



"More fish in the water/Kia maha nga ika i roto te wai"

Proposed Temporary Closure to the Taking of Scallops in Kaipara Harbour

SUBMISSION ON BEHALF OF NON-COMMERCIAL FISHERS

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option4
PO Box 37 951
Parnell
AUCKLAND
contact@option4.co.nz

Introduction

1. The Ministry of Fisheries (MFish) has advised that Environs Holdings Limited of Te Uri o Hau, Ngati Whatua and the Kaipara Harbour Sustainable Fisheries Management Study Group have requested an extension to the temporary closure on the taking of scallops from the Kaipara Harbour. The request has been made under section 186A of the Fisheries Act 1996 and is for a further one-year period.
2. Before determining whether or not to give notice under section 186A, the Minister must first consult those persons the Minister considers are representative of those with an interest in the species or the area concerned. The Minister must also provide for the input and participation in the decision-making process of tāngata whenua with a non-commercial interest in the species or the effects of fishing in the area concerned. This requirement to consult also applies to requests for extensions to existing closures, restrictions, or prohibitions.
3. A letter dated 21st May 2007 was sent to stakeholders asking for input, providing background information and outlining the current situation. option4 received a copy on May 31st.
4. The deadline for submissions is 20th June 2007.
5. This document comprises the submission from option4 an NGO that advocates for “*more fish in the water/ kia maha atu nga ika i roto te wai*” to enable New Zealanders to provide for their social, economic and cultural wellbeing.

Submission in Support

6. option4 support the collective application to continue the temporary closure to the taking of scallops from within the Kaipara Harbour for a further one-year period.
7. We note that anecdotal evidence indicates an increase in juvenile abundance but there is a lack of mature adult scallops within the Kaipara Harbour.
8. option4 note that the original closure request was initiated in October 2004 because the scallop beds were ‘severely depleted’. It is of considerable concern that the current closure has been in place since July 2005 and no research has been conducted to determine the cause(s) of the original depletion. This is unacceptable for a species of such importance and ready access to a large population of both customary and recreational (amateur) fishers.
9. MFish need to acknowledge the social and cultural significance of scallops and make research a priority in future management of temporary closures.
10. Failing to conduct research within the closed area since 2005 has meant the Minister of Fisheries has been denied information that would allow him to meet his obligations under section 186A of the Fisheries Act 1996 (the Act) and also comply with the purpose and principles of the Act.

11. Those statutory obligations include:

- Improving availability of and/or size of fish
- Providing for the sustainable utilisation of the Kaipara scallop fishery to -
 - Maintain fisheries to meet future generation's needs
 - Enable people to provide for their social, economic and cultural wellbeing.

12. option4 acknowledge MFish advice that they will be undertaking a survey of the Kaipara scallop beds in the “near future”. We encourage MFish to make that data available as soon as possible to the applicant groups so they can determine an appropriate course of scallop management action in the future.

13. Possible changes to the length of the scallop harvesting season has been mentioned. Any proposal to reduce the season will need to be widely consulted within a separate process.

Environmental Concerns

14. Scallops form into shellfish beds that are easily targeted by both commercial and non-commercial fishers. Scallops are also an important link in the coastal ecology providing food for a range of invertebrates, fishes and wading birds.

15. We are concerned that land runoff and siltation maybe having an adverse effect on the Kaipara shellfish beds by smothering them or reducing their ability to regenerate. The need to continue the temporary closure suggests factors, other than fishing, are influencing the change in scallop population.

16. While we acknowledge MFish has to operate within the Fisheries Act, a more comprehensive solution maybe found if MFish liaise with tangata whenua and others to improve the quality of the marine environment.

17. Long-term solutions may become obvious during the development of a management regime to control all factors likely to influence the decline of the beds. This could include mechanisms to limit the level of runoff into the Harbour. Section 186A closures are obviously not the only solution to addressing abundance and recruitment issues, particularly considering their temporary nature.

18. The application of a customary management tool for a one or two year period does not in itself represent a ‘fix-all’ for environmental degradation.

Recommendations

1. MFish undertake research into the cause(s) of scallop variability
2. MFish work with tangata whenua, locals, interest groups, councils (local and regional) and other agencies to improve the quality of the marine environment
3. MFish develop long term solutions within a management regime to control all factors likely to influence the decline of scallop beds, including mechanisms to limit land runoff.

Conclusions

1. option4 support the reinstatement of the section 186A temporary closure for the taking of scallops within the Kaipara Harbour for another twelve months.
2. Insufficient resources have been applied to the management of the Kaipara scallop fishery over the past two years. This is unsatisfactory for a fishery of such social and cultural importance. MFish need to conduct adequate research of the scallop beds within the next twelve months and make that information available to those who have an interest in this harbour fishery.



Trish Rea
On behalf of the option4 team
PO Box 37-951
Parnell, Auckland