

Small Pelagic Fishery Scientific Panel Stakeholder Forum

Hobart, 28th January 2016

Independent Facilitator's Report

1 Introduction

In 2015 the AFMA Commission established a scientific panel for the Small Pelagic Fishery (SPF). The SPF Scientific Panel provides scientific and economic advice on the status of fish stocks, species (target and non-target species), the impact of fishing on the marine environment and application of the harvest strategy and harvest control rules adopted by the Commission for this fishery.

The SPF Scientific Panel is required to seek advice from stakeholders to ensure its advice to the Commission is sound, well-founded and takes account of stakeholders' views and experience. Stakeholder forums are convened by the panel to provide interested stakeholders with the opportunity to consider and discuss the scientific advice of the panel.

The first stakeholder forum convened by the Scientific Panel since its establishment was held in Hobart on 28 January 2016.

Sixteen people attended the forum, of which six represented stakeholders' interests – recreation (3) and environment (3). The balance comprised the Scientific Panel, AFMA, Department of Agriculture (Commonwealth) and Department of Primary Industries (Tasmania).

Simon McGuinness, a Principal at RM Consulting Group, was the independent facilitator at the forum and author of this report. The independent facilitator is required to provide a written report of key points of discussion and any outcomes at the forum¹.

2 Discussion Points and Outcomes

Each speaker used slides for their presentation, and these have been made available to attendees and are available from AFMA. The content of the presentations is therefore not repeated in this report.

¹ Acquiring scientific advice by the use of a Scientific Panel and Stakeholder Forums in the Small Pelagic Fishery. September 2015
afma.gov.au

2.1 Introductory comments: Dr Nick Rayns, AFMA

Dr Nick Rayns provided a brief overview of the management of the Small Pelagic Fishery and AFMA's rationale for the establishment of the Scientific Panel. He explained the role of stakeholder forums and the purpose of today's forum, emphasising that the focus was on the scientific advice and not on other issues.

In response, one or more stakeholders raised the following points and AFMA replied to these:

- Being notified about the forum on 24th December and having a short time during the holiday period in January to make written submissions was interpreted as AFMA not being genuine in its efforts to run stakeholder engagement processes.
- *AFMA understands the concern but there is a year round cycle to regulate the Commonwealth fishing industry, this includes when the public is on holidays during December and January. Further, the consultation continues at SEMAC in mid February.*
- Stakeholder organisations have limited resources and even less during the holiday period, and so the timing made it very difficult to prepare submissions.
- *The Chair of the Scientific Panel offered to keep the consultation period open to 5 February.*
- It was pointed out that another fisheries-related stakeholder activity was being held on the same day in Canberra and this impacted on stakeholder attendance at this forum. It was felt that AFMA should have known this and set a different date for this forum.
- *AFMA noted that it had arranged this Stakeholder meeting before the Canberra meeting had been announced.*
- At the opening of the forum, any conflicts of interest should be declared by attendees.
- *AFMA explained that this was not necessary for a public stakeholder meeting.*
- Stakeholders generally believe that AFMA does not address feedback it receives at forums like this, and is a key reason why there is low stakeholder attendance at this forum.
- *AFMA accepted that it had not addressed all the issues that had been raised by stakeholders to date and that for some issues it was more about not agreeing with them rather than not addressing them.*
- The decision by AFMA to dissolve the SPFRAG and establish the Scientific Panel was seen as a backward step and a poorer process for stakeholder engagement. The reasons for the decision which revolved around greater stakeholder engagement were not accepted.

One stakeholder indicated that the engagement process for the forum was satisfactory.

2.2 Overview of the SPF Scientific Panel: Presentation by Mr Max Kitchell, Chair, SPF Scientific Panel

Mr Max Kitchell provided a short presentation on the Scientific Panel's composition, membership, appointment process and role.

There were no questions or comments in response.

2.3 Recommended Changes to the SPF Harvest Strategy; Presentation by Mr Andrew Penney, SPF Scientific Panel

Mr Andrew Penney, Scientific Panel, presented the proposed revisions to the SPF Harvest Strategy that were developed at the Scientific Panel's first meeting in December 2015. The revisions were primarily in relation to the decision rules and reference points.

In response, one or more stakeholders raised the following points:

- There is an urgent need for DEPM surveys to address the lack of data on fish stocks. It was suggested that DEPM surveys need to be done regularly to establish baseline and time series data and to build community confidence in the harvest strategy. For example, it was proposed DEPM surveys could be done annually for five years.
- *AFMA responded that conducting annual DEPMs on every SPF stock was cost prohibitive but a rolling number of stock assessments over multiple years was more likely.*
- Industry needs to contribute to the cost of DEPM surveys as they are a direct beneficiary.
- *AFMA advised that industry does contribute and would be expected to in future.*
- The Atlantis model does not take into account localised depletion risk. The collapse of the Tasmanian redbait stock was raised as an example of the risks of fishing the SPF.
- *In response, it was commented that the Atlantis model was not designed and is not used for measuring depletion risk. AFMA disagreed that the redbait stock off Tasmania had collapsed.*

2.4 Annual Fishery Assessment Report and Updated DEPM Surveys: Presentation by Dr Jeremy Lyle, SPF Scientific Panel

Dr Jeremy Lyle presented the Fishery Assessment Report that had been provided to the Scientific Panel at its December meeting, which covered reporting of catch, effort and available biological data (spawning biomass – DEPM based) for each of the seven stocks.

In response, one or more stakeholders raised the following points:

- For those stocks for which there is a lack of adult samples, such as eastern Blue Mackerel, is there a risk of applying adult parameters from other surveys and consequently wrongly estimating the spawning biomass
- *The Scientific Panel advised they were a reasonable surrogate given where it is the same species.*
- There is concern that a number of the DEPM surveys are too dated to be useful now for the purposes of estimating spawning biomass, eg. Redbait (East), Blue Mackerel (West). This illustrates the need for investment in DEPM surveys.
- The lack of biological data for the western zone needs to be addressed.
- *The Scientific Panel agreed with this need for data.*

Furthermore it was reported that in recent years recreational fishers have seen changes in mackerel populations and behaviour such as smaller numbers and more dispersed schooling. It is not understood why this is occurring, although climate change may be a factor. Also it is thought that seal populations are changing, increasing at some locations and decreasing at others. Consequently it was suggested that the relationship between the small pelagics and other species are not well-understood and therefore caution is needed in relation to management of the SPF.

One comment from the Panel was that there are difficulties in explaining the causes of observed fish behaviour but it is useful to monitor with appropriate indicators.

2.5 Recommended Biological Catch for each SPF Stock for 2016/17 Fishing Season: Presentation by Mr Max Kitchell

Mr Max Kitchell presented the Scientific Panel's advice on Recommended Biological Catch (RBC) for 2016/17 for each of the SPF stocks, and included a comparison between the RBCs for 2016/17 and

2015/16. It was also shown how the RBCs were developed from the assessment report, presented previously.

In response, one or more stakeholders raised the following points:

- Given that the 500 t figure was originally chosen as the Tier 3 limit as it allowed fish to be fished at an acceptable level, there was a query as to why the Panel believe it is now necessary to remove the default 500 t limit for Tier 3.
- *The Scientific Panel replied that there was no scientific basis for 500 tonnes applying to each stock, especially given their different biologies.*
- While the logic of how the RBCs were set is clear, it is concerning that the Panel did not take into account a range of other factors including:
 - Localised depletion
 - Secrecy of fishing operations such as where fishing occurs and what is caught
 - Damage to fisheries used for recreational fishing and consequent economic impact
 - Impact on marine mammals such as dolphin, seal and seabirds and inadequate monitoring
 - Atlantis model does not address concerns about localised depletion and impacts on seals in particular which are place-based foragers
 - Lack of regular DEPM surveys.

The Scientific Panel replied that it would consider the relevance of the matters raised to its current recommendations on RBCs and future research planning.

- As these other factors have not been considered, it was proposed that all stocks should be set at Tier 3

2.6 Stakeholder Presentation: Jon Bryan, Tasmanian Conservation Trust

Mr Jon Bryan, Tasmanian Conservation Trust, gave a presentation which argued the case for why the SPF should not be fished by the Geelong Star, or any 'super trawler'. The primary reasons included:

- the inability of AFMA to prevent localised depletion
- the lack of transparency by AFMA of fishing operations in the SPF
- the lack of DEPM survey data to reliably inform stock assessments
- the failure to address animal welfare concerns about seabirds, seals and dolphins drowned in trawl gear
- the failure to adequately deal with impacts on populations of seals, dolphins and seabirds
- the failure to adequately deal with impacts on recreational fisheries

Panel members noted that some of the issues raised related to management of the SPF which is not within the remit of the Scientific Panel. However concerns about the risk of localised depletion, for example, is one issue that could be explored by the Panel. It was also noted that having improved DEPM data for the SPF was a shared concern.

2.7 Other Discussion

Following the presentations, further discussion ensued - some of which reiterated points made earlier in the forum, while new points were raised including:

- Concern that the 'five boat rule' should not apply to the SPF
- Given the interruption to spawning, due to intensive extraction in localised areas, what are the consequent impacts on fish stocks, behaviour and recruitment?
- The area or zones in which the Geelong Star can operate is much less than AFMA advised previously. This is of concern as it is expected that this will cause significant impacts on recreational fishing areas.

The Panel indicated that the interruption to spawning issue is one which could be investigated whereas the other matters related to AFMA and management of the SPF.

2.8 Concluding comments

Mr Max Kitchell provided concluding comments to the forum. He noted that four topics raised by stakeholders at the forum stood out as ones to which the Panel should give some consideration as they were relevant to the scientific advisory role of the Panel, these being:

1. The frequency and intensity of DEPM surveys
2. The likelihood of localised depletion occurring in the SPF
3. The risks from interruption to spawning
4. Interactions with marine mammals.

The forum was advised that the Panel will also accept submissions from stakeholders until 5th February 2016. Further assessment of the feedback at this forum and of any submissions received will be undertaken by the Panel.

Many other matters raised by stakeholders were relevant to management of the SPF and fell under the responsibility of AFMA, which was represented at the forum.

Forum Closed 3.45pm