

31 January 2021

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

Dear Mr Sanson

REVIEW OF THE THREAT STATUS OF NEW ZEALAND'S BIRDS

1. The Department of Conservation has requested information to assist its review of the threat status of New Zealand's birds. The threat status of birds was last reviewed in 2016, the preceding review to that being in 2012.

FISHERIES INSHORE NEW ZEALAND

2. Fisheries Inshore New Zealand Limited (FINZ) represents the inshore finfish, pelagic and tuna fisheries of New Zealand. Its role is to deal with national issues on behalf of the sector and to work directly with and on behalf of its quota owners, fishers including through fishstock and regional committees. As part of that activity, it also works collaboratively with other industry organisations including Sector Representative Entities (SREs), and Seafood New Zealand, as well as the Ministry for Primary Industries (MPI) and the Department of Conservation (DOC).
3. Our particular interest in the NZTCS is its integrity and "fitness for purpose" in assessing the status of seabird species that interact with the commercial fishing fleets. In this submission, we have limited our concern to the nature and process of the NZTCS as we consider there are other persons who can provide expert scientific information to assist the review of the listings.

THE NEW ZEALAND THREAT CLASSIFICATION SYSTEM

4. The New Zealand Threat Classification System (NZTCS) is modelled closely on the International Union for Conservation of Nature (IUCN) system for the identification and protection of threatened species.
5. The IUCN system operates at a global scale and is essentially used as the basis for lobbying for conservation measures to protect species. The initial version for the identification process was released in 1991 and there have been frequent amendments to that process since then, the latest being 2015. It is not clear which version serves as the basis for the New Zealand model but given that the New Zealand Manual (the Manual) was last revised in 2008, it seems likely that the Manual is not consistent with the latest IUCN version.
6. While we can understand DOC's desire to align the NZTCS to the IUCN model and emulate the IUCN processes, that alignment and emulation needs to ensure that the classification standards and measures are appropriate to New Zealand and appropriate for the purpose for which DOC intend to use it. With respect of the latter point, there is a fundamental difference between the use by IUCN as a promotional and lobbying tool and the use by DOC to prioritise conservation resourcing.
7. The Manual contains the following statement as to the value of the threat classification and the trend component:

An effective species threat classification system provides a fundamental framework to biodiversity recovery programmes. In order to demonstrate the value of conservation, we must establish objective benchmarks to determine the risk of extinction faced by each species, and then reassess (the status of) each species over time. This provides a demonstrable measure of the level of conservation management, and its effectiveness. It also allows us to report on the state of New Zealand's biodiversity.
8. For the NZTCS to fulfil its objective, the process / methodology must be consistent across species and orders and applied consistently at each assessment to report on the current status and thereby identify any

changes from previous assessments. We consider that the methodology needs to be applied appropriately between orders and that may warrant different detailed settings such as the abundance and growth thresholds to reflect the variability in natural conditions. While we would always prefer an evidence-based assessment process (and expect that additional investment over time will extend the range of species that can be included in such assessments), we recognise that an expert assessment has a place where current information is lacking.

Applicability of Status Definitions to Birds

9. The NZTCS uses IUCN common definitions of population size, habitat, subpopulations, and population change to define the threat classes for all species. While we can understand the desire for simplicity and standardisation, we have major concerns as to the appropriateness when applied to species with widely ranging demographic and biological characteristics.
10. The population size classes may preclude some species from ever achieving a “non-threatened” or “at risk” status. The carrying capacity of a species is linked to the abundance of favourable habitat and resources. Species may well be at their maximum carrying capacity for the habitat available yet be unable to achieve the population size needed to achieve a favourable threat status. This will apply to some bird species including albatross, shearwaters and petrels.
11. We note that the NZTCS has a classification of “**Naturally Uncommon**” but this classification is not to be used where “This distribution is not the result of past or recent human disturbance” page 9 section 9 of the 2008 Manual. Threat classifications are to be based on the present circumstances (generally last 10 years or 3 generations). Species may well currently fit the definition of “Naturally Uncommon” and are limited by geographical spread but the degree to which that spread is the result of historic human disturbance is unknown. Such populations are not termed as “Nationally Uncommon” but are instead classified according to their recent populations numbers and trends. Populations may be effectively limited in their size by the availability of nesting or breeding colony locations but this factor cannot be taken into account in the current NZTCS.
12. The definitions applied to classes of **rate of population change** equally discriminate against some species. Species which are not annual breeders and have single offspring will find it difficult to achieve population growth targets required to be designated as growing rather than stable under some relatively normal circumstances. This means threat classifications are not always comparable between species and therefore cannot fulfil the objective above.
13. We submit that DOC should in its next review of the classification re-consider whether standard definitions of classes are appropriate and equitable for the range of species reviewed under the process. We see no reason why definitions standardised on size and population change should continue to be used. Class definitions should be specified according to the nature of the species being defined, e.g. marine mammals.

The Manual

14. We have used the Manual to assist our understanding of the listing process and have found it to be less than adequate as a guide to the process and review.¹
15. The Manual focuses almost solely on the definition of the threat classes but fails to include a description of the process, the information principles on which the listings are based, the Terms of Reference for the panels, and definitions of terms used such as sub-populations.
16. Any interested party will not have a clear understanding of the process and definitions after reading the Manual.

Review Process

17. FINZ has identified a number of concerns related to the process for the review.
18. The process seems to consist of:
 - i. a call for information,
 - ii. the appointment of a panel,
 - iii. consideration of the species status by the panel,
 - iv. recourse to species experts where uncertainty exists, and

¹ <http://www.doc.govt.nz/Documents/science-and-technical/sap244.pdf>.

- v. publication of the panel's findings.
19. We understand this is a common process used in all threat status reviews.
20. Our concerns are:
- i. the process for the review does not appear to be set out in any detail in the Manual or elsewhere. It is difficult for a submitter or more importantly for a user of the listing to understand the process of a listing.
 - ii. the Manual does not clearly state that, where quality appropriate scientific evidence exists, it will be used in preference to opinions, be they from experts or otherwise.
 - iii. while the webpage contains the following statement:

“Note that submissions are intended to provide information to the panel, not to lobby for a particular outcome”

the questionnaire then proceeds to request personal views from submitters on the estimated population size, the area occupied, subpopulations, the rate of recent and expected decline rate and a statement of changes since 2004. At no point does the questionnaire seek information on the nature of the respondent, the level of knowledge or experience of the respondent nor seek scientific references or other information to support the views expressed. While the webpage ostensibly seeks to exclude lobbying from the process, the questionnaire makes no attempt to do so and provides no basis for assessing the scientific credibility for any response.
 - iv. The basis of the expert panel's and the scientific evidence which has informed that assessment is not made public;
 - v. There is no opportunity for any consultation on the draft listings;
 - vi. There can be a significant delay between the panel review and the publication of the listing during which time significant changes to the threat status may have occurred or significant new information may have become available.
21. Such a process fails to provide transparency, does not permit interested parties to provide feedback on the panel of experts, provides an opportunity for citizen opinion to supplant scientific evidence, relies on the integrity of the panel to provide a fair and reasoned assessment of the threat status and does not provide an opportunity for interested parties to provide feedback on the listings.
22. We submit that a better process would be for:
- i. the list of available information be provided at the commencement of the review,
 - ii. interested parties be invited to provide additional scientific evidence or comment to the panel;
 - iii. opinions on species demographics only be sought from appropriate experts where recent scientific evidence is not available
 - iv. the draft listings and supporting references be issued in a timely manner for consultation;
 - v. the expert panel should re-consider their draft listings to take into account new information received in the consultation, and
 - vi. the listings should be then published in a timely manner.

The Trend

23. In most instances, the review is based on historic trend information, rather than an assessment of the current and expected trend. Often, robust estimates of earlier abundance are not available and misleading assessments of the trend and magnitude of change may result. While there may be good reason to adopt a historic trend particularly where there has been no change to circumstances, where there have been more recent conservation measures or where there has been a significant change in the abundance of the species or a change in the impacts of stressors, there would be good reason not to adopt a historic trend. Maintaining the use of historic trends/analyses in such cases will not provide an assessment of the current risk of extinction of a species nor signal any change in the risk of extinction. The analysis of the trend also needs to differentiate between a real trend and natural variability in the species.
24. We would prefer that the expert panel use their discretion and knowledge to provide an informed estimate of trend and set out the basis for their recommendations. Providing their rationale to stakeholders in a consultation stage would enable stakeholders to provide informed submissions on the expert panel decisions.
25. Introducing an indicative current or future trend into the classification would enable the Department of Conservation to point to improving or declining conservation outcomes and provide New Zealand and the

world with a more timely assessment of New Zealand's performance in addressing the conservation status of its biodiversity.

Use of the NZTCS

26. We have noted a disturbing trend towards extending the definition of species at risk from extinction to include now include "At Risk" species for what are largely advocacy objectives. It goes without saying that all species have an inherent risk of extinction. The NZTCS is concerned with assessing the risk of extinction under current prevailing circumstances.
27. Our enquiries reveal that for those species that have been denoted as "At risk" species, contrary to the label these are not at risk of extinction under prevailing conditions. They may be small, stable, declining or increasing populations but there is no current active threat or trend which will result in a high prospect of extinction. An exogenous trigger is needed before a significant threat of extinction can be assessed.
28. If circumstances change, for example, a significant disease impacts the current abundance or a new adverse threat emerges, the classification should be reviewed and if a new classification is appropriate, it should be applied in a timely manner.
29. We believe the Department should be more straight forward in its interpretation of the classes and seek to ensure that the NZTCS classification is not misused. Denoting a species at risk when it is not under current conditions means that while it can be claimed that this is technically correct (because all species are at risk, such annotation leads the uninformed reader to reach an erroneous (but obviously encouraged) conclusion. We expect the Department of Conservation with its public good responsibilities to do better than this.

General Review Needed

30. For the reasons presented above, we hold concerns as to the credibility and integrity of the New Zealand Threat Classification System. We do not consider it provides appropriate and realistic assessments of the extinction risks facing New Zealand's species. We consider that the inappropriate classification definitions, and the absence of the above rigour in the review process downgrades the credibility and standing of the threat status listings.
31. If DOC is to use the listings, as it has done in its recent Threat Strategy, then DOC needs to review the basis of the listings. We submit that DOC should seek to keep the species threat classifications more current. While a full review of the listing may be appropriately undertaken on a longer time cycle, whenever scientific research indicates a probable significant impact on the assessment for a particular species, DOC should seek to review the listing for that species and ensure the listing reflects the current circumstances and risk.
32. We would encourage DOC to review the current NZTCS manual and processes as discussed in the above submission to ensure the NZTCS provides credible, current assessment of species.



Tom Clark
Policy Manager
fisheries Inshore New Zealand Limited