



Our reference: 2010/18869

Mr Gordon Neil  
General Manager  
Fisheries Branch  
Department of Agriculture, Fisheries and Forestry

Dear Mr Neil

Thank you for providing DSEWPaC with the opportunity to comment on the draft Shark-plan 2. I appreciate your flexibility with the timeframe for getting our comments to you. Shark-plan 2 is continuing to improve on previous versions, and DSEWPaC is grateful for the attention you have given to the issues we have raised throughout this process.

There are a number of high-level matters DSEWPaC believes still need to be better addressed to ensure the draft national plan incorporates what we would identify as whole of Government shark conservation and management priorities. In some instances we suggest that the foundational 'Issues' be amended to better encapsulate the priority. We have tracked suggested changes in the document.

***Issue 16 and inclusion of habitat protection / spatial management***

The first and most important of these matters relates to habitat protection / appropriate spatial management regimes, which are needed to maintain ecosystem structure and function and ensure healthy shark populations are sustained. Representation of habitat concerns in Shark-plan 2 has been raised in previous DSEWPaC comments, and remains a significant gap in the current draft. I understand the rationale for focussing Shark-plan 2 primarily on fisheries issues where it is argued the biggest gains may be made, however habitat protection and spatial management is an essential element of effective marine environment and fisheries management regimes. Habitat protection is also one of the four key elements identified in the IPOA-Sharks and a priority for DSEWPaC, which I believe should be reflected in Shark-plan 2.

It is recognised that for many sharks, particularly pelagic species, the concept of 'critical habitat' may not be a primary concern. However, the identification of an appropriate level of habitat protection and spatial management is still vital to the ongoing survival of these species. There are also a growing number of sharks falling into the high-risk or threatened species categories for which habitat protection is a central issue to their survival and recovery. For example, of the ten nationally threatened shark species, seven of them (the freshwater sawfish, green sawfish, dwarf sawfish, spartooth shark, northern river shark, grey nurse shark and maugan skate) are known to be reliant on specialised habitat and are consequentially vulnerable to habitat degradation. Other listed species such as the

whale shark exhibit close habitat associations and aggregating behaviour, and this is also the case for some of the 'conservation dependent' listed species. DSEWPaC believes this issue should be reflected in Shark-plan 2 as a priority.

With these habitat considerations in mind, DSEWPAC questions the decision to omit 'Issue 16 - *The need to reduce the impact of environmental degradation on sharks*' from the draft Shark-plan 2. The rationale given for the omission of 'Issue 16' is that it was not identified as an ongoing priority in either the Review Report or the Shark Assessment Report 2. However DSEWPaC is of the view that the Review recognised Issue 16 as being of ongoing importance. For example:

- On page 29 of the Review it was stated that “...*knowledge about critical habitats for some shark species is an important element of sustainable management however remains lacking for all but the high profile, or high value shark species, and some listed species.*”
- The recommendations on page 37 also found that “*A more complete understanding of the cumulative protection offered by the range of initiatives like marine parks, spatial closures, and large scale effort reductions would be valuable in determining the need for further protection of vulnerable and/or protected shark species.*”
- Also, in the version of Shark-plan 2 circulated for comment by the Shark-plan Implementation and Review Committee (SIRC) on 15 October 2010, (and in previous versions) Issue 16 was identified (on page 32) as an ongoing priority: *Issue 16 “Remains highly relevant for Shark-plan 2. Little is known about the impacts of these external threats on shark populations, particularly in critical habitat areas, and there is little evidence that precautionary strategies have been applied...”*

To reflect these findings and the need to better incorporate habitat protection and spatial management considerations relevant to all shark species, DSEWPaC would like to see the inclusion of an updated version of 'Issue 16'. A suggested description for this issue is: '*Identify critical habitat and broader environmental and habitat requirements for shark species and ensure appropriate protection and management of these areas.*' Further, in relation to this issue, we suggest inclusion of an action along the lines of:

- Initiate action to identify shark habitat requirements and areas of habitat critical to the survival of shark species. Where identified, take action as necessary to ensure shark habitat requirements are protected; and minimise threats to critical habitat, particularly for species listed under Commonwealth/State/NT legislation. Work under this action may include:
  - Identification and protection of critical habitat and important habitat areas for “at risk” species;
  - Ensuring development is managed to prevent habitat degradation and cumulative impacts on critical habitat;
  - Identification and implementation of appropriate spatial management measures to ensure an adequate proportion and quality of species' range is protected from unsustainable and/or cumulative threats; and
  - where important habitat is already identified, assessment of the adequacy and effectiveness of management/protection measures.

### ***Prioritisation of actions***

Whilst it is understood the priority assigned to actions in Table 2 reflects the intended timing of delivery and also whether other work is contingent on the completion of a particular component, this may be confused for the value of the action in terms of achieving improved shark conservation and management. We instead suggest assigning priority on the basis of need, and the inclusion of a separate column detailing the implementation schedule. This will better reflect that there are some high priority actions for which delivery will be a longer term effort without diminishing their perceived importance.

### ***Issue 15 – Ecosystem structure and function***

DSEWPaC also believes that Issue 15 '*Better understanding of effects of shark fishing, control programs for bather protection and management practices on ecosystem structure and function*' would benefit from re-phrasing, as the intent is not clear on first reading. As it is currently written, the emphasis is placed on the modes of shark mortality rather than the effects of shark mortality. DSEWPaC suggests re-phrasing this action as follows: '*Better understanding of effects of increased shark mortality and reduced shark populations due to human activity on ecosystem structure and function, and the methods that may be used to mitigate these ecosystem effects*'.

### ***Moving from assessment of issues to acting upon them***

In relation to the previous version of Shark-plan 2, DSEWPaC made the comment that the 'actions' were generally focussed on assessment and review rather than taking proactive steps to address issues identified. This does not mean the review component should be removed, however if an assessment or review identifies a need for intervention, this should be incorporated in the actions. This approach is reflected in our suggested changes.

### ***Shark trade management and codes***

In relation to Issue 3 – '*Full utilisation of dead sharks and an improved understanding of the markets for and trade in shark products*', and the corresponding Action 7 – '*Assess the potential for more comprehensive trade data collection and analysis to improve shark conservation and management outcomes*', DSEWPaC suggests adding more specific potential areas of work under this action to better encompass the Review findings. For example, potential areas of work under this action could include:

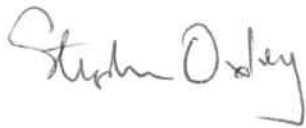
- Analysing the discrepancies between import and export totals for shark species based on available trade data to develop recommendations to account for and where possible to reduce these differences;
- Assessing the adequacy of retention timeframes and accessibility of trade data and implementing changes to current practice if assessed as necessary;
- Investigating the potential to adopt species specific (or species group) product codes for Australian imports and exports; and
- Promoting research into markets, economic drivers and end uses for shark products.

***Shark-Plan 2 Implementation***

There remain a number of questions regarding the framework for implementing and reporting against Shark-plan 2 which I assume will be considered in coming months by the Shark-plan Implementation and Review Committee. To assist with communicating future work under the plan to stakeholders, it may be appropriate to outline in greater detail within the plan the process for implementation, reporting and review.

I hope that these suggestions assist you in finalising Shark-plan 2. DSEWPaC looks forward to engaging in this process further through the upcoming SIRC meetings.

Yours sincerely



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