CREDIBLE FISHERIES MANAGEMENT

128 Credible fisheries management requires acting in accordance with Treaty of Waitangi principles and engagement with tāngata whenua and stakeholders to implement the Government’s policy of fisheries plans based on objectives-based management. This enables clear links between the strategies and services provided. Tāngata whenua and stakeholders will need confidence that decisions of the Government are properly implemented and performance is monitored and reported upon.

129 Factors that currently support credible fisheries management for New Zealand seaweed fisheries are as follows.

Tāngata whenua input and participation

Draft standard for tāngata whenua input and

130 MFish primarily engages with tangata whenua through the iwi/hapu-based forums. The primary role of the forums is to provide a mechanism for iwi/hapu to provide input and participation in fisheries management.

131 There are the following forums in varying development stages:

- Te Hiku o Te Ika (Far North)
- Nga Puhí, Ngati Whatua, Te Uri o Hau, Te Roroa, Ngati Wai (Northland)
- Gulf Harbour
- Ngā Hapu O Te Uru (Hamilton/Waikato)
- Tai Rawhiti (East Coast)
- Mai i Ngā Kuri a Wharei Ki Tihirau (Bay of Plenty)
- Te Kupenga Whiturauroa A Maui (Hawke Bay/Wairarapa)
- Te Tai Hauāuru (Taranaki/Whanganui)
- Te Tau Ihu Fisheries Forum (Nelson-Marlborough)
- Ngāi Tahu – Customary Fisheries Regional Forums:
  - Kaikoura
  - Canterbury
  - Araiteura (Otago)
  - Murihiku (Southland)
  - Westland
- Chatham Islands
Stakeholder engagement

Recreational
132 There is no group that represents recreational seaweed interests. This is likely to reflect the low recreational harvest level and the lack of access issues to seaweeds by recreational fishers.

Commercial
133 There is no single commercial stakeholder organisation that represents all commercial seaweed fishers.

134 Many of the commercial users of seaweeds in New Zealand are represented by the Seaweed Association of New Zealand Incorporated (SANZ). SANZ was formed in 1998 to provide a platform for diverse interests in the commercial seaweed sector to contribute to the development of the seaweed industry. SANZ has 27 members and reflects a diverse range of interests including seaweed fishers, seaweed research, and manufacturers of seaweed products.

135 SANZ principle objective is to “promote and ensure the ecological sustainability of seaweed in New Zealand” (www.sanz.org.nz). To achieve this outcome, SANZ is promoting an alternative management framework for seaweeds – Local License Management System. Under this framework, a single entity (person, iwi, hapu) would hold an exclusive commercial harvest right (a license) for a defined, small-scale area. The licence-holder would be responsible for managing all commercial seaweed harvesting in that area.

136 Aquaculture interests in seaweed management are generally represented by the New Zealand Aquaculture Council Incorporated. There are also specific industry organisations for the farming of green lipped mussels (NZ Mussel Industry Council Ltd and local marine farming associations) and paua (NZ Abalone Farmers Association).

137 Fishers who collect red, beach-cast seaweeds are unlikely to be represented by national or local commercial fishing bodies. Coast Biologicals Ltd. produce agar and are involved in red, beach-cast seaweed picking. This company has been approach to join SANZ.

138 There is commercial interest in Whangape Harbour for the collection of brown, beach-cast seaweed. Biodiversity Hokianga Trust is also involved in the collect of these species which they use as an organic fertiliser.

139 Significant quantities of seaweeds are taken as bycatch by most types of commercial fishing gear. The commercial fishing industry is represented at a national level by the New Zealand Seafood Industry Council.

Environmental
140 Marine scientists, national conservation organisations and local environmental groups are all likely to have an interest in the seaweed fishery. Marine and freshwater scientists are represented by the Marine Sciences Society, by individual universities and by research institutions (including NIWA and the Cawthron Institute). Environmental NGOs involved in aquatic advocacy include Royal Forest and Bird Protection Society of New Zealand Inc., WWF-New Zealand, Environment and Conservation Organisations of NZ Inc. and Greenpeace. Local Conservation Boards established under the Conservation Act 1987 will also have an interest.
Given the ecological importance of seaweeds, the environmental sector is likely to have a strong interest in seaweed management.

**Protecting value**

The fisheries management regime is constructed around sustainable utilisation of seaweed resources with regard for the continued health of aquatic ecosystems including mitigating the effect of fishing on other species.

The extent and nature of access to fisheries for commercial, customary and recreational purposes is subject to rules that ensure sustainability and provide for allocation. Fisheries management objectives are dependent upon high levels of compliance with the sustainability and allocation rules.

MFish Compliance strategic goals are to maximise voluntary compliance and maintain an effective deterrent.

MFish operational strategies are based on achieving optimal levels of compliance in the three fishing sectors. While there are some differences in the strategies applied to the different sectors, there is some overlap in the monitoring, compliance and enforcement activities that support these strategies.

**Commercial**

The management regime for seaweed focuses on permitting/authorisations, specific species restrictions, and beach-cast harvest area restrictions. Ensuring the integrity of this regime requires comprehensive reporting and record-keeping aligned with requirements for other stocks. Consequently, the reporting requirements ensure a focus on all aspects of the supply chain from processing and storage, transhipments, fish receiving, transportation, processing, export, and wholesale and retail sale.

MFish compliance and enforcement activities are based on low level monitoring, surveillance, audit, analysis, investigation and prosecution of offences. Fisheries legislation recognises the importance of accurate records and returns, as well as the difficulties in offence detection, in the substantial ‘economic’ based hierarchy of penalties it provides.

A high level of responsibility and obligation is imposed on those authorised to access commercial fisheries. MFish expects commercial fishing entities to be informed and to operate in compliance with their obligations. Compliance and enforcement strategies and activities reflect these expectations.

Seaweed has a different supply chain in comparison with many other harvested species, which includes uses within aquaculture, agar extraction, food, fertiliser, and pharmaceutical industries. This means the final destination for harvested seaweed may be through different dealers in fish and LFRs than through usual supply chains. Records and returns are required for all authorised fishing and fishing-related activity and transactions, in relation to all commercial seaweed harvest activity (except where they apply to red, beach-cast seaweeds). Fishers use a generic species code for reporting beach-cast seaweed (ie, SEO), as well as species specific codes. In addition, some seaweed species can be difficult to identify. These problems may result in under- or non-specific reporting, and this has the potential to undermine enforcement of seaweed harvest activities. This also creates confusion for fishers.
Opportunities for offending within the seaweed fishery include misreporting quantities landed by a fisher or received by an LFR or dealer in fish. It can also consist of area misreporting by taking seaweed from areas that one does not have a permit for or from areas that are not specific commercial harvest areas only. As there is limited compliance activity with seaweed harvesting, MFish knowledge of the extent of these possible offences is minimal.

In the main, monitoring and enforcement of compliance with seaweed rules will be achieved through more general monitoring of activity within districts either at landing points, beaches or product receiving premises. As a consequence of the differences in supply chain and reporting, fishery officers or investigators are not likely to identify any offending outside of typical fishers and LFRs.

**Recreational**

Recreational management is based on open access to the fishery with no restrictions on species, state, methods and areas that require monitoring activity. Consequently, there are no compliance needs for this sector.

**Customary**

Customary fisheries management requirements are those imposed by those people issuing authorisations, with appropriate conditions, for customary harvest, for example, Tāngata Tiaki/Kaitiaki for areas over which they represent tāngata whenua. Over time these authorisations may be issued in accordance with iwi-based management plans for areas over which they hold manamoana and manawhenua. These plans may provide for different requirements than those applicable to the recreational sector.

MFish compliance activities support the fishing conditions imposed in the issued authorisation within existing programmes for the monitoring and enforcement of customary fishing. However, with little compliance activity centered on the customary sector, exceeding permit conditions can produce an opportunities to offend within the sector.

**Promoting voluntary compliance**

**Information and education**

Operational compliance and fisheries management related activities include support to Tāngata Tiaki/Kaitiaki involved in the issue of customary fishing authorisations through providing information on the process for issuing authorisations and the types of conditions that could be used, patrols and inspections of fishing activity around inshore waters and the coast and prosecution of those not operating in accord with a valid authorisation.

MFish provides information and communication strategies within the commercial sector of the seaweed industry, including participating at SANZ’s annual general meetings (when invited), and attending industrial research meetings for scientific updates within the seaweed industry.

MFish has provided information about initiatives for QMS management for seaweeds to commercial and non-commercial participants.

Currently, the reporting codes for beach-cast seaweeds are confusing as there is a generic reporting code ‘SEO’, and also species-specific codes. Using these two ways of reporting catch, as
well as potential problems in fishers correctly identifying some seaweed species, individual species can be misrepresented in catch returns resulting in poor information of the current activity within the seaweed industry.

**Effective deterrent**

**Monitoring and surveillance**

159 There are few seaweed specific regulation requirements requiring compliance and enforcement activity. However, when carrying out monitoring and surveillance of other aspects of commercial or customary fishing, fishery officers may incorporate seaweed permits or customary authorisations checks within the scope of this routine work.

160 Commercial catch returns and record-keeping requirements enable MFish to identify problems for further analysis at the same time as investigating a specific fisher, processor, dealer in fish or LFR for another reason, though the analysis of seaweed-related aspects of returns and records is not of high priority.

161 Fishery Officers monitor customary authorisations when conducting routine checks and inspections.

**Services**

162 This section provides detailed information on the range and category of services provided for New Zealand seaweed fisheries. Some of these services are specific to this fishery while others are general in nature but have an impact on seaweeds. Specifically, this section provides comprehensive information on:

- regulations in place in the fishery
- stakeholder measures in place in the fishery
- general MFish services provided in the current year (2006-07) that may be relevant to seaweeds
- specific services for seaweed will be delivered over the coming year (2006-07).

163 These services have been categorised using the ‘Category of Services’ framework produced for fisheries plans.
General MFish services applicable to this plan

The following generic services are delivered by MFish across a range of fisheries which include seaweeds. Where these generic services result in specific services related directly to seaweeds, these are discussed in more details in the following section.

<table>
<thead>
<tr>
<th>MFish Business Group</th>
<th>Service</th>
<th>Description</th>
<th>Why its relevant to this fishery</th>
<th>Cost</th>
<th>Effort</th>
<th>Outcome</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>Information and education</td>
<td>Development and distribution of educational products for recreational fishers including signs and brochures, that promote information on rules and guidelines for measuring and handling fish</td>
<td>Participation in community events such as boat shows/school visits</td>
<td></td>
<td></td>
<td>Credible fisheries management</td>
<td>2</td>
</tr>
<tr>
<td>Compliance</td>
<td>There are no specific compliance services carried out by MFish</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Environment protected</td>
<td></td>
</tr>
<tr>
<td>Fisheries Information</td>
<td>Specific stock assessment</td>
<td></td>
<td></td>
<td>Environment protected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Biodiversity research</td>
<td>Estimate of biomass and sustainable yields for fishstocks</td>
<td>Relate specifically to the stocks in the fisheries plan</td>
<td>Environment protected</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fisheries management</td>
<td>Ascertaining the role of different</td>
<td>Could have impact on regulations in seaweed fisheries and the</td>
<td>Environment protected</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>MFish Business Group</td>
<td>Service</td>
<td>Description</td>
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<tr>
<td></td>
<td></td>
<td>organisms and habitats in maintaining the health and sustainability of the NZ aquatic environment</td>
<td>environmental restrictions currently in place</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Fisheries Operations  | On-going work delivered by the Inshore Teams to support seaweed fisheries | Some of this work is directly applicable to seaweeds (category 3):  
- Statutory processes  
- Ministerial servicing  
- General monitoring  
Other aspects of this work do not directly relate to seaweeds but still impact on it (Category 2):  
- Recreational Forums  
- Customary forums | | | | 2/3 |
| Deed of Settlement Implementation | Working with stakeholders to develop fisheries plans in order to better define what we want to achieve from fisheries and to clearly link the management interventions and services to these objectives. | Seaweed fisheries benefiting from this approach although purpose of the service is for fisheries management as a whole | | | | 2/3 |

<p>| To increase | Benefits customary | Best value/Credible fisheries | 2 |</p>
<table>
<thead>
<tr>
<th>MFish Business Group</th>
<th>Service</th>
<th>Description</th>
<th>Why its relevant to this fishery</th>
<th>Cost</th>
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<th>Outcome</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>the capacity of Maori to participate in fisheries management processes</td>
<td>fishers in seaweed fisheries and provides greater clarity for other stakeholders</td>
<td></td>
<td></td>
<td>management</td>
<td></td>
</tr>
<tr>
<td>MPA development</td>
<td></td>
<td>In collaboration with DOC, MFish will provide an integrated process, including regional consultation, for establishing a network of MPAs around New Zealand</td>
<td>MPA process likely to commence in early 2007. This will have implications for, and require input from, the stakeholders in seaweed fisheries</td>
<td></td>
<td></td>
<td>Environment protected</td>
<td>2</td>
</tr>
</tbody>
</table>
The following regulations or notices contain specific references to seaweeds:

- Fisheries (Amateur Fishing) Regulations 1986
- Fisheries (Auckland and Kermadec Areas Amateur Fishing) Regulations 1986
- Fisheries (Auckland and Kermadec Areas Commercial Fishing) Regulations 1986
- Fisheries (Central Area Commercial Fishing) Regulations 1986
- Fisheries (Beach Cast Seaweed Area Prohibition) Notice 2002

The seaweed-specific references are detailed in the table below.
<table>
<thead>
<tr>
<th>Regulation</th>
<th>Who does it apply to</th>
<th>Date introduced</th>
<th>Purpose of regulation when introduced</th>
<th>Is this regulation still relevant</th>
<th>Outcome</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulations do not apply to taking fish, aquatic life or seaweed if taken for the purposes of a hui or tangi.</td>
<td>Customary</td>
<td>1992</td>
<td>Give effect to Treaty of Waitangi (Fisheries Claims) Settlement Act 1992</td>
<td>Yes</td>
<td>Differentiating customary take from amateur take</td>
<td>2</td>
</tr>
<tr>
<td>No person shall take fish or seaweed from the northern side of Tawharanui Peninsula</td>
<td>Amateur / Commercial</td>
<td>At least 1986</td>
<td>Give effect to decision to have no take area on Tawharanui Peninsula</td>
<td>Yes – although there is a proposal to make the area a marine reserve under the Conservation legislation</td>
<td>Environment protected</td>
<td>3</td>
</tr>
<tr>
<td>No commercial fisher shall take or possess fish, aquatic life or seaweed from area 10.</td>
<td>Commercial</td>
<td>1986</td>
<td>Prohibit fishing in Kermadec FMA</td>
<td>Yes (?)</td>
<td>Environment protected</td>
<td>2</td>
</tr>
<tr>
<td>No commercial fisher shall take seaweed, (unless of the class <em>Rhodophyceae</em> that is floating free and unattached, or that has been cast ashore,) from certain areas in FMA2 (Cape Kidnappers, Porongahau, Hervertville Beach, Owahanga River mouth &amp; beach, Castlepoint and Cape Palliser)</td>
<td>Commercial</td>
<td>1989</td>
<td>Sustainability (?)</td>
<td>Yes</td>
<td>Environment protected</td>
<td>3</td>
</tr>
<tr>
<td>No person shall take any seaweed from FMA2 or FMA8 by any method other than hand gathering. This does not apply to seaweed of the class <em>Rhodophyceae</em> that is floating free and unattached, or that has been cast ashore.</td>
<td>Commercial</td>
<td>1989</td>
<td>Restrict harvesting to hand gathering only (?)</td>
<td>Yes</td>
<td>Environment protected</td>
<td>3</td>
</tr>
</tbody>
</table>
No person shall take any seaweed from FMA7 by any method other than hand gathering. This does not apply to seaweed of the class *Rhodophyceae* that is floating free and unattached, or that has been cast ashore.

<table>
<thead>
<tr>
<th>Commercial</th>
<th>1989</th>
<th>Restrict harvesting to hand gathering only (?)</th>
<th>Yes</th>
<th>Environment protected</th>
<th>3</th>
</tr>
</thead>
</table>

Prohibits the taking of beach-cast seaweed from specific areas of the NZ coast

| Commercial | 2002 | Prohibit beach-cast seaweed harvesting from certain areas of the coast | Yes | Environment protected | 3 |