

TORRES STRAIT PRAWN MANAGEMENT ADVISORY COMMITTEE	Meeting No. 2 19-20 September 2006
FISHERIES MANAGEMENT NOTICE TED Floatation Requirements	Agenda Item No. 8

THE TSPMAC RECOMMENDS

That the PZJA **AGREES** to adopt the Fisheries Management Notice to modify the specifications for Turtle Exclusion Devices (TEDs) in the fishery to comply with the United States requirements for export approval (Attachment 1).

BACKGROUND

At TSPMAC 1 meeting in June 2006 members discussed the attached draft Fisheries Management Notice (FMN). The major issue of discussion was the issue of flotation with industry members concerned that the content of the FMN was not consistent with the advice provided by US delegates during a visit to Innisfail.

It was also noted the East Coast Trawl Fishery (ECTF) had let the US accreditation lapse as industry did not see a need to comply with US standards for accreditation as there was no product exported from that fishery to the US.. Members agreed to seek further advice from the US and reconsider the FMN when this advice had been provided.

DISCUSSION

Advice from the US accreditation team was sought following the June TSPMAC 1 meeting. The following questions were asked:

1. Is flotation required on TEDs in the Torres Strait Prawn Fishery to maintain export accreditation to the US?
2. If flotation is required, are the floats required to be marked?
3. If flotation is required, do we need to prescribe the amount of flotation required (as per the NMFS regs) in our legislation?

The written response from the US was as follows:

In the US Regulations a TED oriented as a bottom shooter still must have enough flotation to get it up off the bottom to allow a turtle to pass through it. This is a minimum of 2 nine inch soft float or around 20lbs of flotation all together. Only the bottom shooter requires flotation. In a practical sense the addition of floats helps to minimize the amount of chafing on the flaps and the hangings around the grid.

The US does not require marking the floats. At times it is a judgment call.

The norm has been to use two soft 9 inch floats. If the TEDs are pulled down below 60 feet they tend to get crushed and loose their buoyancy. If we find soft floats that are crushed and wrinkled they may not be acceptable. A single 11" or two 8" hard plastic floats (or cans) are the best way to go, especially if the depth of where you are fishing exceeds 60'. Again a minimal of 20lbs of flotation is required only for a bottom shooting TED.

The amount of flotation was determined by diving down along side a variety of nets, attached to a number of TED types pulling cod ends both empty and with a load. The amount has been generalized and simplified for the sake of enforcement. There are nets cut in a manner that would not need any flotation at all. The problem is how is enforcement going to be able to determine if the bottom of the TED has the proper clearance while it is fishing during a TED inspection. It is easier to find the orientation of the TED and then visually confirm the flotation if it is a bottom shooter.

The floats cannot be attached to the face of the grid. They can be sewn to the frame of the grid outside of the net or they can be sewn to the back of the grid towards the cod end inside of the extension. If the opening of the TED is orientated towards the top of the trawl (top shooter) flotation is not required.

There were discussions with a number of fishermen about a net design that lifts the TED and cod end well off the bottom. Flotation would not be important in this situation but an exemption like this would not be easy to enforce. For enforcement sake this is an easy regulation to manage and has been readily adapted by a number of neighbouring fisheries as well as big and small shrimp boats around the world.

In summarising the advice, flotation is required for bottom opening TEDs for accreditation but marking of the floats are not required. The attached FMN needs to be reconsidered in light of this advice, and a recommendation made to the PZJA as to whether accreditation for the fishery should be maintained by endorsement of the FMN.

It should also be noted that the ECTF has recently made some enquires about what is required to regain US accreditation for market access as a result of potential market opportunities in the US.

Torres Strait Fisheries Act 1984
Fisheries Management Notice No. 78

**TORRES STRAIT PRAWN FISHERY
REQUIREMENT FOR USE OF TURTLE EXCLUDER
DEVICE**

The Protected Zone Joint Authority, acting in accordance with the powers conferred on the Authority by paragraph 35(1)(a) of the *Torres Strait Fisheries Act 1984*, and in accordance with the decisions made by the Authority, make the following Notice under section 16 of the *Torres Strait Fisheries Act 1984*.

Dated this day of 2006

ERIC ABETZ
Chairman
Protected Zone Joint Authority

CITATION

1. This Notice may be cited as Torres Strait Fisheries Management Notice No. 78.

COMMENCEMENT

2. This Notice commences on 1 March 2007.

THIS NOTICE TO APPLY WITH OTHER NOTICES

3. This Notice applies in conjunction with any other notice in force in the area of the prawn fishery.

INTERPRETATION

- 4.1 In this Notice:

"prawns" means fish of the family *Penaeidae* spp;

"the Act" means the *Torres Strait Fisheries Act 1984*.

“Turtle Excluder Device” means a device fitted to a net, and modification made to a net, that allows turtles to escape immediately after being taken in the net, and which has:

- (a) a rigid or semi rigid inclined barrier structure comprised of bars extending from the foot to the head of the net that is attached to the circumference of the net which must guide turtles towards an escape hole immediately forward of the grid. The minimum dimensions of this structure to be at least 80cm by 80cm. This structure is to be set within an angle range of 30 – 55 degrees in relation to the horizontal plane of water through the net;
 - (b) an escape hole which must be either
 - (i) a double flap rectangular net opening where the cut immediately forward of the TED must allow a minimum opening of 61 cm when attached to the frame and the two forward cuts of the escape opening must not be less than 51 cm long from the points of the cut immediately forward of the TED frame. The resultant length of the leading edge of the escape opening cut must be no less than 142 cm stretched, or a double flap net triangular opening where the cut immediately forward of the TED frame must allow a minimum opening of 102 cm when attached to the frame with minimum forward cuts of 101 cm. The flaps must be composed of two equal size rectangular panels of mesh. Each panel must be a minimum of 147 cm wide and may overlap each other no more than 38 cm. The panels may only be sewn together along the leading edge of the cut. The trailing edge of each panel must not extend more than 61 cm past the posterior edge of the TED frame. Each panel may be sewn down the entire length of the outside edge of each panel, or;
 - (ii) a single flap rectangular net opening where the cut immediately forward of the TED must allow a minimum opening of 61 cm when attached to the frame and the two forward cuts of the escape opening must not be less than 66 cm long from the points of the cut immediately forward of the TED frame. The resultant length of the leading edge of the escape opening cut must be no less than 181 cm stretched, or a single flap triangular net opening where the cut immediately forward of the TED must be a minimum of 102 cm with minimum forward cuts of 136 cm. The flap must be a minimum of 338cm by 132 cm piece of mesh. The 132 cm edge of the flap is attached to the leading edge of the escape opening cut. The flap may extend no more than 61 cm behind the posterior edge of the TED frame;
 - (c) a maximum bar spacing of 120mm between bars;
 - (d) floatation sufficient to keep the TED and escape opening clear of the seabed when the net is being fished for TEDs rigged in a bottom opening configuration.;
and
 - (e) it is not permitted to attach any weights, chains or other devices on the escape flap which may prevent the flap from opening.
- 4.2 For the purposes of this Notice, all net measurements refer to the measurement from centre of opposing knots, when the mesh is pulled taut.
- 4.3 Terms used but not defined in this Notice have the same meaning as in the Act and the Torres Strait Fisheries Regulations.

PROHIBITION

- 5.1 Pursuant to paragraph 16(1)(c) of the Act, the use or possession of otter trawl equipment in the area of the Torres Strait Prawn Fishery is prohibited unless each net that is used is fitted with a Turtle Excluder Device.

- 5.2 However, if a try-net is used, it does not need to be fitted with a Turtle Excluder Device.