



Forest & Bird

TE REO O TE TAIAO | *Giving Nature a Voice*

Guidance on drafting a submission on the draft National Plan of Action for the Conservation and Management of Sharks 2022

Note: Submissions close at 5pm on Tuesday, 13 September 2022.

Royal Forest & Bird Protection Society of New Zealand (Inc)

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What this guide provides you

This guide provides you with advice on the draft National Plan of Action for the Conservation and Management of Sharks 2022 (NPOA – Sharks) to enable you to make a detailed submission in favour of stronger protection and better management of sharks.

If you wish to make a simpler statement of support, you can make a quick submission on Forest & Bird's website at: <https://www.forestandbird.org.nz/petitions/save-our-sharks>

What is the National Plan of Action for the Conservation and Management of Sharks (NPOA – Sharks)?

Fisheries New Zealand and the Department of Conservation (DOC) have produced an updated National Plan of Action for the Conservation and Management of Sharks (NPOA-Sharks 2022). The NPOA-Sharks 2022 is the third iteration of a National Plan of Action for Sharks for New Zealand and will replace the NPOA-Sharks 2013. Iwi and the multi-stakeholder Shark Advisory Group, all of whom have an interest in the conservation and management of sharks, supported the development of the revised NPOA-Sharks 2022.

Forest & Bird participated in the multi-stakeholder Shark Advisory Group and will monitor the implementation of the new National Plan of Action once finalised.

The NPOA-Sharks 2022 will set direction to improve the conservation, management, and sustainable utilisation of sharks caught by New Zealand vessels and in New Zealand waters. High level actions to achieve the goals and objectives will be incorporated in associated annual planning documents where appropriate.

Progress against NPOA objectives will be reviewed periodically. The NPOA-Sharks 2022 will be fully reviewed as required to ensure the ongoing effectiveness of New Zealand's efforts to address the conservation and management of shark species

Why is this important?

The ocean is integral to life: providing food, climate stability and a home for countless creatures. Among these creatures, sharks play a vital role in keeping ocean ecosystems in balance. More than 100 shark species have been recorded in Aotearoa New Zealand, and our corner of the Pacific is a stronghold for iconic species like great white sharks, mako sharks and blue sharks.

Some commercial fishers are killing and dumping sharks; killing our magnificent mangō just to save money on fishing hooks, or because they think sharks are pests. The National Plan of Action for Sharks 2022 is our opportunity to stop this cruel slaughter and protect the incredible diversity of sharks found in our waters. The NPOA-Sharks must ban this horrific practice, end wasteful bycatch of sharks, ensure that fishing safeguards the wider ecosystem, and protect important shark habitats.

Your support for stronger action will make a difference for sharks and for healthy oceans.

What are Forest & Bird's key objectives

Sharks are being needlessly maimed and discarded by commercial fishers, in some cases to retrieve hooks, and other times in a deliberate attempt to “reduce the population size”. The NPOA-Sharks must ban this horrific practice, end wasteful bycatch of sharks, ensure that fishing safeguards the wider ecosystem, and protect important shark habitats.

The NPOA must:

- Require the live release of protected sharks and sharks that aren't wanted for food.
- Put in place a Zero Bycatch Goal with year-on-year reductions by 2025, aiming to reach negligible bycatch as soon as possible.
- Adopt a precautionary, ecosystem-based approach to managing shark fishing.
- Protect shark habitats, such as coastal nurseries/pupping grounds from pollution and damage.
- Commit to extending cameras to deepwater and highly migratory fisheries.

The Government has committed to greater marine protection, ecosystem-based fisheries management and a zero non-target mortality goal for fisheries in its national biodiversity strategy *Te Mana o Te Taiao*. The NPOA must realise these commitments.

Submissions close at 5pm on Tuesday, 13 September 2022.

Where to send your submission

Email your submission to FMSubmissions@mpi.govt.nz

Where to find more information

MPI has useful information including a Q&A, a discussion document and a review of the previous NPOA Sharks 2013 here: <https://www.mpi.govt.nz/consultations/national-plan-of-action-for-sharks-2022/>

Cameras and observers on boats

Putting cameras and government observers on commercial fishing boats is necessary to ensure that fishers implement the NPOA. It is from observers on fishing vessels that we know that some fishers are killing, maiming and discarding sharks because they view sharks as pests and because they want to retrieve \$1 fishing hooks.

The Government is currently putting cameras on most fishing vessels that operate within 12 nautical miles of shore (inshore fishing fleet) using a staged approach, but this needs to be extended to fishing in New Zealand's wider exclusive economic zone (EEZ) out to 200 nautical miles where long-line fishing vessels catch ocean-going sharks like mako, blue and porbeagle sharks.

Forest & Bird recommends that you seek the following in your submission:

That the Government commits to extending the programme of cameras on boats to ensure that all commercial fishing vessels under New Zealand jurisdiction, including the highly migratory fisheries and deepwater fisheries, have either cameras or government observers.

Section A: Managing the effects of fishing - goals enabled by the Fisheries Act 1996

1. Maintain the biodiversity and long-term population viability of New Zealand shark populations taking into account their role in marine ecosystems.

***Support:** This objective is critical to the purpose of the NPOA. It is important to protect the genetic diversity of sharks, which means taking into account local and sub-populations of sharks and progressively moving to more localised management of inshore and non-pelagic sharks. It is important that the objective retains a requirement to take into account the role of sharks in marine ecosystems because they play a keystone role.*

Objective 1.1 Further develop and implement a risk assessment framework to identify the nature and extent of risks to shark species and populations and their functional role within the ecosystem, and support prioritisation of research and management actions.

***Support:** There is presently insufficient information on sharks and the threats to them and this makes it hard to prioritise action to protect them.*

Objective 1.2 Systematically review shark management categories, New Zealand threat classifications and protection status to ensure they are appropriate to the risks facing individual shark species whilst incorporating mātauranga Māori.

***Support.** It is important to ensure that all shark species are given the appropriate threat classification to enable effort and resources to be prioritised towards sharks that are at risk and to inform decision making in relation to sharks*

Objective 1.3 Identify and conserve sites of significance for maintaining the long-term viability and diversity of shark populations.

***Support.** The Fisheries Act requires the Government to protect habitats of importance for sharks and there are wider obligations under the Wildlife Act, Marine Reserves Act and the Resource Management Act to protect sharks and their habitats. This work has largely not been done and so delivering on this objective would make significant progress in improving marine management and fully implementing the Fisheries Act.*

Objective 1.4 Taking an ecosystem approach to fisheries management, catch limits for QMS stocks are set appropriately in relation to the maximum sustainable yield (MSY) or accepted management targets and reference points.

***Support.** The full objective needs to be retained so that it refers to accepted management targets and reference points. This is because in order to ensure that shark populations can fulfil their ecological functions decision makers may need to consider whether catch limits need to be reduced below those that would deliver MSY so that shark populations are higher than the minimum necessary to maximise harvesting rates.*

Objective 1.5 Mortality of protected sharks from fishing is at or below a level that allows for their long-term viability.

Amend: The present objective is insufficient as protected shark populations should be as close as possible to natural levels, rather than the bare minimum required to prevent complete extinction. A “level that allows for their long-term viability” may not be sufficient to ensure long-term viability, especially given that there is still a lack of science on shark ecology and the marine environment is subject to significant stresses with unpredictable outcomes. Amend to “Mortality of protected sharks from fishing is at or below a level that ensures their long-term viability and is as close as practicable to natural levels.”

2. Encourage the legal full utilisation of retained sharks that are brought on-board dead and maintain the prohibition on shark finning in New Zealand.

Objective 2.1 Ensure no shark finning is occurring in New Zealand fisheries through ongoing compliance monitoring and enforcement.

***Support:** Forest & Bird was a key part of the alliance that secured a ban on shark finning as a result of the previous NPOA. The introduction of cameras onto inshore fishing vessels will provide an opportunity to ensure any last remaining non-compliance in the inshore fisheries will be addressed, however once the inshore roll-out is complete cameras will need to be extended to the deepwater and highly migratory species fisheries.*

Objective 2.2 Promote full utilisation of landed shark products, excluding shark fins, by promoting research into new products and markets.

***Neutral:** Care will need to be taken to ensure that work to develop new products and markets does not result in markets for undersized fish or create increased pressure on vulnerable stocks.*

3. Encourage behaviour to avoid unwanted shark catch, focusing on protected species in the first instance, and maximising live release when unavoidable catch occurs.

***Support** Fishers should only catch food wherever possible and avoid catching sharks that are not wanted as food or are protected. Where catching sharks is unavoidable they should be released alive as frequently as possible.*

Objective 3.1 Promote behaviour to avoid catching protected and unwanted shark species in all New Zealand commercial fisheries.

***Support** Fishers should only catch food wherever possible and avoid catching sharks that are not wanted as food or are protected. Where catching sharks is unavoidable they should be released alive as frequently as possible.*

Objective 3.2 Promote behaviour to avoid catching protected and unwanted sharks in all New Zealand non-commercial fisheries.

***Support** Fishers should only catch food wherever possible and avoid catching sharks that are not wanted as food or are protected. Where catching sharks is unavoidable they should be released alive as frequently as possible.*

Objective 3.3 Maximise live release and minimise harm to protected and unwanted shark species in all New Zealand commercial fisheries.

Amend: *The intent of the objective is supported, but the objective needs strengthening. Add “Regulate to” in front of “maximise live release and minimise harm.” The reasons for this are that voluntary measures alone are unlikely to be sufficient given that there are significant attitudinal issues towards sharks amongst some fishers. Present regulations allow the killing and discarding of unharvested blue, mako and porbeagle sharks and approximately 161 tonnes are killed and discarded every year. The regulations need amending to require live release of sharks and to prohibit causing further harm to sharks that have been caught, are alive, not wanted for harvest and could be released alive.*

Objective 3.4 Encourage compliance with regulations and promote best practice behaviour to minimise harm and maximise live release of protected and unwanted shark species in all New Zealand non-commercial fisheries.

Support: *Recreational fishers should also do their best to reduce unwanted shark captures and mortality.*

Section B: Goals enabled by legislation other than the Fisheries Act 1996

4. Anthropogenic effects other than direct fisheries impacts are not adversely affecting the viability of New Zealand shark populations.

Objective 4.1 Significant and sensitive shark habitats within the Territorial Sea and EEZ are protected through statutory planning and consenting processes.

Support

Objective 4.2 Adverse effects of marine debris on sharks are minimised.

Support

Objective 4.3 Biosecurity measures consider the impact of harmful pests and diseases on shark species and are consistent with Biosecurity New Zealand Import Health Standards.

Support

Objective 4.4 The potential effects of global climate change and ocean acidification on sharks in New Zealand waters are understood and considered in planning and consent processes.

Support

Section C: Cross-cutting and overarching goals

5. Fisheries New Zealand and the Department of Conservation will continue their engagement with Māori as the Treaty Partner, to ensure that Māori aspirations regarding utilisation and/or protection of shark taonga and aspects of mātauranga Māori are incorporated into the management of sharks.

Support

Objective 5.1 Engagements with Māori will capture the social and cultural significance of sharks to Māori, their perspectives on methods for the sustainable utilisation, and management practices and aspects of mātauranga Māori relating to sharks as taonga species.

Support

Objective 5.2 Agencies will continue to work with Māori to provide opportunities for input and participation in the development of communication and information sharing strategies that promote the conservation and sustainable management of shark populations.

Support

6. New Zealand engages internationally to promote the conservation and management of sharks, including through enhanced monitoring, data collection and information sharing.

Objective 6.1 New Zealand advocates internationally for the development, adoption, implementation, and improvement of best-practice shark conservation and management measures.

Support: noting that this has to be matched by the implementation of best practice shark conservation and management measures in New Zealand.

Objective 6.2 New Zealand works to build regional capacity and capability for the conservation and management of sharks.

Support: noting that this has to be matched by the implementation of best practice shark conservation and management measures in New Zealand.

Objective 6.3 New Zealand proactively contributes to and advocates for enhanced monitoring, improved data collection and information sharing of commercial catches and incidental bycatch of protected and unwanted sharks within relevant Regional Fisheries Management Organisations (RFMOs) and the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). Research, Data and Information

Support: noting that this has to be matched by the implementation of best practice shark conservation and management measures in New Zealand.

7. Continuously improve the data available to conserve sharks and manage fisheries that impact on sharks, with prioritisation guided by the Spatially Explicit Fisheries Risk Assessment (SEFRA) framework and conservation threat status.

Objective 7.1 Ensure adequate monitoring and data collection for all sectors (including commercial, recreational, and customary fishers and non-extractive users) to inform management of shark populations.

Support noting that this will require new funds for Vote Fisheries and Vote Conservation.

Objective 7.2 Undertake a research programme to increase understanding of shark populations (e.g., biology, stock status, functional role within ecosystems, non-fishing anthropogenic impacts and habitats of particular significance).

Support: noting that this will require new funds for Vote Fisheries and Vote Conservation.