

Public Summary for the MSC Certification of:

THE WESTERN ROCK LOBSTER FISHERY

WESTERN AUSTRALIA

Under the SCS Marine Fisheries Certification Program

Certificate Number: SCS-MFCP-0001

Status: Certification Awarded with Requirements for Continued
Certification

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Accredited Certification Body:

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Marine Fisheries Certification Program

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1.0 GENERAL INFORMATION

1.1 Name and contact information for the certified fishery:

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1.2 General Background

At the request of WAFIC representatives, Scientific Certification Systems conducted an evaluation of the Western Rock Lobster Fishery in Western Australia, which occurs from just east of Cape Leeuwin (34°24' S), in the south to Shark Bay (24°45'S) in the north. The purpose of the evaluation was to determine the extent to which the management of this fishery (referred to as the “Western Rock Lobster” or “WRL” fishery in this report)--and the resource conditions found in the fishery--are consistent with the characteristics of exemplary fisheries management, as represented by specific Performance Indicators developed directly from the Marine Stewardship Council Principles and Criteria. The scope of the evaluation included a review of the health of the fishery resource, the care taken in protecting the marine ecosystem, and the operations utilized in managing the fishery.

1.3 Fishery and management system: fishery type and history.

1.3.1 EEZ/international waters

The Western Rock Lobster Fishery occurs within the Australian EEZ and does not occur in international waters.

1.3.2 A summary of basic information about the management assessed

1.3.2.1 The total management area and its main divisions

The western rock lobster is found in commercial quantities from just east of Cape Leeuwin (34°24'S) in the south to Shark Bay (24°45'S) in the north. The fishery is divided into three zones:

Below the 30° latitude (Zone C) to

Above the 30°S latitude (Zone A and B)

Zone A is the area of the Abrolhos islands

1.3.2.2 The fishery species composition

The fishery targets a single species of rock lobster, *Panulirus cygnus* George.

1.3.3 A summary of the fishery management system being implemented

1.3.3.1 Management objectives

The Western Australian *Fish Resources Management Act 1994* sets out the following objectives:

"The objects of this Act are to conserve, develop and share the fish resources of the State for the benefit of present and future generations."

In particular, this Act sets out the following objects:

- (a) to conserve fish and to protect their environment;
- (b) to ensure that the exploitation of fish resources is carried out in a sustainable manner;
- (c) to enable the management of fishing, aquaculture and associated industries and aquatic eco-tourism;
- (d) to foster the development of commercial and recreational fishing and aquaculture;
- (e) to achieve the optimum economic, social and other benefits from the use of fish resources;
- (f) to enable the allocation of fish resources between users of those resources;
- (g) to provide for the control of foreign interests in fishing, aquaculture and associated industries;
- (h) to enable the management of fish habitat protection areas and the Abrolhos Islands reserve.”

These objects are taken as the legislative expression of Ecologically Sustainable Development (ESD) within the Western Australian fisheries context, including the Western Rock Lobster Fishery.

1.3.3.2 *Management systems*

The primary method of controlling access to western rock lobster in Western Australia is through licensing, empowered under the *Fish Resources Management Act 1994*.

To be able to take western rock lobster on a commercial basis all the crew involved must have a Commercial Fishery License (CFL). In addition the boat must be a Licensed Fishery Boat (LFB). Finally, a Managed Fishery License (MFL) for the West Coast Rock Lobster Managed Fishery must be held.

Although there is no limit on the number of CFLs on issue, the number of Fishing Boat Licenses (FBLs) has been falling since 1983, when the issue of new ones was frozen for all but special circumstances. The number of MFLs in the Western Rock Lobster fishery

has been limited since 1963 as part of the suite of management measures for the fishery, which are expressed, in a type of subsidiary legislation called a “Management Plan”, together with various Regulations. These Regulations are generally used to stipulate biological controls (see below) and to control the recreational fishing sector generally.

The types of input controls used in the Western Rock Lobster fishery fall into a number of categories:

Biological

Gear and Season

Social/Economic

Compliance efficiency

Other.

Biological controls are the foundation of good management in the Western Rock Lobster fishery. They are designed to ensure that as far as possible, immature animals are protected through the setting of legal minimum sizes. Additional protection can be given to spawning females or even females with maximum reproductive potential through maximum sizes or the banning, of keeping females in breeding condition. These measures do not of themselves maximize production from the fish stock but do form the underlying “safety net” to protect the future of the stock for continued exploitation.

However, it is also considered important to ensure that there is a critical biomass of adult stock that enough eggs and young are produced each year to cope with both the vagaries of environmental fluctuations which can effect the settlement of young lobster, as well as the impact of commercial and recreational fishing.

The main aim of this management system is to introduce a suite of biological, social and economic controls that maximize the benefits for the economy.

In the Western Rock Lobster Fishery these controls include maximum trap holdings and the (now defunct) “7 to 10” rule which mandated the spread of trap numbers per length of boat. The aims of these controls were to ensure that the benefits from the fishery were relatively evenly and widely distributed across the fleet.

To this end in the Western Rock Lobster Fishery there are a series of gear and season controls. The total number of traps (pots) which can be deployed by the limited number of boats is tightly regulated and has been periodically reduced over time. Fortunately, given the knowledge gained of the western rock lobster biology and population structure and dynamics over the last five decades, it is possible to manipulate the number of pots in use, together with associated controls, to produce a desired level of effort which in turn can be used to predicted total catch in any one year. This enables production to be maximized while maintaining a critical minimum adult breeding stock.

Such controls have recently come under review through the National Competition Policy process (see Fisheries WA 1999) and may be subject to more detailed review over the coming year (2000).

Some controls are necessary for compliance efficiency. Minimum pot holdings have been judged necessary to ensure that those participating in the fishery will, with a minimum level of competence, generate an income from the fishery and have sufficient investment in it to mitigate the chance of cheating. There is also a range of requirements to mark traps and floats, as well as crates containing the catch.

In effect, the Western Rock Lobster Managed Fishery is managed through a system of Individual Transferable Effort, which is a surrogate for a desired catch (output).

The principle method of consultation in the fishery is through the Rock Lobster Industry Advisory Committee (RLIAC), a statutory Ministerial Advisory Committee (www.wa.gov.au/westfish). Specifically, the functions of the RLIAC as set out in section 29 of the *Fish Resources Management Act 1994* are:

- to identify issues that affect the rock lobster fishing;
- to advise the Minister on matters relating to the management, protection and development of the rock lobster fisheries; and
- to advise the Minister on matters relating to rock lobster fisheries on which the advice of the Advisory Committee is sought by the Minister.

Since its establishment in 1965, RLIAC has had communication and consultation with industry as its first priority. RLIAC has been the forum in which issues (particularly those related to sustainability) have been debated and from which recommendations have flowed to the Minister. In summary, RLIAC's consultative process has involved taking problems that affect the fishery and the industry generally, for example prior to 1993/94 the dangerous decline in the level of the breeding stock, and initiating, by way of discussion/management papers and meetings with industry, ways to address them.

1.3.4 Estimates of maximum sustainable yield for fish and fish products

The estimated maximum sustainable yield for western rock lobster is on the order of 12,000 tonnes (Hall, unpublished data). This is an equilibrium estimate based on current models of the stock, assuming a stock recruitment curve steepness of 0.95 (Francis, 1993). This is a reasonable assumption given observed recruitments to date; however, updates may show adjustments to the figure. In the last year (1999/2000) close to 14,000 tonnes were taken.

1.3.5 A quantitative summary of current and projected harvesting

Landings over the past two decades have averaged 10,700t per year. Annual catches vary between about 8,000t and 12,000t (due to recruitment fluctuations not associated with spawning stock levels). The projected equilibrium catch at stock levels corresponding to the current reference point of 25% virgin egg production is approximately 11,500t per year.

1.4 OTHER FISHERIES ACTIVITIES IN THE AREA OF THE FISHERY

1.4.1 Summary of other activities being undertaken within the area evaluated

Currently, the basic commercial licensing element in Western Australian fisheries is an FBL, which is required for all commercial fishing vessels and allows such licensed vessels to line fish for scale fish or "wetline" within most commercial fisheries. For example all commercial rock lobster fishermen in the West Coast Rock Lobster fishery also hold an FBL. This method of managing scale fishing is under review but at the moment it means that commercial scale fishing operations can take place anywhere within the water of the fishery. Similarly, recreational and aboriginal fishing (including rock lobster fishing) can take place within the waters of this fishery.

Specific managed fisheries that operate wholly or partially within the boundaries of the West Coast Rock Lobster Fishery include:

The Shark bay Prawn Managed Fishery

The Abalone Managed Fishery

The Shark Bay Scallop Managed Fishery

The Abrolhos Island Scallop Fishery

Abrolhos Island and Mid West Trawl Managed Fishery

South West Trawl Managed Fishery

Shark bay Beach Seine and Mesh Net Managed Fishery

Exmouth Gulf Beach Seine Fishery

Western Australian Salmon Managed Fishery

Australian Herring Fishery

West Coast Purse Seine Managed Fishery

Mid West Purse Seine Managed Fishery

Sharp bay Snapper Managed Fishery

West Coast Gillnet and Demersal Longline Interim Managed Fishery

Further details of the nature and location of these fisheries is contained in the "*State of the Fisheries Report 1997/98.*"

1.4.2 Evaluation of the impact, or potential impact, of such activities on the fishery

The only areas where significant issues of joint management or resource sharing has arisen in the context of fishing shared ground, are in the Abrolhos Island trawl fisheries and various commercial crab fishing operations. To accommodate the concerns of the rock lobster industry trawling operations have generally been restricted to areas of sandy bottom where there is little risk of damaging rock lobster habitat or entangling rock lobster pots. Similarly, the operations of commercial blue swimmer crab fishermen (managed through license requirements) have been restricted to times and areas where the incidental catches of rock lobster are likely to be minimal.

1.5 Fish and fish products produced: Species and quantities used

As stated in Section 1.3.2.2, the only species of rock lobster taken in this fishery is the Western Rock Lobster, *Panulirus cygnus* George. Once landed, these lobster are used to produce a variety of products from live whole lobster to cooked whole lobster, lobster tails, and even lobster bisque. This particular certification project is only concerned with the taking of lobster up to the point of landing, and does not cover the post-landing production, distribution, or resale of lobster products.

1.6 Chain of custody certification

Chain of custody certifications pertaining to the production of seafood products from landed Western Australian Rock Lobster have been undertaken by 11 of the 12 processors in Western Australia. One Chain of Custody certification project was conducted for WRLDA (Western Rock Lobster Development Association) members which included covering 10 companies and another conducted for Fremantle Fisherman's Cooperative.

Additional Chain of Custody certifications are being conducted for retail establishments in Europe and North America.

2.0 THE CERTIFICATION ASSESSMENT PROCESS

2.1 Assessment Period

The evaluations conducted for this fishery occurred primarily between July 1999 and October 1999. The evaluation of the fishery was preceded by a preliminary analysis (pre-assessment) which took place over several weeks in 1997.

2.2 Main organizations/people visited

The assessment team identified a number of organizations and or people to contact and meet in order to properly evaluate the management activities associated with the Western Australian Rock Lobster Fishery. They included:

Fisheries WA

- Dr. Jim Penn
- Mr. Norm Hall
- Dr. Nick Caputi
- Mr. Ross Gould
- Mr. Peter Rogers
- Mr. Paul Fitzpatrick
- Mr. Kim Nardi
- Mr. Wayne Godenzie
- Mr. Richard Sellers
- Mr. Kevin Donahue
- Mr. Colin Chalmers

Commonwealth Department of Agriculture, Fisheries, and Forestry

- Mr. Matthew Kinross-Smith, Fisheries and Aquaculture Branch

CALM (Department of Conservation and Land Management)

- Dr. Chris Simpson
- Mr. Mike Meinema
- Mr. Keirnan Macnamara
- Dr. Barry Wilson

WA Parliamentary Inquiry Panel on Ecologically Sustainable Development

- Hon. Dr. Christine Sharp

The Abrolhos Islands Management Advisory Committee (AIMAC)

- Mr. Michael Hardy (Chairman)

The WA Marine Parks and Reserves Authority (MPRA) responsible for marine reserves in WA.

- Mr. Michael Hardy (Vice Chairman)

Environmental Protection Authority

- Mr. Bernard Bowen

Australian Marine Conservation Society

- Dr. David Sutton
- Dr. Nick Dunlop

Australian Marine Conservation Foundation

- Ms. Margi Prideaux

Conservation Council of Western Australia

- Ms. Rachel Siewart

The Wilderness Society

- Mr. Denis Beros

Australian Marine and Coastal Community Network

- Ms. Edwina Davies Ward

World Wide Fund for Nature Australia

- Ms. Margaret Moore
- Ms. Katherine Short
- Ms. Denise True

Western Australian Fishing Industry Council (Inc.)

- Mr. Brett McCallum
- Mr. Guy Leyland
- Mr. John Cole
- Mr. Ian Finlay

Western Rock Lobster Development Association

- Mr. Tony Gibson

Central West Coast Professional Fishers Assoc. (PFA)

- Mr. Graham Eaton

Leeman PFA

- Mr. Harold Waas

Kalbarri PFA

- Mr. Ralph Blundell

Seabird & Ledge Point PFA

- Mr. Guy Edgar

Geraldton PFA

- Mr. John Fitzhardinge

Zone C PFA

- Mr. Chris Beissel
- Mr. Keith Pearce

Western Australian Rock Lobster Fishers Federation

- Mr. Dan McDaniel

United Mid-West PFA

- Mr. Terry Ash

RECFISHWEST

- Mr. Frank Prokop

Rock Lobster Industry Advisory Committee

2.3 Justification for selection of audited items/people/organizations.

The sites and people chosen for visits and interviews were based on the assessment team's need to acquire information about the management operations of the fishery under evaluation. As all fishery resources are a public resource, they are managed by government agencies. Using the expertise of the team, agencies and their respective personnel responsible for fishery management, fisheries research, fisheries compliance, and habitat protection were identified. In addition, professional fisher's associations and industry associations were identified and contacted. Likewise, other government agencies with any probable input into the management or operations of the fishery or management of the general environment in which the fishery operates were contacted.

Fisheries WA Management provided the bulk of all the documentation required in understanding the management system, including the management plan and all its affiliated documents. Fisheries WA also provided information on compliance measures required in the fishery to ensure legal fishing within the bounds of the effort controls (licenses and catch statistics) in place in the fishery.

Fisheries WA Research Laboratories were chosen for audits and interviews as the group charged with all research and data collection necessary for proper understanding and management of the fishery, including ecosystem impacts. Fisheries research responsibilities include but are not limited to stock assessments; ecological monitoring; data collection on catch and effort; bycatch data collection (including independent at-sea observers programs, voluntary fishing vessel observer programs, and mandatory vessel operator data collection programs); observations about on-board lobster handling procedures; and observations and data collection on interactions with protected, threatened, and endangered species.

CALM was identified for interviews as the management authority charged with conservation measures in the coastal zone. If significant impacts had been or were currently occurring in the rock lobster fishery, CALM would be one of the lead agencies in identifying and addressing the problems.

The EPA was identified for interviews as the lead agency in WA in charge of general environmental protection. In addition, the Chairman Mr. Bernard Bowen has in-depth knowledge of the rock lobster fishery as a scientist and former manager of the fishery.

WAFIC was consulted for the overall views of the industry and for data/information on industry-based programs to limit environmental impacts. WAFIC provided direct information on risk assessments for imported bait, a code of practice for on-board lobster handling procedures, and the Rock Lobster Industry Advisory Committee (RLIAC) process for recommending management and research programs for the lobster fishery.

The professional fisher's associations were identified as important to interview not only because they are stakeholders in the fishery, but as resources for information/data pertinent to fishing operations (gear development, gear deployment), on-board lobster handling practices, and mandatory and voluntary data collection programs on-board fishing vessels. To ensure that the assessment team fully understood how these issues were handled throughout the fishery, we met with a group representing all the major lobster fishers throughout WA.

The rock lobster processors were identified as an important contingent to interview and audit as they are integral to two important aspects in the fishery: a) the effort to monitor the catch taken from the fishery, and b) the chain of custody for all landed WA rock lobster. As part of the compliance program in WA, all processors are regularly checked by compliance officers for illegal landings of lobsters (illegal size limits, or breeding females). In addition, processors also readily identify boats where landed lobsters look stressed from improper handling. At that time, processors will provide feedback to ensure the boat can identify the problem and rectify it so as to maintain compliance with the industry code of conduct for proper on-board handling procedures. All licensed boats are signatories to the industry code of practice for on-board handling practices. The industry code of practice not only ensures that landed lobster are delivered in excellent condition, but provide for the proper and careful return of breeding females and undersized individuals to the fishery. Information was gathered on data collection and compliance systems for all processors in WA. Random inspections were also carried out at 3 facilities as a check on the information provided. Aspects of the chain of custody were also inspected to see that all processors could ensure a) that supplied lobsters were from legal catches, and b) that all lobsters were identifiable at the point of sale.

2.4 Evaluation Team

To choose members of the evaluation team, SCS spent 5 weeks interviewing prospective candidates by e-mail, phone, and fax. The determinants for choosing and contracting

team members were technical expertise in fisheries management, stock assessment, or ecosystem management; specific knowledge of Australian fisheries, with special emphasis on Western Australia; scientific credibility; and the ability to provide an objective assessment.

Recommendations for potential team members were solicited from stakeholders in the fishery including but not limited to industry (WAFIC - Western Australian Fishing Industry Council and WRLDA - Western Rock Lobster Development Association), government agencies (i.e. Fisheries WA managers and researchers), academia, and members of the environmental/conservation community (see list of stakeholders for groups contacted). Curriculum Vitae were requested from all candidates and reviewed.

The final experts chosen for the evaluation team were:

Dr. Bruce Phillips

Adjunct Professor

School of Environmental Biology & Aquatic Science Research Unit

Curtin University

Perth, WA 6845

Australia

Dr. Tony Smith

Principal Research Scientist

CSIRO Marine Research

Hobart, Tasmania 7001

Australia

Dr. Trevor Ward

Director, Sustainable Ocean and Coastal Development Program

Institute for Regional Development

Department of Geography

University of Western Australia
Nedlands, WA 6907
Australia

Dr. Chet Chaffee
Scientific Certification Systems, Inc.
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USA

While each team member participated in all discussions regarding the performance of the fishery, individuals also had specific roles in facilitating the team's overall understanding of the information provided. Each team member's role was based on their respective expertise.

Chet Chaffee filled the role of team leader, providing process control to ensure that all MSC procedures and methods were properly followed and completed. Dr. Chaffee also acted as the primary liaison with WAFIC in organizing the project and with the conservation community in initiating stakeholder consultations. Dr. Chaffee has more than 10 years experience in performance based evaluations for the purpose of certification and ecolabelling, as well as technical training and experience in fisheries and environmental biology.

The 3 expert scientists hired to perform the independent evaluation provided control over the content used by the team in evaluating the fisheries. Each of the respective team members helped facilitate the collection, evaluation, and discussion of information in their respective areas of expertise.

Dr. Tony Smith facilitated the evaluation on stock assessment and associated research to support stock assessments. Dr. Smith has been working on fisheries stock assessments for over a decade and is recognized internationally as an expert in the field.

Dr. Trevor Ward facilitated the discussions on the ecological impacts associated with fishing. Dr. Ward spent over 20 years at CSIRO working on ecosystem impacts and ecosystem management prior to taking his current position at the University of Western Australia.

Dr. Bruce Phillips facilitated the evaluation of the management system utilized by Fisheries WA. Dr. Phillips has more than 30 years experience in fisheries research and management from both a practical standpoint having worked at CSIR and academically as a professor at Curtin University.

2.5 The Assessment Process

The evaluation conducted for this project is the first of its kind in the world. As such, the evaluation team was the first to perform a full certification evaluation using the procedures outlined by the MSC. Two key elements were significant in ensuring that the team was able to successfully utilize the MSC methodology:

The team members were all experts in their respective fields making it easier to gather, review, and evaluate the data

Dr. Chaffee has experience using the method employed by the MSC, as it is similar to evaluation methods employed by SCS in other areas where SCS is working to evaluate and certify excellent natural resource management.

The assessment process required by the MSC certification methodology requires that the 'Client', in this case WAFIC, submit information to the evaluation team proving that the fishery under evaluation meets the MSC standards for a well-managed fishery.

2.5.1 Guidelines: Reference the guidelines and methodologies used.

When evaluating a fishery or fisheries for certification under the MSC program, an evaluation team specifically undertakes an examination of information about the fishery to determine if it complies with MSC standards. In the case of MSC-based certifications, the standard by which all fisheries are evaluated is the MSC Principles and Criteria. A copy of the MSC Principles and Criteria as used in this evaluation is provided as Appendix 1 in this report. The MSC Principles and Criteria are reviewed periodically by the MSC Standards Council and revised accordingly. The most current version can always be found at the MSC web-site at www.msc.org.

Also available at the MSC web-site is a copy of the certification methodology that all accredited certifiers are required to use when evaluating a fishery. In general, the methodology requires that the evaluation team:

- Identify a set of Performance-based measures by which to evaluate the fishery
- Conduct stakeholder consultations
- Use a decision support methodology known as AHP (Analytic Hierarchy Process) to assist in the evaluation of the performance of the fishery.
- Submit the Evaluation Team's findings for peer review
- Obtain approval from a 'Certification Board' within the accredited certification company before awarding final certification.

To help readers understand each of these issues, a brief explanation of how they were addressed follows.

1. Identify a set of Performance-based measures by which fisheries will be evaluated

The MSC Principles and Criteria are by their very nature general statements that are meant to apply to all fisheries. The MSC Principles and Criteria are intended to be used in conjunction with a specified methodology that requires the development of practical

measures of fisheries performance that embody the intent of the MSC Principles and Criteria. Following the MSC process specific, measurable performance indicators are established for each Principle and its associated set of Criteria and provided to accredited certifiers by the MSC. Each evaluation team must then determine if the set of indicators and performance measures are appropriate for the specific fishery under evaluation. Where the evaluation team feels that the set of performance indicators and measures needs to be modified, the team must submit its recommendations to the MSC for approval before continuing with the evaluation process.

In the case of the Western Australia Rock Lobster Fishery, a completed set of performance measures was not officially available from the MSC. Therefore, the evaluation team was given permission to develop a set from information provided by the MSC, with the caveat that the performance indicators developed would be submitted to the MSC for approval prior to evaluating the fishery. The performance measures approved by the MSC for use in the evaluation of the rock lobster fishery can be found on the MSC web-site.

2. Conduct stakeholder consultations

At the outset of the evaluation, a number of stakeholders in the fishery were identified from industry, government agencies, and the conservation community. These stakeholders were contacted from the very beginning of the process so they could provide input wherever appropriate. The first process stakeholders engaged in was the identification of technical/scientific experts for the evaluation team. Dr. Chet Chaffee openly solicited views on various candidates for the evaluation team, eventually choosing 3 experts that were deemed acceptable to the widest compliment of stakeholders. Experts were chosen based on their scientific training and reputation, their ability to be objective, and their knowledge of Australia's fishery management practices (with specific emphasis on the Western Australian rock lobster fishery).

Stakeholders were also consulted regarding their views on the compliance of the fishery with MSC Principles and Criteria. Again, stakeholder groups from government, industry, academia, and the conservation community were consulted. With the exception of the conservation community, the evaluation team only met once with each stakeholder group.

Since the conservation community was the only stakeholder group that expressed concerns about the management of the fishery, the evaluation team met with members of this community on 4 occasions to ensure an adequate understanding of the concerns. The conservation groups listed a number of concerns about the fishery including bycatch; problematic interactions with rare, threatened, or endangered species; damage to benthic habitats from fishing gear, and the removal of a large biomass of lobsters from the ecosystem.

3. Using a decision support methodology known as AHP (Analytic Hierarchy Process), evaluate the performance of the fishery.

The MSC methodology for fishery evaluations utilizes a decision support process known as AHP (Analytical Hierarchy Process) to assist the evaluation team identify the priority and importance of each performance indicator and for summarizing the total performance of the fishery evaluated.

It is important to understand that a fishery may not always achieve a passing evaluation for each individual performance indicator. Where the fishery fails to achieve a passing evaluation, it indicates the performance of the fishery is not compliant in some manner with the MSC Principles and Criteria. In these cases, the evaluation team specifies requirements for achieving compliance. As part of the certification process, the client must agree to adopt the requirements identified by the evaluation team, thus agreeing to bring the score for that indicator to at least the benchmark level.

To achieve full compliance with the MSC Principles and Criteria, a fishery must achieve compliance for each of the 3 Principles independently.

4. Submit the Evaluation Team's findings for peer review

Three independent scientists were contracted by the MSC to peer review the findings of the evaluation team. This extra step provides additional assurances that the Evaluation Team performed its evaluation appropriately. The peer reviewers were:

Dr. Ray Hilborn
University of Washington
USA

Mr. Bruce Shallard
Shallard & Associates
New Zealand

Dr. Fred Wells
Western Australian Museum
Australia

While each peer reviewer agreed with the decision of the evaluation team to certify the fishery, each reviewer also made suggestions for improving the report as well as suggestions for the MSC on improving the evaluation process. The evaluation team took the peer reviewers' comments into consideration and modified the evaluation report to incorporate suggested improvements. The final report reflects comments and suggestions made by the peer reviewers.

3.0 RESULTS, CONCLUSIONS AND RECOMMENDATIONS

3.1 General discussion of findings

Based upon information collected and team evaluations performed, the management of the Western Australian Rock Lobster Fishery received the following ratings:

<i>MSC Principles</i>	<i>Score</i>
1. Resource Sustainability	pass
2. Minimizing Ecosystem Impacts	pass
3. Management Operations	pass

These scores represent a favorable evaluation of the extent to which the Western Australian Rock Lobster Fishery is being managed consistent with the MSC Principles and Criteria for well-managed fisheries. While there is room for improvement, especially with regards to Principle 2, the Evaluation Team believes that the final evaluations do fairly reflect its collective sense as to the certifiability of the Western Australian Rock Lobster Fishery.

3.2 Certification decision

The decision of the evaluation team is to certify the fishery as well-managed with requirements for continued improvement for future certification. The evaluation team did find some deficiencies in the fishery complying with Principle 2. These deficiencies formed the basis for requirements for continued improvement set forth by the evaluation team. The fishery and the industry agreed these requirements as items for future action to further strengthen management. The process of meetings these requirements will be closely reviewed.

3.3 Requirements and recommendations of the certification

The certification awarded is current for 5 years, at which time the fishery must go through a thorough re-examination in order to continue to be certified. During the 5 years of certification, yearly-monitoring visits will be conducted by an accredited certification body to ensure continued compliance with the MSC Principles and Criteria and the requirements set forth by the evaluation team during the initial certification.

Requirements are items that must be taken care of by the fishery in order to further strengthen management and to maintain its certification. The fishery was obligated to agree in writing to meet the requirements of the evaluation team in order to obtain the initial certification.

The evaluation team also made some recommendations to the fishery. Recommendations are suggestions from the evaluation team for improvements that while not mandatory, would be beneficial in maintaining compliance with the MSC Principles and Criteria.

3.3.1 Requirements for Continued Certification

Principle 2 Criteria C

Ecological Risk Assessment - Within 14 months of certification, a comprehensive and scientifically defensible assessment of the risks of the fishery and fishing operations to the ecosystem (ecological risk assessment) will be completed, based on existing knowledge, and taking into account points 2 to 5 in criterion 2C. The assessment should consider risks of all aspects of fishing (see intent in criterion 2B) on species (including protected and ecologically related species), habitats, and biotic communities (see criterion 2A). The risk assessment will identify and prioritize gaps in knowledge. The risk assessment will produce a set of prioritized risks, and strategies to address those risks, including research strategies that make maximum use of comparisons between fished and unfished areas. The risk assessment will be reviewed by independent and external expert reviewers, and be available for public comment.

Principle 2 Criteria C

Environmental Management Strategy - Within 24 months of certification, an Environmental Management Strategy for the fishery will be prepared and distributed for public comment and input. The EMS will address impacts of the fishery on the environment, and will include proposed objectives, strategies, indicators and performance measures. The EMS will specify an operational plan, including implementation actions and a supporting program of research. Future research should aim to provide information on the impacts of the fishery on the ecosystem that is at least as scientifically valid as that produced by studies of fished versus unfished areas.

Principle 2 Criteria C

Operation of the EMS - Within 36 months of certification, an Environmental Management Strategy will be effectively incorporated within the operational arrangements for the fishery

Principle 2 Criteria D

Transparency of Decision Making - Within 24 months of certification, there will be increased participation of the environmental community or their representatives in the decision-making processes in the fishery. This will include consultation on impending decisions, and involvement (full participation) in decision-making committees at a range of levels in the fishery.

Principle 2 Criteria G

Data on Bycatch of Icon Species - Within 12 months of certification, formal monitoring systems in the fishery will have improved arrangements for recording data on the by-catch of, or any other interactions of the fishery with, mammals, seabirds, manta rays, dolphins, or whales.

3.3.2 Recommendations

Principle 1 Criteria A

- The time series of larval settlement and fishery independent spawning stock surveys provides a sound basis for assessment and management of this stock. The only recommendation would be to put in place measures that ensure that a future downgrading of this monitoring will not occur even given the current changes to full cost recovery in the fishery.

Principle 1 Criteria C

- The current harvest strategy could be formalized and made more explicit, and alternatives explored and evaluated.
- There appears to be a need to closely monitor the longer-term development of recreational effort, as increasing participation rates could result in substantial increases in catches.

Principle 1 Criteria D

- Make publicly available comprehensive documentation on current assessments and seek review.
- Undertake a more comprehensive risk assessment of current strategies.
- Continue to develop models to evaluate future management options.

Principle 1 Criteria E

- There should be some consideration given to developing a more quantitative assessment of the risks of over-fishing.

Principle 2 Criteria A

- The fishery should consider the initiation of a research program of habitat mapping across the full extent of the area in which the fishery operates. This would include the inshore and offshore waters, and be based on existing data, knowledge and activities.
- Research strategies should be considered for development that better address the natural trophic interactions between lobsters and their food in fished and unfished areas.

- Research strategies should be considered for development that evaluate the interactions of coastal developments with the lobster, particularly the young, and dependent and associated species and habitats.

Principle 2 Criteria B

- The fishery should consider implementing a procedure for uniquely labeling and identifying bait bands used in the WRL, and a subsequent monitoring to identify their proportional contribution to coastal litter, with reference to other sources of similar plastic straps.
- The fishery should consider the development of a research strategy to identify and assess any historic changes to coral reef habitats of the Abrolhos Islands that may be related to fishing operations.

Principle 2 Criteria D

- The fishery could develop a strategy for development of a research program on the ecological effects of the use of bait in a variety of habitats used by the fishery.

Principle 2 Criteria E

- The fishery should consider developing research strategies that involve CALM to assess importance of the removal of lobster biomass for the population success of Australian Sea Lions.

Principle 2 Criteria G

- The fishery should work more actively with AIMAC, FWA, CALM and the environmental NGOs to develop and implement an effective Plan of Management for the Abrolhos Islands (and see Requirement 2D page 106).

For further information about the certification of the Western Australian Rock Lobster Fishery, interested parties should contact Mr. Brett McCallum, Chief Executive, Western Australian Fishing Industry Council.