



Sustainable Fishing - Healthy Seafood
Seafood Industry Victoria Inc.

Victorian Rock
Lobster Fishery

Code of Practice



for
Reducing
Whale
Entanglements.



Practice

Introduction

The Victorian Rock Lobster Fishery has developed this Code of Practice to reduce the impact of their fishing activities on whales. Through the development of the Rock Lobster Management Plan involving a wide 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 for Southern Right Whales in the Southern Right Whale Action Statement under the Victorian Flora and Fauna Guarantee Act 1988.
- ◆ Whale entanglements are recognised as a management issue by the Victorian Rock Lobster Fishery Management Plan.
- ◆ Whale entanglements and the need for disentanglement training are recognised as a priority issue by Department of Sustainability and Environment, Department of Primary Industries and Department of Environment and Heritage.

The rock lobster fishery

The commercial rock lobster fishery is Victoria's second most valuable fishery. The fishery is managed under an annual total allowable catch of 510 tonnes, with a landed value of about \$18 million. There are more rock lobster boats and more people involved in the rock lobster fishery than any other Victorian fishery and it is of major importance to the economies of coastal communities.

Rock lobsters have been harvested under management for more than 100 years, 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 a surface float. The number of boats in the fishery has been capped under a system of limited entry since 1968, and the number of pots in the fishery is also capped.

The fishery is managed in two zones, east and west of a line near Apollo Bay. Although rock lobsters are found across the State, over 85% of the catch is taken from the western zone, where there are extensive areas of offshore reef.

The Rock Lobster Fishery Management Plan

The rock lobster fishery management plan, released in June 2003, provides the basis for managing the Victorian rock lobster fishery. The plan contains the goals, objectives and strategies that will be followed for the fishery for the next five years.



Photo courtesy R. Davis and SeaNet

The highest priority of the plan is to ensure the sustainability of the rock lobster resource and the integrity of the marine ecosystem that supports it. Under the goal of maintaining the ecological integrity of marine ecosystems, a main objective is to minimise wildlife interactions in the rock lobster fishery.

The plan proposes that a code of practice should be developed to cover all aspects of the commercial rock lobster fishery. However, the plan also identifies the need for a specific code of practice for the commercial fishery to minimise interactions with protected wildlife species.

The plan identifies two types of wildlife interactions with the rock lobster fishery; entanglement in pot lines and entrapment in pots. Various species of whales have the potential to become entangled in pot lines and although it is rare in Victoria, the rate of entanglement is increasing around the world, and in Australian waters.



Fishing industry practices that reduce the risk of whale entanglements

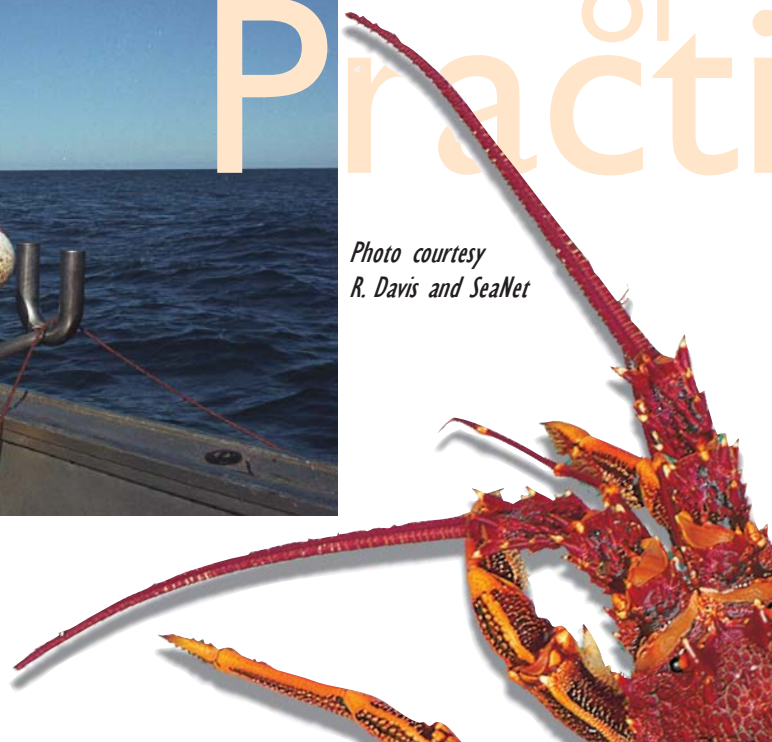
Rock Lobster Fishers should:

- ◆ avoid excessive slack in pot ropes. 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;
- ◆ 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 land base 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 are not encouraged to attempt disentanglement operations; and
- ◆ Investigate new technologies that may reduce entanglements.



*Photo courtesy
R. Davis and SeaNet*

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Whale ecology and management

In Victoria there are a number of whale species at risk. The most vulnerable is probably the Southern Right Whale (*Eubalaena australis*), a critically endangered species which migrates to Victorian coastal waters, where it spends several months every winter to mate and give birth. Other species likely to be effected in Victoria are migrating Humpback Whales (*Megaptera novaeangliae*) and the critically endangered Blue Whale (*Balaenoptera musculus*), which feeds in the Bonney up-welling off Portland.

Some species characteristics 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 through Victorian waters during May to July and November to December
- ◆ Slow swimming, has very long flippers with knobby leading edges



Entangled Humpback Whale off Fremantle.
Photo courtesy CALM, WA

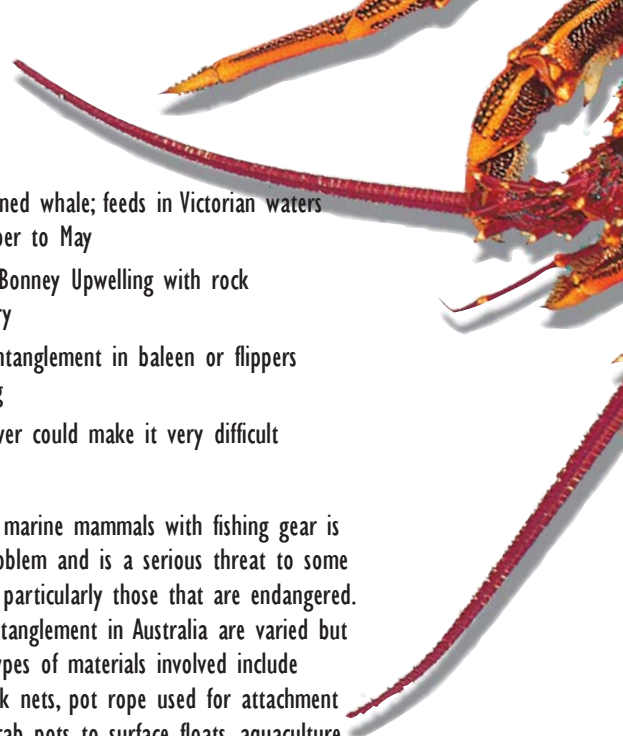
Blue Whale:

- ◆ Fast streamlined whale; feeds in Victorian waters from December to May
- ◆ Co-exists in Bonney Upwelling with rock lobster fishery
- ◆ Danger of entanglement in baleen or flippers while feeding
- ◆ Size and power could make it very difficult to rescue.

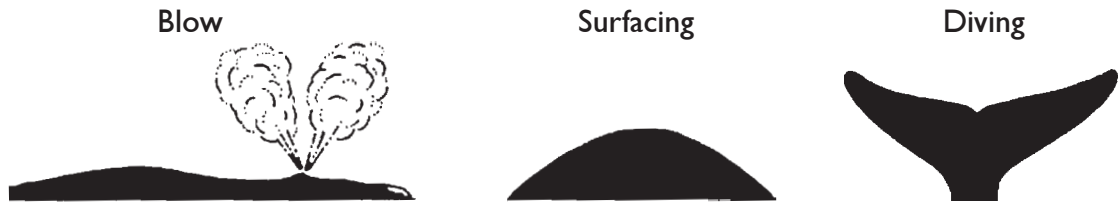
Entanglement of marine mammals with fishing gear is an increasing problem and is a serious threat to some cetacean species, particularly those that are endangered. The causes of entanglement in Australia are varied but records of the types of materials involved include fishing nets, shark nets, pot rope used for attachment of lobster and crab pots to surface floats, aquaculture equipment and mono-filament fishing line. Wildlife managers believe that the likelihood of further entanglements occurring in Victoria will increase as whale numbers increase. They are also concerned that although the number of pots in the fishery is capped, there is potential for localised increases in pot numbers where whales occur, either by local fisheries acquiring more pots or more fishers moving into an area. This situation will be monitored by Fisheries Victoria.

The scale of the entanglement problem varies from state to state. In Western Australia a total of 33 whale entanglements between 1990 and 2004 have been recorded. This includes 30 Humpback Whales and three Southern Right Whales. In South Australia, two entanglements, both Southern Right Whales have been reported, one in 2001 and one in 2002. In Queensland and New South Wales numerous entanglements have been reported and several have gained significant media attention in recent years. To date there is only one official record of a whale entanglement in Victoria. This occurred in July 2003 when a Humpback Whale became entangled in lobster pot rope, which was caught on a reef. During the disentanglement operation the animal managed to pull itself free of the reef overnight but some rope may have remain attached, a potentially fatal scenario for the whale in the longer term.

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.



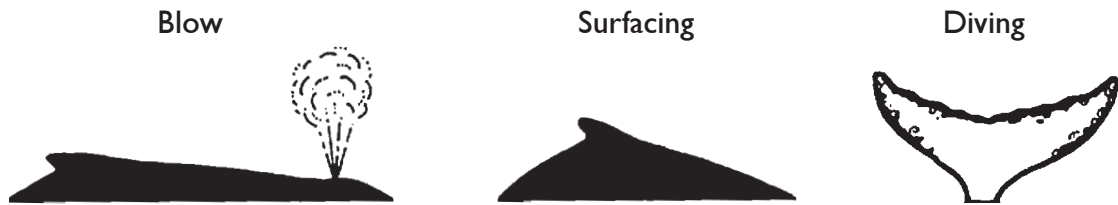
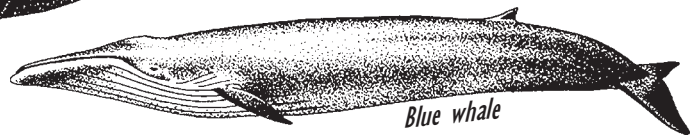
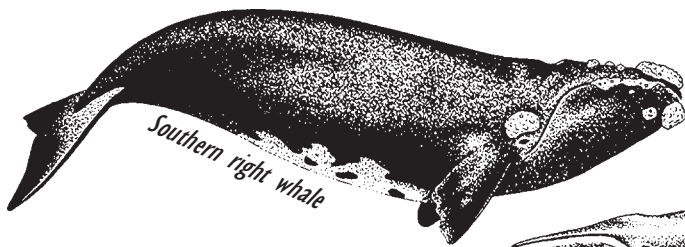
Whale identification chart



Southern right whale



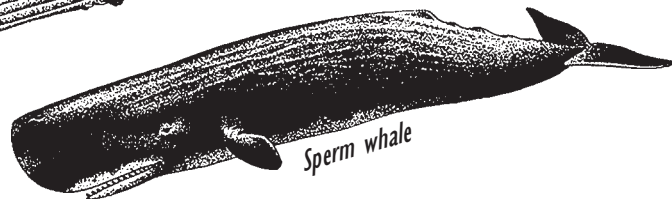
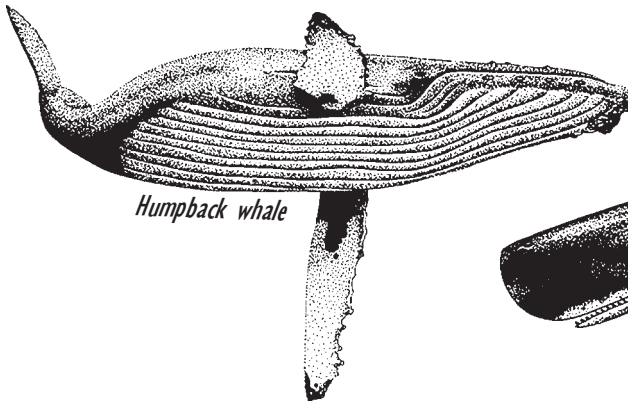
Blue whale



Humpback whale



Sperm whale



Illustrations by Ian Dickinson, from *Whales & Dolphins of Western Australia*, CALM, WA

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Disentanglement program

The Department of Sustainability and Environment is dealing with the entanglement problem by training and equipping staff in the 'kegging' technique in use by Conservation officers in Western Australia for several years. This technique was developed by the Centre 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



*Disentanglement procedure training — Port Fairy 2003
Photo courtesy DSE*

the surface, allowing trained personnel to approach more safely and attempt to remove the entanglement completely. 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. In Victoria, DSE Flora Fauna staff supported by DPI Fisheries staff and vessels conduct

the operation. 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.
5. To minimise risks to the whale entanglement response team and rescuers.

Important contact information

Fisheries Hot Line: 13Fish(133474). The duty officer will then contact DSE Flora Fauna.

Seafood Industry Victoria would like to acknowledge the contributions of its Rock Lobster Fishery representative committee (RockComm), and the following organizations in the development of this Code of Practice



Cover photos: main photo - S. Davis and SeaNet, inset photo - M. Watson DSE, rock lobster photo - DPI

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