



Australian Government
Department of the Environment

Ref: 14/009632

The Hon Norman Moore
Chairman
Australian Fisheries Management Authority Commission
PO Box 7051
CANBERRA BC ACT 2610

Dear Mr Moore

I am writing to you as the Delegate of the Minister for the Environment in relation to the assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) of Australian operations in the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Ross Sea exploratory toothfish fishery.

In August 2014, the Australian Fisheries Management Authority (AFMA) provided an application to the Department of the Environment, seeking export approval for Australian operations in the Ross Sea exploratory toothfish fishery.

The application has been assessed for the purposes of the wildlife trade provisions of Part 13A of the EPBC Act. I am pleased to advise that the assessment is now complete. The assessment report will be available on the Department's website at:
<http://www.environment.gov.au/marine/fisheries/commonwealth-managed-fisheries>.

I consider that Australian operations in the Ross Sea exploratory toothfish fishery will operate in accordance with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.

Given the management arrangements in place including limited entry, catch and bycatch limits, move-on provisions to minimise impacts on bycatch species and vulnerable marine ecosystems and the implementation of the threat abatement plan made for the incidental catch of seabirds during oceanic longline fishing operations, I have decided to amend the list of exempt native specimens to allow export of product from Australian operations in the Ross Sea exploratory toothfish fishery for a period of five years, until 31 October 2019.

While there are some environmental risks associated with Australian operations in the Ross Sea exploratory toothfish fishery, I believe that AFMA has in place measures to address these issues. Officers from AFMA and this Department have discussed and agreed to three recommendations focussing on ensuring the continuation of good management practices. These recommendations can be found at **Attachment 1**.

I would like to thank you for the constructive way in which your officials have approached this assessment. I have written to Senator the Hon Richard Colbeck, Parliamentary Secretary for Agriculture, in similar terms.

Yours sincerely

Paul Murphy
Delegate of the Minister for the Environment

4 December 2014

Recommendations to the Australian Fisheries Management Authority on the ecologically sustainable management of Australian operations in the Ross Sea exploratory toothfish fishery– November 2014

1. The Australian Fisheries Management Authority to ensure that all relevant Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Conservation Measures are implemented for the operation of Australian vessels in the CCAMLR Ross Sea exploratory toothfish fishery (exploratory fishery for *Dissostichus* spp. in Statistical Subareas 88.1 and 88.2).
2. The Australian Fisheries Management Authority to inform the Department of the Environment of any intended amendments to the management arrangements for Australian operations in the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Ross Sea exploratory toothfish fishery (exploratory fishery for *Dissostichus* spp. in Statistical Subareas 88.1 and 88.2) that may affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. The Australian Fisheries Management Authority to ensure that reports are produced and presented to the Department of the Environment annually as per Appendix B of the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*. (Note: published fishery annual reports and protected species reports may constitute some or all the reporting referred to in Recommendation 3.)