

2 February 2007

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HEALTHY CATCHMENTS  
HEALTHY OCEANS

Dear Matthew

**Submission re: Draft Bycatch Action Plan for the Southern and Eastern Scalefish and Shark Fishery**

This letter sets out the comments of OceanWatch Australia Ltd (OWA) in relation to the *Draft Bycatch Action Plan (BAP) for the Southern and Eastern Scalefish and Shark Fishery (SESSF)*. OceanWatch Australia is a national environmental, not-for-profit company that works to achieve sustainability in the Australian seafood industry through protecting and enhancing fish habitats, improving water quality and advancing the sustainability of fisheries through action based partnerships with the Australian seafood industry, government, natural resource managers, private enterprise and the community.

***Complexities in the SESSF***

The SESSF BAP aims to achieve sustainable environmental outcomes for a number of fisheries managed by the Commonwealth of Australia. The primary objective of the SESSF BAP is “ensuring the impacts of the fishery’s bycatch on the ecosystem are sustainable and consistent with legislative requirements”. OWA recognises that the SESSF BAP presents a holistic ecosystem based approach towards sustainable fisheries management that tackles a number of broad issues in regards to bycatch. Although we appreciate the difficulties associated with undertaking such an approach, OWA does not have confidence that this high level and holistic approach in the SESSF for bycatch reduction will adequately half bycatch within the timeframes imposed by AFMA, given the variations between different fisheries, and in the operation of such a large number of stakeholders. Some of our concerns with respect to the approach proposed by the BAP stem from the complexities associated with the SESSF, including:

- variations in target and non-target species;
- species habitats:
  - o temperate vs. tropical water;



- o bottom/substrate type;
- fishing methods employed;
- state by state legislation variation with commonwealth; and
- The apparent paucity of data and understanding of bycatch within the fishery.

Furthermore, the BAP only identifies and addresses four out of ten sectors that exist in this fishery with the Shark Hook, East Coast Deepwater Trawl, South Australian Coastal Waters, Tasmanian Coastal Waters, Victorian Coastal Waters and Tasmanian Rock Lobster sectors excluded. This is of considerable concern as the above listed sectors are likely to be overlooked in the SESSF BAP in terms of the fishing methods they employ and the bycatch issues that may be experienced in these fisheries. It is understandable that AFMA would want to simplify things as much as possible, however in this case we believe it is too simplistic.

OWA believes that the inherent complexity of the SESSF BAP is an underlying flaw. The SESSF BAP would benefit by being broken down into individual sectors. This would ensure that implementation of bycatch reduction actions throughout the fishery would be much more effective. This also would be in line with the measures, as outlined by AFMA Management in regards to the ministerial direction from February 2006, which is stated in the SESSF BAP as '*managing regionalised stocks*'. From this, priority actions could then be determined across all fisheries within SESSF and limited resources allocated accordingly.

***Fast-tracking action to address bycatch and engaging with SeaNet***

The BAP provides overarching strategic direction for the management of bycatch in the SESSF (by AFMA), however lacks sufficient critical detail regarding the necessary action to resolve many of the issues listed in the BAP. The majority of actions identified relate to data gathering or analysis and management actions that are not specific. With the deadlines for halving bycatch and having zero discards fast approaching, AFMA needs a streamlined approach to reduce bycatch. To this end, we propose that the precautionary principle be adopted, and with the limited information available, activities are fast-tracked to work with key fishers and researchers to find solutions to the bycatch and discard problems in each fishery. Greater resources will need to be allocated to the SESSF to ensure that this can occur at the same time as the data gathering and analysis, which obviously must continue.

In addition, it is very disappointing to see no mention of AFMA utilising our NHT funded SeaNet project. Here is a resource readily available to assist AFMA in the difficult tasks at hand. Given AFMA is a member of the Steering Committee for this project and has indicated that implementing the discard and bycatch policies is a priority for SeaNet to pick up, it is difficult for us to do this if AFMA internally do not see SeaNet as a part of the solution. Recent discussions with the Directors of Fisheries Management however, have indicated that AFMA will be looking to work more closely with OWA in the coming year to assist in this regard. We suggest that the BAP be updated to reflect this.

### ***Provision of results from Ecological Risk Assessments***

The Ecological Risk Assessment (ERA) process should be completed for each sector involved in the fishery to gain a full understanding of the ecological impacts and the sustainability of the species that each sector has interactions with. However, it is unclear in the SESSF BAP if the ERA is being completed for each sector or the whole fishery. Clarification is needed in regard to this issue.

The SESSF BAP refers to the ERA on a number of occasions and states that *'an explicit action of this Bycatch Action Plan will be to develop and implement management measures to respond to the outcomes of the ERA'*. It is also stated in the SESSF BAP that Phase II of the ERA was completed in September 2006, however this document is yet to be released to stakeholders. OWA fails to understand how stakeholders can realistically have adequate input into the management and direction of this fishery with respect to reducing bycatch and discards without having access to such a critical document. This document should have been made available to review as part of BAP public consultation process.

### ***Observer programs and extension of logbooks regarding TEPs***

The SESSF BAP states that *'overall, the lack of verifiable information on Threatened and Endangered Protected species (TEPs) remains a key issue in the SESSF'*. This raises concerns about the effectiveness of observer programs and also logbooks. OWA recognises that this is an issue in regards to professional fishing and is committed to assisting resolve this issues where possible through the delivery of our SeaNet project. In addition, we support greater resources being allocated by AFMA to obtain the necessary information in relation to TEP bycatch so as to determine an appropriate response that is practical and reflects a cost that is justifiable to industry. This lack of information however, is not an excuse for inaction. There are a lot of activities that can be undertaken now to reduce the bycatch of TEPs and other species. AFMA should engage with OWA further to determine how we can assist through our SeaNet project to address some of the bycatch issues.

The logbooks for the Commonwealth Trawl Sector (CTS) were redesigned in 2002 to include Threatened, Endangered and Protected (TEP) interactions, non-quota species and gear modifications. However, there is no evidence in the SESSF BAP that there has been any extension or education provided to fishers, or a review post the 2002 alterations. OWA believes that if these services had been provided to fishers, logbook data may be much more effective in assessing the fisheries. OWA recognises that trials of e-logbooks have taken place, however there is no evidence of the effectiveness or efficiency of the trials in the BAP. Potential problems associated with the ineffectiveness/practicality of logbooks for data collection could be overcome with targeted education and training for fishers. We would be supportive of AFMA continuing to work closely with fishers to refine these processes.

The SESSF BAP appears to have a bias towards interactions with TEP species. OWA realises that this is a critical issue, but, in light of AFMA's discard and bycatch policies it must be recognised that this issue is one of many in regards to bycatch. The discards from some sectors of this fishery, in particular the South East Trawl can not be overshadowed and resources should be allocated towards addressing issues like this. It would be interesting to holistically quantify the ecosystem impacts from the level of discarding versus the impacts on TEPs in this fishery as the priority may shift as a result.

### ***Inclusion of outstanding actions from existing BAPS***

OWA recognises that there has been a number of actions achieved since the introduction of the South East Trawl Fishery (SETF), Great Australian Bight Trawl Fishery (GABTF), and Gillnet Hook and Trap Fishery (GHATF) BAP's in 2001. However, the SESSF BAP indicates that there have been many issues that have not been acted upon. These need to be addressed in the current SESSF BAP – it is unclear where these have been included.

In addition, it seems that there has been little to no extension and education provided to fishers in regards to the original BAP's for the SETF, GABTF and GHATF. This is critical for the forward planning and implementation of actions as outlined in the SESSF BAP and should be made a priority.

### **Conclusion**

OWA appreciates that the SESSF BAP is an overarching document that outlines the strategic direction and outcomes to be achieved by the BAP, however little detail has been provided to show how the objectives of the BAP will be achieved. The BAP should be modified to contain more specific actions against priorities from all sectors within the SESSF, incorporate the comments provided above and include the following additional suggestions as actions for achieving the objectives set for bycatch reduction in this fishery:

- Education and extension provided to fishers to clearly define:
  - o Logbook changes
  - o TEP interactions
  - o Management changes
  - o Quota allocation
  - o Discarding of quota and non-quota species
  - o Mitigation methods
- Workshops for fishers, managers, researchers etc., to gain ideas on innovation and trialling of new gear designs. (Similar to that of the one recently held in Cairns in relation to the Northern Prawn Fishery).

- Greater utilisation of our SeaNet project as a part of the solution to streamlining a reduction in bycatch and discards through trialing of potential solutions, in conjunction with researchers and fishers.

Given the scale and size of the SESSF and the level of bycatch and discard issues it has within each sector, the impact of inaction or a lack of appropriate actions within this fishery will continue to result in overfished species and great ecosystem impacts. We believe that AFMA will be able to better address bycatch and discard issues within the SESSF through the consideration and inclusion of our comments and suggested actions above. We are keen to work with AFMA to deliver tangible on ground effective actions from this BAP.

Please do not hesitate to contact me on (02) 9660 2262 should you require further information.

Yours sincerely

A handwritten signature in black ink, appearing to be 'AL', followed by a long horizontal line extending to the right.

**Anissa Lawrence**  
**Chief Executive Officer**  
OceanWatch Australia Ltd