

Wetline Review Panels
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**Recfishwest Submission to Fisheries Management Paper No 189
“Proposed Management Arrangements for the Gascoyne
Commercial ‘Wetline’ Fishery”**

Thank you for the opportunity to provide comment on the above review. We wish to commend the Department of Fisheries and the Minister for Fisheries for proceeding with the review of this fishery and the important but extremely belated intention to introduce commercial fisheries management for the wetlining activity.

Recfishwest has already made separate submissions to papers 190 and 191.

Recfishwest regards this review as an essential component of integrated management, especially for scale fish which are extremely important to the recreational fishing community but which have not been explicitly recognised through management reforms.

The fishes targeted by the wetline fishery are regarded as key species for recreational fishers as recognised by their inclusion in Category One – Highest Risk within the regional recreational fishing regulations. That is, they are generally long lived, slow growing, vulnerable to localised depletion and are highly targeted.

The area of this review also includes areas of great recreational interest and increasing conflict. Spatial management issues are likely to be extremely important to recreational fishers in this region.

Recfishwest believes that the controls proposed generally provide a sound basis for the development of integrated management strategies for Western Australia. We would like to commend the review committee for making a genuine attempt to address what are frequently long standing and controversial fisheries issues. We believe that largely it has proposed quality and workable solutions.

We will focus our comments largely on the specific recommendations of the paper.

Recommendations

1. Recfishwest supports recommendation 1a. However, Recfishwest has a number of concerns about the establishment of an inshore beach net fishery, especially the use of gill nets in areas of high interaction. We will raise our specific concerns in relation to the more specific recommendations later in the paper, but we would like our overall concern noted.
2. Recfishwest obviously supports recommendation 2a and believes that the recreational sector has an important role to play in ongoing management of the common property resource.

Recfishwest supports recommendation 2b but we have real and significant concerns about the recognition of, and take of, wetfish by boats which do not gain formal access to the fishery. We require considerable convincing that the effort required to manage these 'recreational' commercial participants will be available and strongly believe that these costs MUST be borne by the commercial fishing sector. The recommendations which allow for this activity (Recommendation 29 and 30) are to provide a soft landing for those who will not meet the entry criteria. While we understand this sentiment, the community should not have to subsidise the activity or lifestyle requirements of these fishers.

Recfishwest supports recommendation 2c, but notes that at least some of these fish will be used for export markets, where the price is highest and therefore the availability of fresh local fish is not the purpose of this fishery. Recfishwest fully supports value adding, although this alone has never resulted in a reduction of commercial take anywhere in the world.

Recommendation 2d is fully supported but the consequences of the proposed management, especially of the 'recreational' component does not appear to have been given explicit consideration. Allowing the take of small levels of catch up to the recreational possession limits will be extremely expensive. Recfishwest therefore proposes a wetfish management levy be placed on all entitlements operating in the Gascoyne zones.

3. Recfishwest supports this Recommendation but wishes our specific concerns to be given full and appropriate weighting

where raised.

4. Recfishwest supports this Recommendation but notes that conflict is likely to increase with the landing of large catches of wetfish within the Ningaloo Marine Park. The recent decision with respect to the restriction of boats over 6 metres in length is likely to greatly complicate the use of this northern area by commercial boats. Recfishwest also notes that the commercial and recreational 'Gascoyne' zones do not coincide which will make the IFM process much more difficult.
5. Recfishwest supports this Recommendation and believes that this management proposal should receive recognition by state and Commonwealth managers of the aquatic resource in this region. It should prohibit net as well as line fishing.
6. Recfishwest supports this Recommendation but has some concerns about the differential depth criteria. The outer access is largely based upon a recent discovery of gold band snapper stocks which have already been shown to be vulnerable to over-exploitation. Any encouragement of ongoing over-capitalisation or over-exploitation must not occur. The community and recreational fishing sector refuse to be made responsible for any management adjustments which may result from the disappearance of a sustainable fishery based on the outer-shelf area.
7. Recfishwest supports this recommendation, although we would have been more comfortable with there being no outer limit and allowing only those fishers with full access to work outside the 250m isobath. This would be more consistent with the precautionary approach and if, although unlikely, significant sustainable resources were found outside the 250m isobath, the developing fishery policy could be used for any controlled future expansion.

Instead, this recommendation will be seen by some as an invitation to over-capitalise and explore for what are likely to be either very limited or very vulnerable resources. Recfishwest strongly recommends that an investment warning be issued immediately to prevent the overcapitalisation for what is likely to be an unsustainable operation in deeper water.

8. Recfishwest is opposed to any simplification of the Developing New Fisheries Policy. Our Executive Director Frank Prokop has sat on this committee which has been fair and transparent in its deliberations. The requirements of the Developing New Fisheries Policy are not unreasonable and

the need for business planning and potential exit strategies is even more important when fishing remote areas such as outside the 250m isobath. The single greatest criticism by Recfishwest towards the existing process is the unfortunately typical response of an under-resourced Department of Fisheries which has failed to assess the proponents' ability to deliver on their commitments when making an application.

Recfishwest strongly opposes any moves to simplify what is already a very fair process. We would insist on full funding (through cost recovery or some other mechanism) to ensure that an adequate assessment of the ongoing performance of any new entrants is able to be assessed.

Indeed, at least some of the potential difficulties with the rapid fish down of goldband snapper could have been avoided if their entry had been subject to a Developing New Fisheries Policy.

9. Recfishwest supports this recommendation with several caveats.

Recfishwest supports the combination of the ITE and ITQ system. We will be monitoring the ongoing administration of this process to ensure that it is equitable and transparent.

Recfishwest believes that the process for reforms or modification must be open to appeal by groups like Recfishwest as an affected person. The IFM framework should address the majority of our concerns but it is important to make the point that the resource is a shared one and recreational fishers are critical stakeholders in wetfish management.

10. Recfishwest supports the need for a review but is extremely concerned about the extent to which the needs of the fishermen are over-valued relative to the needs of the resource as per Recommendation 23. Recfishwest believes that the process for reforms or modification must be transparent and open to appeal by groups like Recfishwest as an 'affected person'. The needs and input of the recreational sector must be recognised and accommodated.
11. Recfishwest strongly supports this key Recommendation.
12. Recfishwest supports this Recommendation but has some concern about the loose language. The text makes a clear case for the need for over-exploitation, effort creep or intense fishing to be taken into account with a future reduction in effort.

Recfishwest is however concerned that for minor commercial fisheries there has been little effort or priority given to determining increased efficiency factors such as this for many years, when the stock impact may have become excessive. There must be a commitment to monitoring this situation, especially as snapper stocks have become depleted through commercial fishing efforts in Shark Bay.

Recfishwest strongly supports the adoption of the least risk option in setting the TCC. We also recognise that the take of the charter and recreational sectors will need to be managed and believe that this is an important reason for Gascoyne wetfish management to be an extremely high priority for the IFM process.

Interestingly, the Panel has recommended a catch level be set which includes both pre and post 1997 catch information. This is the same proposition which Recfishwest put forward for deriving the available catch for Paper 190 (West Coast). We will welcome consistency in the Panel's deliberations.

13. Recfishwest is concerned about the establishment of a special zone and/or entitlement largely for a fishery based upon a species which has shown itself to be highly vulnerable to over-exploitation. Goldband snapper have been discovered, fished heavily and dramatically reduced in a very short period of time. Recfishwest would much prefer to see a clear recognition that either this mid-depth zone does not exist and is shared among appropriate operators or, all participants are clearly warned and carefully monitored to ensure that there is not a serial depletion of other species in the region. The government and community must not be responsible for any management adjustments which become necessary due to over-capitalisation or over-exploitation of goldband snapper and other stocks in this zone.
14. Recfishwest strongly supports this Recommendation and will be extremely disappointed if not adopted.
15. Recfishwest strongly supports this Recommendation.
16. Recfishwest supports the proposal for VMS to be fitted. We would like to see the failure of VMS to be working at any time while out of port to be a major provision of the management plan. Close monitoring of VMS activity will address some of our concerns about boats with limited entitlements, but our overall concerns remain.

It is not clear whether this proposal would also apply to

commercial boats taking ‘recreational’ quantities of fish (as per Recommendations 29-31). Recfishwest would support the fitting and activation of a VMS as a precondition for taking any wetfish from any commercial boat.

17. Recfishwest supports the thrust of Recommendation 17. We fully support the need for VMS monitoring in this area which could also be important if pioneering rights become an issue with future development.

The proposal regarding a prohibition on landing demersal species targeted in the Gascoyne demersal scalefish fishery is more complicated. These species are not detailed which makes it difficult to comment. The interactions between the inshore fishery and any new offshore fishery should be part of the considerations of the developing new fishery assessment. These determinations should be based upon biological and other considerations.

This Recommendation appears to pre-empt that process and suggests that it may be better to remove the 250m isobath line and manage the stocks and fishery in an holistic manner with existing participants.

18. Recfishwest strongly supports this Recommendation, noting that it must also apply to the mid-depth zone.
19. Recfishwest supports this Recommendation relating to the definition of handlines.

Recfishwest believes that the float size should be at least 300mm or at least two 200mm buoys should be used. A smaller float is significantly less visible and may result in boats entangling ropes which may be on the surface if deeper sets and large weights are used.

20. Recfishwest supports this limit on the number of handlines and droplines on board a boat. However, the application of this requirement on those people (opposed by us) taking ‘recreational’ catches under Recommendation 29 must also apply which would limit each and every commercial boat in the region to no more than 5 rods or handlines (only) to be on board a boat.
21. Recfishwest believes that 30 hooks are at least 10 too many. We consistently put to the review committee that a maximum of 20 hooks is sufficient.
22. Recfishwest strongly supports the prohibition of metal traces in this fishery to reduce the take of shark, several species of

which are grossly over-exploited according to the Department's own literature.

However, the need to address the capacity of the 'shark' fishermen to impact upon the commercial and recreational wetfish fisheries also needs a formal and equitable assessment process.

23. Recfishwest is incensed by this Recommendation and opposes it in the strongest possible terms. This proposal is biologically and morally wrong. It is also based upon flawed information.

The oceanic stocks of pink snapper are showing clear signs of overexploitation almost solely attributable to commercial fishing activities. When similar problems were indicated with the inner gulf snapper stocks, the recreational sector took definitive and responsible action to address the declines and recover the stock. The Department of Fisheries ensured that there was no impact on commercial fishing operations by allocating greater than the historical catches to commercial fishers in the western gulf area.

The recreational fishing community has undergone a revolution in its approaches to barotrauma and the survival of released fish. Recreational anglers have developed the 'Depth Release Device' specifically to decrease the mortality of line caught fish. It has made a significant difference in the survival of many species, in particular dhufish and breaksea cod.

In addition, Recfishwest and recreational fishers have worked very closely on the survival of released fish research project. Andrew Rowland is based within Recfishwest and is assisting with the analysis of data. Work done since the Gascoyne committee deliberated indicates that pink snapper which are handled with some degree of care can be free released (without a depth release device) with good recovery rates for fish caught in depths of up to 100 – 110 metres. Researcher Corey Wakefield recently tagged and free released two snapper taken on a charter boat in 182 metres of water and has had one of these fish recaptured.

The recreational sector is, rightly, being asked to improve its fish handling and the subsequent survival of each and every fish. This preposterous Recommendation which applies to an over-exploited fish stock is placing the existing fishing practices and needs of commercial fishers above the sustainability of the resource.

Recfishwest would be pleased to educate the commercial fishing sector on fish handling and release methodologies so that it does not continue with excessive incidental mortalities of the common property fish resource.

The commentary about recreational increases in exploitation is petty and excessively inflammatory. The Department's capacity to fairly and equitably manage the pink snapper stocks in Shark Bay is called into question with its different approaches between commercial impact (oceanic stock) and recreational impact (inner stocks). The situation is exacerbated by recent attempts to revoke exemption clauses for the few recreational fishers who access the oceanic stocks from Denham on cost effectiveness grounds. Given that the commercial management of all minor fisheries throughout Western Australia is highly subsidised by the community as it pays little towards its management, we find this a highly discriminatory proposition. Recfishwest sincerely hopes that the inconsistencies regarding management of recreational fishers is addressed through the Labor party policy initiatives and the IFM process.

Recfishwest cannot accept this Recommendation in its current form.

We *strongly* recommend that the unit values be manipulated to incorporate the total mortality from commercial fishing activities. If there is a 30% mortality of released snapper taken from 100 metres, then any boat which fishes there incurs a debit which incorporates this mortality. The inclusion of total mortality will also be included in recreational fisheries management as part of the IFM process.

This will encourage fishing in shallower waters and provide a de facto deeper water refuge for fish, which with the stocks under considerable pressure, can only be beneficial.

Alternatively, the nominal TCC must be adjusted downwards to include the incidental mortality of snapper taken from deeper water and regularly reviewed. The VMS system makes both of these options realistic.

We also believe that all commercial fishing boats (and charter boats) should have a line rigged with a depth release device on board their vessel and be required to use it. The details for this requirement will need to be worked out, but should also apply to charter boats and ultimately recreational fishers.

24. Recfishwest supports only allowing whole fish to be landed. We are extremely concerned about issuing processing at sea

licences as this gives an easy avenue to disguise marginally undersized fish such as snapper. Recfishwest has worked extremely hard to educate recreational fishers about the importance of good fish handling practices to increase the survival of released fish. We see no evidence of improved practices in the commercial fishing sector which fishes the same area and must take similar quantities of undersized fish. This may be because many of these fish are being processed at sea and once filleted, detection is impossible.

Recfishwest strongly believes that processing at sea entitlements must be subject to a transparent assessment process that allows input from groups like Recfishwest. The significantly increased compliance costs and capacity to avoid size limits must be addressed from an administrative and cost recovery perspective.

25. Recfishwest does not believe that there is any justification for the establishment of this fishery. A rapidly declining total catch (18 tonnes in 2002-2003) must be balanced against the interactional conflict and local depletion concerns at popular locations.

Many of the target species are extremely important to recreational fishers and will certainly become increasingly so over time. Mullet have almost no commercial value. This must be balanced against the significant and increasing conflict and local access issues.

Indeed, Recfishwest supported the FAS scheme for the metropolitan beach bait fishery due to changing local government regulations limiting access and increased conflict that made the operations more difficult.

To then institutionalise a similar fishery where these issues already exist or can be easily predicted, seems illogical.

Recfishwest would prefer to see the few participants (about 5-7) with a catch history of greater than 1 tonne offered an ex-gratia payment such as has been proposed for Geographe Bay crabs.

To propose more generous access criteria for this fishery is inconsistent with the goals for the fishery as proposed in Paper 134.

The use of gill nets is particularly inappropriate as fish such as tailor, flathead, dart and trevally are also taken which are important recreational fish. Boats and divers tangling with gill nets set for bait which is readily available through a

developed market, has been a problem in the past.

We would be prepared to negotiate the use of haul and beach seine nets, although the access issue is a major problem.

26. Recfishwest is opposed to the use of gill nets in this proposed inshore fishery. The development of appropriate gear for the taking of a community resource is a community issue and must be assessed objectively, transparently and consistent with all the objects of the *Fish Resources Management Act 1994*.
27. Recfishwest is strongly opposed to this recommendation which is totally at odds with the vision put forward in paper 134. This will ensure that the interaction conflict will escalate and ignores the community as legitimate stakeholders in the community resource. The metropolitan beach bait fishery provides a clear direction for the future of inshore commercial fisheries for low value species yet this has been ignored by this recommendation.

Recfishwest has repeatedly reiterated that the lifestyle requirements of a small number of commercial fishers has been over-valued relative to the overall lifestyle requirements of the wider community. At the very least, the significant management and compliance costs relative to the value of the fishery must be fully recovered from the beneficiaries of this generous proposal.

It is our view that the worst case scenario is for 5-7 participants using beach seine and haul netting. Even in this case, we can see a resolution in the short term that access and direct conflict will result in the need for a FAS process, the cost of which will be significantly increased with this recommendation.

28. Recommendation 28 lacks definition. Noting our concerns above which detail our concerns about the establishment of this fishery at all, the text must be modified to read "... specific effort constraints must be implemented should catch levels ever increase above historical levels. These levels must be formalised as 'trigger points' for future management."
29. **Recfishwest opposes this proposal.** While we understand the political need to provide a soft landing for those who will not gain formal access to this fishery, it should not come at the expense of the recreational sector.

Recfishwest supports the option of no take of scalefish by commercial operators without a wetfish managed fishery

licence. This principle applies to other commercial fishers with respect to the take of rock lobsters and should logically apply both ways.

Otherwise allowing the possession of two scalefish per boat (which is accepted with tuna by-catch by wetliners has a precedent) allows a couple of fish to be retained but is a much less preferred fall-back position. For boats that go to sea every day with one crew, this still allows a fish a day per person to be retained.

This proposal put forward by the committee does not create a level playing field. A 50 foot state of the art commercial rock lobster fishing boat out on the water every day, is being given the same access as a recreational fisher with a 16 foot runabout. In addition, the commercial boat receives a diesel rebate and primary producer's tax benefits which are denied to the recreational participant.

Recfishwest would appreciate formal advice as to how anyone other than a holder of a CFL can be on a commercial boat while it is engaged in commercial fishing operations and how many prosecutions there have been for this offence. We are particularly concerned that commercial boats will take many 'extra' crew to take their recreational bag limits, which is illegal as per the CFL requirement and is in direct competition with the regulated charter boat industry.

Recfishwest absolutely insists that any and all fish taken by a commercial fishing boat be debited to the commercial allocation. This amount can be estimated in the first year but an adjustment **MUST** be made to the allocation to dedicated wetline boats to accommodate this catch. After this period an explicit adjustment must be made from within the commercial allocation.

In addition, any and all costs associated with the compliance of this aspect of must be met by the beneficiaries of this overly generous management regime.

30. Recfishwest also believes that the recreational limits are too generous for commercial boats. Our fall-back position of a boat possession limit of two fish is already an accepted precedence for tuna and tuna-like species (as is the alternative of no retention at all as already exists with rock lobsters).

However, it must be noted that our clear preference is for no take of finfish by boats without a formal authorisation. We absolutely insist that any and all of these fish must be included in the wetfish allocation to the commercial fishing

sector. The same bag limits are not appropriate and are seen by most recreational fishers as akin to proposing the same local government rates for a Mosman Bay mansion and a humpy in the hills.

31. The possession limits are too generous especially for a boat with three or more persons on board. **Irrespective, Recfishwest unequivocally insists that any fish taken on a commercial vessel MUST be debited against the overall commercial allocation.**

Allowing a generous take by non-authorized boats will greatly impact on the establishment of a small profitable commercial wetfish fishery.

32. Therefore Recfishwest strongly supports Recommendation 32. However, we request that the first '*should*' in the text be changed to '*must*'.

It is essential that a valid census method is developed to accurately track the level of catch and its spatial and temporal distribution so that more precise management can be implemented. We are concerned that some commercial operators may intensively fish popular recreational fishing spots out of spite or petulance in a similar manner to some lobster fishers 'bombing' recreational spots to prevent them from taking any catch at all.

Again Recfishwest reiterates that any take of wetfish by a commercial operator, whether with an FBL or not, must come against the total commercial allocation.

33. Recfishwest is opposed to the Recommendation in its present form. We accept the principle proposed but cannot accept the passive nature of the wording of the proposal.

The inclusion of total mortality in all forms must be included in the initial allocation. Any catch taken by commercial boats without a wetline MFL can be estimated in the first year but an adjustment **MUST** be made to the initial allocation to dedicated wetline boats to accommodate this catch. After this period an explicit adjustment must be made from within the commercial allocation.

34. Recfishwest supports this Recommendation but does not accept catch returns as a sufficiently robust form of real time reporting from a compliance perspective.

35. Recfishwest has had longstanding concerns about the utility of the CAESS system for the longer term management

requirements for wetfish.

Recfishwest strongly supports a 3nm X 3nm block adjacent to the coast being established as there are significant issues associated with nearshore fishing effort by both commercial and recreational fishers.

36. Recfishwest strongly supports the validation of catch returns from commercial fishers, with compliance responses where necessary. **The non-commercial catch, if any, must also be monitored but the costs for this need to be met by participants.**

Recfishwest has been working very closely with the Department of Fisheries to ensure that robust and timely recreational catch data is also obtained. This should provide a solid basis for future management of wetfish under the IFM process.

37. Recfishwest supports all fish being landed whole as part of the non-commercial take. We support the removal of pectoral fins of these fish.

We note the recommendation for further consultation with the recreational sector which has not occurred. Indeed, Recfishwest is sensitive on this point as commercial fishers have generally opposed recommendations for fisheries reform, including those with a strong conservation or biological basis derived through the regional recreational reviews.

Recfishwest would like to recommend that all commercial boats taking 'non-commercial' take be required to have a line rigged with a depth release device accessible. The results of survival with this device clearly indicate its benefits for the survival of high value species and to date the uptake of this technology by the commercial industry has been disappointing.

The mortality associated with all by-catch associated with the take of finfish must be included in the overall commercial allocation. We expect this to be an outcome of the IFM process and should also apply to the recreational sector.

38. Recfishwest supports this recommendation and has supported this principle for at least 7 years. Recfishwest would like to see the addition of marron and south-west freshwater fishing which has no direct commercial-recreational interaction. The possibility of allowing a netting licence for throw nets only could also be considered. The final 'should' in the text needs

to be changed to ‘*must*’.

However, the legislation must be worded in such a way that any future general recreational fishing licence can be included or managed with respect to commercial take. We would not like to see any boat with any capacity to take wetfish able to take the full recreational entitlements through a recreational licence.

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

The mechanism and basis for an annual adjustment must be subject to a transparent process. Any indication of a rapid ‘ramp-up’ of catch and/or effort (including by the shark fishery) would need to be addressed quickly through agreed management responses developed through the IFM process.

While we expect this process to be prescribed as part of the IFM process, we would not like to see a commercially friendly review process pre-empt the IFM recommendations. We strongly argue that there must be recreational representation on the review committee, along with research, management and commercial fishing interests to ensure that equitable and transparent outcomes result.

Conclusion

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

The CAP noted that this is largely in relation to a personal perspective. Recfishwest has presented its views on a sectoral basis, representing 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 would like to meet with the committee on the matters raised in our submission.

Recfishwest has repeatedly sought clarification as to the process to assess and modify the recommendations from this committee and requires urgent and clear direction as to who will assess our submission, who will make recommendations for changes and how will further consultation be undertaken.

Thank you for your consideration of our submission. Further information can be obtained from our office on 9387 7864.

Yours sincerely

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Recfishwest
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Cc Jon Ford Minister for Fisheries
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