



April 3, 2012

Honourable John Key, Prime Minister  
Parliament Buildings  
Wellington 6160  
New Zealand

**Re: Improving protection measures for Maui's and Hector's dolphins**

Dear Honourable Prime Minister Key:

The undersigned members of the Whales Need US coalition would like to commend the Department of Conservation and the Ministry of Fisheries for drafting a Threat Management Plan (TMP) for Hector's and Maui's dolphins and implementing new fishing restrictions and area protections in 2008. Nevertheless, we must express serious concern about continued dolphin entanglements and population declines despite these protection measures. To address this decline and to provide the level of protection required for these critically imperilled dolphin populations, we strongly urge the New Zealand government to extend the protection measures to further reduce threats from fishing interactions and ensure that population levels are restored.

Hector's and Maui's dolphin populations have been pushed to the brink of extinction, primarily from interactions with commercial and recreational gillnet and trawler fishing gear. The International Union for Conservation of Nature (IUCN) has designated the Hector's dolphin as endangered due to a decline in population numbers of 74 percent in 3 generations (i.e., 39 years) based on the results of a population viability analysis. It also has the most restricted range of any marine cetacean with the sole exception of the vaquita. Hector's dolphins are endemic to New Zealand occupying habitat around both the North and South Islands. According to the IUCN, North Island Hector's dolphins, commonly referred to as Maui's dolphins, are genetically distinct from the South Island subpopulations. Population surveys from the mid-2000s cited by the IUCN estimated 7,270 Hector's dolphins in the South Island subpopulations, with only 111 Maui's dolphins in the North Island population. Given the lack of any evidence of genetic exchange between the populations, increased protection for all populations and, particularly for the remaining Maui's dolphins, is critical. Indeed, according to a new population estimate released in March 2012 by the New Zealand Department of Conservation, only 55 Maui's dolphins over the age of one may remain -- further emphasizing the need for expanded and enhanced protections.

The primary threat to these dolphins is mortality as a result of entanglement in commercial and recreational gillnets and trawl fisheries. Indeed, as reported by the IUCN, 60 percent of all dead Hector's dolphins for which a cause of death could be determined died due to entanglement in gillnets. Deaths have occurred in 'exemption' areas outlined in the TMP - those parts of the range of Hector's and Maui's dolphins where gillnets and trawl nets are still permitted. Already in 2012, two dead dolphins have been found entangled in gillnet gear on the east coast of the South Island and one dolphin was caught in a commercial gillnet off the Taranaki coast.

These entanglements clearly demonstrate that allowing the use of gillnets and trawl nets within the current 'exemption' areas are a serious problem. Where the two dolphins were found on the east coast of the South Island, the range of the Hector's dolphin extends to 20 nautical miles offshore which correlates to the 100 meter water depth contour. However the protection measures there extend only 4 nautical miles. Likewise, on the South Island west coast dolphin protection extends to 2 nautical miles offshore for only three months of the year yet the dolphins' range in this area extends 6 nautical miles year-round. Consequently, to provide the protection needed to prevent the further imperilment and potential extinction of these species, the New Zealand Government should prohibit gillnets and trawl nets throughout the extent of the dolphins' range year-round. We would note that, in the United States, gillnetting has been banned in most of the inshore waters off of California and, in so doing, thousands of dolphins who otherwise would have died due to entanglements have been spared this horrific death.

Bycatch has been monitored by independent observers on board fishing vessels and it's estimated that an average of 23 Hector's dolphins are killed in commercial fishing nets each year off the east coast of the South Island. This amount of fisheries mortality is 10 times higher

than the sustainable level of bycatch.<sup>1</sup> In other areas the level of observer coverage has been much lower, and accurate estimates of bycatch are not available.

Enforcement of protection measures is also clearly inadequate, as illegal gillnetting continues to be a serious problem in many exemption areas. For example, the New Zealand Government itself has concluded that the two dolphins caught off the east coast of the South Island on 22 February 2012 were caught in a protected area by a net that was illegally set.<sup>2</sup> An increase in the number of fisheries patrols (using vessel and plane surveys) is urgently needed to help reduce the number of dolphin deaths caused by illegal use of gillnets and trawl nets.

Considering the foregoing and to provide increased protections to Hector's and Maui's dolphins in order to prevent their extinction and to promote population recovery, we request that the New Zealand government extend dolphin protection measures (i.e., ban gillnet and trawl net use) to the 100 meter depth contour, to cover all areas where Hector's and Maui's dolphins are found. There is also an urgent need to increase the level of monitoring and enforcement by mandating 100 percent observer coverage on any gillnet or trawling vessels allowed to operate in any part of the range of Hector's and Maui's dolphin until bans can be implemented.

We thank you for your consideration of our concerns and for acting urgently to eliminate these ongoing threats to these dolphin species.

Sincerely,



Cheryl McCormick, Executive Director  
American Cetacean Society



Susan Millward, Executive Director  
Animal Welfare Institute

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<sup>1</sup> Sooten E & Davies N. 2012. Hector's dolphin risk assessments: old and new analyses show consistent results. Journal of the Royal Society of New Zealand. 42(1): 49-60. This estimate is based on data collected by observers on board 13% of fishing vessels.

<sup>2</sup> <http://www.scoop.co.nz/stories/PA1202/S00276/two-more-endangered-dolphin-deaths-requires-immediate-action.htm>

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