

31 August 2010

Dear Stakeholder

## **RECONSIDERATION OF MEASURES TO MANAGE FISHING-RELATED THREATS TO MAUI'S AND HECTOR'S DOLPHINS**

The Ministry of Fisheries (MFish) is reviewing the options for mitigating impacts on fishing on Hector's and Maui's dolphins in areas that have been referred for reconsideration following the 2009 Court judgment. The Initial Position Paper (IPP) provides an outline of options and provides MFish's initial position on the measures under review.

The purpose of this letter is to provide you with a summary of the issues in the IPP, so that you can decide if you would like to examine the issue further, and provide comment to MFish.

A previous Minister of Fisheries (Jim Anderton) made decisions to impose measures to avoid, remedy or mitigate the effect of fishing related mortality on Hector's and Maui's dolphins and regulations to give effect to these decisions came into force on 1 October 2008. On 23 February 2010 the High Court issued its decision that two of these measures were to be referred back to the Minister for reconsideration. The two measures that have been referred back to the Minister are:

- a) the extension of the set net closure for commercial fishers on the WCNI to include the area between 4 and 7 nm; and
  - b) the inclusion of the commercial targeted butterfish fishery in the closure of part of the ECSI to set net fishing.
- a) *Maui's dolphins: West Coast of the North Island – beyond 4 nm offshore*

The table below outlines the options the Ministry consider are available to avoid, remedy or mitigate the effects of fishing on Maui's dolphin for the area 4-7 nm off the West Coast of the North Island.

<b>Option</b>	<b>Description</b>
<b>Option one</b>	Allow set net fishing between 4-7 nm from shore
<b>Option one (a)</b>	Allow set net fishing between 4-7 nm and introduce Monitoring
<b>Option two</b>	Close smaller area beyond 4 nm
<b>Option three</b>	Retain closure of area between 4-7 nm

Prior to consultation, MFish has indicated an initial preference for Option three, to maintain the closure between 4-7nm for Maui's dolphins, given best available information on likelihood of interaction with fishing gear in this area and the consequence of any mortality from fishing on the Maui's dolphin population.

*b) Commercial butterfish fishery – northern end of ECSI*

The table below outlines the options the Ministry consider are available in relation to allowing target butterfish fishing in a defined area at the top of the ECSI.

Options	Description
<b>Option one</b>	Allow Exemption
<b>Option two</b>	Allow Exemption with Monitoring
<b>Option three</b>	Do Not provide for Exemption

Prior to consultation the Ministry has a preference for Option one, to allow an exemption to butterfish fishing by commercial fishers at the top of the ECSI, on the basis that likelihood mortality from fishing in this area is low given the size of the area and the type of fishing involved.

The consultation period for this IPP is 6 weeks. For more information please contact Anna Smith at (04) 819 4271 or [anna.smith@fish.govt.nz](mailto:anna.smith@fish.govt.nz); or Steve Halley on (04) 819 4622 or [steve.halley@fish.govt.nz](mailto:steve.halley@fish.govt.nz).

A copy of the full IPP can be found on the MFish website <http://www.fish.govt.nz/en-nz/Consultations/default.htm>. If you have difficulties accessing the document contact, Denise Ashley at (04) 819 4285 or [hectors.dolphin@fish.govt.nz](mailto:hectors.dolphin@fish.govt.nz) to request a copy to be posted to you.

**Submissions**

Please send in your submissions by **5:00pm Tuesday 12 October 2010** by email to [hectors.dolphin@fish.govt.nz](mailto:hectors.dolphin@fish.govt.nz), or by post to Denise Ashley, Ministry of Fisheries, PO Box 1020, Wellington, or by fax to 04 819 4669

Kind regards.



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**Ministry of Fisheries**