



Australian Government
Australian Fisheries Management Authority

Draft Small Pelagic Fishery Dolphin Strategy

Minimising dolphin interactions in the
Small Pelagic Fishery

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1 Introduction

The Australian Fisheries Management Authority (AFMA) is developing a Dolphin Mitigation Strategy to mitigate dolphin interactions in the Small Pelagic Fishery (SPF).

AFMA intends to apply the Strategy to all trawl methods in the SPF. This would include midwater trawling and pair trawling if the pair trawling application currently being considered by the AFMA Commission is approved. The SPF Strategy is modelled on the Gillnet Dolphin Mitigation Strategy that has been applied in the gillnet sector of the GHaTF since 2014.

Dolphin bycatch strategies in both the SPF and the GHaTF are now subject to a consistent set of principles for managing bycatch that have been approved by the AFMA Commission. These are as follows:

- Management responses are proportionate to the conservation status of affected species and Ecological Risk Assessment (ERA) results;
- Consistency with Government policy and legislative objectives (including to 'avoid' and 'minimise') and existing national protected species management strategies such as Threat Abatement Plans and National Plans of Action;
- Incentives should encourage industry-led solutions to minimise bycatch of protected species utilising an individual accountability approach;
- Accounting for cumulative impact of Commonwealth fisheries on protected species when making management decisions on mitigation;
- Appropriate, and where possible consistent monitoring and reporting arrangements across fisheries.

2 Objectives

AFMA's overarching objective with respect to bycatch is to minimise fishing related impacts on bycatch species, including protected species, in a manner consistent with the principles of ecologically sustainable development. Further, the fishery should not be detrimental to the survival or conservation status of any taxon and fishers are required to take all reasonable steps to ensure that protected species are not killed or injured.

To pursue these overarching objectives, this Dolphin Mitigation Strategy (the Strategy) aims to minimise dolphin interactions with trawl operations in the SPF by adopting an individual responsibility approach to create incentives for fishers to innovate and adopt best practices.

This is consistent with the pursuit of AFMA's objectives to ensure that the exploitation of fisheries resources is sustainable with regard to target and non-target species as well as the broader marine environment, and to maximise the net economic returns to the Australian community from the management of Australian fisheries.

Related considerations

The Strategy is also consistent with the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as it relates to:

- Part 10: in that actions taken under the (approved management) Plan will not have unacceptable or unsustainable impacts on matters of environmental significance;
- Part 13: (with specific provisions on cetaceans): fishers are required to take all reasonable steps to ensure the listed threatened species are not killed or injured and that the fishery does not adversely affect the survival or recovery of the species
- Part 13A (includes Wildlife Trade Operations): that operations are not detrimental to the survival or conservation status of the taxon.

3 Monitoring

Underpinning the SPF Strategy will be independent monitoring of dolphin (and other protected species) bycatch.

4 Review

The SPF Strategy will be reviewed after 12 months in consultation with the South East Management Advisory Committee and Commonwealth Marine Mammal Working Group.

5 Rationale for approach

Common dolphins and oceanic bottlenose are listed as Cetaceans under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) which means they are protected species. However, they are not listed as threatened species under Section 178 of the EPBC Act and the IUCN lists them both as of Least Concern.

The Strategy is being developed in the absence of good information regarding both dolphin population sizes and gear-specific interaction rates. There is limited information available on common and bottlenose dolphin population sizes and structure within Australia and what information there is relates primarily to inshore areas. In relation to fishing data, despite the increase in fishing effort for the trawl sector of the SPF between 2015 and 2016 from which comprehensive data was collected, long term data on interaction rates with dolphins is relatively limited due to sporadic fishing effort in the fishery.

In light of the above, the management areas and responses in the draft Strategy are not based on specific dolphin population status but rather follow the requirements of the EPBC Act and the FMA outlined above and aim to drive changes in fishers' behaviour.

The performance indicators outlined in Table 1 have been developed using all available information from the SPF and the GHaTF. While difference fishing methods, the maximum number of shots that could occur in the SPF for a review period is similar to the GHaTF

and recent interactions rates per shot from the SPF are similar. Consistent with AFMA's adaptive management approach, this Strategy will be reviewed and refined over time as more information becomes available, beginning with a 12 month review.

For commercial species purposes the SPF is divided into two areas; the eastern sub-area (the Eastern area) and the western sub-area (the Western area). These same two areas have been used as the basis for this Strategy with the both the interaction rate and the interaction cap applying separately to each area. The split between the two areas is around the middle of Tasmania (longitude 146°30'E) (Map 1). These areas were used because they provide a suitably-sized area to underpin a management response and it utilises existing zoning.

AFMA has used six months as the review period as this is considered to be a reasonable amount of time to assess the average rate of dolphin interactions based on fishing effort. This allows for fluctuations in fishing effort and dolphin interactions that will occur in a fishery and ensures a more accurate reflection of the rate, instead of just a snapshot in time.

6 Performance indicators, criteria and management response

Consistent with the GHaTF Strategy, whether dolphin interactions are being minimised is measured by an interaction rate equivalent to one dolphin per 50 shots, reviewed at six monthly periods as well as a total cap on interactions to prevent an unacceptable level of interactions occurring within a six month period. Management responses escalate as interactions increase.

All performance criteria and management responses (Table 1) apply to individual boats.

All operators are required to develop a Dolphin Mitigation Plan (DMP). The DMP must be approved by AFMA in order to fish. The Strategy is based on an individual accountability approach so AFMA's initial approval of the DMP is to ensure that the operator has considered how they will minimise dolphin interactions and has the capacity to implement the plan. Where a review of a DMP is triggered by an interaction rate or interaction cap being exceeded, the review of the DMP may be done externally and all costs associated with the review will be cost recovered.

If any dolphin interaction is not reported, the operator will be subject to 100 % monitoring for a minimum of six months and the matter will be referred to AFMA compliance and the Department of Environment and Energy compliance.

Table 1. Performance indicators, criteria and management response to dolphin interactions.

Performance Indicator	Criterion	Management Response
<p>Interaction rate</p> <p>applies separately to the eastern area and the western area</p> <p>measured at the end of the review period</p>	<p>If > 1:50 (1 dolphin interactions : 50 gear shots)</p>	<p>1. First review period: Cease fishing and AFMA review concession holder’s dolphin mitigation plan prior to fishing commencing.</p> <p>OR</p> <p>2. If rate is exceeded for a second consecutive review period: Exclusion from the relevant area (Eastern or Western) for 6 months. Review of dolphin mitigation plan by AFMA-approved reviewer prior to recommencing fishing.</p> <p>OR</p> <p>3. If rate is exceeded for a third consecutive review period, irrespective of area: Exclusion from the fishery for 6 months. Review of dolphin mitigation plan by AFMA-approved reviewer prior to recommencing fishing.</p>
<p>Interaction cap*</p> <p>applies separately to the eastern area and the western area</p> <p>measured within a review period</p>	<p>1</p>	<p>‘Stop, Think Strategy’ - operator to review current mitigation, make any necessary repairs to mitigation devices and submit a Listed Marine and Threatened Species Form in the daily fishing report to AFMA within 48 hours of landing at the end of the trip. The following information must be included in the form:</p> <ul style="list-style-type: none"> - animal affected (reported to as close as possible to species level) - number of animals affected - where the interaction with the animal occurred(i.e. entangled in excluder device etc.) - fate of the animal and life status (i.e. discarded, tagged and

Performance Indicator	Criterion	Management Response
		<p>discarded; alive and vigorous, alive and sluggish, alive just, dead and flexible, dead and in rigour, dead and damaged)</p> <ul style="list-style-type: none"> - explanation of why they think the interaction occurred - procedures, if any, the vessel has put in place to prevent any further interactions. - any additional comments on the interaction (including unusual events)
	3	Cease fishing and return to port. Review of dolphin mitigation plan by an AFMA-approved reviewer. AFMA approval of revised plan required prior to fishing commencing.
	4	Cease fishing and return to port. Subject to increased data collection via 100% monitoring.
	6	<p>1. Within a review period: Exclusion from relevant area (Eastern or Western) for 6 months from the date of last interaction. Review of dolphin mitigation plan by AFMA-approved reviewer prior to recommencing fishing.</p> <p>OR</p> <p>2. If 6 dolphin interaction cap is exceeded twice within 12 months: Exclusion from the fishery for 6 months. Review of dolphin mitigation plan by AFMA-approved reviewer prior to recommencing fishing.</p>

Map 1 Small Pelagic Fishery eastern and western sub-areas and management zones 1-7.

