

# WEST COAST ROCK LOBSTER

NEWSLETTER – OCTOBER 2009



Welcome to the October edition of the Department of Fisheries' Rock Lobster Newsletter. This publication aims to provide industry with the latest information on major issues relating to management of the West Coast Rock Lobster Managed Fishery.

It is electronically mailed to Professional Fishermen's Associations, the Western Rock Lobster Council (WRLC), rock lobster processors (where e-mail address is known) and the Rock Lobster Industry Advisory Committee (RLIAC) each month. It is also available on the Department of Fisheries' website at <http://www.fish.wa.gov.au>. The Department of Fisheries encourages its widest possible distribution.

If you have received this publication by e-mail please do not respond directly to this address, as the "enquiries@fish.wa.gov.au" inbox is not monitored.

## Current Puerulus Settlement

The puerulus settlement index is published on the Department of Fisheries' website, and is updated approximately 10 days after the full moon each month.

The latest puerulus settlement information is available at:

<http://www.fish.wa.gov.au/docs/pub/PuerulusSettlement/index.php?0405>

Puerulus settlement levels for the September new moon period were sampled around the 4 October full moon. Settlement at all sites within the fishery was greater than that recorded for the same month last year (2008/09) and similar to that recorded in 2007/08 (which was the second lowest on record). September to November is the key settlement period so results over the coming months will allow projections of the total settlement for this season with some accuracy. Current trends suggest this year's settlement will be similar to 2007/08 which was low compared to the long term average but an improvement on last season's (2008/09) record low settlement.

## 2009 – 10 Management Arrangements

On 24 September, the Minister announced the management arrangements that will apply during the 2009-10 season.

The Minister's media statement on this issue, along with a research presentation and summary document released with the media statement, are available at:

<http://www.mediastatements.wa.gov.au/Pages/WACabinetMinistersSearch.aspx?ItemId=132527&minister=More&admin=Barnett>

Letters outlining the elements of the management package and the rationale underpinning it were sent to all West Coast Rock Lobster Managed Fishery Licence holders on 25 September.

In finalising his decisions, the Minister took into account information from the Rock Lobster Industry Advisory Committee (RLIAC), the Western Rock Lobster Council (WRLC), the Western Rock Lobster Congress, the Department of Fisheries and individual industry members. The decisions were based on a total catch target of 5,500 tonnes (with lower and upper limits of 4,950 tonnes and 6,050 tonnes respectively), to achieve both biological and economic objectives. Specific targets and limits will apply for each zone for the first and second halves of the coming season.

In summary, the new management measures are:

### Applicable to all Zones

- 77 mm legal minimum carapace length all season.
- 55 mm escape gap.
- No soaking period - fishers will be able to load pots onto their boats 7 days prior to the start of the season, but not soak them (N.B. this does not apply to the Abrolhos Islands where pots will still be permitted to be soaked in designated areas ahead of the season).

### A Zone

- Fishing will be prohibited on Friday, Saturday and Sunday throughout the entire season.
- The unit value will be set at **0.36 pots per unit**.

### B Zone

- Fishing will be prohibited on Friday, Saturday and Sunday each week from 1 December until 14 January and from 15 March until 14 April.
- Fishing will be prohibited on Saturday and Sunday at all other times during the season.
- The unit value will be **0.4 pots per unit**.
- Big Bank to remain closed this season, with the boundary currently under consideration.

### C Zone

- Fishing will be prohibited on Friday, Saturday and Sunday each week from 15 December until 14 January and from 15 March until 14 April.
- Fishing will be prohibited on Saturday and Sunday at all other times during the season.
- The unit value will be **0.44 pots per unit**.
- 105 mm legal maximum carapace length for female.



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Fish for the future

## 55 mm Escape Gaps

The Department of Fisheries has received enquiries from a number of fishers regarding the introduction of 55 mm escape gaps, and is also aware of speculation that the change may not be implemented this season. The change to the escape gap size was put forward as part of RLIAC's preliminary management recommendations in July and there is no indication that the Minister's decision is likely to change. In any event, many fishers have already adjusted their pots in preparation for the coming season.

The Department has been contacted by some fishers about the impact of escape gap modifications. These concerns have been raised primarily by users of beehive pots, and to a lesser extent those using batten pots with pressed stainless steel gaps which might be rendered inoperative by modification.

The *Fish Resources Management Act 1994* (FRMA) provides for the Minister to grant exemptions to management arrangements where extenuating circumstances exist. These circumstances may extend to management arrangements that have the effect of rendering a pot inoperative, subject to the Minister's discretion.

Each application for an exemption is subject to the prescribed fee of \$2,200 that is payable regardless of whether the application is approved. Individual fishers may seek to defray the cost of this fee by lodging a joint application or requesting that the Chief Executive Officer (CEO) of the Department reduce, refund or waive the fee under the *Fish Resources Management Regulations 1995* (FRMR). Each request to the CEO will be considered on its merits, recognising that Parliament has prescribed the fee as the appropriate payment in most circumstances.

The Minister is also expected to consider each application for an exemption relating to escape gaps on its merits, having regard to the arguments presented for extenuating circumstances. The Department notes in this regard that applications are likely to be viewed more favourably if the impact of the new escape gap arrangements is likely to render pots to the value of at least \$5,000 inoperative (i.e. approximately 50 beehive or 25 batten pots would need to be replaced) and the application is supported by the Western Rock Lobster Council.

## Soaking Before the Start of the Season

The Department of Fisheries has also received numerous enquiries regarding the removal of pre-season pot soaking time before the start of the season.

## Rules for Specific Zones

This change does not impact on the start of the A Zone season. A Zone licensees will still be able to take their pots to the Abrolhos Islands ahead of the start of the season and place them in designated soaking areas.

With regard to B and C Zone, the general rule that baited pots may be set on the day before the start of the season

will continue to apply. In C Zone, where the season will commence on 25 November, baited pots will be able to be set on Tuesday, 24 November.

In B Zone, because the start of the season falls on a Sunday (a weekend closure day), setting of baited pots will be permitted on both Saturday 14 November (because it is the day before the start of the season so closures do not apply) and Sunday 15 November (because it is the last day of a closure). The first lobsters will be able to be taken in B Zone on Monday, 16 November.

## Why the Change has been Made

As catches are usually low during the opening days of the season, the removal of pre-season soaking is expected to have minimal impact on industry and the fishery is being managed to catch targets for each zone. In the event that good catches are available from the start of the season, any reduced efficiency associated with not soaking pots is expected to push catch further back into the "whites" and reduce the risk of management intervention being required during the season

In recent times, industry has sought reductions in management costs so access fees could be reduced. As a general principle, reducing the complexity of legislation, and directing rules directed at managing industry equity are important factors in reducing costs.

## Unit Register

In the September 2009 edition of this newsletter, information was presented regarding the development of a licence entitlement system (unit register). Further clarification can now be provided.

As outlined in the September Newsletter the policy regarding the implementation of a modified register of licence entitlements is being finalised. When this process is completed, the proposed register will be discussed with the WA Fishing Industry Council and interested parties. Key policy outcomes that the Department is working towards are:

- The modified register will be relatively easy to apply and understand,
- It achieves the outcomes that industry is expecting,
- It is relatively low cost, and
- It integrates well with existing legislation (i.e. penalty provisions).

The cost of the register is dependent on its scope, which can range from a relatively simple solution for western rock lobster that operates manually with existing Departmental systems, to a completely fully integrated new entitlement management system that integrates seamlessly with other existing Departmental functions, and uses the latest technology i.e. electronic processing of applications etc.

Other jurisdictions have informed the Department that the cost of implementing a fully functional entitlement management system incorporating a register is very expensive. Quotes provided by these jurisdictions are in the order of millions



of dollars – which the industry is not currently well placed to accommodate. More modest options are also being explored and will be discussed with the WA Fishing Industry Council and other interested parties.

There is a common misconception that implementation of a unit register would be a pre-requisite for quota management. A quota system can be introduced without modification of the existing register as essentially the fundamental change under quota would be that the value of a unit would be changed from pots to kilograms e.g. from 1 unit = 0.42 pots to say 1 unit = 50 kgs.

## Coastal Tour

Further detail regarding the issues outlined in this newsletter, and other matters of interest to fishers, will be provided in meetings with Professional Fisherman's Associations (PFAs) scheduled for the coming weeks. These meetings are being coordinated through the Western Rock Lobster Council with support from the PFAs and input from the Department.

I intend participating in these meetings where possible, commencing with the meeting of northern PFAs in Geraldton on Tuesday 20 October. These meetings provide an important additional channel for the Department to communicate the latest information and field questions from fishers. Other Departmental representatives will also be participating, including senior representatives from our research, compliance and fisheries management areas.

Presentations delivered by Departmental officers at the meetings will be made available electronically for those who are unable to attend. Nevertheless, I encourage all fishers to participate and I look forward to seeing you.



Stuart Smith  
Chief Executive Officer

