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To: Nelson Biodiversity Forum

From: Peter Lawless

TASMAN BAY OPTIONS

Introduction

This paper sets out options for progressing the key focus area of the Forum "*Getting effective action to sustain the **environmental health of Tasman Bay***". In summary, there is support at an agency staff level for the Nelson Biodiversity Forum to initiate the formation of a Greater Tasman Bay Stakeholder Working Group to champion action on the Bay and direct collaboration between all interested parties. The focus of the work would be the environmental health of Tasman Bay in terms of water quality and benthic ecology. More comprehensive integrated coastal management might occur at a later stage if the parties saw this as valuable.

Background

The current staff-level Tasman Bay Working Group met to support the development of these options and the analysis. The Working Group comprised NCC, TDC, MDC, MPI, DOC and Tiakina. We were further aided by discussions with representatives of the Cawthron Institute.

We took into account the work of:

- NIWA on restoring shellfish productivity
- Cawthron on environmental monitoring and valuation of ecosystem services
- The three councils on progressing RMA plans that will give effect to the revised NZCPS
- The fishing and aquaculture industries in gathering monitoring data and commissioning their own research
- The TOS Marine Biosecurity Partnership on reducing risks from harmful organisms.

We also reviewed processes used for collaborative coastal management in New Zealand and around the world. Of particular note were the Fiordland and Kaikoura experiences, the Hauraki Sea Change project and Chesapeake Bay.

The issues

In the context of the Science Challenge process Chris Cornelisen summarise the key issues as follows:

- *Natural shellfish populations and the scallop fishery have collapsed in both Tasman and Golden Bay*
- *Insufficient tools exist to adequately assess contamination risk[s] of expanding shellfish aquaculture areas – closures are frequent and in some cases semi-permanent. The industry is reluctant to expand until this can be remedied.*
- *Contamination of bathing beaches, customary shellfish harvest areas, etc.*
- *Reduction in water quality (e.g. persistent near-bottom turbidity layer).*
- *Degraded estuaries and associated habitats.*
- *Large uncertainty remains amongst stakeholders as to the factor(s) driving environmental change in the Bays and the steps required to reverse the trend.*

Analysis

We think that the Forum should go for a wide geographic scope, engaging with the natural ecological/social unit of greater Tasman Bay, including Golden Bay. To keep things workable, however, we would suggest a narrower subject matter scope, focusing on environmental health as the objective. We also think the process should be stakeholder led and agency supported. The relationship with research activity is critical. The researchers need solid regional stakeholder support to secure financial resources. Stakeholder engagement with the issues is dependent on the research findings becoming available at the right time. This means that a stakeholder group needs to form initially to support the research programme, and then, as results become available, the research findings support stakeholders in collaborative problem solving.

Scope

I suggested on 5 September that "*The proposed geographic scope is wider Tasman Bay from Farewell Spit to Stephen's Island. The subject matter scope is all activities that affect the ecological health of Tasman Bay and the values that depend on that health being maintained or restored."*

It is important to agree what the Forum means by ***environmental health*** in the context of Tasman Bay. Of critical importance is whether the Forum would adopt a:

a. Narrow focus of wanting a Bay that was productive for the scallop fishery as the key objective, or

b. A broader focus of a more fundamental restoration of the Bay to a more natural condition.

For example, with a narrow focus a healthy Tasman Bay would see *the benthic community biomass restored to something like pre-sediment blanket levels with a productive scallop population supporting recreational, customary and commercial fishing*.

A broader focus might additionally seek that parts of the *biological community might have a similar level of native species richness and diversity to pre-collapse levels (and perhaps large areas with the sort of biomass and species richness that occurred prior to widespread trawling and dredging), more biomass of slower developing more complex habitat forming species such as bryozoan corals, and less biomass of opportunistic and invasive pest species*.

These are not exclusive of each other once spatial delimitation is applied, but the breadth of the scope will affect who should lead a process and who needs to be closely involved. The whole idea of spatial planning is also one that leads to encountering issues of rights and expectations. The more we go down this track the more process complexity is increased.

The first goal is a fisheries goal and would lead to MPI or fishing interest leadership. The second is a biodiversity goal and would require a broader leadership. Each is valid, and yet wider goals could be defined.

Stakeholder involvement

The degree to which stakeholders lead, are engaged, or are consulted can be distinguished in four levels for the Forum to consider.

1. Agency led statutory consultation (Auckland Unitary Plan) – took two years
2. Agency led engagement (TOS Marine Biosecurity Partnership) – took one year

3. Agency initiated, stakeholder led (Sea Change Hauraki Marine Spatial Planning) – aiming for 2 to 3 years
4. Stakeholder initiated and led (Te Korowai, Waimea, Fiordland) – took one to 10 years.

There is no right or wrong answer of where to choose on this continuum. It depends on what is to be achieved, in what time, and the degree to which stakeholders need to shape and support what needs to be done. The four levels above are not all that is possible. There is a continuum and, even at a particular level of stakeholder involvement, there are many variations and nuances possible. The four cases above are further developed below with reference to Tasman Bay:

1. If the various statutory organisations carry on with the *status quo* they will initiate processes and produce various documents as required by the law and determined by their governing bodies. Some elements like coastal plans under the RMA are required, others like fisheries management plans are at the discretion of the organisation and may, or may not, happen. Organisations will consult each other, but there would be no integrated work programme for people to relate to.
2. With agency led stakeholder engagement an integrated work programme could be developed. As a minimum this would integrate activity by MPI and the three councils that relate to the environmental health of Tasman Bay. If marine protected areas initiatives are to be considered DOC should also be included.
3. If the Hauraki Gulf model were adopted it would see leadership pass to a "Stakeholder Working Group", and the primary activity at the outset would be forming that Group. There would be an interaction between this group and the statutory organisations to firm up the scope and a work programme. In the Hauraki context "stakeholders" did not include either the staff or elected members of the agencies. These are involved through other committees set up to guide the project politically, provide expert advice and oversee project management.
4. In a Te Korowai model, a non-statutory body like the Nelson Biodiversity Forum might take the initiative and draw together stakeholders, creating a process to which agencies would respond. In the case of Te Korowai the necessary work has been jointly funded by regional, local and central government together with charitable sources. In Te Korowai, the agencies and the stakeholder work together in the Egg Model that brings all information to the table but formally leaves decision with respected stakeholders.

Options

The core options for the Nelson Biodiversity Forum are: to do nothing, to advocate someone else takes the lead, or to take a lead itself.

Doing nothing remains an option, should the Forum be satisfied that the actions being initiated by other will lead to satisfactory outcomes for the Bay. This option could be to keep a watching brief, inviting those taking action to present progress to the Forum and retaining the option of acting at a later point.

Advocating that someone else takes a lead could involve continuing to lobby agencies to work together and to take on leadership roles. It could also involve reaching out to other stakeholders encouraging them to lead, or to forming a leadership group to take some more united action.

Taking a lead itself, the Forum could ask its own members for the resources to undertake a substantive piece of work. This could involve, for example, creating the

stakeholder leadership process described above, public advocacy or assembling the emerging information into a publicly digestible form as a platform for a wider conversation in the community. At present the Forum as such does not have the resources for such actions, but its membership does have the capacity to commit resources.

Recommendations

The resolutions of the Forum to make Tasman bay a high priority mean that doing nothing has already been ruled out. The Forum has already decided that, in itself, it is not a sufficient entity to lead action for the bay as a whole. Despite two years of urging by the Forum, no commitment to leadership has emerged from responsible agencies. Given this lack of agency commitment to action, the initiation is inevitably with the stakeholders of Tasman Bay. If the focus is on water quality those stakeholders include: tangata whenua, commercial fishers (both quota holders and local fishers), recreational fishers, customary fishers, farmers, foresters, horticulturalists, tourism interests, environmental interests, infrastructure operators (each regional sewerage and transport network operators including roads and ports), environmental interests, communities.

It is therefore proposed that the Nelson Biodiversity Forum take on initiation of a stakeholder led process with a focus on restoration of the environmental health of Tasman and Golden Bays. The process would be that Nelson Biodiversity Forum, together with the current staff-level Tasman Bay Working Group and elected members of Councils, meets in late March 2014 with commercial, recreational, customary fishers, marine farmers and iwi and agrees a scope, brief and process for the formation of a Greater Tasman Bay Stakeholder Working Group. The current Working Group further proposes that:

a. The geographic scope be all of greater Tasman Bay from Farewell Spit to Takapourewa (Stephen's Island).

b. The subject scope be restoration of the water quality and benthic ecology of coastal and marine areas of Greater Tasman Bay.

Building on this from experience elsewhere, I would suggest to the Forum that in the next stages:

c. The Greater Tasman Bay Stakeholder Working Group be selected using the processes developed for the Hauraki Gulf.

d. The Working Group operate under the Egg Model and gifts and gains approach as developed for Fiordland and further developed in Kaikoura.

e. The goals and proposed process be formally presented to MPI, DOC, NCC, TDC, and MDC with requests for an integrated approach and joint funding.

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