



Australian Government

Department of the Environment, Water, Heritage and the Arts

The Hon Tony Burke MP
Minister for Agriculture, Fisheries and Forestry
Parliament House
CANBERRA ACT 2600

Dear Minister

I am writing to you as Delegate of the Minister for the Environment, Heritage and the Arts in relation to the assessment of the Skipjack Tuna Fishery (STF) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The STF was first assessed by the then Department of the Environment and Heritage in November 2005 under Parts 10, 13 and 13A of the EPBC Act in accordance with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries*. The fishery was accredited as an approved Wildlife Trade Operation (WTO) for the purposes of export of product from the fishery for three years until 30 November 2008.

In September 2008, the Australian Fisheries Management Authority (AFMA) provided a submission for consideration of further export approval of product from the STF. The 2008 submission has been assessed for the purposes of Parts 13 and 13A of the EPBC Act. The assessment also took account of measures that have been developed by AFMA in response to recommendations made in the 2005 assessment of the STF.

I am pleased to advise that the assessment of the STF is now complete. The assessment report will be available on the Department of the Environment, Water, Heritage and the Arts (DEWHA) website at:

<http://www.environment.gov.au/coasts/fisheries/commonwealth/skipjack-tuna/index.html>.

I am satisfied that the operation of the STF is consistent with the objects of the wildlife trade provisions in Part 13A of the EPBC Act. I am also satisfied that it is unlikely to be detrimental to the survival or conservation status of any taxon to which the fishery operation relates, or threaten any relevant ecosystem in the short to medium term.

Given the management measures in place which include limited entry, fishing zones, gear/fishing method restrictions, limited target catch, seasonal catch limits on byproduct, maximum trip limits for shark catch and compulsory completion of daily fishing logs, I have decided to declare the STF a WTO for three years, until

30 November 2011. The WTO declaration will be subject to the conditions at **Attachment A**.

Officers from AFMA, the Department of Agriculture, Fisheries and Forestry (DAFF) and DEWHA have discussed key areas requiring ongoing and increased attention and while there are some environmental risks associated with the STF, I believe AFMA and DAFF are committed to addressing these issues and are already taking proactive steps in some areas.

AFMA and DAFF officers have agreed to seven additional recommendations focusing on the refinement of the Harvest Strategy as part of its review, making a statement of management arrangements for the fishery publicly available, and improving the quality of the data collection and validation system in relation to bycatch, including protected species. These are to be implemented before the next Australian Government review of the STF and can be found at **Attachment B**.

DEWHA considers that the operation of the fishery does not, or is not likely to, adversely affect the survival in nature of a listed threatened species or population of that species, or the conservation status of a listed migratory species, cetacean or listed marine species or a population of any of those species. DEWHA also considers that under the management plan operators are required to take all reasonable steps to avoid the killing or injuring of protected species, and the level of interaction under current fishing operations is low.

For these reasons, the management regime was accredited under Part 13 of the EPBC Act in November 2005. Since there have been no material changes to the management arrangements since the initial assessment of the fishery, DEWHA considers that the existing Part 13 accreditation remains valid.

I would like to thank you for the cooperation of your officials on this assessment.

I have written to the Hon Tony Rundle, AFMA Chairperson, in similar terms.

Yours sincerely

[signed]

Claire Howlett
Delegate of the Minister for the Environment, Heritage and the Arts

27 November 2008

**Conditions on the Wildlife Trade Operation declaration for the
Skipjack Tuna Fishery (STF)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the STF.

1. Operation of the STF will be carried out in accordance with the management arrangements in force under the *Fisheries Management Act 1991*.
2. The Australian Fisheries Management Authority (AFMA) to advise the Department of Environment, Water, Heritage and the Arts (DEWHA) of any intended change to the STF management arrangements that may affect the assessment of the fishery against the criteria on which EPBC Act decisions are based.
3. AFMA to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. By 31 December 2009, AFMA to make publicly available a statement of management arrangements for the STF, which provides an overarching framework articulating the key management tools of the fishery.

**Recommendations to the Australian Fisheries Management Authority (AFMA)
on the ecologically sustainable management of the Skipjack Tuna Fishery (STF)**

The material submitted by AFMA for assessment of the STF suggests the fishery generally operates in accordance with the Australian Government's *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.

DEWHA is satisfied that the harvest of specimens from the STF will not be detrimental to the survival or conservation status of the taxon to which the fishery relates in the short to medium term. Similarly, it is not likely to threaten any relevant ecosystem in the short to medium term. To minimise the risks in the longer term, the following recommendations have been made for the STF.

Recommendations:

1. AFMA to establish appropriate consultative arrangements for the STF to ensure that all interested and affected parties have the opportunity to provide input into the management of the fishery.
2. As part of the STF Harvest Strategy review, AFMA to consider amending the Harvest Strategy to articulate the circumstances under which the "Limit trigger/stop rule (Level 3)" in the STF Harvest Strategy would be applied.
3. In reviewing the STF Harvest Strategy, AFMA will examine the data collection and validation requirements of the fishery to ensure the objectives of the harvest strategy are met.
4. The Department of Agriculture, Fisheries and Forestry (DAFF) to:
 - a. in consultation with AFMA, DEWHA and other relevant government agencies, continue to take a proactive role in the WCPFC and the IOTC to improve the effectiveness of both organisations in managing target, byproduct, bycatch (including protected) species.
 - b. consider the STF Harvest Strategy in developing the whole of government position for negotiations related to the skipjack fishery in both the WCPFC and IOTC, and to advocate the Commonwealth Fisheries Harvest Strategy Policy as an example of best practice in setting sustainable catch levels.
5. By 30 June 2009, AFMA to complete the STF Bycatch and Discarding Workplan to implement appropriate management responses to address and mitigate risks and impacts identified in the STF Level 2 and Rapid Level 3 Ecological Risk Assessments, including the development and implementation of an appropriate data collection and validation framework for the fishery.
6. AFMA to develop and implement a program to identify long-term trends in byproduct and bycatch composition and quantity in the STF.
7. AFMA to ensure that the STF is included in its annual compliance risk assessment for Australian fisheries and implement appropriate measures to address identified risks in the fishery