



South Island Eel Industry Association

P O Box 1673, Invercargill.

telephone 03 230 4608

fax 03 230 4475

Email: waituna@xtra.co.nz

South East Marine Protection Forum,
PO Box 5244,
Dunedin 9058

15th December 2016

Submission on the Proposed Marine Protected Areas for NZ's South Island South-East Coast

This is a submission made by the South Island Eel Industry Association (SIEIA). SIEIA represents commercial eel fishermen who utilise the eel resource (shortfin and longfin eels) in the South Island, including coastal estuaries in the South-East Marine area. Our members comprise the majority of eel permit holders, and take the majority of the shortfin and longfin eel catch in the South Island.

The address for service for this submission is C/- Chisholm Associates, 67 Selwyn Street, Leeston, Canterbury 7632; Ph (027) 2214739, email bill@chisholm.co.nz

The South Island Eel Industry Association opposes the proposals for type 1 or 2 MPA's in estuarine areas. **SIEIA does not oppose the recommendations of the submission from the combined commercial fisheries representatives.**

More specifically, the South Island Eel Industry Association opposes all proposed estuaries being gazetted as type 1 or type 2 Marine Protected Areas. These are:

Proposal D – Pleasant River Estuary and Stony Creek Estuary
Proposal L – Akatore Estuary
Proposal Q – Tahakopa Estuary
Proposal R – Tautuku Estuary
Proposal S - Haldane Estuary

None of the proposed estuary sites would be suitable for inclusion in a network of Marine Protected Areas.

All of the proposed estuary sites are important commercial shortfin eel fisheries. Shortfin eels command the highest prices to fishermen and exporters, and estuary fish tend to be the best-conditioned and highest quality of all shortfin eels caught commercially.

These estuary fisheries are of the highest importance to the commercial eel fishery. Inland, shortfin eels are caught commercially during flood events. In some dry

seasons, there are no flood events. However, shortfin eels can be caught at any time in estuaries, so they are able to provide a “top-up” catch during dry seasons when there are few floods. Without these estuarine areas available to fish, the commercial eel industry will quickly expire.

All of the proposed estuaries are very important fisheries. Median and maximum shortfin eel catches (per annum) in each area are estimated below:

Area	Annual median SFE catch (tonnes)	Annual Maximum SFE catch	Max. % loss of total allowable catch
Proposal D – Pleasant River Estuary and Stony Creek Estuary (SFE14)	1.5	4.5	45.00%
Total SFE14 (TACC = 10.00T)	1.5	4.5	45.00%
Proposal L – Akatore Estuary (SFE15)	1.75	4.5	12.02%
Proposal Q – Tahakopa Estuary (SFE15)	2.75	5.0	13.36%
Proposal R – Tautuku Estuary(SFE15)	1.0	7.5	20.04%
Proposal S - Haldane Estuary(SFE15)	4.5	6.75	18.04%
Total SFE15 (TACC=37.42T)	10	23.75	63.47%

In addition to the above table, it should be noted that:

- 1. There are no alternative areas for commercial eel fishermen to catch their SFE quota. All other estuarine areas are either fully utilised, or closed (see point 3 below).**
- 2. The strategic value of these estuaries for commercial eeling means that the loss of any of the above areas threatens the closure of the entire South Island eel fishery.**
- 3. Each of the estuarine MPA proposals exceed the “undue adverse effects test”, which is generally a loss of greater than 5-10% of a fishery.**
- 4. There are already a number of mataitai reserves and DoC-managed reserves in estuaries of the South-East Marine area. These are listed below:**

Mataitai Reserves:

- Wainono lagoon
- Waikoaiti estuary
- Waikawa estuary

DoC- Managed Reserves (as indicated by DoC public on-line GIS facility)

- Waipati (Chaslans) estuary
- Puerua Estuary (part)
- Akatore creek estuary, upstream of Akatore Road
- Tomahawk lagoon
- Orokonui Creek lagoon (Waitati)
- Hawksbury lagoon
- Shag River lagoon
- Wainono lagoon
- Otaio River mouth
- Pareora River mouth
- Normanby lagoon

All of these areas are closed to commercial eel fishing, and are given a considerable degree of “protection”. **In the case of DoC-managed areas, these should have been considered in the first instance for MPA’s, as they already provide a significant degree of protection, including no commercial fishing allowed.** It is surprising that none of these areas were considered for MPA’s of any kind and indicates a bias towards closing more areas to commercial fishing, rather than providing a network of representative protected areas at least cost.

Additional comments:

a) Five of the 20 proposed MPA’s (25%) are estuarine, impacting principally on the commercial eel fishery. However, the MPA Forum has no (i.e. zero) representation from commercial eel fishers. Nor has there been any response from the Forum to the letter SIEIA sent about this earlier this year. This letter is appended to this submission.

How can the Forum correctly identify estuarine areas as MPA’s, when those most directly impacted (commercial eel fishers) are not even represented? SIEIA is not represented by any of the commercial fishing representatives on the Forum. They, along with all other members of the Forum, know nothing of how the commercial eel fishery operates, nor the logistic and economic importance of these estuarine areas to the commercial eel fishery.

(b) In the SE Area there are already 3 estuaries gazetted as mataitai, and 11 estuaries gazetted as DoC-owned reserves, and thus closed to commercial eel fishing. Why didn't the Forum recommend some (or all) of these DoC-owned estuaries as MPA's? We see the reason to be greed, and an insidious desire to exclude commercial eeling from as many areas as possible.

(c) Every consent holder upstream of an estuarine MPA will need to take heed of the fact that their consented dam/diversion/discharge/in-river work will need to assess the effects of their activities on the downstream estuary marine reserve. Have these consent holders been consulted? Have they been made aware of their new responsibilities? We asked this question at the Christchurch drop-in meeting and the answer was no.

(d) The whole concept of Marine Protected Areas is a sham. MPA's afford no real "protection" from the things that threaten the values in these areas. The Forum has not taken into account the existing protection afforded to estuarine areas via mataitai and DoC-owned reserves. The protection standard applied by the Forum has no place in the management of these areas. The Fisheries Act and Resource Management Act provide all the protection needed for preventing adverse effects of fishing. The goals and objectives for managing these proposed MPA's in estuarine areas are unclear. The basic concept of ecological management is that the values of an area need to be identified, and the threats to those values need to be neutralised. Currently, the values have been vaguely identified (using a poorly-defined concept of "ecological biodiversity"), and the threats to those values have been ignored in favour of blanket gazettal of lines on a map.

(e) SIEIA has received no response to our letter to the Forum of 30th March 2015. A copy of this letter is provided below. If the Forum does not wish to engage with SIEIA, then how is it possible for SIEIA to have confidence in the Forum's consultation process?

(f) We note on Page 1 of the Overview of the public consultation document the statement:

The MPA Policy is underpinned by a commitment to minimise the adverse impacts of marine protection on existing users of the marine environment and on Treaty settlement obligations.

Clearly, this Policy has not been followed with respect to the shortfin eel fishery. If the Forum was serious about minimising impacts on commercial fishing (including that SFE quota allocated to Ngai Tahu under Treaty settlement obligations), then there would be no estuarine MPA proposals, except possibly the DoC-owned estuaries.

Yours faithfully

A black rectangular redaction box covering the signature of Bill Chisholm.

Bill Chisholm

pp: Victor Thompson – Chairman
SOUTH ISLAND EEL INDUSTRY ASSOCIATION INC



South Island Eel Industry Association

P O Box 1673, Invercargill.

telephone 03 230 4608

fax 03 230 4475

Email: waituna@xtra.co.nz

Ruth White,
C/- Department of Conservation,
PO Box 5244,
Dunedin 9058

30th March 2015

Dear Ruth

Re: South East Marine Protection Forum

The South Island Eel Industry Association (SIEIA) represents commercial eel fishermen who utilise the eel resource (shortfin and longfin eels) in the South Island, including coastal estuaries in the South-East Marine area. Our members comprise the majority of eel permit holders, and take the majority of the shortfin and longfin eel catch in the South Island. A recent international peer review report identified no significant concerns over the sustainability of our fishery, which is managed by the Ministry for Primary Industry under the Quota Management System.

Contrary to popular belief, freshwater eels prefer clean, high quality fresh water over turbid waters with muddy substrates. Any reduction of water quality is therefore detrimental to eel habitat, and the eel fishery as a whole. A significant proportion of the commercial eel catch is taken from estuarine areas. There already two mataitai reserves in estuaries of the South-East Marine area (Waikawa Estuary and Waikoaiti estuary), so we would oppose any attempt to close more estuarine areas to commercial fishing, through the gazettal of Marine Reserves.

Furthermore, we are very concerned that the South East Marine Protection Forum is not focussed on the real threat to our estuaries and coastlines, which is poor water quality from inland runoff. In particular, sediment input from freshwaters flowing into the coastal environment smothers sensitive estuary and near-shore environments. Closing these areas to harvest does nothing to prevent this. Some additional information on fresh water quality and its effects on coastal fisheries is attached below for your information

This situation has the potential to become a classic case of misidentified threats, and the tragedy they cause through creating new problems (closed areas) and solving nothing. We are disappointed that your promotional material indicates that somehow the public can inform you of managing threats through a questionnaire weighted towards increasing the number of closed areas, and not through robust independent science. We can assure you that the threats to the estuaries of the South East Marine environment will not be mitigated through harvest closures. We believe that you are

in danger of wasting taxpayers money and it could be said that you see fishermen (commercial, customary and recreational) as easier targets than freshwater polluters.

Consequently, we do not wish to participate in your questionnaire (in its present form). However, we would like to be added to your mailing list so that we can keep informed of South East Marine Protection Forum deliberations.

Yours faithfully

Victor Thompson
Chairman – South Island Eel Industry Association Inc

Overview of Otago Inshore fisheries interests

Otago's freshwater and coastal marine fisheries are of significant importance to Otago communities and the wider regional economy. These fisheries rely on healthy aquatic environments to sustain them. Pollutants reaching the coastal marine environment can adversely affect fisheries resources and fishing in several ways. For example

- increased sediment loading can adversely effect the survival rates of fish and shellfish larvae (e.g. kina and paua) resulting in decreased recruitment into the fishery
- Increased sediment loading adversely affects habitats such as seaweed beds. These form important nursery environments for fish and shellfish larvae.
- Coastal water quality is crucial to wild bivalve fisheries (e.g. cockles and surf clams). These species are filter feeders which concentrate contaminants, and consequently are subject to robust food safety controls. Contamination, even at low levels, by human or animal waste to coastal waters will effectively close these fisheries due to the presence of bacterial and viral pathogens.
- Increased nutrients such as nitrates have the potential to effect algal production in the coastal area. Algal blooms can be potentially toxic and effect the functioning of marine ecosystems.
- Elevated loadings of N, P pathogens and sediment all have a detrimental effect on Otago's commercial and customary freshwater eel fisheries.

There is considerable potential to develop Otago's inshore fisheries, providing it is done sustainably, and the environmental impacts of harvesting are appropriately mitigated. These additional fisheries include:

- Edible Kelp species
- Surf clams
- Paddle crabs
- Octopus
- Queen scallops

These potential fisheries are all dependent on good water quality, and can be severely impacted by degraded freshwaters entering the nearshore marine environment, In

addition, the potential to develop nearshore aquaculture in Otago Region can be severely diminished by degraded freshwaters entering the marine ecosystem.

The Quota Management System (QMS) and commercial initiatives are extremely important to maintaining these fisheries for sustainable harvest. The QMS limits the amounts of each species which can be harvested, so as not to adversely reduce their density to the point where harvest becomes uneconomic and to allow for a healthy adult breeding population to remain, and therefore sustain the fishery.

It is imperative that the habitats of these fisheries are maintained and preferably enhanced, to ensure their sustainability. In most circumstances, fresh water quality is not something that recreational, commercial or customary fishermen can manage, or enhance.