

PIRSA Fisheries & Aquaculture - Abalone Fishery Plan (incorporating SZA, CZA & WZA) 2013- 2014

Fishery Management Plan Goals

1. Ensure the Abalone resource is sustainably harvested
2. Optimum utilisation and equitable distribution of the abalone resource to the benefit of the community
3. Minimum impacts on the ecosystem
4. Cost effective and participative management of the fishery

Compliance Risk Summary:

1. Quota Management System Integrity – PIRSA Risk Rating: HIGH (Likelihood 6: Consequence 3: Score 18)

The Quota Management System (QMS) is the collection of elements, each including various measures that when adhered to, enable effective accountability of all fish taken and subsequently sold or transferred. Integrity is the term used to describe the effectiveness of the measures contained within the QMS. The more effective the measures, the better the integrity of the Quota Management System.

A robust and manageable Quota System is an integral component to the effective management of a quota fishery. Whilst the Sealed Bin and Bag Trial has added a degree of integrity to the Abalone Quota System, a number of shortfalls still remain, with these shortfalls leaving the fishery exposed to other offending including Quota Evasion.

The lack of an accurate weight of the catch on landing has a direct and adverse impact on the integrity of the underlying Abalone Quota System. Without an initial accurate weight (the fisher estimates the weight only), there is an absence of a “starting point” against which all audit thereafter can be checked against. This severely limits the ability of Fisheries Compliance to detect quota evasion if it were to occur.

The requirement for fishers to contain their catch within sealed bins and bags at point of landing has added integrity from point of tagging, until delivery at the Fish Processing premises and breaking of tags, however there remains opportunity for the fisher and / or the Fish Processor to under report catch (again, due to the requirement to estimate weight only), which further undermines the integrity of the Quota System.

Under the SBB Trial, fishers are currently required to record the number of sealed bins, bags and tag numbers on Part A of the CDR upon landing and also their estimate of total catch weight per species. Actual weighing of the catch is not required until delivery at the Fish Processing premises and in some instances weighing can take place up to 48 hours after the catch has been landed. As a result, the delay exposes the fishery to potential exploitation of catch weight. Increased blood loss can lead to reduced meat weight being declared.

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Where the fisher has an interest in the Fish Processing Business that they sell their catch to, under the current legislation, it is permitted that they can complete both Part A and also Part B of their CDR. Again, whilst this is permitted, such situations lend themselves to potential under reporting of actual catch weight, leading to Quota Evasion.

Other elements that have a direct impact on the overall effectiveness and integrity of the Quota System Include:

- Inconsistencies between the number of receptacles containing abalone and the number of tags used to seal these receptacles.
- Part A and Part B can be signed off by the same person
- Prior reporting at one location then landing at another, resulting in catch landed at un reported location
- Prior reporting but no CDR submitted for that day
- Errors and/or omissions on CDR's and limited scope for Fisheries Officers to prove/disprove offending
- Tags not applied tightly and limited scope for Fisheries Officers to address
- Abalone not sealed in bins or bags
- CDR not immediately signed upon completion of weighing the catch
- Abalone not delivered to registered Fish Processor in a timely manner
- Abalone declared as caught in area different to where they were taken from

2. Quota Evasion - PIRSA Risk Rating: HIGH (Likelihood 5: Consequence 3: Score 15)

Quota Evasion is where a Commercial Fisher takes fish but not all of those fish are documented as having been taken. The risk "Quota Management System Integrity" has direct links to the risk "Quota Evasion". Where the system lacks effective checks and balances, the potential for Quota Evasion is heightened and at the same time the likelihood of detection is reduced.

The need for or opportunity to increase personal income is the primary driver for quota evasion to occur. Factors including changed personal financial circumstances, reducing profit margins and product sale uncertainty (China) can influence the likelihood of quota evasion occurring.

Quota Evasion can occur in a number of ways, including; (1) not all catch being delivered to a Fish Processor for weighing and declaration (2) removal of Abalone during the transportation from landing to the processor (3) under declaration of the catch at the Fish Processing premises.

The fact that fishers only estimate their catch weight makes it very difficult to prove or disprove catch weight variances at the Fish Processing Premises. Should catch be under declared by the Processor, additional fishing activity will be required and additional fish taken from the biomass to catch quota. The absence of an accurate weight on Part A inhibits the ability of the Fisher to self-monitor his catch against that recorded by the Fish processor on part B of the CDR.

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Weighing of the catch occurs at the Fish Processing Premises and can occur up to 48 hours after landing the catch. Fish processors could under declare the weight of the catch, resulting in Quota Evasion occurring, with little opportunity for Fisheries Officers to reweigh the catch after CDR completion and before the Abalone is dispersed into the Factory.

Within the current Quota Management System there is opportunity for the Fish Processors to exploit the absence of an accurate weight recorded by the fishers by under recording the weight of the catch on Part B. In turn, the fisherman is only paid for the weight of the catch declared by the Processor whilst the processor can retain the un-declared portion of the catch for their own financial gain. Short of conducting a full audit of Fish Processor records and catch on hand annually, the risk of detection for this type of offence remains almost non-existent.

In some instances the Fisher and the Fish Processor are the same entity so there is potential for quota evasion to occur should both parties collude to under report catch weigh on both Part A and Part B of the CDR. Should this occur, the likelihood of detection is again limited given difficulties in taking action against an estimated weight.

The remote locations at which fishing occurs also provide opportunity for some of the catch to be offloaded at point of landing or fishing activities not being declared. Financial factors including increased input costs, variations in market prices and individual financial circumstances may also be a driver for potential quota evasion, including the temptation for Commercial Fishers to take Abalone and sell it on the black market.

Other elements that have the potential to lead to Quota Evasion include;

- Failing to make a prior to fishing report and landing catch without completing a CDR
- Making a prior report but not completing a CDR (indicators could include making a late cancellation report)
- Incorrectly reporting number of bins or bags containing abalone that have been landed
- Re-using tags by applying loosely to bins or bags
- Using bins that can be tampered with
- Tagging bins or bags but not declaring all bins/bags and delivering all abalone to FP
- Sale of, or purchase of abalone without a CDR
- Tags applied loosely and abalone removed in transit to FP
- No tags applied to bags/bins
- Delayed delivery to FP to allow time for abalone to be skimmed and dispersed
- Landing catch at location different to launch location to avoid detection

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3. Take undersize – PIRSA Risk Rating: MODERATE (Likelihood 5: Consequence 2: Score 10)

There are legislated minimum shell sizes and meat weights in the Abalone Fishery. The taking of undersize abalone results in more abalone being taken in order to catch the quota. More abalone taken means less egg production.

Southern Zone has a requirement to land all abalone in shell, resulting in ample opportunity for Fisheries Officers to measure and inspect all Abalone taken for compliance with minimum legal shell sizes. In addition SZ is moving to permanent implementation of spatial management to further manage individual areas on a more finite scale. With the spatial trial come's minimum size limits specific to different specified areas and other requirements to support monitoring of spatial management.

Western and Central Zone can land abalone in shell or as meat only however, catch is mostly landed as meat only. This means that the Sheller removes the abalone from its shell when it is sent to the surface by the diver. The shell is then discarded back into the water and only the meat is retained in most instances. There is a small market for live abalone that, if it becomes more prevalent, may result in more abalone being landed in shell. With existing trends and markets however, most abalone in CZ and WZ is landed as meat only. This means that the only opportunity to check shell size is from the time it is sent to the surface by the diver until the Sheller removes the meat from the shell and returns it to the water. Once shucked the ability of Fisheries Officers to prove the take of undersize is severely impeded. Whilst the minimum meat weights are set, a meat weight detected below the minimum legislated weight does not necessarily mean that it came from an undersized shell (due to variance in meat to shell ratio throughout the year), limiting opportunity to prosecute for this offence.

4. Pest / Disease Incursion

- **AVG – PIRSA Risk Rating: HIGH (Likelihood 4: Consequences 4: Score 16)**
- **Perkinsus – PIRSA Risk Rating MODERATE (Likelihood 6: Consequence 2: Score 12)**
- **Other Pest / Disease Incursion or Outbreak – Not Rated (contingency & Response Planning Required)**

AVG has been located in the waters of Victoria. The movement of AVG into SA waters could result in catastrophic consequences for the Abalone populations of SA. There is limited opportunity for Fisheries (including Compliance) to monitor and limit the risk of AVG spreading. This risk is higher within the SZA area compared to the waters west of this location which is rated at Moderate.

Perkinsus affects Black Lip Abalone and is present in some Black Lip Abalone near Port Lincoln. To minimise the spread of Perkinsus, it is a requirement that Black Lip Abalone taken from east of Cape Carnot are landed in shell.

The risk of pest or disease incursion increases where;

- Fisher fails to report mortalities in Abalone
- Fisher fails to monitor or react to mortalities
- And due to Fisheries Compliance having limited ability to monitor the transshipment of AVG infected fish

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5. Illegal, Unreported, Unregulated Take – PIRSA Risk Rating: HIGH (Likelihood 6: Consequences 3: Score 18)

Note – Actions & Initiatives are addressed and delivered against the Recreational Fishery Compliance Plan

Illegal, Unreported, Unregulated harvesting of Abalone, by unlicensed fishers, is a direct risk to the commercial Abalone Fishery. Organised un-licensed fishing has a direct impact on the abalone biomass as Abalone that is taken outside of quote results in more abalone being taken from the water and therefore reduced egg production.

Unlicensed fishers often take abalone well below the legal minimum size which also has an impact on egg production. Unlicensed fishing can lead to localised depletion of abalone stocks as these groups or individuals often fish repeatedly in the same areas with little concern for long term sustainability.

Intelligence collected during the year is showing a move towards more organised and well equipped illegal harvesting of abalone. In one zone this is known to be in the high hundreds of kilograms per month. Intelligence received from interstate (confirmed in SA) is showing WZA and SZA are more susceptible to incursions from interstate divers. PIRSA is also aware of persons of interest from Victoria targeting CZA grounds. Furthermore intelligence has been gained of persons operating near West Bay on Kangaroo Island.

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Risk Likelihood & Consequence Analysis:

		CONSEQUENCES					
		NEGLIGIBLE	MINOR	MODERATE	SEVERE	MAJOR	CATASTROPHIC
		0	1	2	3	4	5
LIKELIHOOD	REMOTE	1					
	RARE	2					
	UNLIKELY	3					
	POSSIBLE	4				Pest / Disease Incursion (16) AVG Greater in SE	
	OCCASIONAL	5		Take Undersize (10)	Quota Evasion (15)		
	LIKELY	6		Pest / Disease Incursion - Perkinsus (12)	Quota Management System Integrity (18)		

LIKELIHOOD DEFINITIONS

- LIKELY - It is expected to occur
- OCCASIONAL - May occur
- POSSIBLE - Some evidence to suggest this is possible here
- UNLIKELY - Uncommon, but has been known to occur elsewhere
- RARE - May occur in exceptional circumstances
- REMOTE - Never heard of but not impossible

CONSEQUENCE DEFINITIONS

- CATASTROPHIC - Local extinctions are imminent / immediate
- MAJOR - Likely to cause local extinctions, if continued in longer term
- SEVERE - Affecting recruitment levels of stocks / or their capacity to increase
- MODERATE - Full exploitation rate, but long term recruitment / dynamics not adversely impacted
- MINOR - Possibly detectable, but minimal impact on population size and none on dynamics
- NEGLIGIBLE - Insignificant impacts to population. Unlikely to be measurable against background variability for this population

RISK RATING

Negligible	Low	Moderate	High	Extreme
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Strategies:

The following strategies have been developed to address each of the risks:

1. Education & Awareness

- All interested parties understand their respective obligations
- Develop Industry communication & relationship program

2. Deterrence

- All aspects of Quota Management System are fully monitored
- Enforcement Plan Communication Strategy
- Enforcement Outcomes Communication Strategy
- All aspects of fishing activity monitored

3. Enforcement

- Maximise successful prosecutions Outcomes
- Identify participants & methodology of Quota Evasions
- Reduce ability to evade Quota Management System

Target Outcomes:

The following target outcomes have been identified:

- Quota Management System integrity maintained
- Minimise quota evasion
- Pest / Disease incursions reported
- Reduce / minimise take of undersize

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Risks

- 1 = Quota Management System Integrity
- 2 = Quota Evasion
- 3 = Pest / Disease incursion
- 4 = Take Undersize

Strategies

- 1 = Education & Awareness
- 2 = Deterrence
- 3 = Enforcement

Coordination Team:

- West – Yolande Markey (State Coordinator WZA, CZA & SZA)
- Barry Tarr (Limestone Coast – SZA)
- Damien Wood (Central - CZA)
- Southern Ranger – Steven Kempster
- Abalone Fishery Policy Manager – Lianos Triantafillos

Risks Addressed				Strategies			Initiative	Actions	Who	When
1	2	3	4	1	2	3				
x		x	x	x			1 on 1 interactions	<p>Update and distribute Fishery User Guide</p> <p>Meet with LH's, RM's and Fish Processors prior to season. Ensure all have a clear understanding of:</p> <ul style="list-style-type: none"> • Legislative changes impacting coming season • Compliance focus for coming season • Fishers obligations in respect to completion of Part A of CDR • SARDI Catch & Effort returns • Pest / disease incursion protocol <p>Have interactions with LH's, RM's and Fish Processors throughout the season; ensure all remain clear on the rules and their obligations</p> <p>Industry Days</p>	SC	Pre-Season
		x	x	x			Induct new entrants	Induct new entrants	SC	As required
x		x	x	x			Established liaison & contact with Industry	<p>Have regular contact with SARDI, Policy, Industry Representatives and Stakeholders.</p> <p>Prior to season commencing, communicate forthcoming Compliance focus.</p> <p>Attend Industry meetings. Communicate Industry performance. Raise Compliance issues in a timely manner</p>	SC	Ongoing
									SC	Pre-Season
									SC	Ongoing

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Risks Addressed				Strategies			Initiative	Actions	Who	When
1	2	3	4	1	2	3				
x	x	x			x		Audit	<p>Audits to include but not limited to:</p> <ul style="list-style-type: none"> • Identification of CDR irregularities • Monitor quota balance for exceeding catch • Checking to ensure CDR's are completed fully • Ensure that audit points between Part A and Part B match accordingly • Compare CDR data against Prior Reports to ID unreported fishing • Check to ensure adherence to Perkinsus policy • Maintain appropriate business rules for CDR completion so that errors and/or anomalies are detected and followed up accordingly 	West	Season
x	x	x	x		x		Field based inspections	Inspections at sea, landing, transit and at Fish Processor	West, SR	Season
x		x	x		x		Regulatory review and revision	Contribute to amendment of legislation and policy where appropriate	SC	As required
x		x	x		x		Media	Utilise media to update on successful prosecution outcomes and disease outbreaks	SC, PRSA Comm's	As required
x	x	x	x			x	Intelligence	Collate and analyse information received through FISHWATCH and stakeholders	SC, Intel Analyst	Ongoing
	x		x			x	Intelligence driven operations	Develop investigations and carry out targeted operations in line with the Serious Offence Plan	West, SOG	As required
x	x	x	x			x	Address non-compliance	<p>Investigate instances of non-compliance</p> <p>Take enforcement action including issue of Caution, Expiation and Brief</p>	FO's	As required
x	x		x			x	Brief Quality Assurance	Briefs of evidence meet evidentiary requirements and are vetted to ensure quality assurance	FO's, PSC	As required