



tasmanian conservation trust inc

DPIPWE - Rock Lobster Review
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Comments on the Preliminary Proposals for New Management Measures for the Tasmanian Rock Lobster Fishery Discussion Paper - April 2010

The rock lobster fishery is currently in crisis. Despite having an excellent management framework and relatively well-resourced research and management support, major problems have been ignored for too long. Excessive commercial inshore fishing pressure localised overfishing, habitat change associated with knife-edge fishing and consequent expanding urchin populations are all issues that have been recognised for years, but have not yet been addressed by any meaningful changes to management. Since 2006, poor recruitment has added to these already serious problems. Habitat change due to the rock lobster fishing and overfishing are now major concerns along the east and southeast regions that can no longer be ignored.

The current review recognises most of the major problems and makes some useful suggestions, but it is unlikely that the management changes suggested in the Discussion Paper will solve any of the major problems associated with this fishery.

Below are comments from the Tasmanian Conservation Trust (TCT) on the *Preliminary Proposals for New Management Measures for the Tasmanian Rock Lobster Fishery Discussion Paper - April 2010*.

Reduced Commercial TAC

There has been an agreed reduction in the commercial TAC by 10% this season followed by 5% in each of the subsequent two seasons. In terms of rock lobster actually taken by the commercial fishery, the reduction in TAC by 10% to 1323 tonnes for the current season is actually much less. The catch for the 2009/10 season was approximately 1357 tonnes, only 34

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tonnes more than the new TAC, which means there is a less than 3% cut in the actual fish killed taken by the commercial fishery. This is not a significant change. If carryover provisions are implemented as expected (estimated to be approximately 43 tonnes for the 2010 season) there will be no reduction of the commercial catch as a result of the TAC reduction. The TAC plus carryover will exceed the actual catch for the 2009/10 season.

It is generally accepted that a TAC that cannot be caught is not only a meaningless management tool, it is an indication of a fishery in trouble.

While modelling suggests that the 10%+5%+5% cut in TAC will be useful, that modelling is based on the assumption that future recruitment will be similar to that experienced over the last 10 years. This is probably an over optimistic assumption, given that the current biomass is now greatly reduced and presumable producing fewer eggs. There is a real possibility that the TAC cuts will not be large enough to have a useful outcome. Unless recruitment greatly improves, a larger cut in the commercial TAC will be required and should be considered.

Recreational Fishery

Considerable uncertainty surrounds the actual recreational catch. A more rigorous method for measuring catch needs to be implemented. A recreational tagging system is the most effective method. A set number of tags should be issued with each licence. This will cap effort in this sector. An option to allow fishers access to additional tags could be considered. The cost of implementing this system should be borne by the users. Given the costs of participating in this fishery associated with travel and equipment, the small additional cost of tags and associated administration should be insignificant. Tags will provide much better information on recreational fishing pressure and could also be used as a management tool to direct effort away from overfished areas. They will also assist with compliance and enforcement.

While the recreational catch makes up a relatively small proportion of the overall fishery, it does make up a large part of the catch in certain areas, particularly in more accessible localities and in inshore waters along the east and southeast coastline. The reduced bag limits suggested in the Discussion Paper are entirely appropriate. The TCT suggests that in highly targeted areas tags are used to limit catch to an even greater extent. A bag limit of 1 should be considered in more heavily targeted areas, such as in the vicinity of St Helens, Bicheno or Fortescue Bay.

Localised Overfishing

The Discussion Paper fails to identify the growing number of once productive areas that are now all but completely fished out. It is common knowledge that many areas that were once accessible and popular locations for recreational fishers no longer provide access to rock lobster. Fortescue Bay, Spring Beach and Bicheno provide examples of this kind of degradation. There needs to be a strategy to address this problem. These areas are of no use to either the recreational or commercial fishery in their

current state and should be rehabilitated. It is surprising that this problem is not even identified in the Discussion Paper, however it is a problem needs to be addressed if biodiversity values are to be protected, habitat change is to be halted and recreational fishing values are to be maintained. The TCT suggests that areas where severe overfishing has occurred should be identified and that these areas are temporarily closed until stocks recover. Once recovery has occurred, access should be limited to recreational fishers and both annual and daily bag limits should be imposed, using tags, so that rock lobster populations are maintained.

Maximum Size Limit and *Centrostephanus* Urchin Barrens

The Discussion Paper identifies the relationship between increasing numbers of *Centrostephanus* urchins and spreading urchin barrens, and the absence of their main predator, large rock lobster. A maximum size limit of 138 mm is a useful management tool, as it protects rock lobsters that are large enough to predate on *Centrostephanus* as well as mature female rock lobster. This size limit should be applied to all inshore waters shallower than 30 m from north of Eddystone Point to South East Cape at least. A better option would be to apply this size limit to all Tasmanian waters and to both commercial and recreational fishers.

However, a maximum size limit alone will not allow rock lobster populations to increase fast enough to control urchin numbers in any useful period of time, if at all. At the current level of fishing, it is clear that few animals reach the maximum size limit in the critical areas in the east and southeast regions. Even with the proposed catch reductions, there is no evidence presented that suggests that the maximum size limit alone will protect enough rock lobster to make any difference. The TCT suggests that much more needs to be done if there is to be any meaningful impact on urchin numbers and urchin barrens. Translocation of larger rock lobster may be an option. Culling urchins should also be considered, at least until rock lobster numbers recover. Perhaps the most cost effective mechanism would be to close areas at risk from urchin barren to all forms of fishing until the population density of large rock lobster increases to the point where urchin numbers and barrens can be controlled.

Urchin barrens formed by *Centrostephanus* urchins should be given the highest priority. All evidence suggests that knife-edge fishing and overfishing by the rock lobster fishery is the primary cause for habitat change due to *Centrostephanus* barrens. This means that the current management of fishery is not working and that the fishery is unsustainable in many areas and also threatens ecological processes. It is the view of the Tasmanian Conservation Trust that this places the commercial fishery at risk of losing its export accreditation under the EPBC Act.

MPA Reference Areas

A major difficulty associated with managing this fishery is identifying the variables that determine the rock lobster population and habitat change, and separating effects of climate change, fishing effort and management changes.

No-take Marine Protected Areas (MPAs) offer the best way to differentiate between the impacts of climate change and other variables. Such baseline areas are also vital for assessing the impacts of fishing itself. The Tasmanian Marine Protected Area Strategy provides a process that can create a system of representative MPAs throughout Tasmania's marine bioregions. If this strategy was implemented it would create a system of baseline areas that would enable a much better assessment of the effects of this fishery as well as the variations due to climate change or other environmental factors.

MPAs for Egg Production

While it is usually impossible to make a direct link between egg production and recruitment success in target species such as rock lobster, it certainly would not hurt to ensure that a significant proportion of reproductive animals are fully protected from fishing activity. This is, after all, one justification for having a size limit that allows a large part of the population to reproduce. The TCT suggests that given the potential for self-recruitment by Tasmanian rock lobster, and recurrent recruitment failure in recent years, more should be done to protect brood stock in MPAs. It is clear that MPAs allow rock lobster to survive to grow to a large size, and that large individual female rock lobster are particularly good egg producers. It is also obvious that much remains unknown about the factors associated with recruitment success. A series of no-take MPAs in each of Tasmania's marine bioregions should be of some benefit to egg production. As it is impossible to determine the ideal circumstances for egg production in terms of location timing, having a series of protected areas across all of Tasmania's marine bioregions could increase the probability that fertile eggs would survive and mature through to settlement.

Inshore Fishing and Bag Limits

Excessive inshore fishing pressure by both commercial and recreational fishers continues to be a problem. This is due to considerations of accessibility in the case of recreational fishers and market forces and economics by commercial fishers. Limitations on catch/possession limits need to be considered to address this problem. The suggested reductions in bag and position limits for recreational fishers do not go far enough to protect overfished areas along the east and southeast coastlines.

The Tasmanian Conservation Trust suggests that the overriding principle guiding bag limits for recreational fishers should be to provide enough fish for a meal. A daily bag limit of two rock lobster and a possession limit of four would seem to be more appropriate. Possession limits for fishers should be reduced to 2, with a house limit of four, without a sales tax invoice, and no possession by individuals less than 10 years of age as suggested in the Discussion Paper.

A reduction in the recreational bag limit alone will not ensure that any fish left in the water as a result will not be taken by the commercial fishery, all that recreational fishers will compensate by making more fishing trips.

Area Management

Variations in growth rates, size at maturity and fishing pressure means that standardising fishery management procedures across the State is inappropriate. Area-based management that is sensitive to biological factors and fishing pressure needs to be introduced. Bag limits, possession limits and size limits should be determined on a region by region basis, and access to these areas by both commercial and recreational fishers managed accordingly.

Living Marine Resources Management Act

Currently, the management of the Tasmanian rock lobster fishery does not appear to comply with the objectives of the Living Marine Resources Management Act, 1995. which, amongst other things, aims to “achieve sustainable development of living marine resources having regard to

- increase the community’s understanding of the integrity of the ecosystem upon which fisheries depend; and
- provide and maintain sustainability of living marine resources; and
- take account of the community’s needs in respect of living marine resources;

and

- take account of the community’s interests in living marine resources.”

The management of the current fishery does not appear to comply with this Act.

Incidental Damage and Economic Impact of Poor Quality Lobster Taken from Southern Waters during September

If there is evidence that significant numbers of poor quality rock lobster are being taken during September despite market forces, the season should be closed to protect these animals and the market.

Increasing Proportion of the Commercial Catch taken from the West Coast Deepwater Region

The proposal to encourage a greater proportion of commercial catch the taken from the west coast deepwater region is good, however is should not be an excuse to introduce more pots into the fishery. If the deepwater fishery is to be encouraged then access to quota should be managed on an basis and a percentage of the quota should be available from the west coast deepwater region alone.

Carryover

While carry over has some practical use as a way for fishing operations to deal with economic costs of unforeseen circumstances, it also provides a mechanism by which the commercial TAC can be undermined. With recruitment failure becoming more of an issue, and the increasing need to ensure there are real reductions in catch, carryover should be either greatly reduced or eliminated altogether. If there was no closed season for the commercial fishery then carryover would also become less useful.

The Tasmanian Conservation Trust recommends that carryover be suspended until the recruitment crisis is over, and it can be demonstrated

that reduced commercial TAC is having the desired effect.

Quota Year

In many ways it would seem that having no closed season for the commercial fishery would provide multiple advantages. However, there appears to be a need to close the season to protect softshelled rock lobster over the September/October period. This would seem to be a logical time to start and stop the season. The current season closure seems to interfere with marketing opportunities associated with Chinese New Year and should be changed.

Compliance Risks in Transferring Recreational Catch for Reward.

Bag and position limits should be reduced to make it more difficult for rock lobster taken as part of the recreational fishery to be used for commercial gain. A tagging system would also assist in controlling this problem.

Restriction of Certain Apparatus on Recreational Vessels

As well as the prohibition of snoods and nooses on vessels that have diving equipment on board, these should be banned from all vessels. Shark pods should also be banned on vessels used for recreational rock lobster fishing. There is anecdotal evidence that the electric fields generated by these devices are being used to drive rock lobster out from otherwise inaccessible dens.

Not Allowing Vessels to Carry Other Person's Marked Buoys and Standardisation of Marking of Buoys

The marking of buoys should be standardised and vessels should only be permitted to carry marked buoys for those fishers on board. Some consideration might be given to allow exceptions to this rule, with prior reporting, to allow the collection of gear under special circumstances, such as in the case of illness or boat breakdown.

Incorporating the Current Restriction for Possessing Rock Lobster in Part of Bass Strait into the Rules

The current restrictions for possessing rock lobster in bass Strait should remain to ensure by a security protections are maintained to protect the local marine environment and fisheries.

Provide Flexible/Adaptive Management Arrangements

Setting of size limits and any associated operating criteria by public notice should be permitted to allow more flexible management of fishery which is under serious threat.

Rock Lobster Management Plan Review

The future of the Tasmanian rock lobster fishery depends on the outcome of this review. Major problems have been ignored for too long. Habitat change as a result of this fishery threatens the environmental foundations upon which this fishery is based. It is likely that difficult and unpopular decisions will have to be made to solve the problems created largely by the recreational and commercial fisheries. Climate change and recruitment failure make the situation even more difficult. The choice,

however, is clear. Either the problems are dealt with now, or we will have continued decline in the recreational and commercial fisheries, and increasing habitat degradation that undermines the local marine ecosystem and other fisheries as well as the rock lobster fishery itself. Either the problems are solved now or we can expect the devastation of a major commercial and recreational fishery, as well as the ruin of the shallow rocky reef ecosystem along much of Tasmania's coastline.

Yours sincerely

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