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WESTERN ROCK LOBSTER COUNCIL Inc.

West Coast Rock Lobster Managed Fishery

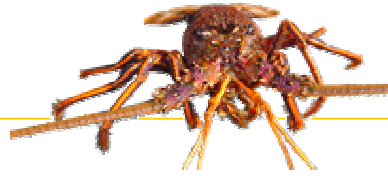
Code of Practice



Photo courtesy of D K Coughran

For Reducing Whale Entanglements





Introduction

The Western Australian Rock Lobster Council has developed this Code of Practice in conjunction with the Department of Conservation and Land Management (CALM) and SeaNet Environmental Extension Service, to reduce interactions with whales in Western Australian waters. Through a consultation process involving a range of stakeholders it was recognised that a Code of Practice was necessary. This Code of Practice is specifically aimed at minimising entanglement of whales in rock lobster pot lines, although the strategies proposed will also minimise entanglements with other marine wildlife.

The Code of Practice will also help the industry to make progress against the following government and management considerations:

- Fishing activities in which fishing gear is set, particularly methods that use trailing ropes or tethered buoys, is identified as a potentially threatening process, particularly for migrating Southern Right and Humpback Whales which are protected under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* and the *Western Australian Wildlife Conservation Act 1950*
- Whale entanglements are recognised as a management issue by West Coast Rock Lobster Fishery Management.
- Whale entanglements and the need for disentanglement training are recognized as a priority issue by Department of Conservation and Land Management and Department of the Environment and Heritage.

The Rock Lobster Fishery

The professional rock lobster fishery is the most valuable single-species fishery in Australia, providing major economic benefits for Western Australia. In 2000 it was the first fishery in the world to be certified by the Marine Stewardship Council (MSC) as a well managed and sustainable Fishery. The fishery was declared limited entry in 1963 when boat and pot numbers were frozen, and is controlled primarily through a management system that limits the effort of the fishery (total number of usable pots, divided zones of access and a seasonal closure between June 30 and November 15).

The fishery is managed in 3 zones: south of Latitude 30° S (C Zone), north of latitude 30° S (B Zone) and, within this northern area, a third offshore zone (A Zone) around the Abrolhos Islands.

Rock lobsters are found across the State but over 85% of the catch is taken from between Kalbarri and Cape Leeuwin. Rock lobsters are harvested using baited pots set on coastal reefs in depths up to 150m. Pots are normally set and hauled individually every 24 hours with a line running from each pot to surface floats.

Environmental Management

Recommendations have come from the Commonwealth Department of the Environment and Heritage, *Assessment report of the Western Rock Lobster Fishery*. Through the assessment the following points have been highlighted as areas requiring attention.

Information requirements - DEH Strongly recommends continuing monitoring and collection of information on all cetacean interactions in the fishery.

Assessment - The submission indicates that cetaceans may be at risk of entanglement in pot lines. It states that the increased level of interaction in the fishery may be related to two factors: the movement of fishers into shallower waters without shortening float lines; and the overlap between the start of the fishing season and the southward migration of the humpback whales, and the end of the fishing season with their northward migration.

Management response - The report states that when fishers move to shallow waters the lines should be shortened to account for the change in depth and avoid excess line suspended in the water column or floating on the surface.

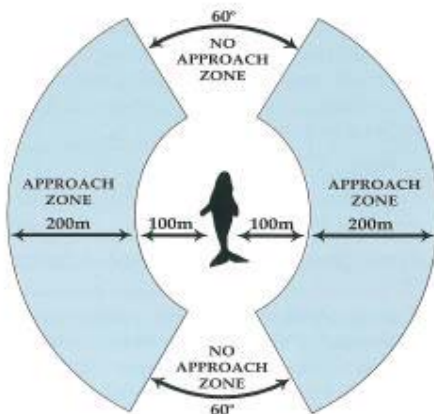
Conclusions - DEH recognizes that the Western Australian Department of Fisheries (WADF) are working with industry and CALM to address the issue of whale entanglement in the fishery and encourage WADF, in conjunction with industry and the relevant officers in CALM, to review the management strategies in place to minimize these interactions. Particular attention should be given to the overlap between the fishing season and whale migration and the activities of fishermen when operating in shallow waters.



Fishing industry practices that reduce the risk of whale entanglements

Rocklobster fishermen should:

- Remain vigilant during the month of June
- avoid excessive slack in pot ropes, particularly during the start and finish of the fishing season. Ropes should be adjusted to a length appropriate to the depth and strength of tide being worked, especially inshore. Excess slack in pot ropes can be coiled and tied close to floats. Slack should be limited to enough rope to allow for recovery and to commence hauling safely (Dog bone / shanking);
- where possible avoid setting pots in clusters;
- regularly check pots, as per standard fishing practice. The Disentanglement teams have a greater chance of success if the entanglement is discovered quickly;
- not leave pots in the water if not fishing for prolonged periods. Pots should be retained on board or returned to shore when they are not fishing for prolonged periods;
- report entanglements as soon as possible. Rapid reporting ensures entanglement response teams have the best possible chance of successfully disentangling whales. Fishers should monitor entanglement situations, with due regard for the safety of the vessel and the whale, until assistance teams arrive;
- keep up to date contact details aboard;
- adopt a cooperative approach to avoiding entanglements and responding to entanglements when they occur. Fishers can voluntarily participate in Department training programs for involvement in disentanglement operations. This training will ensure that fishers are aware of procedures and are familiar with disentanglement team personnel. **The readiness, local knowledge and vessel handling skills of fishers are beneficial to disentanglement operations. Fishers should not attempt disentanglement of whales without the assistance of CALM;**
- collect any abandoned / lost or cut pot lines, rope or fishing gear
- investigate new technologies that may reduce entanglements.



Recommended approach distance
Artwork courtesy of CALM



A pot line shortened for a shallow water set

Whale Ecology and Management

In Western Australia there are some whale species more vulnerable due to their migratory patterns. The most vulnerable is probably the Southern Right Whale (*Eubalaena australis*) listed under the EPBC Act as an endangered species. Other species likely to be affected in WA waters are migrating Humpback Whales (*Megaptera novaeangliae*) and the critically endangered Blue Whale (*Balaenoptera musculus*).

The characteristics of some species that may lead to vulnerability are:

Southern Right Whale:

- Slow swimming, migrates through coastal waters, breeds inshore in coastal waters during winter between May to October
- Has rough callosities on head and very long baleen, which could increase the risk of entanglements
- Difficult to disentangle due to uncooperative nature

Humpback Whale:

- Migrates Northward through Western Australian waters during late May to August, returning Southward, September to December
- Slow swimming, has very long flippers with knobby leading edges

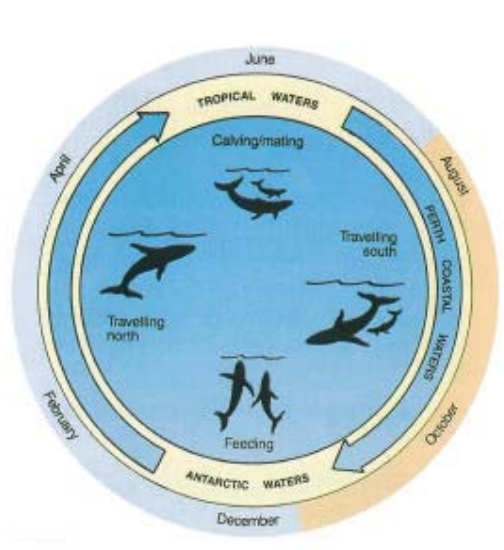


Figure 2) Annual whale migratory routes
Artwork courtesy of CALM

Blue Whale:

- Fast streamlined whale; feeds in West Australian waters from December to May
- Danger of entanglement in baleen or flippers while feeding
- Size and power could make it very difficult to rescue.

Entanglement of cetaceans with fishing gear poses a serious threat to some species, particularly those that are endangered. The causes of entanglement in Australia are varied but records of the types of materials involved include lobster pot lines. Wildlife managers believe that the likelihood of further entanglements occurring in WA will increase as whale numbers increase.

The scale of whale entanglement in fishing gear varies from state to state. In Western Australia a total of 33 whale entanglements between 1990 and 2004 have been recorded. Twenty three of these entanglements (relating to Humpback Whales) have involved Western Rocklobster pot lines. On the South Coast, one Southern Right Whale was entangled in King George Sound, including one dead Humpback found washed up on the Beach. The remaining entanglements involve other fishing gears.

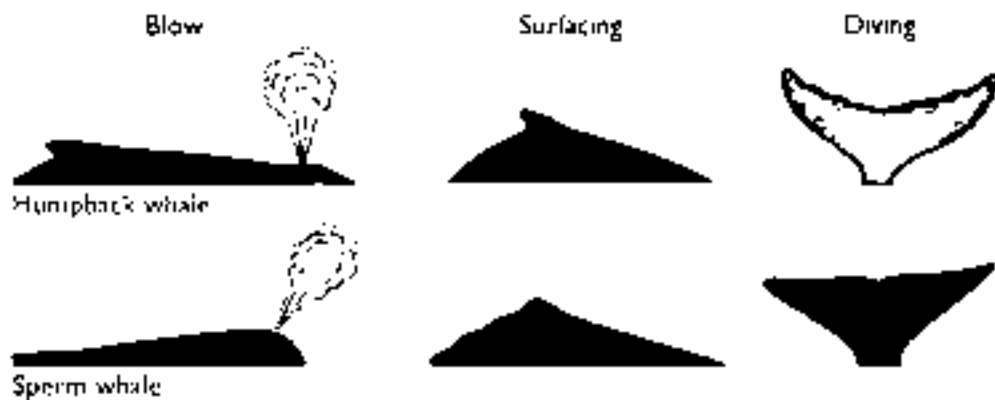
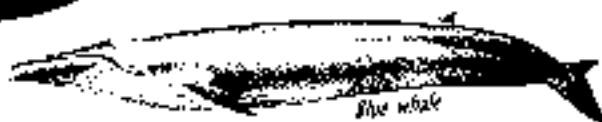
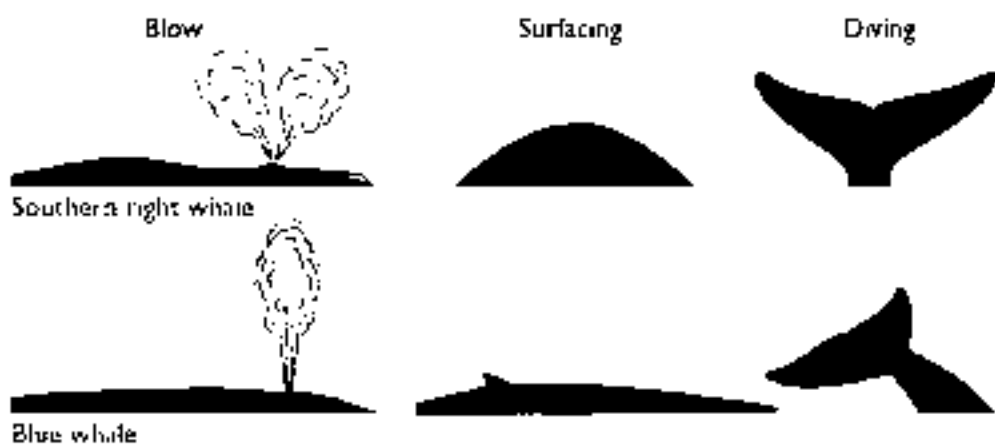


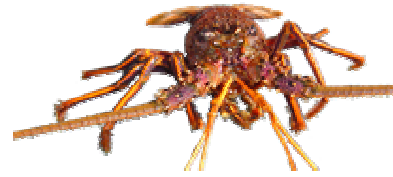
Entangled Humpback whale
Photot courtesy of CALM

There is a particular concern about whale entanglements because of their size. Whale entanglements present complex and often dangerous situations that require specialist skills and training if the whale is to be released unharmed. In addition, there is increasing public interest and concern about such events when they do occur.



Whale identification chart





Disentanglement program

The Department of Conservation and land management is dealing with the entanglement through the 'kegging' technique in use by Conservation officers in Western Australia for several years. This technique was developed by the Center for Coastal Studies in eastern USA. The disentanglement training program provides a standard operating procedure for attaching long lines and heavy buoys to the whale to slow it down, tire it out and keep it on the surface, allowing trained personnel to approach more safely and attempt to remove the entanglement completely.



Disentanglement procedure
Photo courtesy of Kevin Crane

The entanglement is cut away using specialised knives attached to long poles. It is important to remove the rope not just free the animal. This procedure is being adopted by all Australian state government agencies. The rescue operations are conducted according to a recognised response system used for emergency situations in Australia. Fishers are also encouraged to participate in future training programs.

While disentanglement provides a means for dealing with some individual incidences as they arise, the best 'solution' to the problem also involves treating it at the source. This can be done by finding ways to minimise risk of entanglement through a range of means as outlined in this protocol.

Benefits of the Code of Practice

1. As a conservation measure to assist in protecting whales from entanglement
2. The profile of the rock lobster industry can be improved by:
 - their direct involvement in the reduction of whale entanglements by acknowledging best fishing practices at industry level; and
 - their involvement in the disentanglement program.
3. Avoiding loss of gear and catch from lost lobster pots.
4. An established disentanglement network. The need exists for fast reporting of incidents so the disentanglement process can begin.

Important contact information

To notify CALM of an entanglement call:
Wildcare - 08 9474 9055 or
General enquiries - 08 9334 0292

The Western Australian Rock Lobster Council would like to acknowledge the contributions and support of the following organizations.



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