



**Australian Government**

**Department of Sustainability, Environment, Water, Population and Communities**

Our reference: 2011/13621

Senator the Hon Joe Ludwig  
Minister for Agriculture, Fisheries and Forestry  
Parliament House  
CANBERRA ACT 2600

Dear Minister

I am writing to you as the Delegate of the Minister for Sustainability, Environment, Water, Population and Communities in relation to the reassessment of the Commonwealth Skipjack Tuna Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In September 2011, the Australian Fisheries Management Authority provided a submission to the Department of Sustainability, Environment, Water, Population and Communities seeking further export approval for the Skipjack Tuna Fishery.

I am pleased to advise that assessment of the Skipjack Tuna Fishery is now complete. The assessment report will be available on the department's website at:  
<http://www.environment.gov.au/coasts/fisheries/commonwealth/skipjack-tuna/index.html>.

The management regime for the Skipjack Tuna Fishery was accredited under Part 13 of the EPBC Act in November 2005. I am satisfied that it continues to be unlikely that fishing operations conducted in accordance with the current management regime will adversely affect the conservation status of protected species or affect the survival or recovery in nature of listed threatened species or adversely affect the conservation status of listed migratory species, cetaceans or listed marine species. I also consider that under the current management regime, operators are required to take all reasonable steps to avoid the killing or injuring of species listed under Part 13 of the EPBC Act.

I have therefore reaccredited the management regime for the Skipjack Tuna 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.

I am satisfied that the operation of the Skipjack Tuna Fishery 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 medium term.

Given the management arrangements and precautionary measures for the fishery including limited entry, fishing gear restrictions, limited fishing access to certain areas, bycatch trip limits and mandatory logbooks, I have decided to amend the list of exempt native specimens to allow export of product from this fishery for a period of five years, until 30 November 2016.

While there are some environmental risks associated with the Skipjack Tuna Fishery, I believe that the Australian Fisheries Management Authority has in place measures to address these issues. Officers from the Australian Fisheries Management Authority and this department have discussed areas requiring ongoing attention and agreed to recommendations focussing on ensuring the continuation of good management practices. These recommendations can be found at **Attachment A**.

Please note that export decisions under the EPBC Act relate to the arrangements in force at the time of the assessment decision. To ensure that the decision remains valid, the department needs to be advised of any intended changes to the management plan and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decision. This includes legislated amendments and operational changes that may affect the sustainability of the target species or negatively impact on byproduct, bycatch, protected species or the ecosystem.

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nigel Routh', with a long horizontal flourish extending to the right.

Nigel Routh

Delegate of the Minister for Sustainability, Environment, Water, Population and Communities

24 January 2012



**Recommendations to the Australian Fisheries Management Authority on the ecologically sustainable management of the Commonwealth Skipjack Tuna Fishery.**

1. Operation of the Skipjack Tuna Fishery 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 inform the Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) of any proposed substantive changes to the Skipjack Tuna Fishery management arrangements that may affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. AFMA to produce and present reports to DSEWPaC annually, as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2<sup>nd</sup> Edition*.
4. Following the 2012 review, AFMA to amend the *Skipjack Tuna Fishery Harvest Strategy* to refine the decision rules to implement management responses when trigger levels are exceeded.
5. AFMA to advise DSEWPaC if use of Fish Aggregation Devices commences in the fishery. Prior to any future use of these devices in the fishery, AFMA to ensure that appropriate management arrangements are in place to ensure their sustainable use.
6. Following the 2012 review of the *Skipjack Tuna Harvest Strategy*, AFMA to revise the *Ecological Risk Management Report for the Skipjack Tuna Fishery*, to include: an appropriate catch or effort level trigger, above which management responses, including a review of interactions and the development of a bycatch and discard workplan for the fishery, will be implemented.
7. The Department of Agriculture, Fisheries and Forestry (DAFF) to:
  - a. in consultation with AFMA, DSEWPaC and other relevant government agencies, continue to take a proactive role in the Western and Central Pacific Fisheries Commission (WCPFC) and the Indian Ocean Tuna Commission (IOTC) to improve the effectiveness of both organisations in managing target, byproduct, bycatch (including protected) species.
  - b. encourage appropriate conservation and management measures to maintain healthy skipjack stocks; and
  - c. consider the *Skipjack Tuna Fishery 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.