



27 July 2021

Emailed to: FMSubmissions@mpi.govt.nz

Submission: Fisheries NZ Discussion Paper No: 2021/09, Review of Sustainability Measures for Snapper (SNA 8) for 2021/22

This submission is made on behalf of the membership of the New Zealand Marine Sciences Society (NZMSS). It is made in good faith in my role as President of the NZMSS and in accordance with the Code of Ethics and Rules of the Royal Society of New Zealand.

NZMSS supports an alternative option to the options presented in the Discussion Paper, that there is no increase to the TACC for snapper in SNA 8.

Our detailed submission is attached.

Please contact me at the email address provided below for any further information regarding this submission.

Kathy Walls

Handwritten signature of Kathy Walls in purple ink.

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Background to the New Zealand Marine Sciences Society

The New Zealand Marine Sciences Society, known as “NZMSS”, was formed in 1960 as a constituent of the Royal Society of New Zealand, to encourage and assist marine science and related research across a wide range of disciplines in New Zealand and to foster communication among those with an interest in marine science.

NZMSS is a professional science body and a non-profit organization. We identify emerging issues through annual conferences, annual reviews, a listserv and our website <https://nzmss.org/>. NZMSS membership covers all aspects of scientific interest in the marine environment and extends to the uptake of science in marine policy, resource management, conservation and the marine business sector. We speak for members of the Society on matters of interest on marine research in New Zealand and we engage with other scientific societies as appropriate. Our current membership comprises over 200 members.

Our submission is consistent with the Royal Society of New Zealand Code of Ethics and Rules, in particular principles 2.1 Integrity and professionalism, 4.1 Compliance with the law and relevant standards, and 10.1 Protection of the environment (www.royalsociety.org.nz/organisation/about/code).

NZMSS Submission

NZMSS does not support an increase in the snapper quota in the fisheries management area SNA8 at this time. Almost all commercial landings of snapper are caught using gillnets and trawling as shown in Figure 3 of the Discussion Paper. These fishing methods carry a high risk of marine mammal and seabird bycatch while trawling causes significant damage to benthic habitats.

The Society recommends a more precautionary approach to allocating snapper quota, in order to avoid ‘boom and bust’ cycles with a decrease in TACC followed by recovery, then an increase in TACC causing a decline, and so on. Rather, allowing stocks to rebuild further, and maintaining them at higher biomass levels, would increase fish availability to recreational fishers and for cultural harvest, as well as to other species in the system, enhancing the role of snapper and other target fish species in the marine ecosystem. The fact that the fishery is called the “west coast North Island mixed species trawl fishery” (e.g. section 8.1 of the Discussion document) and only 15% of the snapper caught is reported as the “target” species is indicative of the poor selectivity of gillnetting and trawling on this coast. Increasing the snapper quota is not a solution to this problem. The obvious solution is to ensure more selective fishing methods are used. The Minister of Oceans and Fisheries (Parker 2021) has recommended that fishers should bring back to shore all quota species they catch, without discarding part of their catch at sea. This change should be implemented first, before considering changes to the TACC for SNA 8. This will incentivise the use of selective, sustainable fishing methods, benefiting the long-term economic and ecological sustainability of the fishery.

Increasing fishing effort using gillnets and trawling is contrary to the goals of the UN Convention on Biological Diversity (CBD 2020), the New Zealand Biodiversity Strategy targets (NZBS 2020; in particular Objectives 10 and 12 as outlined in section 7.3 of the discussion paper) and runs the risk of New Zealand losing its fish exports to the USA. To satisfy the US Import Rule (NOAA 2021), New Zealand needs to demonstrate that marine mammal bycatch is managed in a way that is comparable to US regulations. Currently, New Zealand does not comply with the US Import Rule. Most marine mammal populations have not been subject to a population survey, let alone a series of surveys to estimate population trend. Bycatch estimates are not available for most New Zealand marine mammal

species, as observer coverage is too low to provide scientifically robust estimates (Dragonfly 2021). New Zealand's standards for protecting marine mammals fall well short of US standards, including the lack of a zero-mortality rate goal, timelines for achieving sustainable bycatch, or a scientifically robust observer programme for estimating marine mammal and seabird bycatch.

The New Zealand Marine Mammal Protection Act 1978 (MMPA) provides for a population management plan (PMP) to be prepared for marine mammals. However, a PMP has been prepared for only one species, NZ sealion. A PMP was drafted for Hector's and Māui dolphins many years ago, but never completed. The current threat management plan (TMP) for Hector's and Māui dolphins is non-statutory and fails to specify recovery timelines as required under US legislation. A statutory PMP for Māui dolphins would have required recovery to a non-threatened status as soon as possible, and in any case within 20 years. This requirement has been circumvented by not completing a PMP for all but one of NZ's marine mammals.

The Roberts et al. (2019) assessment that serves as a basis for the Hector's and Māui dolphin TMP has been reviewed by New Zealand and international experts, including scientists from NOAA, the Scientific Committee of the International Whaling Commission (IWC 2019, 2021), and three international experts appointed by DOC and MPI (Taylor et al. 2018) and found to be deficient. Taylor et al. (2018) made 37 recommendations for improving Roberts et al.'s (2019) model. In 2019, the IWC Scientific Committee offered to carry out a second, independent peer review of Roberts et al. (2019). MPI asked for this review to be delayed until after management decisions were made, on the basis of Roberts et al. (2019). This has led to a court case, in the US Court of International Trade, which may result in a ban of fish exports from New Zealand to the USA.

Failure to implement rigorous, scientifically robust standards in managing fisheries bycatch over the past 50 years has likely contributed to the decline of the Māui dolphin subspecies to the brink of extinction. This is exactly the outcome that both the US and NZ MMPA (through a PMP) seek to prevent. Māui dolphin is at an extremely high risk of extinction (IUCN 2012a). The IWC (2019, 2021) and IUCN (2012b) have urged New Zealand to ban gillnet and trawl fishing in Hector's and Māui dolphin habitat. Failing to implement this level of protection risks the further decline and extinction of Māui dolphin.

Instead of increasing the snapper quota for SNA 8, we recommend a scientifically robust approach to implementing Ecosystem-Based Fisheries Management (EBFM) for this fishery, including gear controls and clear, time-based targets for reducing bycatch of protected species and a zero-tolerance approach to bycatch of endangered species. For example, using longline rather than bulk fishing methods like gillnets and trawling would reduce marine mammal bycatch to close to zero. EBFM also involves better understanding the species that utilise the habitats making up the ecosystem, in this case the North Island west coast ecosystem. NZMSS recommends comprehensive ecosystem-wide research in this area, based on the marine biogeographic region and sub-regions. Currently, the only issues considered are based around commercially viable fish species. A shift to more selective fishing methods such as longline and fish traps would be in the best long-term interest of the snapper stock, fishing industry sustainability and profitability, as well as reducing impacts on protected species and benthic habitats.

Summary and recommendations

NZMSS supports an alternative option to the four options presented in the Discussion Paper – No increase to the TACC for SNA 8. NZMSS recommends that any changes in SNA 8 quotas should be deferred to allow the stock to recover further. Further recovery would improve recreational catches and cultural harvest, as well as reducing impacts on protected species and benthic habitats. NZMSS further recommends transitioning this fishery to an Ecosystem-Based Fisheries Management approach, setting quotas for the mix of species caught currently and using more selective, sustainable fishing methods before considering any changes in quota for snapper and the other species caught in what is currently referred to as the “west coast North Island mixed species trawl fishery”. Finally, we support implementing the Minister of Oceans and Fisheries' recommendation for a “ban on discards” (Parker 2021). Increasing

fishing effort using gillnets and trawling would be contrary to the goals of the UN Convention on Biological Diversity (CBD 2020) and the New Zealand Biodiversity Strategy targets (NZBS 2020) and runs the risk of New Zealand losing its fish exports to the USA.

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