



Australian Government
Department of the Environment

Ref: 2014/00133

Senator the Hon Richard Colbeck
Parliamentary Secretary for Agriculture
Parliament House
CANBERRA ACT 2600

Dear Parliamentary Secretary

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

In November 2013, the Australian Fisheries Management Authority provided an application to the Department of the Environment, seeking continued export approval for the Eastern Tuna and Billfish Fishery.

The application has been assessed for the purposes of the protected species provisions of Part 13 and the wildlife trade provisions of Part 13A of the EPBC Act. The assessment took into account measures that have been developed by the Australian Fisheries Management Authority in response to the conditions and recommendations made at the time of the previous assessment of the fishery under the EPBC Act in 2011.

I am pleased to advise that the assessment of the Eastern Tuna and Billfish Fishery is now complete. The new assessment report will be available on the Department's website at: <http://www.environment.gov.au/topics/marine/fisheries/commonwealth/eastern-tuna-bullfish>.

The Eastern Tuna and Billfish Fishery Management Plan 2010 was most recently accredited under Part 13 of the EPBC Act, for interactions with protected species, in February 2011.

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

I have therefore re-accredited the Eastern Tuna and Billfish Fishery Management Plan 2010 under Part 13 of the EPBC Act. Accreditation will ensure that individual fishers operating in accordance with the management plan are not required to seek permits if they are at risk of killing or injuring protected species in Commonwealth waters.

I consider that the Eastern Tuna and Billfish Fishery operates in accordance with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries* – 2nd Edition.

Given the management arrangements for the fishery including limited entry, a quota management system for key commercial species, ongoing research into the assessment and management of byproduct species, a reviewable bycatch and discarding workplan, the adoption of Western and Central Pacific Fisheries Commission stock assessments and Conservation and Management Measures 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 the Eastern Tuna and Billfish Fishery for a period of five years, until 22 August 2019.

While there are some environmental risks associated with the Eastern Tuna and Billfish 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 and agreed to seven recommendations focussing on ensuring the continuation of good management practices and improved monitoring and mitigation of impacts on bycatch species. 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 the Hon Norman Moore, Chairman of the Australian Fisheries Management Authority Commission, in similar terms.

Yours sincerely



Paul Murphy
Delegate of the Minister for the Environment
29 August 2014

**Recommendations to the Australian Fisheries Management Authority on the
ecologically sustainable management of the Eastern Tuna and Billfish Fishery –
August 2014**

1. Operation of the Eastern Tuna and Billfish Fishery will be carried out in accordance with the management regime for the fishery made under the *Fisheries Management Act 1991*, Fisheries Management Regulations 1992 and the Eastern Tuna and Billfish Fishery Management Plan 2010.
2. The Australian Fisheries Management Authority to inform the Department of the Environment of any intended amendments to Eastern Tuna and Billfish Fishery management arrangements 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 produce and present reports to the Department of the Environment annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. The Australian Fisheries Management Authority to initiate a process to review and update the ecological risk assessment for the Eastern Tuna and Billfish Fishery on a regular or triggered basis, to ensure that it is capable of identifying and responding to changes in risk over time.
5. The Australian Fisheries Management Authority, in accordance with the reviews of the harvest strategy policy for Commonwealth fisheries and the Commonwealth Policy on Fisheries Bycatch, to continue to develop and implement a formal framework applicable to the Eastern Tuna and Billfish Fishery to guide the management of non-quota and bycatch species, to include objectives, performance measures, management responses and information requirements as appropriate.
6. The Australian Fisheries Management Authority to:
 - a. continue to determine the extent of the impact of fishing in the Eastern Tuna and Billfish Fishery on shark species, including to:
 - i. identify the species impacted
 - ii. develop, document and implement appropriate management measures to mitigate impacts on shark species identified through ecological risk assessments, protected species listing and/or other processes
 - b. continue and encourage further co-operation with relevant jurisdictions to pursue increased knowledge and complementary management of shark species identified through the above processes across fisheries and across jurisdictions.

7. The Australian Fisheries Management Authority to:
- a. ensure that the overall monitoring program for the Eastern Tuna and Billfish Fishery provides sufficient data collection and analysis—representative of fishing effort by areas and months—to at a minimum meet:
 - i. the requirements of relevant recovery and threat abatement plans under the *Environment Protection and Biodiversity Conservation Act 1999*
 - ii. the monitoring requirements of the Western and Central Pacific Fisheries Commission
 - b. for species protected under the *Environment Protection and Biodiversity Conservation Act 1999*:
 - i. annually compare logbook-independent monitoring data with logbook records, implement measures to address any inconsistencies
 - ii. report on these measures as part of annual reporting to the Department of the Environment.