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IN-COMMITTEE SESSION MINUTES

MARINE PROTECTION FORUM MEETING

17th MEETING – 17 June 2008

In-committee session occurred in the course of the Forum's 17 June meeting.

1. Review of Forum Process to Date

Geoff Rowling raised the issue of the latest news about set-net bans in relation to Hector's dolphins. Geoff believes that the Government's recent actions will affect the operation of the Forum because fishers made submissions and now feel betrayed. Eugenie Sage had a different view, thinking that the Hector's dolphin process does not change things for the Forum, as it was well-established and separate to the Forum process. The outcomes of the Hector's dolphin process have been welcomed by some sections of the community if not by fishers. Richard Wallace noted that the role of the Forum is not species protection but protection of the environment. Other issues in relation to fishing rights will be addressed in other processes. There followed general discussion with differing views offered on whether the Hector's dolphin population on the West Coast is trending up or down.

Sarah Wilson then commenced the discussion on the Forum's process by referring to the "Marine Protected Areas Classification, Protection Standard and Implementation Guidelines" page 20-21. The design guideline is a two-step process. The Forum has 'trawled' through the coast from landward sites (lagoons, etc.) and then seaward, generally out to the 10m-depth line but in some sites out to 30m.

Don Neale then introduced the Forum to the new table he has devised (A3 size) - *Candidate Sites in the Marine Environmental Intertidal and Shallow Subtidal Domains to 10m-depth*. He noted that the final page is a summary of the habitats found in each candidate site. Stuart Thomson referred to Site # 25 and advised that cray fishing occurs out to 100m, whereas it has previously been noted as out to 30m (as that was the zone under consideration). Eugenie Sage requested another bullet point in the table's 'explanation' heading, clarifying that this listing is only potential sites and not chosen sites. Everyone agreed with this amendment.

Don Neale then projected the regional maps with possible sites, as revised by Gary Eason. After a query by Geoff Rowling, Don Neale thinks the new sites to be chosen in the offshore zone can be added to the maps at the meeting, and other sites can be revisited. Geoff Rowling queried Don as to whether any habitat groups have not been included in the potential sites identified so far. Following on from this discussion, Bruce Watson suggested a note for the 'shallow sub-tidal gravel' habitat; that they are very limited areas of this habitat, also the same note for 'inter-tidal' cobble' due to the limited distribution of these habitats.

Ian McKenzie (Flag) advised that the crayfish catch is significant at Kahurangi Point. After some discussion, it was agreed that Flag would provide comments on fishing effort along the

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Buller District, from Charleston north (Flag will consult with local fishers). Geoff Rowling advised that the area for a mile around Kahurangi Point is an important recreational fishing area, in close proximity to the Point. He requested changes to the 'use summary' in the table, in relation to that area. In response, Don Neale suggested a possible reduction to Site #1 to be a kilometre short of the Point. Nicola Pindur suggested that the Forum members check the table, especially the 'use summary' information and provide comments to Andrea, so the table can be amended. Eugenie Sage commented that she would prefer any additional information to any Forum material to be tabled at Forum meetings. **Sarah Wilson then confirmed the process to be: at the next meeting the information on the table is to be reviewed and if necessary revised**, especially additional information for the 'use summary' in the northern part. She noted that the focus of this meeting is the Next Habitat Group (out to 200m-depth).

Geoff Rowling noted the difficulty in obtaining additional material without showing people the maps with potential sites shown. Rick Barber advised that there are large numbers of Ngati Waewae members, approximately 5,000 spread around the world and that everyone with a link to the West Coast has a right to comment. Richard Wallace advised he would not consider Nelson fishers "local" in the Forum process. More information on fishing use would be helpful. Eugenie Sage noted that the consultation process would be discussed at the next meeting. Brad Stenhouse thought that the Forum needs more discussion about marine reserves vs MPAs, as the next step once candidate sites have been chosen would be to split those sites into two sections, those for reserves and those for MPA measures.

2. Next Habitat Group (out to 200m-depth)

Don Neale introduced this session and explained that he thinks it best to consider the offshore zone from 10m out to the 200m limit, as the 200m-depth line varied considerably in its closeness to the shore and scientific information on substrates was often quite general. From Kahurangi Point south the substrates offshore are generally mud and sand, while from Hokitika south, canyons enter the picture. In the South Westland area there are many areas off-shore of unknown substrates. Therefore the maps only show the depth lines and not any substrates for much of the South Westland coast.

Eugenie Sage commented that she had wanted maps on fishing effort to be available for the offshore discussion. Scott Williamson recapped on fishing effort data collection, as follows:

1. CELR forms include 19 years of data by Statistical Area.
2. TCPR forms are for 10 years of data for vessels over 28m long.
3. TELR forms have been collected for 7 months only, for vessels over 6m long.

Scott then projected the MinFish maps showing indicative fishing effort data. He noted that the combination of data collection methods 2 and 3 has resulted in lots of multiple lines where the start/stop points are joined. Scott further advised that the projected MinFish maps couldn't be released because they show aggregated data collected over a period of less than 3-5 years (i.e. data set #3). In response to the requests made to Scott for maps of fishing effort (at the meeting of 2 May) he is able to advise that the requests to show long-line and set-netting fishing was not able to be met by MinFish, nor was showing or providing data in a year by year format possible, while the use of smaller dots not lines also cannot be shown or provided (as none of these changes to presentation meets the MinFish information policy). Scott also noted that the various data sets shown on the maps today do not necessarily correlate well together

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to provide an accurate visual picture of actual fishing effort. Therefore the maps need to be treated cautiously as a representation of fishing effort.

Flag provided an example of this uncertainty by advising that the albacore-fishing season means that the TELR data reflects only 4 months of trawling effort and not 7 months. Don Neale noted that the data shown doesn't include south of Cascade Point, as it is the limit of the MinFish Statistical Area, even though fishing effort does occur south of the Cascade Point. Richard Wallace commented that he values fisher's information input, and that he is not keen to remove their livelihood. Bruce Watson clarified with Scott that the 'fishing effort' data as is currently shown will probably not be helpful in trying to identify "least cost" sites. Eugenie Sage noted that the MinFish fishing effort maps which were made available for the Sub-Antarctic process had only three years data, and also noted that the fishing effort for the West Coast is not being publicly released, only released on a limited basis, by being made available to the Forum. In response, Scott agreed that he could provide information on bottom-trawl fishing effort, aggregated as per the table he projected, for use by the Forum members only.

Scott then projected another map showing the data set #3 only (the 7 month collection period) and noted that he may be able to provide a simpler version. He confirmed that the Forum members could view the fishing effort maps at the meeting but that copies cannot be released (except the previous table - combined data sets #2 and #3). The commercial fishing representatives wished it to be noted that 7-month data means that the data is seasonal and not annual effort. Geoff Rowling closed the discussion by noting that the key point to take from the various maps of fishing effort is that this effort occurs all along the West Coast.

General discussion then turned to how best to consider potential sites offshore, north to south? In response to a query Don Neale advised that 'foul ground' habitat occurs around the edges and heads of canyons, canyons generally mapped by NIWA. Foul ground is a member of the large boulder/bedrock type of habitat. Stuart Thomson thought that foul ground should not be classified as a separate habitat category. Don Neale noted that in South Westland the foul ground areas are the only areas of harder substrates, as the rest of the substrates are mud or sand. The foul ground is shown as red lines on the map. Don Neale noted that the intention is to produce CDs for Forum members, in confidence, once all the zones have been considered. Nicola Pindur queried whether the consideration of zones from 10-30m-depth would require all habitats to be represented. Brad Stenhouse advised that the recreation diving limit is generally about 40m-depth.

Segment 14

Stuart Thomson commenced the consideration of offshore areas from the south, advising that one fisher trawls from Longridge Point to Gorge Island. The trawling strip from Barn Island is a mile-wide strip abeam of Gorge Island (40-60m depth trawl line), while south of Gorge Island there is lots of foul patches so not so much trawling. Long lining occurs in trenches and in foul ground areas. The area is a high value cray fishery at all depths, as is shark fishing. Quite a bit of recreational fishing occurs, mainly out of Jacksons Bay. There is an overlap between the candidate site Bonar Knob down to the Gorge River; Stuart advised the Forum to steer clear of the area south of the Hackett River otherwise it would split a large cray fishing reef. After discussion it was suggested that if cray fishers and long liners were most affected, then the area could be considered in terms of tools (i.e. MPAs). In response to a query, Don Neale advised that the information on habitat values is very limited. Stuart Thomson advised that coral is present on the rocky substrate. Stuart thought that the substrates would probably

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cover all of the 30-200m habitats but Don advised that the data was unknown. A segment 14 area (Deep 1) was illustrated by Don. Stuart Thomson noted that this area might be the lowest cost for fishing in South Westland. Bruce Watson noted that there are similar habitats to 'Deep 1' in Bruce Bay.

Segment 13

Discussion on Segment 13 commenced with Stuart Thomson advising that there are big trenches, rocks and more sand. There is complicated ground and boundaries, involving trenches and areas of foul ground, with trawling along depths of 35-130m. Fishing effort includes long-liners, cray fishers in and off shore, high recreation fishing values. Richard Wallace suggested that the Forum consider north of Jackson Head rather than the Cascade Point area, as the Head has easy access. General discussion followed and it was agreed to 'zoom out' and consider the coast on larger scale, in three sectors (south (= Bruce Bay to Awarua Pt), central (= Pt Elizabeth to Bruce Bay), north (= Kahurangi Pt to Pt Elizabeth)) rather than by the fourteen map segments.

Eugenie Sage queried the Open Bay Islands; is there a deep-water zone around it? Stuart Thomson advised that there is lots of cray fishing including around the foul ground boundaries. He advised that there is 'cabbage patch' off the Waita River coastline, north of Haast, which has high fishing value. North of Haast is lots of trawling and cray grounds, including Goldies Rock. Stuart noted that recreation fishers get everywhere now. The albacore fishery covers the whole coast but in the southern area tends to be around the trenches. Tourism charters also occur.

Rick Barber asked whether the Forum can recommend more research into areas, and the answer was yes, it could but it was a question of how long that would take. Emily Arthur commented that less desirable options should also be considered in terms of fishing effort. Geoff Rowling checked with Sarah Wilson about the process of considering West Coast fishing effort at the initial stage of assessing offshore areas. Sarah advised that due to a lack of knowledge about offshore areas, the Forum is considering the 'least cost' aspect earlier in the process than for the inshore areas, as a way of identifying possible sites.

Segments 6-10

The Forum then moved onto considering areas contained in Segment Maps 6-10 from Bruce Bay to Point Elizabeth. Don Neale advised that there are long gravelly beaches and moraine bluffs and floury rivers. The offshore substrate patterns are mud/unknown/sand but the trend offshore is from fine sand out to mud, with two trenches in this sector, Cook Canyon and the Hokitika Trench. The Whataroa River offshore is foul ground. The depth at the 12nm mark is generally 150m-depth. Stuart Thomson advised that all the areas are trawled including the trench lines. In response to a query from Rick Barber, Don Neale advised that the habitat values include a multi-species trawl fishery. Benthic fauna would include shellfish, worms, etc. and changes in depth affect the type of benthic fauna. Rick Barber noted that there is a lack of knowledge of the linkages between the land and sea.

Eugenie Sage queried whether a suitable candidate area would be to run out to the 12nm limit, from several of the inshore candidate sites where no canyons occur offshore. She suggested a site from Fox Glacier coastline, approximately 12km out to the head of the Cook Canyon. Craig Jones advised that there are ling and other species at the head of the Cook Canyon and the muddy bottoms. General discussion followed as to whether the Forum should consider

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offshore sites not linked to inshore candidate sites. Geoff Rowling thinks all the inshore candidate sites should be drawn offshore and then consideration of which ones are best. There was discussion about whether areas entering into canyons should be considered. Richard Wallace suggested a box shape offshore of the Fox River area, about 8km out to the head of the Cook Canyon. Don Neale noted that the hoki fisheries come into play in the two trenches in this sector.

Eugenie Sage commented that she is seeking information from fishers on which areas offshore would be least impact. Bruce Watson queried whether if, say, 10% of the fishing grounds are removed from fishing effort would that limit the fishing catch up 10%? Nicola Pindur asked which areas is fishing strongly linked to, i.e. areas with not very mobile species, and Stuart Thomson responded that all species are quite mobile. Eugenie Sage noted that the fishing quota is not spatial whereas the MPA process requires removal of some space. Stuart Thomson suggested a possible area from Malcolm Knob to Gillespies Point, which has a diverse habitat and depth zones (depth zones of 10-40 metres). Bruce Watson agreed to this suggested area as more habitat types are close to the shore in a relatively small area. Areas need not be completely defined at this time and the area could extend to the edge of the foul ground or canyon.

Eugenie Sage suggested an area offshore of Okarito as a possible candidate site. Maybe one large MPA would be better for fisheries, given that the gradient and the type of bottom is replicated and this possibility may be easier for fishers to manage. Rick Barber queried whether there are areas of fishing potential not taken up on the West Coast. Stuart Thomson and Craig Jones advised that all areas have been explored. Don Neale noted that the South Westland blue cod fishery was not commercially exploited to a significant extent. Stuart Thomson advised that the blue cod quota is used in the Nelson area rather than on the West Coast. Don Neale advised that there are more species at the head of canyons, which probably does mean a greater diversity of habitats.

There was a suggestion to extend an area 4-6kms offshore along the Okarito coastline. Stuart Thomson did not support this idea; it would affect flat fishing. Geoff Rowling thinks the Forum should choose sites out to 200m or 12nm. Then MinFish and others can determine the possible costs, rather than the Forum placing pressure on Stuart and Craig to have all the answers today. Sarah Wilson advised that fishers are simply giving an indication of cost today. Eugenie Sage further developed her suggestion by mooted an area from the mouth of the Okarito River to the Waiho River. Don Neale advised that moving offshore directly from the coast the patterns of substrate changes are generally the same throughout the West Coast, moving from coarse sand to mud, while the heads of canyons have more diverse habitat. Eugenie Sage then refined her suggested area to be from the south bank of the Okarito River to the Waiho River, out to 12nm in order to obtain the breadth and representative depths and substrates. Emily Arthur further suggested the possibility of "trawl corridor" through any area that stretches out to the 12nm, a similar concept to a road through a national park.

In response to a query about whether Saltwater or Okarito Lagoon is more important, it was noted that both sites have been previously identified as being "internationally significant" and Richard Wallace advised that Okarito area is a very culturally significant locale. Richard would support the extension of the site out to 12nm for the whole Okarito area. Stuart Thomson advised that different fishers would be affected, whether the site extends to 6nm or 12nm, and

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so he doesn't support the possible candidate site. After discussion it was agreed that a candidate site offshore from the Okarito area be included.

Bruce Watson again sought information on fishing effort. If 10% of the West Coast area was removed from fishing and if that meant that the remaining 90% was fished harder, would that be worse than 100% of the West Coast being fished? Geoff Rowling commented that a 10% area may not be relevant if protection measures are used rather than reserves, or if all the habitats can be protected within one small area. Sarah Wilson noted that 10% is a guide percentage only and not an absolute figure. The Forum has agreed to look wider and to use all the known information and then to narrow the choices down.

General discussion followed about whether the offshore site could come off Okarito or Saltwater, or from other sites further north. Was the distance from port a factor? Flag advised, yes, but depends on the price a species is fetching. Craig Jones suggested split zones for offshore areas, i.e., a block from shore to 6nm and a block from 6-12nm; this patchwork approach would reduce the potential impact on fishers. General discussion followed on this concept. In response to a query, Stuart Thomson advised that from Hokitika north the fishing effort is more even and widespread, compared to the fishing effort in South Westland. Stuart also noted that fishers choose to fish in different areas depending on a number of things, including where they expect to get the best catch of target species and avoid unwanted by-catch species.

Consideration then turned to the northern sector of the coastline. Don Neale noted that some areas of foul ground existed. Shoals extend from the Kahurangi Point area out to 6nm offshore on the maps, and further out and well around into the Nelson area. Eugenie Sage commenced the debate by suggesting a candidate site from Kahurangi Point to Heaphy Bluff, extending 12nm offshore. Richard Wallace suggested an area further south to Crayfish Point and Eugenie Sage supported this idea. Rick Barber would like to see some capacity for people walking the coast to take survival food. Flag advised that the area 3nm south of Kahurangi Point is important for cray fishing including recreation fishers. Flag advised that Carol Scott would be able to advise on the fishing effort from Nelson/Motueka. Westhaven Inlet is used for boat launching by crayfishers and recreation fishers. All these ports are outside the West Coast region. Richard Wallace advised that recreational cray fishing occurs from Westhaven south so the proposed candidate site would still leave a huge cray fishing area. Flag advised that Crayfish Point/Heaphy Bluff south is important for recreation fishers. Eugenie Sage suggested leaving a narrow fishing strip along the coastal section of the Heaphy Track.

General discussion followed about the shoal area off Kahurangi Point and whether it should be included in the candidate site. Flag was very opposed to the cray shoals being included in the site. Richard Wallace suggested two mataitai zones might be imposed over the shoal area, which would allow better flexibility. Cray habitat protection must be a good thing, as cray numbers will grow. There was also disagreement with where the shoals were shown on the map. Don Neale advised that the shoal habitat was probably unique amongst West Coast habitat. The potential impacts of removing the shoals from use were discussed. In conclusion, it was noted that the potential inclusion of the shoal area at Kahurangi Point within the proposed candidate area is controversial, and a northern boundary at Otukoroiti Pt was agreed. The southern boundary of the proposed site is to be the Heaphy Bluffs, with maybe a mataitai along the Heaphy Track for beach fishing or to allow for gathering off the beach at some sites.

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The Forum then considered potential sites in the southern part of the northern sector. Eugenie Sage suggested a site off Charleston and Flag advised that flat fishing occurs in that area and around Needle Point. Once outside the 15m-depth then it was flat fish territory. Eugenie Sage noted that the length of the possible sites in this locale is not a great length. The area 6nm offshore is right into the flat fish area, which comes down to Point Elizabeth, although concentrations of flat fish move around. Richard Wallace supports proposing an offshore area in this locale, but other Forum members were divided. Eugenie Sage proposed two options in the locale, being Charleston (Constant Bay to Whitehorse Ck) and Punakaiki (Perpendicular Pt to Punakaiki R) coastlines. The less accessible area south of Charleston has distinctive substrate and coastal landforms, and is not greatly used for recreational fishing. The Punakaiki coast has different substrates from those further north and links with candidate estuaries, etc, as well as linking landwards to national park. Such small zones provide representative habitats while not being large enough to exclude flat fishing from the locale.

Note: Carol's Scott's absence was noted, and her input into decisions about the northern sector will need to be sought at future meetings.

Sarah Wilson wrapped up the day's discussion advising the Forum members that they had made good progress in one day, as consideration of the offshore areas was not easy.

3. In-committee minutes

The In-committee minutes of 2 May were considered and approved. It was agreed that the query to Don Neale about the habitat status of The Old Man be parked and further considered, if required.

Moved - Richard Wallace/Eugenie Sage

Carried

The In-committee minutes of 7 & 8 April were considered and approved with the amendment that Rick Barber's comment on page 2 be removed (as being out of context makes the comment unclear).

Moved - Eugenie Sage/Bruce Watson

Carried

The In-committee minutes of 20 & 21 May were deferred for consideration at the next meeting.

As the session was concluded, the Forum agreed to move out of committee at around 4.30pm.

Moved Denis Shannahan/Brad Stenhouse

Carried

Confirmed
Denis Shannahan
Acting Chair