

Friends of Nelson Haven & Tasman Bay Inc

www.nelsonhaven.org.nz em@nelsonhaven.org.nz friendsnelsonhaven@gmail.com

Annual General Meeting will be on Wednesday September 4 at 6.30pm
Hearing House 354 Trafalgar Square (near the Rutherford Hotel).

To follow at 7.00pm will be a public illustrated talk by Stew Robertson, DOC Marine Reserves Ranger TeTai o Aorere, about Nelson's two Marine Reserves Horoirangi (near Glenduan and Cable Bay) and Tonga Island (near Abel Tasman National Park). Stew will also tell us about his professional development trip to Hawaii. All are welcome.

Annual Report July 2023 to June 2024

The **Fast Track Bill** which is now in the process of becoming law has the potential to reverse all the work our group has done over the past fifty one years. Forest & Bird has called the Bill a "War on Nature".

In the six weeks scheduled by the government to get the Bill through parliament there was a call for submissions to be heard by the parliamentary Environment Select Committee. Twenty-seven thousand submissions (some signed by more than one person) were submitted and 2900 submitters asked to be heard by the Committee. The Committee chose to hear only 550 organisations, each given ten minutes and 550 individuals, each given 5 minutes. The Committee was divided in half so as to speed the process of the 1100 verbal submissions. Friends made a submission and one of our co-chairs was chosen to make a verbal submission.

The Bill will replace the Resource Management Act with final decisions on applications to be made by three development Ministers, by-passing all public input. Shane Jones as Minister of Oceans and Fisheries is the most relevant one to Friends. His connections and acceptance of donations from the fishing industry is concerning. Jones has stated (Newsroom 10/07/24) that "Dairy is capped out" and agrees with Federated Farmer spokesman Mark Hooper that we are at "peak cow" so he is keen to expand the aquaculture sector and grow it from a \$600 million industry to a \$3 billion industry. We hope that we are not headed for a "capped out" ocean or "peak" shellfish/fish/bird with the resulting degraded coastal and marine habitats.

Two quotes come to mind:

"All you need in this life is ignorance and confidence, and then success is sure." (Mark Twain, ca 1900)

"My mind is made up, don't confuse me with the facts" (R.S.Durstine 1945)

Dame Anne Salmond (Newsroom 13/07/24) reminds us of a statement in the National Party election manifesto: "(We are) passionate about safeguarding New Zealand's unique natural environment, abundant native biodiversity, pristine waters and spectacular landscapes for future generations. These are the cornerstones of our Kiwi way of life."

She then observes: "There are those who make promises to the electorate to gain power, and then fail to keep them, delivering on their commitments to donors instead."

Let us hope that some people in the National Party will re-read their manifesto and honour their statement.

If you like what we do please:

1. Renew your membership.
2. Ask other people to become members (we are asked in court sometimes how many members we have, so numbers count).
3. Consider joining the committee. We need someone to put us on social media, or people with knowledge of the Top of the South coastal and marine environment.

A. Research and Educational Projects Support

A. 1. King Shag research continues to be central to Friends' efforts to slow the extractive, degrading coastal activities in Marlborough Sounds. Friends is supporting further research into this species which is endemic to the Sounds. By studying the feeding habits of King Shag it became evident that the birds cannot move to new areas in part because their ability to dive for food on the sea bed depends on how long they can hold their breath and hence are limited to areas of depth. Food in deeper waters is inaccessible, hence the endemism. The King Shag studies are on several levels, outlined in previous annual reports and will be able to indicate the status of the present population. Multi-year studies are especially important.

The following research projects are supported by Friends:

(a) Banding and re-sighting of Shag chicks is being done at several colonies by Toroa Consulting in cooperation with the Marine Farming Association. This will add to knowledge of colony health and juvenile survival. Two breeding seasons produced no chicks, however improved drone methods will allow continued study. This shows the importance of multi-year study and the research has been reported to the Conservation Services Programme (CSP) of DOC in May 2024.

Studying the feeding habits of the King Shag is essential in defining the relevant "Important Bird Area" (IBA), an international designation relevant to the birds' status as Vulnerable. Knowing the feeding area is an essential factor in efforts to limit benthic dredging and trawling. This is an important issue in work on the proposed Marlborough Environment Plan (pMEP) being worked on later this year.

(b) Feather analysis using stable isotopes informs us of the diet of birds at present as well as in the past. Tiny feather samples from dated museum specimens tell us the nutrition level, stress levels and health of past birds as well as birds from different sites. These feather studies involve NIWA, Canterbury University as well as a Friends researcher.

A. 2. Friends is supporting the study of seagrass, *Zostera muelleri*, by Cawthron Institute. This amazing plant is the only flowering plant to grow in sheltered clear, coastal waters. (All other marine plants are algae which have no flowers or seeds.) Aotearoa has one species and has known virtually nothing of this plant, however Deakin University in Melbourne has

been working on its restoration for several years and the Cawthron group works closely with them. Seagrasses make up about <0.02% of oceans and an estimated 10% of sea carbon sequestering. That is more carbon sequestering than all land forestry. Carbon sequestration is essential in Climate Change mitigation. Nelson Haven has lost 50% of seagrass meadows through mooring chains, boat landing, infilling and sedimentation from land runoff. Last year 600 seeds were collected, this year 5000 were collected and work is continuing on finding germination requirements.

The Cawthron group has completed a major handbook on seagrass restoration methods "Seagrass Blueprint" which is freely available for all New Zealanders by googling "Restore the Meadows".

A.3. We provided support for Hector's dolphin research done by the NZ Whale and Dolphin Trust <https://whaledolphintrust.org.nz/projects/> and hosted with Forest and Bird a talk by Dr Liz Slooten on this subject.

A.4. We support the educational work of Tasman Bay Guardians/Experience Marine Reserves where instructors take Victory school, Nelson and other school groups equipped with snorkels to coastal waters e.g. Cable Bay to educate them about marine life in situ. Friends has supplied a guidebook to two Nelson schools and has attended educational sessions on rimurimu (seaweeds and seagrass) with classes from Nayland College.

B. Nelson/ Wakatu City Council (NCC) area.

B. 1. Nelson Biodiversity Forum meets four times a year and for the first time in ten years the Forum met at Wakatu Marae. The Marine sub-group hears reports on a wide range of subjects relevant to coastal conservation including (a) Port Nelson reducing the area of seabed disruption from anchored boats by limiting anchorage to five sites. (b) DoC Marine Reserve ranger reports on Horoirangi and Tonga Island as well as his recent trip to Hawaii. (c) Research on seabed restoration using shell material to enrich the benthic. (d) NIWA research with seabed cores which reveal a 1000 year history of Golden and Tasman Bays and (e) report from Sustainability Coordinator of the aquaculture industry.

B. 2. Plant & Food Research of (PFR) has approval for a fish farm trial in Tasman Bay 6 km west of D'Urville Island. It will cover 3.6 ha (Nelson Mail July 3, 2024. p1). PFR got the consent under the now repealed Fast Track Consenting Act 2020. The trial is within the Wakatu Incorporated consented mussel farm area, which Friends appealed. We negotiated with Wakatu and a comprehensive set of conditions (U000361) was issued by the Environment Court 2013. The planned PFR trial is inconsistent with these monitoring conditions, the species allowed and the discharge of fish feed. The trial is not included in the proposed Marlborough Environment Plan as an Aquaculture Management Area. Friends submitted this information on the Environment Court conditions to the "independent panel" but they saw no reason to be concerned and granted a fast track approval. PFR's original plan was to establish the trial next to the Horoirangi Marine Reserve, at least this has been avoided.

B. 3. According to a Nelson Mail (8 March, 2024) "An Environment Court judge has ruled against recreational boaties in a long-running dispute over access to a launching site at an estuary north of Nelson. However, the next step in the Delaware Bay saga will see the Nelson City Council inviting the Delaware Bay Access Group, representing some boaties, and iwi Ngati Tama representatives to a meeting to achieve a 'sustainable solution'".

B. 4. Friends was consulted about the Nelson Marina Development Plan for the Council owned land on Akersten Street at the Port. Additional berths are planned and a space for Sea Scouts and kayak users. Waste reduction and improved water quality are features of the new plan.

B. 5. RM105388 Stormwater compliance & monitoring on sewage. The Report on the waste water system in Nelson included unconsented discharges after flooding in May with high E. coli counts. Pipes are being replaced in the city.

C. Tasman District Council (TDC) area

C.1. Friends has been represented at the regular Waimea Inlet Forum and the Tasman Biodiversity Forum.

C. 2. TDC is restoring former O'Connor wetland paddocks to the Waimea Delta. Planting has continued through the winter. A list of threatened and at risk species of the Waimea Inlet has been compiled.

C.3. Friends made a submission on the Mapua Community Boat Ramp Trust application with concern that the capped toxins from the old Fruitgrowers site are likely to be released into coastal waters. Concern was also expressed that increased boat traffic generated by the ramp could impact on local birdlife and on water quality. It was noted that the TDC had prosecuted a jet boat user recently for exceeding the set speed limit.

D. Marlborough District Council (MDC) area

D. 1. Marlborough Plan (pMEP) mediation: Initial Plan wording excluded areas in the Exclusion Rule where there is only a 'fleeting or transient' presence of rare bird species. Friends believes "fleeting" should apply, but areas where birds are in transit are often essential for their long flights. As a result of mediation "transient" is now recognized as a valid reason for exclusion. This is a rare victory for nature these days.

Dredging and Trawling Hearing is still to be heard under the proposed pMEP.

D. 2. Friends has joined as an s274 party to five appeals to the proposed Marlborough Environment Plan (pMEP) Variation 1 (shellfish aquaculture).

ENV 2023-CHC-61 Marine Farming Assoc. Inc. Aquaculture NZ Hinu Bay, Tory Channel.
CHC-62 Marine Farming Assoc in Clova Bay. CHC-63 Clearwater Mussels Ltd. Various locations. CHC-64 David Hogg & PB Partnership. Pig Bay, Port Gore. CHC-66 Marlborough Aquaculture Ltd. Port Underwood & Blowhole Point.

D. 3. Parliament's Primary Production Committee called for submissions on the Resource Management (Extended Durations of Coastal Permits for Marine Farms) Amendment Bill

with a closing date for submissions 16 June 2024 and a reporting deadline of 18 June. So over fifty years of Sounds' marine farm permits and thirty years of Environment Court decisions are to be ignored and all farms will get an automatic twenty year extension. It takes years to build some safeguards and a few weeks to reverse decades of mostly volunteers' efforts.

D. 4. In March 2024, the Ministry for Primary Industry (MPI) invited Friends and six other environmental NGOs (non-government organisations) to a Zoom meeting on marine farm extension. This was classed as a consultation and the 25 year extensions described in D3 above changed to 20 years. If past experience holds, these farms may not be sustainable resulting in water column and seabed degradation ("there is no free lunch" in nature when it is harvested with no restoration). Productivity will be maintained by colonising, i.e. privatising, new coastal/marine areas - areas which at present are part of the commons for all to use.

E. General Marine Matters

E. 1. Tasman Bay/ Te Tai-o-Aorere Marine Matters is an excellent online publication which started in August 2021 is now in its 20th edition. It can be accessed by Googling "tasman bay marine matters" or url <https://tasmanbayguardians.org.nz/tasman-bay-marine-matters/> . The newsletter summarises and gives connections to NCC, TDC, MDC, MPI, Cawthron, NIWA, port, fisheries, tangata whenua, conservation and tourism news as these relate to local marine and coastal matters.

E. 2. The Environmental Legal Assistance (ELA) Fund is no more. For 23 years, this fund was administered by the Ministry for the Environment for not-for-profit groups and others. The fund made it possible to take litigation to courts or boards of inquiry provided the cases were in the "environmental public interest". A Listener article (June 29, 2024, p26-9) headlines that the fund "has been axed amid other moves to restrict public input" and gives examples of its use. Originally the fund had \$1million but in 2016 this was reduced to \$600,000. Friends often relied on these funds for Environment Court cases which provided up to \$40,000 for legal and expert witness costs. The knowledge from these hearings adds to information necessary for management of precious breathable air, drinkable and swimmable waters and healthy soil and oceans.

F. Acknowledgements

1. The voluntary work of committee members is essential and makes the above possible. Friends exists due to the dedication of these people - as is true of many volunteer groups.
2. Member support is also essential and very much appreciated. Since the Court sometimes asks us for our membership numbers, your continued support adds to our mana and believability, so many thanks to all of you who read this. We also very much appreciate your donations
3. The pro-bono and reduced fee work by various experts and legal counsel is essential and is very much appreciated.

4. We work collaboratively with many groups and individuals and this is essential and much appreciated. These include Guardians of the Sounds, Kenepuru & Central Sounds Residents Association and Marlborough Environment Centre.

5. Much appreciated is the financial help from the New Zealand T-Gear Charitable Trust.

6. Thanks also to the Ministry for the Environment Legal Assistance Fund.

Respectfully submitted,

Dr. Gwen Struik and Pam Lambert, co-chairs. With help from committee members.