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**SUBMISSION TO FISHERIES MANAGEMENT PAPER NO 169  
– HARDY INLET ESTUARINE FISHERY MANAGEMENT  
ISSUES AND OPTIONS**

**Introduction**

Recfishwest has consulted with a variety of local and interested stakeholders and has liaised closely with the Recreational Fishing Advisory Committee in developing this submission. We believe that this submission presents a fair and responsible compromise to the highly contentious commercial fishing operation in the Blackwood estuary.

Recfishwest believes that in the long term, estuaries should be preserved for recreational fishers. At the present time the Hardy Inlet/Blackwood River should be managed to recognise its principle importance as a recreational trophy bream fishery, as it has unique value for that purpose. It is important to note that the estuary has been subject to a significant decline in bream numbers and has been subject to a restocking and recovery program funded by the Fisheries Research and Development Corporation. Recfishwest cannot accept that much of the public benefit from this restocking program should substantially accrue to a single individual who holds a commercial fishing licence.

In addition, recreational fishers have proactively taken a reduction in bag limit from 20 to 4 fish in the Blackwood estuary, with no commensurate commercial fishing management controls. In addition, many anglers, including those serviced by the charter operators are returning fish to the water unharmed. However Recfishwest is prepared to offer a compromise by supporting the introduction of a number of recreational management controls for the fishery.

**Section 1 Background**

While members of the South West Regional Recreational Fishing Advisory Committee (SWRRFAC) attended key stakeholder group meetings in December 2004, it should also be noted that RFAC or Recfishwest was not advised of the meetings or invited to attend. From the list of attendees it could be noted that the recreational sector was not well represented. In addition, the commercial and Departmental presentations were extremely selective in their use of available data which has been unhelpful in developing meaningful management recommendations in an objective manner.

### **Section 3 Introduction and Objectives**

Recfishwest acknowledges the importance of Integrated Fisheries Management. However we are concerned about how an explicit distribution of available resources between the recreational and commercial sector can be made, when research data is not available on estimated stocks of black bream in the Hardy Inlet. The most recent survey carried out on recreational catch for that region was in 1974-75 when recreational angler attitudes towards retaining or releasing bream were vastly different to those held today. The draft proposals also seem to grossly overvalue the importance of the commercial operation and any data which is generated, while completely ignoring the charter operators who generate more economic activity at minimal resource impact.

Recfishwest supports management arrangements being introduced for the Hardy Inlet Estuarine Fishery, however it asks how the Department of Fisheries intends to implement the recommendation in the document under section 3.2 which states ‘the management framework provides mechanisms that can contain the catch of each sector within a prescribed allocation’. How can a ‘prescribed allocation’ be set when there is no system in place to record current or ongoing recreational catch data?

### **Section 4 Current Management Framework**

#### **4.1 Commercial fishing**

Recfishwest notes that the commercial fishing effort fell from 636 gear fishing days to 242 gear fishing days when the Fisheries Adjustment Scheme (FAS) was initiated in 1998 and that there is now only one commercial operator in the fishery. However, Recfishwest also notes that the one remaining commercial operator is now catching one third of the total catch of the original nine commercial fishermen, meaning that the tangible return to the community from the FAS process has been relatively low.

The *Hardy Inlet Lawful Nets Order 1996* prescribes the gear that the commercial fisherman can use in the fishery. Recfishwest recommends that this be amended to:

- Single nets, set no less than 50 metres apart (to avoid nets being joined to form one or more ‘oversized’ net).
- Nets to have a mesh size between 63mm and 100 mm (a reduction to prevent larger black bream from being caught).
- The total length of net allowed be 500m (reduced from 1,000m).

The netting restrictions for the commercial fishery, restricting fishing activity to nets being set no earlier than 1.5 hours before sunset, and retrieved no later than 1.5 hours after sunrise must be enforced. Local

anecdotal evidence has indicated that nets are being set and/or left out outside of the prescribed allowable times and that there was little interest from Fisheries Officers in pursuing the matter. It is essential that the commercial operator adheres strictly to the times of operation so as to minimise any conflict with the local community and that the Department is seen as objectively administering its regulations and not appearing to be protecting commercial fishing interests.

## **4.2 Recreational fishing**

It is proposed that the recreational fishery continue to be managed using daily bag limits, minimum sizes and recreational netting rules.

Recfishwest also suggests the following management options:

- Catch and release rule above Alexandra Bridge, with no commercial operation above there.
- Recreational fishing only between Alexandra Bridge and Fisher Road boat ramp.
- Recreational and commercial operations, subject to the controls listed above, downstream from Fisher Road boat ramp to the Hardy Inlet Estuary mouth.
- No commercial fishing in the Scott River which is an important nursery.
- Recreational netting should be immediately prohibited in the Blackwood estuary.

## **Section 5 Status of the Fishery**

Recfishwest notes the information provided on the commercial catch from data submitted to the Department of Fisheries Research Branch but does not accept that this information provides any basis for management decisions. Recfishwest is concerned that the Department continues to overvalue this information.

### **5.1.2 Recreational Catch**

Recfishwest wishes to highlight the need for recreational catch data for the Hardy Inlet/Blackwood River. Currently the reported commercial catch of black bream in the Hardy Inlet/ Blackwood River is low, averaging less than one tonne per year, but there is no way to determine if this is the real catch or what the incidental mortality of small bream taken in whiting nets might be.

The recreational take of black bream is almost certainly dropping as more anglers release their catch.

The lack of comparable and independent data between commercial and recreational sectors significantly complicates this already difficult situation.

### **5.1.3 Tour Operator Catch**

The management paper states clients participating in fishing tours between December 2001 and November 2002 caught 229 fish (this should read black bream) over 183 angler days. This relates to 1.25 black bream per angler day, which is well inside the allowable catch.

As the effort data may have included angler days where black bream were not the target species, such as fly fishing tours in the upper reaches of the Blackwood River, the actual catch per unit effort for black bream by clients participating in fishing tours is likely to be higher than calculated.

Significantly however, if each angler pays approximately \$100 per day, and we assume a rather generous average of 1 kilogram per bream, the economic return equates to around \$80 per kilogram and represents 10 times greater return than the \$8 per kilogram for commercial caught fish. As many of the 229 bream would have been released, the figures will be even more significant and emphasises our argument that the recreational take represents a better return on the limited resource.

## **5.2 Status of Black Bream Stocks**

Recfishwest again highlights the need for recreational catch data for the Hardy Inlet/Blackwood River. Studies carried out by Simon De Lestrang from Murdoch University have demonstrated poor and erratic recruitment, possibly due to a number of factors, including environmental degradation and the increase in the abundance of silver bream which may have out-competed the black bream stocks.

## **Section 6 Key Management Issues**

### ***Proposal 1***

***Additional funding be sought to continue research on the restocking project, specifically to ascertain whether restocked fish contribute to the magnitude of subsequent recruitment of black bream and continue to impact on the abundance of the fishable stock of black bream.***

While Recfishwest believes research is necessary, it should not be limited to monitoring the feasibility of the restocking project. Work on the economic impact of charter versus commercial fishing should also be investigated.

### ***Proposal 2***

***A funding application to be submitted for a research project to look at environmental and water quality indicators in the Blackwood/Hardy system, and explore interrelationships with fish abundance and species composition.***

Recfishwest supports this proposal.

### **6.3 Impact of commercial fishing upon the quality of recreational fishing.**

While the commercial catch is mainly taken during the winter months, at a time when there are fewer tourists, this does not mean that there is no competition between recreational fishers and the commercial operator during that time for black bream stocks. This situation is exacerbated if the commercial operator leaves his nets in the water outside of designated times.

Recfishwest does not believe that black bream should be taken as a specific target by the commercial operator.

## **SECTION 7 POSSIBLE MANAGEMENT OPTIONS**

### **7.3.1 The entire of length of the Blackwood River**

This proposal suggests that commercial fishing would be prohibited, and special recreational controls introduced for all waters and tributaries of the Blackwood River.

While Recfishwest would ideally like to see a complete prohibition on commercial fishing in the Blackwood River, a phased-in approach which includes quantifying recreational catches is preferred at this time. However, should CALM implement sanctuary zones in the Blackwood which have the effect of forcing the commercial operator to increasingly target bream, we would insist upon his removal.

Recfishwest objects to the statement made about the consultation process carried out by the Review of Recreational Fishing on the West Coast Working Group. Recfishwest believes extensive consultation did take place with the local community and recreational fishers both locally and those with interest in the Blackwood on the proposal "*The ban on recreational net fishing upstream of Fisher Road on the Blackwood River, near Augusta, should apply to commercial netting to protect black bream stocks*".

Local community/recreational fishers strongly supported the recommendation that no commercial netting should occur upstream of Fisher Road. While Recfishwest notes that no specific consultation took place with the commercial operator or WAFIC on this recommendation, the community interests as portrayed through this fully transparent process was wider than that presented by the Department and WAFIC to a select few in the community.

### 7.3.2 Particular section of the Blackwood River

*Proposal that commercial fishing and general recreational fishing would be permitted downstream of a specified point on the river, ideally below Molloy Island, while the areas upstream of this point would be managed as a 'trophy' fishery restricted to recreational fishing under special rules.*

#### **Suggested management options:**

While on one hand Recfishwest would support this proposal that commercial fishing should be prohibited, it would be reluctant to support a VFAS for this fishery particularly as the operator appears to place a totally unrealistic value on his entitlements. A VFAS that pays a reasonable amount for the entitlement would however be supported by Recfishwest relative to other priorities such as South-west salmon and herring.

#### **Suggested management options include:**

- Recreational catch and release rule above Alexandra Bridge, with no commercial operation.
- Recreational fishing only between Alexandra Bridge and Fisher Road boat ramp.
- Recreational and commercial operations from Fisher Road boat ramp to the Hardy Inlet Estuary.

#### **Additional suggested management options:**

- Reduce slot limit such as one fish over 35 cm.
- Times of netting need to be strictly enforced (reports of complaints being made that nets are still set after the prescribed times).
- Each single net no longer than 100 metres.
- Single nets, set no less than 50 metres apart (to avoid nets being joined to form one or more 'oversized' net).
- Recommend that the total of nets allowed be 500 metres (reduction in number of nets).
- Mesh size to be reduced to 100 mm (to prevent larger black bream from being caught).

#### **Conclusion**

Recfishwest is disappointed with the Department's handling of this issue. The public meetings with respect to the Blackwood management were biased towards commercial fishing interests in contrast to the processes run through the West Coast Review. The Department continues to act as an apologist for minor commercial fisheries of almost no value and which are almost totally subsidised by the community. This approach appears to be in contrast to the

principles espoused by Justice Toohey and the Berinson Report on Statutory Management Authorities.

At a special meeting convened by Executive Director Peter Rogers on this matter, and attended by recreational industry leaders, a categorical assurance was given that a draft of the management paper would be sent to those present for comment. This unfortunately did not occur.

The Department now receives direct income from the charter industry, yet their interests appear to be grossly undervalued compared to commercial fishing interests even though the net economic benefit clearly favours the charter and recreational sector.

Recfishwest believes that the proposals contained in this submission represent a fair and responsible compromise to allow commercial fishing to continue in the short term in the Blackwood estuary. We would be extremely concerned to see these proposed compromises modified or rejected.

Please ensure that Recfishwest is kept informed of the status of all proposals before implementation.

Yours sincerely

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Recfishwest

3 May 2004

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