



**Australian Government**

**Department of the Environment**

Ref: 14/008904

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 Western Tuna and Billfish Fishery, under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In August 2014, the Australian Fisheries Management Authority provided an application to the Department of the Environment, seeking continued export approval for the Western 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 Western 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/marine/fisheries/commonwealth/western-tuna-billfish>.

The Western Tuna and Billfish Fishery Management Plan 2005 was most recently accredited under Part 13 of the EPBC Act, for interactions with protected species, in February 2010.

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 Western Tuna and Billfish Fishery Management Plan 2005 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 Western Tuna and Billfish Fishery operates in accordance with the *Australian Government Guidelines for the Ecologically Sustainable Management of Fisheries – 2<sup>nd</sup> Edition*.

Given the management arrangements for the fishery including limited entry, a quota management system for key species, a reviewable bycatch and discarding workplan, 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 Western Tuna and Billfish Fishery (other than species protected under Part 13 of the EPBC Act or specimens listed under section 303CA of the EPBC Act (Australia's CITES<sup>1</sup> list)) for a period of five years, until 28 November 2019.

I have also decided to declare the incidental harvesting of three species of hammerhead sharks from the Western Tuna and Billfish Fishery an approved wildlife trade operation for three years, until 23 November 2017, based on a non-detriment finding made by Australia's CITES Scientific Authority in September 2014. The declaration will allow seafood exporters to apply for CITES exports under the EPBC Act if they wish to export specimens of these species caught in the Western Tuna and Billfish Fishery. Further information about EPBC Act CITES permits is available at: <http://www.environment.gov.au/biodiversity/wildlife-trade/cites/how-to-export-import>.

While there are some environmental risks associated with the Western 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. 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



Dr Ilse Kiessling  
Delegate of the Minister for the Environment

21 November 2014

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<sup>1</sup> Convention on International Trade in Endangered Species of Wild Fauna and Flora



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

1. Operation of the Western 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 Western Tuna and Billfish Fishery Management Plan 2005.
2. The Australian Fisheries Management Authority to inform the Department of the Environment of any intended amendments to Western 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, 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 Western 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.
5. The Australian Fisheries Management Authority to:
  - a. continue to determine the extent of the impact of fishing in the Western 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.

