

**RECOMMENDATIONS ON ADJUSTMENTS OF 2011/12 CATCH LIMITS AT
INACCESSIBLE AND NIGHTINGALE ISLANDS IN RESPONSE TO THE
IMPACTS OF SPILLS OF OIL AND SOYA AS A RESULT OF THE OLIVA
INCIDENT**

D S Butterworth and S J Johnston
Marine Resource Assessment and Management Group (MARAM)
Department of Mathematics and Applied Mathematics
University of Cape Town
Rondebosch 7701, South Africa

In broad terms, the intention of the strategy used to set annual catch limits for lobster at the islands in the Tristan group is to keep catch rates at or near to their recent levels, *inter alia* to maintain an economically viable fishery.

This aim is potentially compromised by the possible impacts arising from the OLIVA grounding and break-up: the effects of the oil spill at both Inaccessible and Nightingale islands, and of the soya spill at the latter. Johnston and Butterworth (2011) present calculations of the extent of catch reductions that would be necessary to broadly restore catch rates at these two islands to recent levels in the short to medium term. These catch losses depend on the magnitudes and nature of the oil and soya impacts on the lobster. A key difficulty is in quantifying the likely extents of these impacts.

The situation is somewhat simpler for Inaccessible island which is affected only by the oil spill. An appropriate approach there could be to base a decision on the “Safe Case” scenario advanced by Drs Franklin and Scott. **This suggests that the catch limit of 95 MT at Inaccessible for the 2011/12 season be reduced to 53 MT.**

The soya spill at Nightingale island has certainly had an impact there as evidenced by the poor catch rates experienced for recent experimental catches. The possibility of serious depletion of the resource as a result of appreciable lobster mortality caused by the soya cannot be ruled out. In these circumstances, harvesting the current catch limit of 65 MT at Nightingale could compromise the resource and future sustainable catches, so that **we recommend that the Nightingale catch limit be set to zero for the time being.**

Future monitoring of the situation at Nightingale, and in particular the catch rates obtained from further experimental fishing, can reduce the wide number of scenarios that can be put forward at the current time for the impacts of the oil and soya spill, and provide a basis for a decision in due course to re-open fishing at Nightingale. Ongoing insurance claim negotiations might therefore be appropriately structured in a manner that allows the results from such future monitoring to be taken into account as they become available (e.g. rather than to settle the claim immediately, instead negotiate to have a maximum possible claim sum placed in trust, and for the next few years claim losses against that annually as the situation about the extent of damage to the resource clarifies further, given these new data).

However the interpretation of the results of future monitoring data will not be straightforward, nor will the development of sound rules to determine from these data when the fishery at Nightingale might appropriately be re-opened. **We therefore recommend that a workshop of scientific experts on the situation be convened in the near future to deliberate how such monitoring data could best be utilised** to reduce the range of damage scenarios considered in Johnston and Butterworth (2011),

and concomitantly give guidance on the choices amongst these scenarios that constitute the most appropriate basis upon which to set catch limits in the short term. It would be desirable to invite the Insurer's technical experts to attend this workshop, which could also provide an opportunity to discuss the basis for the computations of catch loss in Johnston and Butterworth (2011). There are many aspects of these computations which the insurers might wish to discuss further; if the proposed workshop could also be used to speed reaching finality on a number of these aspects, that would reduce the scope for further questioning of this nature, thus leading to a more time- and resource-efficient resolution process.

Reference

Johnston, SJ and Butterworth, DS. 2011. Effect of the oil and soya spill events on rock lobster yields at Inaccessible and Nightingale islands. MARAM document, MARAM/TRISTAN/2011/Sep/11.