

## **New Marine Protected Areas Act**

The Marlborough Environment Centre Inc. *Submission*,

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The Marlborough Environment Centre (MEC) welcomes the proposed Marine Protected Areas Act as long overdue. However, the organisation has areas of concern and comments to make.

Worldwide good practice, as recommended by the International Union for Conservation of Nature and Natural Resources, is that the primary purpose of every marine protected area should be nature conservation. This must be the bottom-line, in future management of New Zealand Marine Protected Areas.

### **Proposed Recreational Fishing Parks**

That politicians have made a promise to create Recreational Fishing Parks is not a strong enough reason for “top-down” pressure to push these through. Ideally, this proposal would be looked at as part of a larger package under the Marine Protected Areas Act.

Recreational Fishing Parks’ primary purpose does not appear to be nature conservation, but protection of this sector group’s right to fish and a bid for their political support.

- Proposed Recreational Fishing Parks should not be a category under the proposed Marine Protected Areas Act (3.2 and table 1). The proposal is tightly tied to the emotive “people’s right to fish” and is likely more about popular political appeal than genuine desire to manage fish species. Fish management should be considered as part of wider marine resource management, with decisions based on credible data. That the Parks have been proposed ahead of evidence being gathered on the recreational catch is surprising.
- There is no guarantee that these fishing parks would provide the “improved experience” promised, given that recreational overfishing by some people may be severely depleting the resource. Attracting more fishers to the area with the Park has the potential to increase fishing pressure and further deplete stocks.
- If the Parks are created, recreational fishers should be required to record their catch so impacts can be objectively monitored. Educate fishers, set catch limits and introduce an easy-to-use mobile phone app for recording of catch, with MPI surveillance. Otherwise, carry out professional representative sample surveying and data analysis.
- These parks should not be managed by recreational fishers who will tend to prioritise their experience over biodiversity outcomes. The Marlborough Environment Centre supports community management by organisations such as Marlborough Marine Futures representing a range of stakeholder, iwi and community viewpoints rather than politically appointed advisory groups.
- Petroleum and minerals activities should not be allowed in these areas
- The proposal for the Marlborough Sounds Recreational Fishing Park to affect only commercial fishing and not paua, scallop and crayfish harvesting is questioned. If evidence was produced of these resources being at risk, there should be the ability to also rule against commercial collection of these species

- If data shows that fish stocks continue to decline under recreational fishing pressure, there must be the ability to respond such as closing certain areas permanently or for a stipulated length of time.

#### Marine reserves

- The Marlborough Environment Centre applauds the concept of marine protected areas, where no fishing of any kind is permitted and the seabed cannot be disturbed in any way. The organisation was relieved to hear Environment Minister Nick Smith say at a Blenheim information meeting that “no-take” marine reserves could overlap Recreational Fishing Parks.
- The MEC is keen to work alongside other sectors of interest in the Marlborough Sounds including iwi, stakeholders and communities to achieve common goals of sustainability, looking after the benthic environment, and ensuring the Marlborough Sounds natural environment is in better shape in 10 or 20 years than now.

This could mean jointly addressing potential threats such as sediment – probably from Marlborough forestry operations – smothering species and dredging destroying the seabed and shellfish communities. Government funding should be available to help investigate these and other threats and possible solutions.

- The proposal places too much power in the hands of the relevant Minister/s, for accepting or rejecting proposals to create or decline an MPA. There is the potential for a proposal to be rejected on political grounds, if short-term economic impacts are seen to outweigh long-term biodiversity benefits.
- The MEC points to the danger of parties engaging in a collaborative process being given “clear terms of reference by Ministers” and the suggestion of a Government-appointed board of inquiry being given powers to make recommendations, if consensus cannot be reached. This risks Marlborough people spending a lot of time and effort (probably unpaid) on a MPA proposal, which could eventually be overruled in a political process. Help with reaching community consensus would be preferable.
- It is noted that the ability of marine protected areas to protect significant marine areas is not consistent, around New Zealand. Protection should be at the higher end.
- Separating out marine reserves to protect fish, species-specific sanctuaries and seabed reserves is questionable. Taking a whole ecosystem approach would be preferable, as species are interdependent.
- Care needs to be taken when balancing “production and use”. The MEC would be opposed to reserves, species-specific sanctuaries and seabed reserves being created at the expense of sacrifice areas (for example, Tory Channel) in a balancing act, where regardless of environmental values, economic goals such as Government Aquaculture targets would be prioritised
- Prioritising oil, gas and mineral mining prospecting and exploration permits over protection of significant ecosystems is unacceptable. Ecosystems and the tourism industry need certainty as much as oil, gas and mineral prospectors
- The MEC argues that where there is a conflict that economic and social benefits are weighed against environmental impacts, in each case. If, for example, a unique marine ecosystem was discovered where a prospector had exploration rights there would be a strong argument for protection.
- The proposal to improve iwi/Māori involvement (4.2) is applauded as is continued use of customary management areas alongside MPA categories (p37)

- The Sustainable Seas National Science Challenge is applauded. The Marlborough Environment Centre would be interested in joining with Marlborough iwi, stakeholders, communities and Marlborough District Council to determine research priorities for the region.
- The EEZ should not be out-of-scope for the proposed Act. Ecologically significant areas off D'Urville Island, for example, continue offshore.

### **Decision-making**

The Marlborough Environment Centre along with other marine interest groups in Marlborough is a strong advocate and bottom-up community decision-making and believes the district has the intellectual capital to responsibly manage Marlborough marine environments. Government could provide support by funding specialist advice and/or research and potentially professional mediation, when needed. It should not dominate or undermine collaborative management by Marlborough local Government and communities including iwi and stakeholder groups.