

Integrated Fisheries Allocation Committee  
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**Recfishwest Submission to Integrated Fisheries Allocation  
Committee (IFAAC) and to Fisheries Management Paper No 204  
“Integrated Fisheries Management Report Abalone Resource”**

Thank you for the opportunity to provide comment on the long awaited integrated fisheries review process as it applies to abalone. Please accept my apology for putting in a late submission.

We wish to commend the Department of Fisheries and the Minister for Fisheries for proceeding with the review of this fishery and the important intention to progress Integrated Fisheries Management (IFM) for Western Australia. While we recognise the importance of progressing this matter, Recfishwest firmly believes that it is essential to consider the consequences of making an explicit catch allocation at the principle and applied levels before finalising a position.

Any recommendations that the committee makes will be critically assessed by at least some sectors of the community and the basis for the decision must be carefully derived and defensible.

Recfishwest will provide comment at three levels in this submission. Firstly, as with the Western rock lobster fishery, we will discuss the important principles for resource allocation as they pertain to all fisheries in Western Australia. Secondly we will comment of the ‘facts’ as they are presented in Fisheries Management Paper No 204. Finally we will comment on proposed solutions for the metropolitan abalone allocation issue.

Recfishwest fully supports the consideration of the metropolitan abalone fishery only at this stage due to the data concerns. However, we are concerned at the data used in Paper 204 and the interpretation which appears to selectively disadvantage recreational fishers. This ongoing bias and failure to assess the recreational fishery from an equity perspective is a serious ongoing concern.

Finally, Recfishwest has met with the commercial fishing industry to discuss these matters. While the matters have not been resolved, with direction from the IFM process, we believe that adaptive solutions are possible.

## **Principles for Resource Allocation**

Although this is the second resource allocation assessment under the Integrated Fisheries Management regime, it is essential that the principles for this and future allocations are clearly understood and restated as there are a number of different participants for this fishery.

Recfishwest has made numerous submissions on these principles over the last four years. Full copies of these submissions have been distributed to the IFAAC.

We must continue to stress two key facts.

Firstly, all fisheries resources in Western Australia are common property. They are owned by the entire community and administered through legislation by the Department of Fisheries which is required to ensure that there is an optimum community return from the available resource.

While this seems an obvious point, the needs of the community are, and must be, the key driver for determining the allocation of the common property resource. This appears not to be the case where an objective of the commercial abalone fishery is “Encourage maximum commercial flexibility and administrative simplicity from industry participants.”

This objective is clearly at odds with the objectives of the *Fish Resources Management Act 1995* to optimise the social and economic benefits from the fishery and demonstrates our concern about the objectivity of the Department of Fisheries.

Application of this objective for commercial fishers will result in an allocation which clearly disadvantages the wider community to benefit the needs of a small section that uses the resource. While Recfishwest supports the need for cost effective management, the community needs are paramount.

The Statutory Management Authority review committee eloquently described that a cost recovery system disadvantages the community by denying them a dividend from a profitable activity. Recfishwest would not like to see a narrow, ‘commercially friendly’ view taken by the IFAAC. While we accept that the commercial abalone costs of management are very high, an agreement with industry to cap costs means that the statement on page 43 that the fishery is fully cost recovered is not true.

Many other parts of the world have also faced a similar allocation dilemma. There have been varying degrees of success but the ones known to Recfishwest have developed a hierarchy of access priorities which is – indigenous, recreational and finally commercial.

The indigenous access recognises a longstanding historical traditional access to the resource and has mainly concentrated on artisanal or subsistence fishing. This is a major challenge for abalone as the indigenous values are able to be justified.

Recreational fishing priority recognises the community nature of the resource and gives priority to those who wish to access their share of that common property resource themselves. In the case of abalone, a substantial direct cost for accessing this resource is applied.

Finally an allocation is made for commercial fishing interests.

Secondly, Recfishwest insists that the natural community growth be accommodated within the allocation process. Ignoring this natural growth automatically disadvantages the wider community and specifically the recreational fishing sector.

Capping the recreational sector allocation at current, or historical catch levels automatically forces intra-sectoral resource sharing issues to emerge. An increasing number of recreational fishers must compete amongst themselves for a decreasing portion of the catch each simply because there is natural population growth. Those who wish to access their share of the common property resource should not be disadvantaged by having to compete against other recreational fishers, particularly given the spatial constraints regarding access in many recreational fisheries and the congestion which abalone rules dictates.

To make this section of the community pay again to claim their share of the resource is not acceptable and would require a very strange interpretation of the 'market' to be proposed. This would be more controversial given that the recreational sector already makes a significant relative contribution for its share of the catch.

The extent to which the IFAAC considers the spatial and temporal implication of its determinations needs careful consideration. While the allocation process must be aware of issues such as the importance of the central metropolitan zone as part of the allocation question, the extent to which this is the role for applied management after the allocation has been made has yet to be fully defined. Indeed, there have been no additional controls on commercial fishing for many years, yet the times and seasons for recreational fishing have been reduced. The prohibition for reef top fishing for commercial fishing still only applies from Trigg to Hillarys, yet the core population of Perth has expanded well past Burns Beach.

The recreational fishery has been managed for compliance requirements rather than recreational enjoyment. It directly results in people fishing in highly variable conditions and there have been several fatalities associated with this fishery.

The principle the "Recreational fishers aim to catch a feed for oneself and ones family and for a variety of reasons enjoy the experience along

the way.” Which has applied since 1991 cannot be said to apply to the metropolitan abalone fishery where hordes are pushed into small areas over a tiny time frame to make their catches.

There are elements of racism in this fishery which are not touched upon. The assertion that some ethnic minorities predominate in this activity and are responsible for many offences has never been fully tested. This matter needs an objective assessment.

For many people abalone is a delicacy which is not available through the markets and the 9 hour metropolitan season represents the only opportunity to obtain these animals.

### **Comments on Paper 204**

Recfishwest has a number of concerns with biases or errors in the supposedly ‘factual’ information presented in Fisheries Management Paper 204. We note with concern that none of the concerns which we raised as part of the rock lobster process have been addressed.

Recfishwest is extremely disappointed with the methodology for assessing recreational fishing catches which once again substantially disadvantages our sector.

When the Department reviewed the recreational rock lobster catches and revised them down by approximately 100%, the Department proposed that the new methodology should apply. With the abalone catches, the Department instituted telephone surveys and believe that it removed a recall bias.

This resulted in an estimated *increase* in catches. However, the Department did not actually use this figure (compare Tables 9 and 12), but AVERAGED the two values. This decision, never discussed, results in a loss of estimated recreational catches in the order of 1.5 tonnes per year (using the averaged figure).

Recfishwest is also concerned about the use of assumptions in broadly applying small data sets. This is particularly apparent (page 54) where an averaging of significantly different weights and participation rates is not challenged or discussed. The outcome is to reduce the apparent recreational catch. We believe that these assumptions cannot be accepted baldly and that only data from 1999 to 2004 is valid. The Department is considered to have advocated for acceptance of any new methodology where it disadvantages recreational fishers but a compromise position where it benefits them. This is totally unacceptable.

Recfishwest asks these questions:

*What if these estimates are also incorrect?*

*Who is responsible and accountable for the outcome of the decision?*

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*What guarantees do we have that the Department of Fisheries will not make further adjustments to the catch estimates of the recreational sector to our detriment?*

These are fundamental and extremely important questions which need to be answered before IFAAC makes a unilateral allocation.

Page 18 and 19 fail to identify several important environmental factors. The available area for recreational abalone fishing near Cottesloe has been reduced through environmental loss almost certainly exacerbated by the artificial surfing reef. The Department has never advocated for responsible environmental management to reduce the incremental loss of the resource to its constituents through poor practice.

The Cottesloe FHPA has also impacted on recreational amenity values. The Department of Fisheries has consistently undervalued recreational fishing issues with this FHPA.

The commercial management objectives as stated previously with respect to flexibility for industry and cost recovery are incorrect or inconsistent with the Act.

The area closures for commercial fishing have not been reviewed for many years, yet the population has shifted considerably. We have discussed these issues with the commercial fishing industry as possible solutions to the use of the allocated shares.

Of particular concern is the ability of commercial operators to fish on reef tops north of Hillarys Boat Harbour and interactions between users between Trigg Island and Hillarys Marina.

Recfishwest is concerned with the inconsistencies between the unit holdings and catches between Zones 7 and 8. Zone 7 has 7200 units for 36 tonnes (5 kilograms per unit) while Zone 8 has 6000 units for 15 tonnes (2.5 kilograms per unit). Applying the Zone 8 unit value to the important part of the metropolitan fishery would reduce the commercial take and reduce interactional conflict.

Recfishwest is concerned that there are no formal decision making rules for altering the TACC (page 28). These are essential and indeed are also required for the recreational catch share and must be developed. Due to the high interaction rate, the management responses must be discussed with the other sector as part of the process. The extent to which these management propositions are the responsibility of the IFAAC are still being debated.

The section on management of recreational fishing is poorly written and carries a number of glaring inaccuracies. Frank Prokop from Recfishwest has been the manager of this fishery in the past and was and is unaware of any management objectives ever being formally

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developed or communicated. If these objectives have some sound basis we would be pleased to be informed.

Irrespective, the enjoyment of recreational fishers is a key driver which needs to be recognised. This fishery has been driven into a compliance paradigm only. The consequences of this and the subliminal ethnic participative elements which have characterised the fishery and compliance have never been assessed.

It is no wonder that the number of participants have plateaued as simply it isn't fun to be part of the crush so that compliance needs and costs can be met.

To have a 9 hour fishery which has a predictable community safety issue must be assessed and alternative models examined.

The management history section does not even reflect the time during which the recreational season was closed.

The section on current management is also inaccurate. While it is true that there is no limit on recreational licence numbers, the financial contribution of recreational fishers which is an important consideration in determining relative 'community' return is not mentioned.

Recfishwest remains concerned that the needs of the aquaculture industry are again overvalued. They contribute nothing for the harvest of broodstock, are not constrained as to where they can take their animals and are not required to return a community dividend for the privatised benefit which they receive from the use of those broodstock.

The current aquaculture policies are absolutely clear that abalone re-seeded into the wild environment are not able to be privately held. To even consider this possibility in a report of this nature is totally unacceptable. Recfishwest stringently opposes any privatisation of the wild environment to benefit an aquaculture industry which is already highly subsidised.

Section 4.1.3 (and especially section 7.3) demonstrates biases against recreational fishers. Even though a specific study recommended additional shares be allocated to the recreational sector, only rationale to denigrate this finding is presented.

Similarly, the income from commercial fishing activities (section 4.2) is lauded for commercial fishing (not quantified) but is not mentioned for recreational fishing. There is some tourism associated with recreational abalone fishing, including international tourism.

The significant numbers of recreational 'umbrella' licence holders who choose not to fish for abalone (72%) and the reduction in specific abalone licences further confirms that the draconian management measures and lack of meaningful engagement of the community in developing management strategies is affecting this fishery. Having such

tight management controls that it diminishes the enjoyment associated with the harvest may be affecting participation and almost certainly amenity values.

In spite of often stated categorical arguments that all recreational fishers take their bag limits at every opportunity, only 38% of respondents took their bag limits per trip for the season. The *average* catch of 18 abalone indicates that many fishers set their own limits (as they do for most recreational species).

The changes in fishing practices, fishing, catch and discard rates and abalone sizes during the season are not quantified or explained. They can greatly affect the outcomes and conclusions.

For example, the timing of the two flights to count recreational fishers in remote areas will greatly affect the estimates. The lack of transparency may indicate that they do not stand up to public scrutiny. There has been no consultation on the important issue relating to the development of the Sustainable Harvest Levels (SHL's) yet they are proposed to be prescriptive for the IFAAC process.

The incidental mortality study is referred to, but no results are presented. If the data is poor, will there be a refund to the recreational fishers of whom some funds were used for its undertaking?

However, the incidental mortality by recreational fishers forms part of the 'take' in the *Fish Resources Management Act* and should be used in calculating the recreational allocation. Ignoring this data further discriminates against recreational fishers.

Recfishwest believes that a nominal figure of 33% should be added to the recreational catch figures for the purpose of the allocation determination. Therefore the average recreational catches during the access period, rather than being 36,967 kilograms, should be 49,289 kilograms.

As stated earlier, Recfishwest cannot accept the 'averaging' of the two data analyses given the previous recommendation as part of the rock lobster review process.

Section 7.3 on the socio-economic research is disappointing, as only rationale which reduces the power of the reallocation conclusion is presented. The Department of Fisheries should not act as an advocate for commercial fishers versus recreational.

The conclusion that a significant re-allocation should be made to the recreational sector appears to have been ignored. Similarly the paper fails to point out that the 35% reduction in price for Roe's abalone following the study would push the recommendation significantly further to the recreational sector as their costs etc would remain much more constant.

Recfishwest recommends that any revalidation or updating of the data be undertaken including external expertise to the Department of Fisheries so that the rationale and data manipulations would be clearly identified and this argument not arise in future IFM assessments.

Table 7 highlights an important issue of which IFAAC should be aware. While we understand that there are contextual issues, the 1998 commercial figure is within the overall assessment period and should be included. Averaging this figure in gives an average take of approximately 34 tonnes. Even though the quota is set at 36 tonnes, Recfishwest believes that if the full allocation period is considered the total allocation should not be higher than 34 tonnes. However, we have also raised concerns about the validity of the recreational data prior to 1999.

Much important information for recreational fisheries assessment is not included in the paper. Tracking the overall participation rate is important as many recreational fishers 'contribute' financially through an abalone licence but, particularly through umbrella licences, do not use it. Reasons include that abalone fishing is not a favoured activity; they are not valued as a food; it is inconvenient to go; they do not live near a resource or it is crowded, dangerous and not fun to fish for abalone.

With the small participation rates relative to licences, the biases in catch rates, questions asked and the personal philosophy of those interpreting the data could add to the confusion.

**While Recfishwest accepts some difficulty with the gathering and analysis of data from a fishery like abalone, we cannot accept any ongoing data revisions (such as were seen with rock lobster) which substantially affect the recreational catch share.**

**This matter is so serious in the eyes of the recreational sector and so fundamental to the community acceptance of the final recommendations that it should require the IFAAC to request an independent audit of any data revision.**

**Similarly, the total catch, including incidental mortality MUST form the basis of the recreational allocation.**

There still remain significant differences within the report. The reported catches in tables 13, 14 and 15 give for 2001, a recreational catch 40,181 kilograms. Table 12 gives a catch of 45,950 kilograms and the telephone survey which Recfishwest and the paper believes is most accurate gives 47,800 kilograms. The failure to include incidental mortality as part of the catch, even though it is clearly 'take' under the Fisheries Act, affects the recreational fishing catch share.

While Recfishwest accepts an ongoing assessment of the accuracy of the data as gathered, the assumptions that are used in the gathering and especially the extrapolation of that data must be clearly and objectively

critiqued as the allocation decisions which are made have lasting impact on the commercial and recreational fishing communities.

The extrapolation of catch data is difficult especially for recreational fishers where data (even with abalone) may be significantly skewed, but must be subject to a more transparent process. The differences in results are almost certainly at least as much driven by the extrapolation of the sample population as it is to do with sampling or recall bias.

The changing average weights during the season and the insistence on using weights for the overall allocation when the recreational management is based upon numbers is problematical.

In the important central metropolitan zone, the reef top resource is for recreational fishers and even though this resource is greatly affected by the end of the season, future recruitment does not appear to be affected.

The main issue is with snorkellers who fish over the reef edge and the timing of commercial fishing, who with hookah can fish the areas accessible to recreational fishers more efficiently, leaving only 60-70 mm animals for recreational fishers. Over time this could have resource consequences, but recreational fishers cannot accept that the total responsibility for management reforms rests with them. This is not a criticism of commercial fishers and is likely to be more perception than evidence driven, but does need to be examined.

As stated earlier, the reported recreational take is inconsistent between figure 12 and data aggregated from figures 13,14 and 15.

Irrespective, the figures clearly demonstrate that the growth in recreational catches in the north is not consistent and varies, presumably with conditions. This is the area where long term growth, due to population changes is most likely.

Secondly, the central zone, while small, is much more important to recreational than commercial fishers. The recreational take is stable and is probably recruitment and amenity limited. Given that recruitment is probably reasonably variable, people's interactions and enjoyment may well be acting as a control. Fishing for abalone in this area under current management does not fit many people's definition of enjoyable.

The growth in the southern area is probably the result of increased boat use to offshore reefs. The relaxation of commercial fishing controls on some offshore islands is not mentioned in the paper but given the recreational growth, represents a resource allocation decision outside of this process, and may have resource sustainability implications in the future.

Page 65 states "*However, this secondary impact (fishing induced mortality) has been implicitly taken into account in determining the sustainable harvest levels for Roe's abalone in the Perth metropolitan*

*region.*” On the same page the only study is asserted to have given highly variable estimates which are not even included.

The total mortality from recreational fishing during the criteria period must be included in the allocation. This is consistent with the *Fish Resources Management Act*. The benefits from reducing this incidental mortality will accrue to the recreational sector as part of its catch allowance as opposed to its total impact.

Recfishwest would like to reinforce the view that abalone product is exported and that recreational fishing acts as the only realistic (personal) supplier for the domestic market and that for economic reasons is not met by the commercial fishing industry.

### **Solutions**

Recfishwest has been quite critical about historical and ongoing biases within the management framework for abalone management.

However, Recfishwest would like to propose a workable and equitable solution to the difficult task confronting the IFAAC.

Recfishwest believes that the commercial fishing industry’s greatest justifiable concern is that if the recreational sector is allocated above its historical total impact (including incidental mortality) that it will encourage a rapid increase in catch to that new level to the detriment of the commercial fishery.

Recfishwest can allay that fear (see 2 below). However, it is totally unacceptable to allocate only the historical catch during the criteria period to the recreational sector. The community (or commercial fishers themselves) would then have to pay commercial operators a direct financial dividend to accommodate natural population growth. This dividend would continue presumably forever and would act as a community resource rent to the commercial sector which would be unacceptable and illogical.

**IFAAC must accept and accommodate natural growth.** Therefore Recfishwest proposes:

1. That the recreational sector be allocated twice its current ‘real’ catch share or its projected catches after 20 years whichever is the greatest; and
2. That natural growth only is accommodated in this allocation and any technological or efficiency increases must be met with management adjustments; and
3. Any catches not taken by the recreational sector until such time as they reach their allocation can be available to the commercial sector without penalty; and
4. Once the recreational sector reaches its allocation it must enter the market place or make management adjustments to cap its take at the allocated level.

5. Specifically; negotiations continue with commercial operators concerning the important reefs between Trigg Island and Hillarys Marina and the reef top harvesting by commercial operators from Hillarys Marine to Greenough River mouth. Recreational fishers should negotiate with commercial operators for reasonable trade-if possible as their viability is not at issue.
6. The recreational and commercial sectors must derive specific management responses to predetermined catch/effort levels. In the case of the recreational sector this should be based upon the historical catch levels plus natural growth to the time under consideration.  
The mechanism and basis for adjustments must be subject to a transparent process. Any indication of a rapid 'ramp-up' of catch and/or effort by recreational fishers would need to be addressed quickly. This is possible with the short season. We strongly argue that there must be recreational representation on any review committee, along with research, management and commercial fishing interests to ensure that equitable and transparent outcomes result.
7. Management of the recreational sector should be reviewed to address the growing concern that the fishery is not meeting the variety of needs of the recreational sector. Sustainability or overall take should not be compromised, and although compliance issues are important they are not the sole driver for this fishery.
8. The matter of commercial fishers impacting directly on recreational catch and amenity values must be prescribed and management responses agreed to by the sectors (see 5 above).
9. Allocation arrangements should be subject to review after five years.

Recfishwest supports a regular, programmed and objective assessment of fishing efficiency to ensure that the catch targets are not exceeded.

## **Conclusion**

Recfishwest commends the committee for the time and effort which it has put into this difficult task. Recfishwest has strongly supported the need for IFM and recognises that there will be many divergent views on many of the proposals.

Recfishwest has presented its views on a sectoral basis, representing what it sees as the interests of the significant recreational fishing sector.

There are very few of our positions on the recommendations that are not subject to further negotiation. We would however, be very disappointed if our views were dismissed without further reference.

Recfishwest is looking forward to meeting with the committee on the matters raised in our submission.

Thank you for your consideration of our submission. Further information can be obtained from our office on 9246 3366.

Yours sincerely

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Recfishwest  
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Cc Jon Ford Minister for Fisheries  
Peter Rogers, Executive Director, Department of Fisheries  
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