



18 May 2021

Emailed to: boimms@doc.govt.nz

Submission: A proposal to establish a marine mammal sanctuary in Te Pewhairangi (Bay of Islands)

This submission is made on behalf of the membership of the New Zealand Marine Sciences Society (NZMSS). It is made in good faith in my role as President of the NZMSS and in accordance with the Code of Ethics and Rules of the Royal Society of New Zealand.

In general, NZMSS supports the proposal to establish a marine mammal sanctuary in Te Pewhairangi (Bay of Islands).

Our detailed submission is attached.

Please contact me at the email address provided below for any further information regarding this submission.

Handwritten signature of Kathy Walls in purple ink.

Kathy Walls

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The New Zealand Marine Sciences Society

The New Zealand Marine Sciences Society, known as “NZMSS”, was formed in 1960 as a constituent of the Royal Society of New Zealand, to encourage and assist marine science and related research across a wide range of disciplines in New Zealand and to foster communication among those with an interest in marine science.

NZMSS is a professional science body and a non-profit organization. We identify emerging issues through annual conferences, annual reviews, a listserv and our website <https://nzmsp.org/>. NZMSS membership covers all aspects of scientific interest in the marine environment and extends to the uptake of science in marine policy, resource management, conservation and the marine business sector. We speak for members of the Society on matters of interest on marine research in New Zealand and we engage with other scientific societies as appropriate. Our current membership comprises over 200 members.

Our submission is consistent with the Royal Society of New Zealand Code of Ethics and Rules, in particular principles 2.1 Integrity and professionalism, 4.1 Compliance with the law and relevant standards, and 10.1 Protection of the environment (www.royalsociety.org.nz/organisation/about/code).

NZMSS supports the Department of Conservation on its proposal to establish a marine mammal sanctuary in Te Pewhairangi (Bay of Islands).

1. General comments

In general, NZMSS supports the proposal to establish a marine mammal sanctuary in Te Pewhairangi (Bay of Islands). We recommend some extensions to the proposed marine mammal sanctuary, as outlined below.

2. Specific comments

We recommend extending the proposed regulations throughout the Bay of Islands (and beyond for marine mammal species that spend a high proportion of their time outside the bay), and to commercial tour operators as well as recreational vessels. The proposed regulations may need to be modified to make this practical. For example, slowing down to 5 knots and moving away from marine mammals, may be more practical than stopping the vessel and waiting for the marine mammals to move away. In another example, it will be impractical to wait for seals hauled out ashore to move away. It may be more practical to implement the proposed regulations for cetaceans, in the first instance, and then implement modified regulations for pinnipeds.

Long-term sightings data for bottlenose dolphins (Hartel et al. 2014) indicate that marine mammal impacts should be managed in the whole Bay of Islands, as dolphins use most of the bay and habitat use is variable over time. We recommend a precautionary decision at this stage, with review after 3 years.

NZMSS further recommends extending the marine mammal sanctuary regulations to other key impacts on marine mammals. The proposal and supporting information mention cumulative impacts but apply this only to the cumulative impact of multiple approaches by boats and swimmers. Another key impact is fishing. New Zealand bottlenose dolphins have

been caught in gillnet and trawl fisheries. The official data (Dragonfly 2021) list three deaths of marine mammals in trawl nets in the Northland and Hauraki Gulf area, all bottlenose dolphins. New Zealand's reports to the International Whaling Commission during 2016-2020 include fisheries bycatch of eight bottlenose dolphins, ten common dolphins, two orca, one pilot whale and one unidentified dolphin in the area east of Northland, south to Cape Colville (IWC 2021). Trawling is unlikely to be a problem inside the Bay of Islands, but marine mammal populations using the bay are at risk of trawl bycatch outside the confines of the Bay of Islands. Marine mammals are at risk of gillnet bycatch inside and outside the Bay of Islands. The existing ban on gillnets in a small part of the Bay of Islands should be extended to cover all Bay of Island waters.

3. Summary and recommendations

Most marine mammal species using the Bay of Islands range well beyond the confines of the sanctuary area as proposed.

Key impacts on marine mammals include interactions between boats, swimmers and fishing.

Accordingly, NZMSS recommends that the proposed Te Pewhairangi marine mammal sanctuary be extended to include marine mammal habitat outside the Bay of Islands and to include consideration of other key impacts such as fishing.

References

- Dragonfly 2021. Bycatch data from Ministry for Primary Industries, available from Dragonfly Consulting website: <https://psc.dragonfly.co.nz/>
- Hartel EF, Constantine R, Torres LG. 2014. Changes in habitat use patterns by bottlenose dolphins over a 10-year period render static management boundaries ineffective. Aquatic Conservation: Marine and Freshwater Ecosystems, DOI: 10.1002/aqc.2465
- IWC 2021. International Whaling Commission, website of National Progress Reports: <https://portal.iwc.int/progressreportspublic/report>