

Memorandum of Understanding

In relation to

COMMERCIAL ABALONE HARVESTING

for specified parts of the

VICTORIAN CENTRAL ZONE ABALONE FISHERY

2008 / 2009 QUOTA YEAR

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1. SCOPE

This Memorandum of Understanding (MOU) applies to commercial abalone harvesting in specified parts of the Victorian Central Zone Abalone Fishery for the 2007/2008 Quota Year.

2. PURPOSE

This MOU is intended to facilitate industry cooperative approach to ensuring sustainable use of the wild abalone resource, by encouraging planned distribution of fishing effort across the Central Zone.

3. BACKGROUND

2003 MOU Workshop

- 3.1 In September 2003, VADA, VAPA and Fisheries Victoria negotiated an MOU for commercial abalone harvesting throughout the central zone fishery during the 2003/04 quota season.
- 3.2 This followed a similar initiative being developed between VADA and Fisheries Victoria during the 2002/03 quota season with respect to concerns of high catches being taken from Port Phillip Bay.
- 3.3 Due primarily to market forces, harvest levels from the Bay during that year did not trigger any action (under the MOU) to restrain fishing effort, but harvest levels from specific areas (which VADA has termed 'sub-zones', see 3.3 below) showed significant variance from long-term averages as follows :-
 - A considerable increase in harvest levels from both the "Hopkins-Gellibrand" and the "Gellibrand-Apollo Bay" sub-zones;
 - A significant decrease in the harvest level from the "Port Phillip Bay" sub-zone;
 - Steady harvest level from the "Point Nepean-Flinders and Phillip Is.-Inverloch" sub-zones; and
 - An increase in harvest level from the "Inverloch-Kate Kearney" sub-zone.

2004 MOU Workshop

- 3.4 In February 2004, VADA convened a 2-day resource management workshop at Queenscliff. A majority of central zone licenses were represented at the workshop by the owner and/or nominated diver. The Department of Primary Industries (DPI) Abalone Fishery Manager also took part in the workshop. As did the Primary Industries Research Victoria's (PIRVic's) abalone resource modeller.
- 3.5 The workshop was the commencement of an ongoing process aimed at undertaking a more detailed evaluation of the central zone abalone resource and resulting management actions required to ensure sustainable use of Victoria's abalone resource.

2005 MOU Workshop

- 3.6 As a continuation of this process, VADA held a workshop on the 16th of March, 2005 aimed at establishing industries initiatives and commitments for the 2005 / 2006 fishing season. The workshop was aimed at expanding, improving and highlighting the knowledge of industry participants in relation to natural resources management issues.

2006 MOU Workshop

- 3.7 On the 14th of March 2006 VADA held a workshop aimed at reviewing the current industries initiatives and commitment for the 2006 / 2007 fishing season. The workshop identified and highlighted a number of improvements that could be made to the performance of the MOU by dividing a number of the fishing areas.
- 3.8 The workshop also identified that the increase in voluntary size limits being fished by industry was having a positive impact on the size structure of the catches. To further acknowledge the usefulness of the Commercial Catch Data Loggers, the workshop proposed developing a formalised an industry policy to move to the voluntary size limit to the most appropriate size within 5 years.
- 3.9 The results of each of the workshops will take the form of a report that will be made available to all stakeholders and interested parties.
- 3.10 Key outcomes of the March 2006 workshop included:
- The commitment to continue a more planned distribution of fishing effort across sub-zones in the central zone during 2006/07.
 - To recognise and promote the resource management as the responsibility of all industry participants and stakeholders.
 - Promote and investigate methods of ensuring all divers share equally in the spreading of effort around the Central Zone;
 - Promotion of precautionary and ESD principles in relation to central zone abalone fishery harvesting;
 - Expansion of the previous years MOU sub zones from 12 to 15;
 - The voluntary introduction of a number new voluntary size limits:
 - Maintaining the maximum daily catch limit per diver of 500 kg and 750 kg for the nominated areas;
- 3.11 In the 2006-07 fishing season VADA requested the implementation of a number of additional LML to be implemented throughout the Central Zone. This resulted in the raising of baseline LML by Fishery Notice to all areas that were 110 mm were raised to 115 mm and all areas that were 120 mm were raised to 123 mm. The voluntary sizes that were above these increases were to be maintained.
- 3.12 The 2006-07 fishing season saw the spreading and the effects of the ganglioneuritis virus throughout the Western Zone. With the virus detected near the border of the Central Zone in early February, 2007.

3.13 With the detection of the virus it was decided by industry to voluntarily close the reef codes and boat ramps between Warrnambool and the 12 Apostils Marine Park, in order to reduce the likelihood of the abalone industry spreading the disease.

2007 MOU Workshop

3.14 The MOU workshop was held on the 28th of March, 2007, with the key outcomes;

- Protection and sustainability of the abalone resources is paramount.
- Subject to the disease not moving into the Central Zone, an applicable TAC is 620 tonnes.
- Expand the number of LML areas.
- Need for industry to be able to work more than one LML per day.
- For resource protection and ensuring that serial depletion doesn't occur there is a need to regulate or use a Fishery Notice to close MOU areas once the URP has been reached.
- There was no need to further expand the number of MOU fishing areas from 15.
- The MOU catch amounts including the QRP's and the URP's were approximately right.
- Additional catches could if needed, be allocated to the 5 reef codes.
- Fishing of the 4 and 5 reef codes, (Warrnambool to the 12 Apostils Marine Park) should not occur until after a disease movement review in September, 2007.
- No Central Zone commercial abalone boats should operate from the boat ramps in those areas.
- Industry had requested that the Minister reduce the TAC from 620 tonnes to 570 tonnes to assist in not spreading the disease.
- It was agreed that no commercial abalone diver would harvest abalone in the area between Warrnambool and the 12 Apostils Marine Park, until a review of the disease movement has occurred in September, 2007.
- Whilst the attached table of reef codes gives catch values to the 4 and 5 reef codes. These are indicative amounts only as the areas are closed for fishing until the Total Allowable Commercial Catch (TACC) review in September 2007. Should the central zone continue to remain unaffected by the abalone virus then the TACC of 620 tonnes will be reinstated.
- The resulting sub-zonal management initiatives proposed in the MOU are consistent with the intent and content of the Victoria Abalone Fishery Management Plan. The development of this MOU is one of a range of responses in line with relevant provisions of that Plan.

3.15 This MOU has been agreed as the basis on which central zone licence-holders and divers can work in co-management with fishery managers to voluntarily direct fishing effort more evenly across the zone.

3.16 This MOU is also consistent with the 2007/08 TACC setting advice provided by the Abalone Fishery Committee (AFC) of the Fisheries Co-Management Council (FCC) to the Minister in February and March, 2007.

2008 MOU Workshops

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- 3.17 There was a series of workshops and meeting that were held in relation to the distribution and catches in the Central Zone. Normally these would have commenced in October, but due to a number of circumstances the first workshop was held on the 4th of January, 2008. The next were held on the 9th of January, 2008 and the 5th of February, 2008. With the final workshop in relation to this MOU was held on the 26th of March, 2008.
- 3.18 It was noted in the workshops, that issues and relationships within the industry have changed significantly. Some of the core issues and developments for the fishing season were:
- Continuing spread of the Abalone Viral Ganglioneuritis (AVG) virus into the Central Zone.
 - Breakdown in Co-management and the relationship between VADA and DPI.
 - Termination of monitoring of AVG spread by DPI.
 - Unable to have quarantining of active virus areas, nor protection of remaining broodstock.
 - No monitoring undertaken to assess the impacts of the AVG virus on abalone stocks as it moved along the coast.
 - The review of the AVG virus spread and impacts did not occur at all. (It was initially agreed to hold the review on the 3rd or 4th of September, 2007)
 - VADA conducted Operation AVG Firebreak.
 - Breakdown of the MOU agreement between VADA and DPI.
- 3.19 During the workshop on the 4th of January, 2008 it became very apparent that there were serious concerns about the state of abalone stocks generally across the CZ. This included operations of the MOU, LML's general principles of Spatial Management, abundance levels of abalone, catch rates, marine park effects, enforcement and the system of management and control of the fishery.
- 3.20 Of particular concern were divers' observations of low numbers of abalone in areas that had been fished heavily and consistently since receiving displaced effort following the introduction of marine parks. This decline is now very obvious and acknowledged by all. The general feeling of the meeting was that things were not good, (*in relation to abalone stocks*) and that catches at current rates were unsustainable.
- 3.21 Because of these concerns the allocation of catches, the distribution of fishing effort and recommendations for the 2008 – 2009 fishing season were put off until the 9th of January, 2008.
- 3.22 The assessment and recommendation process for 2008-2009 was conducted differently to previous years' assessments. Traditionally it was attempted to distribute a predetermined TACC (generally the amount presented from the Abalone Model at the AbFag), across the reef codes, to ensure a sustainable distribution of effort.
- 3.23 The workshop this time decided to assess the sustainable catches from each of the reefs individually, taking into account an enormous amount of information (*see Blacklip and Green lip TACC recommendation documents*). This was undertaken in a blind fashion with the results not being tallied until completion of the assessment and recommendation process. To assist in this process of individual reef assessment the group of divers based the assessment around 6 questions. These 6 questions were:

Assessment Questions

1. What is the ideal sustainable amount to come off this reef code for next season?
 2. What is the maximum that you would like to see come off this reef code?
 3. What is the amount that you would be worried about if it didn't come off?
 4. What is the suggested ideal legal minimum length (LML)?
 5. What is the current LML?
 6. What must the LML be now to progress towards a sustainable LML?
- 3.24 The result of the reef code by reef code assessment and catch recommendations are attached at Appendix 1 and 2. (Workshop Assessment for TACC for Blacklip and Greenlip Abalone)

Assessment Outcomes

- 3.25 In Summary, the recommendation for the IRP Blacklip abalone TACC for the 2008-2009 season for the Central Zone was 437 tonnes. This represent a drop of 133 tonnes from the previous year's TACC of 570 tonnes (not including the 50 tonne drop from AVG). This also represented a drop of 105 tonnes (542 tonnes) from the Draft quota order released by the Minister in January, 2008. (*see full Blacklip submission*) .
- 3.26 As a precautionary approach for the recommencement of the Greenlip Fishery in the Central Zone. The recommendation for the IDEAL Greenlip abalone TACC for the 2008-2009 season for the Central Zone was 3.4 tonnes. This included a "must have" LML increase to 145mm. It was also recommended that this LML increase be applied to the recreational fishers. (*see full Greenlip submission*)
- 3.27 The above recommendations were adopted at a VADA Special General Meeting on the 5th of February, 2008. There was an additional recommendation that an additional 25.5 tonnes of stunted stocks in the Cape Liptrap area be accessed at a lower LML of 105mm.

Workshop Considerations

- 3.28 On the 26th of March, 2008, VADA conducted an additional resource development workshop to identify current issues, and make recommendations for the coming 2008-2009 fishing season. Some of the issues considered were:
- That there is unlikely to be an MOU Agreement between VADA and DPI for the coming season. Although this should be worked on.
 - That there was a need to have some sort of control over the industry agreed strategies. This could possibly take the form of simple legislation to give power to

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the Codes of Practice or management plans (as per VADA submission to Regulation Review), or a tribunal type arrangement, (similar to AFL)

- Consideration the development of methods to encourage sustainable fishing methods and practises throughout the industry. This could be through the promotion of divers who sign an agreement to the industry code of conduct, and allow for the review of their fishing standards and compliance by a 3rd party.
- Diver security and careers.
- There needs to be a flexible solution to maintain resource sustainability and industry growth.
- Inadequate workshops. Rather than just 2 per annum, there should be additional workshops to monitor and assess the TACC throughout the season.
- As per the Victorian Abalone Fishery Management Plan sub-zonal TACC's are an appropriate method of allocating effort, while ensuring catches come from the intended locations.
- There was a need to further refine and lock in the base level LML's, to a more appropriate scale.
- There is a need for ensuring fishing effort comes from the intended locations. This may be done through sub-zonal TAC's, smaller multiple releases of quota per annum, areas catch caps, etc.
- The VAFMP triggers are not really responsive enough to harvesting and spatial management.
- To ensure continued growth and development of the Greenlip abalone fishery, additional research is needed to be undertaken.
- Disease movement for the coming season could have a major impact on the TACC's as allocated. This may become a problem for DPI if TACC's have to drop, as there is no sub-zonal TACC, or staged release of quota.
- Harvesting strategies need to be developed to minimise TACC disruptions, and minimise, slow or stop the spread of the AVG virus.
- The issue of what the actual impact the disease has on the abalone stocks as it moves along the coast is of great importance, when assessing the recovery times and periods to harvesting recommencement. Endeavours should be made to ensure that there is a base amount of information available.
- It appears that Operation AVG Firebreak, may have been effective in minimising the impacts of the virus in the area cleared area. Consideration has to be undertaken to learning from the operation and how it can best be improved upon.
- There is a natural barrier for the virus from Cape Otway to Queenscliff as long as human movement doesn't assist in allowing the virus to jump the distance.
- There is a need for a method of partnership or self management to be developed that is cost effective.
- Royalty over payments on the 07-08 seasons fishing are yet to be returned.
- There has to be a change on emphasis on the meanings of the QRP's and URP's this year. Action should be taken if the QRP's are not met.
- Industry should consider developing an agreed review method and mechanisms with agreed lists of actions and undertakings prior to next major workshop. This

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would assist in resolving issues, and expectations in relation to the TACC prior to them arising.

- There is a real concern about the amount of abalone that was harvested from the Wilson's Prom area for the 2007-2008 season.

Workshop Results, Outcomes and Actions

3.29 The results and outcomes of the workshop were:

1. VADA to promote a No Harvesting agreement for the Wilson's Prom area until after the 1st of July, 2008.
2. VADA to Promote 120mm harvest strategy for the Wilson's Prom area.
3. VADA to develop a Draft of an Agreed Harvest Policy, with Triggers and Actions for circulation, development and completion.
4. VADA to develop MOU and Code of Practise for distribution.
5. VADA to draft a strategy to ensure take up of spatial management initiatives, with focus on partnership and self management , including and considering development of inclusive strategies to involve other sectors.
6. Urgent review and submissions to DPI in relation to LML and sub-zonal harvest strategies.
7. The focus of VADA and the abalone industry should be the development of an environment to self management and partnership management.
8. VADA to prepare short paper on a system of ESD and Code of Practise promotion, recognising preferred minimum and high standards of diving. (*eg: VADA Preferred divers or contract system, or Ltd Company?*)
9. VADA to organise an economic assessment for abalone harvesting in Victoria.
10. VADA to hold an additional Resource Development Workshop when 50% of the TACC is caught.
11. Notification to go out to owners as to harvest strategy for diseases. (see summary below)
12. As part of the Annual Resource Development Levy, VADA to focus on translocations of smaller maturing (stunted) abalone into depleted areas. Try to incorporate tagging research and growth research, if it can be done cost effectively.
13. Ensure that the research project "INDICATORS AND STRATEGIES FOR RESUMPTION OF HARVESTING FOLLOWING CATASTROPHIC LOSSES OF ABALONE" Is up and running as soon as possible.
14. Ensure that divers measure and record as much as possible of the greenlip abalone harvest for 08-09 season. This should only be approximately 100 to 200 abalone per unit.
15. VADA to approach Work Cover for discussions around a transitional strategy for minimum entry standards into the abalone industry.

Disease Harvesting Strategies

3.30 The disease harvesting strategies that were agreed upon are:

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1. VADA to continue monitoring of the spread of the disease on a monthly basis if possible.
2. Efforts should be made to try and assess and record the actual impacts on the abalone stocks as the disease moves along the coast.
3. VADA should take every effort to stop or quarantine human activity in known areas of active AVG Virus.
4. VADA to ensure that remaining abalone broodstock is protected in order for reefs to recover in the fastest possible time.
5. VADA to make every effort to attempt to slow or stop the spread of the virus. The best way to ensure that every effort is made to:
 - Try to stop human activity in areas known to have active AVG virus.
 - The strategy is to voluntarily stop divers from harvesting in areas as the disease approaches.
 - As it is not known exactly where the virus front is, a precautionary distance has to be in place to ensure that divers are not unwittingly harvesting in infected areas.
 - In order to ensure that Commercial divers are not unwittingly harvesting abalone in disease infected areas. Diving is to be voluntarily stopped within the area of the coast that is the average distance the virus can travel within one month. This distance is between 7 and 10 kilometres from the known disease front.
 - As an example of the above conditions, when the virus is half way through the 12 Apostils Marine Park, harvesting in Reef Code 6.01 will be stopped. As the virus front reaches Reef code 6.01, harvesting abalone in Reef Code 6.02 will be ceased. As the virus front reaches Reef Code 6.02 then harvesting in Reef Code 6.03 will be ceased. Etc.
 - If the TACC is not caught in the reef code area as it is closed, VADA is to recommend the removal of the TACC mid season.
 - Development of Consideration, costs and assessment of practicalities to using some of the smaller mature abalone in Reef Code 6.04 to assist in replenishing AVG virus affected reefs.
6. VADA to complete the review Operation AVG Firebreak report, including issues learnt.
7. VADA to consider implementing similar strategies to Firebreak, incorporating issues learnt etc.
8. VADA to provide free of charge, bottles of "viru kill" to divers, ensuring that they wash down their vessels and equipment daily, regardless of where they are working from.
9. VADA to recommend to quota owners and divers, that (if possible) harvesting should be commenced in reef codes 6.01 and 6.02, at the beginning of the season, to ensure that allocated catches for those reef codes are met.
10. VADA to recommend reduction of TACC's in response to virus movement and above strategies to slow, stop and quarantine the known active virus areas.

3.31 Circulate complete MOU amongst industry stakeholders.

4. APPLICATION

4.1 This MOU applies to :-

- the Victorian Abalone Divers Association Inc (VADA) representing the majority of central zone licence holders and divers; and
- Commercial Abalone divers and quota owners who are members of VADA, and
- *Removed*

4.2 The MOU is recommended to be followed by all Central Zone licence holders and divers.

4.3 This MOU has due regard for the provisions of the *Fisheries Act 1995* including :-

- The *Fisheries Regulations 1998*;
- The formal roles and responsibilities of Consultative Bodies;
- The concept and principles of Co-Management; and
- The Victorian Abalone Fishery Management Plan.

4.4 **CHANGED #** Once the MOU is operational, VADA will advise the Minister for Agriculture accordingly for his information, and will provide copies of the MOU to the Department of Primary Industries for their records and amendment to divers FISHWEB. Copies will also be provided to the Fisheries Co-management Council, the Abalone Fishery Committee of the Fisheries Co-management Council and Seafood Industry Victoria's Abalone Committee.

4.5 Once the MOU is operational, VADA will also advise, VR Fish, VNPA and distribute amongst other industry stakeholders

5. OPERATION OF THIS MOU.

- 5.1 This Memorandum identifies reference points for defined ‘sub-zones’ within the central zone commercial abalone fishery. (see Table in Section 5.8 below)
- 5.2 **CHANGED** The quota reference point (QRP) is the conservative catch level which could reasonably be expected from each sub-zone and reef code for the 2008/2009 season. The QRP is less than the optimal sustainable level of production for a given sub-zone. The QRP does not add up to the total TACC. If catches as listed in the QRP are not obtained as a result of fishing in the 2008-2009 season, investigations will be undertaken to try and assess the reasons for not achieving the QRP catches, and a remedial actions will be recommended. (*VADA is to develop the first DRAFT of an Agreed Harvesting Policy within 6 months*)
- 5.3 **NEW#**. The IRP point listed in section 5.8 do add up to the TACC, and reflect the TACC catches as recommended to the Minister for Agriculture. The IDEAL point is the conservative catch level which could reasonably and responsibly be expected from each reef code and sub-zone for the 2008/2009 season. These reef code catches are listed in appendix 1 and 2 as with the total area catches reflected in the table in section 5.8.
- 5.4 **CHANGED#** The upper reference point (URP) contained in this MOU is the catch level at which a sub-zone could be presented as a candidate for detailed evaluation and possible closure for the remainder of the season. The ‘sub-zone’ areas referred to is seen to be the maximum that industry believes should be responsibly harvested from the geographic sections of the coastline that align with existing reef codes and existing modelling regions. Details of sub-zonal boundaries and reef codes are included in appendix 1 and 2.
- 5.5 **CHANGED#** The IRP values are intended to give adequate notice of the possible need for a review of management controls, before the QRP’s are reached.
- 5.6 When any IRP harvest level is reached, the Review Panel (see 5.16 below) will meet within the time specified.
- 5.7 The QRP’s, IRP’s and URP’s have been devised using a combination of diver knowledge within VADA and examination of past catch histories from 1978 held by Fisheries Victoria and its research division, compliance to codes of practices, model outputs, Reef Reporting cards, independent survey data, industry data logger information, fishery abundance surveys, LOFM studies, FISHWEB and MOU catch information.

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5.8 The Blacklip abalone QRP's, IRP's and URP's expressed as metric tonnes (wet weight) are as follows* :-

BLACKLIP SUB ZONEs	REEF CODES	QRP	IRP	URP
HOPKINS – BAY OF ISLANDS	4.01 and 4.02	0	0	0
BAY OF ISLANDS TO GELLIBRAND	5.01 to 5.03	0	0	0
GELLIB. – CAPE OTWAY LIGHT	6.01 to 6.04	36,000	45,000	59,000
CPE OTWAY LIGHT TO APOLLO BAY	7.01 to 7.05+7.07	36,500	46,500	60,000
APOLLO B - P.P HEADS	7.06-7.07to 10.05	6,800	10,600	16,000
PORT PHILLIP BAY	11.01 to 11.10	19,000	32,900	43,800
PT. NEPEAN TO CAPE SCHANK	12.01 to 12.06	86,000	111,000	135,000
CAPE SCHANK TO FLINDERS	13.01 to 13.06	51,000	68,000	85,000
WEST HEAD	13.07	6,000	8,000	12,000
PHILLIP ISLAND	14.01 to 14.10	38,300	50,150	59,500
SAN REMO TO INVERLOCH	15.01 to 15.05	7,500	11,600	17,400
INVERLOCH TO TONGUE POINT	16.01 to 16.07	8,700	13,800	20,500
TONGUE POINT TO THE GLENNIES	17.01to 1713	24,000	31,600	40,200
THE GLENNIES TO KATE KEARNEY	18.03 to 18.07	4,000	8,000	11,750
THE CLIFFIES ISLANDS	18.08	100	100	2,000
TONNES	TOTAL	323,900	437,250	562,150

- 5.9 In addition to the above QRP's, IRP's and URP's, an additional 25.5 tonnes is recommended to be harvested from the Cape Liptrap area. This is to come from abalone stocks that mature at a size smaller than the LML. This amount is to be added to the above QRP's, IRP's and URP's.
- 5.10 The URP aims to avoid (with the exception of the under fished areas) catches levels that might be considered as excessive during the 2008/09 quota season. The 2008/09 Blacklip Abalone Central Zone TACC is 462 tonnes, with 25.5 tonnes to be harvested from the Cape Liptrap area.
- 5.11 The Central Zone Greenlip Abalone Central Zone TACC is 3.4 tonnes, with an increase LML of 145 mm for areas west of Point Nepean and 150 mm for areas east of Point Nepean.
- 5.12 Commercial divers have been requested to measure and record all greenlip abalone harvested (this information to be collated by VADA).
- 5.13 Commercial divers have been requested to only harvest Greenlip abalone when they can achieve a premium price for the abalone. Details of processors who are willing to pay premium prices have been provided to the industry.

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- 5.14 The activities of VADA with respect to this MOU. will be administered by VADA's Board of Management in consultation.
- 5.15 Fisheries Victoria will post details of those cumulative catch records on its website, DIVERSWEB.
- 5.16 When any reporting IRP is reached, the VADA will convene a meeting of the "Sub-zone Management Review Panel" (see below) within seven days.

VADA will extend an invitation to the representatives to participate in the Review Panel:

- Chairman of VADA or nominee. (Chair)
- Director Fisheries Management, Fisheries Victoria or nominee
- Fisheries Victoria Abalone Manager,
- Representative of Fisheries Victoria Research Division
- Representative of Melbourne University
- VADA representatives (2 divers with experience in the area)
- EO of VADA
- Victorian Abalone Processors Association (VAPA)
- Representative of VR Fish
- Representative of AFC
- **Representative from VNPA?**

- 5.17 A minimum quorum for the Sub-Zonal Management Review Panel is
- the VADA chairman and or nominee
 - 1 VADA diver representative with experience in the areas
 - 1 representative from DPI
 - 1 other person
- 5.18 The Review will be conducted at an agreed time and location.
- 5.19 The panel will review all available information on abalone stocks and determine an appropriate management response.
- 5.20 Significant management decisions will be forwarded to the Minister, the Director of Fisheries, the AFC and Seafood Industry Victoria's (SIV) AbCom for their information.
- 5.21 The Panel will include discussion of the following options in its deliberations- pro-rata catch distribution managed "in-house", initiatives/incentives from quota owners, initiatives/incentives from processors and area closures.

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- 5.22 The Panel will operate on a consensus basis and the Chair will ensure an accurate record is kept of Panel deliberations.
- 5.23 Where consensus is not reached, this shall be noted and the advice sought from the Minister for Agriculture, the Director of Fisheries and the FCC.
- 5.24 Panel minutes and decisions will be circulated, by VADA, to all Central Zone Abalone Fishery Access Licence holders, nominated divers and Abalone Receivers Licence holders within 7 working days.
- 5.25 VADA will additionally request the circulation of the Panel's decision via Fisheries Victoria, to all Central Zone Abalone Fishery Access Licence Holders and nominated divers.

7. DEFINITIONS

VADA	Victorian Abalone Divers Association Inc
VAPA	Victorian Abalone Processors Association Inc.
Access Licence	Licence issued pursuant to Section 38, <i>Fisheries Act 1995</i>
Central Zone	Victorian Waters generally between Lakes Entrance and Warrnambool, pursuant to Section 105, <i>Fisheries Regulations 1998</i>
Catch Records	Records of commercial abalone catches sourced from the Abalone Quota Management system (AQMS) operated by Fisheries Victoria.
DPI	Department of Primary Industries
Quota Year	1st April to 31 st March in the following year
Nominated diver	A person for the time being nominated to harvest abalone on behalf of the holder of an Abalone Access Licence
FV	Fisheries Victoria division of the Department of Primary Industries
Fishing effort	The aggregate activity of abalone divers operating under the authority of Abalone Fishery Access Licences.
Reef Code	An alphanumeric code (identifying a section of coast) which is used for reporting the origin of specific commercial catches.
IRP	is the Ideal Reference Point which is a conservative catch level which could reasonably and responsibly be expected from each sub-zone for the 2008/2009 season. The IRP's for the reef codes and combined harvest areas, add up to the recommended TACC. If the IRP catch level is reached, the sub-zone will be presented as a candidate for detailed evaluation and possible closure for the remainder of the season.
QRP	is the Quota Reference Point that sets the catch at a level which could reasonably and easily be expected to be caught from each reef code and combine harvest area. The QRP is less than the optimal sustainable level of production for a given sub-zone. If the Catches listed in the

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QRP's are not obtained as a result of fishing in the 2008-2009 season, investigations will be undertaken to assess the reasons for not achieving the QRP and remedial actions will be recommended. *(VADA is to develop the first DRAFT of an Agreed Harvesting Policy within 6 months)*

URP

is the Upper Reference Point which is the catch level that industry believes is the maximum sustainable amount that should come from within a reef code and within each combined harvest area listed in section 5.8. If exceeded a detailed investigation shall be undertaken and recommendations of remedial actions made to VADA Board.

Appendix 1, Blacklip Abalone Recommendations Reef Code By Reef Code

Reef Name	reef_id	Suggested Quota	Lower Limit	Upper Limit	Suggested Ideal LML	Current LML	Must Be LML
POINT DANGER TO SEWERAGE OUTFALL BUILDING	10.01	2,000	1,000	3,000		115	-
SEWERAGE OUTFALL BLDG TO BARWON RIVER ENTRANCE	10.02	1,500	1,000	1,800		115	-
	10.03	300	0	500		115	-
	10.04	600	300	1,000		115	-
	10.05					115	-
ST. LEONARDS PIER TO PORT ARLINGTON PIER	11.01	0	0	500		115	-
	11.02	0	0	500		115	-
	11.03	0	0	500		115	-
POINT WILSON PIER TO WERRIBEE RIVER	11.04	10,000	5,000	15,000		115	-
WERRIBEE RIVER TO POINT COOK AIRPORT PIER	11.05	1,500	500	2,000		115	-
PT COOK AIRPORT PIER TO SANDY GROUND S/E OF THE PC MARINE PK	11.06	16,000	10,000			115	-
SANDY GRD S/E OF THE PC MARINE PK TO THE NTH BOUNDARY OF THE PC MARINE PK	11.07	300	0	800		115	-
NORTHERN BOUNDARY OF THE PC MARINE PARK TO ALTONA PIER	11.08	1,000	500	2,000		115	-
ALTONA PIER TO RIFLE RANGE	11.09	4,000	3,000	5,000		115	-
RIFLE RANGE TO WILLIAMSTOWN BREAKWATER	11.10	100	0	500		115	-
	11.11					115	-
POINT NEPEAN TO PORTSEA SURF LIFE SAVING CLUB	12.02	11,000	9,000	15,000	125	115	120
PORTSEA SURF LIFESAVING CLUB TO THE LAST BLUFF EAST OF THE DIVIDE	12.03	23,000	17,000	26,000	125	115	120
LAST BUFF EAST OF THE DIVIDE TO GUNNAMATTA SURF LIFESAVING CLUB	12.04	15,000	10,000	20,000	125	115	120
GUNNAMATTA SURF LIFESAVING CLUB TO THE SOUTH EAST END OF FINGAL BEACH	12.05	7,000	5,000	9,000	125	115	120
SOUTH EAST END OF FINGAL BEACH TO THE BASE OF THE STEPS AT CAPE SCHANCK	12.06	55,000	45,000	65,000	?	115	115
BASE OF THE STEPS AT CAPE SCHANCK TO PICNIC POINT	13.01	28,000	20,000	35,000	?	115	-
PICNIC POINT TO THE SANDY BEACH IN THE NORTH WEST OF SYMMONDS BAY	13.02	17,000	14,000	22,000	?	115	-
SANDY BEACH IN THE NORTH WEST OF SYMMONDS BAY TO SANDY BEACH EAST OF SYMMONDS BAY	13.03	8,000	6,000	10,000	?	115	-
SANDY BEACH EAST OF SYMMONDS BAY TO BLOWHOLE	13.04	5,000	4,000	7,000		115	-
BLOWHOLE TO FLINDERS PIER	13.05	10,000	7,000	11,000		115	-

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Reef Name	reef_id	Suggested Quota	Lower Limit	Upper Limit	Suggested Ideal LML	Current LML	Must Be LML
WESTERN PORT BAY AND ENTRANCE	13.07	8,000	6,000	12,000		115	-
	13.06					115	-
GROSSARD POINT TO CAT BAY	14.01	1,000	800	1,500		115	-
CAT BAY TO POINT GRANT	14.02	13,000	8,000	15,000		115	-
SEAL ROCKS	14.03	10,000	8,000	12,000		115	-
POINT GRANT TO PENGUIN PARADE	14.04	9,000	8,000	10,000		115	-
PENGUIN PARADE TO BERRY BEACH	14.05	1,750	1,200	2,500		115	-
BERRY BEACH TO PYRAMID ROCK	14.06	4,000	3,000	5,000		115	-
PYRAMID ROCK TO SUNDERLAND BAY	14.07	2,000	1,500	2,500		115	-
SUNDERLAND BAY TO WOOLAMAI SURF CLUB	14.08	1,000	700	1,500		115	-
WOOLAMAI SURF CLUB TO SAN REMO BRIDGE	14.09	8,000	7,000	9,000		115	-
	14.1	400	100	500		115	-
SAN REMO BRIDGE TO KILCUNDA RAILWAY BRIDGE	15.01	8,000	5,000	10,000		115	-
KILCUNDA RAILWAY BRIDGE TO COAL POINT	15.02	3,000	2,000	5,000		115	-
COAL POINT TO CAPE PATTERSON SURF CLUB	15.03	500	500	2,000		115	-
	15.04					115	-
EAGLES NEST TO WESTERN SIDE OF INVERLOCH ENTRANCE	15.05	100	0	400		115	-
WESTERN SIDE OF INVERLOCH ENTRANCE TO OUTFALL PIPE	16.01	100	0	400		115	-
OUTFALL PIPE TO MIDDLE OF MORGANS BEACH	16.02	3,000	2,000	4,000		115	-
MIDDLE OF MORGANS BEACH TO CAPE LIPTRAP LIGHTHOUSE	16.03	9,000	6,000	11,000	105	115	-
CAPE LIPTRAP LIGHTHOUSE TO GRINDER POINT	16.04	1,000	700	2,500	105	115	-
GRINDER POINT TO WALKERVILLE SOUTH BOAT RAMP	16.05	100	0	400	105	115	-
WALKERVILLE SOUTH BOAT RAMP TO WARATAH BAY TOWNSHIP	16.06	500	0	1,500	105	115	-
	16.07	100	0	700		115	-

**MEMORANDUM OF UNDERSTANDING
ABALONE HARVESTING CENTRAL ZONE FISHERY 2008/09**

Reef Name	reef_id	Suggested Quota	Lower Limit	Upper Limit	Suggested Ideal LML	Current LML	Must Be LML
SHELLBACK ISLAND	17.01	2,000	1,500	3,000	120	115	120
DARBY RIVER TO WHISKY BAY	17.02	7,000	5,000	9,000		115	-
NORMAN ISLAND	17.03	3,000	2,000	4,000		115	120
WHISKY BAY TO SQUEAKY BEACH	17.04	1,500	1,000	2,000		115	-
SQUEAKY BEACH TO TIDAL RIVER	17.05	2,000	1,500	3,000		115	-
GREAT GLENNIE ISLAND	17.10	10,000	8,000	11,000		115	120
DANNEVIG ISLAND	17.11	2,000	1,500	2,500		115	120
CITADEL ISLAND	17.12	3,000	2,500	3,500		115	120
	17.13	1,000	1,000	1,500		115	-
CAPE WELLINGTON TO SEALERS COVE RIVER MOUTH	18.03	2,000	1,000	2,500	115	115	-
SEALERS COVE RIVER MOUTH TO FIVE MILE BEACH	18.04	1,500	1,000	2,000		115	-
FIVE MILE BEACH TO THREE MILE BEACH	18.05	500	0	1,500		115	-
RABBIT ISLAND AND ROCK	18.06	500	0	1,000		115	-
THREE MILE BEACH TO KATE KEARNEY ENTRANCE	18.07	500	0	750		115	-
SEAL ISLAND GROUP	18.08	3,000	2,000	4,000		115	-
NINETY MILE BEACH	18.09	100	0	2,000		115	-
HOPKINS RIVER TO CHILDER'S COVE	4.01	0				123	130
PT DANGER TO SEWERAGE OUTFALL	4.02	0				123	-
BAY OF ISLANDS BOAT RAMP TO LONDON BRIDGE	5.01	0				123	-
LONDON BRIDGE TO PORT CAMPBELL PIER	5.02	0				123	-
PORT CAMPBELL PIER TO BROKEN HEAD, SHERBROOK RIVER WALL	5.03	0				123	-
GELLIBRAND RIVER TO CAPE VOLNEY	6.01	10,000	8,000	15,000	125	123	125
CAPE VOLNEY TO JOHANNA BEACH	6.02	17,000	14,000	20,000	125	123	125
JOHANNA BEACH TO AIRE RIVER	6.03	6,000	4,000	10,000	125	123	125

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Appendix 2, Greenlip Abalone Recommendations Reef Code By Reef Code

Reef Name	reef_id	Ideal Greenlip	G/L Lower	G/L Upper	Suggested Ideal LML	Current LML	Must Be LML
POINT DANGER TO SEWERAGE OUTFALL BUILDING	10.01				145	130	145
SEWERAGE OUTFALL BLDG TO BARWON RIVER ENTRANCE	10.02				145	130	145
	10.03				145	130	145
	10.04				145	130	145
	10.05				145	130	145
ST. LEONARDS PIER TO PORT ARLINGTON PIER	11.01				145	130	145
	11.02				145	130	145
	11.03				145	130	145
POINT WILSON PIER TO WERRIBEE RIVER	11.04				145	130	145
WERRIBEE RIVER TO POINT COOK AIRPORT PIER	11.05				145	130	145
PT COOK AIRPORT PIER TO SANDY GROUND S/E OF THE PC MARINE PK	11.06				145	130	145
SANDY GRD S/E OF THE PC MARINE PK TO THE NTH BOUNDARY OF THE PC MARINE PK	11.07				145	130	145
NORTHERN BOUNDARY OF THE PC MARINE PARK TO ALTONA PIER	11.08				145	130	145
ALTONA PIER TO RIFLE RANGE	11.09				145	130	145
RIFLE RANGE TO WILLIAMSTOWN BREAKWATER	11.10				145	130	145
	11.11				145	130	145
POINT NEPEAN TO PORTSEA SURF LIFE SAVING CLUB	12.02				150	130	150
PORTSEA SURF LIFESAVING CLUB TO THE LAST BLUFF EAST OF THE DIVIDE	12.03				150	130	150
LAST BUFF EAST OF THE DIVIDE TO GUNNAMATTA SURF LIFESAVING CLUB	12.04				150	130	150
GUNNAMATTA SURF LIFESAVING CLUB TO THE SOUTH EAST END OF FINGAL BEACH	12.05				150	130	150
SOUTH EAST END OF FINGAL BEACH TO THE BASE OF THE STEPS AT CAPE SCHANCK	12.06				150	130	150
BASE OF THE STEPS AT CAPE SCHANCK TO PICNIC POINT	13.01				150	130	150
PICNIC POINT TO THE SANDY BEACH IN THE NORTH WEST OF SYMMONDS BAY	13.02				150	130	150
SANDY BEACH IN THE NORTH WEST OF SYMMONDS BAY TO SANDY BEACH EAST OF SYMMONDS BAY	13.03				150	130	150

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Reef Name	reef_id	Ideal Greenlip	G/L Lower	G/I Upper	Suggested Ideal LML	Current LML	Must Be LML
SANDY BEACH EAST OF SYMMONDS BAY TO BLOWHOLE	13.04				150	130	150
BLOWHOLE TO FLINDERS PIER	13.05				150	130	150
WESTERN PORT BAY AND ENTRANCE	13.07	800	500	1,500	150	130	150
	13.06	800	500	1,500	150	130	150
GROSSARD POINT TO CAT BAY	14.01	500	200	800	150	130	150
CAT BAY TO POINT GRANT	14.02	500	200	800	150	130	150
SEAL ROCKS	14.03				150	130	150
POINT GRANT TO PENGUIN PARADE	14.04				150	130	150
PENGUIN PARADE TO BERRY BEACH	14.05				150	130	150
BERRY BEACH TO PYRAMID ROCK	14.06				150	130	150
PYRAMID ROCK TO SUNDERLAND BAY	14.07				150	130	150
SUNDERLAND BAY TO WOOLAMAI SURF CLUB	14.08				150	130	150
WOOLAMAI SURF CLUB TO SAN REMO BRIDGE	14.09				150	130	150
	14.1	500	200	800	150	130	150
SAN REMO BRIDGE TO KILCUNDA RAILWAY BRIDGE	15.01				150	130	150
KILCUNDA RAILWAY BRIDGE TO COAL POINT	15.02				150	130	150
COAL POINT TO CAPE PATTERSON SURF CLUB	15.03				150	130	150
	15.04				150	130	150
EAGLES NEST TO WESTERN SIDE OF INVERLOCH ENTRANCE	15.05	200	200	300	150	130	150
WESTERN SIDE OF INVERLOCH ENTRANCE TO OUTFALL PIPE	16.01				150	130	150
OUTFALL PIPE TO MIDDLE OF MORGANS BEACH	16.02				150	130	150
MIDDLE OF MORGANS BEACH TO CAPE LIPTRAP LIGHTHOUSE	16.03				150	130	150
CAPE LIPTRAP LIGHTHOUSE TO GRINDER POINT	16.04				150	130	150
GRINDER POINT TO WALKERVILLE SOUTH BOAT RAMP	16.05	200	100	700	150	130	150
WALKERVILLE SOUTH BOAT RAMP TO WARATAH BAY TOWNSHIP	16.06	1,000	500	2,000	150	130	150

**MEMORANDUM OF UNDERSTANDING
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Reef Name	reef_id	Ideal Greenlip	G/L Lower	G/I Upper	Suggested Ideal LML	Current LML	Must Be LML
	16.07				150	130	150
SHELLBACK ISLAND	17.01				150	130	150
DARBY RIVER TO WHISKY BAY	17.02				150	130	150
NORMAN ISLAND	17.03				150	130	150
WHISKY BAY TO SQUEAKY BEACH	17.04				150	130	150
SQUEAKY BEACH TO TIDAL RIVER	17.05				150	130	150
GREAT GLENNIE ISLAND	17.10				150	130	150
DANNEVIG ISLAND	17.11				150	130	150
CITADEL ISLAND	17.12				150	130	150
	17.13				150	130	150
CAPE WELLINGTON TO SEALERS COVE RIVER MOUTH	18.03				150	130	150
SEALERS COVE RIVER MOUTH TO FIVE MILE BEACH	18.04				150	130	150
FIVE MILE BEACH TO THREE MILE BEACH	18.05				150	130	150
RABBIT ISLAND AND ROCK	18.06				150	130	150
THREE MILE BEACH TO KATE KEARNEY ENTRANCE	18.07				150	130	150
SEAL ISLAND GROUP	18.08				150	130	150
NINETY MILE BEACH	18.09				150	130	150
						130	-
HOPKINS RIVER TO CHILDER'S COVE	4.01				145	130	145
PT DANGER TO SEWERAGE OUTFALL	4.02				145	130	145
BAY OF ISLANDS BOAT RAMP TO LONDON BRIDGE	5.01				145	130	145
LONDON BRIDGE TO PORT CAMPBELL PIER	5.02				145	130	145
PORT CAMPBELL PIER TO BROKEN HEAD, SHERBROOK RIVER WALL	5.03				145	130	145
GELLIBRAND RIVER TO CAPE VOLNEY	6.01				145	130	145
CAPE VOLNEY TO JOHANNA BEACH	6.02				145	130	145