

**ALLOCATING THE WESTERN ROCK LOBSTER RESOURCE  
THE MINISTER FOR FISHERIES DECISIONS IN RELATION TO THE INTEGRATED FISHERIES  
ALLOCATION ADVISORY COMMITTEE'S (IFAAC'S) RECOMMENDATIONS**

IFAAC's Recommendations	Minister's Decisions
<p>1. (a) That allocation in the Western Rock Lobster Fishery proceed on the basis of the information made available to the IFAAC as of May 2006, in accordance with Guiding Principle (iii)<sup>1</sup>.</p> <p>(b) That the Minister supports the IFAAC seeking further submissions from relevant parties and recommending to the Minister that the allocations be adjusted in the event that the Department of Fisheries investigations suggest that the relationship between the mail survey and the phone diary survey used in the Allocation Report does not reflect the real relationship.</p>	<p>(a) Agree. The IFAAC has used the best available estimates of the rock lobster catch to recommend allocations to the commercial, recreational and customary fishing sectors.</p> <p>(b) Disagree. I believe it is important that a decision on initial sectoral allocations be finalised now for the certainty of the community. I recognise that research will continue on the best method to estimate the recreational catch and, in future, it is possible that there may be modifications to the recreational catch estimates. This will be important information for stakeholders in the ongoing management of sectoral catch shares.</p>
<p>2. That the allocations should be over the total area of the West Coast Rock Lobster Managed Fishery.</p>	<p>Agree. The IFAAC considered two main options (among others) for allocating the rock lobster resource between the recreational and commercial sectors:</p> <ul style="list-style-type: none"> <li>➤ making one allocation across the fishery; and</li> <li>➤ making two allocations, one for the northern region and one for the southern region of the fishery.</li> </ul> <p>Given the recreational fishery is not managed in zones the option would add complexity to the management of the recreational sector. I believe the most sensible approach to the initial allocation of rock lobster shares is to make allocations across the fishery as a whole.</p> <p>However, for the purposes of ongoing management of catch shares, it is important to note that the relative shares of the sectors vary between different areas across the fishery. For example, catch shares in the fishery south of Green Head are actually closer to 92:8 commercial and recreational, respectively. The relative shares of the sectors north of Green Head and at the Arolhos Islands are closer to 99:1 commercial and recreational, respectively. This will be important information if, or when, it becomes necessary to make reallocations or adjust the sectors' catch shares at a localized, socially relevant scale.</p>
<p>3. That a consultative committee be formed to discuss and negotiate solutions to inter-sectoral conflict issues such as spatial and temporal separation<sup>2</sup>. The committee should provide a report to the IFAAC on its recommendations within 12 months of its first meeting.</p>	<p>Disagree. I believe this task is within the terms of reference of the IFAAC and I have requested that it lead discussions on this matter. I expect that the IFAAC will soon engage with key stakeholders to address inter-sectoral conflict issues such as spatial and temporal separation and develop recommendations to resolve these matters at a local level (e.g. competition between recreational and commercial fishers during the "whites run" in November to January).</p>

<sup>1</sup> Guiding Principle iii – Decisions must be made on best available information and where this information is uncertain, unreliable, inadequate or not available, a precautionary approach adopted to manage risk to fish stocks, marine communities and the environment. The absence of, or any uncertainty in, information should not be used as a reason for delaying or failing to make a decision.

<sup>2</sup> Spatial – area closure, Temporal – time closures; e.g. closing the rock lobster fishery to one sector in the waters from metropolitan Perth to Hillary's out to three nautical miles for three months (December - February).

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<p>4. That a reallocation mechanism be developed and ready for implementation for the western rock lobster resource by 2009/2010.</p>	<p>Agree. It is important to recognise that the allocations suggested by the IFAAC are initial allocations based on historical trends only. In the future, the initial allocations may not appropriately reflect the community's needs. For this reason, the Department of Fisheries has a specific project to scope various options for reallocating catch shares between the sectors. A reallocation mechanism will be developed for the fishery by 2009/10.</p>
<p>5. That the customary fishing initial allocation should be one tonne.</p>	<p>Agree. The initial allocation for customary fishing should nominally be one tonne. "Customary fishery" describes fishing by indigenous people who have a right (in accordance with aboriginal law and customs) to fish under traditional law and custom of the area for the purpose of domestic, ceremonial, educational or community needs. It does not include recreational fishing by aboriginal people.</p> <p>It is important to note that the customary fishing allocation is a separate allocation. It will have no substantive impact on the initial allocations to the commercial and recreational sectors.</p>
<p>6. That the recreational and commercial sector's allocations should be made on the predicted proportional catch shares in 2009/2010. That is 4.9 per cent and 95.1 per cent respectively.</p>	<p>Agree, but for simplicity, I believe the recreational and commercial allocations should be 5 per cent and 95 per cent respectively.</p>
<p>7. That sectors should not be required to be managed to the recommended catch proportions prior to 2009/2010, subject to the total take not impacting on the sustainability of the stock.</p>	<p>Agree. I expect that each sector will continue to be managed sustainably and within its current catch range until the allocations are implemented in 2009/10.</p>
<p>8. That the Department of Fisheries be requested to develop in consultation with stakeholders, over the next two years, the decision rules framework for management of western rock lobster allocations. This framework will need to be operational by 2009/2010 - the season that IFAAC has recommended allocations become binding.</p>	<p>Disagree. I have requested that the IFAAC take the lead role in the development of the decision rules framework for managing western rock lobster allocations. I expect the IFAAC to meet with stakeholders in the coming months and provide final recommendations to me in time for the framework to be operationalised by 2009-10.</p>
<p>9. That the Executive Director of the Department of Fisheries be requested to develop, in consultation with stakeholders, the necessary institutional and governance arrangements to give effect to the Government's IFM policies contained in Guiding Principles vii and x (see section 3.1.3)<sup>3</sup>.</p>	<p>Agree. Currently two separate statutory advisory committees advise the Minister on management arrangements for western rock lobster. I believe that there should be one Ministerial Advisory Committee to provide advice to the Minister on all matters that affect western rock lobster. This will require amendments to the <i>Fish Resources Management Act 1994</i>. In the mean time, the CEO should seek stakeholder input into the structure, membership, terms of reference and timelines of such a committee.</p>

<sup>3</sup> Guiding Principle vii – Appropriate management structures and processes should be introduced to manage each user group within their prescribed allocation. These should incorporate pre-determined actions that are invoked if that group's catch increases above its allocation;

Guiding Principle x – Management arrangements must provide users with the opportunity to access their allocation. There should be a limited capacity for transferring allocations unutilised by a sector for that sector's use in future years, provided the outcome does not affect resource sustainability.

FAAC's Recommendations	Minister's Decisions
<p>10. That the Department of Fisheries be requested to give consideration to the necessary legislative changes and timelines to give effect to the future management of fisheries under IFM.</p>	<p>Agree. I note that there are pending amendments to the <i>Fish Resources Management Act 1994</i> and other subsidiary legislation that will give effect to the future management of fisheries under IFM.</p>

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, located in the lower right quadrant of the page.