

20 April 2016

Mr L Sanson
Department of Conservation
PO Box 10 420
Wellington 6143

Dear Mr Sanson

THREATENED STATUS OF SHARKS, RAYS AND SKATES

1. Thank you for the opportunity to consult on this matter.
2. Fisheries Inshore NZ Limited (FINZ) represents 80% by value and volume of the inshore finfish, pelagic and tuna fisheries of New Zealand. It was formed in November 2012 as part of the restructuring of industry organisations. Its role is to deal with national issues on behalf of the sector and to work directly with and behalf of its quota owners, fishers and affiliated Commercial Stakeholder Organisations (CSOs). As part of that work it will also work collaboratively with other industry organisations and SREs, Seafood New Zealand, Ministry for Primary Industries (MPI) and Department of Conservation.
3. Its key outputs are the development of, and agreement to appropriate policy frameworks, processes and tools to assist the sector to more effectively manage inshore, pelagic and tuna fishstocks, to minimise their interactions with the associated ecosystems and work positively with other fishers and users of marine space where we carry out our harvesting activities.
4. FINZ works closely with other commercial stakeholder organisations that focus on regional and operational issues, including the Northern Fisheries Management Stakeholder Company Ltd, Area 2 Inshore Finfish Management Company and Southern Inshore Fisheries Management Company, which are the mandated organisations for the management of the regional fishstocks.
5. We have read the documents referred to in the consultation, including the Townsend et al 2008 and Molloy et al 2002 papers. These papers form the basis of the assessment of the threatened status. We generally support the Threat Classifications system and classifications. However we do have the following comments.

International Status Imported

6. The threat classification manual¹ makes it quite clear that the assessments is related to the situation in New Zealand territory including the wider EEZ. To be assigned a DOC threatened status, the species needs to resident and requires a New Zealand breeding characteristic. If there is no New Zealand breeding characteristic, the species are not classified with a threatened status.
7. However, we note that a number of the assessments for marine species take into account wider international considerations and are evaluated as resident New Zealand species rather than migrants or vagrants. They should be classified according to the policy definitions with an international qualifier attached if appropriate.

Conservation Dependent Species

¹ Andrew J. Townsend, Peter J. de Lange, Clinton A.J. Duffy, Colin M. Miskelly, Janice Molloy and David A. Norton, New Zealand Threat Classification, Department of Conservation, January 2008

8. There are four species that have Conservation Dependent qualifiers -. It is unclear as to how or why these species acquired the qualifiers or why they should be continued. All are species within the QMS and there are no specific conservation programmes or rebuild strategies in place on any of the species.
9. The species may all have experienced a reduction in the abundance level as a consequence of being managed under a MSY approach but that does not signify a conservation issue or conservation measure is in place. The qualifier should be removed since it implies a conservation measure is in place and in the absence of that measure, the species would likely be threatened.

Updating with the MPI Chondrichthyans Risk Assessment

10. While we have not undertaken a rigorous review of the consistency between DOC's threatened status and the recent Chondrichthyans risk assessment undertaken in 2015 by MPI² and while we suggest the risk assessment and its species database provides a source of information to update the review, we would advocate some caution in the interpretation of the risk scores into the threat status.
11. The Chondrichthyans risk assessment was undertaken on a MSC 2013³ basis and not the more common Hobday/Fletcher model. The Shark Assessment panel commented that *"The panel allocated intensity scores across the full range (1–6), based on fisheries capturing taxa over time periods ranging from decadal to daily, and over a spatial distribution ranging between less than 1% to greater than 60% of their range. No consequence score greater than 4.5 was allocated (out of a maximum possible of 6) because available information did not suggest that commercial fishing is currently causing, or in the near future could cause, serious unsustainable impacts (the description of a score of 5 for total consequence)."*
12. We have compared the shark risk assessments with the MPI Plenary⁴ assessments for QMS species to obtain some indication of the interpretation of the scores. That comparison indicates that:
 - a. Skates have risk assessment scores of 21 for rough skate and 20 for smooth skate. The Plenary indicates there are no perceived sustainability issues.
 - b. Dark ghost sharks have a risk assessment score of 18. The Plenary indicates there are no perceived sustainability issues.
 - c. Elephantfish have a risk assessment aggregate score of 18. Elephantfish are considered by the Plenary to be at or above their soft limits and to have no sustainability issues.
 - d. Rig have an aggregate risk assessment of 18. Plenary assessments indicate the stock has stable to increasing abundance and no sustainability concerns.
 - e. School shark have an aggregate risk assessment of 18. The 2014 stock assessment indicated no sustainability concerns.
13. The risk scores assessed by the expert group can be summarised as follows:

Risk Bands	QMS Species	Non-QMS Species	Number of species in each risk band
31-36	0	0	0
26-30	0	0	0
21-25	1	1	2
16-20	6	10	16
11-15	4	26	30
6-10	0	10	10
0-5	0	27	27
Total	11	74	85

² Ford, R.B.; Galland, A.; Clark, M.R.; Crozier, P.; Duffy, C.A.J.; Dunn, M.R.; Francis, M.P., Wells, R. (2015). Qualitative (Level 1) Risk Assessment of the impact of commercial fishing on New Zealand Chondrichthyans. *New Zealand Aquatic Environment and Biodiversity Report No. 157*. 111 p.

³ Marine Stewardship Council. (2013). MSC Certification Requirements, Version 1.3, 14 January 2013

⁴ Ministry for Primary Industries (2015), Fisheries Assessment Plenary, May 2015

14. Those QMS species that scored between 18-21 in the expert risk assessment have no associated sustainability concerns expressed in the MPI Plenary summaries. It therefore stands to reason that similar and lower scores for non-QMS species must also reflect a lack of sustainability concerns, noting that data and consensus scores are similar for both QMS and non-QMS stocks and the expert panel reviewed the relativities of all species.
15. For the purpose of the threatened classification, we should be able to assume that no sharks in the assessment can be classified as “at risk”, notwithstanding any difference in assessment methodologies. While the risk assessment scores are predicated on the information provided to the assessment, the scores of the experts also take into account their wider knowledge and experience and are underpinned by the Plenary estimates for the QMS stocks.

Specific Species Comments

16. We have comments on the following specific species:

Basking Sharks and Great White Sharks

17. The listing process would suggest that basking sharks and great white sharks should be assessed to be vagrant and migrant species respectively rather than assessed as an evaluated species. There is no evidence of either species breeding in New Zealand waters and the assessment has been based on international assessments. They could retain the TO qualifier if warranted to denote their wider international status.

Galapagos Shark and Long-tailed Rig

18. In New Zealand waters, these species are found only in the Kermadecs. It is not appropriate to classify such species as range restricted if the habitat in which they exist is not distributed in wider New Zealand waters. Range restricted implies the species previously had a wider range but is now through changed circumstances restricted in its range. If the qualifier was to apply based on habitat characteristics, then all sharks are in some way range restricted as a consequence of water temperature or depth.

Elephant Fish, School Shark, Smooth Skate, Rig

19. This species have a “Not Threatened” classification but have a qualifier of Conservation Dependent. We submit such a qualifier is inappropriate. The note for School Shark indicates the qualifier reflects an international perspective and not a New Zealand circumstance. However that international consideration is not reflected in the CD qualifier.

Contact

if you have any queries in respect of this submission, please contact Tom Clark, FINZ, (04) 802 1514.