




**The Hon Tony Burke MP**

**Minister for Sustainability, Environment, Water, Population and Communities**

B11/199

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

Dear Minister

  
In November 2010, the Australian Fisheries Management Authority (AFMA) submitted the *AFMA submission for Reassessment of the Eastern Tuna and Billfish Fishery 2010* for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

This submission has been assessed under the protected species provisions of Part 13 and the wildlife trade provisions of Part 13A of the EPBC Act. The assessment also took account of measures that have been developed by AFMA and actions progressed by the Department of Agriculture, Fisheries and Forestry (DAFF) in response to conditions and recommendations made in the previous assessment.

I am pleased to advise that assessment of the Eastern Tuna and Billfish Fishery is now complete. The assessment report will be available on the Department of Sustainability, Environment, Water, Population and Communities' website at:  
<http://www.environment.gov.au/coasts/fisheries/commonwealth/eastern-tuna-billfish/index.html>.

I am satisfied that the operation of the Eastern Tuna and Billfish Fishery is consistent with the objects of the wildlife trade provisions in Part 13A of the EPBC Act. I am also satisfied that the fishery 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 for the duration of my declaration.

Given the management measures in place, including output controls based on individual transferable quotas that are allocated as statutory fishing rights from an annual total allowable catch, and comprehensive compliance and monitoring arrangements, I have decided to declare the Eastern Tuna and Billfish Fishery an approved Wildlife Trade Operation for three years, until 26 February 2014. I will make the declaration subject to the six conditions at Attachment A.

There are a number of issues that need to be addressed to contain environmental risks in the longer term. To ensure that these issues are addressed and risks are minimised, I have made six recommendations to improve the environmental performance of the fishery. These are set out in Attachment B. Officers from the Department of Sustainability, Environment, Water, Population and Communities, DAFF and AFMA have discussed key areas requiring ongoing and increased attention. I understand that the recommendations in Attachment B have been agreed by officials from these agencies.

In March 2010, the AFMA advised the then Department of the Environment, Water, Heritage and the Arts of a proposed new management plan for the fishery: the *Eastern Tuna and Billfish Fishery Management Plan 2010*. The assessment has taken account of the proposed changes to management arrangements.

The Eastern Tuna and Billfish Fishery and the previous *Eastern Tuna and Billfish Fishery Management Plan 2005* were assessed under Part 10 (strategic assessments) of the EPBC Act in 2005. I have reviewed the *Eastern Tuna and Billfish Fishery Management Plan 2010* and I am satisfied that the new plan does not alter the outcome of the previous strategic assessment of the fishery.

AFMA has advised the department that the *Eastern Tuna and Billfish Fishery Management Plan 2010* was determined by the AFMA Commission on 20 December 2010. Accordingly, I intend to table a Notice of Intent to accredit the *Eastern Tuna and Billfish Fishery Management Plan 2010* under section 33 of the EPBC Act for the purposes of a declaration under subsection 33(1) of the EPBC Act.

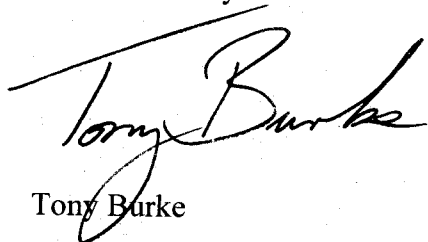
The *Eastern Tuna and Billfish Fishery Management Plan 2005* was accredited under Part 13 of the EPBC Act in February 2010. I am satisfied that the arrangements under the new management plan do not alter the outcomes of the previous accreditation.

I consider that the operation of the Eastern Tuna and Billfish 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. I also consider that under the *Eastern Tuna and Billfish Fishery Management Plan 2010*, operators are required to take all reasonable steps to avoid the killing or injuring of protected species. Accordingly, I have accredited the *Eastern Tuna and Billfish Fishery Management Plan 2010* under Part 13 of the EPBC Act.

I would like to thank you for the cooperation of your officials in this assessment and I look forward to receiving your assurance that the recommendations will be implemented.

I have written to the Chairman of the AFMA Commission in similar terms.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony Burke', with a stylized, flowing script.

Tony Burke

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