

Kenepuru & Central Sounds



Residents Association Inc.

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Inshore Fisheries Management
Ministry for Primary Industries
P O Box 2526

Wellington 6011

Email: FMSubmissions@mpi.govt.nz

Ross Withell

President KCSRA

2725 Kenepuru Road

RD 2

Picton 7282

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** is it 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
c/- 2725 Kenepuru Road, RD 2, Picton 7282
Email president@kcsra.org.nz