

RECFISHWEST DRAFT SUBMISSION

Camden Sound Marine Park Indicative Management Plan, 14 January 2011.

Department of Environment and Conservation
Marine Policy and Planning Branch

Submission from Recfishwest on the Proposed Camden Sound Marine Park Indicative Management Plan



Introduction

Recfishwest is the peak body representing the interests of over 600,000 recreational fishers in Western Australia. We are formally recognised and funded by the Government to perform that role which includes undertaking extensive consultation with the recreational fishing community on issues relating to marine and freshwater ecosystem management.

The aquatic habitat in which fishing is carried out and access to those areas are particularly important to Recfishwest and we place the highest priority on preserving the future of recreational fishing and the resources on which it depends. Recfishwest has developed this submission after considering the values and future management challenges of recreational fishing in the Kimberley region.

Recfishwest strongly supports appropriate management of marine areas in order to provide adequate protection of biodiversity and marine ecosystems. Recfishwest believes this management should also provide for sustainability of any resource use and equitable sharing of such resources. Recfishwest recognises that a marine park is a resource for the entire community. However, Recfishwest believes that an effective strategic state-wide approach to marine planning is sadly lacking in Western Australia and is in need of urgent review.

Part 1 – General Comments

Marine Conservation in Western Australia

In July 1999, the Australian government released a paper entitled “*Strategic Plan of Action for the National Representative System of Marine Protected Areas*”. This document sets out actions to achieve the goals of the *National Representative System of Marine Protected Areas* (NRSMPA), which outlines a framework for the implementation of marine protected areas throughout Australia. The Department of Environment and Conservation (DEC) is a member of the Australian and New Zealand Environment and Conservation Council (ANZECC) which developed this strategic plan for action and the associated guidelines for establishing the NRSMPA.

Under the auspice of the ANZECC process, Australia has agreed to general principles that should be followed when marine parks are established. During the planning process for the proposed Camden Sound Marine Park most of the guidelines set out in the national strategic plan have been disregarded.

Further, the classification of areas of the marine park for specific management outcomes does not appear to have acknowledged or accepted the guiding principles of the International Union for the Conservation of Nature (IUCN) zoning classifications.

If we are to remain credible with the international community, and meet our various international and national marine biodiversity agreements and management objectives, we should develop our marine park network following agreed ANZECC and IUCN methodology and using appropriate nomenclature for specific zonings.

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Recreational anglers are not opposed to the creation of marine parks. In fact history would show that conservation minded anglers have advocated for improved management and protection of marine biodiversity. Establishing marine parks has the potential to conserve Australia's rich marine biodiversity and ensure a more sustainable future for recreational anglers, and the regional economies that depend on recreational fishing. For this reason, the recreational fishing sector can contribute positively to the marine park planning process.

Recfishwest is particularly dissatisfied at the public consultation process surrounding the proposed Camden Sound Marine Park. Recreational fishers are one of the key stakeholder groups associated with this area, yet the recreational fishing sectors' first opportunity to formally comment on marine park plans is when planning is complete and a draft management plan released.

Section 4.3 of the ANZECC national strategic plan for action outlines stakeholder engagement in the marine planning process, states:

"The early involvement and active participation of direct and indirect users of the marine environment is crucial to the successful development, implementation and management of MPA's".

This has clearly been ignored in regard to Camden Sound.

Recfishwest sees a need to establish and manage a comprehensive, adequate and representative system of marine protected areas to contribute to the long term viability of marine and estuarine environment of the Kimberley region. We remind the DEC, however, that one of the key goals in establishing such a network is *"To provide for the recreational, aesthetic and cultural needs of indigenous and non indigenous people"*. We believe that this goal can be easily achieved at the same time as meeting the goals related to protecting areas of high conservation value. For this to happen, however, the current process of marine planning in this state will have to dramatically change.

In the case of the proposed Camden Sound Marine Park, Recfishwest would have favoured that the DEC had first established the outer boundaries of the park. This could have been publicised with the establishment of the Special Purpose Zone (Whale Conservation – IUCN Category IV) and the statement that other zoning would be determined over next few years following extensive research and consultation.

A process such as this would, in the short-term;

- 1) see the government establish a new marine park;
- 2) offer immediate whale nursery area protection (although this is likely a perception only), and
- 3) engender and develop the support of the wider community.

More importantly this process would deliver a highly regarded marine park based on defined, and thus measurable, management objectives and produce a framework that legitimately promotes the conservation of marine biodiversity and the maintenance of ecological processes.

In contrast, there seems to be no justification on the basis of threat, scientific or otherwise, for the proposed zoning of the areas within the proposed Camden Sound Marine Park. The recreational fishing sector is concerned that no-take areas are being created within marine parks even when there is little or no evidence that recreational fishing in those areas is having an adverse effect on the marine environment.

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Recfishwest believes that proposed areas within the Camden Sound Marine Park have been designated solely as window dressing to meet extreme conservation objectives which are not based upon identified and accepted research. For the sake of effective marine management, Recfishwest requests that the threats of recreational fishing are identified so that the most appropriate strategies can be used to manage those threats.

Recfishwest is concerned that whale-related issues within the Camden Sound area are being used to run an ongoing 'lock-out' strategy. Recfishwest supports no-take areas (IUCN category 1a) where evidence can be supplied and quantified that recreational fishing is having an adverse impact on biodiversity values or sustainability. Indeed recreational fishers have historically been the main drivers of no-fishing areas to protect fish stocks from over-exploitation where clear management objectives can be identified and met. No such evidence has been put forward in the case of Camden Sound, especially in regards to recreational anglers' impacts on whale breeding. Recfishwest suggests assessing all proposed activities against their potential impact on whales and other marine life and alter fisheries management if risks are identified.

Conservation Goals and Knowledge gaps

Recreational fishers recognise the difficult challenge faced when seeking to achieve a balance between biodiversity conservation and access to marine resources. This is particularly relevant given the current uncertainty that surrounds not only the extent of biodiversity in Kimberley region, but also the nature and extent of the impact that recreational fishing is having on that biodiversity. Recfishwest believes that the recreational fishers who regularly visit this region can offer a wealth of information to identify important and unique marine environments and aid in effective management and protection.

Recfishwest is concerned that the management objectives set out in the Camden Sound Indicative Management Plan are far too broad when applied to species other than humpback whales. No-take zones are being proposed without sound objectives on which to measure their effectiveness in the long term.

In 2010, a group of leading Australian scientists published a paper entitled the "*Report on the scientific basis for and the role of marine sanctuaries in marine planning*" (Woodley et al. 2008). One of the strong views expressed within the report is that:

"...marine sanctuaries, together with other fisheries management tools, may help achieve broad fisheries and biodiversity objectives, but their use requires careful planning and evaluation. To minimise the loss of yield to fisheries and to achieve the desired conservation benefits, sanctuaries need to be evaluated in the context of:

- 1. clear biodiversity, ecosystem and fisheries objectives;*
- 2. the social and institutional ability to maintain and enforce the closures,*
- 3. existing fisheries management actions that marine sanctuaries could complement under certain conditions, and*
- 4. the ability to monitor and evaluate success.*

The effectiveness of any particular Marine Protected Area can only be assessed if the objectives of the zone are clear. Clear conservation objectives and associated management targets can only be established with a sound comprehension and understanding of the ecological systems and biodiversity values within the region.

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Recfishwest would support a more comprehensive process to allow for the undertaking of research and the collection of information needed to make informed decision regarding zoning within the marine park.

We believe that an unacceptably low level of understanding currently exist relevant to biological, social and economic values of the proposed area. Important decisions such as establishing specific zoning should not be made at this time.

Recfishwest is concerned that, without clear objectives, monitoring for the evaluation of zoning effectiveness, will prove pointless, as there are no clear management targets against which to measure performance. Protected areas need appropriate resources from the management authority and can be very expensive to maintain especially if they lack community support. It would appear to be economically negligent to be funding the future management of marine protection areas with ambiguous management aims and strategies.

Most importantly Recfishwest believes that any marine park zoning which involves removing or limiting fishing activity is the legislative responsibility of the Minister for Fisheries and that any such closures should be driven via the Department of Fisheries where the State's fisheries management responsibility and scientific knowledge base rightfully resides.

Wilderness Conservation Areas

Recfishwest welcomes the introduction of the wilderness fishing concept into the Proposed Camden Sound Marine Park. Recfishwest views Wilderness Conservation Areas (IUCN Category 1b) as an important management tool in the suite of marine conservation measures employed within the proposed Camden Sound Marine Park. Wilderness Conservation Areas focus on the preservation of the areas' natural condition and biodiversity values, while allowing for a low level of recreational fishing. Attached to this submission is Recfishwest's recently finalised Wilderness Conservation Areas policy.

We strongly believe that this form of Marine Protected Area offers a very high level of protection to marine and estuarine environments given the low level of recreational fishing throughout the Kimberley. We do not see this type of zoning as a replacement for IUCN Strict Nature Reserve Category 1a (sanctuary zones). Application of the larger areas of Wilderness Conservation Areas should be complementary to smaller Nature Reserve Category (sanctuary zones) and allows managers to meet strict conservation objectives using IUCN 1b classification at the same time as protecting wilderness, indigenous and social amenity values.

Part 2 - Specific comments in relation to the "Have your say" template.

3. Management objectives

The management objectives for the proposed marine park are:

- *to ensure the marine park has appropriate legal, administrative, financial and human resource frameworks in place so that appropriate management can be applied within a collaborative setting*
- *to provide world-class commercial and recreational opportunities for users and visitors to the marine park while conserving marine biodiversity with a particular emphasis on the protection of humpback whale mothers and calves*
- *to foster a high level of community understanding and appreciation of the marine park's values, as well as support for management*
- *to have meaningful community participation in the management of the marine park*
- *to have a high level of compliance for management arrangements specified for the marine park*

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- *to implement a collaborative and cost effective research program to improve knowledge and understanding of humpback whales, other important biodiversity values and human use in the marine park*
- *to implement a collaborative and cost effective marine monitoring program to provide for adaptive management and to inform assessment of management effectiveness within the marine park*

Overall, do you support the management objectives for the marine park?

Recfishwest is broadly supportive of the management objectives detailed above. However, many of these are not directly related to the conservation of marine biodiversity and the maintenance of ecological processes.

Recfishwest considers it is increasingly important that, as more and more reserves are assessed for implementation, they are fully supported by financial resources for their future management. We would be very concerned if existing relevant programs are compromised by redirection of funds to support this new marine park without sufficient servicing or monitoring of existing reserves. We consider this to be particularly the case where there are compliance activities deemed to be the responsibility of the Department of Fisheries. Recfishwest is keen to point out that voluntary (at no cost to Government) recreational compliance levels are very high where the recreational fishing community supports the stated objectives of the zonings or closures. This is evident from Department of Fisheries records in relation to Cockburn Sound and Shark Bay snapper closures and the recently introduced West Coast demersal fishery closed season.

Recfishwest finds the dot point regarding *“meaningful community participation in the management of the marine park”* as one of the most important objectives of marine management. However, so far little community participation has occurred before the release of the draft Management Plan.

4. Zoning

An overview of the proposed marine park zoning is provided in sections 7 and 8 of the indicative management plan. Please refer to Figure 6 and Table 6 and indicate if there are any changes you would like to see made to zones or permitted uses and why you think such changes are necessary, being specific in your comments.

Do you support this zone? Yes, No, No opinion.

Hall Point General Use Zone

No. It is unclear from the Indicative Management Plan what this zone is to achieve. The IMP states that this zone *“provides for biodiversity conservation”* yet still allows for mining exploration licences.

Western Shoals General Use Zone

No Opinion.

St George General Use Zone

No, we do not support this zoning. The IMP states that the St George basin is one of the most ecologically significant estuarine environments in the Kimberley. Recfishwest believes that this area provide significant nursery habitat for many important species of pelagic and demersal fish. Recfishwest believes that the western portion of the basin, including the Prince Regent River, should be zoned as a *“Wilderness Conservation Area (IUCN Category 1b)”*. This zoning would protect these important nursery habitats whilst still allow low impact recreational activities. This area also lies adjacent to the Prince Regent

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Nature Reserve and a high level of protection would allow for a more complete integration of conservation management near shore and coastline areas.

Montgomery Reef Sanctuary Zone

No. There has been no clear evidence provided for the classification of this area under the broad sanctuary zone classification although we would prefer that this area is included in the encompassing special purpose zone (wilderness fishing). However, Recfishwest recognises that this zone is subject to the outcomes of native title determination including the possible clarification of complex land tenure issues relating to the high and low water marks, thus the development of boundaries and zoning will occur in due course.

Champagny Sanctuary Zone

No, we question the values that this zone protects. There has been no clear evidence provided for the classification of this area under the broad sanctuary zone although we would be prepared to accept this area being designated, once supporting evidence is provided, as a scientific reference zone under IUCN Strict Nature Reserve Category 1a. Recfishwest would like to see that random anchoring is not permitted in this area and that an adequate mooring system is installed for commercial operators and recreational boats to minimise impact to reef systems.

Camden Sound Special Purpose Zone (whale conservation IUCN Category IV)

Yes, but with reservations about the effectiveness of such a classification.

Montgomery Reef Special Purpose Zone (wilderness fishing)

Yes, Recfishwest supports this zone and would support Wilderness Conservation Areas within the Camden Sound marine park (as noted above).

Kuri Bay Special Purpose Zone (pearling)

No Opinion.

Pyrene Special Purpose Zone (pearling)

No Opinion.

5. Management Actions

Section 9 of the indicative management plan contains the proposed management actions to be implemented during the life of the management plan to ensure objectives and management targets are met. Please indicate any changes or additions you would like to see made to the management actions across the seven marine park management programs and why you believe such changes or additions are necessary, being specific in your comments.

Do you support the management actions proposed under this program? Yes, No, No Opinion

Management frameworks

No, not unless the community and Recfishwest can be assured that a review of the adequacy of the management arrangements in the proposed marine park will focus on zoning other than just the Special Purpose Zone (Whale Conservation). We would expect that some form of appraisal of the adequacy of all zones is provided during for the five year review.

Visitor Services and user infrastructure

Yes

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Education and interpretation

Yes. Recfishwest recognises and respects the spiritual and social importance's the Kimberley region represents to traditional owners. With guidance from the indigenous community, education and interpretation materials should acknowledge this history, particularly culturally significant aboriginal heritage areas within the Marine Park.

Community participation

Yes, Recfishwest strongly supports the idea of a community-based advisory committee that will promote ownership and stewardship of a resource within the community.

Patrol and Enforcement

Yes, however, Recfishwest is concerned with management action number 2. Recfishwest believes too much emphasis is placed on managing compliance of the Wildlife Conservation (closed season for humpback cows and calves) Notice within the Special Purpose Zone (Whale Conservation). There is no management action detailing the management of compliance in other areas of the Marine Park, such as illegal fishing in Sanctuary Zones.

Research

The management actions detailed under the research objective highlight how little is known about the area encompassed by the marine park and call into question the justification zone designations within it.

Again Recfishwest is concerned with the emphasis on whale research. Whales are a highly migratory, highly protected species. Recfishwest believes that more emphasis should be placed on resident population of marine fauna, particularly those which are of high value to indigenous and non-indigenous people, such as invertebrates, fish, dugong and turtles.

Monitoring

Yes, however monitoring programs to assess management effectiveness in relation to management target require key performance indicators to be developed. This will be a very difficult and expensive task given the limited knowledge which exists for much of the area in question.

6. Wildlife Conservation (closed season for humpback cows and calves) Notice.

Do you think the proposed provisions of the notice are appropriate for whale conservation in the proposed marine park?

Yes

7. Performance measures and management targets

Do you have any comments or suggestions on any of the performance measures or management targets?

This section of the IMP should provide all the information which underpins the conservation goals and objectives of this Marine Park.

The management targets set out in Table 7 are completely indistinct, provide no direction and demonstrate the farcical nature of marine planning in this region. Lack of baseline information pertaining to species diversity and abundance will make it impossible to set key performance indicators in the short to medium term. Indeed this paucity of scientific information on the area of the marine park should encourage the cautious introduction of restrictive zonings unless they can have broad support from all stakeholders.

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The management targets detailed in the Draft Management Plan are so broad that the evaluation of management effectiveness will be impossible. In many cases the Management Targets do not make any sense. For instance, the term “maintained at 2010 levels” has no meaning in a location where so much remains undiscovered. For example, how does the DEC intend to maintain whale diversity at 2010 levels if a whale species that has not been recorded from the area is discovered in 2015? Furthermore, it does not allow for any natural increase or decrease in the performance measure.

Recfishwest is keen to see the more detailed and specific measures of performance which has been promised before the finalisation of the plan.

8. Overall comment on the indicative management plan

The aim of a marine park is to provide for that level of recreational and commercial activity which is consistent with the proper conservation and restoration of the natural environment, the protection of indigenous flora and fauna and the preservation of any feature of archaeological historic or scientific interest.

Overall, what sort of balance between conservation and use do you think the indicative management plan achieves?

- *Significantly more emphasis on conservation is required*
- *More emphasis on conservation is required*
- *Good balance achieved*
- ***More emphasis on use and access is required***
- *Significantly more emphasis on use and access is required*

This question appears based on assumption that use and conservation are unable to coexist, which is invalid. Recfishwest have made our opinion about the current planning process clear. However, in terms of balance between areas open for use and those close to recreational fishing, Recfishwest believes the balance needs to be improved in line with our comments. On the question of access vs conservation, we believe that greater emphasis can be placed on conservation but only through a more considered approach to planning (such as Wilderness Conservation Areas) and a better understanding of what the community is endeavouring to protect.

Conclusion

Recfishwest believes Marine Parks can play an important role in conservation of marine ecosystems, but the development of management strategies must happen within an agreed framework that has equitable representation from all stakeholder groups. The marine park planning process also needs to recognise the frameworks already in place for the management of sustainable fisheries. Any controls developed in marine parks need to be complimentary rather than seeking to replace existing management.

Recfishwest believes a more integrated approach to marine planning that encompasses all relevant Government agencies is urgently required. More specifically, the legislative responsibilities of the DEC and the Department of Fisheries must be recognised. These agencies must work more closely together so that the most appropriate combination of management tools available to Government are used to ensure the sustainable use of natural resources throughout the whole Kimberley, while maintaining its ecological and biodiversity values. This will ensure the planning process is credible with outcomes that have understanding and acceptance among all stakeholders.