



Australian Government

Department of the Environment and Energy

Ref: 002068376

Dr James Findlay
Chief Executive Officer, Australian Fisheries Management Authority
GPO Box 7051
CANBERRA ACT 2610

Dear Dr ~~Findlay~~ *James*

I am writing to you as the Delegate of the Minister for the Environment in relation to the reassessment of the Commonwealth Small Pelagic Fishery (the fishery) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In August 2018, the Australian Fisheries Management Authority applied for export approval for the fishery under the EPBC Act. The application has been assessed and I have amended the List of Exempt Native Specimens (LENS) to allow export of product from the fishery until 21 October 2023. Fisheries placed on the LENS are subject to three recommendations, provided at **Attachment 1**. Implementation of these recommendations provide confidence that the fishery management arrangements continue to remain sustainable and meet the relevant requirements of the EPBC Act.

I have also recredited the management regime for the fishery under Part 13 of the EPBC Act. Accreditation will ensure that individual fishers operating in accordance with the current management regime are not required to seek permits if they are at risk of killing or injuring listed species in Commonwealth waters.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Paul Murphy'.

Paul Murphy
Delegate of the Minister for the Environment

22 October 2018

Recommendations to the Australian Fisheries Management Authority on the ecologically sustainable management of the Commonwealth Small Pelagic Fishery, October 2018

1. Operation of the Commonwealth Small Pelagic Fishery will be carried out in accordance with the Small Pelagic Fishery Management Plan in force under the Fisheries Management Act 1991 (Cth).
2. The Australian Fisheries Management Authority to inform the Department of the Environment and Energy of any intended material changes to the Commonwealth Small Pelagic Fishery management arrangements that may affect the assessment against which Environment Protection and Biodiversity Conservation Act 1999 decisions are made.
3. The Australian Fisheries Management Authority to produce and present reports to the Department of the Environment and Energy annually as per Appendix B of the Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition.

Conditions to the Part 13 accreditation of the Commonwealth Small Pelagic Fishery

Condition A

Prior to fishing, mid-water trawl vessels must have in place effective mitigation approaches and devices to minimise interactions with dolphins, seals and seabirds.

Condition B

That at least one observer be deployed on each new mid-water trawl vessel for the first 10 fishing trips, with additional observer coverage or other monitoring implemented as appropriate, following scientific assessment of the Small Pelagic Fishery.