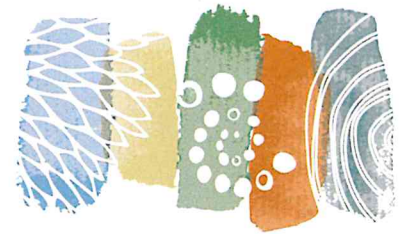


Enquiries: Steve Fisher
Our Ref: 0110_2018_1123
File No.: CM_CS_100



PHCC | Working Together
Peel-Harvey Catchment Council

23 November, 2018

Attention: Director, Aquatic Resource Management
Department of Primary Industries and Regional Development
Locked Bag 39,
Cloisters Square
Perth WA 6850

crab.review@dpird.wa.gov.au

Submission: Fisheries Management Paper No. 288 – Protecting breeding stock levels of the blue swimmer crab resource in the South West

The Peel-Harvey Catchment Council Inc. (PHCC) is a not-for-profit, community based Natural Resource Management organisation that promotes an integrated approach to catchment management and the way we protect and restore the environment within the Peel-Harvey catchment. As such, we have a particular and enduring interest in protecting the ecological character of the Peel-Yalgorup System, recognised as a Wetland of International Importance under the Ramsar Convention. The Peel-Yalgorup Ramsar Site meets seven of the nine criteria for listing as a Ramsar site: The Peel-Harvey Estuary is the largest component of the system and contributes in its own right to at least six of these criteria.

Our comments in this submission are therefore limited to the Peel-Harvey Estuarine Fishery. The proposed changes in management arrangements have the potential to positively affect the ecological character of the Peel-Harvey Estuary and may assist in retention of the listing of the Peel-Yalgorup System as a Wetland of International importance.

According to the Ramsar criteria a wetland should be considered internationally important *if it regularly supports 20000 or more waterbirds (Criterion 5) or regularly supports more than 1% of the individuals in a population of one species or subspecies of waterbirds*. Both of these are met by the Peel-Yalgorup System Ramsar site. Migratory waterbirds, including up to 14 species that satisfy Criterion 7, arrive at the Site around October each year, after completing their migration from the northern hemisphere along the East Asian Australasian Flyway. The birds make the return trip in autumn, departing around April each year. It is vital that the birds replenish their energy during their stay at the wetlands, particularly upon arrival when they are in a weakened state from their migratory flight. We believe that extending the closure of the Peel-Harvey estuary to crab fishing by at least one month to include November will help to reduce the disturbance of the migratory birds during this critical time in their life cycle.

The extent of disturbance of birds by crab fishers has not been established, however, we note that the Marine Stewardship Council (MSC) certification of the Peel-Harvey Estuarine Fishery as sustainable is conditional on *providing evidence that the scoop net sector is highly unlikely to reduce*

58 Sutton Street, Mandurah
Western Australia 6210
T: +61 8 6369 8800

www.peel-harvey.org.au

*We acknowledge the Noongar people as Traditional Custodians
of this land and pay our respects to all Elders past and present*



habitat structure and function to a point where there could be serious or irreversible harm. This should include consideration of overlap with habitat for bird species with emphasis on listed threatened species (i.e. Condition 7). This condition reflects the greater risk of bird and bird habitat disturbance by recreational fishers relative to commercial fishing practices.

PHCC therefore broadly supports Management Option 5: Broad-scale area closures to fishing for all or part of the period when females (crabs) are more vulnerable on the basis that it will lead to a decrease in disturbance of waterbirds, particularly migratory species at critical stages of their life cycle. We do not believe that applying the closure to the commercial sector will similarly benefit the waterbirds.

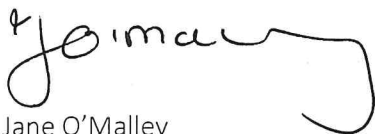
Protecting the blue swimmer crab stocks is also important in maintaining the ecological character of the Peel-Harvey Estuary and the Ramsar listing of the site. (Ramsar) Criterion 8 states *A wetland should be considered internationally important if it is an important source of food for fishes, spawning ground, nursery and/or migratory path on which fish stocks, either within the wetland or elsewhere depend.* The estuary also meets Criterion 4 as it supports blue swimmer crabs *at a critical stage in their lifecycle.* The Peel-Harvey Catchment Council is therefore supportive of management arrangements that meet this objective, including Management Option 5, however, we urge you to consider the following:

- i. The Peel-Harvey Estuarine Fishery was certified as sustainable by the MSC in 2016. PHCC has followed this process closely including providing stakeholder comment throughout the initial assessment process and subsequent annual audits in 2017 and 2018. Through this process we have observed that the annual standardised catch rates for blue swimmer crabs have been within the acceptable limits (i.e. 0.7 to 1.4 kg / traplift) for most (if not all) of the for the years that the fishery has been operating with trap only. The total (commercial) catch for 2015 /16 (58 t) was also within the target range of 45 – 104 t. Similarly, the estimated catch by recreational fishers from boats (38-56t) was within the target range (62-114 t) The conclusion from the 2017 Audit report for the MSC Certification was that the current fishing effort is not likely to affect recruitment to the stock and that the harvest control rules are effective and do not require adjustment. This begs the question as to why changes to the management arrangements of the blue swimmer crab fishery proposed in Fisheries Management Paper No. 288 are necessary. Is the recreational scoop net sector causing the greatest threats to the sustainability of the fishery?
- ii. The illegal take of undersize crabs has been identified by Fisheries Management Paper No 288 as a threat to the sustainability of the fishery. This behaviour appears to be limited to the recreational sector. PHCC supports any management arrangement that would lead to a decrease in this activity including:
 - extending the closure of the Peel-Harvey Estuary to recreational fishing for blue swimmer crabs to reduce the likelihood of catching undersize crabs
 - applying a restriction prohibiting recreational crabbing after sunset to assist compliance officers in enforcing the regulations and reduce the illegal take.
 - Implementing a license for shore-based recreational fishing. We believe this would result in better awareness of the fishing regulations regarding legal size, bag limits and area closures.
- iii. We recommend that a monitoring program for blue swimmer crabs be reinstated during the existing closure (1 September to 31 October inclusive) and for any extension to this closure period to determine catch dynamics. This program was discontinued due to budgetary constraints.

- iv. Fisheries Research Report No 258 *Assessment of blue swimmer crab recruitment and breeding stock levels in the Peel-Harvey Estuary and status of the Mandurah to Bunbury Developing Crab Fishery* identified five future management recommendations. One of these was to place a ban on fishing by the recreational sector in the Estuary Channel, based on data showing that the highest female catches were recorded in the Estuary Channel. A ban on commercial fishing already exists in the Estuary Channel. PHCC therefore supports extending this ban to recreational fishers through implementation of Management Option 4 presented in Fisheries Management paper No. 288 *Closures in areas where females are aggregated and at times when they are more vulnerable to capture (Patchwork seasonal closures)*.
- v. There are two Developmental Licences in Area 1 (Comet Bay) and Area 2 (Mandurah to Bunbury) of the Mandurah to Bunbury Developing Crab Fishery, in coastal waters north and south of the Peel-Harvey Estuary. If the objective of the proposed management arrangements is to increase the protection of breeding stock then surely the same existing and proposed changes to management arrangements that apply to the Peel-Harvey Estuarine Fishery should also apply to both of these Areas. . **The PHCC recommends that management arrangements for the Peel-Harvey Estuarine fishery extend to Areas 1 and Area 2.**
- vi. The effect of the proposed Voluntary Fisheries Adjustment Scheme (i.e. the Commercial Fishing Licence buy-back) for the Peel-Harvey Estuary Fishery on the resilience of the fishery does not seem to have been considered in Fisheries Management Paper No. 288.
- vii. Recreational fishing for blue swimmer crabs supports and attracts tourism in Mandurah. PHCC does not support inflexibility in licensing arrangement that could lead to perverse outcomes that adversely affect this industry. For example, Mandurah Cruises operates Catch and Eat Crab tours which are popular during the winter months, particularly with tourists from Asia. Although the tour operator purchases crabs from a commercial fisherman to guarantee tourists of eating a crab, they operate as a recreational fisher. If the fishery closure was extended to the winter months for commercial or recreational fishers or both, then this venture would be severely compromised. PHCC therefore believes that there needs to be some flexibility in these arrangements to support the tourism industry in the region, **where controlled actions do not pose a risk to the crab stocks.**
- viii. Reiterating points (ii), (iv), (v) and (vii) above, PHCC contends that it is not necessary to apply the same management arrangements and regulations to the commercial sector and the recreational sector. Differences already exist between the recreational shore based fishers and recreational boat-based fishers (i.e. bag limits and licensing requirements) and between commercial fishers and recreational fishers (e.g. fishing in the Estuary Channel; reporting of catch and effort statistics).

We would welcome an opportunity to discuss this further with you. Please do not hesitate to contact Steve Fisher on steve.fisher@peel-harvey.org.au or 63698800 for any further information.

Yours sincerely



Jane O'Malley
CEO