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Review of commercial kina dredging in Tory Channel/Kura te Au, Marlborough Sounds

Introduction

1. This submission addresses proposed sustainability measures relating to the commercial dredging for kina in Tory Channel/Kura te Au, Marlborough Sounds, as set out in the Fisheries New Zealand Discussion Paper No 2022/24 (**Discussion Paper**).
2. The Environmental Defence Society (**EDS**) is an independent not-for-profit organisation conducting interdisciplinary policy research and litigation. It was established in 1971 with the purpose of improving environmental outcomes in Aotearoa New Zealand.
3. EDS has a special interest in the marine environment and recently completed the first phase of a multi-year project looking at options for future reform of the oceans management system.¹ This included, among other things, fisheries management. In 2018, EDS led an in-depth review of the national fisheries management system and published findings in a report entitled *Voices from the Sea: Managing New Zealand's Fisheries*.² It has also sought to improve fisheries decision-making by submitting on proposals to set sustainability measures for the management of various wild fish stocks.³

¹ Greg Severinsen and others, 2022, *The Breaking Wave: Oceans Reform in Aotearoa New Zealand*, Environmental Defence Society, Auckland, available from www.eds.org.nz

² Raewyn Peart, 2018, *Voices from the Sea: Managing New Zealand's Fisheries*, Environmental Defence Society, Auckland, available from www.eds.org.nz

³ Copies of EDS's recent submissions on a range of wild fish stocks are available from www.eds.org.nz

Summary of submission

4. Dredging is an inappropriate method for the harvest of kina due to the significant adverse effects it has on the aquatic environment. It is particularly inappropriate in the Tory Channel given the high biodiversity values of the area and the sensitivity of species and habitats to dredging impacts.
5. EDS supports a modified Option 1, which would prohibit all commercial and recreational kina dredging in all areas of the Tory Channel. A complete prohibition on kina dredging is the only option that provides sufficient protection for the highly significant benthic habitats in the area, which is required in order to meet the requirements of sections 8 and 9 of the Fisheries Act 1996.

The impacts of kina dredging

6. The Discussion Paper describes the high biodiversity of the reef systems and soft sediments of the Tory Channel. This is highlighted by the identification by Marlborough District Council of many areas within the Tory Channel as Ecologically Significant Marine Sites. These sites are fragile and vulnerable to physical disturbance, as acknowledged in the Discussion Paper.
7. The considerable adverse effects of dredging on the marine environment are well known and documented. The Discussion Paper describes the adverse impacts on benthic communities and their habitat, including from crushing, physical disturbance, increased turbidity and alteration of the physical structure of the seabed. The Paper emphasises that these can lead to “impaired ecosystem function” and “reduced abundance and diversity of benthic habitat”.⁴
8. It is clear that current kina dredging is having an adverse impact on these benthic communities due to the type and amount of bycatch recorded, which includes large amounts of seaweed, sea lettuce, sea cucumber, octopus and starfish. The fact that the quantities of bycatch exceed the size of the kina harvest highlight the damage that is being done to the aquatic environment.
9. Also of note is that kina commercial dredging has long been prohibited as a harvest method in marine areas around the North Island.

EDS’s preferred management option

10. The Discussion Paper sets out three management options to address the adverse effects of kina dredging. Option 1 involves a regulatory change to prohibit commercial kina dredging in all areas of the Tory Channel; Option 2 proposes only to exclude commercial dredging from areas up to 50 metres deep; and Option 3 proposes no regulatory change, acknowledging that commercial fishers may voluntarily agree not to dredge for kina.
11. None of the proposals address the impacts of recreational dredging for kina. The Discussion Paper explains this omission by saying that a “low number of events is assumed”. However, dredging has impacts on the benthic environment irrespective of whether it is undertaken by commercial or recreational fishers. In both cases, the Fisheries Act directs that impacts need to be managed.

⁴ Fisheries New Zealand, 2022, *Review of commercial kina dredging in Tory Channel / Kura te Au, Marlborough Sounds*, Fisheries NZ Discussion Paper No: 2022/24, page 3

12. Option 3 can be excluded outright as it clearly does not meet the requirements of the Fisheries Act in that it does nothing to avoid, remedy or mitigate the adverse effects of dredging on the aquatic environment, as required under section 8. Nor does Option 3 maintain biological diversity of the aquatic environment, as required under section 9. Voluntary measures cannot be relied upon as a fisheries management tool as there is no certainty they will be complied with by all commercial fishers and/or over time. This is demonstrated by the fact that an earlier voluntary ban on dredging for kina has not been maintained.
13. In EDS's view Option 2 also does not meet the requirements of the Fisheries Act as it does not avoid, remedy or mitigate the adverse effects of kina dredging on the deeper habitats in the Tory Channel as required under section 8, nor maintain the biological diversity of those habitats as required under section 9.
14. EDS supports a modified Option 1, which is the only approach that provides adequate protection for the very high ecological value, sensitive marine biodiversity and habitats in the Tory Channel. The modification required to Option 1 is to widen the scope of the prohibition on kina dredging to include recreational dredging.