

4 June 2009

Scalefish Fishery Review
DPIW
GPO BOX 44
HOBART TAS 7001



102 Bathurst Street, Hobart
Tasmania 7000 Australia
Phone: (03) 6234 3552
Fax: (03) 6231 2491
tct@southcom.com.au
<http://www.tct.org.au>
ABN 63 091 237 520

TASMANIAN SCALEFISH FISHERY REVIEW 2009

Below are the Tasmanian Conservation Trust's comments on the draft Fisheries (Scalefish) Amendment Rules 2009, summary of administrative and correctional changes to the rules and the cost benefit analysis.

The draft Fisheries (Scalefish) Amendment Rules 2009 and summary of administrative and correctional changes to the rules appear to be consistent and reflect DPIW's desired aims as outlined in the cost benefit analysis. However the cost/benefit analysis appears to be internally inconsistent in places and there are other issues associated with the management of Tasmania scale fishery that should be addressed.

Maximum Soak Time for Gillnets

The cost/benefit analysis identifies the fact that ideally nets should be attended or not left for longer than an hour or two before being checked. The analysis also indicates that two hours is considered a more than adequate soak time for fishing in most circumstances and that survivorship for fish released from nets after two hours is greatly reduced.

The proposal to allow soak times of up to six hours for recreational nets does not fit well with these facts. Accepting a soak time of six hours means that DPIW is happy for fishers to catch, kill and waste those fish that are undersize, unwanted or access to daily catch/possession limits.

Recreational gillnets are wasteful and pose a threat to marine mammals and sea birds such as penguins. The Trust believes that gillnets are not appropriate for recreational fishing in Tasmania. This view is widely held in Australia, with Tasmania being the only state on the east coast that permits recreational gillnetting.

If gillnet fishing must be allowed to continue, then it seems only reasonable that an effort should be made to reduce waste and bycatch of fish. Recreational nets must be attended at all times and there should be a maximum soak time of two hours.

Attended netting may also reduce the entanglement and death of marine mammals and sea birds.

In particular, there is an urgent need to manage the threat posed by gillnets to penguins. It appears that many little penguins are being killed by gillnets set near penguin colonies. Attended netting as well as formal exclusion zones around penguin colonies are obvious measures that need to be put in place immediately.

Size Limits for Certain Species

The cost/benefit analysis indicates that the common management tool is protecting fish from fishing pressure so that approximately 50% of the stocks are mature enough to reproduce.

The cost/benefit analysis proposes small increases in legal size for both striped trumpeter and bastard trumpeter. Unfortunately, even these increases do not protect any individuals capable of reproduction. Given the widespread use of indiscriminate gillnets and long soak times which will preclude successful release of undersized fish, the importance of size limits may be moot in any case. However if meaningful size limits are to be introduced they should at least protect at least 50% of the stocks until they are mature enough to reproduce

An upper size limit of 800 mm would help protect reproductively important striped trumpeter and should be introduced.

Changes to Recreational Possession Limits

The proposed changes to possession limits are unlikely to provide any real benefits to the stocks of striped trumpeter and bastard trumpeter. A recent workshop on striped trumpeter indicated that a possession limit of four would not provide any significant protection to the stock. Reducing the possession limit of bastard trumpeter from 15 to 10 is also unlikely to provide any real benefits. At best, fish may be protected until the next fishing trip.

One of the justifications for possession limits is to reinforce the notion that the goal of recreational fishing is to provide a feed of fish on the day. Possession limits which enable fishers to catch quantities of fish far in excess of what any normal fisher and his or her immediate family would be likely to be able to use in a day completely undermines this notion. On this basis alone possession limits for striped trumpeter, bastard trumpeter, blue eye trevalla and many other species of scalefish are excessive and need to be reconsidered.

Introduction of a Recreational Set Line Licence

The Trust believes that all fishing activities undertaken by adults in Tasmanian waters should be licensed. If people are required to pay to visit a national Park then they should be required to pay to extract and kill native animals such as fish.

In addition, licensing fishing activities will provide data on fishing activities and revenue to support more effective management, and if people are required to pay for access they may also place a higher value on it and be more willing to look after it

Along with gillnets, the Trust believes that set lines are not appropriate gear for recreational fishing. This gear is very efficient and allows recreational fishers to commercial quantities of fish and much more than their permitted possession

limits. It is likely that there is much waste associated with this type of fishing gear when fishers follow possession limits.

However, if recreational set lines are to continue to be permitted recreational gear, then they should be subject to licensing along with gillnets.

Introduction of a Commercial Octopus Licence

The Trust supports the introduction of this new licence, but suggests that further work needs to be done to assess the impacts of this fishery on the ecosystem.

Summary of Cost and Benefits

The summary makes many good points but ignores the needs of one significant stakeholder group, that is non-extractive users. Non-extractive users might include divers who just want to see fish and other marine life, as well as those sections of the community who wish to see fisheries managed responsibly and sustainably and/or so that ecosystem processes and biodiversity are protected.

Conclusion

The scalefish management plan review provides an ideal opportunity to deal with declining stocks and other issues associated with this fishery. While the cost/benefit analysis points out that it is difficult to quantify management decisions effects on fish stocks, it is clear that there has been a significant decline in stocks of key species in recent years. Data from marine protected areas indicates that fishing has played a significant role in this decline for at least some species, especially bastard trumpeter.

Given that bastard trumpeter are particularly vulnerable to net fishing, that net damage is likely to result in mortality and that almost all bastard trumpeter in Tasmanian waters are immature it seems only reasonable that significant areas be made net free to protect at least some immature fish so that they can move offshore and reproduce. A system of MPAs would probably go a long way to achieving this outcome. Survival after netting may not be high, making management actions apart from implementing net free areas relatively ineffective.

Bastard trumpeter stocks have declined to such an alarming extent that radical solutions need to be investigated immediately. Three options need to be considered seriously:

- This species could be made a protected species.
- Bastard trumpeter should at least be protected until they have had a chance to reproduce. This would mean that fish would be protected until they were about 5 years old or 550 mm long.
- Extensive no netting areas should be created to allow a useful proportion of new recruits to survive until they are old enough to move offshore and reproduce, and the possession limit outside these areas should be reduced to 2 fish.

A combination of the above measures may be required to allow bastard trumpeter to recover to levels observed as recently as the 1980s. No netting areas or no-take MPAs would likely provide a benefit to stocks of other key species such as striped trumpeter and banded morwong.

The proposed changes arising from the scalefish management plan review do not go far enough to satisfy the purpose of *Living Marine Resources Act*.

Declining stocks of important target species indicates that previous management strategies have not worked. There is no evidence that the proposed changes that have arisen from the current review process will remedy this situation. In fact in the case of striped trumpeter and bastard trumpeter it appears that DPIW remains happy for juveniles to continue to be mostly killed in inshore waters by recreational gillnets before they have a chance to reproduce.

The cost/benefit analysis states that there are not enough fish to sustain the wants and needs of all sectors, so it is disappointing to see that recreational fishers still have access to highly efficient commercial fishing gear such as set lines and gillnets, particularly when only a small minority use this gear. It is also disappointing to see that possession limits continue to be much larger than is required to supply recreational fishers and their immediate families with the notional "feed of fish". And while the analysis points out that 2 hour soak times are long enough for most fishing activities, and that longer soak times increase the risk of wastage and bycatch, it still concludes that 6 hours is appropriate outside SRAs.

Tasmania's fisheries are relatively well managed. However, they are managed with respect to target species and little consideration is given to the marine environment and ecological processes that underpin Tasmania's recreational fisheries. These broader issues tend not to be addressed although the *Living Marine Resources Act* certainly indicates that they should be. The disappearance of *Macrocystitis* kelp forests north of Tasman Island and the belated, and so far inadequate, response to increasing numbers of *Centrostephanus* and urchin barrens are examples. There also appears to be a reluctance to make the hard but necessary management decisions to deal with obvious problems in the scale fish fishery. Urgent action needs to be taken to prevent continuing decline of key species.

The scalefish management plan review successfully outlines many of the key problems associated with the fishery but ignores some obvious solutions, apparently in the interests of placating those interest groups that refuse to acknowledge declining stocks than in looking after the marine environment or ensuring a sustainable scale fish fishery.

The shortcomings in this management strategy would be defensible if there were lots of fish and enough for every one, but it is clear that stocks of key species such as striped and bastard trumpeter have suffered huge declines, and as the cost benefit analysis states itself, there are not enough fish to sustain the wants and needs of all sectors.

Tasmania's marine environment deserves better. Scalefish stocks need to be managed so that there is a greater chance of recovery and biodiversity needs to be better protected.

Yours sincerely

Jon Bryan
Tasmanian Conservation Trust