

Submission to GBRMPA on their draft Strategic Assessment & Program Report:

the depleted inshore fisheries of the Great Barrier Reef Marine Park need urgent management change



Juvenile queenfish fatally meshed in a bait net

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Introduction

As co-ordinator for the Network for Sustainable Fishing, Douglas Region from 2007 to early 2013, I have been working regularly with other regional networks, including the Cooktown Fishing Restoration Group, CAREFISH, Mackay Recreational Fishers Alliance and other founder members of the Queensland Recreational Fishers Network (QFRN) and the GBRMPA Local Marine Advisory Committees (LMACs) to highlight widespread community concerns over depleted inshore fish stocks and unsustainable features of the east coast inshore finfish fishery (ECIFF).

One of our major achievements during this period was publishing in 2010 of our 62 page report '***A Review of Concerns relating to the offshore gillnet fishery in the inshore waters of the Great Barrier Reef Marine Park in relation to the Guidelines for the Ecologically Sustainable Management of Fisheries, with recommendations for early intervention***' (our '*Review of Concerns*'). A co-ordinator of each of the above networks contributed to the preparation of this document which is available from the ***Fishers for Conservation*** website at: www.ffc.org.au/Grey_Mackerel.html#latest.

Our '*Review of Concerns*' assesses the performance of the ECIFF offshore gillnet fishery within the GBRMP against the principles, objectives and guidelines of the federal *Guidelines for the Sustainable Management of Fisheries (2007)* and found it to fail to match up to the requirements of any of these 17 principles, objectives and guidelines. Our conclusion is that there are many aspects of the ECIFF gillnet fishery which are clearly unsustainable. As such the ECIFF should not be accredited as a legitimate Wildlife Trading Operation under the *EPBC Act 1999* (nor indeed under the Marine Stewardship Council accreditation scheme).

Our '*Review of Concerns*' was endorsed by the Douglas LMAC and I was subsequently required to present it to the 2010 LMAC Chairs meeting in Townsville. At this meeting the report's findings were given considerable support by the LMAC Chairs present and even some GBRMPA personnel. One of their managers went as far as to say it should be recommended reading for all GBRMPA staff.

In 2008, another independent review, this time of the entire ECIFF, by John Gunn, Frank Meere and John Stevens had been commissioned by the Federal Minister for the Environment, Heritage and Arts, the Honourable Peter Garrett MP. This is available at <http://www.environment.gov.au/system/files/pages/c5ce4081-6461-467e-a397-275b82a45307/files/east-coast-finish-review.pdf>. This review also highlighted considerable short comings of the ECIFF and listed a range of improvements that would be required before the fishery is worthy of WTO accreditation. A number of these important improvements have not been introduced or else have been introduced and then abandoned (e.g. the desperately needed onboard observer program).

A subsequent desktop assessment, by DSEWPAC, of the ECIFF for the award of WTO-approved status has failed to acknowledge the remaining and very obvious short-comings of the fishery, as identified by the Gunn, Mere and Stevens assessment and also by the NSF '*Review of Concerns*'. This DSEWPAC work should be recognised as little more than an incomplete "box ticking exercise" with one of its many shortcomings being inadequate public consultation.

Because of continuing high levels of community frustration over the lack of action by either FQ or GBRMPA to address the clearly identified risks and issues identified by the above assessments, and also because of continuing widespread concerns over the depleted levels of many iconic inshore fish species, NSF prepared two further key reports.

One of these, '***The depleted inshore fisheries of the Great Barrier Reef Marine Park need urgent management change: submission to UNESCO Delegation to Australia,***' was delivered by me in March 2012 to the Cairns meeting with visiting UNESCO delegates tasked to review the status of the GBRMP.

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This report also explores and replies to a number of the oft-repeated urban myths perpetuated by some in the commercial sector regarding the alleged downside of bringing in much-needed reform to the gillnet fishery. This report is available on line from FFC at: <http://www.ffc.org.au/SUBMISSION%20TO%20UNESCO%20DELEGATION%20TO%20AUSTRALIA,%20MARCH%202012.html>.

A subsequent report was prepared for Fisheries Minister, John McVeigh, and delivered to him at a meeting in Cairns in August 2012. This report, '**A community campaign for sustainable inshore fishing**' was also widely circulated on various fishing networks, including to GBRMPA and Fisheries Queensland (FQ) staff. The report provides summaries of 18 relevant recent scientific papers and government publications providing the scientific evidence, as well as many local community member observations and press articles, upon which our concerns are based. It provides a complete background to our six-year local media campaign attempting to encourage appropriate fisheries management change; see: [http://www.ffc.org.au/FFCWEBSITE_images/Grey%20Mackerel%20Qld/A%20community%20campaign%20for%20sustainable%20inshore%20fishing%20in%20Far%20North%20Queenland%202012%2008%2025%20FINAL%20\(18%20refs\).pdf](http://www.ffc.org.au/FFCWEBSITE_images/Grey%20Mackerel%20Qld/A%20community%20campaign%20for%20sustainable%20inshore%20fishing%20in%20Far%20North%20Queenland%202012%2008%2025%20FINAL%20(18%20refs).pdf).

As we attempt to ensure our networks are solutions-orientated, NSF collaborated with Cairns-based CAREFISH and other founder members of QFRN to produce our report '**Bones of Contention: improved management of inshore fisheries in the Great Barrier Reef Marine Park would benefit fishing and tourism sectors in FNQ**'. The '**Bones of Contention**' offers a draft roadmap for the necessary changes to the gillnet fishery within the GBRMP which would help lead the fishery towards a sustainable future. This was widely distributed in August 2012, including to FQ and GBRMPA, and is available at: http://www.ffc.org.au/FFCWEBSITE_images/Grey%20Mackerel%20Qld/nov%202012/The%20Bones%20of%20Contention%203rd%20edition%202012%2008%2028%20FINAL.pdf.

On 30 April 2012 I sent the above information to Josh Gibson, Manager, GBRMPA Strategic Projects via email to sap@qbrmpa.gov.au under my letter captioned: '*Comments on the GBRMPA draft Terms of Reference for the Strategic Assessment of the GBRMP World Heritage Area*'.

Comments on the fisheries sections of the Draft SA & PR

1. GBRMPA is failing to ensure ecologically sustainable use of GBRMP

It is widely recognized that "*the Authority has a direct management responsibility to ensure use of the Marine Park is ecologically sustainable*" (see e.g. SA Section 3.11.2). It follows therefore that GBRMPA is tasked with ensuring that fish extraction from the park is sustainable. Note under SA Section 13.2 **Applying the principles of ecologically sustainable development**, GBRMPA states: "*If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.*"

Based on extensive regional consultation with members of various fishing networks along the GBRMP urban coastline, over the last six years, and feeding the results of this back to GBRMPA through the Douglas LMAC and also at the 2010 LMAC Chairs Meeting in Townsville and through various reports, some of which are listed above, I can state with some authority that GBRMPA, in their current draft SA and PR **are failing to adequately address the threats identified and reported to them by experienced and knowledgeable fishing networks along the GBRMP urban coast.**

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2. GBRMPA apparently paying only lip-service to community consultation

Some fine statements in the SA are not being followed by GBRMPA at present, e.g. under SA Section **13.1.1 Foundational management**: “— *accessing and capturing the best available science, as well as drawing on traditional ecological knowledge and information from the wider community*” and “*Where there is scientific uncertainty, the Authority seeks to harness expert opinion, plus knowledge held by **Traditional Owners and stakeholders, including through its advisory committees and through seeking public comment.***” These are direct quotes from the Draft SA.

As noted in the introduction to this submission, our community networks and in some cases our local LMACs have either endorsed or contributed in some form or other to the material presented in the reports mentioned in the introduction to this submission. This material was resubmitted to the GBRMPA SAP, as indicated above. It is therefore remarkable that the draft Strategic Assessment (SA) and Project Report (PR) both fail to refer to, or acknowledge, the deep concern expressed by so many along the urban coast of the GBRMP regarding our depleted inshore finfish resources.

The SA and PR both ignore our awareness of existing and forecasts of worsening localised depletions as the cumulative threats of inappropriate fisheries management and other factors. Other factors include the widespread netting of spawning aggregations and use of inappropriate small mesh nets, including bait nets at the commercial and recreational levels, environmental degradation and localised pollution.

If this sugar-coating and problem avoidance displayed in the draft SA and PR are not remedied in their final versions by thoroughly recognizing our **often repeated concerns** and identifying how they will be managed, the **existing antagonism felt towards GBRMPA** by so many in the community as a result of how the Representative Areas Program (RAP), was rolled out, will only be exacerbated.

As I have always, in-principle, supported the majority of the RAP, imagine how those who still remain antagonistic towards the RAP will feel towards the authorities as they experience out-of-town, itinerant and large-boat gill netters continuing to muscle-in on local and already depleted inshore fish stocks whilst antagonistic confrontations at the boat ramps between recreational and legitimate local gillnetters inevitably increase.

Section 12.3.1 of the SA, namely ‘*Recommended improvements to the Authority’s management arrangements*’ requires two additional dot points, namely:

- *“greatly improving the recognition and collation of community concerns relating to inadequate fisheries management and depletion of inshore finfish resources raised through the LMACs, any other community consultations and the many representations made by other community networks, and*
- *greatly improving the integration of these concerns into appropriate strategic program planning”.*

The following questions must be asked:

- i) *Why has the material processed up through the LMAC system and repeatedly presented to the Chairman of GBRMPA and other managers not made it into the current draft SA and PR documents?*

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- ii) Is there a deliberate cover-up and can the GBRMPA executive and well-intentioned senior staff maintain a clear conscience and good morale by simply paying lip-service to the results of the very expensive LMAC process?*
- iii) If the results of consultation through the LMACs continue to be ignored in the way they have been, would the money spent on the LMACs not be better spent directly on reform of coastal fisheries management and increased surveillance?*
- iv) Are LMAC members simply wasting their time attending meetings since their recommendations are so often ignored by GBRMPA as the Authority simply works through yet another "box-ticking exercise"?*

3. It is also **ABUNDANCE**, not just biodiversity

Under SA Section 12.4 'Recommendations of the coastal zone assessment' and in REC20 we find: 'Support research on critical ecosystem thresholds, with a focus on inshore biodiversity and associated ecosystems'. This recommendation is far too weak as it seems to assume that it is only biodiversity which is important. The **ABUNDANCE** of key species is also of crucial importance. There is no point in having just three or four queenfish, grunter, or grey mackerel or any other species swimming around our different estuaries or embayments. Our communities expect and indeed **need** our depleted inshore finfish resources to be given the opportunity to **rebuild** to levels approaching those of the 1970's.

Allowing fish stocks to rebuild naturally will eventually allow, under appropriate management, far greater take by both the commercial and recreational sectors, greater all round sector prosperity and less antagonism between sectors whilst re-building resource resilience.

4. Need for a class action against the authorities?

The authorities are urged to take effective action before long-term, serious damage is done to inshore fish stocks. In a parallel situation in the USA in the 1990's, sports fishers and conservationists combined forces to win a landmark lawsuit against the government for "**failing to fulfil its duty to protect fish stocks**". We are currently approaching the need for similar action here along the urban coast of the GBRMP and are seeking a suitably motivated and financially secure commercial sponsor.

5. Queensland fisheries are not yet suited to co-management

In contrast with relatively recent findings of the misguided Canberra-based desktop study by DSEWPAC, direct experience along the GBRMP urban coast is that the management authorities of the ECIFF have, so far, failed in their mandated role to develop an effective regulatory framework for the ecologically and economically sustainable development of our inshore fishery.

The outcome to date is divisive; some within the commercial, charter and recreational fishing sectors have become angry, frustrated and defensive, and at times have a tendency to portray the other sectors as "the enemy".

Superficially it may appear that the most constructive way forward would be for all fishing sectors and stakeholders to work together in a spirit of across-the-board co-operation to identify the underlying problems, address them accordingly and work out some sort of catch sharing arrangement. This can be referred to as co-management, described in a recent FRDC field trial as "**an arrangement in which responsibilities and obligations for**

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sustainable fisheries management are negotiated, shared and delegated between government, fishers, and other interest groups and stakeholders.”

It could be argued that such a combined, multi-sector push for regulatory changes to the management of our fisheries should achieve acceptable levels of ecological and economic sustainability in our inshore fisheries. However, as has been shown from recent research¹ this assumption would be verging on naive.

A study of 130 co-managed fisheries throughout the world, including five such co-managed fisheries in Australia, by researchers including internationally renowned fisheries management expert, Professor Ray Hilborn, found that certain conditions are necessary for successful co-management of fisheries.

Researchers Gutierrez, Hilborn and Defeo “*found that the most important co-management conditions necessary for successful management of fisheries are presence of community leaders, strong social cohesion, individual or community quotas, and community-based protected areas. Additional key attributes were enforcement mechanisms, long-term management policies and influence of fishers in local markets.*” Note they found that “*Leadership was critical for successful co-management of fisheries*”. We all know that none of these conditions exist along the shores of the GBRMP.

Discussions have of course been carried out over the years in Queensland between different sectors of the ECIFF, recreational fishery advocates and government in the form of management advisory committees etc. These have been “***spectacularly unsuccessful***” in achieving any acceptable level of economic and ecological sustainability in the fishery.

I can name several very experienced, well-intentioned and responsible senior recreational fishers who have spent hundreds of hours in such meetings and declare not only were they “***spectacularly unsuccessful***” but also encountered unacceptable levels of personal stress, financial expense and what was eventually considered a waste of personal free time.

Messrs Gutierrez, Hilborn and Defeo would almost certainly predict that effective co-management of the ECIFF, under present conditions in the GBRR, would be most unlikely to develop successfully. The necessary pre-conditions for its success in Queensland are clearly lacking. This will remain the case at least until major changes are made to the ECIFF. It would be remiss of the authorities and politicians not to recognize this crucial point.

6. Recommendations for ECIFF management change

As a summary of material already given in documents mentioned above, I present below a brief outline of a range of recommended management changes to the ECIFF for consideration. Some but by no means all of the most straightforward means of encouraging the recovery of Queensland’s east coast inshore fish stocks, whilst minimising conflict between and within fishing sectors, include the following:

- i As threadfin and several other key commercial inshore fish species spawn outside the barramundi closed season, close an appropriate proportion of their spawning grounds to gillnetting for their entire spawning seasons (such areas are usually inshore turbid waters adjacent to estuaries);*
- ii close inshore waters of key conservation, recreational and tourism importance to all gillnetting;*
- iii require commercial fishing be a full-time occupation not supplemented or subsidised by alternative sources of significant income;*

¹ Gutierrez, et al. 2011. **Leadership, social capital and incentives promote successful fisheries.** Nature 470, 386–389. Available at: www.nature.com/nature/journal/v470/n7334/abs/nature09689.html;

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- iv *develop appropriately fine-scale spatial management by restricting each gillnet licence to operate within a given, restricted, non-transferrable home range rather than allowing them to work virtually on any inshore, east-coast netting ground, as at present;*
- v *should FQ prove impotent with regards to the introduction of spatial management of the gillnet fishery, GBRMPA should ensure this by issuing permits to fish for those individual gillnetters with proven history of netting within their local areas of the Park;*
- vi *in areas where there appear to be relatively small populations of certain philopatric inshore fish species, (e.g. as a result of limited watershed areas, refer to SA Figure 1.1 page 1.4, and inspect the tiny GBRR watershed of the Douglas Shire) ban gillnetting of these species, e.g. grey and school mackerel (as is already the case for Spanish and spotted mackerel);*
- vii *in identified and/or likely nursery areas for regulated species within the GBRMP, ban use of recreational and commercial **beach seine nets** (i.e. bait or 'drag' nets) during months when fingerlings concentrate in shallow waters along beaches and maintain a similar ban throughout the year in all RAP Yellow Zones;*
- viii *in GBRMP, ban the use of nets less than 6 ½ inches stretched mesh for passive gillnetting (NB this should **not** prevent the use of active surround netting of mullet) and better enforce the existing ban on sale of all gillnetting to anyone not in possession of an appropriate, current commercial fishing licence;*
- ix *review current fisheries enforcement and surveillance requirements and performance, including the need for VMS on gillnet vessels: **increase both surveillance and enforcement to effective levels;***
- x *where there are strong public concerns over declining stocks but scientific proof of overfishing is lacking, place greater emphasis on monitoring stock status of key species affected by the ECIFF and use the precautionary principle to introduce measures to ensure stocks rebuild to adequate levels;*
- xi *If the need for any of the above is refuted by the current administration, have the sector reviewed by independent fisheries management specialists with specialist qualifications and experience sufficient to meet international fishery management standards.*

7. Ongoing advocacy for sustainable fishing at acceptable resource levels

I discontinued my pro-bono activities as co-ordinator of the NSF in early 2013 for the simple reason I do not have the personal resources to adequately undertake the large amount of work that this role demands. The reason there is such a large work load in this role is quite simply because neither GBRMPA nor FQ are performing at the levels required of them.

NSF has now identified the science behind our concerns relating to the inappropriate management of the inshore fisheries of the GBRMP. We have delivered this to the public via the website of **Fishers For Conservation**.

My role has now developed into presenting the science in a more readily assimilated format to the public in a series of articles in the popular fishing press. The following publications serve as a recent contribution to a bibliography of popular literature aimed at improving public awareness of the issues and helping formulate and gauge public opinion.

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The content of these articles should be considered by all in GBRMPA who contribute to or manage the fisheries input to the final versions of their draft SA and PR, and indeed all in GBRMPA who profess to have a passion for their work.

These articles include:

- Eussen, Dick. 2010. Regional Co-management – Fishing. NQ Fish & Boat, Mackay, April issue. 3pp.
- Cook, David C. 2012. **GBRMP's declining inshore fisheries: (industry) claims, comebacks & concepts.** NQ Fish & Boat, Mackay (Feb or Mar. issue? check).
- Cook, David C. 2012. **Drag net slaughter on the beaches: a can of worms and a need to change old habits.** NQ Fish & Boat, Mackay, June issue, p38.
- Cook, David C. 2013. **Is our inshore fishery sustainable?** NQ Fish & Boat, Mackay, April issue, p36.
- Cook, David C. 2013. **A closer look at our inshore fishery.** NQ Fish & Boat, Mackay. May issue, p33.
- Cook, David C. 2013. **Misinformed, misguided and downright unsustainable!** NQ Fish & Boat, Mackay, June issue, p32.
- Cook, David C. 2013. **Gillnetting in the GBRMP: recommendations for urgent change.** NQ Fish & Boat, Mackay, July issue, p35.
- Cook, David C. 2013. **Grey mackerel sustainably fished??** NQ Fish & Boat, Mackay, September issue, p30.
- Cook, David C. 2013. **Minister's admission a shocker!** NQ Fish & Boat, Mackay, October issue, p34.
- Donald, Dave. 2013. **Sustainable fisheries management – dream or nightmare.** NQ Fish & Boat, Mackay, November issue.
- Cook, David C. 2013. **Concerns over Minister's latest reply on Grey Mackerel.** NQ Fish & Boat, Mackay, December issue, p30.

CONCLUSION

The fisheries sections of both the Draft SA and PR are inadequate to the extent of being overly weak and are unacceptable to me. The problems presented by the ECIFF as a result of an inherited history of mismanagement are formidable and there are no easy or quick fix solutions.

Nevertheless if we are to halt the ongoing depletion of inshore fish stocks and demonstrate responsible and ecologically sustainable management at acceptable stock levels, then adequate and appropriate reform to the ECIFF **must** be introduced above and beyond the current gillnet buyback program. So far GBRMPA has failed in its duty to acknowledge and address the widespread and frequently presented community concerns regarding our depleted inshore fisheries resources and the continuing risks posed to them by the ECIFF.

GBRMPA's present draft SA and PR documents fail to "*grasp the nettle*" and either simply ignore or "*pay lip service*" to our depleted resources whilst "*tiptoe-ing around the problems*".

It is with great disappointment that the lack of substance in the fisheries sections of GBRMPA drafts leads me to conclude that my attendance at LMAC meetings is a waste of my time and that I should tender my resignation as a member of the Douglas LMAC at our next meeting. I shall of course remain a regular and independent commentator on the state of our inshore fisheries in Douglas Shire inshore waters and on the performance of the authorities tasked with their management.

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"All truth passes through three stages. First it is ridiculed, second it is violently opposed and third it is accepted as being self-evident." ...19th. Century German Philosopher, Arthur Schopenhauer.