

TMP Submissions,
P O Box 11-146,
WELLINGTON 6011.

23rd October 2007.

Submitter: R.A. Meikle
CHRISTCHURCH 8140.

TABLE OF CONTENTS:

- 1. INTRODUCTION:**
 - 2. COMMENTS:**
 - 3. CAUSE OF DEATHS CANTERBURY COAST 1.1.02 TO 25.4.06.**
 - 4. EFFECTIVE NESS OF RESTRICTED AREAS TO DATE:**
 - 5. PROPOSALS GENERALLY:**
 - 6. OPTIONS FOR EAST COAST OF SOUTH ISLAND (ECSI).**
 - 6.1 Options generally.**
 - 6.2 Option #1 Opposed.**
 - 6.3 Option #'s 2(a) & 2(b) amalgamated and preferred by me.**
 - 6.4 Option #3 opposed.**
 - 7. SOCIO-ECONOMIC EFFECTS:**
 - 8. MONITORING:**
 - 9. CONCLUSION:**
- Appendix "A" (4 pages)**

1. INTRODUCTION: I appreciate the opportunity to submit on the proposed Hector's/Maui dolphin Population Management Draft Plan. I am 77 years of age and consider that, having put my first hook, line and sinker into the sea at about 7 years of age, set my first net at 18 years and have consistently pursued both practices for leisure and food since, I am an experienced fisher who has had ample opportunity to relate to and observe the behaviour and habits of various varieties of marine life. This particularly applies to knowledge of sought after fish species and marine mammals from a practical but non-scientific aspect.

I was for one season involved in commercial cray fishing based in Akaroa and in the late 1940's and early 50's helped out on a casual basis on a variety of commercial fishing vessels, mainly trawlers. The knowledge gained from these experiences and attendant observations of the marine environment on mainly the East Coast of the South Island (ECSI) give me considerable qualifications to speak with some validity on that marine environment, albeit anecdotally, a qualification that some less experienced people in this field appear to find difficult to accept.

The content of this submission will be based on my experience and observation over the 70 years, supplemented by what I have heard and learned from various people in many marine related forums in more recent years. I would be prepared to, if required, attest to the entire content and assertions of this submission on oath. My comments and recommendations will be restricted to amateur fishing activities on the ECSI where most of my practical experience has been gained.

2. COMMENTS:

1. I accept that in the mid to late 1980's period researchers identified a problem of casualties among the ECSI population of the Hector's dolphin dying from contact with both amateur and commercial fishing nets. Those researchers are to be congratulated on that achievement.

2. I believe that the measures that were imposed by the Banks Peninsula Marine Mammal Sanctuary Act 1988 were very successful in reducing these undesirable incidents and casualties. The further extension of the area to which those restrictions would apply in 2001, temporary until July 2002 when regulations were promulgated to make those measures permanent, included the area that should have been covered, or at least included, in the 1988 measures and were equally successful.

4. I have an honest belief that, as far as the ECSI is concerned, the Hector's dolphin population is far greater now than it was 60 years ago when the sighting of a pod of 6 to 8 animals in the Akaroa Harbour heads area on a summer evening was a relatively rare occasion, never seen by me in the winter months that I can recall. I attribute this increase to the commercialization of sharks which were fished mainly for liver commencing in the early 1960's, thus causing the removal of the larger and more persistent predator of dolphin. It is also attributable to some extent to the increased turbidity of the Banks Peninsula waters due to increased denuding of the Canterbury high country and the increases in regularity of the opening of Lake Ellesmere thereby admitting a greater quantity of silt to the immediate coastal waters. This enabled the Hector's dolphins to more easily conceal themselves from their predators. We 'old timers' knew them as 'Cloudy Water Dolphins'.

3. CIRCUMSTANCES & CAUSE OF DEATHS ON CANTERBURY COAST IN EXTENDED SANCTUARY AREA BETWEEN 1.1.02 and 25.4.06

There is a certain amount of doubt about the accurate circumstances of some Hector's dolphins deaths in this area but I have put them all in to show the true picture and demonstrate the varied causes of death as well as to further show that these deaths can be avoided. Appendix "A"

enlarges on the information contained in Table 1 below. It is pleasing to note that the amateur fisher involved in #386 promptly reported the incident, as he was required to do. As well as showing where nets were or could have been involved it indicates, in some cases, the probable cause of death.

Table 1.

No.	Date	Area	Sector	Animal	Cause of Death.
331 & 332	1.1.02	5km south of Motunau	Commercial indicated.	Presumed both adults	Neither recovered or verified. Comm trawl net nearby.
347	16.12.02	Timaru Harbour	Not applicable.	Adult	No evidence of entanglement.
352	15.2.03	Off Lavericks Bay	Not applicable	Adult	No evidence of entanglement
364	30.1.04	Sumner surf	Not applicable	Adult	No evidence of entanglement.
365	26.3.04	Taylor's Mistake	Not applicable	Adult	No evidence of entanglement
368	18.5.04	Le Bons Beach	Not applicable	Adult	No evidence of entanglement Fighting ?
369	9.10.04	New Brighton Beach cast	Not applicable	Adult	No evidence of entanglement
372	22.11.04	Port Levy	Not applicable	Adult	No evidence of entanglement.
373	4.12.04	Akaroa Heads	Not applicable	Week old calf.	No evidence of entanglement. Believed storm casualty.
374	9.12.04	Tumbledown Bay	Not applicable	Juvenile.	As in 373 above.
376	21.12.04	Robinson's Bay	Not applicable	Juvenile	As in 373 above.
382 & 383	4.2.05	Rangitata River Mouth	Cannot be determined which sector.	Both adult	Both probable entanglement. #382 a diseased animal.
386	4.9.05	Le Petit Carenage Bay	Amateur	Adult.	Entangled in illegal net in flat fish area.

Summary: 2 (331 & 332) not verified deaths, if accepted probably commercial.
 2 (382 & 383) cannot be established which sector.
 1 ((386) definitely recreational.
 9 deaths no indication of net entanglement.

Source: Appendix C of Hector's dolphin Threat Management Discussion Document and progressive record of deaths supplied to me by the Department of Conservation.

4. EFFECTIVENESS OF RESTRICTED AREAS:

Following research based mainly on investigation of the deaths in the Hector's dolphin population due to set net fishing activities on the East Coast of the South Island the Banks Peninsula Marine Mammal Sanctuary 1988 effective from 1.1.1989 was enacted. This Act placed a number of restrictions on both commercial and amateur set netting within that sanctuary area extending from the Rakaia River mouth in the south to Sumner Head on the north side of Banks Peninsula and 4nm seaward. In 2001 further temporary restrictions on amateur set netting were imposed and in July 2002 were gazetted as permanent. This further restriction, which applied the requirements of the Banks Peninsula Marine Mammal Sanctuary, increased the boundaries of the set net ban to the Waitaki River in the south and the Waiau River in the north.

From the record of deaths contained in Appendix "C" in the Hector's dolphin Threat Management Discussion Document I have been able to prepare a table (Table 1 below) clearly reflecting those deaths. This clearly illustrates the effectiveness of both the Banks Peninsula Marine Mammal Sanctuary 1988 and the extension of the area to which those measures have applied since 2001. In both cases deaths from amateur set netting activities have been substantially reduced and I contend that applying those measures to the whole of the ECSI area will further mitigate and avoid deaths in the Hector's dolphin population to the extent of, if not being entirely eliminated, at least reduced to an acceptable level.

Table 2 : Effect of measures introduced to protect Hector's dolphins from amateur set netting activities on the East Coast of the South Island by comparison of number of deaths from amateur entanglements before and after restricted areas were created.

Deaths 1984 to 1988 inside BPSA* before its creation in 1988.	Deaths Outside BPSA* but inside restricted area created in 2001 between 1984 & 2001.
1985 #54; 1986 #67; 1987 #'s 88, 104, & 102	1989 # 141; 1992 # 166; 1993 #191; 1998 #274; 2001 #310. Total 5 in 18 yrs.
1988 #'s 108 & 131.	The following listed below as 'unknown' but may have been amateur.
Total: 7 in 5 years. (1.4 pa)	1988 #'s 131 & 111; 1994 #'s 201, 205, 207; 1995 #220; 1998 #'s 253, 262 & 263 2000 #299; Total 10 in 18 yrs. Combined = 15 (0.83 animals pa)
NB: #55 & 56 in 1985 recorded as amateur but amateur netting does not occur 3nm seaward so not included above.	Deaths occurring in extended restricted area created in 2001 after creation. (Includes temporary period of 2001
In BPSA* after 1988 are listed below:	2005 #'s 381 & 382 Not known whether amateur or commercial Total: Possibly 2 (0.3 animals pa)
2000 #295	
2005 #386	
2007 #144/07	
Total: 3 in 19 years (0.16 animals pa)	

* BPSA = Banks Peninsula Sanctuary Area.

References: Appendix "C" of Hector's dolphin Threat Management Discussion Document published by Mfish & DOC in April 2007. Also Excel Record of Hector's/maui dolphin incidents from 1921 to the present maintained by DOC.

5. PROPOSALS GENERALLY:

Firstly, I support and encourage the concept of New Zealand being divided into four distinct coastal areas, ECSI, WCSI, SCSi and WCNI, for the purposes of creating acceptable, efficient and more easily managed dolphin protection areas and measures to achieve that protection. The reasons for that support include: --

(a) Due to the widely differing netting activities around the coastal areas, the period of the Hector's/Maui dolphin being more concentrated in those areas, the effect measures imposed can have on other marine species and the desirability of having a plan to cover a wide area will enable net fishers to be aware of what is required of them and what the restrictions are and to where they will apply.

(b) That no blanket exceptions should be made from the requirements of the restrictions. If Maori wish to exercise customary rights to net outside of the prohibited time frames and conditions imposed for marae purposes it should only be permitted subject to a properly issued permit with conditions attached that will ensure no casualties among the dolphin population occur as a result of that netting. If Maori wish to fish for non-marae related purposes then they should do so under the rules that apply to all amateur net fishing for that area.

6: OPTIONS FOR EAST COAST OF SOUTH ISLAND:

6.1 OPTIONS GENERALLY:

When commenting on the proposals outlined on pages 122 to 132 of the Hector's/Maui dolphin Threat Management Plan draft (including the analysis of the effects on amateur fishing and, to a lesser extent, the effects on fish species) I stress that I am confining my remarks and comments to amateur set netting aspects only. While acknowledging that both the records disclosed in the document and my personal knowledge, acquired mainly through my participation in a wide ranging number of forums relating to this issue, indicate that problems exist with the commercial fishing sector inter-action with dolphins, I do not feel sufficiently qualified to put forward constructive remedial points to lessen or eliminate these incidents in that sector.

Likewise, my intimate knowledge of set-netting arises from the previously referred to years of experience on the East Coast of the South Island (ECSI) and I shall make no attempt to comment on practices or incidents in other areas of New Zealand other than to say that where any remedial action we, ECSI fishers, have taken or endured since 1988 to mitigate risk to Hector's dolphin or other non-targeted species would be suitable for other areas then that, in itself, will be a welcome result.

6.2 OPTION #1: Status Quo. Opposed.

It must be said that the Banks Peninsula Marine Mammal Sanctuary 1988 restrictions on set netting have drastically reduced the number of entanglements amateur set nets within the restricted area. This is acknowledged in the draft document. While I am reluctant to be critical, rather than constructive in this document, I am disappointed to note that MFish choose to refer to unspecified 'anecdotal' reports of incidents of net marked carcasses having been placed above the beach and out of sight and so raise the question of non-reporting. Until an incident in Port Levy in October 2006 I was totally unaware of any incident of non-reporting of a dolphin death in the amateur sector of the ECSI. I am aware that the only other amateur net related incident, (Le Petit Carenage Bay on 4.9.05) was immediately reported by the fisher concerned). In neither case was the carcass recovered but I, personally, accept that both Incidents did occur.

I admit that I am not in a position to categorically deny that other incidents of non-reporting and burying have occurred within the ECSI region but the allegation has, in more recent times, been raised in a number of forums. I have challenged these assertions by asking for evidence of this but it has not been forthcoming and in one forum, the Pohatu Marine Reserve Management Committee, the allegation was withdrawn. In the Hector's/Maui dolphin Advisory Group a prominent marine scientist made the allegation and I again asked if she had evidence of that in the ECSI region. She admitted that she did not but immediately said she had seen it on the West Coast. That may well be as, with the large quantity of drift wood on those beaches compared to the East Coast the concealment could be more easily effected. The open and uncluttered beaches of the ECSI are a totally different proposition from a concealment point of view. Arthur Patience discovered this when he buried the murdered body of his wife on a beach at Oaro in the late 1930's only to have it uncovered by wave action to reveal his crime soon afterwards. Is the reason for these assertions now being made because made because figures do not support the number of deaths due to amateur netting as had previously been portrayed?

However, be that as it may, I do not support the status quo for the following reasons:---

1. There are four differing regimes currently within the ECSI region.
 - a. The Banks Peninsula Marine Mammal Sanctuary;
 - b. The extension by regulation in July 2002 to include the coast line from the Rakaia River to Waitaki River in the south and Sumner Head to the Waiau River in the north.
 - c. The further extension in the north on 21.12.06 to include the coast line from the Waiau River to the Clarence River.
 - d. The uncertainty of the provision for Customary set netting to take place.

In addition to the confusion these differences create for the average fisher, in knowing just what he can do and where he can do it, it is undesirable for consistency. There are no great differences in fishing practices within the proposed ECSI area, or the species targeted other than possibly beach based seasonal netting for rig and elephant fish which can be taken by line, although not as easily.

2. It would be desirable, in my opinion, to clearly define and provide for customary fishing requirements where methods used, species sought, time of year and area of extraction proposed could be reasonably regarded to pose a risk to Hector's dolphins. This would assist in satisfying non-Maori that, in fishing in contravention of restrictions applicable to others, they were acting under the terms of a properly issued customary permit and, when not so operating, Maori would be bound by one common set of restriction applicable to all over the entire ECSI region.

6.3 OPTIONS 2(a) & 2(b): Recommend amalgamation of both to be included in one option set out below under the heading, "My Recommended Option for Amateur Set-netting in ECSI Region". I am opposed to these as set out in the draft document their being separate choices.

Both of these options contain proposed provisions that can, in my opinion be more concisely and satisfactorily combined into one comprehensive, all-encompassing acceptable proposal which would amply afford wide ranging protection to the Hector's dolphin along the entire ECSI. It would be universal and would enable amateur and customary net fishers to pursue their leisure activities and enable them to obtain a meal of most species in an environment that would continue to mitigate the risk to Hector's dolphin. It would also provide for assisting the sustainability of the Butterfish (Greenbone) population. (This will be briefly discussed later in this submission).

My Recommended Option for Amateur Set-Netting in ECSI Region:

My Proposal: Amateur set-netting is prohibited inside 2nm from shore (MHW) between Cape Campbell and Slope Point with provision for some set-netting between 1 April and 30 September each year. The following measures shall apply:
1. Mandatory attendance with a set net other than a flatfish net in a designated area.
2. Maximum of one set net person and per boat.
3. No overnight setting of nets other than a flatfish net in an approved area. (Between 1 hour before sunset and one hour after sunrise..)
4. Maximum net length of 30m. Fishers are permitted to use a net that has a maximum length of 60m when targeting flatfish.
5. Flat fish nets may, in addition to the permissible period for netting, be set in designated areas between 30 September and 30 November each year.*
6. Butterfish nets may, in addition to the permissible period for netting, be set in designated areas between 30 September and 30 November each year.**
7. Customary Fishing: That all netting for any fish for Marae requirements during the months of netting prohibition be subject to a customary permit and the conditions normally applied to butterfish netting should be applicable when the fishing authorized by the permit is being exercised. Maori non-marae based netting should be subject to amateur fishing provisions..
<ul style="list-style-type: none">• Flatfish nets must be no more than 60m in length, 9 meshes deep and 0.35mm mesh diameter and no less than 125mm mesh size. They must be anchored at each end with a weight no lighter than 3kg. <p>Designated flatfish areas are as shown in Appendix 6 of the draft PMP document.</p>
** Butterfish nets must be no more than 30m in length, 25 meshes deep and a maximum diameter of the net mesh of .5mm and a minimum of 114mm mesh size. They must be anchored at each end with a weight no lighter than 5kg and 14 net floats on the float line.
Designated butterfish areas out to 100m from MHW.

Additional notes to my recommended option outlined above.

Flatfish set-netting: It will be noted that under the status quo, the current prohibited flat fish set-netting period in designated areas terminates on the last day of February, hence permitting set nets to be placed from the 1st of March onward. It has been of concern to others and myself during more recent years, since about 2000 at least, that more dolphins seem to be continuing to frequent the upper Akaroa Harbour area during the month of March. As others, including MFish, and I, have considered that this poses a slight risk of a Hector's dolphin entanglement, we have engaged in communicating with fishers to try and deter them from setting nets during this period. I am of the opinion that the opportunity now presents itself to statutorily provide for increased protection for these dolphins by adding March to the prohibited period. It will also bring the commencement of the permissible period for flat fish to the same date as for all other set-netting activities and this will make it easier for fishers to know when set netting can resume.

Late in the spring, October and November, dolphins have not moved towards the upper harbour areas in any numbers. Consequently I am of the opinion that the prohibited period for flatfish set

netting could safely be adjusted to permit flat fish netting to continue until the 30th November without increasing the risk to dolphins. In fact, that extension is contained in Option 2(a) of the draft document subject to the previously mentioned conditions.

Butterfish (Greenbone) netting: In my opinion the effect of prohibiting set netting for Butterfish during the months of October and November on the viability and sustainability of the Butterfish population is serious. Specimens of these shy, kelp dwelling and feeding fish taken during the months of July, August and September are full of eggs which, when the fish is filleted, spill over the filleting bench in their thousands, if not millions. Each egg so removed places the sustainability and viability of this species in doubt as far as Akaroa Harbour is concerned, they being a resident type fish not migrating any great distance as Moki do. Under the current dolphin protection restrictions fishers wishing to acquire a meal or two of these desirable fish, are being forced to fish during the odd reasonably suitable days during the months when the fish are heavy in egg. By permitting butterfish set netting to be carried out during October/November under the conditions previously referred to fishers will leave these egg laden fish to multiply.

The effects of the inclusion of October and November to the prohibited netting period can now be seen in quite drastically reduced butterfish catches. When the original Bank Peninsula Marine Mammal Sanctuary was created in 1988 butterfish stocks in Akaroa Harbour were very low. This was attributed to heavy set net pressures over the Xmas holiday period. The ban eased this pressure and by the end of the 1990's reasonable catches were being secured. Now, 6 years after the alteration of the prohibited period in 2001 to include October and November, this includes the temporary provisions from 2001 until regulations were promulgated in 2002, we are finding once again a depleted butterfish stock in Akaroa Harbour and immediately adjacent waters. I have absolutely no doubt that this is entirely due to fishers having to take egg-laden fish during July, August and September to secure a meal of them.

It is of interest to note that in paragraph 4 of page 105 of the draft PMP document MFish acknowledges with the following quotation from it that there is minimal risk to dolphins from solely flatfish or butterfish netting activities. I quote:--

“Available information on set net incidents suggest that, of all set netting practices, overnight fishing solely for flat fish and daytime fishing solely for butterfish poses the least risk for dolphin mortalities. MFish is not aware of any dolphin mortalities caused by nets set only for butterfish that are confined to reef/kelp areas but fishers observations suggest these areas are not favoured by Hector's dolphins.”

Customary Set-netting: Not given a great deal of prominence in the draft document is the question of customary fishing in relation to Hector's dolphin protection. It is particularly relevant on the ECSI areas if authorizations to net for butterfish and flat fish for Marae based purposes are issued. It is important that those individuals authorized to issue customary permits in areas where an element of risk to the Hector's dolphin exists in order that alleviating conditions can be incorporated in the particular document if considered advisable. I note that one short paragraph on page 106 relates to this aspect and comments are invited from stakeholders. I am unable to comment on whether or not customary permits are issued for set netting. In respect of the Port Levy incident referred to previously I am not aware of whether or not the individual concerned was netting under a customary permit or otherwise or what type of net he was using.

6.4 OPTION 3: I consider that a complete all the year round prohibition on all types of set netting, both amateur and commercial, in the ECSI area as defined in the draft is both unnecessary and grossly draconian. Experience since the creation of the Banks Peninsula Marine Mammal Sanctuary in 1988, also confirmed with the proven effectiveness of the two subsequent

extensions of the area to which the restrictions would apply, clearly indicate to the reasonable person that risk to the Hector's dolphin population from set netting in a restricted area can be managed to the point of, if not total elimination, to very close to it. A complete ban on these activities on the ECSI is not acceptable, necessary or desirable.

7. SOCIO-ECONOMIC EFFECTS:

While I am resident in Christchurch I have since 1990 owned a holiday home at Wainui in Akaroa Harbour. Being only a little over a one hour drive from Christchurch it enables myself, my family and friends to enjoy a rural atmosphere and a total change of life style within an acceptable distance of Christchurch city. One of the main attractions of having this property is that it enables me to have a base that provides almost immediate access to the sea when weather conditions are suitable to pursue my life long passion for fishing. For a variety of reasons it is not possible to assess the weather conditions in Akaroa Harbour from Christchurch. If this base were not available many wasted drives would be incurred. Currently we can stay over there and choose whether or not the prevailing weather conditions are suitable for fishing. I also own a transportable boat from which myself, family and friends fish mainly in Akaroa Harbour and nearby bays when weather permits. Ownership of these two items, which I consider desirable if I am to enjoy my retirement, represents a substantial investment.

Due to the degraded stocks of species that can be taken on line, red and blue cod in particular, net fishing now forms the major part of my fishing activities with flounder and butterfish being the two species targeted. Having experienced net fishing under restrictions imposed to protect the Hector's dolphin since 1989, 17 years, and consequently being deprived of the pleasure of following this activity during the summer months, I am of the opinion that adoption of the proposal contained in this submission would provide a reasonable and acceptable balance between my desire to continue my set netting activities, retention of my property and boat and providing protection for the Hector's dolphin.

If the status quo (Option 1), which I regard as being more restrictive by far than is necessary, were to be retained or a total ban on amateur set netting either, nationally or locally (Option 3), put into place I would have to seriously consider whether or not I retain my property at Wainui and continue to enjoy the convenience of going fishing when conditions are acceptable or dispose of the property. I would also have to look at alternative housing for my boat and suffer the inconvenience of having to tow it from some storage place in Christchurch to suitable fishing areas. I can see that this would probably lead me to give up fishing within a fairly short time.

Many of my fellow bach or holiday home owners are in a similar situation. All of them enjoy, as do I, having the ability to obtain a meal of fresh fish by their own efforts, a rewarding experience in itself. Deprivation of this, particularly those in retirement or nearing that stage of life, will be seriously affected both socially and economically by the imposition of draconian and unnecessary measures when other effective and more acceptable measures will achieve the object of this plan, the protection of the Hector's dolphin from deaths in amateur set net activities.

9. MONITORING: Enforcement of the provisions restricting the use of amateur set nets for the purpose of mitigating or eliminating risk to Hector's dolphin can be effectively pursued by the existing MFish fisheries protection policies including HFO's, all supplemented by the Department of Conservation appointed Field Officers who hold MFish warrants under the Fisheries Act. These regimes will be further supplemented by public acceptance of the restrictions, as that will encourage the public and fishers to report observed breaches of those restrictions. I contend that if the restrictions imposed are too draconian or seen to be more than is

necessary to provide for the welfare of the dolphin population illegal netting activities will be altered to make detection difficult. My experience is that the majority of fishers now accept that regulatory measures are necessary to protect the dolphins and so long as these measures are fair, are seen to have purpose and permit them to at least pursue netting as a form of leisure activity as a means of securing a meal of highly regarded fish species they will more readily abide by the requirements of the restrictions imposed. It will be the most effective form of self-policing.

10. CONCLUSION: As indicated throughout this submission I am of the firm opinion that, subject to the stringent restrictions outlined in this submission being enacted, amateur set netting can be successfully managed to ensure that casualties in the ECSI population of the Hector's dolphin proposed area are, if not entirely eliminated, at least kept to an absolute minimum that will be acceptable to most people. The fact that summer holiday periods are included in the total prohibition of amateur set netting in the ECSI area will continue to reduce the number of inexperienced netters setting nets in a random and unsatisfactory manner.

Again, I thank you for the opportunity to submit on this issue.

Signed:

R A (Bob) Meikle

Summary of Hector's dolphin deaths in area between Waitaki River in the south and Waiau River in the north between 1st January 02 and 25th April 06. (Area was created by the Banks Peninsula Marine Mammal Sanctuary 1988 plus a temporary extension imposed in 2001 and subsequently regulated as permanent in July 2002).

(a) # 331 & 332. Occurring 1.1.02...4 to 5km south of Motunau River mouth (North Canterbury). Neither animal was officially seen and there was no verification of carcasses being present. A photograph in The Press article depicted a washed up commercial trawl net and was so associated with the alleged deaths.

(b) #347. (H61)* Occurring 16.12.02...floating in Timaru Harbour. Cause of death: trauma - unknown cause, Necropsy Result: Trauma. Contusions consistent with blunt trauma to the head and dorsal cervical region. Haemorrhages appear to have occurred pre-mortem. No evidence of asphyxiation.

Comment: No evidence of entanglement.

(c) #352 (H67)*...occurring 15.2.03 found floating off Lavericks Bay, Banks Peninsula. Cause of death: unknown, Necropsy Result: Mild pulmonary oedema and parasitic pneumonia (insignificant)

Comment: No evidence of net marks indicating entanglement.

(d) #364 (H79)*...occurring 30.1.04...recovered from the surf at Sumner Beach. Cause of death: trauma - unknown cause, Necropsy Result: Trauma fracture (right mandibular ramus) and drowning. Cause of trauma unknown. Extensive subcutaneous contusion. Chronic pneumonia & pulmonary congestion, acute oedema

Comment: No evidence of net marks indicating entanglement.

(e) #365 H80)*...occurring 26.03.04...recovered from surf at Taylor's Mistake Beach. Cause of death: trauma - unknown cause, Necropsy Result: Trauma to head & trunk (acute, extensive, mod-severe). Cause could not be determined. Drowning - pulmonary congestion, oedema (acute, diffuse, moderate) & chronic, mild pneumonia

Comment: No evidence of net marks indicating entanglement.

- (f) #368 (H82)* - 18.5.04. Beach cast in Le Bons Bay. Cause of death: natural, Necropsy Result: Foetal death. Mild incidental parasitic pneumonia. Mild pulmonary congestion.

No evidence of entanglement

Comment: No evidence of net marks indicating entanglement. Fishers in a small boat at the entrance to Le Bons Bay the previous evening reported to Al Hutt, DOC Field Officer that they had at that time seen a group of dolphins apparently attacking another. Next morning this dead animal was found on the beach. Pers comm. From Al Hutt (DOC Ranger) to Meikle at the time.

- (g) #369 (H84)* - 9.10.04 - Beach cast at New Brighton
Cause of death: natural, Necropsy Result: Acute haemorrhagic pneumonia of bacterial origin & gastric ulceration, glandular stomach. No evidence of entanglement. Good body condition. Lungs confusely congested and oedematous

Comment: No evidence of entanglement.

- (h) #372 (H87)* - 22.11.04 - Beach cast in Port Levy. Cause of death: not determinable, Necropsy Result: The dolphin appears to have died after a period of inanition and it was in very poor body condition at death. This suggests a chronic illness. However, decomposition was too advanced to determine the cause.
Fisheries interaction would not appear to be a factor.

Comment: No evidence of entanglement.

- (i) #373 (H88)* - 4.12.04 - Floating at Akaroa Heads - week old calf. Cause of death: unknown, Necropsy Result: Asphyxiation. Pulmonary congestion and oedema (acute, diffuse, severe). Regurgitate in airways. Rake marks present over body surface. Congested lungs. Scavenged

Comments: Opinion of Al Hutt expressed to me at the time that this was a juvenile animal and was probably the victim of a severe southerly storm that had occurred just before discovery of the animal. No evidence of entanglement.

Appendix "A3"

(j) #374 (H89)*- 9.12.04 - Beach cast in Tumbledown Bay. Cause of death: natural, Necropsy Result: Separation/Drowning. Likely separation from mother and death from inanition, hypothermia and/or drowning. Mild-mod diffuse pulmonary oedema.

Meikle's comments: Opinion of Al Hutt (DOC Ranger) expressed to me at the time that this was a juvenile animal and was probably the victim of a severe southerly storm that had occurred just before discovery of the animal. No evidence of entanglement.

(k) #376 (H91)*- 21.12.04 - Beach cast in Robinsons Bay. Cause of death: unknown Necropsy Result: Open - Neonatal death. Mod-Severely decomposed

Meikle's comments: Opinion of Al Hutt (DOC Ranger) expressed to me at the time that this was a juvenile animal and was probably the victim of a severe southerly storm that had occurred just before discovery of the animal. No evidence of entanglement.

(l) #'s 382 & 383 (H81 & H 82)*- 4.2.05 - One in surf and one beach cast just north of Rangitata River Mouth.

H96. Cause of death: probable entanglement Necropsy Result: By catch with post mortem mutilation were cause of death. Incidentally had dolphin pox and parasites in lungs. Mild diffuse pulmonary oedema

H97. Cause of death: probable entanglement Necropsy Result: By catch with post mortem mutilation & parasitic pneumonia. Asphyxiation following entanglement. Indentations consistent with entanglement. Possible knife cuts. Mod-severe diffuse pulmonary oedema

Comment of author of this summary, R A (Bob) Meikle, Club President.

I spoke to the finder personally, Mr. Arps of Belfast. At the request of DOC he used his 4 wheel ATV to take the carcasses of both animals to Rangitata Huts where they were uplifted by DOC. Mr. Arps told me that he did not see any net marks but the dolphin that had been floating in the surf had a significant wound on one side of its body. Personal communication to me by Al Hutt (DOC Field Officer) at the time was that his inquiries indicated that a commercial fishing boat had been seen the previous evening close inshore off the Rangitata River mouth but could not be connected to either netting activity or the dolphins.

Appendix "A4"

While the necropsy indicates entanglement it is not possible to establish whether it was due to amateur or commercial netting activity.

(m) #386 – 4.9.05 A butterflyfish designed net set in Le Petite Carenage Bay (Brough's Bay) in a flatfish designated area of Akaroa Harbour overnight targeting flounder. Carcass lost by fisher when retrieving the net next morning. Fisher reported incident immediately but in spite of searches the carcass was never recovered.

Comment: A death caused by entanglement in an amateur set net.

This summary was compiled by me from progressive records kept as supplied by the Department of Conservation as incidents were reported. They are, to the best of my belief, accurate.

Signed:R A (Bob) Meikle

* Denotes change of numbering style initiated by Department of Conservation (DOC).

I