:
 - 17.1. Amending the start date for the SCA7 season from 15 July to 1 September (for both commercial and recreational) to ensure scallops are harvested when in best condition.
 - 17.2. Amending commercial and recreational dredge requirements to reduce incidental mortality and the impacts of dredging.
 - 17.3. Adjusting recreational bag limits and/or boat limits.
 - 17.4. Establishing 'dive-only' areas in some parts of the Marlborough Sounds

And would append to the list:

- 17.5. Review of the minimum legal size for harvest.
- 17.6. Review and establish set areas where dredging **must not take place** based on bottom habitats (past and present).
- 17.7. In conjunction with 17.2 above) set parameters around how dredging activities can be undertaken. For example; only yy% of the area per annum, only one tow for recreational fishers per day.
- 17.8. In conjunction with other management agencies and NGO's (including regional councils, DoC, and other MPI fisheries management teams (e.g. BCO7/SNA7/PAU5)) begin collaborative research into other matters adversely affecting the coastal environment and productivity of those fisheries (e.g. habitat bottlenecks, ocean acidification, fine scale sedimentations). This would also help inform decisions to support 17.6 above.
18. It is acknowledged that bottom dredging is a relatively destructive to the benthic environment. The areas where scallops reside are also important habitats for other communities and species, of

particular note in the Marlborough Sounds context is juvenile Blue Cod. The effect on these other communities and species in different areas of the Marlborough Sounds needs to be understood and managed to ensure the eco-system continues/is enabled to operate “in balance”. The work being undertaken by the Marlborough District Council will not, on its’ own, adequately deal with this, hence 17.8 above should be of some priority before reopening the fishery to dredging.

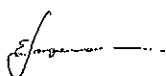
Economic Outlook:

19. I understand that the commercial sector will be averse to Option 2 as it will have the greatest negative economic impact for them. In the short term.
20. When I had left school and spent a season deck handing on local fishing boats the most sought after boats to work on were those that had scalloping permits. It was only partly because the work was easy; the real reason was that you could “get rich” (well, for an eighteen-year-old) in as little as six weeks. This is no longer the case and in many respects points to a sad demise for the fishery.
21. If industry were to take a longer term view of the economic returns from the fishery, then their decision making framework may well change. At the moment:
 - 21.1. Abundance is low based on long term trends.
 - 21.2. Catch levels are low based on long term trends.
 - 21.3. Correspondingly, CPUE is likely low based on long term trends.
 - 21.4. Therefore, cost per unit caught will be high.
 - 21.5. Therefore, profit margins will be compressed.
 - 21.6. Future access to the fishery, much less a profitable fishery, is not guaranteed.
22. This is currently a risky fishery to be a part of. Without a temporary closure to get robust management structures and processes in place and allow abundance to rebuild past the point of critical mass to provide for an enduring and scaled economic fishery then surely the next management intervention by the Crown would have to be a reduction in the SCA7 TAC.
23. With the fishery temporarily closed abundance will rebuild, and it should be allowed to rebuild, to the point where it can support a healthy level of commercial fishing year on year, without annual peaks and troughs and with a lower cost per unit caught. Not only would margins be higher but likely volume would be higher and it would be an enduring fishery under that scenario rather than one where there is an annual risk of catches being reduced or stopped entirely.
24. In a rebuilt fishery I would also encourage the commercial sector to look more at innovation. For instance; research to ascertain if there a market prepared to pay for hand gathered scallops?

Conclusion:

25. After reading the discussion document, attending the drop-in session in Blenheim and talking with a wide array of people from different perspectives and for reasons outlined above I remain convinced that ***the only viable option is Option 2 but extended to include Port Underwood***. In a fishery that is so close to the line we are obliged to take a precautionary approach to the future of that fishery on behalf of all New Zealanders.

Regards



Eric Jorgensen

s 9(2)(a)

From: bud s 9(2)(a)
Sent: Friday, 1 July 2016 2:23 p.m.
To: FMSubmissions
Subject: submission

It is urgent and unavoidable the scallop fishery in Area 7 should be temporarily closed, i.e. Option 2.

The beds have been grossly over-fished by the commercial fleet and now is in a critical state

Close it for a year and review it then. It must not be opened to commercial - commercial has caused the problem.

Bud Jones

QSM, s 9(2)(a)

s 9(2)(a)

From: Arthur Day s 9(2)(a)
Sent: Friday, 1 July 2016 3:18 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Ministry Primary Industries.

I would like to make submissions on the proposed options for this coming scallop fishery.

- Option 1** Temporarily close all of area 7H in Tasman Bay, and some or all of the following parts of the Marlborough Sounds to scallop fishing for the 2016-17 season (until 15 February 2017): *Wynens Bank, Guards Bank, Ships Cove, Pelorus Sound and Dieffenbach Point (refer Figure 2)*.
 Although this option allows for some access and still has a positive impact on recovery the policing of it is impractical.
I don't support this option.
- Option 2** Temporarily close all of the Marlborough Sounds and area 7H in Tasman Bay to scallop fishing for the 2016-17 scallop season.
 This option will have the best chance of supporting a recovery and is clearer to police.
 I am supporting option 2.
- Option 3** No new scallop fishing closures are implemented for the 2016-17 scallop season.
 As a recreational diver I have witnessed first-hand the decimation caused by heavy commercial dredging and seen the decline of the sounds scallop fishery doing nothing is not an option.
 I do not support option 3.
- (Status quo)**

Preliminary consultation on longer term management measures

In addition to temporary closures, MPI seeks submissions and information on longer term measures to support a rebuild of the fishery. Suggestions put forward to-date by various groups and individuals include reviewing the annual decision-making process to ensure it is transparent and engages all users, and amending commercial and recreational rules, for example catch limits, the timing of the scallop season, and gear restrictions.

A multisector working group is developing proposals to help rebuild the fishery. The group will consider public feedback on both the short term measures for this season and longer term measures submitted as a result of this discussion document. These will be subject to wider engagement and consultation to gauge stakeholder and public views before any decisions are made.

Submission 1.

History and evidence proves the current process of managing the fishery has failed and it is time to change particular the Challenger Scallop Enhancement Company's involvement in these decisions. Even though their rhetoric implies the need for sustainable measures they constantly push for as much access to commercial catch limits as possible, even in this hour of need they are pushing for more against overwhelming science. On their watch the fishery has failed not enhanced.

I propose the governing body of these decisions be made up of representatives from MPI, Iwi and a science team with a mission to (Manage and enhance a sustainable Scallop fishery).

This could finance itself from a Levy on quota with the recreational and Iwi portion put in by government. The stake holders would ultimately benefit by the improvements but they prove to be poor guardians of a fishery.

The commercial infrastructure could be contracted as needed.

The key to moving forward is having a comprehensive science team to build a plan then monitor it.

Submission 2.

Remove the Sounds and area 7H from the commercial quota as this area is sitting with another report confirming the fragile nature of the sounds seabed this would have a double positive for sustainability as the spatting scallops would colonise the Tasman and Collingwood bays.

The sounds would come under its own management plan as set out by the governing body.

Submission 3.

Have a detailed study of the impact commercial dredging has on the seabed and ecosystems. I believe this is the heart of the problem, as a diver I have seen the impact this is having, and if another primary industry had decimated the environment like they have the government would have been in boots and all.

I don't believe you need to through the baby out with the bath water but manage the positives, use the GPS tracking systems to leave fallow ground and rotate the harvest.

A point to watch is if either option 1 or 2 is implemented the commercial guys will wreck the beds of Tasman and Golden Bay trying to get tonnage when it needs resting, because the seabed is unstable with past dredging.

If you can restrain them to one or two spots the others will rest and settle for another day.

It is the blanket dredging that is stopping the recovery.

Submission 4

The recreational season should start a month later than it does now.

Most seasons it is a month before the scallops condition improves and it seems practical to connect both commercial and recreational timings.

Thank you for this opportunity

Arthur Day

A recreational Diver

s 9(2)(a)



Submission to the Discussion Document:

Review of Sustainability Measures for the Southern Scallops Fishery (SCA7) in 2016-06-28

Submission of the Marlborough Recreational Fishers Association

The Marlborough Recreational Fishers Association (MRFA), under its Chairman Peter Watson, has a large number of members and affiliated members, including the Pelorus Boating Club (PBC) and the Kenepuru and Central Sounds Residents Association (KCSRA). The principal aim of the Association is to work to ensure sustainability of recreational fishing in the Marlborough Sounds. The Association has, for many years, taken a keen interest in the activities of the Challenger Scallop Enhancement Company and its effects on the scallop populations of SCA7, and has sponsored representatives to meet with the Company in its yearly assessment of the harvest potential.

The Committee of the MRFA has met to discuss the options proposed in the Discussion Paper and is unanimously of the opinion that Option 2 is the only acceptable way forward if there is to be a sustainable scallop fishery in the Sounds in future years. We fully endorse the carefully reasoned submission of the KCSRA. Our reasons for doing so are set out below.

1. A careful study of the graphs shown in the Discussion Document (Appendix 1, Figure 1) immediately reveals the problem. In brief, the overall scallop population in the Sounds is in free fall. Over the past fifteen years the overall trend in estimated numbers follows almost exactly an exponential decay curve. Nothing is gained by attempting to apportion blame for this state of affairs, since it is the result of a number of stressors, commercial overfishing, alteration of the seabed by runoff and sedimentation, disturbance of the sea floor by dredging, death of immature scallops caught and returned, and perhaps disease.
2. Regardless of the causes, the net result is that it is clear that dredging for scallops this year will be commercially uneconomic. The extensive surveys carried out for MPI in November of last year made it clear that the density of scallops remaining, in areas suitable for dredging, is very low, with a few exceptions, where there are small areas of moderate to high density. Although it has been argued that this is a misleading picture, since the sampling was carried out at the end of the fishing season, after the annual harvest of allowable fish had been taken, the small numbers of recruits found make it unlikely that a new survey will reveal better news.

3. One of the requirements, indeed the principal one, of the Minister of Primary Industries is to so regulate the exploitation of a marine resource that it is sustainable for future generations to enjoy. It is clear that the rapid decline in the commercial landed meat weight of scallops shows that this is not occurring. The Minister is failing in his duty of care if he does not notice the rapid decline in scallop numbers and infer from them that if the fishing effort continues at its present level there will be no scallops left in SCA7 within two or three years.
4. We argue that Option 1, fishing a small number of selected areas where scallop density appears, from the November survey, to be relatively high, is unacceptable. It is well known from research on related species overseas, and which is intuitively appealing, that a high density of spawning adult fish, scattering their gametes into the environment, is more likely to give rise to a high rate of fertilisation, and hence greater numbers of adults, than if they are widely dispersed. Exploitation of the few areas where there appear to be a high scallop density will accelerate the decline in population numbers. Furthermore, since the areas identified are small, fishing effort will not only destroy recruitment but will not generate sufficient economic return to justify the effort involved, as well as destroying any hope of future recovery of the resource.
5. Option 3, retention of the *status quo ante*, is quite unacceptable to members of the MRFA, and ought to be equally repugnant to MPI, since **a fundamental requirement of the Fisheries Act 1996 is to permit exploitation of a fisheries resource up to a level which guarantees sustainability, and which gives primacy to recreational and customary title.** It is immediately apparent from a study of the records of commercial landed meat weight of scallops from SCA7 that apart from an occasional fillip, this once prolific resource has declined catastrophically, to the point where there is little prospect of a worthwhile return for commercial dredging. There is a small reservoir of fish in areas where commercial dredges cannot be used, or where there is a voluntary agreement with the commercial sector to refrain from dredging. About 10-11 tonnes of scallops are taken annually by recreational fishers, and this has remained steady over time. However as the commercial catch declines, this earlier insignificant take has assumed greater significance, and it is likely that commercial dredging will impact on those sites previously regarded as areas 'reserved' for recreational fishers. MRFA acknowledges that the impact of the recreational catch is likely to be small, but considers that the common interest is best served by a 'fallow' year in which the fishery can grow again. In this regard, it is encouraging that local iwi have also accepted that the fishery needs time to recover and reportedly will suspend the issuing of customary permits for the coming season.
6. **Thus only Option 2 can be seriously considered as a path towards recovery of the fishery.** An undisturbed season will buy time for greater breeding and recruitment and help the population on the road to recovery, as well as offering the opportunity for further investigations into the biology of the scallop. It would be of great

interest to know more about their feeding habits, mobility of the adults, and larval dispersion. In addition the time could be spent in investigating technical improvements in dredge design, so as to minimise disturbance to the benthos. A further area which needs further work is the assumption of an exploitation rate of 22% of the estimated available biomass. It seems that this may be a generous assumption, as judged by the effect on the catches in subsequent years. This figure was chosen when the stock was increasing. When the catch is in decline it would seem more reasonable to choose a more conservative target, say 15%.

The Discussion document also requests comments on the future management of the fishery. MRFA is primarily concerned with the Marlborough Sounds, and is of the opinion that this is an entirely separate issue from the problems of Golden and Tasman Bays, and which are subject to a Memorandum of Understanding between the Challenger Company and MPI. However, both regions are subject to the interests of four parties, the Challenger Company, with a commercial interest, recreational and customary fishers with a personal interest as users of the resource, while MPI oversees the fishery as a whole and provides regulations as well as scientific resources and expertise. It would seem desirable therefore to create a formally constituted management team consisting of representatives of the three interested user groups, commercial, recreational and customary, which could meet as required under the auspices of the Ministry, each group acknowledging that it is in their mutual interest to endure the sustainability of this valuable resource. Such a group could meet as required to study the results of the previous season, the sampling results on which the next season's fishing would be based, and collectively arrive at a plan for a sustainable yield on an annual basis. This is not a perfect solution for a fishery in which there may be large annual fluctuations in abundance, but with goodwill and the recognition that it is in the common interest to sustain the fishery for the future. It would also consider such technical matters as dredge design, opening and closing dates for the season, and methods of maximising reproductive success.

Finally, MRFA, while being strongly supportive of Option 2, is mindful of the fact that a one year moratorium may not be sufficient to allow a substantial regeneration of the fishery, but it will offer the opportunity to tackle some problems and to initiate plans towards the sustainable fishery which we all desire.

Signed

Peter Watson, President, MRFA.

s 9(2)(a)

From: Andi Cockroft (andic) s 9(2)(a)
Sent: Friday, 1 July 2016 3:44 p.m.
To: FMSubmissions
Subject: Scallop Management

The council of Outdoor Recreation Assns (CORANZ) submits that the area in SCA7 be temporarily closed to allow recovery in the face of alarming decline in stocks.

The November 2015, revealed scallop stocks in SCA7 to be at its lowest recorded level and stock is in serious decline. In a word Scallop Area 7 is a collapsed fishery.

It is yet another example of the "boom and bust" approach that has characterised mismanagement of too many fishery stocks.

CORANZ believes that fisheries management over history has been hamstrung by the pressures from corporate commercial companies on fishery ministers and government.

There is no reason to allow any commercial fishing. The sorry plight of the fishery from Tasman and Golden Bays' plundered stocks and now with pressures on the Marlborough Sounds stocks is deplorable

CORANZ supports any measure that will allow stocks to rebuild.

Andi Cockroft
Co-chairman
Council of Outdoor Recreation Assns of NZ

s 9(2)(a)



1 July 2016

Fisheries Management
Ministry for Primary Industries
P O Box 2526
WELLINGTON 6140

Dear Mr Turner

I am writing in response to your letter of 9 June 2016.

1. The Challenger Scallop Enhancement Company (CSEC) supports the need to close the SCA7 fishery to recreational and customary fishing on 15 July 2016 given the uncontrolled and unconstrained nature of such fishing under current rules. We do not support closure of the fishery to commercial fishing before proper consideration has been given to the pre-season survey results and note that the commercial season does not start until 1 September so such action is not needed at this point. In any event the industry is able to implement closures itself or delay the season start date until management measures can be properly considered based on the pre-season survey results as has been the practice endorsed by the Minister for the last 20 years or so.
2. The November survey conducted last year is neither comparable to a pre-season survey and nor can such a survey in all reasonableness be considered as an accurate depiction of the state of the fishery this year. It is certainly not feasible, based on this information, to determine areas to be opened for fishing as proposed under Option 1 as the abundance of scallops in particular Bays will have changed significantly since November due to growth of pre-recruits into the fishery. Nor is Option 2, which proposes a full season closure, justified on the basis of the November survey as it does not take into consideration growth of scallops from November which removes the biomass of a whole cohort of scallops from calculations. We note that option 3 is a mischaracterisation of current management and is largely a meaningless proposal.
3. We have outlined some detailed matters for your consideration below in six parts:
 - i) CSEC mandate requirements
 - ii) Lack of effective consultation
 - iii) Use of outdated information
 - iv) Principles for setting management rules for 2016
 - Management through rotational fishing
 - Effective sector engagement
 - Use of best available information
 - Closures to apply to all sectors
 - Cost recovery to be attributable
 - v) Lawfulness of MPI's approach
 - vi) Relief sought

CSEC mandate requirements

4. CSEC was established in 1994 to take management actions in the collective interests of quota owners, ACE holders, processors and commercial fishers in the SCA7 fishery. This is not a responsibility that we take lightly and CSEC has developed an in depth and rigorous annual process of engagement with these parties in developing management measures for the fishery. This process is backed into the MoU between CSEC and MPI and leads to decisions annually (based on a fishing year starting on 1 April and finishing on 31 March the following year) on management of the fishery and measures to implement these agreed decisions through binding contractual arrangements amongst CSEC, quota owners, ACE holders and commercial fishers.
5. As you are aware, CSEC has succeeded in applying this approach effectively and diligently amongst its members for some 20 years under the provisions of s14 of the Fisheries Act, the Memorandum of Understanding (MoU) and the Enhancement Plan approved under s 310 of the Act. Funding for management activities encompassing all aspects of management has been provided voluntarily by commercial interests throughout this period, at times supported by a levy established under the Commodity Levies Act 1990.
6. All annual management measures developed under this process were audited, vetted and approved by MPI and ultimately the Minister. This has involved commissioning research (under standards and specifications agreed to by MPI), contracting research to independent providers approved by the Ministry, having research results vetted through Ministry processes, developing annual management proposals in full consultation and under the oversight of MPI and stakeholders (including recreational fishers (a representative of which is appointed to the CSEC Board)), quota owners, fishers, processors and local Iwi representatives (who are also represented on the CSEC Board and are CSEC stockholders).
7. In summary, annual management measures for SCA7 are not unilaterally made through regulation (albeit subject to various forms of consultation) as is the case in most other fisheries in NZ but instead are put to General Meeting of the Company and have been passed with unanimous consent of all commercial users quota owners, processors, ACE holders and commercial fishers operating in the fishery and in full and transparent consultation with other sectors. Agreement to abide by these management measures has been implemented by CSEC through contracts signed by ALL parties and rigorously and effectively enforced by the Company.
8. This management process has attracted world-wide acclaim as best practice in fisheries management and is one of the stand-out examples of fishers acting collectively to manage fisheries to achieve their economic, social and cultural wellbeing as is provided for under the purpose and principles of the Fisheries Act 1996. In our view, MPI's decision to replace this process with a new program of engagement based on top down command and control regulation (discussed further below) is neither justified nor constructive.

Consultation

9. In spite of that history, MPI set out this year on a process of engagement and development of management measures that was designed with intent and practice to override, undermine and replace the approach successfully taken by CSEC. The success of the last 20 years contrasts strongly with the highly contentious Ministry run regulatory process that was in effect before CSEC became involved and has now re-emerged under the somewhat false banner of being “more responsive and efficient”.
10. The new process is neither responsive nor efficient but is rather retrograde (top down regulatory process has been tried before), adversarial (it does not seek unanimous agreement and has no process to implement such agreement) and divisive (it is designed to promote some sector interests advantageously over others). Unlike the CSEC process, no documented procedures are followed in the “Shared Fishery” meetings (there is no underlying policy let alone an agreed MoU between parties) and mandates of participants other than CSEC are unclear and poorly specified.
11. In practice MPI has put forward initial views about the state of the fishery and advanced proposals for management raised by some sectors (e.g. recreational interests) and simply ignored the views of others. These proposals have not been developed through an objective scientific and expert policy process but rather reflect the *ad hoc* views of some participants at meetings who have unclear mandates. They are also represented in an unclear and misleading manner. For example “option 3” is noted to be the “status quo” measure which is that “No new scallop fishing closures are implemented for the 2016-17 scallop season”. The “status quo” situation is not a predetermined set of closures but rather a rigorous engagement process resulting in rotational measures that are different each year and responsive to best available scientific information from the fishery. The representation of options in this matter is both pejorative and purposefully divisive.
12. Of particular concern to CSEC is the way MPI has disregarded and misrepresented submissions and management proposals made by CSEC at “shared fishery” meetings and detailed to senior officials at a meeting held with CSEC on 31 May 2016 (see attached notes from the meeting circulated to MPI officials on 30 May 2016). CSEC has made it abundantly clear that it would not support management proposals developed ahead of receiving results from this year’s pre-season survey for the obvious reason that they would be poorly informed. Instead, MPI has proceeded with a seemingly pre-determined position based on outdated and misrepresented scientific information (see further discussion below). MPI has moreover publically misrepresented CSECs position, for example, with the statement that “We’ve had no one pounding on the door saying ‘you’ve got this wrong’. It’s been really quiet which is good because it means people are thinking about this in a measured way instead of a reactive way” (Dave Turner, Nelson Evening Mail June 11, 2016). CSEC is of the view that this is a breach of good faith given the submissions made and historical

background in this fishery and therefore has little confidence that any matters raised in this process will be properly and objectively considered going forward.

Information requirements

13. A key matter raised by CSEC prior to the release of the "IPP" was the use of best available information. For 20 years the practice of management in the SCA7 fishery has been to carry out a pre-season abundance survey as close to the harvest as possible. Usually this has been carried out in May to enable information to be discussed with recreational fishers before the start of the recreational season on 15 July. This has enabled the most up-to date, within fishing year, information to be used to set management measures.
14. This year MPI unilaterally adopted a different approach. A post harvest survey was carried out in November in the prior fishing year. The results of this survey were then presented publically as evidence of a "continued decline" in scallop abundance and management measures developed on the basis that this was the best available information to use. This is a misrepresentation of the information as it was not comparable to prior year surveys conducted in May. Scallop biomass will decline immediately following harvest and it is no coincidence that the decline between the start of fishing and after commercial fishing ceased was roughly equivalent to recorded catch (accepting that the Ministry does not keep an accurate record of recreational catch). There was no effort made in the survey to estimate pre-recruit scallops and project growth to harvest in 2016 even though it was observed during the survey that there was strong evidence of a better than normal recruitment into the fishery.
15. The use of outdated information is not driven by necessity but seemingly driven by the recreational fishing start date on 15 July which means that any rules to control fishing in the sector need to be in effect before that start date. CSEC understands that the unmanaged situation within the recreational sector (where rules were developed for a fishery with much higher abundance than is now the case and need urgent revision¹) needs addressing and this needs to be

¹ In reality the quota owners are the only sector in the SCA7 fishery that faces binding and effective management measures through i) the establishment of annual spatial closures (i.e. rotational fishing closures) and ii) through the establishment of binding catch limits and their implementation. CSEC has demonstrated its ability over 20 years to ensure that any agreed management measures are effectively implemented and there is no basis for changing that approach. Recreational harvests, in contrast, are not constrained by catch limits as the TAC/TACC setting process under s14 has no binding effect on total recreational take from the fishery (i.e. the TACC or commercial catch is not the residual after recreational and customary fishing has been subtracted from the TAC). Recreational fishing is instead administered by MPI instead through season, size and bag limits alone. Recreational fishing is, in contrast to commercial fishing, wholly managed by MPI under regulation and CSEC is reliant on MPI to apply effective management rules to this sector. Current dispensations to the recreational sector have meant that recreational fishers have gained access to seeded and rotationally managed scallops a full season before the commercial sector and have enjoyed prior access to all scallop beds and some exclusive area access as well. Given the difficulties in applying differential size and daily limits, recreational fishers have also enjoyed these privileges in the Marlborough Sounds section of the fishery. The consequence is that there is no effective control over recreational take in SCA7 for the recreational sector equivalent to the commercial fishery either through the rotational fishery program or the Marlborough Sounds catch limit.

done in advance of the season opening. This is not however a reason to advance rule changes across the whole sector needlessly. CSEC has demonstrated (over 20 years) that it is able and willing to effectively implement rules for commercial fishing. Government intervention is not needed to ensure this is the case. It is certainly not reasonable to take such steps based on outdated and wrongly characterised survey information. Moreover, CSEC constructively provided a way forward for MPI that was a 'win-win' for all interests which was to regulate to delay the start of the recreational season until such time as pre-season data is available and could be properly considered. This option was not advanced in the IPP.

16. In contrast to the CSEC approach of the past, the "new" MPI "Shared Fishery" process using outdated and misrepresentative information has naturally invited lobbying from individual seeking special treatment and poorly mandated interests aimed at maximizing their positions in the regulatory process. It has led to sectoral conflict around a "we'll do this if you make a concession" mentality that is not rooted in the law or in best available information but seemingly motivated more by creating a division in management between sectors to the detriment of the commercial sector. CSEC is at a loss as to why the MPI and the Minister is proceeding in this manner given the history of the fishery and reasonable position taken by CSEC so far.

Economic impact

17. The impact of a decision to effectively prohibit commercial fishing this year will have considerable economic impact to CSEC, the fishing industry and the country. While it is not possible to estimate the actual economic loss without updated survey information which will be available from the pre-season survey, the economic returns from last year's harvest provide an indication of the magnitude of the loss that will occur if the scallop fishery is closed. In this respect it is not the case that scallops left this year will be available for harvest in future years. Scallops have a large natural mortality between years and therefore a large proportion of recruited scallops this year will be lost entirely to the fishery if left another year before harvest.
18. The commercial harvest last year was in line with the agreed catch limit at 22,037 kg. Scallop meat currently retails at around \$70 kg and this means that the total economic output from last year's harvest was around \$1.4 million. A proportion of these returns were provided to CSEC to fund ongoing management activities including scallop enhancement activities to improve future harvests. Closing the fishery will remove any income available to CSEC for ongoing management and enhancement.
19. The economic impact on the fishery would not however be limited to the loss of harvest income this year alone but also will have an impact on the total value of quota. Quota value represents the current value of all future expected economic returns from the fishery. Economic returns are the residual "profits" after all costs in the value chain are deducted including normal returns received on capital and labour employed. These costs include the costs of capital (i.e. quota value) which in turn is driven by expected risk to that capital. The Ministry's arbitrary decision to

intervene in management to close the fishery without having a longer term strategy for management leaves the industry in a very uncertain situation and has a direct impact on quota value because it raises the risk to capital and reduces quota value. The Actual impacts are difficult to estimate at this point but could render quota valueless at the extreme if there is no certainty of future access.

20. The economic impact is further exacerbated by the somewhat unfathomable proposal (currently a proposal under consultation) being advanced by MPI that sets the port price index for SCA7, that will be used to set levies, at \$6 million or more. This proposal is neither viable nor reasonable (see further comment below on the costs recovery implications).

Principles for developing management proposals for 2016/17

21. As noted above, CSEC does not hold an unbridled mandate to make SCA7 management rules for the fishery or act or submit in the interests of all commercial interests (i.e. quota owners, ACE holders, Iwi, fishers and processors) without proper engagement but rather establishes such a mandate through unanimous decision at General Meeting of the Company. This has been achieved successfully each year for 20 years. CSEC is not authorized to take a position on proposals advanced in the IPP for this reason but in the interests of being helpful has developed a number of general principles that MPI could follow in making a decision for this year and on into the future. These are outlined below:
22. **Principle 1: Management through rotational fishing and / or enhancement.** The recent scientific review concluded that the use of scientific modelling to establish management measures based on catch limits in a highly variable scallop fishery like SCA7 is highly uncertain and may not be appropriate and that even “completely stopping fishing will not necessarily lead to stock recovery in a predictable time”. The independent reviewers instead recommended a range of measures aimed at improving the survey methodology to assess the state of stocks prior to harvest and recommended some interventions that would improve spat settlement and survival (see page 17 of the Review). This approach is consistent with maintaining a rotational fishing regime supplemented with enhancement. MPI also outlines in the IPP a preference for using rotational management controls and CSEC agrees with this principle which is consistent with maintaining the fishery under s14 management.

Comment: On the face of it, the proposals under option 1 and 2 are consistent with a rotational fishing programme but in all reasonableness cannot be determined in detail without updated survey information. Option 3, as noted above, is simply a misleading representation of the historical process followed to set rules for the fishery.

23. **Principle 2: Effective sector engagement.** Management decisions and implementation should be implemented by sector interests wherever feasible to maximize buy-in to rules and to better meet the enabling purpose of the Fisheries Act 1996. The approach taken by CSEC to obtain unanimous

support for annual management measures and implement them by civil contract should not be over-ridden without good cause.

Comment: There is no reason why an alternative process should be followed this year and particularly without explicit agreement of CSEC. Moreover, the CSEC process of engagement cannot be pursued as a reactive process (once rules are set by government edict) but rather is most and arguably only effective if it is inclusive and voluntary.

24. **Principle 3: Use of best available information.** Use of prior season survey information to model future catch simply adds uncertainty and risk into management rather than leading to improvement. CSEC again agrees with the scientific reviewers that a more appropriate scientific approach is to manage the fishery on best available (and improved) pre-survey information (e.g. by improving information on dredge efficiency estimates) and by linking this to rotational harvesting and spatial management measures as has been implemented in this past.

Comment: CSEC remains committed to developing robust management proposals for the upcoming season through the process agreed to under the MoU between CSEC and MPI and towards this end will be implementing a pre-season survey again this year. Final decisions on management measures for the commercial sector should not, and in all reasonableness cannot, be made until this information is available.

25. **Principle 4: Closures should apply to all sectors equally.** CSEC remains the only sector able to make real and binding proposals on fishers and remains committed to engaging in annual management decision making on this basis. CSEC is of the view that MPI has an obligation to act and manage the recreational and customary take where it is deemed to be impacting on sustainability which is clearly the case when the fishery is at a low ebb. Such measures should not however be made in a manner that benefits recreational fishing at the expense of the commercial sector or be contingent on some sort of concession from the commercial sector. Commercial harvests are already robustly managed under constraining rotational fishing and other spatial closures and catch limits set to “ensure sustainability” and implemented and enforced through the administrations of CSEC. Any closures should therefore be applied to all sectors equally in the future unless explicitly agreed to by negotiation amongst sector interests.

Comment: Closure of all areas as proposed in Option 1 would in effect be a total commercial closure but leave beds open to recreational fishing in areas where commercial fishing is closed under regulation (e.g. Bay of Many Coves) or have been closed under voluntary agreement in the past (e.g. Ketu Bay). Choosing particular Bays to leave open under a rotational plan is not feasible without viewing pre-season survey information. Proposing a management measure that is designed to allow recreational and customary but not commercial fishing would defeat its effectiveness as a sustainability measure and is not justified in the IPP. We also note that customary fishing remains unaffected under all options even though Iwi purportedly support equal

application of management measures to customary fishing (see statements from Rangitane from the Top-of-the-South meeting with MPI reported in the Marlborough Express on 21 June 2016).

The decision to close Marlborough in its entirety (where commercially viable scallop beds exist) but leave large sections of the fishery in Tasman and Golden Bay open to fishing seems incoherent in approach particularly in light of the draft Plenary Report findings that note that the biomass in Tasman and Golden Bay (not Marlborough) is at a level that would warrant a closure (which has been the CSEC management response in prior years). The options present are consequently the opposite of what the scientists recommend.

- 26. Principle 5: Cost recovery to be attributable.** Over the last 20 year history of the fishery, since the CSEC was established in 1994, the quota owners have lead the process of setting annual management measures for the fishery. As noted above, this has encompassed an annual business planning process to set levies and administer activities of CSEC, a research planning and stock survey programme of work and a process for developing annual management rules for the commercial sector which are then effected through a civil contracting framework and enforced.

The programme of management has been self funded either through a targeted Commodity Levy or a voluntary levy. This has meant that levy costs imposed by MPI on the industry have placed an unequal and unfair burden on scallop quota owners compared to other fisheries for two reasons: i) the model used to calculate the MPI levy is based on a s13 management system where the TACC is binding and available to be caught (hence levies are based on real harvest expectations); and ii) the MPI levy setting process does not provide a mechanism to be reduced as a consequence of CSEC undertaking management activities that are cost recovered in other fisheries.

As a result CSEC has faced the full cost of developing management proposals, carrying out abundance surveys and enhancement with little public funding even though the benefits accrue to all sectors. In addition, CSEC has taken on responsibility for consultation, monitoring and enforcement activities without any concession to MPI costs when it is fully acknowledged that MPI roles and activities have been dramatically reduced. This approach is neither consistent with the cost recovery principles of the Fisheries Act 1996² or under best practice guidelines for recovery of costs produced by Treasury and needs to be addressed.

Comment: The decision to override the process followed by CSEC in setting management measures has exacerbated the situation outstanding regarding the inappropriate application of cost recovery levies in the fishery. CSEC is committed under the MoU and to it's shareholders to conduct research, enhancement and management activities, some of which now seem to be being overridden by MPI for unnecessary and unjustified reasons. CSEC remains committed to meeting its obligations to shareholders and MPI (under the MoU) but asks MPI to take immediate steps to give relief to cost recovery levies particularly if decisions are made to effectively prohibit

² See Clause 262 (b) and (d) of the Fisheries Act 1996 in particular.

commercial harvesting in the fishery (noting that the TACC which is the driver of cost recovery levies will not be affected by these decisions).

Lawfulness of MPI's approach

27. CSEC first received notice that MPI was considering proposals to fully or partially close Marlborough Sounds to scallop fishing on 8 June 2016. CSEC considers that the approach that MPI has followed is not lawful for the following reasons:

- a. the time for consultation (3 weeks) over significant proposals which would adversely affect the commercial scallop fishing sector is inadequate;
- b. the short consultation time is contrary to the MoU between CSEC and, now, MPI and the obligation upon both parties to deal with each other in good faith;
- c. the unduly short time for consultation is the fault of MPI who have had the report they rely on (the November 2015) survey since late 2015 but did not publish proposals based on this survey until 8 June 2016;
- d. the short time for consultation appears to result from a desire to make a decision on closure before the commencement of the recreational scallop fishing season on 15 July 2016, however, the proposed options will affect the commercial scallop fishing sector as well where there is no similar urgency to make such decisions and where MPI could await the outcome of an more up-to-date pre-season survey;
- e. if the Minister proposes to make a decision before the commencement of the recreational scallop fishing season then this decision will need to be gazetted by early July. The deadline for submissions to be provided to MPI is 1 July. This short time period invites the inference that submissions will not be duly considered before recommendations are made to the Minister and a decision is made by the Minister.
- f. reliance on the November 2015 survey is unreasonable for the reasons outlined in this submission document and in earlier correspondence to MPI including that the information from this survey is now out of date and is a poor indicator of the state of the fishery for the upcoming scallop fishing season.

28. These matters are expanded upon below.

- The Minister is obliged by section 11 of the Fisheries Act to consult before implementing a sustainability measure. Consultation opportunities must be meaningful to be lawful. Part of a meaningful consultation opportunity involves providing sufficient time for parties to respond to proposals made. At law, the length of time that is sufficient will depend on the proposals.

- In this case the proposals made by MPI are very significant to commercial scallop fishing interests. As MPI is aware Golden Bay and Tasman Bay have been voluntarily closed to commercial scallop fishing since 2010 and 2006 respectively. For the last 6 years Marlborough Sounds has been the sole source of commercial scallop fishing in SCA7.
- Option 2, which proposes complete closure of the Marlborough Sounds for this scallop fishing season, when combined with the voluntary closure of Golden Bay and Tasman Bay would amount to a complete cessation of commercial scallop fishing in SCA7 in the 2016-2017 scallop fishing year.
- Option 1, which proposes partial closure of the Marlborough Sounds by closure of some mooted but not yet firmly decided areas of the Marlborough Sounds, when combined with the voluntary closure of Golden Bay and Tasman Bay would amount to a near cessation of commercial scallop fishing in SCA7 in the 2016-2017 scallop fishing year. What is left of Marlborough Sounds for commercial scallop fishing is not yet clear as Option 1 is expressed as closing “some or all” of named bays.
- The economic impact of a cessation is outlined elsewhere in this submission and is substantial.
- Despite these serious consequences to commercial scallop fishing interests MPI has first proposed Option 1 and Option 2 closures on 9 June 2016 and has given only three weeks for parties to respond to these proposals for closure.
- This is an inadequate amount of time to respond to MPI’s proposals. In particular CSEC has outlined its criticism of the November 2015 survey above and in previous correspondence with MPI. CSEC is currently in the process of commissioning a pre-season survey which will provide a more up to date picture of the fishery than the November 2015 survey does.
- The three weeks that CSEC was given to respond to MPI’s proposals is not sufficient time for CSEC to commission this survey and have results available to respond to MPI’s proposals which are based on the outdated November 2015 survey. This is a key flaw in the consultation process.
- Providing an unreasonably short consultation period is contrary to the obligation on MPI to deal with CSEC in good faith provided for in the MoU. It is contrary to these good faith obligations to provide limited opportunity to comment on proposals which will have a significant impact on commercial scallop fishery interests particularly where, as is explained further below, there is no need for the Minister to make decisions about closure of these areas to commercial scallop fishing now. The commencement of commercial scallop fishing is still some time away (1 September).
- The speed with which MPI is pursuing the proposals it first mooted on 8 June 2016 is also unreasonable. First, the primary basis for MPI suggesting full or partial closure of the Marlborough Sounds is the November 2015 survey report. CSEC does not accept that the November 2015 survey

is a suitable basis on which to draw the conclusions that MPI has in the consultation document and to make the proposals for full or partial closure that it has in the consultation document.

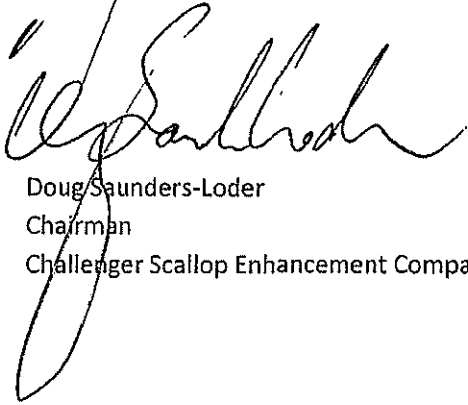
- But, in any event, this information has been available to MPI since late 2015. Despite this length of time MPI has first made proposals based on this document some six months later and shortly before the commencement of the recreational fishing season. The unduly short consultation process is therefore the result of MPI's delay. CSEC should not be punished, through an unduly short consultation process, by MPI's delay.
- The truncated consultation period also appears to be driven by MPI's view that any closures that are decided upon need to be put in place by the beginning of the recreational scallop fishing season on 15 July 2016. If MPI's concern is that any closures need to be put in place before the commencement of the recreational scallop fishing season then the proposals made by MPI should be altered to only affect recreational scallop fishing for now and to reconsider the position for commercial scallop fishing and what approach the Minister should make when the pre-season survey information is available. The commercial scallop fishing season does not commence until 1 September and, in practice, in recent years has not commenced until late September.
- There is accordingly no urgency to make a decision on sustainability measures affecting commercial scallop fishing and accordingly no reasonable or lawful basis to not await accurate and up-to-date information on the state of the fishery. Making a decision on commercial scallop fishing when up to date information will be available before the start of the commercial season risks significant harm to the commercial scallop fishing sector on the basis of the out of date November 2015 survey.

Relief sought

29. In conclusion, CSEC remains committed to developing robust management proposals for the upcoming season through the process agreed under the MoU between CSEC and urges MPI to retract the IPP advice in favour of this long standing and successful process. Given prior decisions, we would ask that you advise us immediately if a decision is made to proceed with closures outside of the normal process followed by CSEC and absent consideration of the pre-season survey results. We would also ask MPI to provide CSEC with at least 5 days to consider its options around such a decision before the decision is gazetted.
30. CSEC does recognize that the management process followed in prior years is in reality only effective for controlling commercial sector harvests. We therefore acknowledge that MPI has an obligation to take steps to manage activities of other sectors where mandates are too poor for self regulation and where regulatory intervention is therefore necessary. CSEC therefore supports MPI in taking action to halt fishing across the recreational and customary sectors as necessary until the current year's survey results are available and informed management measures can be put into effect. CSEC acknowledges the support Iwi have voiced towards applying decisions about

rotational fishing closures equally to customary fishing in areas that recreational and commercial fishing activities are prohibited.

We would be happy to meet and discuss these issues at any time.

A handwritten signature in black ink, appearing to read "Doug Saunders-Loder". The signature is stylized with a large, sweeping initial "D" and a long, horizontal stroke extending to the right.

Doug Saunders-Loder
Chairman
Challenger Scallop Enhancement Company

KEY POINTS FOR CSEC DISCUSSION WITH MPI

Objectives of meeting with MPI

- Objective of meeting is to reach MPI / CSEC agreement on steps needed to develop effective management measures for the 2016/17 fishing season;
- CSEC is not objecting to the need for management measures to ensure sustainability but wishes to ensure that such measures are made on best available information and properly enable economic, social and cultural wellbeing from the fishery to be maximized.

Management problems poorly diagnosed and responses are consequently narrow and misguided

- Of particular concern to CSEC is the focus of research activity aimed at modeling potential exploitation rates and associated stakeholder engagements. Developing management measures focusing narrowly on catch provides little promise in addressing the real problems facing the fishery – the management problem is one of environmental shift not historical management of catch;
- The evidence that there has been an environmental shift is incontrovertible as Tasman and Golden Bay fisheries have been closed entirely without recovery, Marlborough Sounds fisheries have systematically failed from the inner sounds outwards as land based environmental impact has spread further out through the Sounds – these impacts cannot be fixed by implementing catch controls;
- CSEC is likewise concerned that the science supporting the real problems in the fishery is becoming obscured and misrepresented in scientific documentation. For example, the 2014 William's et al "Review of the Southern Scallop Fishery (SCA 7)" records that "The cause of the major declines in the scallop populations of Golden Bay and Tasman Bay is unknown, but our comparison of landings in relation to the CAY at the broad scale of the three sub-stocks within SCA 7 suggest that the downturn is probably associated with factors other than simply the magnitude of direct removals of scallops by fishing". This scientifically valid finding somehow morphs into a different view by the time it is reported into the Plenary document as "In addition to direct fishing mortality, a combination of other anthropogenic .. and natural drivers may have affected the productivity of the scallop 7 fishery". The latter position is not supported by findings – the evidence, as noted, points to non-fishing factors being the cause of decline and these should be the focus of management responses.

There is a systematic and systemic mischaracterisation of the legal and operational management framework extant for the SCA7 fishery and this is misleading scientific analysis undertaken

- Current understanding of the management framework historically applied and authorized under s14 is poor and wrongly recorded in scientific and management documents. This is evident for example in the Plenary report penultimate para page 2, where an inaccurate description of the management responsibilities of CSEC is provided.
- Contrary to statements made in the Plenary document the management of the fishery is not DEVOLVED from Government to CSEC. This statement is misleading and reflects a poor understanding of the legal and management activities carried out in the fishery.
 - No powers of the Minister are devolved. CSEC does not set a catch limit based on the matters outlined in the Plenary document – it manages the fishery within agreed

rotational closure controls establish with the approval of the Minister on an annual basis with the aim of maximizing economic yield – this means that scallops are fished to maximize yield (not to a target CAY reference point as has stated for the Marlborough fishery). In fact, as noted below, the management target for the SCA7 fishery has been MEY not CAY.

- All background scientific documents prepared for MPI fail to recognize that the CSEC approach to management approach has been to target MEY not MSY or a proxy for this. This is the foundation for the fishery being exempt from the provisions of section 13 of the Act. This is evident in the scientific record – the consequence of adopting a MEY approach is that the fishery has been managed at a harvest level lower than would have been established under a CAY strategy (see last para p52 of the Williams et al Review of the Southern scallop fishery (SCA7) quoted in full below which is based on a re-evaluation of CAY estimates).
“Although the trends in scallop landings from Golden Bay and the Marlborough Sounds have broadly followed the calculated CAY trajectories (which correspond proportionally to changes in biomass), in general the actual level of landings has been lower than the calculated CAY (Figure 28). Landings were always lower than the CAY in all regions and years, except for in 1998 and 1999 in Golden Bay, and in 1998 in the Marlborough Sounds. Landings in the Marlborough Sounds in 2012–13 were very close to the level of the CAY. Overall, landings in Golden Bay have been much closer to the CAY than in Marlborough Sounds or Tasman Bay, and landings in Tasman Bay in particular have been substantially lower than the CAY”.
- Lack of understanding about the historical management approach contrasts with the recent decision to move to a target reference point akin to a Fisheries Act s13 objective (i.e. MSY proxy such as an exploitation rate) for the fishery. This is a retrograde managements step from both a sustainability and utilization perspective (see further comment on economic consequences below). It is in effect a movement away from international best practice which focuses on real time monitoring and management for managing the risks inherent in a highly variable fishery such as scallops.
- A proper management response in the SCA7 should be to reduce scientific uncertainty (e.g. around meat-weight yield and scallop growth estimation) by supporting fishery dependent (real time) monitoring and management (e.g. closure of areas with high juvenile numbers when certain ratios of juveniles to recruited scallops are realised in catches or closure of grounds until improved meat yields can be observed). The MPI proposals to use scientific modeling approaches unfortunately do the opposite – they increase uncertainty and risk and remove the opportunity to implement such measures.
- The basis for the fishery exemption from s13 is recognition that sustainability objectives of the Fisheries Act are addressed through rotational fishing alone (enhancement makes harvesting safer and can improve economic wellbeing and is a potential (not necessary) added bonus). The Plenary document however (see page 2, para 4) states that rotational fishing “is probably an invalid assumption for the SCA 7 fisheries sectors”. This statement calls into question the rationale for exempting SCA7 from s13. It is in our view that this is misinformed statement as it relates only to the modeling work done by Paul Breen and not the actual management of the fishery. The practice of rotational fishing does not assume scallops are distributed evenly throughout rotational areas and evaluating the fishery on the basis of this assumption (as had been done by the scientists) is ill conceived. The practice is not theoretical but instead involves a combination of steps which include surveying wild and juvenile fish recruitment (often more than once a year) , fishing areas open to optimise yield and protecting pre-recruit stocks (e.g. by

ceasing fishing at certain harvest densities (6:1 ratio)) and supplementing recruitment failure (if any) with enhancement. As noted above this MEY practice has resulted in a harvesting strategy more conservative than would have been the case under a CAY approach;

- Contrary to conclusions advanced in the Plenary document there has been no rotational fishery breakdown – areas have been closed taking into account natural or enhanced fish recruitment and survival and this has found expression in management closures approved by MPI and the Minister on an annual basis and implemented under contract. This has been the case from the outset of the management of the fishery. The assumptions made by the scientists (i.e. that some kind of theoretical framework was being pursued and should be used as the basis for performance evaluation) is simply wrong and misleading in its findings;
- Furthermore, the evidence from the fishery is that there has not been a recruitment failure in the fishery and hence the pursuit of management measures to address such a failure (i.e. leaving certain densities of scallops to improve recruitment) is misdirected. The problem has not been failure of recruitment but rather a failure of survival following recruitment. For example, this year over 2 million spat were collected in Tasman Bay (an area showing very low levels of biomass) and seeded. In the Marlborough Sounds there are large areas of scallop refugia supporting recruitment. Even from the Nov 2015 it was found that “in the Marlborough Sounds there was a particularly large proportion (39%) of juvenile scallops (nominally less than 70 mm), which is obviously larger than normally seen in May surveys”. CSEC and fisher experience is that a showing of juvenile scallops in surveys (which use ring bags with 60 mm not designed to catch juveniles) signals a strong age class.
- It is wrong to conclude in the face of information from the Nov 2015 survey that biomass “continues to decline” and is at “lowest recorded levels” (see page 19 of the Plenary report). This conclusion was reached based on the Nov 2015 survey analysis which shows a reduction in biomass compared to the May survey of the same year. This reduction is simply an artifact of harvesting in the prior months. It is not a survey comparable to prior May surveys because it makes no attempt (and has inadequate information to enable) modeling of pre-recruit growth into the following year to estimate a comparable biomass at that time.
- The management framework historically applied and authorized under s14 is also poorly and inadequately described in the Terms of Reference for the ‘Independent Expert Review’ where a review of Target Reference Points is made without reference to the current MEY approach. The review itself is confused as it asked reviewers to review target reference points while at the same time purporting to not address management issues. A target reference point is in fact a management target not a sustainability control or bottom line. This confusion has resulted in a poorly targeted scientific review aimed at determining what exploitation rate rule is appropriate. The real questions should be whether the MEY strategy is a better target and the answer, as noted above, is yes from a sustainability perspective alone. To give the independent reviewers credit they did not support use of an exploitation rate management strategy (even though they were asked to do this) and explicitly noted that *“Given the stochastic recruitment dynamics and spatial heterogeneity in density, growth and natural mortality of scallops, it may be the case that classical target reference points, which tend to be based on setting specific spawning biomass or fishing mortality levels, are not suitable for scallop fisheries. Scallops stocks may not be capable of being managed in such a way as to be able to meet the*

expectations of standard reference points in a predictable way” (P8 last para, Review of New Zealand’s scallop fishery stock assessment data and methods).

Movement away from a MEY strategy to using an exploitation rate target is economicall wasteful and not best practice

- The decision to adopt an exploitation rule (of 22%) for the Marlborough Sounds in the 2015/16 season instead of following an MEY strategy resulted in an economic loss of around \$600,000 last year. This was because actual meat-weight yields were about 40% higher than those used to model CAY estimates. This resulting in significantly less scallops actually harvested (as a % of abundance) than estimated as sustainable. If similar approaches to management in the future are used it will result in significant and unneeded economic loss to the industry for no apparent sustainability advantage.

Information used to underpin Plenary findings and to be potentially used for setting management measures is not best available information.

- The Plenary report this year based on a Nov 2015 abundance survey which was poorly specified and designed and, as noted above, not comparable to prior year surveys:
- Dredge efficiency estimates used for the November 2015 survey were not fit for purpose (i.e. dredge efficiency estimates established for soft and previously fished substrates cannot be assumed for surveys on hard (previously unfished) substrates. Moreover dredge efficiency estimates used were for a different dredge than used in survey. As a result critical density thresholds are not applicable as dredge efficiency estimates are inaccurately applied.
- Meat-weight conversion factors used (and retrospectively applied) are not best available information and are inaccurate. There is no correlation between yields at time of survey and those at time of harvest (see p5 last para under 1.1 of Plenary report) which is because the harvest yields are fishery dependent and change each year (ie the industry targets high yielding scallops and may leave areas when high numbers of juveniles are present).
- Meat-weight conversion factors applied retrospectively to calculate CAY are likewise questionable. How can the estimates be applied to make comparisons when there is no correlation?
- The Nov 2015 survey does not model growth of scallops to recruitment for the following year and cannot be compared to prior year surveys for this reason. Growth of pre-recruit scallops was not considered even though (a year out) there “were signs of juvenile recruitment, particularly in the Marlborough Sounds, that appeared to be stronger than normally seen in May surveys” (see para 1 page 12 of the Plenary report).

The process followed so far in completing scientific analysis has been centralised without proper engagement of CSEC per se and contrary to MoU procedure.

- As noted above, the Terms of Reference (ToRs) for the 'Independent Scientific Review' was developed unilaterally without CSEC input resulting in provision of inaccurate and misleading information to reviewers. The legal and management framework wasn't even described let alone described accurately. Moreover, the ToRs purported to be scientific not management orientated but directly asked reviewers to evaluate management target reference points for the fishery without comparison to (or even knowledge of) the incumbent MEY strategy;
- The Nov 2015 survey information was put to Plenary review without notification to CSEC— the result is that the report contains many errors discussed above.
- Proposals for management measures for 2016/17 were sought through poorly mandated stakeholder meetings based on inaccurately and misleading descriptions of current management and outdated and (prior) season data (i.e. the 2015 November survey).

The way forward:

- CSEC is very concerned that management measures will be developed without proper consideration of the current management framework and without regard to best available information. This would at the very least include updated biomass and dredge efficiency information available from the pre-season survey and a corresponding re-evaluation of the Plenary findings. Any steps to develop management measures using outdated and inaccurate information will leave the industry little choice but to challenge the process and information so far provided by MPI.
- CSEC has long demonstrated its role in successfully implementing management measures aimed at maintaining fishery sustainability – there is no failure in such management and CSEC remains committed to completing its obligations under the MoU to carry out pre-season survey and to develop fit for purpose management measures to be applied in real time (to reduce risks of harvesting on stock sustainability and maximize economic yield). As demonstrated in past years, CSEC has been willing to implement large scale closures if such measures are necessary and appropriate and has no intention of resiling from that commitment.
- CSEC is also committed to addressing information weaknesses in survey methodology and management where these are identified including improving dredge efficiency estimates, lowering uncertainty in meat-weight assessment through real time monitoring and management, reducing uncertainty in estimating pre-recruit growth (e.g. by delaying pre-season surveys to estimate real recruits rather than predicted recruits);
- CSEC is actively seeking partnerships to start addressing the core fishery issue of environmental change as they key threat to the continued viability of SCA7 (e.g. better management of rivers and land based discharge) and would urge greater MPI support in this process (e.g. through supporting measures to monitor and address such impacts in regional planning processes);
- CSEC measures only apply to the commercial sector. CSEC does not manage recreational or customary harvest and recognises that MPI has an obligation to manage such activities. CSEC is also aware that recreational harvest (unlike commercial fishing) is not currently controlled effectively due to historical distortions linked to successful enhancement events in the past (e.g. access to all parts of the fishery, higher than normal bag limits, long season etc).
- CSEC has long realized that the amateur season start date in mid July limits opportunity to implement regulatory changes applying to the recreational sector following receipt of pre-season survey information and following necessary consultation with CSEC shareholders, processors, fishers and recreational interests. CSEC is also aware that recreational fishers will be reluctant to support regulatory change ahead of obtaining such knowledge and engaging in such consultation. Accordingly CSEC suggests that MPI seek take steps to delay the recreational start date to align with the commercial fishery to enable consideration of this information before implementing recreational management measures rather than try and determine such measures ahead of time.

s 9(2)(a)

From: Chris Beal (Chris)
Sent: Friday, 1 July 2016 3:53 p.m.
To: FMSubmissions
Subject: Scallops in the Challenger East and Marlborough Sounds Area/ Snapper
Importance: High

To whom it may concern:

Attached are a list of points that I would like to make

- Close the scallop season for both amateur and commercial scallop fishermen for the 2016-2017 season across all areas of the Top of the South Fishery
- When it re-opens bring back amateur bag limits to 40 for divers at 100mm width, and one safety person not two for ten scallops only.
- Snapper to remain status quo.

Kind regards

Peter Leslie Williams

s 9(2)(a)



Ngāti Kuia

Te Iwi Pakohe

28th June 2016

INSHORE FISHERIES MANAGEMENT
MINISTRY FOR PRIMARY INDUSTRIES
P.O.BOX 2526
WELLINGTON 6011.

SUBMISSION:

**TE RUNANAGA O NGĀTI KUIA TRUST AND TE HOIERE ASSET HOLDING
COMPANY**

ON

THE REVIEW OF SUSTAINABILITY MEASURES FOR THE SOUTHERN SCALLOP FISHERY (SCA7) 2016.

TE RŪNANGA O NGĀTI KUIA TRUST (TRONKT):

TRONKT is the Mandated Iwi Organisation (MIO) and the Iwi Aquaculture Organisation (IAO) for Ngāti Kuia. TRONK is the Post Settlement Governance Organisation and Treaty Settlement partner with the Crown and is the Settlement Entity for all previous assets held by Te Rūnanga o Ngāti Kuia Charitable Trust.

TE HOIERE ASSET HOLDING COMPANY: (THAHC):

THAHC is the Commercial Asset Holding Company for Settlement Assets for TRONKT.

THAHC holds:	SCA7	NOR ITQ	2,848,472
	SCA7A	SET ITQ	216,093
	SCA7B	SET ITQ	2,500,000
	SCA7C	SET ITQ	1,071,310

THAHC is also a shareholder in the Challenger Scallop Enhancement Company and pays levies to the CSEC based on the percentage of ACE fishing entitlement per year, plus \$3,066-08 per year levies to MPI on full quota owned.

SUBMITTERS REPRESENTATION:

Sharyn Marie Smith:

Trustee for TRONKT, Trustee Director for THAHC, MIO & IAO Fisheries Representative, Vice Chair of Te Taihū MPI Forum and member of Te waka o Maui MPI Forum as Ngāti Kuia Commercial rep. Ex: Kaitiaki for Te Rūnanga o Ngāti Kuia Charitable Trust.

NGĀTI KUIA: FISHERIES WHAKAPAPA AND PATHWAY TO OUR FISHERIES SETTLEMENT

Ngāti Kuia derives its Fisheries Settlement Assets through our Customary/ Commercial Entitlements. Customary is the Tuakana of Commercial and all of our Settlement entitlements are intertwined and linked through.

Our Iwi association with the Moana and adjoining Whenua pre-dates the 1840 "Treaty of Waitangi".

On-going customary/commercial fishing of the past is also important for our present fishers and for our future generations to allow them to carry on the traditions of our Tipuna.

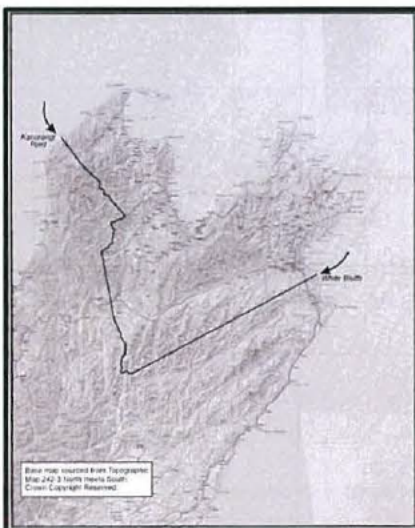
With the enactment of the 1992 Fisheries Settlement Act our fishing rights to a share of the Quota Species brought into the Quota Management System was realised.

It has taken 19 years from the 1992 Settlement Act to final allocation of our Fisheries Settlement Assets. During this timeframe the returns from our fisheries assets sustained our Trust and provided employment and benefits for our people.

DEED OF SETTLEMENT – TE WHAKATAU

Te Rūnanga o Ngāti Kuia Trust (our PSGE) signed our Deed of Settlement Te Whakatau with the Crown on the 23rd October 2010 at Te Hora Marae, Canvastown.

With the signing of our Deed of Settlement, Ngāti Kuia is recognised as a Treaty partner by the Crown.



Pou Rahui Statutory Acknowledgement and Deed of Recognition.

Ngāti Kuia Te Whakatau
Deed of Settlement Documents Schedule
4.2: Fisheries Protocol
Attachment A – Fisheries Protocol Area



Ngāti Kuia Te Whakatau
Deed of Settlement Attachments Schedule
2. Deed Plan
2.2 Statutory Areas OTS-099-47

Ngāti Kuia Te Whakatau / Deed of Settlement

Documents Schedule

4.2: Fisheries Protocol

"The Crown, through the Minister of Fisheries and Aquaculture (the "Minister") and Chief Executive of the Ministry of Fisheries (the "Chief Executive"), recognises that Ngāti Kuia as Tangata Whenua are entitled to have input and participation in fisheries planning processes that affect fish stocks in the Ngāti Kuia Fisheries Protocol Area (the "Fisheries Protocol Area") and that are managed by the Ministry of Fisheries (the "Ministry") under the Fisheries Act 1996.

Ngāti Kuia has a special relationship with all species of fish, aquatic life and seaweed found within the Fisheries Protocol Area, and an interest in the sustainable utilisation of all species of fish, aquatic life and seaweed"

The Crown and its Agencies have a responsibility to Ngāti Kuia to further agreements made in the Deed of Settlement and to contribute to the achievement of an enduring settlement of the claims/grievances referred to in the Deed of Settlement.

PURPOSE

This submission is to review the SCA7 Consultation document and options put forward by MPI on the fishery and give the position taken by TRONKT & THAHC over our concerns for the fishery sustainability as Ngāti Kuia are in all three stakeholder groups, Customary, Commercial and Recreational.

Option 1: Temporarily close all of Area 7H in Tasman Bay, and some or all of the following parts of the Marlborough Sounds to scallop fishing for the 2016 -2017 season (until 15 February 2017): Wynens Bank, Guards Bank, Ships Cove Pelorus Sounds and Dieffenback.

Ngāti Kuia: Do not support this option as we believe that this will only move the catch effort to the other areas of the fisheries and put more stress on areas that remain open .We do not believe that this is a sound management option for rebuilding or future management of the Fisheries.

Option 2: Temporarily close all of the Marlborough Sounds and Area 7h in Tasman Bay to scallop fishing for the 2016 -17 scallop season.

Ngāti Kuia: Do not support this option as again it will shift fishing effort to a recovering fisheries area.

Option 3: Status Quo: No new scallop fishing closures are implemented for the 2016-17 scallop season.

Ngāti Kuia: Do not support this option as it is clear by information provided by MPI that this is a fishery with sustainability issues.

NGĀTI KUIA POSITION ON THE SCALLOP 7 REVIEW:

As a stakeholder in all three groups, Customary, Commercial and Recreational, the overall important consideration as Kaitiaki, must be the sustainability of the fishery and to put supporting measures in place to ensure that there is a fishery for future generations.

CUSTOMARY:

Ngāti Kuia as a Treaty Partner with a Fisheries Protocol Area in our Deed of Settlement, the Scallop 7 area is in our Rohe and we have always exercised our customary rights for tangi, Iwi Hui and approved occasions to take scallops. Due to ongoing concerns of the fisheries, we had also put in place, Kaitiaki policies that limit the number of take on our permits for scallops, this is to ensure we had a sustainable management process in place.

Because the Iwi of Te Tau Ihu are not under the South Island Customary Fishing Regulations, we exercise our customary take under Section 50 of the Amateur Fishing Regulations.

Ngāti Kuia are also part of the Te Tau Ihu MPI Forum, recommendation by the Forum to not exercise our Customary Entitlement should the Scallop 7 fishery be fully closed for the 2016- 2017 season as a management tool, to allow the beds to rest, and help rebuild the fisheries has been supported and approved by TRONKT.

Our Customary Rights and entitlement to exercise them have been hard fought, through generations and the consideration to waiver those rights for the 2016- 2017 Scallop fishing season by Ngāti Kuia should the fisheries be fully closed, is based on our concerns for the sustainability of the fisheries .

Ngāti Kuia also wish to be part of future Management stakeholder group that will have the interest and

sustainability of the fishery which also recognises the importance of the balance of the ecosystem of the environment, habitat, health and wellbeing of all, which are paramount to our Ngāti Kūiatanga.

TRONKT: support a full closure of the 2016-2017 SCA7 fishing season, to enable the Crown, its agencies and all stakeholder groups to work together on a collective management plan, with legislative change, which will contribute to the rebuild and sustainability of the fishery.

COMMERCIAL:

THAHC have a shareholding in the Challenger Scallop Enhancement Company (CSEC) that has a MOU with MPI for the management of the Scallop Fishery. A set harvest rate for Commercial fishing of no more than 22% of the available biomass above a density of 1 scallop per 25square metres for the Marlborough Sounds has been implemented by the Challenger Scallop Enhancement Company for the past 2 seasons.

Fishing rights of our scallop assets are annually based on the above percentage ratio and for the past season has equated to 1,139 of ACE fishing entitlement, to which a 20% levy of port price is paid to CSEC to enable the running of the Company and its obligations to the fisheries under the MOU..

THAHC also pays levies to MPI for full quota owned of \$3,066-08 annually and believes this levy which is charged under the legislative act requirements, needs to be adjusted to reflect the actually fishing entitlement, and therefore supports legislative changes to enable a fair and just system to be applied to the Industry.

With the decline of the fishery, environmental factors, MOU requirements, bio-toxin levy costs, ongoing rights protection on behalf of the shareholders, past lack of spatial catch, all these issues have been reflected and contribute to the financial restraints that the CSEC have.

Reduction in Commercial catch take is reflected in the levy cost return from shareholders, to oversee, manage and enhance a fishery for all stakeholders.

Ngāti Kūia have Scallop 7 Quota Settlement assets, originally these assets were valued at \$50,000-00 per ton with a book value of over \$1. 2million, today the book value of our Scallop Settlement Assets are \$170,910-00, therefore the value of our Settlement Assets has rapidly declined.

Due to the overall decline of the fisheries, which are clearly recognised by the diminishing value of our Settlement Asset, the Crown and its Agencies have a responsibility to Ngāti Kūia to contribute to the achievement of an enduring settlement.

We believe that the Crown and its agencies, through management agreements of the fisheries has failed to ensure that there is a sustainable fisheries for Scallop 7 and need to implement legislative measures that will work towards the rebuilding of the fisheries for all sectors.

THAHC supports a full closure of the 2016-2017 SCA 7 fishing season, to enable the Crown, its agencies and all stakeholder groups to work together on a collective management plan, with legislative changes, which will contribute to the rebuild and sustainability of the fishery.

RECREATIONAL:

Ngāti Kūia are also part of the recreational sector, and have seen an increase in the overall fishing effort of the recreational sector. The Government's proposal to put a Recreational Fishing Park in the Marlborough Sounds, will also contribute to increase the recreational fishing effort into what is already a distressed fishery, as the areas nominated for the Park are in a number of scallop spawning areas.

Data on the number of recreational fishing will be key to contributing to the future rebuild of the fisheries. Legislative changes to amending the start date of the fisheries, take and increase size limits are required to ensure a sustainable fisheries.

TRONKT: support a full closure of the 2016-2017 SCA7 fishing season, to enable the Crown, its agencies and all stakeholder groups to work together on a collective management plan, with legislative change, which will contribute to the rebuild and sustainability of the fishery.

LONG TERM PACKAGE AND SUPPORTING MEASURES FOR A SUSTAINABLE SCA7 FISHERY.

Ngāti Kuia support the following measures to contribute towards a rebuild and sustainable fishery. That in the term of closure, combined Management by all Stakeholder groups, Customary, Commercial, Recreational and MPI (Crown Agency) is put in place to work toward developing a multisector work group to actively put measures in place that will rebuild the fishery for the benefit of all stakeholders.

Legislative Changes to amend:

- Start date of SCA7 season to the 1st of September for both Recreational & Commercial to ensure that scallops are harvested in best condition.
- Reduction in Amateur daily take from 50 to 20 scallops to bring it in line with nationwide recreational take.
- Increase recreational size limit from 90ml to 100ml.
- Legislative requirement of agreed annual rotational fishing grounds and Rahui closure.
- Commercial fishing levy to be changed to reflect annual ACE entitlement.

Other Management Tool options:

- Dive only areas in parts of the Marlborough Sounds
- Te Tau Ihu Iwi to move into the South Island Customary Fishing Regulations to enable the utilisation of management tools to ensure control of registered Kaitiaki and reporting mechanisms.
- Recreational Fisheries adopt a voluntary reporting data system, through an APP process, which could be developed by MPI and then utilised as recreational reporting data when annual TAC are reviewed.
- Recreational boat fishing levy/license to contribute towards the management and compliance of the fishery.
- Option of Research & development for relocation and integration with aquaculture stock, with Industry, Commercial, Recreational, Customary and Crown agencies. To be pro-active and move forward to the betterment of the fishery.
- This could be a collective initiative by all 3 stakeholders funded by MPI from levies collected and proceeds from levies should be targeted towards the regrowth and compliance of the fishery.

For Ngāti Kuia our Customary and Commercial fishing sphere are intertwined and our responsibility and concerns as Kaitiaki will always exist, the Fishery sustainability and rebuild is paramount importance and the working together to ensure that the Scallop 7 Fishery is there for future generations.

s 9(2)(a)

From: Steffan Browning <s 9(2)(a)>
Sent: Friday, 1 July 2016 4:53 p.m.
To: FMSubmissions
Subject: FW: Submission - Southern Scallop Fishery (SCA7) 2016

FMsubmissions@mpi.govt.nz

To: Inshore Fisheries Management

Personal Submission of Steffan Browning to - Southern Scallop Fishery (SCA 7) 2016

Kia ora

As a past resident and current land owner in the Marlborough Sounds, past Co-Chair of Friends of Nelson Haven & Tasman Bay, current committee member of Marlborough Environment Centre, and past committee member of Marlborough Recreational Fishers, I have closely followed the science and politics of the scallop fishery, aquaculture and other fisheries issues particularly in the Top of the South. I am also a current member of Parliament's Primary Production Committee.

I submit in response to MPI Discussion Paper No: 2016/19

The fishery has effectively collapsed and MPI has the tragic records from many years back which show an even more alarming overall drop in recorded catch, and relative biomass, than that shown in Figure 1. of the discussion paper 2016/19.

For various reasons MPI has to date attempted to maintain some commercial fishery regardless of the very clear ecological message that the fishery was not sustainable, even with limiting or shifting dredge harvesting areas through the years. Recreational fishers have suggested that they contribute less damage to the fishery with their lighter dredges, but research shows that those dredges and harvest pressure are also unsustainable. It is time to stop dredging as an allowable scallop fishery in SCA 7, and develop a genuinely sustainable dive-only scallop fishery once a significant recovery of the scallop fishery occurs.

All dredge type fisheries whether scallop dredging or trawl methods for other fisheries in contact with the bottom/benthos in Golden Bay, Tasman Bay and the Marlborough Sounds should be stopped. Stopping scallop dredging but still allowing bottom trawling of any type would continue to damage the scallop fishery, and the habitat including spawning areas and nurseries of a significant range of species, including some of commercial importance.

The scallop fishery should be developed as a dive only fishery both recreational and commercial. This will allow better selection of scallops to size, while impacting less on the habitat. Other management, including that on land, that can benefit marine habitat restoration should be pursued urgently. Reduction in sediment flow from forestry and agriculture would also help the scallop fishery.

My comment last year (copied here) in response to the then call for dredging to be banned in the Marlborough Sounds was correct, and this last summer's surveys of the biomass has shown even further degradation of the stock.

Diving for sustainable scallops

August 17, 2015 Steffan Browning

Last week, there were **calls for scallop dredging to be banned** in the Marlborough Sounds, following scientific **report** saying that 70% of the Sounds had been lost from dredging, trawling, and sedimentation from forestry. At the same time we see habitat loss, we also see a decline in scallop abundance throughout most of the top of the South, Tasman and Golden Bays, and the Marlborough Sounds.

I agree that, in order to restore habitats and scallop stocks, we need to change the way scallops are caught. It's time to move away from damaging trawling and dredging practices and towards a dive based scallop fishery, albeit under careful quota setting.

I have watched from my time living in the outer Pelorus Sounds in the late 80s and 90s, as the scallop industry shrunk considerably from the use of habitat damaging dredging methods. But the industry has rejected our calls for better management. Dredging for scallops is like cutting down an apple tree to pick the apples. Now is the time for change: dredging for scallops must stop. A Top-of-the-South dive industry will ensure that we have scallops around in the future – unlike current practices which are steering us towards a collapse of the local scallop population.

The good news, is that there are likely co-benefits of moving to a dive-based scallop fishery. Scientists Glenn Carbine et al researching Foveaux Strait in Southland found that when oyster dredging stopped for seven years, the habitat improved to the point that there was 227 times the amount of cod in the re-emerging seaweed.

Family fisheries have declined rapidly in the Marlborough Sounds, and we've seen a huge decrease in the number of boats harvesting a decreased number of scallops. We need a sustainable approach to ensure we have indefinite fisheries, not a time-limited one. We need to restore the fishery so local fishers can make a livelihood – the way to do this is through a dive industry.

Conclusion;

None of the options put forward for consideration in MPI 2016/19 are sustainable, and as such could be open to legal challenge. A compromise might be to allow some limited quota immediately for a SCA 7 dive-only scallop fishery, further dredging is unacceptable.

Steffan Browning MP | Green Party of Aotearoa New Zealand

Spokesperson for Organics, GE, Pesticides, Safe Food, Biosecurity

Room 15.06 | Bowen House | Parliament Buildings | Wellington

Whare Paremata | Te Whanganui-a-Tara | 6160 | Wellington

E: s 9(2)(a)

W: www.greens.org.nz

Authorised by Steffan Browning, Parliament Buildings, Wellington.

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s 9(2)(a)

From: Stephen Fishburn s 9(2)(a)
Sent: Friday, 1 July 2016 5:00 p.m.
To: FMSubmissions
Subject: scallop submission

To Whom it may concern

Good afternoon. I am writing in on behalf of myself Stephen Fishburn, Tom and David Fishburn, re the concern about the scallop industry.

Our thoughts are that for the 2016/2017 season you should have a total closure if anything is to be closed , if you just close areas of scallop grounds then the rest just end up taking a real hammering and that doesn't help anything to recover.

also the rules around the scallops need a bit of refining
 eg..

the dredges with prongs or fingers on the leading edge should be banned

they need a meat weight limit for your freezer at home so people can't accumulate too many over a holiday period , like what you have for the paua.

and if the stocks are getting low then the commercial and amateur take could be halved
 as 50 is more than you need for a feed for even 4 people , a limit of 25 or 30 is plenty adequate . but if amateur limit is cut so should the commercial tonnage.

Also, good to hear the snapper stocks are on the incline but do not feel that the amateur quota should be increased, 10 is a lot of snapper per day, I also feel that if the fish are there that you get more people go fishing and the extra fish in the amateur allowance on your graph will get caught anyway.

thanks for your time

Kind Regards
 Stephen Fishburn (Legacy Fishing Charters Ltd)

Submission for SCA7

1. This consultation has been poorly advertised and very little time to respond. There is no reference on the stakeholder letter to alterations to SCA7 we need to have all consultations referred to on the initial letter, the sticky consultations seems to be deliberately hidden from recreational by an MPI focussed on commercial outcomes only; despite the fact that recreational catch has the same economic value as commercial catch despite being a fraction of the volume 10%.
2. The elephant in the room is that right from the start of the scallop fishery commercial have over exploited the resource by over fishing and seabed damage (overfishing means much longer tows and a lot more sea bed damage). I've fished for scallops diving & dredging since the 1980s and have witnessed the initial "gold rush" and subsequent crashes, my observations are that commercial cannot resist over fishing scallops. The current Sounds debacle is a classic example; 2009-10 120.5t meatweight (multiply by 60), 2013-14 42.9t, then 21.5t, 2015-16 11.0t. If when it was 120t the take was 30.0t or 40.0t the fishery would have remained healthy and sustainable.
3. Recreational take is approximately 11.0t this is presumably relatively constant. It's a big call to expect recreational to help fix a problem caused by the commercial sector. Since the collapse of Golden and Tasman Bays recreational and commercial fishers have descended on the Sounds.
4. The Challenger Scallop Enhancement Company; looking from the outside, seems like the 'foxes looking after the chicken coup' too many fishers unable to deal with sustainability and enhancement.

Some solutions to the problem would be;

1. Close the Sounds fishery to commercial dredging for this season including Okiwi Bay.
2. Work out a reasonable commercial tonnage for the Sounds and Okiwi Bay that is sustainable once restored, it may only be 20.0t.
3. For recreational introduce a maximum of 3 bag limits per boat and a maximum 2 bag limits per person per week. This encourages fishing for a feed only and the need to look after the scallop fishery for the future. Recreational bag limits are best left at 50 for us that visit the Sounds from Kaikoura for logistical reasons, many fishers visit Kaikoura also of course. Maybe put the size up to 95 or 100m.
4. For Golden and Tasman Bays a complete rest is required, the sea floor system has been damaged beyond the point where the ecosystem can cope with silty sedimentation, restoration could be hastened by reducing the silt from the land.

Richard Craig
 Kaikoura recreational fisher
 Te Korowai Marine Guardian
 Kaikoura Taiapure Committee
 FMA3&5 Rec Forum

s 9(2)(a)

18 June 2016

Dear Sir/Madam

Submission – MPI Discussion Paper (2016/19) – Review of Sustainability Measures for SCA7 - Scallops

I submit this submission on the above Ministry for Primary Industries (MPI) Discussion Paper as a resident and member of Kenepuru and Central Sounds Residents' Association (KCSRA).

We, Charles Cawood, Jane Cawood and our four adult children all wish to support the submission submitted by KCSRA

We are incredibly lucky to have such a wonderful dedicated committee working on behalf of the residents of the Sounds, but more importantly the health and well being of the native flora and fauna that is so precious.

We as individuals would have difficulty collecting and processing all the relevant information proving the failure of the current fishing practises.

We fully support Option 2 of this submission.

Commercial fishing of all types in the Sounds is proving to be totally unsustainable. Recreational fishermen must also play their part and have very strict quotas in place to limit their catch.

New Zealand should lead the world with it's conservation efforts. Something all New Zealanders can be proud of.

Please accept the submission below. KCSRA have covered all the bases and we fully support them.

KSCRA members together must surely be a voice to be reckoned with and the government are lucky to have a group that cares so much about all aspects of our beautiful Sounds. Time to listen and take heed.

Thankyou.

Charles and Jane Cawood

s 9(2)(a)

Kenepuru & Central Sounds



Kenepuru & Central Sounds Residents Association Inc.

Inshore Fisheries Management
Ministry for Primary Industries
P O Box 2526

Wellington 6011

Email: FMsubmissions@mpi.govt.nz

Ross Withell
President KCSRA
s 9(2)(a)

email: president@kcsra.org.nz
WWW: kcsra.org.nz

18 June 2016

Dear Sir/Madam

Submission – MPI Discussion Paper (2016/19) – Review of Sustainability Measures for SCA7 - Scallops

I submit this submission on the above Ministry for Primary Industries (MPI) Discussion Paper in my capacity as President of the Kenepuru and Central Sounds Residents' Association (**KCSRA**).

Background

1. **Who we are:** KCSRA was established in 1991, and currently has more than 250 household members whose residents live fulltime or part-time in the Kenepuru and Pelorus Sounds. The KCSRA's objects include, among others, to coordinate dealings with central and local government and promote the interests of residents of Kenepuru Sound and adjacent areas, and to promote and act in the best interests of residents, ratepayers, and persons associated with the Kenepuru and Central Sounds area.
2. **What we do:** Our website (www.kcsra.org.nz) demonstrates that KCSRA is very busy representing the interests of members in a wide variety of matters. For example, advocating for better and safer roads and provision of public toilets in places of high visitor use, liaison and representations to the local council, and involvement in local environmental/conservation issues.

Kenepuru & Central Sounds Residents Association Inc.

President	Ross Withell
Vice President	Andrew Caddie
Secretary	Brenda Sutton
Treasurer	Stefan Schulz
Chairman Roding Committee	Robin Bowron

president@kcsra.org.nz
vicepresident@kcsra.org.nz
secretary@kcsra.org.nz
treasurer@kcsra.org.nz
roading@kcsra.org.nz

The Situation

3. **Why we are interested:** In January 2014 KCSRA received notice of a MPI Initial Position Paper also entitled “Review of Sustainability Measures for SCA7”. The focus of that paper was a review of the Total Allowable Catch (TAC) then set at around 800 tonnes meat weight for SCA7. We were shocked to realise that the TAC bore no relationship to what was actually happening in the fishery. The TAC’s subsequent revision to 400 tonnes continued this disconnect. Actual commercial landings were then at the giddy heights of around 43 tonnes - all from the Marlborough Sounds fishery. The Golden Bay and Tasman Bay fisheries having collapsed and closed to commercial operations for a number of years. It was clear to KCSRA that the Marlborough Sounds fishery was being rapidly pushed to collapse by out of control commercial interests. This was **not acceptable** for a resource that was much treasured by the community.
4. Accordingly, the committee of KCSRA rapidly inserted representatives into the process who came up to speed with the management and scientific issues. Crucial to our involvement was joining an Alliance of local community organisations (Pelorus Boating Club and the Marlborough Recreational Fishers Association). Over the next two years we kept our members informed as we and the Alliance submitted on CSEC Harvest Plans, the design and outcomes of biomass surveys, made media releases, attended MPI convened multi-sector working group meetings, discussed matters with local MP and wrote to the Minister over our increasing concerns.¹ By now the commercial take had, along with available biomass, declined to 21 tonnes.
5. The Alliance has worked hard with MPI officials and Industry representatives. Whilst MPI officials have increasingly acknowledged the validity of our concerns at the sustainability of the Sounds Scallop fishery if drastic action is not taken, not so commercial interests. The Alliance concerns and frustrations are neatly summed up in a Memorandum to MPI dated 16 March 2106.² As can be appreciated we are pleased that MPI has now managed to persuade the Minister that the sustainability of the Marlborough Sounds scallop fishery is at such a point that the likes of closure of all or part of the fishery is warranted, if not overdue, to meet the requirements of the Fisheries Act 1991.
6. **Choice of Option:** Accordingly, with the utmost regret and sadness that things have come to this point, through we stress no fault of non-commercial interests, KCSRA **submits that Option Two** as presented in the MPI Discussion Paper is **the best** of the three Options put forward – that, is to temporarily close all of the Marlborough Sounds and area 7H in Tasman Bay to scallop fishing for the 2016/17 scallop season.

1 Go to KCSRA website www.kcsra.org.nz, click on “Public Documents” and then on the tab headed “Scallops”.

2 As above.

Other Matters

7. For the record we briefly explain why KCSRA rejects Option One and Two and also touch on some related matters.
8. **Option One:** It is clear that in order to rebuild the Sounds fishery this requires protecting spawning areas from fishing from all sectors. The best spawning areas are those that contain dense aggregations of spawning scallops. Such areas are also the most attractive for fishing activities. Unfortunately we are at the point in the Sounds that there are only 4 (perhaps 5) such areas left. So a closure of only some of these areas as per Option One will, **we submit**, only mean that the fishing effort will be concentrated in the remaining open areas and heighten the risk of overfishing and the risk of collapse across the fishery. Option One might have been a viable option back in 2014 but this opportunity was, regrettably, missed by the regulators and commercial interests in the forlorn hope that next season, magically, all might be well – not so.
9. **Option Three - The Status Quo:** For the reasons set out in paragraphs 4 and 5 above and the referenced material referred to in those paragraphs, this option is not viable. **Nor we submit** it is in keeping with the requirements of the Purpose of the Fisheries Act 1996 (or for that matter the Act's Environmental Principles).
10. **Customary Permits:** We understand that the Treaty partners have been in discussion as to the issue of customary permits during any period of closure. We are very pleased to hear that Iwi representatives seemingly agree that it would be inappropriate to issue customary permits for the taking of scallops during a period of closure. To this end we understand a voluntary cessation of the issue of such permits for fishing in such areas is being considered. **We congratulate** the Treaty Partners in attempting to work to this desirable and sensible outcome. However, should suitable guarantees not be received by the Crown from those otherwise authorized to issue customary permits during a scallop area closure then **we submit and urge** the Crown to exercise its Kawanatanga role via Regulation 50 of the Fisheries (Amateur Fisheries) Regulations 2103 to achieve the same outcome.
11. **Golden Bay/Tasman Bay Areas left open:** We are a little puzzled by the intention under either Options Two or One to leave parts of Tasman Bay and Golden Bay open. We appreciate that the possibility of any of these areas containing commercially viable densities of scallop is, at best, very remote. However, we suggest inadequate thought has been given to the possibility of the fishing effort shifting to these open areas. **We suggest** MPI revisit this approach.
12. **Commercial Economic Considerations:** Economic gains are never an excuse for unsustainable management practices. However, in this case they are not even relevant. Based on 21 tonnes being the commercial take last year from the Sounds we estimate the gross return to the fishers was around \$500,000. This was to be split, after operating costs, between nine boats. Each boat employed a crew of 2-3 for a maximum period of three weeks. **We submit** there are no commercial economic considerations to take into account.
13. **Longer Term Management Package:** KCSRA **endorses and strongly supports** a full review as discussed at page 10 of the MPI Discussion Paper of the current management structure for the Marlborough Sounds scallop fishery. In particular, **we recommend the removal** from the ambit of the CSEC Memorandum Of Understanding of the Sounds scallop fishery.

14. To be clear, once the Sounds fishery is scientifically established to be on a sustainable upward growth path we do see a place for commercial interests in the decision making as to what is or is not a sustainable harvest plan for all sector groups. However, from our hard won experience of how this fishery has operated and why it is at the perilous state that it is requires the non commercial sector to have a **much greater say** in the decision making process.
15. Once this fundamental concept has been grasped then the task of the multi sector-working group formulating and submitting to the Minister a package of sensible longer term operational management measures, which could include suggestions of the type set out in the MPI Discussion Paper, can proceed more easily.

Yours sincerely


Ross Withell

President
Kenepuru and Central Sounds Residents' Association
s 9(2)(a)
Email president@kcsra.org.nz

s 9(2)(a)

From: Margaret Maloney <s 9(2)(a)>
Sent: Friday, 1 July 2016 5:28 p.m.
To: FMSubmissions
Subject: Submission

SUBMISSION ON TEMPORARY CLOSURE OF THE SOUTHERN SCALLOP FISHERY FOR
2016/17

We have just discovered that submissions on this have such a short response time.
We are very disappointed that increasing the trawling quota will further damage the sea bed and put at risk the
bottom dwelling species communities. We would like to see the whole of Golden Bay closed to scalloping in order to
enhance their viability for the future.
We would hope that MPI and the harvesters will listen to reason and be more proactive in protecting our
environment and species therein.

Adrian and Margaret Maloney

s 9(2)(a)

1.7.16

s 9(2)(a)

From: errin fawcett <s 9(2)(a)>
Sent: Friday, 1 July 2016 7:41 p.m.
To: FMSubmissions
Subject: Sustainability measures for the Southern Scallop Fisheries

Dear Sir / Madam,

I would like to make a submission on the Review of sustainability measures for the Southern Scallop Fishery (SCA 7).

Errin Fawcett

s 9(2)

(a)

I vote for option No 1.

I also believe that there should be absolutely NO commercial fishing in the Marlborough Sounds until the scallop numbers recover significantly.

Yours sincerely,

Errin Fawcett

KiaOra

From: s 9(2)(a)

Subject: Fw: Sustainability measures for the Southern Scallop Fisheries

Date: Fri, 1 Jul 2016 01:04:32 +0000

FMsubmissions@mpi.govt.nz

Dear Sir / Madam,

I would like to make a submission on the Review of sustainability measures for the Southern Scallop Fishery (SCA 7).

Errin Fawcett

s 9(2)(a)

s 9(2)(a)

I vote for option No 1.

I also believe that there should be absolutely NO commercial fishing in the Marlborough Sounds until the scallop numbers recover significantly.

Yours sincerely,

Errin Fawcett



Council of Outdoor Recreation Associations of NZ Inc

P O Box 1876 Wellington 6041

Tel&Fax +64 4 934 2244

Secretary s 9(2)(a)

1 July 2016

Fisheries Division
Ministry of Primary Industry
FMsubmissions@mpi.govt.nz

Submission on the Marlborough Sounds scallop fishery

The Commercial fishing sector has continued to over-fish the scallop fishery in Tasman Bay and Golden Bay, in spite of clear signs that the beds have been massively over-fished, and consequently that its output is rapidly declining.

Thus it is obvious, essential and unavoidable that the scallop fishery in Area 7 should be temporarily closed, i.e. Option 2. The selfish greed of the scallop fishers to overfish seems to know no bounds.

This is not the first time that this has happened, and it is disgraceful the MPI has done very little to stop this overfishing.

Best regards

Dr Hugh Barr
Secretary, CORANZ

CORANZ is a council of national and regional recreational associations. Our membership includes the national recreational associations: NZ Federation of Freshwater Anglers (NZFFA), NZ Salmon Anglers Association (NZSAA), Public Access New Zealand (PANZ), New Zealand Jet-Boat Association (NZJBA), Marlborough Recreational Fishers Association, And a number of other associations involved in recreational hunting, back country horse-riding, tramping etc

Jeremy Cooper
P.O. Box 2422
Stoke, 7041.
NELSON

§ 9(2)(a)
Email § 9(2)(a)

28th June 2016

Fisheries Management
Ministry for Primary Industries
P O Box 2526
Wellington 6140

FMSubmissions@mpi.govt.nz

Submission on the SCA7 Temporary closure for 2016/17

We reside in Penzance Bay, Tennyson Inlet (head of Pelorus Sound, Marlborough).

Fishing is a treasured pastime and our fishing trips range from within the inner Sounds to D'Urville Island in the west and Cape Jackson to the east so I have an in-depth knowledge of the Sounds area and its fishing habitats. I am a keen boatie with a share in a launch moored at Havelock (I have a commercial launch master's ticket), a fizz boat based at the bach and I am the Vice Commodore of the Tennyson Inlet Boat Club so I believe I know the Marlborough Sounds coastal water more intimately than many. At heart I am a farmer having spent 10 years working on various dairy, sheep/beef and cropping farms in NZ and Canada plus gaining a Diploma in Agriculture from Lincoln College. I therefore have a good understanding of the dynamics involved in maximizing and optimizing production from primary resources.

I have been a paua quota owner in Pau7 and have been a commercial paua diver in this area plus I am a certified PADI diver.

I have been the CEO of the Paua Industry Council Ltd for the last 11 years and for 2 years prior to that I was the CEO to the NZ Paua Management Co Ltd. Through this role I have been at the forefront of introducing management initiatives and can state from firsthand experience the positive benefits these have made to the paua resource around many parts of NZ. My overall intent with the paua industry is to change it from being "hunters and gathers" to "farmers" (i.e. managing the resource to maximize productivity whilst insuring sustainability).

I believe my diverse experience has allowed me to develop an appreciation of what it takes to ensure the long term sustainability of marine resources.

The Pelorus and outer Sounds scallop fishery have been in decline for the last few decades so it comes as no surprise to read that the latest survey results point to the lowest biomass levels ever recorded.

A change in approach is needed to combat this continuing decline and some hard decisions need to be made.

I therefore wish to submit that my preferred option is to see all of SCA7 closed for two years to let the fishery have the optimum chance of recovery.

However as this is not an option in the IPP I would support Option Two: Temporary closure of all of the Marlborough Sounds and Area 7H in Tasman Bay to Scallop fishing for the 2016-17 scallop season.

I would also totally support additional restrictions for the fishery from 2017/18 onwards. This would include an increased Minimum Legal Harvest size (MLS), a decreased catch daily bag limit and a decreased open season. More specifically I would support a 3 month open season, 20 scallops per day bag limit and a 100mm MLS.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'Jeremy Cooper', with a stylized, cursive script.

Jeremy Cooper

s 9(2)(a)

From: Ian & Donna <S [REDACTED]>
Sent: Sunday, 3 July 2016 11:09 a.m.
To: FMSubmissions
Subject: SCA 7

MPI

The SCA7 scallop fishery should be closed to all fishing until there is sustainable biomass
When the scallop stocks have recovered that it be reopened to recreational users at a daily limit to be
assessed. Then opened to commercial users dependant on biomass.
Ian Anderson

s 9(2)(a)

From: Troy Dando s 9(2)(a)
Sent: Friday, 1 July 2016 9:37 p.m.
To: FMSubmissions
Subject: SCA7 Consultation

Troy Dando
s 9(2)(a)

I would like to recommend a full scallop season closure for the entire Southern fishery as my first choice.

As a secondary choice

Full closure for all dredging activity on all scallop beds (includes scallop beds that have oysters on them)

Allow the taking of scallops by scuba only

Reduce the scallop bag from 50 scallops to 20 scallops

All scallop beds and the sea bed in general need to be rested from destructive harvesting measures

Troy Dando
Director
s 9(2)(a)



www.ultimateadventures.co.nz

www.facebook.com/TroyDandoFishingGuide

www.youtube.com/fishinnelson

www.tasmanbaysnapperclassic.co.nz

s 9(2)(a)

From: Diving Services s 9(2)(a)
Sent: Wednesday, 6 July 2016 7:16 a.m.
To: FMSubmissions
Subject: Submissions on the Southern scallop fishery
Attachments: Scallop letter New Microsoft Office Word Document (2).docx

Importance: High

Hi Guys
Sorry I thought the final date for this was the 5th but read now its the 1st.
I ment to send this earlier

Regards
Bruce Llines
Manager
Diving Services New Zealand Ltd
43 Sowman St
Nelson 7010
New Zealand

s 9(2)(a)

www.divingservicesnz.com

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With regards to the **Scallop fishery in (SCA7)** 1st July 2016

I feel very strongly that MPI is going down the wrong track with this. It's been mismanagement that has led to the destruction of what was once a fantastic fishery for both commercial and recreation users.

I also realize in Nelson there is grossly over weighted pressure from a commercial monopoly on the scallop fishery , making MPIs work difficult.

However Tasman Bay has been very well researched and it's been clear for many years where the real issues are.

However for some reason the only thing that seems to change is adjustments to the 'take' of scallops, which has been a waste of time. Without even applying a reduction in take, it would have happened anyway due to the damage to the fishery.

The issues have been proven in several case studies and very clear and direct research on the Tasman Bay seafloor has been undertaken by both NIWA and Cawthron Institute. However I can only assume the politics of the fishing industry and the reluctance of past MAFF and now MPI (or the power to do so) has mean that while the answer sits in front of us all, its somewhat ignored. Now we have all seen to total collapse of a Scallop fishery and likely many more species as a result.

The issue is clearly the direct impact of commercial and to a very small degree recreational users effects on the benthic environment.

For reasons I simply can't understand there's always been focus on the actual 'catches' or 'Take' of marine species, yet while this 'false protection' work is being done the seafloor is continued to be literally 'smashed to pieces'.

It is really difficult to see the logic behind harvesting something using methods that directly destroy the habitat required for that harvested species to survive?. This is a simple one way ticket to a collapse of any fishery.

Why we allow large heavy steel mesh dredges made of chain to be dragged over the seafloor, time and time again is recklessness beyond any common sense.

Tasman Bay has become a wasteland of soft sediments. The surface had be made devoid of corals,weeds, mussel beds and all manner of natural structures by continuous bottom dredging and finfish bottom trawling.

Sweep wires have been use to 'Level' the 'net damaging' corals and Beds of shell fish dredged so hard that the seafloor has become a 'mud pit'. As someone whom has dived regularly though Tasman and Golden bays working closely with all Bay users including, Commercial fishing , Research , Aquaculture I have witnessed firsthand the demise of the seabed. Now I'm witnessing the bays changes with regard to increases in turbidity and constant sediment loading.

Commercial fishers have even been allowed dredges to remove even the mussel beds ,simply to be processed into dog food for the profit of a few.

It's very simple. Stop all forms of fishing that cause destruction to the seafloor.

Encourage more passive collection methods (Banning dredging will likely lead to the development of many new methods)

How the fishing industry is not constrained by resource consent issues with regards to environment impacts I don't know, but its time for all involved to face facts. What's going on is far from sustainable. Stop all form of fishing that cause damage to the habitat. This is 2016 not the 1960's,we have the information ,we have the technology. All we need is leaders to make a stand for what we all know is right.

Your sincerely

Bruce Lines

Owner

Diving Services New Zealand Ltd

Port Nelson

03 5469964

021407740

divingservicesnz@xtra.co.nz

s 9(2)(a)

From: Alan Riwaka <s 9(2)(a)>
Sent: Tuesday, 5 July 2016 4:52 p.m.
To: FMSubmissions
Subject: Submissions SCA7

Tena koe,

I have just realised the SCA7 submissions closed on Friday last week. Unfortunately I thought it was due on the 11th July along with other consultations. I would like to request an extension to enable Te Ohu to make a submission by the close of tomorrow. We will essentially support the iwi submissions to close the entire SCA7 fishery.

Na

Alan Riwaka

Senior Fisheries Management Advisor
Te Ohu Kaimoana Trustee Ltd
P.O Box 3277
Wellington

s

9(2

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s 9(2)(a)

From: Rod and Sue s 9(2)(a)
Sent: Monday, 4 July 2016 11:46 a.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Dear Mr Guy,

Apologies for the late return of this submission but we have been away working.

Regarding Nelson/Marlborough scallop fishery.

Having fished for scallops in this area for over forty years I feel that the main reason for the decline in scallop numbers is ninety percent due to over fishing, not the environment events.

We have dived extensively over numerous beds and used a dredge in others.

The change to the sea bed after commercial operations is devastating and takes at least one or more years to cleanup and return to a similar condition prior to the harvest.

In Golden Bay there is one area with moderate numbers of scallops, this bed used to have an average of one scallop per 2.5 square metres of seabed, it was then fished down to one scallop per 17.5 square metres of seabed and again fished before a reasonable recovery was made to one scallop per 105 square metres of seabed. In the four years since this the population has reached to approximately one scallop per 15 square metres of seabed.

However fin fish trawling was undertaken by Roberts Trawling using the Rongatea over the bed in February, March and April as scallops were spawning and spat settlement. This disturbance of the ecosystem has had a detrimental effect on 2016 spat survival. I spoke to one of the boat owners and he agreed that this was probably the case. With the increased snapper quota it is probable that there will be more boats trawling the sensitive areas detrimental to scallops recovering.

Long-lining or set netting would have minimal impact and should be considered with an exclusion to trawling.

Maybe you could come to Golden Bay and look for yourself.

Regards
Rod Baigent

s 9(2)(a)

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

s 9(2)(a)

From: Norrie Day s 9(2)(a)
Sent: Monday, 4 July 2016 11:07 a.m.
To: FMSubmissions
Subject: Scallop Fishery.

I feel that it is a matter of prioity that the scallop fishery ares 7 should be closed until it recovered from vastly overfishing from the commercial sector, otherwise this scallop area stands a good chance of being at a point of no recovery and we will all be the losers, commercial and recreational. Norrie Day. s 9(2)(a)

s 9(2)(a)

From: Mikes Mowers Sales <sales@mikesmowers.co.nz>
Sent: Tuesday, 14 June 2016 12:17 p.m.
To: FMSubmissions
Subject: SCOLLOP CLOSURES

LIKE YOU TO GO WITH OPTION 2 TEMPORARILY CLOES ALL SOUNDS TO ALL .THE BEDS NEED CHANCE TO RECOVER
WE OWN LAND IN OKWI BAY @ HAVE SEEN MAJOR DROP IN NUMBERS MORE SO AFTER THE CLOSING OF THE COD
FISHING IN MARLBOROUGH SOUNDS EVERY ONE CAME TO OKIWI BAY TO GET THE COD @ THEN FOUND OUT THEY
COULD GET SCALLOPS UP TO 95 BOATS GO OUT ON GOOD WEEK END PER DAY . ALSO REDUCE THE DAILY TAKE TO
30 PER PERSON @ HAVE BOAT LIMIT 120

RegarDS MIKE GARDINER

Mike's Mower & Chainsaw services Ltd
10 Nelson St
Blenheim 7201
Ph: s 9(2)(a)
sales@mikesmowers.co.nz



s 9(2)(a)

From: Chris and Barb s 9(2)(a)
Sent: Monday, 13 June 2016 7:27 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Chris Duckworth

s 9(2)(a)

My submission is as follows

1. Complete closure of the scallop fishery for 2016/17 season – partial closure will only put pressure on beds that remain open.
2. Data gathered at end of season to see if this closures needs to continue in 2017/18 season. One season may not be the silver bullet.
3. Inner Sounds only open recreational fisheries after this. Quota can mean that an overfishing by commercial operators.
4. Possible closures of an ongoing nature when beds recovered. Eg beds only open for 4 out of 5 seasons in a rolling nature – eg close Ketu but leave Guard Bay open
5. Monitor minor beds such as Nydia and Penguin Bay so they are brought into consideration for this

s 9(2)(a)

From: Peter Juriss s 9(2)(a)
Sent: Monday, 13 June 2016 7:34 p.m.
To: FMSubmissions
Subject: MPI Discussion Paper No: 2016/19 Southern Scallop Fishery (SCA 7) in 2016

I wish to submit as follows:

Option 2 Temporarily close all of the Marlborough Sounds and area 7H in Tasman Bay to scallop fishing for the 2016-17 scallop season.

with the amendment that the fishery should be closed for 2 seasons, not 1, i.e. until the end of the 2018 season.

Resurvey the biomass prior to start of each season.

Set sustainable quota levels based on good science and uninfluenced by the commercial or recreational sectors.

Focus the science on the scallop BEDS, not just the biomass - the BED health is critical as well.

Peter Juriss

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s 9(2)(a)

s 9(2)(a)

From: Jason and Katie Terry s 9(2)(a)
Sent: Monday, 13 June 2016 9:31 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA7) in 2016

To whom it may concern,

Fisheries Management
Ministry for Primary Industries

I wish to submit my support for the proposed option 1.

I personally support option 1,

Temporarily close all of area 7H in Tasman Bay and some parts of the Marlborough
Sounds to scallop fishing for the 2016-17 scallop season.

As a highly active recreational Scuba diver for the last 11 years in the Challenger area, I have seen first-hand the decline in scallop numbers in H7 (Croisilles Harbour) and areas where the use of scallop dredging is possible, Resulting in the destruction of the bottom growth and seabed structure.

Mr Jason Owen Terry
Nelson Underwater Club Inc.
Immediate past president

Contact details,

s 9(2)(a)

s 9(2)(a)

From: Colin and Lorraine s 9(2)(a)
Sent: Tuesday, 28 June 2016 11:37 a.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Colin Davis

s 9(2)(a)

Tuesday 28th June 2016

Temporary closures to parts of the Southern Scallop Fishery for 2016 / 7

I am a recreational fisher.

Option 1.

I believe will lead to confusion and may result in fishers being caught illegally fishing in a restricted areas.

Difficult for the department to manage effectively.

Option 2.

If this is implemented would Iwi be included in this no take period or will customary catch apply ? Should be a level playing field.

Option 3.

In view of the short lead in time for this year my recommendation is as follows :-

Open the season for a restricted period, 1st September to 30th November 2016 inclusive , for recreational fishing only.

No commercial fishing within the Marlborough Sounds

Reduce tonnage for commercial fishing

20 scallops per person per day

No accumulated catch

Future management

Weigh up the outcomes of the recent NIWA survey conducted to establish the value of the recreational fishery as opposed to allowing commercial fishing boats within the Sounds limits.

Consider both ecological and financial values

Produce a sustainable management plan .

Continue monitoring resource

Thanks for the opportunity to make a submission .. Colin Davis

s 9(2)(a)

From: Hamish Rose s 9(2)(a)
Sent: Thursday, 16 June 2016 2:05 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

I think the whole of area SCA7 should be closed for at least one year maybe even two. This is for commercial and recreational.
Don't think it will recover any other way.

Thanks,

Hamish Rose

Wairau River Wines www.wairauriverwines.com
Rapaura Road, RD 3, Blenheim, New Zealand

s 9(2)(a)



WAIRAU RIVER
FAMILY ESTATE SINCE 1978

live Marlborough, drink Wairau.

s 9(2)(a)

From: Pete s 9(2)(a)
Sent: Wednesday, 15 June 2016 11:39 a.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Hi

My name is Pete Williamson, current address s 9(2)(a). I am a recreational fisherman and have lived and fished for both finfish and shellfish in the Challenger Fishery area since 1989. I have no commercial interest in any fishing business.

I wish to submit my views on the current MPI proposals for closure of portions of the SCA7 fishery for the current 2016 season.

I support option 2.

I do not believe, however, that proposed Options 1 or 2 go far enough to achieve timely recovery of the fishery. I would prefer to see a period of total closure for all of SCA 7 on the basis that these are indeed desperate times.

During the 27 years that I have dredged for scallops, primarily in 7d, e, and f, but less frequently in a, b, and c, results have been sporadic with a steady decline from the mid 90's. Initially d, e, and f, gradually became unfishable but in 2014 and 2015 even b, and c, have reached the stage where experienced Golden Bay locals struggle to find takeable size and quantity.

Clearly a number of factors are involved some natural and some man made.

We will always struggle to deal with natural swings in water quality, sedimentation, spat quality and quantity, severe storms and the like.

MPI can however control take and should do so in a timely fashion. In the recreational case season to season closures are clearly possible without adverse social affect (apart from the inevitable vocal outrage), but it is accepted that sudden change is more problematic for commercial fisherman who have capital and employment investment in the industry. Nevertheless the existing decline has been visible for years and the industry reaction has been slow and defensive. Although commercial take has been reduced, the reduction in fishable bed area has meant that the very over fishing that has impacted the now defunct 7b thru f beds has been moved to have an inevitable outcome in 7h and the rest of the Sounds. The commercial sector will always oppose any restrictions or closure, but industry bodies are nearly always bound to an optimistic view of their own activities.

Other things have changed in recent years and need to be addressed.

Without doubt recreational take density is now greater where viable beds remain. Dredges are more efficient, and the widespread use of GPS enables precise plunder. Unfortunately human greed is not diminishing and individual and total boat limits seem excessive if the aim is to only provide the much quoted "family feed". Incidental fishing mortality could possibly be improved by not allowing small scallops to be returned to the water, thus ensuring that they become part of the catch limit. Such a measure would quickly drive improvements in dredge design and keep fishermen away from juvenile beds.

I note long term solutions are suggested in 7.2 ; investigation of the practicality of such measures should be expedited.

Yours Sincerely

Pete Williamson

s 9(2)(a)

From: David Miller s 9(2)(a)
Sent: Wednesday, 15 June 2016 1:30 p.m.
To: FMSubmissions
Subject: FW: Scallop Fishery submissions

Sent from Mail for Windows 10

From: David Miller
Sent: Wednesday, June 15, 2016 1:24 PM
To: MPSubmissions@mpi.govt.nz
Subject: Scallop Fishery submissions

I wish to make the following submission in respect of the above

My name is David Miller, I have been a Recreational fisher for many years in Golden Bay, Tasman Bay and the Marlborough Sounds (among others)

I am a member, and committee member of 3 recreational fishing clubs in Marlborough, however, this submission represents my personal opinions.

I am a retired Civil Engineer and I have completed a number of papers under the Open University in Marine Science, Global warming and other papers.

I have supplied 2 reports to Marlborough District council on 'the impacts of roading and flood damage on sounds roads' as part of a research project they are undertaking into sedimentation in the sounds.

I support option 2 of your Temporary closures document i.e. a total one year closure as described

I regard this as the simplest method to monitor whether, or not, there is a positive outcome in the replenishment of the Scallop stock; I believe the Commercial harvesters will undertake the data collection and hopefully the information obtained can then be applied, if necessary to sub areas at future dates.

I also volunteer the following opinion for consideration –

- 1 I was resident in Golden Bay when the first Scallop enhancement works were carried out with great success and it is unfortunate that the 'collapse' of the resource has now occurred; I was also in Golden Bay when the first aerofoil type dredges were further developed by a visiting Canadian and have observed the great success of this innovation, however, early dredges did NOT have tynes and I believe the narrow runners each side and the 'tickler' chains on early dredges did NOT cause significant seabed damage, I do consider the use of tynes is a marked contributor to damage evident on the seabed and benthic environment (refer MDC Davidson reports and others) and they should be banned from future use.
- 2 I consider the recreational limits for Scallop take are too high, especially having regard to the dearth of the resource, and unless the temporary closure resulted in a massive increase in the resource I consider the limit per person should be reduced to 20 each (this would also conform to other areas), Some variation to the intended division of the take between Recreational, Commercial and Customary may be required.

The mapping works to be undertaken by MDC and MPI, the continued investigations by the Commercial sector, the MDC research works and your own research will hopefully lead to a better understanding of the Scallop resource and lead to better future management systems to provide a sustainable annual take (may need to vary from time to time) and an enhanced fishery for all sectors.

Thank you for the opportunity to make this submission.

Regards David Miller

Sent from Mail for Windows 10

s 9(2)(a)

From: Graham Beattie s 9(2)(a)
Sent: Wednesday, 15 June 2016 4:51 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Graham Craig Beattie (BBS, ACA)

s 9(2)(a)

Submission in support of option 2: Temporary closure of all of the Marlborough Sounds and area 7H in Tasman Bay to scallop fishing for the 2016-17 scallop season.

Basis of support:

- Have been a keen recreational diver in the Marlborough Sounds since 1981.
- Have experience diving a range of specific sites each year from that time, areas providing ideal scallop habitat.
- Have observed abundant populations diminish significantly over that time.
- Most rapid depletion being over the past 5-6 years, particularly larger fish
- Have witnessed the benefit of previous closure.

Benefits of option 2:

- Simple rule.

Future measures:

- Exclusion of commercial harvest techniques IN ALL AREAS OF THE MARLBOROUGH SOUNDS that involve bottom dredging. This practice is incredibly destructive on the ecosystems of the Sounds ... and is visually obvious. (seriously, it's like picking apples with a bull dozer)
- Ideally, ban the use of the light weight amateur dredge as well (for the same reason) ... although unlikely to be considered as this would not be popular!
- Reduce the bag limit to 20 shellfish per diver with a boat person (safety person) allowance of one 20 shellfish bag ... with a maximum catch of 80 shellfish per boat. ... regardless of the fishing method or number of divers.
- Increase the minimum shell size from 90mm to 100mm.

The current allowances appear designed to exploit the resource. Bag limits become targets and while commercial activity has been excluded from the 'inner' sounds for many years, the biomass is in a sad state. I'm afraid to say the blame for that rests squarely with us amateur fishers, who are simply fishing what you've allowed us to fish ... too many it seems!

Thanks for the opportunity to have a say ... move quickly!

Cheers,
 Graham

s 9(2)(a)

From: Dan Govier s 9(2)(a)
Sent: Wednesday, 15 June 2016 9:45 p.m.
To: FMSubmissions
Subject: Southern Scallop Fishery for 2016/17 Submission

To whom it may concern,

I would like to provide a submission in regards to the current consultation over the Sothern Scallop Fishery

Based on the options provided by MPI, I am in support of Option 2 – temporarily close all of the Marlborough Sounds and area 7H in Tasman Bay. I think all of the Marlborough Sounds and all of Tasman Bay need to be given a rest for a year (minimum) to allow the beds to regenerate and let the scallops have an uninterrupted spawning period, as well as allowing the seabed to stabilise without any dredging activity.

Other options MPI should consider for the sustainable management of the scallop fishery are provided below:

- **Boat Limit of 200 scallops per day** – this needs to be implemented to stop the boats going out with 8-9 people on board to get 400 odd scallops. I have seen this happening at Okiwi Bay a lot, and it does nothing but place pressure on the fishery. However, this boat limit may be lower if there are changes to the daily limit per person (see recommendation below). I.e. A boat limit of xxx scallops per boat per day, based on the quota of 4 people, where there are at least 4 people on board. This way taking more than 4 people doesn't entitle boats to take large numbers of scallops. Of course if there were only 3 people on board, they get their daily limit per person only.
- **A reduction in the daily limit of scallops per person** – this should be reduced down to 25 scallops per person per day. 50 scallops is too much, especially when the fishery is in trouble, such as the Southern Scallop Fishery, it is just not sustainable.
- **An increase in maximum size** – the size limit should be increased back up to 100 mm, which is consistent with other parts of NZ, and it allows the scallops another year or so to spawn before they are caught and removed from the fishery.
- **A shorter scallop season** – the season should not open until 1 October each year as opposed to July. This allows the scallops to be in a much better condition before they are harvested, as opposed to over the winter months when they are in very poor condition with small roes. Allowing a shorter season, which would provide scallops when they are in their best condition will be far more beneficial to everyone.

If you want to ask me any questions in regards to my submission please do not hesitate to contact me.

Kind Regards
 Dan Govier

Dan Govier
 Technical Discipline Manager – Environmental Marine Services
 SLR Consulting NZ Limited



Email: s 9(2)(a)

s 9(2)(a)

From: chris simpson s 9(2)(a)
Sent: Thursday, 16 June 2016 7:23 a.m.
To: FMSubmissions
Subject: Scallop management

Out of the 3 options I would go for number 2 complete closure for it to regain sustainability. Then after reopening scallop size to be 100mm not 90mm. This size to be for the recreational section as well as the commercial section. I believe scallop reproduce so much between 90mm and 100mm. The scallop bed at Okiwi Bay when not touched by commercial activity and size was 100mm maintained sustainability year after year but when 90mm came in it slowly declined.

Chris Simpson

s 9(2)(a)

s 9(2)(a)

From: s 9(2)(a)
Sent: Tuesday, 14 June 2016 7:30 p.m.
To: FMSubmissions

We wish to support Option 2 in the Scallop submission, close the Tasman and Marlborough Sounds for a season to allow the beds to re-establish.

We feel if you close only some areas, the ones left open would be demolished anyway, and would be in the same situation the following year.

Pete & Jill Friend
Okiwi Bay.

Sent from Mail for Windows 10

s 9(2)(a)

From: R & G Prestage s 9(2)(a)
Sent: Friday, 17 June 2016 2:01 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Hi There

My preference for SCA 7 is option 2, the complete closure. Any partial closure would put far too much pressure on areas left open! Cheers Ron Prestage, s 9(2)(a)

s 9(2)(a)

From: Recreational Fishing Team
Sent: Friday, 17 June 2016 1:32 p.m.
To: FMSubmissions
Subject: FW: Temporary closures to the scallop fishery.

Another one through us. I have replied to Patsy.

s 9(2)(a) | Fisheries Analyst | Recreational Fishing
 Fisheries Management | Regulation & Assurance
 Ministry for Primary Industries - Manatū Ahu Matua | Pastoral House | PO Box 2526 | Wellington | New Zealand
 s 9(2)(a) | Web: www.mpi.govt.nz

Contact the Recreational Fishing Team at recfishingteam@mpi.govt.nz

Get the free NZ Fishing Rules app – Apple or Android.



From: Richard Stocker [mailto:s 9(2)(a)]
Sent: Friday, 17 June 2016 9:19 a.m.
To: Recreational Fishing Team <recfishingteam@mpi.govt.nz>
Subject: Temporary closures to the scallop fishery.

I am writing to support total closure of the scallop industry in the Marlborough sounds as the numbers of scallop are dwindling and there seems to be inadequate data on how to encourage the growth of scallops naturally. We sail our boat in the sounds and have witnessed the dramatic decline of all marine edible species and the attempts to slow this down with various measures which just don't seem to have helped or are pretty well impossible to do successfully eg putting back small cod.
 Close it down for 10 years and spend money researching what it takes to bring the sounds back to a healthy marine environment.

Yours sincerely
 Patsy Garrett

s 9(2)(a)

From: Picton Sportsworld <picton.sports@xtra.co.nz>
Sent: Friday, 17 June 2016 1:36 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

I would like to submit that option 1 be adopted for this coming Scallop season. I say this because there are other areas where there are scallop beds.

I would also like MPI to consider that the season be shortened by a month at each end of the current season, firstly because at the start of the present season they are not ready for harvest and secondly cutting the season back would help to conserve the numbers.

I would also like MPI to consider banning the use of dredges with tines.

This cut down on the damage to the seabed.

Yours Sincerely Lawrence Stevenson Picton Sportsworld 8 High St Picton

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Laurie Stevenson. Picton Sportsworld. 8 High St.
www.pictonsportsworld.com picton.sports@xtra.co.nz

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

s 9(2)(a)

From: Martin s 9(2)(a)
Sent: Friday, 17 June 2016 11:13 a.m.
To: FMSubmissions
Subject: Scallop Submission

I consider Option 2 as the best option for the regrowth of scallop populations in option 2 areas. To achieve this the catch per person as per the present rules should be reduced to 30 scallops each, with a max of 180 scallops allowed inboard a vessel, and commercial dredging in Option 2 Area stopped completely for any shell fish and wet fish. Any person found with scallops on a landed vessel during the closer in the area should have the vessel confiscated, and the excuse of (they were dredged or dived for outside of option2 area and we had to come this way) should be no excuse. The use of a dredge in the area during the closer should still be allowed for dredge oysters. Martin & Julie MacDonald.

s 9(2)(a)

From: leanne & murray wood s 9(2)(a)
Sent: Thursday, 16 June 2016 3:12 p.m.
To: FMSubmissions
Subject: scallop closure

i Murray Wood agree with option 2
temporarily close all of the marlborough sounds and area 7h in tasman bay to sallop fishing for the
2016/17 scallop season

s 9(2)(a)

From: maurie s 9(2)(a)
Sent: Tuesday, 14 June 2016 9:54 a.m.
To: FMSubmissions
Subject: Scallop closur

Hello

I am a resident of s 9(2)(a)

I would like to see proposal number 2 implemented for the 2016/17 scallop season

I would like to see the opening date changed to 1 October of each year as before this date the meat in the shell is only 50% fat
this will insure that the scallops are undisturbed for a longer period and there would not be the wastage of opening immature/thin scallops.

Yours sincerely
Maurie Hebbard
Managing Director
Hebbard Marine Farm Services Ltd.

s 9(2)(a)

s 9(2)(a)

From: Roger Pollard <s [REDACTED]>
Sent: Tuesday, 14 June 2016 9:58 a.m.
To: FMSubmissions
Cc: Okiwi Bay Holiday Park & Lodge; Sue SMITH
Subject: Submission re: Scallop closure .

Dear Sir / Madame

Re: submission for proposed Scallop season closure for 2016/17

We , Roger & Beverley Pollard own the property at s 9(2)(a) [REDACTED] and would make a submission on the proposed closure of the Scallop season for 2016/17 in the Nelson /Marlborough Sounds area. We agree with the proposed closure on the basis that the beds have been grossly overfished in the past 6 years in particular in the Okiwi Bay /Croisilles Harbour since the inner sounds beds have been restricted . Okiwi Bay/Croisilles has been the most accessible bed available to the recreational fishers from Nelson /Blenheim and subsequently we have experienced a estimated 75% increase in boats fishing the beds in the last 5/6 years (from approx 100 boats per weekend day 5 years ago to upwards of 200 .) The scallop quality has significantly reduced as have numbers ,my estimates would be in the vicinity of 50/60 000 scallops per season off that one small bed . While I do not have the background scientific knowledge to justify my claim ,our home is in a prime position to see and record boat movements on a daily basis . **It is my belief that not only a closure should be instigated as proposed, but the season should be reduced to start later , say September through to March.**

Yours faithfully
 Roger Pollard .

cc. to Gordon Wade

OVERVIEW LTD

s 9(2)(a)

12/06/16

Inshore Fisheries Management

MPI

PO BOX 2526

Wellington 6011

Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7) in 2016

Submissions@mpi.govt.nz

Dear Sir

We follow with interest the ongoing debate of scallop fishing in the Marlborough Sounds, Tasman and Golden Bays. We are property owners in all three areas and have monitored the decline of scallops over the past 16 years.

It is regrettable that we continue to deplete yet another valuable ocean resource.

Our preferred option would be to halt all scallop fishing in these three areas for at least 2 seasons (February 2017). At which time to be reinstated if close monitoring finds stocking levels is such that quotas won't deplete stocks to such a level that cannot be maintained or at best increase.

However, that is not one of the proposed within the consultation paper. So we are strongly supporting **Option 2** to temporarily close all of the Marlborough Sounds and an area 7Ha in Tasman Bay to all scallop fishing for the 2016-17 scallop season.

A total ban, along with thorough monitoring ,will ensure that the future stocks of scallops in these areas will be

maintained ,thus providing a good future in fishing for ongoing generations. We must be seen to sustain a

resource for all to enjoy, not depleting stocks.

Andrew & Jane Brown

KCSRA Members

s 9(2)(a)

From: Geoff Faulkner s 9(2)(a)
Sent: Thursday, 16 June 2016 12:11 p.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

Hi,

I have been a recreational scallop fisherman in the Marlborough Sounds and Tasman Bay for 11 years, and have noticed the decline in Abundance.

What is being proposed are massive reductions in the recreational take, from 50, 90mm scallops per person taken by dredge to an absolute closure.

There are alternatives that can manage the biomass while still allowing a reduced recreational take.

1. Limit the take to 50 scallops per day per vessel. Not per person on a boat.
2. Set size to 100mm, measured at sea floor for the management period.
3. Insist in seafloor measurement - Hand harvest. No dredging for the management period.

This will allow a small and valued recreational harvest so we can all enjoy the bounty whilst giving a genuine opportunity for the biomass to recover

Kind regards,

Geoffrey Faulkner BMS

s 9(2)(a)9

s 9

s 9(2)(a)



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s 9(2)(a)

From: Pat {Duncan Patterson} s 9(2)(a)
Sent: Wednesday, 15 June 2016 10:23 a.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

To whom it may concern

I would like to put a submission forward for Option 2 (closure for 1 season)

As a recreational fisher/diver and bach owner in the Queen Charlotte Sound it is certainly noticeable over the previous 10 years the serious decline in scallop numbers while diving through the inner and outer sounds (including Okiwi Bay). This is both 90 mil scallops and undersize.

I would like to see the season closed so that MPI can continue to monitor the scallop numbers and health without the dredging and divers.

My only concern is the recreation attention shift to Cod fishing and the impact this may have on cod numbers.

Many thank

Pat {Duncan Patterson}

s 9(2)(a)

s 9(2)(a)

From: s 9(2)(a)
Sent: Wednesday, 15 June 2016 10:28 a.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7) in 2016

Hello

I would just like to express my concerns and ideas over the proposals.

Firstly, do we think that a snap shot of data from 1 month of the year (Nov 15) is reasonable sample to close a fishery? I don't think so and I am aware it is impossible to get 100% accurate data, but I don't think we should satisfice we such a small sample.

Do I think something needs to be done? Yes. We cannot leave it as it is.

Do I think 50 scallops per person is generous - yes, too generous. I only ever get enough for 2 meals for our family of four, which is about 80. We are legally allowed 200.

I am both a Diver and Dredger, and I can see the benefits of both. I am personally aware of the damage dredges do to the sea bed and prefer to dive so I can select the fish I want without disturbing other smaller scallops and others that share that habitat. I understand that both methods are used by both recreational and commercial. But think diving has less impact on the habitat that the scallops reside.

My preferred option would be to get a larger sample of Data and as much scientific evidence as we can to make sure my kids can get a meal for their family. But combining this ideal with also doing nothing means my option is not one of the three that MPI have suggested.

What about the option of a reduced quota, say 30 per person for the next season and during that time MPI can gather a larger snapshot over a season to truly establish what state the fishery is in, gather more feedback and form a better plan. This could be the like the "Red Peak" Flag!

This would also have the benefit of not appearing as a knee jerk reaction, hasty decisions are seldom good ones.

But if I have to choose of the three options, based on my set of needs, observations, then I would chose option 3, leave as is in the absence of good data and risking a hasty decision.

Lastly, thanks for letting us have the opportunity to provide feedback. You never know what little nugget of an idea or thought may come when you cast the net wider. Sorry about that pun.

Regards

Andy Brannen

s 9(2)(a)

s 9(2)(a)

From: Matthew O'Donoghue s 9(2)(a)
Sent: Tuesday, 21 June 2016 9:33 a.m.
To: FMSubmissions
Subject: Souther Scallop Fishery

I am a resident of Picton, and collect scallops. My catches have been dwindling each year in succession . A cancellation of the scallop season for one or two years would give the resource a time to recover.

Limiting the the commercial catch inside Queen Charlotte Sound would be a great help, and also reducing the recreational take from 50 per person per day to 20 per day once the season resumes would manage the resource better.

Regards

Matthew O'Donoghue
Picton

s 9(2)(a)

From: HAYLOCK GARTH, F/S s 9(2)(a)
Sent: Tuesday, 21 June 2016 7:37 a.m.
To: FMSubmissions
Subject: Scallop fishery submission (unclassified)

Sir / Ma'am,

I have been recreationally diving for scallops in the Queen Charlotte Sound for the last 3 seasons, and have seen a gradual decline in catch rates and size over this time.

I propose that the best short term solution to reduce damage to the fishery and allow continued monitoring is to bad all dredging from within the Queen Charlotte Sound.
Recreational (and possibly commercial) diving has a low impact on the seabed and allows for a targeted catch within limits (size and numbers).

A Scallop tagging survey could possibly be conducted as has been done in the past.


Consideration could be given to returning to a 100mm size limit, and reducing the allowable catch for boat safety personnel from two to one, as realistically a diver only required one safety person.

Note that this submission is from me personally, and in no way endorsed by or reflecting the views of the NZDF.

Regards

s 9(2)(a) **Garth Haylock**
s 9(2)(a)

s 9(2)(a)
www.nzdf.mil.nz

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Submission regarding scallop fisheries in the Marlborough Sounds 2016.

To whom it may concern,

I have been making submissions on this issue for 20 yrs, you guys know the scallop fishery has collapsed, and you know why its collapsed, you have turned a blind eye to all our recommendations all these years because you have been protecting the fishing industry.

The only thing that seems to effect change to a unsustainable industry is economics, when it gets to the point where it costs more to fish than the fishermen make , you will implement change.

Have you left it too late, "Probably! "

How do we know this ? Because the Sounds has reached a tipping point, the Canary in the coal mine is the Dolphins..... They are voting with their feet !! The Bottle nose who used to frequent the Queen Charlotte all yr round now leave before Christmas and don't return until May.

40 yrs ago there were 300 scallop Boats dredging every sq inch of the Marlborough Sounds sea bed,

As you know bottom dredging destroys the benthic community which is symbiotic, these creature all depend on each other for mutual survival, Bottom dredging has a fishing down disastrous effect.

It effects not only the benthic community but also the fish stocks and the dolphins especially the little Hector's who are to a large degree bottom feeders depending on the benthic community and Bottom dwelling fish stocks .

Please take this on board, the Bottle Nose are leaving the Queen Charlotte all summer long, and this summer the Hector's have dramatically changed their feeding grounds, their numbers have been dropping for yrs, now there are only 20 of them left, when their habitat is reduced to the extent that they can no longer sustain themselves they will leave permanently.

Imagine what the Sounds would be like with no dolphins !!!

Thousands of tourists come here every year to tour the Sounds and the thing they want to see more than anything else is DOLPHINS, surely this tourism industry is more important than the handful of old scallop boats left operating, The government should buy out their quotas.

How low do the Hector's numbers have to get before you people face up to your responsibilities, you have a DUTY OF CARE.....

About 12 yrs ago I was working with a marine biologist studying a pod of Bottle Nose dolphins that were residing permanently in East Bay, The scallop season started and the Nelson fleet arrived and dredged East Bay including the reserved area in the head of Onauku.

The next day the Bottlenose left and they have never resided permanently there again since.

It is not just a ban on commercial dredging that is needed but a ban on all bottom dredging and not just a seasonal ban but a permanent ban including recreational dredging that collectively is just as destructive. . We have seen with the fish stocks how amazingly effective fishing bans are only to see all gains reversed as soon as they are lifted.

I have no problem with divers gathering scallops pauas and other benthic species because it is selective and doesn't smash the ecology, this ecosystem is where the fish live feed and breed.

You know how destructive bottom dredging is and you have it in your power to stop this terribly destructive method of harvesting .

I have been operating an Eco tour company non the Queen Charlotte for over 20 yrs and I,m the fifth generation of our family to live and work in the Sounds , we are on the water observing the wildlife and eco system on a daily basis and I,m telling you the Sounds has reached a tipping point and I firmly believe that one of the main causes of this environmental break down is caused by decades of bottom dredging.

You need to effect change before its too late.

Noho Ora Mai,

Pete Beech.

s 9(2)(a)

From: Dave Leadbetter s 9(2)(a)
Sent: Monday, 20 June 2016 2:44 p.m.
To: FMSubmissions
Subject: Scallop bed closures

Dear submissions,

I have for many years fished the scallop beds of Okiwi Bay and Ketu Bay. I have voluntarily not started fishing until November each year recently as the scallop flesh and row are small until then. Each year we have fished less and less as it has become increasingly apparent that the size and number of the scallops is markedly decreasing. I would strongly favour Option 2 - closure of ALL beds for the year. This will not only help the beds regenerate, and compared with Option 1, will also prevent the remaining open beds from being overfished by those who used to fish the closed beds.

The beds have been a topic of prolonged discussions with my friends, and we would propose that long-term proposals should include some, if not all of :

1/. decreasing the daily take to 30 scallops per person 2/. increasing the legal size to 100mm 3/. decreasing the length of the season, with a later opening to allow the scallops longer time to mature.

With thanks,

Dave Leadbetter

s 9(2)(a)

From: Michael Harte s 9(2)(a)
Sent: Saturday, 18 June 2016 12:48 p.m.
To: FMSubmissions
Subject: Submissions on the Southern Scallop Fishery

My name is Michael Harte and we have a bach in s 9(2)(a).

We support Option 1. Temporarily closure of 7H in the Tasman Bay.

This past season we only scalloped once for the whole season. The scallop conditions were poor, and it required us to do a number of dredges to get just half our limit. That number of dredge trips must be having an effect on the balance of the scallops still growing.

It would have to be the worse its been there for a long time. Something needs to be done.

Trying a temporarily closure for a season is a worthwhile trial to see if that does anything to the beds. Something needs to happen.

Thank you for the opportunity to comment

Regards

Michael Harte

s 9(2)(a)

From: Graeme Castle s 9(2)(a)
Sent: Saturday, 18 June 2016 8:42 a.m.
To: FMSubmissions
Subject: Review of Sustainability Measures for the Southern Scallop Fishery (SCA 7)

I holiday in the Pelorus Sound and fish for scallops in the outer sounds two to three times per season.

I support Option 2.

I would also like to see a reduction in the commercial catch.

I would like to see the recreational catch for dredging, have at a boat limit, say 50 per person and a maximum boat take of 150.

Thank you for the opportunity to take part in the decision making.

G. Castle

Timaru.