

Fiordland Marine Biosecurity Plan

2015/16 – 2020/21



Ministry for Primary Industries
Manatū Ahu Matua



Department of Conservation
Te Papa Atawhai



Fiordland
Marine Guardians
Beneath the Reflections



environment
SOUTHLAND
Te Taiaro Tunga



Ministry for the
Environment
Manatū Mō Te Taiao

The Ministry for Primary Industries (MPI) has taken the lead role in developing and reviewing a Biosecurity Plan for Fiordland in conjunction with other agencies and stakeholders as appropriate:

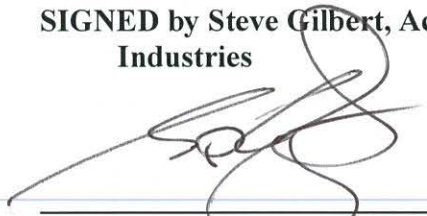
- The Fiordland Marine Guardians;
- Department of Conservation;
- Ministry for the Environment; and
- Environment Southland.

Cover photo collage: Ken Grange

Signatories

We, the parties, hereby record our agreement to the purpose of the Biosecurity Plan.

SIGNED by Steve Gilbert, Acting Chief Operations Officer, on behalf of the Ministry for Primary Industries



Ministry for Primary Industries

Date: 22/4/16

SIGNED by Annabelle Ellis, Acting Manager, Remediation Projects on behalf of the Ministry for the Environment



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Date: 11/5/16

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Date: 26/5/16

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Environment Southland

Date: 23/6/16

SIGNED by Rebecca McLeod on behalf of the Fiordland Marine Guardians



Fiordland Marine Guardians

Date: 10/6/16

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1. INTRODUCTION

1.1 Background

Fiordland is a unique area that contains both exceptional marine biodiversity and valuable marine resources. There are many marine species found only in Fiordland; other iconic species like the black and red corals are usually found in very deep water in other parts of the world, occur at depths shallow enough to be viewed easily by SCUBA divers. Because of these unique attributes, the fiords are important to New Zealanders and attract large numbers of tourists on an annual basis. The fiords and outer coast also support important commercial and recreational fisheries, notably rock lobster and blue cod.

In 2004, Cabinet directed the Ministry for the Environment (MfE), Department of Conservation (DOC), the Ministry of Fisheries (MFish) and the Ministry of Agriculture and Forestry (MAF), now both merged into the Ministry for Primary Industries (MPI), to collaboratively implement the Fiordland Marine Conservation Strategy¹ (CAB Min (04) 31/4A). The Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 (the Act) reinforces this directive and requires Government agencies to take into account advice and recommendations of the Fiordland Marine Guardians (the Guardians), an advisory group established under the Act.

The vision of the Fiordland Marine Conservation Strategy is to ensure that “the quality of Fiordland’s marine environment and fisheries.....be maintained or improved for future generations to use and enjoy.” The Fiordland Marine Conservation Strategy calls for monitoring, compliance and enforcement, and biosecurity programmes to be led by the different government agencies.

MPI’s role in implementing the Fiordland Marine Conservation Strategy is to develop and implement a Biosecurity Plan for the Fiordland Marine Area (FMA), to be responsible for the Compliance Plan, and to contribute to the plans developed by the other agencies. MfE has developed a Communications Plan, and DOC has developed and is implementing a Monitoring Plan to measure the success of the desired outcomes pursued under the Fiordland Marine Conservation Strategy, including biosecurity outcomes.

A review and update of the Fiordland Marine Biosecurity Plan was initiated in 2014; the next review of the plan is expected to occur around 2020. The updated Biosecurity Plan is a consolidation of the earlier Operational and Strategic Plans.

¹ Guardians of Fiordland’s Fisheries and Marine Environment Inc. 2003: Fiordland Marine Conservation Strategy (138 pages).

Fiordland's Marine Environment

Fiordland's unique marine environment is the result of a combination of factors, including steep mountainous terrain, heavy rainfall, dense rainforest and geographic isolation restricting human related disturbance observed in other parts of New Zealand's marine environment.

Rain washes through the leaf litter on the steep-sided forest floors carrying tannins into the water, staining surface waters a dark tea colour. This freshwater layer floats on top of the more dense seawater, creating a semi-permanent low salinity layer throughout each fiord. The resultant reduction in light caused by the tannin stained low-salinity layer enables typically deep-sea species like black and red corals and sea-pens to live at shallow depths within New Zealand's fiord system.

Remarkably, Fiordland's steep-sided rock wall communities are as diverse as tropical coral reefs. This diversity is further enhanced by the change in community structure along the length of each fiord, where the species assemblage changes as the environmental conditions change from the head to mouth; at the mouth of the fiords, waves, wind and currents have a greater influence on mixing freshwater and saltwater layers, and as a result the marine life changes. The assemblage of algae species diversifies and dominates both the intertidal and sub-tidal community at the mouth of each fiord, and is more representative of coastal communities of southern New Zealand. The large fleshy algal species present at the mouth give way to bryozoans, brachiopods and a different suite of fish, more suited to a low energy environment further toward the head of each fiord. Maintaining the overall diversity and productivity associated with these unique fiord marine communities is the basis behind the biosecurity plan which aims to prevent the spread of risk organisms to the Fiordland Management Area.

Marine Pathway Management

MPI is responsible for the leadership of the biosecurity system and is focused on system improvements to reduce risks at a range of intervention points across the system. Despite efforts to reduce risks offshore and at the border, there have been a number of marine pest incursions in recent years leading to pests becoming established in parts of New Zealand. Capability to undertake marine surveillance and response operations has increased over the past two decades, however managing pathways to prevent spread from the source of an incursion is a relatively new approach, and one that is still under development.

The *Pest Management National Plan of Action* recognises that prevention of spread is more cost effective than responding to range extensions of established marine pests, and that pathways management needs to be an integral part of New Zealand's marine biosecurity system.

In 2012 an Amendment to the Biosecurity Act 1993 introduced National and Regional Pathway Management Plans. The objective of pathway plans is to stop harmful organisms such as marine pests from being transported into new or different areas. Reduction of risk of marine pests is more cost effective than responding to them after they have arrived and been detected, by which stage they may have already established. Human-mediated pathways

into Fiordland include vessels or, more particularly, vessels and/or equipment that are fouled and therefore potentially colonised by marine pests that are then transported into the Fiordland Marine Area (FMA).

MPI is leading the development of a Domestic Marine Pathways Management Strategy for improving marine pathway management. The Strategy will provide a framework for any future collective investment by MPI and other organisations in pathways management, aligned with activities in other parts of the marine biosecurity system. In the interim, the development of a Regional Marine Pathway Management Plan for Fiordland is treated as one of the initiatives which will be guided by the development of the Domestic Marine Pathways Management Strategy. Note: the management agency is the role of the regional council.

1.2 Purpose

The Fiordland Marine Biosecurity Plan (the Biosecurity Plan) is a document providing a framework for interagency operational activities in relation to marine biosecurity. The Biosecurity Plan is primarily focused on preventative measures, and then on response preparedness and control measures.

The Biosecurity Plan outlines biosecurity measures to reduce the risk of invasive organisms adversely affecting Fiordland's marine environment, and supporting goals to achieve these measures.

The Biosecurity Plan has been designed to address a number of key goals outlined in the Fiordland Marine Conservation Strategy including:

- avoid (where possible), remedy or mitigate the adverse impacts of human activities, introducing or spreading marine pests, on fisheries and the marine environment;
- ensure the ongoing integrity of areas, habitats and communities of special significance to Fiordland's marine environment; and
- encourage voluntary compliance with biosecurity law and good hygiene practices and reinforce the message that non-compliance is unacceptable.

1.3 Scope

The Biosecurity Plan takes a “pathways” approach to biosecurity where management tools that aim to reduce or prevent the spread of pests can be applied to pathways or parts of pathways. The activities set out in the Biosecurity Plan address the full spectrum of the biosecurity system: reduction, readiness, response, recovery and resilience.

The Biosecurity Plan sets out goals and approaches tailored for Fiordland. To avoid duplication and make the best use of resources, the Biosecurity Plan identifies existing projects and programmes, which will contribute to marine biosecurity in Fiordland. For

example, social marketing activities for Fiordland will be integrated into a broader marine communications programme for Southland.

The Biosecurity Plan does not provide a generic framework for domestic management of marine biosecurity risks although it sets out a specific framework for Fiordland that may serve as a useful model for other regions in the future.

MPI is leading the implementation of the Biosecurity Plan. The Guardians and the Management Agencies defined under the Act (composed of DOC, Environment Southland, MfE and MPI) will:

- identify synergies with existing programmes;
- identify and resource new activities to support the goals of the Biosecurity Plan;
- share information about relevant existing and proposed programmes within individual agencies; and
- promote the overall Fiordland marine programme.

Operational activities to implement the Biosecurity Plan are attached (Appendix 1) and include:

- an implementation schedule;
- a budget or funding arrangements;
- analysis of resource availability; and
- performance measures for operational work carried out.

A joint-agency marine biosecurity response agreement (Appendix 5) is also included in the Biosecurity Plan. This Agreement is between MPI, DOC and ES and provides a frame work for responding to marine pest incursions in the FMA.

1.4 Legislative Context

Several statutes are relevant to the Biosecurity Plan. For example:

- **Biosecurity Act 1993**

This Act provides regulatory tools and direction for achieving biosecurity objectives including national and regional pest management plans, pathway management plans, regulations and unwanted organism determinations (with the associated powers). It also establishes pest management leadership roles for MPI and regional councils.

- **Resource Management Act 1991**

The purpose of this Act is to promote the sustainable management of natural and physical resources and includes sustaining the potential of these resources to meet the foreseeable needs of future generations and avoiding, remedying or mitigating the adverse effects of activities on the environment. The RMA has a number of regulatory tools to achieve this purpose including regional coastal plans which give effect to the New Zealand Coastal Policy Statement.

- Fiordland (Te Moana o Atawhenua) Marine Management Act 2005

This Act establishes the Fiordland Marine Area, describes its physical boundaries and established eight new marine reserves (in addition to two previous reserves under the Marine Reserves Act 1971). The Act also establishes the Guardians as a statutory body to ‘provide advice on fisheries management, biosecurity, sustainable management, and marine preservation and protection’. The Act ‘facilitates and promotes co-operation between the Guardians and management agencies, to assist in achieving the integrated management of the Fiordland Marine Area.’

- Marine Reserves Act 1971

This Act provides for the setting up and management of areas of the sea and foreshore as marine reserves for the purpose of preserving them in their natural state as the habitat of marine life for scientific study.

- Marine and Coastal (Takutai Moana) Act 2011

The object of this Act is to preserve the public foreshore and seabed in perpetuity as the common heritage of all New Zealanders in a way that enables the protection by the Crown of the public foreshore and seabed on behalf of all the people of New Zealand, including the protection of the association of whanau, hapu, and iwi with areas of the public foreshore and seabed.

- Local Government Act 1974 and 2002

This Act provides regional councils with their strategic direction in terms of their long-term council community plans.

1.5 Biosecurity Context and Strategic Focus

New Zealand’s coastal and marine environment is vulnerable to the establishment and spread of introduced marine pests and diseases. New organisms may arrive, and be transferred around New Zealand waters, in ballast water (used to stabilise ships), bilge water and attached as biofouling to the hulls and niche areas of ships, including merchant, cruising, fishing and recreational vessels.

Once a new organism arrives, feasibility of detection, eradication or control are typically challenging, for example, responding to the discovery of *Undaria pinnatifida* (*Undaria*) in Sunday Cove, Breaksea Sound.

Until April 2010, Fiordland had been apparently free of the Unwanted Organism and invasive seaweed *Undaria*, which poses a threat to Fiordland’s marine environment with its ability to quickly establish and outcompete native marine species. At that time, a single mature sporophyte was found in the remote Sunday Cove in Breaksea Sound. Subsequent investigation uncovered a small area of growth, meaning that *Undaria* was not yet well established. Environment Southland (Southland Regional Council), Ministry for Primary Industries (MPI) and Department of Conservation (DOC) joined forces to attempt to eliminate *Undaria* from Sunday Cove.

In a marine biosecurity context reduction of risk before it enters the fiords is more cost effective than responding to an incursion and managing any long-term impacts on Fiordland's unique marine biodiversity. For example, operational costs (only to date) are estimated to be \$800,000 for the joint-agency response to *Undaria* in Sunday Cove. In addition to the difficulty in eradicating organisms once they have established, our understanding of the biology and invasiveness of an unwanted species in a new environment limits our immediate determination of risk to the core values this strategy sets out to protect. Therefore, this strategy has a strong focus on reduction mechanisms to minimise challenging management scenarios in the area of response and long-term management of pests and disease in the Fiordland marine environment; the priority focus is to prevent the arrival of new to Fiordland marine risk organisms.

1.6 Components of the Biosecurity Plan

To achieve the goals of the Biosecurity Plan, a variety of activities will need to occur both outside and within Fiordland. These activities fall into the broad categories depicted in Figure 1 below.

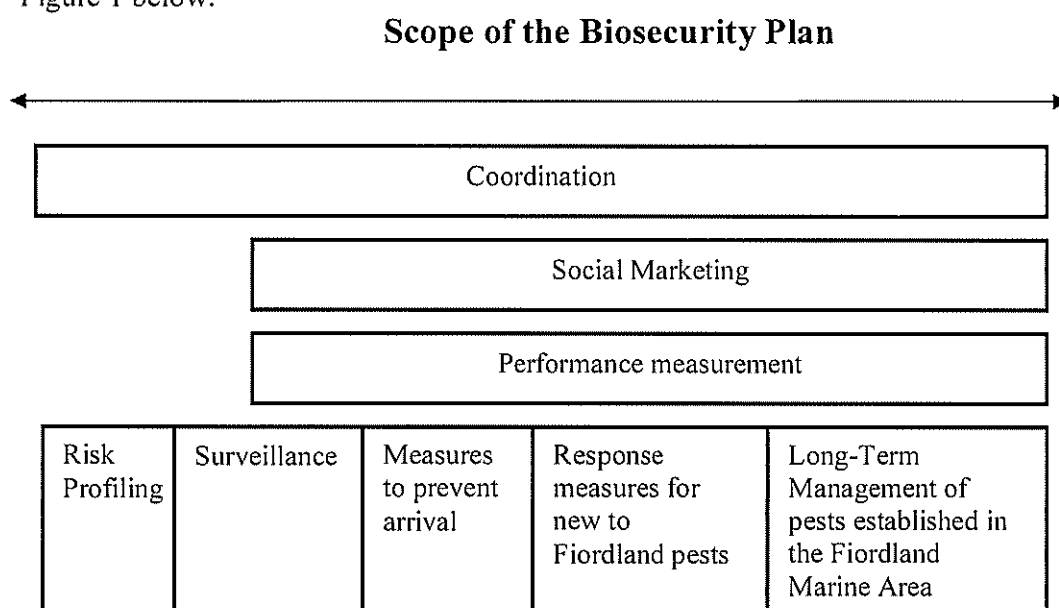


Figure 1: Components of the Fiordland Marine Biosecurity Plan

The Biosecurity Plan has been developed as a number of different components that can be undertaken either as a package or as separate units on their own. The timing of implementation of the different components will be determined largely by the Operational Priorities, and subject to resource availability across the parties to this Biosecurity Plan.

2. DESIRED OUTCOME AND SUPPORTING GOALS

2.1 Desired Outcome

The outcome of the Biosecurity Plan is to achieve the vision of the Fiordland Marine Guardians:

“That the quality of Fiordland’s marine environment and fisheries, including the wider fishery experience, be maintained or improved for future generations to use and enjoy”.

2.2 Supporting Goals

The desired outcome is supported by a series of goals within the Biosecurity Plan. These goals are:

1. partner agencies and the Guardians work together to implement the biosecurity plan;
2. focus effort on the highest risk pathways and vectors;
3. increase capability for early detection via active and passive surveillance;
4. implement management measures to reduce the risk of human-mediated vectors introducing risk organisms to Fiordland;
5. respond efficiently and effectively to risk organisms detected within Fiordland;
6. manage established pests effectively and efficiently in the FMA;
7. reduce the risk of risk organisms adversely affecting Fiordland’s marine area by changing people’s attitudes and behaviours; and
8. evaluate the effectiveness of the Biosecurity Plan.

3. COMPONENTS OF THE BIOSECURITY PLAN

3.1 Coordination

GOAL 1: PARTNER AGENCIES WORK TOGETHER TO IMPLEMENT THE BIOSECURITY PLAN

MPI will provide oversight and coordinate implementation of the Biosecurity Plan, including delivery of operational activities identified in Appendix 1.

Supporting a cooperative approach to managing biosecurity risk in Fiordland will require participation in Fiordland Marine Guardians’ meetings and the Fiordland Marine Guardians Biosecurity Subcommittee meetings when appropriate and in the inter-agency meetings (consisting of MPI, MfE, DOC and Environment Southland). MPI will continue to consult with the Guardians, stakeholders and other agencies on matters relevant to the Biosecurity Plan.

MPI will continue to identify activities in line with the Biosecurity Plan for any new or existing biosecurity programmes. MPI will also encourage other agencies to promote the

Biosecurity Plan within their organisations and identify programmes to support the Biosecurity Plan's goals.

To ensure further synergies are identified, the Biosecurity Plan's goals will be communicated to others within MPI.

3.2 Risk Profiling

GOAL 2: FOCUS EFFORT ON PATHWAY AND VECTOR MANAGEMENT

To ensure that the information collected on biosecurity risks to Fiordland is reflected in the management activities in the area, information gaps on the biosecurity risk to Fiordland need to be identified. Risk will be assessed for Fiordland as required. It is vital that identified risks are addressed in management activities in the FMA.

MPI will work closely with the Guardians, DOC, MfE and Environment Southland to review the Biosecurity Plan over time based on the identified risks and act on intelligence about potential risks e.g. fouled vessels travelling to the FMA.

3.3 Surveillance

GOAL 3: INCREASE CAPABILITY FOR EARLY DETECTION VIA ACTIVE AND PASSIVE SURVEILLANCE

Surveillance within Fiordland is likely to be a combination of active and passive surveillance in high risk areas (for example, high usage areas) and valued locations (for example, marine reserves).

Active surveillance is where individuals or organisations carry out specific activities to detect risk organisms. Passive surveillance relies on partners and the general public who are "out and about" to notice and report risk organisms that are new to an area. Any surveillance, whether active or passive, is likely to focus on a discrete group of high risk species to enhance the effectiveness of marine biosecurity surveillance.

Active surveillance

Opportunities to undertake surveillance (with the level dependent on funding and other resources) either as a specific project or as a 'tag on' to other research, for example, DOC surveillance in the FMA (as part of the Fiordland Monitoring Plan), will need to be identified. Contracted surveillance in Fiordland may also be undertaken, if required, as part

of the Marine High Risk Site Surveillance (MHRSS) programme or a similar programme. Training of local agencies on surveillance methods coordinated by MPI is desirable. Local agencies could then work with community stakeholders to undertake surveillance.

While acknowledging that contracted surveillance is important, this type of surveillance in Fiordland can be costly and investment would need to be prioritised against other investments such as prevention activities.

Passive surveillance

A surveillance guide for use by experts and “non-experts” that includes a standard methodology for surveillance is needed to raise public awareness of the impact of risk organisms and training in the recognition of pest species. MPI currently has generic marine biosecurity material available which could assist with passive surveillance in the FMA.

It is imperative that in addition to MPI, the Guardians, stakeholders, research providers, and Fiordland users are aware of which organisms are of concern and how to report detections.

3.4 Measures to prevent arrival

GOAL 4: IMPLEMENT MANAGEMENT MEASURES TO REDUCE THE RISK OF HUMAN-MEDIATED VECTORS INTRODUCING RISK ORGANISMS TO FIORDLAND

Vectors

Human-mediated carriers (vectors) for aquatic organism introductions to Fiordland include:

- fouling on vessels (hulls and niche areas) and mooring structures brought into the FMA;
- freshwater discharged from the Manapouri tail race;
- contaminated equipment used in the FMA (for example, aquaculture equipment, boat trailers, dive gear, fishing bait and gear, holding pots, nets, ropes, floats, trawl nets, research equipment);
- bilge water; and
- ballast water (although minimal quantities are currently discharged in Fiordland).

Vector control can be achieved through:

- non-regulatory measures including a social marketing programme and voluntary codes of practice; and
- regulatory measures e.g. pathway management plans.

Non-regulatory Management Measures

Social marketing programme

Refer to section 3.7 of this document.

Codes of practice

Codes of practice are a non-regulatory tool for encouraging desired behaviours. In remote locations, where compliance with regulatory measures is difficult to enforce, it is critical to work with users to identify practical and reasonable measures to reduce biosecurity risks. Work will be needed to evaluate existing codes and identify opportunities for new codes. Research undertaken to identify pathways and vectors of risk organisms to Fiordland (i.e. based on risk) will highlight those new codes that then become a priority for further development.

Codes of practice have been developed in the past to manage biosecurity risks in remote locations such as the Sub-Antarctic Islands and Chatham Islands. A Fiordland-specific code has been developed by commercial tourist operators in Milford Sound. The code addresses a number of issues, including biosecurity, and is entitled: *Code of Practice for Commercial Tourist Vessels Operating within Milford Sound Harbour Limits*.

Agencies operating within Fiordland, along with the Guardians, will need to determine if codes of practice should be developed to target user groups (for example, all tourist vessels operating in Fiordland). The priority for the development of new codes is to be determined based on risk and level of user group support and engagement.

MPI's Fiordland bound vessel monitoring programme

Since 2008, MPI has been inspecting vessels in Bluff harbour and Stewart Island that are known to regularly or occasionally travel into or through the FMA. The objectives of this programme are:

- To assist in the identification of vessels that are known to, or intending to travel to Fiordland;
- To regularly inspect vessels moored in Bluff harbour and Stewart Island, or at the request of the owner, or vessels using these ports for survey purposes, that have been identified as known to, or intending to travel to Fiordland, to determine the vessels' level of fouling (LoF) status, antifoul paint condition, and presence of marine risk organisms; and
- To remove marine risk organisms, inform vessel owners of inspection results, and if required, inform the vessel owner if further action is required prior to departing for Fiordland.

Regulatory Management Measures

Both the Resource Management Act 1991 and the Biosecurity Act 1993 provide tools for vector control in Fiordland.

Resource Management Act 1991

Southland Regional Coastal Plan

Section 64 of the Resource Management Act 1991 requires the development of one or more regional coastal plans for all the coastal marine area of a region to assist regional councils to manage the natural and physical resources of the coastal marine area (CMA) sustainably.

Environment Southland has developed a Southland Regional Coastal Plan (the Coastal Plan). Rules within coastal plans have the force and effect of a regulation in force under the Resource Management Act 1991 (S 68 (1), (2)). Environment Southland can give effect to these rules by placing conditions on resource consents to reflect a particular rule.

The values of Southland's coast are described in the Coastal Plan and issues of management identified. Fundamental principles in the management of the CMA are set out and then sections of the plan deal with specific matters, including estuaries, coastal water, air, occupation, the seabed and foreshore, structures in the coast, coastal processes and protection works, cruise ships and other ships in internal waters, recreational activities, marine farming, surface water activities, financial contributions and bonds to be made.

Relevant policies and rules are outlined in Appendix 4.

One means of giving effect to the policies and rules within the Coastal Plan is through resource consents. Commercial vessels (excluding fishing vessels and cruise ships) operating in Southland must obtain resource consent from Environment Southland. Environment Southland may include requirements on biofouling and inspections before entering the FMA.

Improving the effectiveness of resource consents will need to be determined, by:

- identifying hurdles Environment Southland face in auditing and enforcing compliance with consent conditions;
- identifying tools to support auditing and enforcement activities, for example, hull fouling criteria that can be used to assess the extent of hull fouling from surface observations;
- providing technical assistance to help develop appropriate marine biosecurity resource consent conditions for Fiordland; and
- including more comprehensive biosecurity conditions on all new consents and on existing consents when consent holders reapply or when they are reviewed.

Deed of Agreement between the New Zealand Cruise Ship Industry and Environment Southland

Environment Southland has established a Deed of Agreement (the Agreement) with the New Zealand cruise ship industry. The Agreement is authorised by the Environment Southland Regional Coastal Plan and therefore cruise ship owners and /or operators do not need to hold a resource consent as long as they are a signatory to the Agreement. The Agreement seeks to manage “potential environmental impacts of cruise ship activity within the Southland Coastal Marine Area and seeks to add value to Resource Management Act 1991 provisions and those of the Coastal Plan”²

The Agreement includes direct and indirect biosecurity requirements:

Direct

- all cleaning, painting and hull scraping activities or any other hull maintenance are prohibited while in internal waters; and
- cruise ships will neither ballast nor deballast in internal waters.

Indirect

- the launching, use and movement of vessels ancillary or incidental to the principle activity, such as kayaks, zodiacs and tender vessels for sightseeing shall be kept to a minimum; and
- all anchoring and mooring activities shall only take place at recognised and or agreed anchorages.

In relation to the Coastal Plan and the Agreement, it may be beneficial to determine whether:

- Environment Southland can reasonably place conditions on resource consents based on policies, that do not have corresponding rules, within the Coastal Plan; and
- there is scope within the Agreement to include measures relating to cruise ships having clean hulls prior to entering Fiordland, for example, that the hull paint maintenance on cruises ships must comply with the paint manufacturers requirements.
- there is an opportunity to amend the Deed to include more stringent hull fouling requirements to protect the FMA from marine pests or diseases.

The Biosecurity Act 1993

The Biosecurity Act 1993 has a number of legislative tools that could be used to manage the introduction, spread and impact of risk organisms, including border requirements and powers relating to unwanted organism.

² Deed of Agreement between the New Zealand Cruise Ship Industry and Environment Southland. (2001, p. 19).

Before considering additional regulatory measures under the Biosecurity Act 1993 for Fiordland (for example, Pest Management Plans or regulations under S 165 of the Biosecurity Act 1993), MPI will consider options for collaborative programmes in partnership with other Crown Agencies and stakeholders to manage marine pests listed in the Southland Regional Pest Management Plan. In addition, if, and how, any measures being developed as part of MPI's work on domestic management of marine vector movements could be implemented in Fiordland will need to be decided. Provisions have been included in the Biosecurity Act 1993 to enable the development of pathway management plans (national and regional).

Border requirements

Ballast water discharge and hull fouling are the two main vectors for accidental introductions of marine organisms into New Zealand. Under the Import Health Standard for Ballast Water, vessels cannot discharge ballast water in New Zealand if it has been loaded in a country other than New Zealand. New Zealand has implemented the International ballast water convention,³ which provides for more stringent and consistent ballast water measures internationally.

MPI has developed hull fouling biosecurity requirements for the border via a Craft Risk Management Standard⁴ (CRMS). The CRMS has a 4 year lead-in period on a voluntary basis and requires vessels to be compliant by 2018. Hull fouling measures also include an approved standard for hull cleaning facilities under the Biosecurity Act 1993, voluntary guidelines and investigative research to determine the hull fouling risk of vessels coming through the border.

Unwanted organisms

Under the Biosecurity Act 1993 it is illegal to knowingly spread, communicate or release an unwanted organism or pest (s52). It is also illegal to sell, exhibit, or propagate / breed an unwanted organism (s53). For these activities to be permitted, a written permission needs to be issued by a Chief Technical Officer.

Regional Pest Management Plan

Under provisions in the Biosecurity Act 1993, Environment Southland has prepared a Regional Pest Management Plan. The currently operative strategy⁵ lists nine marine invasive organisms as pests.

³ International Convention for the Control and Management of Ship's Ballast Water and Sedimentation

⁴ Biofouling on Vessels Arriving to New Zealand. May 2014.

<http://www.biosecurity.govt.nz/files/regs/ships/crms-biofouling-standard.pdf>

⁵ Regional Pest Management Strategy. Environment Southland. March 2013.

The inclusion of these pests in the Regional Pest Management Plan allows implementation of biosecurity measures under the Coastal Plan with more certainty. In addition, Environment Southland may consider collaborative programmes to manage these pests in partnership with MPI, other Crown agencies and stakeholders.

Regional Pathway Management Plan

Under provisions in the Biosecurity Act 1993, ES is preparing a Regional Marine Pathway Management Plan for Fiordland to assist in the prevention of marine pests entering the FMA. A working group, including the Guardians, DOC, ES and MPI has been established to support the plan development.

Small-scale management programme

Under section 100V of the Biosecurity Act, a regional council may declare a small scale management programme to eradicate or control an unwanted organism. This is intended to allow councils to take early action on an organism if they believe it will cause serious unintended effects on the region. A small scale management programme may be initiated if the council are satisfied that the organism can be eradicated or controlled effectively within 3 years of initiating management, and that taking measures will be unlikely to cause significant monetary loss to any person contributing to the spread or presence of the pest through failing to comply with biosecurity law.

The National Policy Direction for Pest management also sets out directions on the process for developing small scale management programmes.

Other

Controlled area provisions of the Biosecurity Act 1993 authorise a chief technical officer or management agency to institute controls in a specified area in order to “protect any area from the incursion of pests or unwanted organisms” (s131 (1)(c)). To achieve this protection a chief technical officer or management agency may stipulate that organisms, organic material, risk goods or other goods are subject to certain treatment and procedures (s131 (3)(a)). For example, as risk goods, treatments and procedures could be specified for ballast water and boat hulls under this section of the Biosecurity Act 1993. A similar option is to create a restricted place under s130 of the Biosecurity Act 1993. A restricted place notice is typically for smaller-scale, temporary control of the movement of organisms, organic material or risk goods.

Inspectors may be appointed under the Biosecurity Act 1993 (s103), who thereby access a range of powers, such as the power to inspect and intercept risk goods for example. Authorised Persons and Accredited Persons may also be appointed under the Biosecurity Act 1993 with a more restricted set of powers.

3.5 Response measures for new to Fiordland pests

GOAL 5: RESPOND EFFECTIVELY AND EFFICIENTLY TO RISK ORGANISMS DETECTED WITHIN FIORDLAND

Management Measures

Government agencies may take on a joint response role with regional agencies and industry, covering all “new to Fiordland” pests. This does not necessarily mean that a response would be initiated in the event that a risk organism is discovered in Fiordland for the first time. Rather it would mean that any such discovery is investigated, and a decision on whether to respond, or not, is made on a case by case basis.

A joint-agency Marine Biosecurity Response Agreement, based on MPI’s Biosecurity response management system (now termed the “Single Scalable Response Model”), for the FMA was signed by DOC, ES and MPI in 2011 (Appendix 5). It outlines:

- relevant response frameworks
- roles and responsibilities; and
- decision making and cost sharing arrangements.

3.6 Contingency measures for the management of pests established in the Fiordland Marine Area

GOAL 6: MANAGE ESTABLISHED PESTS EFFECTIVELY AND EFFICIENTLY IN THE FIORDLAND MARINE AREA

Management

Responses may be transitioned to long-term management, such as a pest management programme, with a variety of lead or partner management agencies and funding models.

Roles and responsibilities for marine pest management were defined in the Pest Management National Plan of Action 2011 and accepted by Cabinet. This allows agencies to plan future management programmes more effectively.

At present, there are a limited number of different methods and tools used to manage established pests in the marine environment; available tools are generally not species specific.

3.7 Social marketing

GOAL 7: REDUCE THE RISK OF RISK ORGANISMS ADVERSELY AFFECTING FIORDLAND’S MARINE AREA BY CHANGING PEOPLE’S ATTITUDES AND BEHAVIOURS

Social marketing programme

MPI continues to lead a marine biosecurity social marketing programme for Fiordland. The programme is leveraging off and contributing to both MPI's awareness activities related to the marine environment and the multi-agency Fiordland Communications and Monitoring Plans being led by Environment Southland and DOC, respectively. Implementation of this social marketing programme will require MPI to work with the Guardians and other agencies.

The purpose of the social marketing programme will be to change people behaviours by increasing awareness of the risks invasive organisms pose to Fiordland and encouraging people to take specific actions to avoid introducing risk organisms. The social marketing programme needs to be supported by social science research to determine if there are detectable changes in behaviour and reviewed in light of information collected by DOC in their Fiordland Monitoring Plan.

Social marketing to promote voluntary behaviour change is desirable because Fiordland is a remote area making the enforcement of regulations both costly and difficult. It is acknowledged that using social marketing to change behaviour is an incremental process, which cannot be expected to immediately change the behaviour of all users. Biosecurity components of social science surveys could be designed to determine changes in awareness and behaviour over time (this is discussed in more detail in section 3.8 "Performance Measurement");

The social marketing programme aims to increase:

- awareness of the risks invasive marine organisms pose to Fiordland;
- personal actions which prevent introductions to Fiordland;
- awareness of the measures being undertaken to prevent the introduction and spread of invasive marine species; and
- awareness of how to identify unwanted organisms and other invasive marine species and how to report detections.

Key messages

The key messages promoted through the programme are:

- how to identify unwanted marine organisms and other specific invasive marine species;
- encouraging the use of MPI's Biosecurity Hotline 0800 80 99 66;
- ensuring vessel hulls (including niche areas) and gear are clean before coming to Fiordland; and
- not releasing ballast water within Fiordland.

Target audiences

The social marketing programme targets the following user groups:

- commercial tourist vessel operators (excluding cruise liners);

- cruise liner operators;
 - divers;
 - privately owned pleasure craft operators;
 - private syndicate vessels;
 - trailer borne vessels;
 - yachts; and
 - kayaks
 - research vessel operators and researchers aboard;
 - fishers (recreational and commercial);
-
- iwi/runanga;
 - environmental groups; and
 - local schools and tertiary institutions.

Delivery mechanisms

Social marketing messages can be disseminated through a number of different media including:

- brochures and posters;
- articles in stakeholder publications, advertisements;
- signage – boat ramps or wharves;
- websites;
- direct mail (with a compiled stakeholder list);
- on the ground personnel, for example, DOC, Environment Southland, or MPI compliance officers;
- advisory notes within existing regulatory and non regulatory tools such as codes of practice;
- fisheries or conservation themed TV programmes; and
- development and delivery of:
 - presentations to:
 - interest groups - dive clubs, boat clubs, environmental groups;
 - trade shows, for example, boat shows; and
 - conferences
 - surveillance training to mobilise local users of Fiordland to watch for and report invasive marine organisms

3.8 Performance Measurement

GOAL 8: EVALUATE THE EFFECTIVENESS OF THE BIOSECURITY PLAN

An indication of the effectiveness of management measures can be achieved by monitoring:

- changes in people's awareness of biosecurity risks and the actions they should take to protect Fiordland from invasive marine species;

- changes in behaviours (for example, cleaning hulls and equipment before entering Fiordland);
- rate of species introductions into Fiordland;
- the number of surveillance reports to 0800 80 99 66, and
- distribution of any existing pests within Fiordland, or in locations that are highly connected to Fiordland.

Performance measures need to support both local (partnership) measurement and reporting needs, and national performance reporting needs under a performance framework for the pest management sector.

Monitoring Activities

Biological

Monitoring requires biological surveys to determine a baseline of organisms in different locations throughout Fiordland, then follow-up surveys to identify species population and composition changes over time.

The baseline and follow-up surveys should target high use areas, as these are the areas where newly introduced species are most likely to be observed. To be comparable with other biosecurity monitoring around New Zealand it would be desirable to undertake targeted baseline surveys throughout Fiordland following the MPI standardised methodology. Opportunities to undertake these surveys will need to be identified.

Additional baseline information on Fiordland may be able to be collected from research undertaken in Fiordland for other purposes, for example, biodiversity monitoring as part of the DOC-led Fiordland Monitoring Plan. Research under the DOC-led monitoring programme may also be undertaken to gauge the success of the biosecurity programme at increasing awareness and changing behaviours over time.

Behavioural

To determine if management activities are working it is imperative to know if people's awareness of biosecurity risks is increasing and if people are changing their behaviour to reduce the risk. To make this assessment, social research such as user surveys are required. This research can determine:

- whether people's attitudes have changed as a result of the social marketing programme; and
- if awareness is reflected in behaviour change, for example if more vessel owners clean their hulls before entering Fiordland.

4. IMPLEMENTATION AND REVIEW OF THE BIOSECURITY PLAN

4.1 Implementation

To improve delivery of and direction in protecting the FMA, this Strategic Plan will need to be implemented. Engagement from Government agencies responsible for implementing the Fiordland Marine Conservation Strategy and the Guardians will be critical in achieving the vision of the Strategy.

Steps to implement the Plan will be to:

- communicate the Plan;
- implement operational priorities in consultation with stakeholders including an implementation schedule; and
- implement the Joint-Agency Marine Biosecurity Response Agreement.

4.2 Reviewing the Biosecurity Plan

As new information and experience becomes available on how to manage invasive marine species and domestic pathways it would be appropriate to review the outcome and goals stated in the Biosecurity Plan. There are unlikely to be significant shifts in strategic direction in this area in the short term. It is therefore proposed that this Biosecurity Plan only be reviewed on a 5-yearly basis. However, operational activities should be reviewed on an annual basis.

MPI will work collaboratively with the Guardians, DOC, MfE and Environment Southland to periodically review the Biosecurity Plan over time, based on the identified risks.

APPENDICES

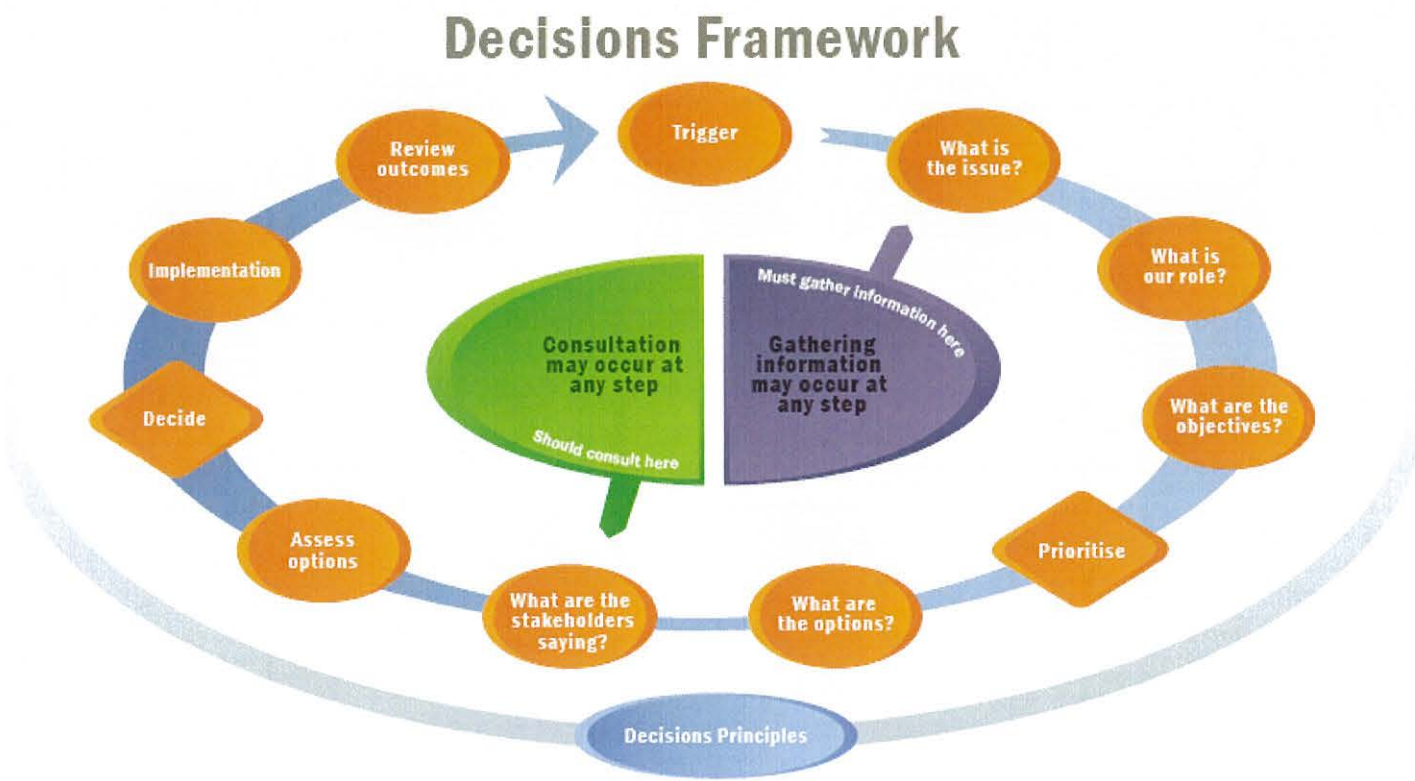
APPENDIX 1: OPERATIONAL PRIORITIES

Table 1. Operational activities for reducing marine biosecurity risks to Fiordland 2015/16 - 2020/21.

Agency*	Action	Timing
Coordination		
All	Participate in Guardians meetings	2015/16 and ongoing
All	Consult and seek advice from other stakeholders on matters that affect marine biosecurity in Fiordland	2015/16 and ongoing
Guardians and MPI	Establish a mechanism for wider stakeholder consultation, in addition to existing mechanisms (e.g. ES work on Long Term Council Community Plan etc)	2015/16 and ongoing
All	Identify opportunities to advance the objectives of the Biosecurity Plan through other operational policies, programmes and activities	2015/16 and ongoing
Risk profiling / Vector management/ Measures to Prevent Arrival		
ES, MPI, DOC and Guardians	Develop and implement a Regional Marine Pathway Management Plan for the FMA	2015/16 and ongoing
MPI	Include relevant biosecurity requirements in Fisheries plans for commercial vessels operating in FMA	2015/16 and ongoing as fisheries plans are developed
MPI, ES, DOC	Continue joint education and compliance expeditions on shared vessel, and include biosecurity compliance	2015/16 and ongoing
ES with All	Develop procedures and authority for officials to inspect vessels in FMA and guidelines for action (ranging from education to prosecution) if a high risk vessel is identified	2015/16 and ongoing
MPI	Continue vessel monitoring in Bluff Harbour and Stewart Island and supply data to ES	2015/16 and ongoing
ES	Maintain and enforce consent conditions requiring annual hull anti-fouling for commercial boats operating in FMA. As consents are renewed, discuss with operators coverage of all gear for charter vessels	2015/16 and ongoing
ES, MPI and Guardians	Revise Deed of Agreement for Cruise Vessels (in consultation with operators and MPI) to require vessels to be free of macrofouling on hull, niche areas and gear	2015/16 and ongoing
DOC	Provide advocacy material for all people who apply for permits to travel over the Wilmot Pass, in to Doubtful Sound. Make sure that advocacy material is available for all vessels using Deepwater Basin in Milford Sound	2015/16 and ongoing
DOC	Talk to all concession holders (including helicopters) that use the Fiordland Marine Area to make sure they are aware of the biosecurity risks associated with transporting gear and equipment	2015/16 and ongoing
Surveillance		
All	Encourage fishers, commercial operators, recreational users and scientists (e.g. during DOC marine reserve surveys) to watch for and report any suspicious or unfamiliar marine organisms	2015/16 and ongoing

MPI	Provide training, written materials and guidance including a simple surveillance guide for use by “non-experts and experts”, and species identification service to those conducting passive surveillance and others who are active in the FMA	2015/16 and ongoing
MPI, ES, DOC	Develop and implement a regional surveillance plan for high risk sites throughout the FMA	2015/16 and ongoing
Response measures for new to Fiordland pests		
MPI, DOC and ES	Implement the joint-agency marine biosecurity response agreement	2015/16 and ongoing
MPI, DOC, ES	Review the joint-agency marine biosecurity response agreement	2020 and as required
ES	Determine the feasibility and practicality of using quarantine arrangement for new marine pest incursions	2015/16 and ongoing as required
MPI with All	Conduct a review on risk species and management options	2016/17 and ongoing
MPI with All	Undertake research on response tools to manage marine pests	2016/17 and ongoing
MPI with All	Review, share and develop new treatment options for biofouling in niche areas of vessels and methods to assess their effectiveness	2015/16 and ongoing
Social Marketing		
MPI with All	Review and implement the Fiordland-specific Biosecurity Communications Plan 2009/10-2013/14 and MPI’s Communications Plan. Key themes this will be the continued education to users of the FMA on good biosecurity practice and awareness raising of marine pests to stakeholders. The Plan will be informed by User Survey information to identify target markets and their communication needs/preferences.	2015/16
Performance Management		
MPI with All	Annually review compliance with operational activities, recommended measures and overall effectiveness of this Plan, and review and revise operational priorities for risk management.	2015/16 and ongoing
DOC, MPI and Guardians	Undertake social science research to gauge the success of efforts to increase awareness and change behaviours.	2015/16 and ongoing

* The first agency listed in bold is recommended to have lead responsibility; the other listed agencies provide input and/or funding. ES = Environment Southland, MPI = Ministry for Primary Industries, Guardians = Fiordland Marine Guardians, DOC = Department of Conservation. “All” refers to the Guardians and agencies listed above, plus the Ministry for the Environment, which has a role in supporting the Guardians. Where an agency is specifically mentioned “with All”, the named agency would have lead responsibility. Where an entry only says “All”, then each agency is expected to contribute in its own area of expertise and responsibility and to coordinate with other partners, e.g. via meetings of the Guardians.



Decisions steps

Gather information

Gather information throughout the whole decisions process, particularly to help define the issue and to identify and assess options.

Consultation

Identify and consult affected parties as early as possible in the process and give sufficient time and information to affected parties. Where there is little information, consultation may need to be ongoing or occur at several points in the decisions process. Consultation may not be necessary in all cases.

- Who should be consulted and how?
- What is the objective of the consultation?
- What is the key information that needs to be provided?
- What is the scope/timeframe of the consultation?
- Do the expectations of those consulting/those being consulted align with consultation objectives?
- What are the areas of concern identified?

Trigger

A trigger such as an incursion, new information, or a new business need should prompt the decisions process.

What is the issue?

Explain the background to the issue, including the nature and extent of the issue and the need for action.

Nature of the issue

- What is it?
- What is the underlying cause of the issue?
- What are the symptoms of the issue?
- What is the likelihood & consequence of the issue?
- What are the risks/opportunities?
- Has this been an issue in the past?
- How successful have we been at addressing it?
- What behaviours need to change?
- Who needs to change behaviour?

Size and scale of the issue

- How significant is the issue?
- What is the scope of the issue?
- Who is it an issue for?
- How reversible are the impacts of the issue?
- Does consultation need to occur to help define the issue/objectives?

What is our role?

Clarify/agree who has the mandate/duty to act.

- Do we have a legislative requirement or prearranged role?
- Is it a pre-agreed role or responsibility of another agency?
- Who is best placed to solve it?
- Do we need to agree role division between MAF and another agency?
- Who is best placed within MAF to be responsible?

What are the objectives?

Clearly define the objective(s) to address the underlying cause of the issue in a way that does not pre-determine solutions, and is specific, measurable and achievable. State if objectives are subject to constraints like time or resources.

- How will you measure success?
- How will you know that you have achieved the desired outcome?
- Recognise that different people may have differing objectives that you may need to balance or reconcile when evaluating options
- Are there any relevant government objectives/outcomes?

Prioritise

Assess importance of the issue using the strategic fit and net benefit criteria and decide how much effort is needed, if any.

- How important is this issue compared to other issues?
- How much effort is needed, if any?
- What is the urgency/need for action?
- What are the likely costs associated with maintaining the status quo?
- Set timeframes and the amount of analysis required
- What is the appropriate governance mechanism?
- Who should be the decision-maker?

What are the options?

Develop and analyse realistic options for achieving the objectives and that can be implemented.

Develop options

- What is the status quo?
- Is more information needed to inform development of options?
- Can the options be implemented?

Analyse options

- What is the level of analysis required and timeframe?
- What are the costs and benefits of intervening/not intervening?
- Who benefits and who bears the cost of each option?
- How well do the options manage the risks?
- How will behaviours affect the level of compliance?
- Do the options address the underlying cause or the symptoms of the issue?
- What are the indicators for measuring success/performance?

What are the stakeholders saying?

Consult with affected parties even if you have already discussed the issue with them previously. Consultation must be genuine and feedback used to inform your decision. If you decide not to consult on the options make your reasons for this decision clear.

Assess options

Assess options against strategic fit, net benefit, feasibility, resources, and opportunities/barriers to success (see Principle 9). Discuss and agree the meaning of the criteria before assessment is made.

- What is/are the preferred option(s)?
- How well does the preferred option(s) meet the objective(s)?

Decide on an option

Choose an option, decide what we are going to do or not do and clearly communicate the decision to affected parties.

Implement the decision

Develop an implementation plan and take action.

- Is a communication strategy required?
- What risks may affect successful implementation?
- What review mechanisms and performance targets are needed?
- What compliance and audit is needed?

Monitor and review outcomes

Monitor and evaluate performance, and review against the objectives. If recommendations from the review identify new information or issues these should feed back into the decisions process.

- How well does the decision meet the success/ performance criteria and objectives?
- How well does the decision respond to the risks, costs and benefits and public reaction to your actions?
- What are the intended/unintended effects of the action?
- What is the likely level of compliance?

Decisions principles

Process Principles

1. *Follow the criteria and processes prescribed in relevant legislation and ratified international standards*

Where legislation prescribes the process to be followed and/or criteria to be applied for a particular decision, these must be followed and applied. International standards or treaties that have been ratified by the government must also be followed.

2. *Analyse the issue before trying to find solutions*

Spend time identifying the 'real' issue, before thinking through solutions by:

- understanding and analysing: the issue, the context, the risks and opportunities and the objectives first; *then*
- thinking through solutions to manage the issue and assessing strategic fit, net benefit, feasibility, resources, and any other barriers for the solutions.

3. *Decisions should be made by those best placed to do so*

Unless specified elsewhere (such as in legislation), decisions should be made by the people who have the right information, skills and incentives as they are best placed to make good decisions in that area.

4. *Timely and well-informed*

There will always be uncertainty and lack of information, but we must make the best decisions we can with the best information available at the time. The level of information sought and analysis should be proportional to the size of the risk/opportunity identified in the available timeframe and the urgency required.

5. *Consistency*

Follow a consistent decisions process but only to the point where it is sensible to do so. Apply decisions principles, criteria and tools consistently so that decisions do not differ in assessment approach.

6. *Consult affected parties, including Maori*

Identify and consult those affected by our decisions, including Maori, as soon as possible in the decisions process. Give sufficient time and information to affected parties so they can provide effective feedback before final decisions are made and so they can manage their own risks and interests at the same time.

7. *Transparency*

Tell affected parties, in plain language they can understand, what the decision is and the reasoning behind the decision so they understand the decision, the implications, and the behaviours being sought.

Content Principles

8. *Decisions should aim to improve New Zealand's overall economic, social, health and environmental values*

Decisions should be driven by the objective of securing positive consequences and limiting negative consequences for our economic, social, health and environmental values as a country except where there are specific government objectives, directions or statutory requirements.

All decisions by the government to intervene should be tested to check that the intervention is justified and delivers more benefits than costs.

9. *Assess options based on strategic advantage, net benefit, feasibility, resources and opportunities/barriers to success.*

Assess options using the following criteria. Discuss and agree the criteria before assessment is made.

- Strategic fit – how well does it fit with the government's strategies and MAF's Statement of Intent and/or strategies that reflect wider Government strategies?
- Net benefit – what is the overall net benefit including costs, benefits and their likelihoods?
- Feasibility – is it feasible and what is the probability of success?
- Resources – what resources, skills and capabilities are required?
- Opportunities/Barriers – are there other opportunities or barriers to success, such as timing or the factors that cause public concern (coercion, equity, fear etc)?

10. *Uncertainty is not an excuse for inaction*

There is always uncertainty but it should not be an excuse for unnecessary delay or indecision. Decisions should focus on what reasonable steps can be taken at the time based on the best information available at the time, while maintaining future options where appropriate. Be transparent about the uncertainties and assumptions.

11. *Irreversibility provides a stronger case for intervention*

Where the impacts of not intervening are likely to be irreversible, there is a stronger case for intervention even when benefits only marginally outweigh costs.

12. *Risks/opportunities should be managed by those best placed to do so*

Those with the most appropriate incentives, capability, access to resources and the best information related to any specific opportunity or risk should manage those risks/opportunities.

13. *Favour outcome-based over prescription-based interventions*

Favour performance/outcome based interventions over prescriptive interventions wherever practicable and appropriate. This may be easier where sector groups have large well-resourced players that interact with each other. Standards should be enforceable, and should draw on existing (industry) standards as much as is practicable to minimise compliance costs and allow innovation. Try to describe criteria for equivalent ways of achieving the standard.

APPENDIX 3: GLOSSARY OF TERMS

Fiordland Marine Biosecurity Plan definition

Note: some of these terms are defined in legislation. The glossary, where applicable, is a summary of the legislative definitions.

Biosecurity is defined as the exclusion, eradication or effective management of risks posed by pests and diseases to the economy, environment and human health.⁶ Biosecurity seeks to protect terrestrial, freshwater and marine environments.

Biosecurity Act 1993 is an Act to restate and reform the law relating to the exclusion, eradication, and effective management of pests and unwanted organisms.

Craft Risk Management Standard for Biofouling on Vessels Arriving to New Zealand is a standard issued under the Biosecurity Act 1993 to address the risk of harmful organisms arriving on the craft itself

Chief Technical Officer is a person appointed as a chief technical officer under section 101 of the Biosecurity Act 1993.

Department of Conservation is the government agency charged with protecting and preserving native species, managing wild animals, caring for public conservation.

Environment Southland is the statutory body responsible for managing Southland's natural and physical resources of air, land, water and coast.

Fiordland when used on its own refers to the Fiordland Marine Area.

Fiordland Marine Area covers the coastal marine area of the Southland Region from a line due south of the eastern bank of the mouth of the Waiau River to a line due west of Awarua Point. This boundary will need to be recognised in the implementation of the management measures.

Fiordland Marine Conservation Strategy is an initiative of the local community-based group, the Guardians of Fiordland's Fisheries and Marine Environment community, which promotes a new approach to the protection of the Fiordland marine environment through co-operative and integrated management.

Fiordland Marine Guardians are a group of stakeholders in the Fiordland marine environment that were established as a result of the Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 to provide advice on fisheries management, biosecurity, sustainable management, and marine preservation and protection.

Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 was passed in 2005, in recognition of the Fiordland Marine Area's "local, national and international importance, unique marine environment, distinctive biological diversity, and outstanding landscape and cultural heritage.

⁶ *Protect New Zealand: the biosecurity strategy for New Zealand*. 2003 (p5).

Import Health Standard issued under Section 22 of the Biosecurity Act 1993. The Director-General MPI, may, issue an import health standard specifying the requirements to be met for the effective management of risks associated with the importation of risk goods before those goods may be imported, moved from a biosecurity control area or a transitional facility, or given a biosecurity clearance.

Ministry for Primary Industries is the government agency responsible for leading the protection and sustainable development of our biological resources for all New Zealanders, for leading a fully integrated, transparent and efficient biosecurity system for the country and for all aspects of fisheries management.

Ministry for the Environment is the government agency responsible for advising the government on environmental sustainability, environmental planning and international matters that affect the environment.

National Pest Management Plan is a legally binding plan issued under the Biosecurity Act 1993 and established at a national level for managing a pest and identifies (among other things) the Biosecurity Act powers to be used and how the strategy will be funded.

Pathway Management Plan means a plan to which the following apply:

- a) it is for the prevention or management of the spread of harmful organisms;
- b) it is made under Part 5 of the Biosecurity Act 1993;
- c) it is a national pathway management plan or a regional pathway management plan.

Pest means an organism specified as a pest in a pest management plan.

Resource Management Act 1991 is legislation that sets out how we should manage our environment.

Regional Pest Management Plan is a legally binding plan established at a regional level by a regional council for managing pests.

Risk organism is defined as organisms affecting plants or animals, in marine, freshwater or terrestrial environments, and includes:

- a) new or existing/established pests and diseases that could pose a threat to the values we wish to protect, their related vectors/ pest agents, and particles such as prions, (including organisms that have been purposefully established but later prove to be a threat to the values);
- b) zoonotic diseases that may impact on animals and humans;
- c) syndromes (including where the causative agent(s) is not known) or where there could be more than one risk organism present contributing to the threat;
- d) new organisms (defined under the Hazardous Substances and New Organisms Act 1996) that do not have approval under that Act, or that have breached containment or other controls, including both GMOs and non-GMOs;
- e) organisms associated with imported risk goods that have received biosecurity clearance but are subsequently found to require further biosecurity risk management.

APPENDIX 4: BIOSECURITY RELATED POLICIES AND RULES WITHIN THE SOUTHLAND REGIONAL COASTAL PLAN

Policy 7.3.8.2.2

Avoid wherever practicable, remedy or mitigate the adverse effects of discharges of contaminants from areas used for cleaning, maintenance and painting of structures and ships (the explanation accompanying this policy identifies “removal of marine growth” as a means of introducing undesirable marine organisms). The explanation notes that ships moored in areas infested with unwanted or pest organisms pose a risk to Southland waters and advises that if boat hulls are “scraped prior to entering Southland waters” the risk can be reduced).

Rule 7.3.8.2.5

Hull cleaning of ships, where viable unwanted or pest marine organisms enter the coastal marine area, is a prohibited activity.

Policy 7.3.8.2.3 (inserted by amendment)

Provides for hull cleaning of ships in circumstances where ...viable unwanted or pest organisms, do not enter or are not released into the coastal marine area.

Rule 7.3.8.2.3 (b)

Hull cleaning of ships within the coastal marine area, provided that no viable unwanted or pest organisms are released into the coastal marine area is a permitted activity.

Policy 7.3.8.2.4 (inserted by amendment)

Requires that any ships to be used for commercial surface water activities in Fiordland, and any structures or equipment that are to be erected or placed within the internal waters of Fiordland that have been in coastal waters in other parts of New Zealand or in foreign waters, be thoroughly cleaned and disinfected before entering, or being placed in, Fiordland’s internal waters.

APPENDIX 5: Joint - agency Marine Biosecurity Response Agreement for the Fiordland Marine Area



Department of Conservation
Te Papa Atawhai

Ministry for Primary Industries
Manatū Ahu Matua



environment
SOUTHLAND
Te Taiaro Māori

Amendment Record

If there are major alterations to this Agreement, a new issue of this Agreement (with a new issue number) will be distributed to controlled copyholders. If there are minor alterations to this Agreement, the amended pages will be issued with the date of issue of the amended page at the footer and the altered or new text in redline font for easy identification. Amendments will be entered into the amendment record on this page. Any alterations will be made by MPI.

Amendment No.	Amended page numbers	Date	Amended by
1 Minor alterations	In redline font	12/12/14	Jeannine Fischer
2 Minor alterations	In redline font	17/12/15	Jeannine Fischer
3 Minor alterations	In redline font	22/02/16	Jeannine Fischer

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1. Introduction

1.1. Purpose

The purpose of this document is to provide a framework for a joint-agency response to an incursion of a marine risk organism into the Fiordland Marine Area (Te Moana o Atawhenua) (FMA).

The knowledge and capability, and collaborative approach of the Agencies are central to the success of any response.

1.2. Background

The Fiordland (Te Moana o Atawhenua) Marine Management Act (the Act) was enacted in 2005. The Act formally established the Fiordland Marine Guardians (the Guardians), and appointed the Ministries of Agriculture and Forestry, Fisheries and the Environment, the Department of Conservation and the Southland Regional Council as the management agencies responsible for assisting the Guardians to achieve the purpose of the Act.

The Protocol between the Guardians and the management agencies, signed in 2006, nominates the **Ministry for Primary Industries (MPI)** as responsible for leading the implementation of the Fiordland (Te Moana o Atawhenua) Marine Area Biosecurity Plan. ~~The Biosecurity Plan consists of a Strategic Plan which is to be implemented by an Operational Plan. The Operational Plan is being developed in two phases, prevention and response activities.~~ This Agreement is primarily to address the response components.

In addition, in 2006 the Minister of Biosecurity asked MAF (**now MPI**) to engage with DOC and Environment Southland to attempt to develop a joint response preparedness plan/agreement that covers all “new to Fiordland” pests. Such a plan would include:

- response measures that could be applied for a range of scenarios from a small localised incursion where action would lead to eradication, through to a large, widely spread incursion where eradication would not be practical and no action is likely to occur;
- decision making and cost sharing arrangements; and
- operational roles and responsibilities.

This signalled that the Government may take on a joint response role with regional councils and industry for Fiordland, covering all “new to Fiordland marine pests”. This would not mean that there will be a response in the event a marine pest is discovered for the first time in Fiordland. Rather it would mean that any such discovery is investigated, and a decision on whether to respond, or not, is made on a case by case basis (e.g. considering things like feasibility, resources, barriers to success and strategic importance).

1.3. Outcome

The outcome of the Agreement is to achieve the vision of the Fiordland Marine Guardians:

“That the quality of Fiordland’s marine environment and fisheries, including the wider fishery experience, be maintained or improved for future generations to use and enjoy”.

1.4. Objectives

To achieve the desired outcome the objectives under this Agreement are:

- maintain the FMA free from marine risk organisms for as long as possible;
- maintain effective partnerships between agencies and with Maori and key stakeholders to address issues;
- agencies work collaboratively when responding to new to Fiordland marine risk organism incursions; and
- respond when this is the most cost-effective way to manage the biosecurity risk.

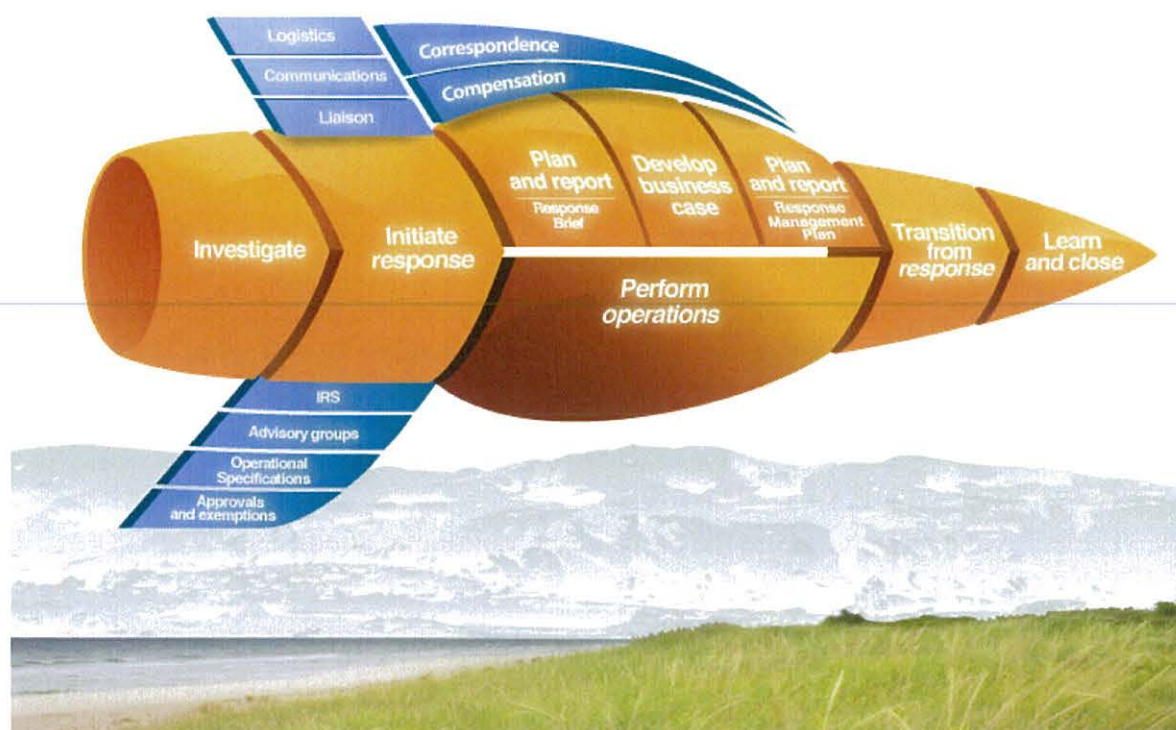
1.5. Biosecurity Response System

MPI has developed a biosecurity response system for use by any biosecurity organisation (now termed the “Single Scalable Response System”). It has a focus on effective and efficient decision-making processes, and ensuring sufficient capacity and skills. The structure of this system is similar to the Coordinated Incident Management Response System (CIMS) approach. The System is intended to cover a response in any situation and can be scaled up or down as appropriate.

Key principles of the system include:

- Risk-based decision making – considers the risks to the values of New Zealand (economic, environmental, socio-cultural, human health) at each stage of the response.
- Whole-of-government approach – works with the CIMS approach.
- Scalable and consistent – response phases and core management approach are the same for a large response as for a small response.
- Project management – underpins the approach with a focus on planning the work and working to the plan.
- A response organisation structure dictated by the work – organisation charts are based on response activities, not on role-holders, which allows responses to be easily scaled up or down.
- Activities – defined by the work that is required to be completed, not by the responsibilities of role-holders.

The diagram below illustrates the process of a response.



1.6. Definitions and interpretations

For purposes of this agreement the combined group of marine unwanted organisms/pests will be called collectively marine ‘risk organisms’.

Term	Definition
Best Capability	The best capability for the response based on criteria including cost, value for money, skills, opportunities to develop capability, suitability for purpose, location and use of resources across the Capability Network, regardless of ownership
Established	A marine risk organism already known to be present within New Zealand
Leading	Taking the lead role in collaboration with the other Parties to the Agreement and stakeholders (where applicable)
New	A marine risk organism that is new to New Zealand. Note: where there is uncertainty as to whether the marine risk organism is new to New Zealand or not, it will be assumed as new.
Risk organism	Organisms affecting plants or animals, in marine, freshwater or terrestrial environments, and includes: <ul style="list-style-type: none"> a) new or existing/established pests and diseases that could pose a threat to the values we wish to protect, their related vectors/ pest agents, and particles such as prions, (including organisms that have been purposefully established but later prove to be a threat to the values); b) zoonotic diseases that may impact on animals and humans; c) syndromes (including where the causative agent(s) is not known) or where there could be more than one risk organism present contributing to the threat; d) new organisms (defined under the Hazardous Substances and New Organisms Act 1996) that do not have approval under that Act, or that have breached containment or other controls, including both GMOs and non-GMOs; e) organisms associated with imported risk goods that have received biosecurity clearance but are subsequently found to require further biosecurity risk management.

2. Partnership Agreement

2.1. Parties

The Parties to this Agreement are:

- the **Ministry for Primary Industries (MPI)**;
- the Department of Conservation (DOC); and
- Environment Southland (ES).

Any other party involved in protecting the FMA can become party to this Agreement. The partnership allows interested parties to become involved as and when their capacity allows. Other parties may be identified (or identify themselves) and become involved as the partnership develops.

2.2. Statement of principles

The following principles form the basis for the working relationship between agencies:

- Act constructively and promptly in the face of uncertainty;
- Take a risk-based approach to decision making ensuring decisions are timely, transparent and communicated to those affected;
- Take action by those with the best capability to act with the resources that are available;
- Apportion costs equitably taking into consideration legal obligations, roles and responsibilities, contribution to risk, and benefit received;
- Participants know who is responsible and understand the process used to make decisions; and
- Encourage community involvement, participation and responsibility.

2.3. Scope of the Agreement

The Agreement *includes*:

- Goal 5 and 6 of the **Fiordland Marine Biosecurity Plan 2015/16-2020/21**; (respond effectively and efficiently to marine risk organisms detected in Fiordland; and manage established pests effectively and efficiently in the FMA), respectively; and
- All ‘new to Fiordland’ marine risk organisms.

The Agreement *excludes* risk management activities as these are addressed in a separate document.

2.4. Relevant frameworks, policies and strategies

Relevant frameworks, policies and strategies that influence the response area and this Agreement include the following:

- Fiordland Marine Conservation Strategy 2003;
- Fiordland Marine Management Act 2005;
- **Fiordland Marine Biosecurity Plan 2015/16-2020/21**;
- **MPI** Policy for Responding to Risk Organisms;
- **MPI** Biosecurity Response System;
- **MPI** Policy for High Impact Organisms (in draft stage);
- **MPI** Decisions Framework;
- Environment Southland 's Regional Pest Management **Plan**;
- Environment Southland's Regional Coastal Plan;
- Environment Southland's Emergency Operations Centre Standard Operating Procedures;
- Marine Reserves Act 1971;
- Fiordland National Park Management Plan June 2007; and
- Conservation Management Strategy: Mainland Southland/West Otago 1998-2008.

3. Roles and responsibilities

3.1. Reporting

It is imperative that **MPI**, DOC and ES get early warning of emerging pest issues, meaning an increased chance of eradication and/or containment therefore a reduction in risk to the Fiordland Marine Area.

Savings are made on pest management control costs due to early intervention.

Confidence of key stakeholders is enhanced as they see that agencies have delivered on expectations in the Biosecurity Plan and filled a key strategic gap around management of marine risk organism incursions.

It is essential that Guidelines are developed for reports of marine risk organisms from within the Fiordland Marine Area.

All reporting of suspected marine risk organisms within the FMA will be via the **MPI Biosecurity Hotline 0800 80 99 66**. Refer to Appendix Two for further information on the reporting process.

Following reporting of a genuine marine risk organism in the FMA, **MPI** or the notified Agency will notify all parties to the Fiordland Marine Biosecurity Programme within 24 hours of receiving notification.

Following confirmation of a marine risk organism in the FMA, **MPI** or the notified Agency must notify all parties to the Fiordland Marine Biosecurity Programme within 24 hours of receiving confirmation. Only parties to the Agreement will consider options for investigating or responding after this notification.

3.2. Capability

DOC and ES have staff and equipment available to carry out operational/field work in the FMA and the logistical capability to reach and work in remote sites at short notice.

DOC will provide a vessel for an investigation such as the Southern Winds. If this vessel is unavailable DOC will attempt to facilitate a cost-effective replacement vessel.

ES will provide staff and support as required for an emergency operations centre and biosecurity staff for any operational deployments. **ES will also provide their Faddock facility when needed.**

Any capability network/inventory developed could be used as part of this Agreement.

3.3. Investigating

All investigations will follow the Biosecurity Response System (<http://brkb.biosecurity.govt.nz/>). The System is scalable and can therefore be used for all response scenarios.

MPI will be responsible for leading the investigation of suspected *new* marine risk organisms in Fiordland (or New Zealand in general). DOC will be responsible for leading the investigation of suspected *established* marine risk organisms suspected within a marine reserve. Environment Southland will be responsible for leading the investigation of suspected *established* marine risk organisms outside of a marine reserve.

For information on some new and established marine risk organisms refer to <http://www.biosecurity.govt.nz/pests/search>

3.4. Responding

MPI will be responsible for leading a response to *new* marine risk organisms. DOC will be responsible for leading a response to *established* marine risk organisms detected *within* a marine reserve. ES will be responsible for leading a response to *established* risk organisms *outside* of a marine reserve.

Note: where an established marine risk organism is found both within **and** outside a marine reserve DOC and ES will decide between them who is best placed to lead the response.

All responses will follow the Biosecurity Response System (**CIMS 2/ Single Scalable Response Model**).

For further information on the Response Structure refer to the Biosecurity Response System and Appendix Three.

3.5. Preparedness planning

Parties agree to investigate options for developing preparedness plans taking into consideration other preparedness work being considered e.g. national marine preparedness.

3.6. Funding principles

The Agreement has been developed around the principle of partnership where the parties derive joint benefits. Accordingly, partners will be required to seek funding to support any costs associated with the operation of their aspects of the Agreement, unless otherwise indicated.

Funding principles for the Agreement:

A given biosecurity service is most appropriately funded by the group(s) best placed to do at least one of the following:

- (i) change its behaviour to reduce the costs of the service or risks that give rise to the need for the service;
- (ii) assess whether the benefits of the service at its current level of provision outweigh the costs and consequently influence the level of service provided; and/or
- (iii) determine whether the service at its current level of provision is being delivered most cost-effectively.

Principle (ii) would be the key principle to guide funding allocation for any response in the FMA.

There will be limited opportunity to transfer costs to specific beneficiaries or exacerbators within any investigation and/or response.

Principle (iii) would be a review point if a response is initiated.

Table 1: Cost allocation and decision-making for the Agreement

Stage as per Response System	Organism type	Funding
Investigation	New to New Zealand	MPI will fund direct investigation costs. Where DOC and/or Environment Southland (or any other agencies) provide their staff in-kind, any costs will be met in kind by each agency (including travel and accommodation). Time contributed by industry or individuals will be met in kind by the industry or individual.
	Established in New Zealand	DOC or ES will be responsible for funding direct costs (excluding taxonomic identification which will be covered by MPI via taxonomic/diagnostic services). Where an agency provides their staff in-kind, any costs will be met in kind by each agency (including travel and accommodation). Time contributed by industry or individuals will be met in kind by the industry or individual.
Response	New to New Zealand	MPI will fund direct response costs. Where DOC and ES (or any other agency) provides their staff in-kind, any costs will be met in kind by each agency (including travel and accommodation). Time contributed by industry or individuals contributing their will be met in kind by the industry or individual.

	Established in New Zealand	Costs will be shared equitably between MPI, DOC, and ES in accordance with the biosecurity funding principles. Time contributed by industry or individuals will be met in kind by the industry or individual.
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3.7. Cost sharing

Costs associated with the Southern Winds or its substitute will be divided evenly amongst the Parties to this Agreement.

Operational costs may be recovered where these can be transferred to specific exacerbators and beneficiaries.

Costs to be allocated are limited to those incurred from the date that the joint agency response is formed. Any costs that have occurred prior to the joint agency response being formed must be acknowledged and the Response Governance will compare these with any funding principles and discuss/agree any expectations.

Cost sharing during responses may apply to:

- compensation;
- salaries or fees for additional persons and contractors engaged to assist directly with response;
- costs for the hiring of premises or facilities, or the hire/leasing of equipment specifically used for the response (or the depreciation cost on existing equipment used);
- costs of laboratory services required for the response, above the contracted level of service already in place;
- fees paid to experts employed to assist in the response;
- meal and accommodation allowances for staff/consultants engaged directly in the response;
- overtime incurred as a direct result of the response;
- costs of scientific/technical research into organism management;
- direct costs of obtaining any consents and/or approval required under any legislation; and
- costs of compliance with requirements to consult or give public notice as required by statute, court order, or the terms of an Approval issued by government agencies, including the costs of newspaper classified placements.

Cost sharing during responses may not apply to:

- direct costs of the marine risk organism itself;
- costs that would be incurred irrespective of the response;
- salaries or consultancy fees that would be incurred irrespective of the response;
- capital expenditure on vehicles, office space that is not operational expenditure etc;
- costs of delivering baseline commitments; and
- costs contributing to the recovery process.

3.8. Fiscal caps

A fiscal cap is a contribution limit per signatory that applies to any response that is initiated under the Agreement. The fiscal cap may only be exceeded with the permission of the signatory to whom the cap applies. The purpose of fiscal caps is to ensure that signatories do not invest more than they wish to or can afford.

All signatories may set fiscal caps in place. Signatories may set a different cap for responses when a cost share has not yet been set. This is because there is more uncertainty around the total financial liability than for a response where the cost share is known.

If a fiscal cap is reached, then the signatory must decide whether to withdraw from joint decision-making and cost sharing, or to exceed the cap.

3.9. Joint decision-making

Signatories must make persons available to represent them in the decision-making who have authority to make decisions.

Joint decisions will be timely, well-informed, and will be made by consensus. Consensus means that the decision-makers must agree on a collective decision. Some parties may not prefer the decision, but after discussion and debate within the time constraints, all parties will stand behind the decision. Where a consensus cannot be reached, escalation to either Response Governance or Chief Executives (or their equivalent) may be undertaken.

Affected signatories will make significant decisions jointly including agreeing on contingency and operational response plans (including agreement on a response option, its objectives, goals, strategy for implementation and, for operational plans, a budget).

4. Time Period

This Agreement takes effect from the date of signing and follows the same time period as the Fiordland Marine Biosecurity Plan 2015/16-2020/21.

5. Implementation

It is recommended that all Parties to this Agreement use learning's' from any joint-agency marine response that takes place in the FMA or elsewhere to inform the response system or this agreement. Any changes or improvements to this agreement as a result of a response will be incorporated into the document in accordance with the review provisions of section 6 below.

6. Review and Amendment

This Agreement will be reviewed after 5 years or as required when mutually agreed between all parties. This is a living document and can be reviewed/amended, as appropriate.

7. Termination of the Agreement

Conditions of the Agreement may be terminated when at least one party is not in Agreement with a decision. Any costs incurred up to that point will be met equally by all parties.

8. Signatories

We, the parties, hereby record our agreement to the terms of this Agreement.

SIGNED by Steve Gilbert, Acting Chief Operations Officer, on behalf of the Ministry for Primary Industries



Ministry for Primary Industries

Date: 22/4/16


SIGNED by Rob Phillips, Chief Executive Officer on behalf of Environment Southland



Environment Southland

Date: 23/6/16

SIGNED by Allan Munn, Director Conservation Services – Southern South Island Region on behalf of the Department of Conservation



Department of Conservation

Date: 26-5-16 .

Appendix One: Key Contacts

Below is a list of key contacts for this Agreement. These will be kept up to date.

Name	Organisation	Position	Contact details
John Sanson	Ministry for Primary Industries	Manager, Long-term Incursion Management	Phone: 04 894 0836; 029 894 0836 Email: John.Sanson@mpi.govt.nz
Simon McDonald	Ministry for Primary Industries	Manager, Animal & Marine Biosecurity Response	Phone: 04 894 5552; 029 894 5552 Email: Simon.McDonald@mpi.govt.nz
Jen Brunton	Ministry for Primary Industries	Senior Adviser, Animal & Marine Biosecurity Response	Phone: 04 894 0847; 029 894 0847 Email: Jennie.Brunton@mpi.govt.nz
Jeannine Fischer	Ministry for Primary Industries	Adviser, Animal & Marine Biosecurity Response	Phone: 04 894 0876; 021 915 084 Email: Jeannine.Fischer@mpi.govt.nz
Allan Munn	Department of Conservation	Director of Conservation Services – Southern South Island Region	Phone: 03 211 2414 PO Box 743, Invercargill, 9840 Email: amunn@doc.govt.nz
Lindsay Wilson	Department of Conservation	Principal Ranger Biodiversity, Fiordland Area Office	Phone: 03 249 0200; DDI: 03 249 0234 P.O. Box 29, Te Anau, 9640 Email: lpwilson@doc.govt.nz
Richard Kinsey	Department of Conservation	Senior Ranger, Fiordland Area Office	Phone: 03 249 0250 P.O. Box 29, Te Anau, 9640 Email: rkelsey@doc.govt.nz
Richard Bowman	Environment Southland	Biosecurity Manager	Phone: 03 211 5115; 021 784 975 Email: Richard.bowman@es.govt.nz
Warren Tuckey	Environment Southland	Director Environmental Management	Phone: 03 211 5115; Email: warren.tuckey@es.govt.nz
Shaun Cunningham	Environment Southland	Biosecurity Officer	Phone: 03 211 5115; 021 784 954 Email: shaun.cunningham@es.govt.nz
Kevin O'Sullivan	Environment Southland	Maritime Manager/Harbour Master	Phone: 03 211 5115; 021 784 968 Email: kevin.osullivan@es.govt.nz
Angus McKay	Environment Southland	Southland Civil Defence Emergency Management Office Manager	Phone: 03 211 5115; 021 762 259 Email: angus.mckay@es.govt.nz
Rob Phillips	Environment Southland	Chief Executive	Phone: 03 211 5115 Email: rob.phillips@es.govt.nz

Appendix Two: Reporting Processes for suspected marine risk organisms

All reports must be logged with the **MPI Biosecurity Hotline** 0800 80 99 66 irrespective of the association of the reporter. Guidance will be provided to the call centre for reports of established marine pests detected in the Fiordland Marine Area.

- If a representative from a party in this Agreement suspects to have found a 'marine risk organism' within the FMA, they must, contact **MPI** immediately toll free on **0800 80 99 66** AND wherever possible:
 - collect a sample;
 - record the location accurately; and
 - informally investigate the immediate area (if possible).
- If the general public report a 'marine risk organism' to a representative from a party in this Agreement, the representative must contact **MPI** immediately toll free on **0800 80 99 66**, and give instructions to:
 - to collect a sample and record the location (if the submitter is still in the area and able to do so); or
 - gather information on the location as accurate as possible (if the submitter is no longer in the area).
- **Sample** collection - for anything other than seaweed, place a sample in a plastic bag and freeze, and for weed samples, liberally sprinkle with salt, leave overnight, then drain off liquid and place in a plastic bag.

Appendix Three: Response Structure

In accordance with Table 1 above, it is anticipated that the Response Governance group would consist of representatives from all Parties to the Agreement, such as:

- **Manager, Long-Term Incursion Management, or Manager, Animal & Marine Biosecurity Response (MPI);**
- **Technical Support Manager, Southland Conservancy; or Area Manager, Te Anau Area Office (DOC); and**
- **Biosecurity Manager; or Chief Executive, or Director Environmental Management (ES).**

The **Response Manager (RM)** would be a representative from:

- **MPI for responding to a new marine risk organism; for example Senior Adviser/Adviser, Animal & Marine Biosecurity Response, Senior Adviser/Adviser, Long-Term Incursion Management; or**
- **DOC for responding to an established marine risk organism detected in a marine reserve; for example Marine Ranger, Te Anau Area Office; or**
- **ES for responding to an established marine risk organism detected outside of a marine reserve; for example Biosecurity Officer, Southland Civil Defence Emergency Management Office Manager or Senior Planner (Hazard Mitigation).**

The sub-groups (**Communications, Liaison, Operations, Planning and Intelligence and Logistics**) will be allocated by the RSL and RM on a case by case basis as for small localised incursion all sub groups may not be necessary. As well as members to this Agreement, these sub-groups may consist of other stakeholders such as the Fiordland Marine Guardians, Ministry of Fisheries, tourist operators etc.

Key local stakeholders identified and contact lists

As outlined above, all communications and liaison work will be lead by a representative from ES, DOC or MPI. However, equitable sharing of information with partner organisations is essential. Key local stakeholders should be identified in the communications plan.