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To Whom It May Concern,

Kindly find below our submission on the Draft National Inshore Finfish Fisheries Plan

We also draw your attention to our previous Future of Our Fisheries Submission from 2016 which covers some of the points in more detail and many of which are still relevant.

General Comments

We applaud Fisheries New Zealand for developing the draft Plan. It is a bold step and takes the responsible approach of a) acknowledging the success of the QMS while b) also understanding the agency and sector wide role in doing more. This is especially the case within an ecosystem-based management approach.

However, without implementation details or time-lined commitments it is more of a higher-level strategic vision which makes judging its likely effectiveness problematic.

As an overall recommendation, we urge Fisheries New Zealand to bring the use of matāuranga into all aspects of inshore fisheries management.

It would also be strengthened by having a clear elaboration of the Natural Resource Sector marine related work programme at the outset. Much of this plan, especially improving the health of coastal/inshore marine ecosystems is hugely contingent on improving land and freshwater management given the tonnes of sediment that pour onto inshore¹ habitats. This includes agriculture and forestry operations where high rainfall events bring significant quantities of damaging material into the inshore marine environment.

Furthermore, the Department of Conservation is undertaking a consistent programme of consultation for their responsibilities in the marine environment. Regional councils are too given the recent Motiti decision, and the Office of Treaty Settlements given the Marine Area Coastal Act. These processes are all highly relevant to improving the state of inshore marine habitats and the opportunities of synergies and efficiencies, as well as any relevant challenges are absent from this plan. The legislative overview (Sn 4, pg 5) is very weak and needs to be considerably elaborated to fully capture the relevant legislation.

It is excellent to see a focus on habitats and EBFM. Further comments are provided below. As outlined above we have a concern that without timelines and understanding the considerable Sustainable Seas Science Challenge (SSSC) Ecosystem-based Management work programme, that Fisheries New

¹ By inshore we mean within 12nm.

Zealand may delay getting to grips with it's opportunities under EBFM until after the Challenge has concluded. This goes to the core of the picture of how the NRS, SSSC and this plan intersect.

We would have liked to see in the document reference to not just building "protection" but more importantly building resilience in the marine ecosystem and areas of significance, the fisheries that are dependent on them and the importance to fish stock production that is important for all. From a fish's perspective it is irrelevant whether it is a customary, commercial, recreational or otherwise valued fish (or pāua etc), it needs habitat to feed, breed and do its thing. It is imperative that MPI begin a detailed integrated EBFM work programme immediately, at least starting with a first principle-based approach to building resilience in habitats.

A horizon/future scanning paragraph is also needed to introduce issues such as plastics and ghost gear in the marine environment and ocean acidification and marine heatwaves. There then needs to be the associated sections on these within the plan itself, even if that is only from a risk ranking point of view for Group 1 species.

The document needs a definitions/glossary section.

Section Comments

Section 1: Purpose: We recommend adding a #6: Regenerating Marine Ecosystems. This would then bring Section 9(c) of the Fisheries Act sharply into focus and drive the shaping of a collaborative, coherent work programme with other NRS and Local/Regional government entities to build resilience and improve the health of marine ecosystems (as mentioned above).

Furthermore, given it remains to be defined, a Section 9(c) programme of work needs to be developed in today's terms, and given the state of marine ecosystems (ref. MfE Marine Environment Domain report, the CARIM and Moana Projects, the sediment already out there, kina barrens etc). We propose that a Section 9(c) programme of work now needs to focus on regenerating marine ecosystems to unpin the production of kaimoana/seafood whether commercial, customary or recreational. This would also restore Mauri.

In the right-hand side of the blue diagram, it would be useful to have the other plans listed within this document as well as presented visually for the geographies that they cover.

Section 2.3: who are meant by the term stakeholders? Is that industry? What about civil society and their non-government organisation representatives? Stakeholders should be defined.

Like the recommendation above to shape any Section 9(c) work programme as regenerative, Section 2.3 is missing the significant opportunity of the considerable current citizen science activity i.e. the Curious Minds and Marine Metres Squared programmes in New Zealand. At least the Pāua 2 fishery would greatly welcome information about the state of the marine environment to support its sustainability decision making. As Curious Minds is currently being reviewed by MBIE, there is an opportunity to shape it to provide better data to inform fisheries management.

Section 3.1: Communities want more than a 'say' now. They want evidence that the right thing is being done. It is quite possible that younger generations will consume less wild seafood as their concern for and awareness about marine ecosystem issues grow. We understand the relative strength of the QMS having contributed to its design (Tony) and seen fisheries management systems internationally (Katherine and Tony) yet unless one works in the fisheries space in New Zealand, most people don't understand that the fish stock situation is relatively better here. However, that is no grounds for complacency and the issues mentioned above (sediment, marine heat waves, kina barrens), let alone

the recent significant cuts in e.g. Tarakihi and Cray 2, are all reasons for doing all possible to build resilience.

This is the promise of EBFM as it can enable communities to get involved in regionally based planning – if MPI is truly going to unpack the potential of EBFM for New Zealand’s coastal fisheries and work with other agencies. They could even be resourced to bottom up drive regionally planning, within specified frameworks and time-based outcomes.

3.2 EBFM: Note in the 2016 Submission we included what EBFM could look like for an inshore fishery, from the WWF 2001 EBM Framework. Katherine has been deeply involved in Ecosystem-based Management (including Ecosystem Approach to Fisheries, EBFM etc) for twenty years and led the development of the WWF Framework, the first NGO framework for Ecosystem-based Management in Fisheries. Ecosystem-based Management is at a higher level to EBFM. Ecosystem-based Management is at the ocean governance scale and considers other ocean users whilst EBFM is only focussed on fisheries and often takes a more mitigative approach. We appreciate that Fisheries NZ is a fisheries agency with only fisheries agency mandate, yet a more robust approach would be to develop and apply an ocean governance EBM to fisheries (i.e. EBMF). Being more holistic this would allow greater consideration of other ocean users and would be more aligned to the holistic view of Te Ao Māori. We recommend Fisheries New Zealand take note of Anne-Marie Jackson’s Ecosystem-based Management/Kaitiakitanga paper². Dr Raewyn Peart (Environmental Defence Society) has also done some very good policy work elaborating Ecosystem-based Management for NZ what it means and how it may be applied, as well as analysing inshore fisheries which Fisheries NZ is urged to draw on.

In this section, the paragraph beginning: “Fisheries New Zealand is building on internationally-accepted principles and themes for EBFM...”, we recommend would be strengthened by conducting and including a mapping exercise of how the Fisheries Act does and does not enable EBFM, let alone a more EBMF/Kaitiakitanga approach. While bold such statements will be easily exposed without evidence. The list of focus areas is good. We note however that for the last point, as mentioned above, protection is no longer enough, and a regenerative approach including identifying and protecting those areas critical to fish stock production is essential. For example, supporting native seaweed culture and regeneration. Furthermore, given MPI is the forestry agency and regulates farming, it should be possible to develop regulatory limits for nutrient input to receiving coastal marine environments. i.e. limit sediment inflow onto coastal marine habitats.

We could not help but notice for instance in the recent floods in Southland the common understanding by farmers that clearing of debris etc was important in the recovery process but that it still all flowed out to sea at which point it seems that the problem is over. The TV footage of the plastic barge covers having been ripped off the bales and floating down stream didn’t seem to register as a problem either.

The penultimate paragraph on page 4. Unfortunately rings loud alarm bells in noting this Ecosystem-based Management work will be staged, as resources allow.....a strong case needs to be made to government to fund this programme of work. This is not just a matter of economic priority it is a matter of social priority as New Zealanders have a special affinity with their oceans greater than simple harvest/sustenance needs. When we look at the level of government investment through terrestrial based ecosystems and their management the governments’ marine investment pales by comparison. It is surely unacceptable that after 23, now into its 24th, year, Section 9(c) of the Fisheries Act has not been better defined or implemented. By who’s account is that acceptable? We recognise that Fisheries

² <https://sustainableseaschallenge.co.nz/sites/default/files/2018-08/SusSeas%2C%20Hui-te-ana-nui%20-%20Understanding%20kaitiakitanga%20in%20our%20marine%20environment%2C%20July%202017%20FINAL.pdf>

NZ may be resource constrained and that the cost recovery system limits what is available for certain projects. The opportunity in this case is that coastal marine ecosystems are considerably and critically a “public good”. Thus funds additional to those cost recovered must be made available by government to enable this work.

Section 4: note comment above. This section is very weak and should be strengthened by elaborating the other relevant legislation, if both the opportunities and risks from related legislation are to be addressed. Doing so would also elaborate the funding and collaboration opportunities with other agencies and initiatives e.g. MACA. There is now, for example, a vast database of information available about coastal marine ecosystems in the MACA applications and the Office of Treaty Settlements is GIS digitising a lot of it too. This then relates to the marine GIS project that LINZ are running and that MPI Forestry is a part of. There is MPIs Catch Mapper etc. Surely, we should be aiming for an integrated marine mapping system?

It is telling on that page that the penultimate list of bullet points refers to the “wider fisheries ecosystem”..... rather than wider marine ecosystem.

International obligations are missing e.g. seabirds.

There also needs to be a section for other relevant agenda that may not yet be legislated e.g. plastics in the marine environment as research is showing microplastics within oysters and fish in New Zealand waters. The National Environmental Standard for Plantation Forestry and Freshwater are also relevant, as mentioned above. Whilst those are the domain of other management entities, they are highly relevant to this plan and this plan should be on their radar/implementation considerations as much as they are on this ones’

5. Strategies, Standards and Policies

This is where the other relevant environmental standards could be mentioned e.g. the NES Plantation Forestry and Freshwater.

Whilst too the Treaty Strategy is critical, we have concerns about the investment available to harmonise Iwi Fisheries Forum plans with MACA and the interests of Māori commercial seafood entities including Moana New Zealand. Note: Terra Moana Ltd are sustainability advisers to Moana New Zealand.

Generally there is considerable risk of this process being too slow to build resilience in meaningful timeframes for key marine habitats and species of interest and considerable opportunity to do the opposite and empower the relevant coastal communities and Māori commercial seafood entities to develop truly ecosystem-based regionalised fisheries plans. It was interesting to find the Te Taihauāuru Iwi Fisheries Plan on the EPA website, not Fisheries NZs, and that given it takes in the West Coast an area encompassed by Paua 2 it was surprising that Paua 2’s Chair, Mr Tony Craig, could not recall Paua 2 ever having been consulted about the plan.

It’s interesting to note the first ever taia pure gazetted on the Cape Palliser coastline has no formal infrastructure support i.e. signage where it starts and ends, rules etc and is only observed by locals. This plan does not at any stage outline the infrastructure / support programmes that would be put in place by Fisheries New Zealand to support a) consultation b) development c) implementation and d) maintain such programmes long term.

Has that Fisheries Plan been reviewed? How effective was it? What would need to be changed to enable such plans to deliver greater EBFM outcomes?

Relatedly, we urge the inclusion of using mātauranga throughout this plan.

Section 6. Focus areas: Pg 7. Fig 2. We recommend that the Environmental Focus be through a regenerative lens and considering how that will enhance the implementation of Section 9(c) of the Fisheries Act.

Section 7. It would highlight Fisheries NZ's understanding of marine ecosystems to note at the outset here that fished species are part of ecological populations before they are fished stocks. An overarching vision here about the desired state would be helpful.

How do these Groupings align with the Open Seas industry analysis framework? That is a useful framework but what is missing is the response plan for the species that are orange or green ranked. Being mostly inshore species in that Open Seas framework, it is important that this Inshore Fisheries Plan delivers improvement trajectories for the orange and red ranked species.

In those terms, improving fisheries, we strongly recommend that Fisheries New Zealand consider working with the Marine Stewardship Council on a Project Pre Assessment as has been done in Western Australia and the UK and also in developing country coastal fisheries. This is an objective, independent, resourced programme that can deliver sustainability improvements, financial bottom line benefits to fishers and increased confidence to the public and consumers that coastal species are being sustainably managed. A full draft report was prepared in 2018/2019 about this and can be accessed from Matt Watson (matt.watson@msc.org)

We understand the need to prioritise given the number of species in the inshore. We recommend a far more holistic approach be taken though including working through knowing how Group 1 fisheries are at risk from the major issues including:

- What is the state of the habitats that are critical for the production of species x?
 - What are the main habitat types?
 - What are the risks to those habitats?
 - Sediment
 - Climate change
 - Human caused direct damage e.g. logs, mobile bottom gear
 - Ocean acidification
 - Risks from invasive species?

- What are the direct issues affecting that species?
 - Overfishing by any sector?
 - Plastics in the marine environment
 - Predator prey relationships
 - The above also affecting them directly e.g. sediment choking their gills, OA weakening their skeletons etc.
 - Risks from invasive species?

This exercise on even just Blue Cod and Snapper would go a long way to operationalising Ecosystem-based Fisheries Management for inshore species. The key to success here is to not try to know everything and employ common sense.

We recommend adding to the proposed Services a new number 8. to incorporate this risk-based approach above. Also, given the Management Objective includes providing for cultural benefits, we recommend adding a new number 9. To develop the mātauranga knowledge base for these species and their habitats. That would also give a clear strategic need to reach into building bridges with the OTS/MACA work referred to above. DOC is also trying to improve its mātauranga capability. We

append a concept for a project that could significantly contribute to achieving many of the improvements we're suggesting be made. Sustainable Seas is also making great strides in this mātauranga space.

We recommend also adding both the risks and mātauranga services to the subsequent Groups.

Section 8. Enhance the Benefits for Customary, Recreational and Commercial Fishers

We wish to highlight that DOC is developing a methodology to engage the recreational sector about its catch of threatened, endangered and protected species.

We also wish to highlight the availability of the Fish4all app that we have developed and welcome discussing with MPI how it can add value especially in relation to building the frequency and breadth of information coming into MPI to better manage recreational catch. Kindly note our 2016 Submission which goes into more depth about this.

We completely agree with the intent of the statement at the bottom of page 12 about moving towards an Ecosystem-based Management approach for inshore species. We are however gravely concerned about the way it is written with 'over time'. We urge Fisheries NZ to set deadlines for this. We understand that deadlines require resources and that figuring out how much things might cost is difficult. The US has done it, the UK has done it. NZ knows who to ask for advice so that we can do it. This is also where the public good/private good becomes highly relevant and one might argue that Fisheries NZ's budget should be increased by at least 50% given the public good benefits of healthy fisheries.

Note too, that given Māori own ~30% by value of the quota and make up ~16 % of the population of New Zealand, supporting Māori **commercial** fisheries could be deemed to be not PRIVATE GOOD. This is an important point of policy and delivering on the Treaty of Waitangi to explore. In other words, it is perfectly justifiable to for public funds to be invested in fisheries management, including in management actions beyond fisheries agencies that enhance marine ecological resilience, that underpin Māori commercial fisheries as that benefit is not private.

Section 8.1. Enhancing benefits to Tangata Whenua

As noted, we urge the inclusion of mātauranga throughout the plan and given the overlapping geographies and interests, the integration of the plan with MACA rohe settlement processes, and Māori commercial fishing interests. The MACA process will be slow, drawn out and mostly settled in the courts. Ecosystem-based Management happens in place. Kaitiakitanga happens in place.

We recognise the importance of Iwi Fisheries Plans. We recommend these be aligned to today's context and re-envisioned to become full Kaitiakitanga/Ecosystem-based Management fisheries planning processes. 2-3 comparative pilots could be run in given areas that bring these parties together, define overarching goals, explore the issues, and recommend how to rationalise and streamline management e.g. the Bay of Plenty.

The Hawkes Bay Marine Collaboration is a good example to learn from. What would they recommend if it were going to be done at the scale of the Bay of Plenty? What would they recommend if it were going to be done again? WE recommend a time limit of 3 years be set with Government committing to review and finalise the plan within 1 year after that and potentially then begin implementing, with the local regional council too, within a year from then. This would mean prioritising the resourcing of marine management which is desperately needed!

Note the Office of Treaty Settlements is looking for examples of good Māori Crown Relations and could be approached to support such a process.

Section 8.2 seems to be missing? Mis-numbering?

Section 8.3 It is good to see reference to spatial measures however this is vague and as mentioned above, there is a lot going on in terms of managing habitats and space such that it might be wise to be clearer what is intended in this respect.

Section 8.4. We would welcome an opportunity to discuss how Fish4all could enhance the benefits to the recreational sector for the Primary and Secondary species noted.

Section 9. This proposed integration is critical. We are concerned however too though at the references to the time it might take and recommend the public/private good arguments made elsewhere be used to ensure a timebound set of meaningful deliverables are enabled. The references to biological stock boundaries are important as that is the basis for Ecosystem-based Management, i.e. basing the management on the ecology, which is underpinned by the biology!

9.1. The Fishery Stock Complex approach is logical but again, if too much of a reductionist, try to know everything approach is taken, it will risk becoming analysis paralysis. We recommend considering a risk-based approach using a combination of the environmental parameters mentioned above, the priority of the fishery and the state of the stocks. Note the Australian Ecological Risk Assessment methodology which has been picked up around the world.

10. Improving Local Fisheries. This is great to see. Again, the timeframes are concerning. Again, Fisheries NZ can make the case for more resources given the public good, not just the private/commercial good.

We strongly recommend that Fisheries NZ look into the model of the UK Inshore Fisheries Committees and apply any lessons already learnt. Our current patchwork, piecemeal marine governance in Aotearoa is not ideal. It is time to demand the resources to become methodical and systematic. We know the elements we should be considering and how to go about things.

10.1.

As mentioned at the outset, an ultimate vision e.g. of regeneration as well as timeframes, review and accountability mechanisms are missing here.

11.1 is very good and great to see. Could it be at least costed/prioritised and implemented for the Group 1 species?

We would be pleased to elaborate or clarify any of the contents of this package of documents as required or appropriate.

Kind regards



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