



Australian Government

Australian Fisheries Management Authority



Gillnet, Hook and Trap Marine Mammal Working Group



MEETING RECORD
15 NOVEMBER 2012

Chair	Nick Rayns
Date	15 November 2012
Location	Melbourne Airport

Attendance

Mandy Goodspeed (DAFF)
Annabel Jones (PIRSA)
Catherine Kemper (South Australian Museum)
Peter Shaughnessy (South Australian Museum)
Selina Stoute (AFMA)
Ian Knuckey (Fishwell Consulting)
Philiros Toumazos (Industry Representative)
George Day (AFMA)
Tooni Mahto (Australian Marine Conservation Society)
Alexia Wellbelove (Humane Society International)
David Stone (Sustainable Shark Fishing)
Nathan Hanna (SEWPAC)
Dirk Welsford (SEWPAC)



1. Preliminaries (Chair)

The Chair welcomed participants to the meeting and noted apologies. He provided an update of reviews currently being undertaken in the fisheries area including:

- Review of the Commonwealth Fisheries Harvest Strategy Policy and Guidelines
- Review of the Commonwealth Policy on Fisheries Bycatch
- Review of Cost Recovery Arrangements for Commonwealth Fisheries
- Investigation into the performance of the Australian Fisheries Management Authority (AFMA) and the AFMA commission in the administration of their statutory responsibilities
- Review of Commonwealth Fisheries Management Legislation.

2. Role of the Marine Mammal Working Group

The Chair led discussions on the future role of the MMWG and the draft Terms of Reference (TOR).

Alexia Wellbelove noted that the SharkRAG terms of reference did not appear to cover a broadened role or remit for reviewing ASL management and questioned whether this function should be undertaken by the MMWG. The Chair explained that SharkRAG did consider issues broader than those relating to shark and ray species, including bycatch species. It was noted that AFMA would invite marine mammal experts to SharkRAG meetings to provide advice as required for reviews of the ASL Management Strategy.

Alexia Wellbelove also noted that at a previous meeting of SharkRAG a marine mammal expert had been excluded from the meeting. George Day explained that the RAG Chair and AFMA Member did not support the proposal at the time because the expert represented a manufacturer of pingers and was not independent.

Nathan Hanna recommended that consideration be given to whether the MMWG should operate as a consultative body or a working group. Historically, the MMWG has provided input and advice to AFMA about existing or proposed policy rather than developing policy itself.

Ian Knuckey raised whether it may be appropriate to extend the MMWG from the gillnet sector to the whole Southern and Eastern Scalefish and Shark Fishery (SESSF). It was noted that there were a broader range of marine mammal issues that might arise in the SESSF than those directly relevant to the gillnet sector.

Action item: AFMA to consider and amend the draft TOR as appropriate for further consideration by the MMWG at the next meeting. This will include:
- taking comments from MMWG participants out of session up to 15 January 2013

- reviewing differences in the TOR objectives for responding to ASL and dolphin interactions
- AFMA considering the relationship of the MMWG with other groups such as the SESSF Resource Assessment Group and through the Australian Marine Mammal Centre.

3. Australian Sea Lion (ASL) Management Strategy

George Day provided the MMWG with an update of progress against action items in the ASL Management Strategy:

- action items 1-4: closures set out in these action items have been implemented. Peter Shaughnessy asked if three additional ASL colonies that had been identified by Simon Goldsworthy following the implementation of the ASL Management Strategy had been closed to fishing

Action item: SARDI to provide AFMA with details of three additional ASL colonies. AFMA to then investigate closures around the colonies.

- action item 5: the adaptive management system has been implemented. It was noted that the triggers for zone closures had been reduced in January 2012 to a total of 15 mortalities across the entire ASL Management Zone, split between the smaller zones. Three of the smaller zones are currently closed
- action item 6: developments relevant to this action item include the auto-longline trial being undertaken in South Australia to provide an alternative method to gillnets in those waters, the use of electronic monitoring systems and recent skipper and crew training by industry associations. Ian Knuckey also updated the MMWG on a ‘Caring for Our Country’ project offering training to operators using hook fishing methods.

Alexia Wellbelove, while accepting that the scope of the MMWG was limited to Commonwealth fisheries, raised Humane Society International (HSI) concerns about ASL interactions in the South Australian Gillnet, South Australian Rock Lobster and Western Australian Shark Fisheries. The Chair suggested that these matters be discussed directly between HSI and the relevant jurisdiction.

4. Reporting on adaptive management component of ASL Strategy

George Day updated the MMWG on management under the ASL Strategy. In particular, based on AFMA analysis presented to SharkRAG:

- since implementation, trigger limits for three zones have been met. Closures remain in place for 18 months from the date of interaction with the first zone due to reopen to fishing in May 2013
- there have been no ASL mortalities reported since February 2012



- current closures account for around 130,000 square kilometres or 70% of the South Australia component of the fishery (including closures for dolphins)
- catch disposal records demonstrate that South Australian gillnet catch for the 2011-12 season was down by over 64%, which is expected to substantially impact on GVP
- gillnet effort in South Australia remains low. Of the 18 vessels with a history of effort in South Australia 6 - 8 vessels remain active. Two have relocated outside of South Australia and others have moved to State fisheries
- the uptake of alternative fishing methods has been low. Ten temporary hook permits have been issued but only four of the holders have been fishing.

5. Progress on additional management measures

5.1 Hook trial investigation: longlining for shark in South Australia

George Day provided the MMWG with an update on the auto-longlining trial taking place in South Australian waters. It was noted that there were two aspects to the trial, the:

- scientific part of the trial, which consisted of four trips by two boats
- commercial part of the trial which has been under way since March 2012 with four boats participating. This part of the trial was proposed to be extended until March 2013.

While the final report was not available, the following interim outcomes were noted:

- there had been no interactions with ASL or dolphins
- seabird mortalities had occurred on the scientific and commercial parts of the trial, with the vast majority being Shearwaters
- CSIRO had assessed (using data from the scientific and commercial part of the trial) that auto-longlining would impact on the target stock because hook methods are less selective than gillnetting. That is, smaller and larger shark can be caught using hooks than gillnet meaning that fishing can have a greater effect on the population. This can be managed by reducing total allowable catches if auto-longlining is introduced to the fishery
- commercial results to date were mixed. Operators faced greater costs in capital investment for auto-longline gear, increased crew requirements, bait, gear wear, the time to set and haul gear and hook spacing on standard auto-longline gear being less suited to shark fishing.

The MMWG discussed the seabird interactions and requested AFMA advice on when the interactions occurred, the circumstances and the process followed after the interactions (e.g. where samples were sent, who identified them).

Annabel Jones noted the importance of considering scalefish bycatch from auto-longline, particularly snapper.



The importance of not allowing bycatch to go through dehookers before release was discussed and generally supported by members.

Action item: AFMA to provide the MMWG with details regarding seabird interactions in the auto-longline trial, including where samples were sent and who identified them.

5.2 GHAT Future Directions project

Selina Stoute reported on the GHAT Future Directions project noting that the GHAT Future Directions Industry Working Group had recently met to consider issues for the project.

Action item: AFMA to explain to the MMWG how the GHAT Future Directions project outcomes will be conveyed to Environmental Non-Governmental Organisations.

6. Dolphins – current management and knowledge

6.1 Dolphin interactions and management measures

George Day reported the current level of dolphin interactions including 20 mortalities that had occurred since the Dolphin Closure was implemented in South Australian waters.

The fishing industry has approached AFMA with research proposals to undertake marine mammal mitigation gear trials in the fishery. The primary focus is the proposed use of acoustic pingers. AFMA is currently considering research in this area (see below at paragraph 6.3).

6.2 Identification of dolphin species

Cath Kemper explained her work identifying species of dolphins from electronic monitoring footage, with the following outcomes: 33 Common Dolphins, two Common Bottlenose Dolphin, one Bottlenose Dolphin, three ‘dolphins’ (unable to be identified) and one pinniped. Most were adult or sub adult. There were five females and two males identified – while this is a small sample size there may be a bias towards females.

It was noted that other species (e.g small toothed cetaceans) could potentially be caught in gillnets. For future identification work carcasses, samples and photographs would be good to get as well as observations from fishing operators about how the dolphin interaction occurred and the conditions at the time. The MMWG discussed how commentary included on threatened, endangered and protected species interaction forms was analysed by AFMA.

Action item: Nathan Hanna to update the MMWG on whether carcasses or samples can be taken from dolphins.

Action item: AFMA to circulate threatened, endangered and protected species interaction forms to the MMWG for comment and possible additions to the form. For example, using a tick to mark ‘haul’ ‘set’ etc. AFMA to also provide any available analysis from the form.

6.3 Dolphin assessment research activities

Philios Toumazous noted that industry was keen to undertake research on dolphin interaction measures, with a focus on acoustic pingers. Ian Knuckey thought that to provide greater certainty to any research outcomes it would be preferable to operate in the dolphin closure where there had been a high level of interactions previously.

Selina Stoute explained that AFMA had been discussing research in the dolphin closure with SEWPAC. Alexia Wellbelove stated her preference that any research be undertaken outside the dolphin closure.

The Chair noted that cetaceans are specifically referenced in AFMA’s legislation and research would need to be carefully considered. Nathan Hanna advised that under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) all reasonable efforts must be taken to avoid dolphins, however, this presented statistical challenges.

Peter Shaughnessy noted that trials with pingers in North American gillnet fisheries have given mixed results; pingers have been effective in reducing porpoise bycatch in some fisheries and ineffective in others. In addition, increased bycatches of seals have been noted in some trials.

In relation to the dolphin identification project proposed by Flinders University, Dirk Welsford noted that Australian grants, including through the Australian Marine Mammal Centre (AMMC), had been recently been frozen.¹ He noted that the AMMC facilitates research into marine mammals.

Ian Knuckey provided members with an interactive DVD to assist in marine mammal identification. He noted that there would be a benefit in the MMWG seeking clarification from funding bodies such as FRDC and the AMMC as to where best to seek support for research into mitigating marine mammal bycatch.

Action item: If there is an expansion of MMWG beyond ASL in the GHAT as proposed, AFMA to contact Mike Double (AMMC) and FRDC regarding mechanisms for prioritising and supporting research into mitigating marine mammal bycatch.

The MMWG discussed research into acoustic pingers and a recent workshop held in the United States on this topic that was attended by AFMA (Neil Hughes).

¹ When the draft meeting record was circulated (December 2012), Dr Welsford noted that AMMC grants were now awaiting approval by the Minister for SEWPAC.

Action item: AFMA to circulate the outcomes of the United States meeting on acoustic pinger operation when available.

David Stone suggested that Geoff McPherson, SEANET or other experts in the area of acoustic pingers be invited to the next meeting on the MMWG.

Action item: AFMA to investigate inviting Geoff McPherson, SEANET or similar to the next MMWG.

7. Developing a long-term management strategy

7.1 EPBC Act requirements and policy expectations

Nathan Hanna explained fishery requirements under the EPBC Act:

- individual fishers are required to take all reasonable steps to avoid interactions with protected species. SEWPAC may consider that endangered or critically endangered listed species require more measures to be taken to avoid interactions
- the fishery as a whole is not to have a detrimental effect on a protected species.

Nathan advised that SEWPAC does not want to dictate particular arrangements for reducing interactions, rather, it is seeking good outcomes. Ian Knuckey noted the difficulty with ‘moving goalposts’ faced by industry and questioned what the operational targets for industry were. It was noted that *The Action Plan for Australian Cetaceans* (1996) may assist in providing a basis for targets.

7.2 State fisheries experience and management approach

Annabel Jones updated the MMWG on the:

- South Australian rock lobster fishery, which is introducing ‘seal spikes’ to reduce mortality of ASL
- Sardine fishery, which has real time management of dolphin interactions, cooperation between industry and government, a code of practice and clear systems in place for individual boats (vessel specific) including what to do if a boat sees or catches a dolphin.

Annabel Jones advised the MMWG that there is a low level of gillnet fishing under South Australian Marine Scalefish Licences (three boats). It was noted that this fishery is due for assessment under the EPBC Act next year.

7.3 Industry experience and current initiatives

David Stone and Philios Toumazous explained that developing incentives to avoid marine mammal interactions at a boat level rather than for the fishery as a whole would be more effective in reducing interactions. This is because skippers could take a range of action including changing how gear is used and where and when fishing is conducted. It would also be beneficial because the whole fishery would not suffer from the actions of one or two potentially careless operators.

David Stone noted that this approach to mitigation would have the benefit of industry stewardship and ownership of the problem, rather than AFMA seeking to enforce rules and regulate them.

Alexia Wellbelove noted her preference for a fishery wide plan for dolphins because it is more straight forward and easier to monitor to ensure compliance. However, there may be room for an overarching plan with incentives for individual responsiveness. The Chair noted benefits of individual responsibility and that under such a system not all operators are impacted by the actions of careless individual operators.

Philios Toumazous noted that individual accountability would help to ensure that boats are using the best quality gear to minimise gear interactions.

Ian Knuckey suggested it may be appropriate to look at data to assess why some boats are interacting with marine mammals and why some are not.

<p>Action item: AFMA to review data on marine mammal interactions and provide the MMWG with any available analysis.</p>
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7.4 Key considerations and options in developing a long-term management strategy

Selina Stoute explained that AFMA is looking at management arrangements that would allow industry to work out mitigation strategies that suits the operators' business models. There were difficulties in responding because of a lack of clear framework and targets. The Chair explained that a review of Ecological Risk Assessments has commenced and that the review may provide more guidance about what is acceptable in terms of mortalities and interactions with protected species.

Ian Knuckey noted that boat level incentives are most likely to bring about significant change.

Nathan Hanna recommended dealing with issues regarding interactions with protected species earlier rather than later.

8. Other business / next meeting

The next MMWG meeting was proposed for late March 2013 but could potentially be delayed until more information from the Bycatch Policy review was available.



