

DRAFT INTEGRATED MANAGEMENT STRATEGY FOR FIORDLAND'S FISHERIES AND MARINE ENVIRONMENT

Guardians of Fiordland's Fisheries and Marine Environment Inc.

SUMMARY OF SUBMISSIONS

Overview

By the submission deadline (20 December 2002), 102 submissions on the draft strategy had been received at the Environment Southland offices. A further 334 submissions were received, the last arriving at Environment Southland on 31 January 2003. Following consideration of submission contents, the Guardians decided to accept all late submissions. This document summarises the views expressed by submitters.

Submissions on the draft were received from Government agencies/statutory bodies, Tangata Whenua, members of the local community, and individuals and groups with an interest in commercial fishing, recreational fishing, charter fishing, eco-tourism and environmental issues in Fiordland.

The style and content of submissions varied considerably, but generally fell into the following categories:

1. a simple statement of support for all of the proposed measures
2. a statement of appreciation for the draft followed by comments relating to specific sections of, or issues discussed in, the draft
3. no overall comment, but comments relating to specific sections of, or issues discussed in, the draft
4. a statement of opposition to measures proposed in the draft, with comments relating to specific sections or issues discussed
5. a description of the policies and objectives of the submitting group/organisation, and how the draft strategy relates to these (generally including comments relating to specific sections of, or issues discussed in, the draft)

Submissions could also be categorised by whether they were "individual" (that is not belonging to either of the following two groups), generated as part of a NZ Royal Forest & Bird Protection Society strategy or as part of a strategy devised by the recreational fishing group, option4. Because of the potential for issues raised in 'strategy-generated' submissions to mask concerns raised in individual submissions through weight of numbers, strategy-generated submissions are summarised separately at the end of this document, in sections entitled 'F&B related submissions' and 'option4 related submissions'. Of the 436 submissions received by 31 January 2003, 65 were identified as F&B related, and 293 were option4 related. There were several option4 submitters who made multiple submissions. These multiple submissions are regarded as a single input for each submitter, so the total number of submissions received was effectively 429.

SUMMARY OF INDIVIDUAL SUBMISSIONS

(Excluding F&B and option4 related submissions)

Origin of submissions

Although submissions were received from throughout New Zealand, the highest proportion (54/79) was generated by agencies, groups or individuals from Southland. The breakdown of submission numbers by geographic region is presented in Table 1.

Table 1. Number of submissions by geographic origin

Origin	Number of submissions
Auckland	2
Bay of Plenty	1
Wellington	6
Nelson/Tasman	2
Canterbury	4
Otago	8
West Coast	1
Southland	54
Stewart Island	1
TOTAL	79

NB: Where a submission was received from the central office of a group/organisation, the submission was included in Table 1 according to the geographic location of that central office.

Summary of submissions by group

Initially, the submissions were sorted by the group to which the author(s) of each submission was judged to belong. Judgement was made on the basis of submission content (e.g., 'I have been recreationally fishing in Fiordland for over 10 years... '), on letterhead/address information (e.g., Ministry of Fisheries letterhead), and the Guardians' knowledge of the activities of the submitters. The groups recognised during this process were (with the number of each type of submission in brackets):

- Government agencies and local government/statutory bodies (4)
- Iwi (4)
- Commercial fishers (9)
- Recreational fishers (37)
- Charter operators (3)
- Eco-tourism operators (2)
- Environmentalists (7)
- Marine scientists (6)
- Miscellaneous (unknown or did not fit clearly into any of the above) (7)

Government agencies/statutory bodies

Submissions were received from Environment Southland (ES), the Department of Conservation (DoC, Southern Conservancy), the Southland Conservation Board (SCB) and the Ministry of Fisheries (MFish, South Region). All four submissions expressed an appreciation of the time and effort that had gone into producing the Draft, a 'comprehensive and ground-breaking strategy' (MFish).

Environment Southland, the DoC and the SCB expressed their ongoing support for the draft strategy and its implementation, and made several specific comments relating to sections of the draft document. While ES

expressed full support/agreement for each section of the draft commented on, the DoC and SRC recommended consideration of a number of marine protection tools for the protection of identified china shops, and the DoC suggested some additional areas that could also be considered for marine reserve status. The MFish felt it was unable to formally comment on the strategy at this draft stage (as 'to do so would be to anticipate the outcome of any later evaluation of those parts of the strategy that would fall under fisheries legislation'), but it noted that many of the aims of the draft were consistent with those of MFish; in particular, of stakeholders working together to ensure the maintenance of sustainable fisheries, and to ensure that possible impacts of fishing on biodiversity are avoided or mitigated.

Tangata Whenua

Submissions were received from Te Ao Marama Inc. (on behalf of the four Murihiku Runanga; Oraka-Aparima Runaka Inc., Te Runaka o Waihopai, Te Runaka o Awarua, and the Hokonui Runanga Inc. Society.) and from Te Runanga o Ngai Tahu (the tribal representative of the Ngai Tahu Whanui). Submissions were also received from Waitutu Inc., which has ownership of land along the southern coast of Fiordland, and from an individual of the Awarua Runaka. All four submissions expressed their support for the Guardians and the strategy, and Waitutu Inc. and Te Runanga also made comments on specific sections of the draft document. The Murihiku Runanga and the Awarua individual fully supported the draft in its current form, and the Murihiku Runanga stressed the urgent need for integrated management of Fiordland's resources.

Te Runanga made comments on the *Fisheries*, *Values of special significance* and *Kaitiakitanga* sections of the draft. They stated that they believe the strategy to be 'well balanced, incorporating an integrated and comprehensive range of tools in order to achieve protection for Fiordland's fisheries and marine environment'. They also stated the tribal policy position in relation to marine reserves: '... there shall be no marine reserves in areas of importance for customary fishing, wahi tapu or where it would diminish the development of any other area management tools such as mataitai, taiapure, rahui or tauranga ika.' However, in relation to the Guardians strategy, Te Runanga 'would be guided by Oraka Aparima Runaka as to the effects of the proposed reserves on the rights and values of Tangata Whenua'. Waitutu Inc. asked specific questions about moorings in the fiords, and the effects of fish depletions on the interrelationships between species.

Commercial fishing interests

Submissions were received from three commercial fishing management organisations (CRA8 Management Committee Inc., the NZ Seafood Industry Council Ltd (SeaFIC) and the NZ Paua Management Company), and six individuals with commercial fishing experience in Fiordland. There was a mix of support for and opposition to the proposed measures. Issues raised in submissions from individuals were largely fisheries-related, and included concerns about a lack of pot storage areas on the maps (a typographical error in the plan), the position of habitat lines, and whether further restrictions on the rock lobster fishery (in light of quota cuts in recent years) are just. The management organisations all expressed appreciation or support for the Guardians initiative. The CRA8 Management Committee and SeaFIC made specific comments on sections of the draft. CRA8, while supporting the strategy, reiterated the concerns expressed by individuals, and also commented on the proposed marine reserves and the compliance implications of the strategy. SeaFIC concentrated on mechanisms that could be used to implement the strategy.

Recreational fishing interests (excluding option4 related submissions)

Submissions were received from two recreational groups and 35 individuals. Of these individual responses, 17 were 'form letter' responses from Southland (16) and Otago (1) recreational fishers. The form letter stated support for the draft Integrated Management Strategy, and prompted individuals to give their reasons why. Reasons provided dealt largely with how New Zealanders should be able to visit Fiordland, enjoy the environment, and catch a fish for their supper if they want to.

Of the remaining submissions from individuals, *Fisheries*, *Values*, and *Compliance* sections of the draft received the most comments (16/18, 9/18 and 7/18 submissions, respectively). Most of the submissions were in general support of the proposed fisheries management measures, although 10 of the submissions suggested changes to proposed bag limits, fishing methods and accumulation provisions. Only one submission was against any changes to current recreational fishing practices and limits. The importance of the eventual strategy being a 'living' document (to enable the review of bag limits) was also emphasised.

With regards *Values of special significance*, five submissions stated support for the Guardians proposals, two expressed support for all the proposals except the creation of a marine reserve in Gaer Arm, and two submissions felt that there was no need for marine reserves in representative areas. In terms of *Compliance* issues, some concern was expressed about whether the habitat line-based differences in bag limits would be workable, although the counter view was expressed by another submission. It was stressed that compliance would be highly voluntary and that the changes would have to be supported by the community for the system to work.

Of the two groups, one commented only on the bag limits but was in general support of the draft, while the other (the Southland Sport Fishing Club) expressed concerns over the lack of wider consultation on the draft and believed there should be no changes to recreational fishing practices and limits within Fiordland until there is rigorous scientific evidence to support any proposed changes. This group supported the identification of bioinvasion risks and proposed marine reserve status for china shops, but did not see the need for marine reserve status for the representative areas.

Charter operators

Submissions were received from one charter fishing vessel operation, and from two air charter operations working in Fiordland. All three operations supported the Guardians draft, and contained specific comments relating to sections of the draft. The fishing vessel operators were concerned about methods and areas of pot storage, and moorings within china shops. The two air charter operations stated their opposition to the establishment of any more marine reserves within Fiordland than those proposed in the draft, and support for local management was also stated.

Eco-tourism operators

Submissions were received from two eco-tourism operators working in Fiordland; Fiordland Wilderness Experiences and Fiordland Ecology Holidays. Fiordland Wilderness Experiences advocated that the inner 70% of each fiord should be made a marine reserve, which would afford protection to the marine environment and its inhabitants, and would also simplify compliance and monitoring. They suggested that the draft needed to integrate the Fiordland National Park and Marine Mammal legislation to give the 'marine environment' part of the strategy equal weight with the fisheries. They agreed with and supported a holistic approach that involves integration of the agencies. The submission from Fiordland Ecology Holidays contained considerable information about Fiordland's fish stocks and fisheries, and questions specific to many sections of the draft. Although they suggested a proposal similar to F&B option 1, they are included

here because the Guardians agreed to their relocation. Fiordland Ecology Holidays also offered access to information in their files.

Environmentalists (excluding F&B related submissions)

Five submissions from individuals, a submission from the NZ Underwater Association, and a submission from the NZ Committee of IUCN Members were categorised as 'environmental', submissions either stating an environmental/conservation interest or concentrating on increased protection.

These submissions included comments relating to *Fisheries* sections of the draft (fisheries methods and recreational bag limits, habitat line positions), but largely concentrated on the issues of marine reserves and how to implement the strategy. The NZ IUCN Committee reiterated recommendations on the management of Fiordland made by the IUCN Technical Committee and the UNESCO World Heritage Committee in 1986 - that the fiords be made part of the Fiordland National Park and included in the World Heritage Area. The committee supported the recommendation. These same recommendations were repeated by four of the other submissions within this category.

Marine Scientists

Submissions were received from six marine scientists, one of whom closed by stating his support for a F&B proposal. The Guardians decided to include this submission in the marine scientist category. All submissions were appreciative or supportive of the Guardians efforts, and all made detailed comments on various sections of the plan, providing information and suggested rewordings where needed. Considerable concern was expressed over potential damage to china shops (anchoring and diving related) once they are identified, and various alternative strategies for their management were proposed. Most of the submissions also suggested protection (via marine reserve status) for additional areas of the fiords, including areas in the fiord entrances that may be important for recruitment processes within the fiords. Concern was also expressed that the draft did not seem to consider the environmental impact of eco-tourism activities, and that compliance of the strategy would be difficult.

Miscellaneous

As is to be expected by the name of this group, the seven submissions that did not fall readily into any of the above categories raised a variety of issues relating to all sections of the draft. These ranged from asking how the plan would impact on current resource consents, to the positioning of habitat lines, and the need for urgent reassessment of enforcement resources in Fiordland. The Deep Cove Hostel Trust commented on fisheries measures proposed for Doubtful Sound, and suggested that school children visiting the Hostel could take part in monitoring exercises that would provide some information on fish stocks and instil an appreciation of conservation in the marine environment.

Submissions by sections of the draft

The draft contained sections on the strategy entitled *Fisheries, Values of Special Significance, Risks to the Marine Environment, Establishing Kaitiakitanga, Implementing the Strategy, Compliance of the Strategy, Monitoring the Strategy, and Implementation and Beyond - what role for the Guardians?* Each submission was examined to determine whether it contained comments pertaining to the issues raised and measures proposed in these sections, and the main issues raised/discussed in relation to each section are identified below.

In general, submissions tended to contain comments on sections of the draft the submitter wanted amended, rather than expressing support for issues or proposals.

Fisheries (42 submissions)

The *Fisheries* section of the draft describes the fish stocks and fisheries of the fiords, and concludes that Fiordland's fisheries can be grouped based on the productivity of habitat, the state of the harvested fish stocks, and current and future access and fishing pressure (s3.4). Considering each fiord and the coast by these three fundamental features, the Guardians proposed a management structure that would deal with the fiords on three fronts: Milford and Doubtful Sounds, inside the rest of the fiords, and the fiord entrances and outer coast. Habitat lines were defined to differentiate between inner and outer fiord habitats. A package of management measures was agreed on by commercial and recreational fishers, Ngai Tahu, charter operators and environmental interests on the Guardians. This agreement indicated a balance had been struck between the groups. The proposed package includes: a ban on set nets and scallop dredges, restrictions on the number of pots and dahn lines/hooks allowed (recreational), a ban on commercial fishing inside the habitat lines, a ban on cod pots inside the habitat lines, a reduction in the recreational bag limits both inside and outside the habitat lines (with lower bag limits inside the habitat lines), no accumulation of recreational catch within the habitat lines, limited catch accumulation outside the habitat lines, a 2 year temporary closure (rahui) of the blue cod fisheries in Milford and Doubtful Sounds (with a possible further 2 years extension), and the development of a pot storage management approach for Fiordland.

Generally, neither the issues raised by the Guardians nor the underlying principles were discussed in a substantive way in the submissions, attention instead focusing on the measures proposed for managing the fisheries. Of the 42 submissions that commented on the Fisheries section, 38 (90%) generally supported the management measures proposed or suggested amendments to a small number of the proposed measures (e.g., changes to the proposed proper bag limit for recreational fishers). Of the remaining four submissions that commented on the fisheries section, two opposed any changes to the recreational fishing provisions until rigorous scientific research provides evidence that recreational fishing activities are impacting on the fish stocks, while two opposed any restrictions on the commercial lobster fishery. The main issues raised related to details of the recreational bag limits and accumulation provisions (different numbers suggested), support for the removal of commercial fishing from inside the habitat lines, opposition to the continued use of recreational crayfish pots inside the habitat lines, the storage of commercial crayfish pots, and the position of the habitat lines. Concerns were also expressed that, although bag limit restrictions will reduce the catch of individual fishers, bag restrictions may not be effective if the number of people fishing in Fiordland continues to increase.

Several submissions provided further information based on personal observations of the fish stocks and environment in different parts of Fiordland.

Values of special significance (41 submissions)

The Guardians key objective for this section of the strategy is to '*Ensure the ongoing integrity of areas, habitats and communities of special significance within Fiordland's marine environment*'. They approached this by adopting two distinctly different types of values, the identification and protection of areas of exceptional value within Fiordland's marine environment ('china shops'), and the identification and protection of areas representative of habitat types within Fiordland ('representative areas').

The Guardians approach of identifying representative areas and china shops was generally supported, although concerns were expressed about the size of the china shops, and the size and location of representative areas. Thirteen submissions presented the view that the representative areas identified by the Guardians were not representative of the full range of criteria identified in section 4.2.2, and that further areas needed to be identified. For example, the proposed areas do not include the outer coastline. In contrast, 20 submissions were in support of the areas proposed by the Guardians, 17 of these supporting every aspect of the package. Some additional criteria for the identification of representative areas were suggested. Several submissions provided further information based on personal observations and research experience within the Fiordland marine environment.

The Guardians analysed the threats to each china shop and suggested measures to deal with them (s.4.3). Many agreed that anchoring and diving could cause damage to these special areas once identified, and several submissions suggested that the china shops would be best protected if managed under marine reserves legislation. With four exceptions, there was support for the Guardians' suggestion that representative areas might be appropriately designated as marine reserves.

The need for clear signage and management rules, in the interests of both protecting the marine environment and aiding voluntary compliance, was emphasised.

Risks to the marine environment (16 submissions)

The Guardians key objective for this section of the plan is to '*Avoid where possible, remedy, or mitigate the adverse impacts of human activities on fisheries and the marine environment*'. In terms of risks to the Fiordland marine environment, the submitters agreed with the factors identified by the Guardians, and were particularly concerned about the effects of improved access and increasing visitor numbers (in terms of the implications for management of pollution and bioinvasion threats). Four submissions identified anchoring as an additional potential threat to the marine environment, and suggested that this risk could be managed through the establishment of permanent moorings. The view was also expressed that the draft did not fully recognise the potential impacts of eco-tourism activities within the fiords. Two submissions felt that the *Risks* section of the draft did not propose an effective mechanism for the management of the threats identified. Information and suggestions were provided by all the submissions that commented on this section.

Establishing Kaitiakitanga (10 submissions)

This section of the draft explains the concept of kaitiakitanga and how it is provided for in legislation today. Kaitiakitanga of the Fiordland area rests with Ngai Tahu, and the Oraka Aparima Runaka in particular. Ngai Tahu's association with Fiordland is formally recognised in the Ngai Tahu Claims Settlement Act 1998, and kaitiakitanga would be curtailed within this area should a marine reserve be established without the consent of Tangata Whenua (see earlier section on Tangata Whenua). There are a number of ways in which kaitiakitanga can be expressed legislatively; through taiapure, mataitai, rahui and customary fishing authorisations. Taiapure is the Guardians preferred customary fisheries management mechanism for expressing kaitiakitanga in Fiordland, because it is an area management tool managed by a local committee that has statutory status. The committee is nominated by local iwi (who are already members of the Guardians) and can include non-Maori members.

Of the 10 submissions that made comments on this section of the draft, two showed a general lack of understanding of kaitiakitanga. One of these submissions displayed suspicion of customary fishing practices in general and the taiapure mechanism in particular, while the other expressed a wish to see areas of

cultural significance marked on a map of the Fiordland area. Of the remaining eight submissions, seven stated their support for this section and the use of customary mechanisms, while the eighth believed that the taiapure mechanism would not be adequate in a co-ordinating role.

Implementing the Strategy (24 submissions)

The key objective of the Guardians in relation to this section of the draft is: *'The negotiated package of measures contained in the strategy be implemented as a whole without compromising underlying principles and balances'*. The Guardians outlined the 'gifts and gains' approach that was used to reach agreement on the range of measures presented in the strategy, then outlined the need for overarching co-ordination of implementation of the proposed measures and statutory recognition of the Guardians as a local management group. Taiapure and special legislation are two mechanisms that could be used to fulfil these needs. Taiapure is the mechanism favoured by the Guardians because it *'keeps the decision making local, secures customary values and enables flexibility in advocating fisheries management changes whilst accommodating measures to protect values of special significance'*.

The balance of gifts and gains was explicitly recognised in six submissions; five in support of the balance, and one declaring that a balance had not been achieved. In terms of an over arching co-ordination mechanism, 13 submissions expressed support for the Guardians proposed strategy, two of these stating a preference for taiapure, one saying that the taiapure concept has merit, and three supporting the use of special legislation. Another submission suggested using a fisheries plan to implement the proposed fisheries measures. A further five submissions wished to see special legislation used to include some or all of the fiords in the Fiordland National Park, with associated World Heritage Area Status.

Four submissions suggested that the links between provisions for fisheries, coastal planning, marine protected areas, Fiordland National Park management, and marine mammal and seabird protection needed to be more clearly defined in the strategy.

Compliance of the Strategy (26 submissions)

The Guardians wish to *'encourage voluntary compliance and reinforce the view that non-compliance is unacceptable behaviour'*. While supportive of the sentiment, a number of submissions questioned whether this was a realistic objective. Many emphasised that education, a greater enforcement presence in Fiordland, simple roles, and the support of the local community were required for the management measures to be effective. In particular, concern was expressed over how differences in the recreational bag limits and permitted fishing methods on either side of the habitat lines could be monitored and enforced. Concern was also expressed over how the boundaries of various areas would be marked, and how signage, pamphlets and boundary markers would be funded.

Monitoring the Strategy (6 submissions)

All comments were in support of monitoring the strategy, and felt it was a very important issue. A desire was expressed for the strategy to be a 'living document' so that management measures could be reviewed in light of the results of monitoring.

Implementation and Beyond - what role for the Guardians? (7 submissions)

Submissions on this section of the draft included comments such as 'the Guardians could operate as an expert panel for consultation purposes on a range of issues relating to the ongoing management of the Fiordland fishery and marine environment' and '[the] Guardians as a group must continue to operate until at

least the actions and tasks identified by the strategy are implemented'. Four submissions commented on the composition of the Guardians group, wanting greater environmental/scientific representation (2) or questioning how certain members of the Guardians had been appointed or would be appointed in future (2).

F&B RELATED SUBMISSIONS

During November 2002, the Royal Forest and Bird Protection Society of New Zealand (F&B) released the document '*An Opportunity to create a Fiordland Marine Park*', containing a commentary on aspects of the Guardians draft strategy, and suggesting that the strategy did not provide enough 'protection' for Fiordland's marine ecosystems. Two alternative proposals for the Fiordland marine area were presented, both of which incorporated many of the measures proposed by the Guardians, but identified more and larger areas of Fiordland for marine reserve status. F&B encouraged readers of '*An Opportunity to create a Fiordland Marine Park*' to make a submission on the Guardians draft Integrated Management Strategy, asking that a copy of any submission be forwarded to Sue Maturin (Southern Office of F&B).

Sixty-five of the 429 submissions were grouped as 'F&B related' according to the following criteria:

- Advocate F&B proposals by name ('Option 1', 'Option 2', 'GOFF plus...')
- Description of F&B options (either written or illustrated)
- Use of the phrase 'Fiordland Marine Park' (26 of the submissions were called 'Submissions on a Fiordland Marine Park')
- Submission by a F&B branch
- Personal submission from the signatory of a F&B branch submission
- Copy of submission sent to Sue Maturin (as requested in the F&B document '*An Opportunity to create a Fiordland Marine Park*')
- Use of phrases from '*An Opportunity to create a Fiordland Marine Park*'

These 65 submissions included 11 from F&B branch offices, one from a marine scientist, and one from a Fiordland eco-tourism operator. Submissions from the marine scientist and eco-tourism operator have already been considered with those submissions that were not classed as 'strategy-generated'. Views expressed in the remaining 63 F&B related submissions are summarised below.

In general, submissions were supportive of the Guardians proposed measures, but wanted greater areas of the Fiordland marine environment managed as marine reserves. The use of special legislation to create a Marine Park and extensions to the National Park boundaries were also advocated. Concern was expressed in several submissions that the draft over emphasised Fiordland's fisheries, and that the *Values* and *Risks* sections should have at least equal status to *Fisheries*, if not precedence. Alternative wording was suggested for the Guardians vision statement to reflect this view.

The geographic origins of the submissions are provided in Table 2. Submissions were received from throughout New Zealand, 29 from North Island, 33 from South Island. No one region dominated.

Table 2. Number of F&B related submissions by geographic origin

Origin	Number of submissions
Northland	7
Auckland	9
Thames/Coromandel	3
Bay of Plenty	2
Waikato	2
Hawkes Bay	2
Wanganui	1
Manawatu	2
Wairarapa	1
Nelson/Tasman	6
Marlborough	3
Kaikoura	4
Canterbury	2
Otago	11
Southland	7
Unknown	1
TOTAL	63

The issues raised in the submissions, by draft strategy section, are identified below.

Fisheries (42 submissions)

Two submissions contained suggested changes to or additional objectives for this section of the draft, and several promoted the consideration of marine reserves as fisheries management tools that would enhance the fish stocks in surrounding areas. There was a concern that the physical damage caused by some fishing methods was not fully recognised in the draft.

Most submissions that contained comments relevant to the fisheries section of the draft supported the proposed measures, but wanted a ban on the use of cray pots in the fiords, and the inside fiord bag limits applied to the whole of Fiordland. Several other suggestions were made, including a ban on all charter fishing inside the fiords, an extension of the proposed rahui (no-take areas) to include Milford and Doubtful Sound entrances, and slight amendments to the proposed bag limits.

Values of Special Significance (63 submissions)

The main objective of this section of the draft (to '*Ensure the ongoing integrity of areas, habitats and communities of special significance within Fiordland's marine environment*') was described as inadequate in one submission, as it did not advocate protection of representative areas as well as sites of special significance. Alternative objectives were suggested. Several submissions contained descriptions of personal experiences in Fiordland.

Most submissions contained the opinion that the Guardians proposals were a significant step in the right direction, but that insufficient protection was proposed for the Fiordland marine ecosystem. In particular, submitters believed that the protection of special features (such as the bottlenose dolphin populations and the Fiordland crested penguin) had not been adequately provided for. Like the Guardians, several submissions expressed concerns about the potential for diving and anchoring related damage in china shop areas. The Guardians suggestion of a code of practice for the china shops was supported. The size of the china shops, and different management strategies for their protection were discussed in several submissions.

Concern was also expressed that the representative areas identified in the draft did not represent the range of marine habitats and communities. Many submitters advocated protection of areas representative of what they regarded as the 'full range of habitats', which included inner, mid, outer and productive entrance fiord habitats, exposed coast habitats, entire fiords, fiords that represent the north/south environments, fiords of different ages, fiords with different sill depths, open-ended fiords, and fiords containing marine mammal and seabird habitat. The need for replication of representative areas was explicitly stated in three submissions, the reason being the possibility of natural or human-related disasters. Another four submissions explicitly suggested an extension of the Te Awaatu Marine Reserve (The Gut) in Doubtful Sound (but see below). Support was also expressed for a scientific reserve at Tricky Cove in Doubtful.

Overall, the areas suggested for reserve status (or supported, as indicated by statements such as 'I support [F&B] Option 1') are those mapped and justified in the submission from the Southern Branch of F&B:

- Sutherland Sound
- Bligh Sound
- Caswell Sound
- Gold Arm in Charles Sound
- Nancy Sound
- Gaer Arm in Bradshaw Sound
- four areas in Doubtful Sound (Crooked Arm, extension of The Gut reserve to Espinosa Point and the entrance, an area from the north of Elizabeth Island to the entrances to Deep Cove and Hall Arm as marine reserves, and Tricky Cove as a scientific reserve)
- Dagg Sound
- all of Breaksea Sound and Wet Jacket Arm (and the section of the Acheron Passage between the two)
- the outer coastline extending from Breaksea Island to Five Fingers in Dusky Sound
- the area enclosed between Five Fingers and Anchor Island
- Edwardson Sound in Chalky Inlet

Also generally supported is the F&B Southern Branch suggestion that the Fiordland National Park be extended to include Milford Sound, the most northern fiord and Preservation Inlet, the most southern.

Risks to the Marine Environment (16 submissions)

General support for this section of the draft was expressed in most submissions. Some issues were thought not to have been considered in the draft, such as the effects of noise pollution, and deer. One submission found the Guardians section on possum-induced landslips 'laughable'. This was because the effect of

possums was considered to be 'negligible' compared with the many factors potentially affecting Fiordland's fisheries and marine environment (e.g., climate, erosion, earthquake activity, human threats). Concerns were expressed about rubbish in particular. There was also considerable agreement that increasing visitor numbers (both harvesting, and non-harvesting) could have serious impacts on the Fiordland experience, and that it was important that access was controlled in some way.

Expressing Kaitiakitanga and Implementing the Strategy (52 submissions)

Comments on kaitiakitanga tended to be in the context of how to implement the strategy, so these two sections of the draft are summarised together. The Guardians suggested two mechanisms that could be used to co-ordinate the implementation of the strategy; taiapure and special legislation.

There was general opposition to the use of taiapure as a co-ordinating, overarching management approach. This could be because:

- marine reserves cannot be established in a taiapure
- the use of a customary fishing tool may provoke hostility in some parts of the community
- taiapure are managed by local management committees and Fiordland is of national and international importance
- there is insufficient evidence of a close association between Ngai Tahu and Fiordland to warrant the use of taiapure over the whole area
- taiapure are supposed to be used for small areas
- there is no legislative requirement for a taiapure management plan
- there is limited scope for public input into the management of the taiapure
- there are no specific protection requirements associated with taiapure

One submission that opposed the use of taiapure stated that Appendix 3 (the statutory acknowledgement for Te Mimi o Tu Te Rakiwhanoa (Fiordland Coastal Marine Area) in the Ngai Tahu Claims Settlement Act 1998) was full of 'unsubstantiated hearsay', but many submissions included a statement of respect for the rights of local iwi.

Although there was considerable opposition to the concept of an overarching taiapure because marine reserves cannot be established in taiapure (15 submissions), twelve submissions contained comments to the effect that, once a network of marine reserves had been established, taiapure could be used to manage the remaining areas. However, six submissions contained comments suggesting that taiapure and marine reserves were complementary mechanisms, and should be implemented together. As the F&B Southern branch submission stated, 'Forest and Bird strongly supports the establishment of taiapure and believe these need to be identified along with marine reserves and adopted together as part of an overall package'.

Where there was general opposition to an overarching taiapure, there was general support for the use of special legislation to create a Fiordland Marine Park and marine extensions of the Fiordland National Park.

With regards other issues raised in the *Kaitiakitanga and Implementing the Strategy* sections of the draft, there was support for the use of other customary fisheries mechanisms (e.g., rahui) within Fiordland, but little mention of the 'gifts and gains' approach taken by the Guardians in developing the strategy. The balance negotiated between members of the Guardians was acknowledged in only one submission,

although three others acknowledged the contributions of commercial and recreational fishers and Ngai Tahu.

Compliance of the Strategy (20 submissions)

All submissions that contained comments relevant to this section of the draft expressed concerns about how the proposed measures could be monitored and enforced; in particular, difficulties associated with enforcing differences in bag limits between inner and outer fiord areas, and policing the boundaries of the many, fragmented, china shop and representative areas.

Monitoring the Strategy (1 submission)

The submission that contained comments relevant to this section of the draft was in support of monitoring, and contained suggestions on how this could be done.

Implementation and Beyond - What role for the Guardians? (6 submissions)

Concerns were expressed in six submissions about the supposed lack of, or under-representation of, environmental/scientific/non-extractive interests on the Guardians.

option4 RELATED SUBMISSIONS

From 29-31 January 2003, 293 email submissions on the draft were received at Environment Southland. All but one of these submissions was sent from 'GOFFsubmissions@option4.co.nz', and contained a standard content (see below) to which personal comments and/or a request for a copy of 'the Beneath the Reflections document' were sometimes appended. The remaining submission was received from option4.

option4 is a group *'formed in the year 2000 by a concerned group of recreational fishers, in response to MFish' s invitation to participate in the process of redefining the nature and extent of the rights of the public to fish and gather seafood in New Zealand'* (from option4's submission). option4 acknowledged contributions made to their submission by the Southern Sport Fishing Club (whose own submission on the draft is included in the main summary of submissions), the NZ Recreational Fishing Council (NZRFC), the NZ Big Game Fishing Council (NZBGFC), and many individual option4 supporters.

Multiple submissions (2 or 3) were received from five individuals. For the purposes of the following summary, these submitters were treated as though they had made a single submission (i.e., the submitters are only counted once), so the total number of submissions summarised was effectively 287.

The standard submission content was as follows:

My name is:

Address:

Dear Guardians,

My individual rights to harvest fish for food within the limits of sustainability are no less important than the fishing industries rights granted under the QMS to harvest fish to sell. Therefore I ask for the same decision making standards as demanded by and granted to the fishing industry before any changes to TAC's or TACC's are contemplated.

1. Robust scientific evidence of all factors pertaining to the proposal
2. Full consultation with all affected users
3. Involvement in the decision making process

All of the documents thus far have failed to deliver the necessary quality of information, consultation and involvement necessary for me to agree with the proposals made.

I need robust scientific projections that support the claims made in the documents produced to date that current or future levels of public fishing will affect sustainability.

I am particularly concerned that proposed regulation changes that are so detrimental to the public's rights to harvest fish for food are based on anecdotal reports from a few individuals. The proposed changes appear to be trying to predict and manage future fishing scenarios that may not even occur and in doing so are eroding our rights to harvest fish for food now, possibly unnecessarily.

I have read the summary of concerns produced by option4. I agree that much more consultation is required before fisheries management measures such as those proposed may be contemplated. It is critical, in my opinion, that the public's rights to fish are more clearly defined before any regulation changes are put in place that affect my rights to fish

I wish that NZRFC, NZBGFC and option4 be kept fully informed and are consulted with as the Integrated Management Strategy is further developed.

I wish to be sent a summary of this consultation process outcome and any recommendations arising there from.

[some submissions] Please send me a copy of the Beneath the Reflections document.

[some submissions] The following are my personal comments that I wish to be taken into account when submissions are analysed: ...

Regards

Given the content of this 'standard letter', submissions were clearly influenced by option4 (one submission actually thanked the 'option4 folk' for writing this standard letter). For ease of reference, all submissions with contact or sender email addresses of the format ' ...@option4.co.nz' are therefore referred to as 'option4 related'.

Origin of submissions

The numbers of submissions received from different areas of New Zealand are provided in Table 3. Most submissions (158/287) were received from individuals living in the Auckland region. Three submissions were from Southland.

Summary of submission content

The issues raised in the standard letter are clear; submitters oppose any changes to recreational fishing rights until:

- *'robust scientific projections'* that support the claim that *'current or future levels of public fishing will affect sustainability'* are provided
- widespread public consultation on the proposed measures is undertaken
- the *'public's rights to fish are more clearly defined'*

While the letter states that the submitter has *'read the summary Of concerns produced by option4'*, there is no indication as to whether they have also read the draft Integrated Management Strategy. Neither Fiordland nor any of the measures proposed are mentioned in the form letter. Requests for 'the Beneath the Reflections document' were made in 106 submissions.

Table 3. Number of option4 related submissions by geographic origin

Origin	Number of submissions
Northland	14
Auckland	158
Thames/Coromandel	3
Bay of Plenty	30
Waikato	23
Hawkes Bay	2
Taranaki	4
Wanganui	1
Manawatu	6
Wairarapa	3
Wellington	8
Nelson/Tasman	5
Marlborough	5
Kaikoura	1
Canterbury	13
Otago	5
Southland	3
Australia	3
TOTAL	287

Of the 286 'standard' submissions, 99 contained personal comments. Of these, 54 commented on matters entirely unrelated to the draft, the Guardians, or Fiordland. For example, many stated that the rights of the public to fish for food need to be properly defined and recognised in law, complained about the government and government departments (many comments indicated submitters believed they were making a submission on government initiatives), or complained about the management of the commercial fishing industry. Two of the submissions (from option4 and one individual) referred to sections of the draft, and seven of the submissions mentioned Fiordland, the Guardians or the strategy by name.

Relevant comments (those that in were in some way applicable to issues discussed in the draft; 46 submissions in total) reiterated concerns expressed in the standard letter (insufficient consultation and information, lack of support for the proposals until recreational fishing rights are addressed), questioned the representation of recreational fishing interests on the Guardians, suggested that the greatest threat to fisheries was the commercial fishing industry, opposed the 'no accumulation' proposals, and stated the belief that the proposals were biased against recreational fishers. The option4 submission contained many specific comments on the content and wording of the draft. These comments included the concern that the Guardians statements in the *Implementing the Strategy* section of the draft indicated a non-negotiable, fixed position, rather than a willingness to fully consider and perhaps modify the strategy in response to issues raised in submissions. Concerns were also expressed about the submission deadline falling just before Christmas.

option4 sent an addition to their submission on February 11, stating their opposition to the proposed 'bag and tag' requirements for the accumulation of rock lobster caught outside the habitat lines.