

## Hokianga Accord Seaweed Submissions

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### Introduction

Trish Rea works with a number of organisations that advocate for "more fish in the water/kia maha atu nga ika ki roto i te wai". She has participated in all 14 Hokianga Accord hui and is a fisheries analyst and advisor to the Hokianga Accord, other iwi and hapu, the NZ Sport Fishing and option4 teams. Trish develops draft submissions for these organisations in response to MFish proposals. Recently the Ministry issued management options for Bladder Kelp and Beach-cast seaweed.

### Beach cast seaweed

In June 2009 the Ministry of Fisheries (MFish) issued three options for the future management of beach-cast seaweed in the North Island. MFish proposed to open more areas to the commercial harvest of brown and green beach cast seaweed. Beach cast seaweed is the weed washed up on the beach.

MFish received seventeen submissions in response to their proposals. option4 did not submit, but advised both MFish and the Ministry of Agriculture and Fisheries Biosecurity that the team shared the environmental concerns expressed in the Wellington Recreational Fisher's submission, and endorsed that submission<sup>3</sup>.

Te Runanga-a-Iwi o Ngati Kahu, based in Kaitaia, produced a very strong submission in support of retaining the status quo. Their concerns were based on the impacts of increased vehicle traffic on beaches and that seaweed supports creatures that are a valuable food source for inshore fish.

Forest & Bird did not support the extension of the existing rules to harvest beachcast seaweed. They also recommended a review of current rules governing commercial harvesting of seaweed.

In September 2009 the Minister of Fisheries, Phil Heatley, agreed to extend the areas open to commercial harvesting of seaweeds in the North Island, except in prohibited and ecologically sensitive areas. Those decisions were effective from October last year.

More information is online at [http://www.option4.co.nz/Fisheries\\_Mgmt/beachcastseaweed.htm](http://www.option4.co.nz/Fisheries_Mgmt/beachcastseaweed.htm).

### Bladder kelp

In August 2009 MFish issued proposals for introducing Bladder kelp in Areas 3 and 4, around the South Island, into the quota management system (QMS) from October 2010. The Ministry outlined the potential economic growth opportunities from harvesting *attached, live* Bladder kelp. MFish acknowledged that this seaweed is an important habitat-forming species so will need to be carefully managed to ensure its sustainability.

Although the South Island seems many miles removed from Te Tai Tokerau, excessive commercial harvesting of living seaweed could have serious implications for the sustainability of all other inshore fisheries.

option4 and the Hokianga Accord jointly submitted in September 2009 that Bladder kelp in *all areas* is not introduced into the quota management system and no private property rights ought to be given away for this valuable species<sup>4</sup>. (Appendix Two)

Bladder kelp has very high ecological, environmental, social and cultural values. It is a taonga [treasure] that needs to be conserved so the environment can sustain itself and our mokopuna [descendants]. This was

<sup>3</sup> [http://www.option4.co.nz/Fisheries\\_Mgmt/documents/WRMFA\\_beachcast\\_seaweed\\_subm\\_709.pdf](http://www.option4.co.nz/Fisheries_Mgmt/documents/WRMFA_beachcast_seaweed_subm_709.pdf)

<sup>4</sup> [http://www.option4.co.nz/Fisheries\\_Mgmt/documents/Joint\\_Bladder\\_Kelp\\_submission\\_909.pdf](http://www.option4.co.nz/Fisheries_Mgmt/documents/Joint_Bladder_Kelp_submission_909.pdf)

unlikely if mechanical harvesting methods were permitted if Bladder kelp was introduced into the quota management system.

Te Ngaru Roa aa Maui (Raglan), Forest & Bird and the Wellington Recreational Fisher's Association also submitted on the proposals.

In November 2009 the Minister of Fisheries, Phil Heatley agreed with his Ministry's advice and decided to introduce Bladder Kelp in Areas 3 and 4 into the quota management system.

Following the Minister's decision MFish consulted, in March 2010, on the commercial harvesting limits that would apply to attached, live Bladder kelp seaweed in FMA 3 and 4.

A week prior to the hui option4 and the Hokianga Accord jointly submitted again<sup>5</sup>, along with Forest & Bird and the Wellington Recreational Fishers. (Appendix Three)

option4 and the Accord advocated the management proposals were unlawful, in that they breached the Purpose and Principles (ss8, 9 and 10) of the Fisheries Act 1996, and explicitly undermined stated government policy, including Fisheries 2030.

The Minister's decision is likely before or around September 2010. This will be in time for the new commercial fishing year, which starts on 1 October.

More information is online at [http://www.option4.co.nz/Fisheries\\_Mgmt/bladderkelp.htm](http://www.option4.co.nz/Fisheries_Mgmt/bladderkelp.htm)

## Hui Discussion

Trish was not aware of any limitation on how much beach cast seaweed could be collected by people to use at home in their gardens.

Evan MacKay confirmed that in the north an MFish permit was required if people intended to sell the beach cast seaweed for commercial gain. In some areas Council approval may also be required, if the beach cast seaweed was being on-sold.

Permits used by commercial fishers stipulated catch limits for the licence holder.

Traditionally fisheries were managed by input controls such as net lengths, sizes, hook limits, seasons and areas. These controls, if implemented correctly, can be equated to Kaitiakitanga - best practice or common sense. Input controls recognise the needs of the fishery, the environment and modify people's behaviour.

As a species is introduced into the quota management system (QMS) these input controls are usually abandoned and replaced by output controls, even though there is legislative authority to impose controls within the QMS.

These output controls are designed to limit the numbers of kilos or tonnes of fish that are removed from a fishery. In reality, it is a system that counts what is landed, and does not necessarily take into account the tonnes of fish that are killed in the process of landing that catch. Over time this loss can add up to thousands of tonnes of unaccounted loss.

Once a fishery enters the quota management system property rights to those fish are divided up amongst commercial fishers. These rights are perpetual, that is they have an unlimited lifespan. These rights can be bought and sold like any common property. Many fishers and coastal communities in Tai Tokerau have been devastated by the effects of corporate giants buying off the quota that was once owned and fished by locals.

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<sup>5</sup> [http://www.option4.co.nz/Fisheries\\_Mgmt/documents/Joint\\_Bladder\\_kelp\\_submission\\_410.pdf](http://www.option4.co.nz/Fisheries_Mgmt/documents/Joint_Bladder_kelp_submission_410.pdf)

The promised husbandry, caring for the fishery's future, has not eventuated even after more than 20 years of the quota management system being in place.

Prior to the 1996 introduction of the quota management system it was proposed that the coastal area be managed to enable rotational fishing. This was essentially farming the marine environment by dividing the inshore area out to 3 nautical miles (nm) into small management blocks with vessel restrictions, having larger blocks between 3nm and 12nm, and even bigger management blocks outside the 12nm zone where the larger fishing vessels could operate.

The Ministry and corporate fishing companies, such as Sanfords, rejected this proposal. MFish objected on the grounds that it was too hard to manage such a system. With today's technology it would be fairly straightforward to manage such a system.

However, the quota management system has evolved to a stage where it was not possible to implement such a regime without a complete overhaul of the Fisheries Act and quota rights.

It seems Sanfords has a policy of 'owning' New Zealand's fisheries. The quota management system is being used as a tool to gain monopoly control of the fisheries, rather than gaining maximum profit for the community as a whole.

A flaw in the current Fisheries Act means section 17B can be used to force the Minister into introducing a species into the quota management system (QMS) and, as a consequence, issue perpetual property rights to that fishery.

This flaw was exposed during the earlier court action initiated by a commercial seaweed harvester, and subsequent proposals to introduce Bladder Kelp into the QMS.