



Australian Government

Australian Fisheries Management Authority


# ANNUAL STATUS REPORT

## Southern Bluefin Tuna Fishery Purse Seine Operations Supplementary information: -CCSBT 14 Outcomes -2007 Management Plan Amendments

October 2007

This supplementary report has been prepared by AFMA for consideration with the previously provided annual report (August 2007) by the Department of the Environment and Water Resources in relation to the export approval of the SBT Fishery - Purse Seine Operations under the *Environment Protection and Biodiversity Conservation Act 1999*.

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## Introduction

This supplementary assessment report has been prepared to provide an update on recent management initiatives in the fishery (*2007 Southern Bluefin Tuna Management Plan Amendments*) and the outcomes of relevant meetings of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). It should be read in conjunction with the previously supplied annual report (August 2007) to DEW on purse seine operations in the Southern Bluefin Tuna Fishery (SBTF) as managed by the *Southern Bluefin Tuna Fishery Management Plan 1995* (the Plan).

## Outcomes for CCSBT 14

The fourteenth meeting of CCSBT was held in Canberra from 16-19 October 2007. A full copy of the report of CCSBT 14 is available from the CCSBT web site ([www.ccsbt.org](http://www.ccsbt.org)). Key outcomes are:

- a) Following assessment of the latest advice from the CCSBT Scientific Assessment Group and Scientific Committee (see following summary of SBT stock status) CCSBT 14 reconfirmed its CCSBT 13 decision on the global total allowable catch and its allocation among members;
- b) Australia presented outcomes from initial trials of stereo video equipment in line with its commitments at CCSBT 13 to conduct a detailed farm research project to determine the extent of any bias in the current sampling program (preliminary trials of stereo video equipment were conducted in September 2007 with more extensive trials scheduled for February 2008);
- c) Limited progress was made on proposals to improve monitoring, control and surveillance measures (MCS), namely:
  - i) A vessel monitoring system (VMS) measure was not agreed because of concerns by some members over data security;
  - ii) Issues were raised over the implementation date for transshipment arrangements (1 July 2008) with some members expressing their concerns regarding their inability to meet the 1 July 2008 deadline;
  - iii) No agreement was made on a catch documentation scheme (CDS). Australia committed to implementing its own proposed CDS and tagging system on a trial basis with the hope that other countries would adopt it in the future. Japan also indicated that it will be trialling its own CDS proposal. Both Australia and Japan will report to CCSBT 15 on outcomes from their trials;
  - iv) An independent observer program was not discussed; and
  - v) No progress was made on a Port State measures resolution.
- d) Australia committed to undertake further work to clarify its recreational catch and report to CCSBT in 2008; and
- e) CCSBT agreed to conduct a review of its performance during 2008.

### *Update on stock status CCSBT 14 recommendations on global TAC*

The Commission for the Conservation of Southern Bluefin Tuna Scientific Assessment Group and Scientific Committee (CCSBT SAG and SC) met in September 2007. A full copy of the

report of the CCSBT SC is available from the CCSBT web site. Key points raised by the SC regarding the status of the SBT stock are:

- a) There was no significant change in any of the stock indicators and hence no change to the management advice provided to CCSBT 13 last year;
- b) The indicator analysis did not provide any appreciable signs of change in the stock status and hence there is no basis to revise the SAG conclusions in 2006. The SAG will continue to monitor indicators in 2008;
- c) To ensure high probability of stock rebuilding, all un-reported and underreported catches must be eliminated, and a management procedure (harvest strategy) needs to be adopted as a basis to provide TAC advice when catch quotas are next set by the Commission;
- d) Increased tonnage of Indonesian catch as well as the increase in the proportion of SBT in the Indonesian catch was associated with a shift in behaviour of the Indonesian fleet to target SBT south of the spawning grounds. This shift in behaviour complicates the interpretation of the age and size structure of catches from the spawning stock;
- e) A review of the scientific research program (SRP) highlighted some positives and negatives from the previous program. However overall few of the key uncertainties had been reduced and further work is needed to reduce the uncertainties around key aspects of the SBT stock, eg absolute abundance, trends in recruitment and spawning stock biomass. Future SRP activities were prioritised to address these uncertainties; and
- f) A workplan for future development of a management procedure focussing on a larger set of indicators was agreed.

## **2007 Amendments to the SBT Management Plan**

AFMA is currently amending the *Southern Bluefin Tuna Fishery Management Plan 1995* (the plan) to:

- a) Allow the AFMA Board to set multi-year national catch allocations for the Australian SBT Fishery;
- b) Allow AFMA to use any decision made under Article 8(3) of the Convention for the Conservation of Southern Bluefin Tuna for the purposes of determining the national catch allocation;
- c) Include a provision to cover the excess take of fish and broaden the basis for the release of live fish;
- d) Change the frequency of reviewing the monitoring arrangements from annually to no more than every five years; and
- e) Update AFMA's address, phone numbers and the economic efficiency objective.

The proposed amendments have been developed in consultation with the key SBT consultation forum, the Southern Bluefin Tuna Management Advisory Committee (SBTMAC). These amendments are in response to international developments in the fishery as well as for the purpose of streamlining management procedures and ensuring efficient use of resources when conducting management plan amendments. The Plan amendments are open for public comment as required by the *Fisheries Management Act 1991* (FMA).

## **Background to the Amendments**

Australia is a signatory to the Convention for the Conservation of Southern Bluefin Tuna, which is administered by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). CCSBT make decisions relevant to the Australian domestic management of SBT. At the 13th meeting of CCSBT (October 2006) it was agreed that binding national catch allocations limiting catches from 2007-2009 be adopted by all countries. This decision was reconfirmed at the CCSBT 14. CCSBT agreed that in exceptional circumstances relating to the stock, allocations could be reviewed. In addition, Australia agreed at CCSBT to review its catch allocation in the future, if further deterioration of the SBT stock calls for such review, or if it finds such review is necessary as a result of its own review of SBT farming operations.

In its current form, the plan does not allow for the national catch allocation to be set for more than one year. This is inconsistent with the decision of CCSBT. In reaching its decision on the 2006/07 national catch allocation the AFMA Board decided that the plan should be amended to provide the ability to set the national catch allocations into the future with the provision that they can be varied should circumstances require.

Amendments have also been developed to account for any excess take of fish and broaden the basis on which fish may be released. This is in response to recent changes in the economic climate and to better manage operational aspects of the fishery which are increasing the likelihood of the Australian national catch allocation being fully utilized or over caught.

Minor amendments have also been included to update recent changes to address details and modification to the objectives in the *Fisheries Management Act 1991*.

## **Summary details of proposed amendments**

### ***Allow the Board to set multi-year national allocations for SBT***

Section 17.2 of the plan is to be amended to reflect that in line with any recommendations from CCSBT 13 the national catch allocation can be set by the AFMA Board for multiple years. Prior to the commencement of a fishing season, a previously set national catch allocation may be changed in extenuating circumstances.

Such extenuating circumstances may, among other things, include evidence of further stock deterioration, new scientific advice, changes in CCSBT position, to account for an overcatch in the previous year or changes in government policy.

### ***Broaden the basis that AFMA may use CCSBT decisions for setting the national catch allocation***

Currently the plan provides that AFMA can only use the CCSBT decisions for setting the national catch allocation if the decision is made under Article 8(3)(a) of the Convention. This means in years like 2005, where CCSBT made its decision under Article 8(3)(b) of the Convention AFMA must go through the extended process required by the plan of setting interim, provisional and final catch allocations. This adds considerable expense and creates a great deal of uncertainty for industry when this is not necessary. The provisions of the plan in relation to interim, provisional and final allocations was designed for years where the CCSBT reaches no decision at all on national allocations and allows a process of further meetings to establish a national catch allocation.

To take account of this section 17.2 of the plan is to be amended to allow AFMA to use any decision made under Article 8(3) of the Convention for the purposes of determining Australia's national catch allocation.

***Include a provision to cover excess take of fish***

The SBTF purse seine sector has a unique method of capturing fish and transferring them alive via a tow cage for further grow out in a farm situation where the fish are kept and fed prior to harvest at a later date. The plan has been developed to accommodate this fishing method. Like all quota managed fisheries, operators are required to estimate their catch at sea prior to verifying the weight of fish on return to port. This process is further complicated in the purse seine sector because the fish are held alive in a tow cage and are not landed on a boat, rather the total verified weight is determined through the verified count method detailed in the plan. Due to this complication it is difficult for fishers to accurately estimate the at sea weight of fish in a tow cage. Towards the end of a fishing season when the national catch allocation is nearly filled, even small errors in estimation at sea can result in Australia over catching is national catch allocation.

In response to these concerns AFMA has decided to trial an approach to allow for a small amount of over-caught fish (25 Tonnes) to be deducted from the following year's quota and to provide a mechanism to allow the release of excess fish, in an alive and vigorous state, to manage any overcatch.

This approach has been developed to ensure that Australia meets its commitments under the Convention for the Conservation of Southern Bluefin Tuna while not preventing Australia from maximising the net economic returns from the industry. Any release of fish will be conducted under strict monitoring conditions with any mortality during the tow accounted for under Australia's national catch allocation.

In recognition of the potential overcatch issue the plan is to be amended to allow for a small amount of overcatch (longline and purse seine sector). Key components of the proposed amendment are:

- a) Operators must hold quota in the following season to access the overcatch provisions;
- b) Those operators (SFR holders or associated entities) in an overcatch provision are unable to nominate a boat for the following season until they repay the overcatch. Any boat proposed to be used by a SFR holder or associated entity which is in an overcatch position cannot be nominated to any SFRs until the overcatch is repaid; and
- c) The small overcatch allowance is to cover estimation error, mortality of fish in the proposed release process or small accidental over-catches. The overcatch would take the form of:
  - i) For the long line sector 100kg of overcatch repaid at 1:1 with anything over 100 kg repaid at 3:1 with provision for prosecution where warranted. Recognising that longline caught fish are dead.
  - ii) For the purse seine sector 100kg of overcatch repaid at 1:1 and may apply to AFMA for up to 5 tonnes overcatch to repaid at 1:1 or release a quantity of fish. Recognising the issues surrounding estimation of catch at sea and fish being alive.

***Broaden the basis to allow the live release of fish***

In combination with the revised section to cover any excess take of fish, section 22C of the plan is to be amended to broaden the basis upon which fish may be released in an alive and vigorous state. Currently the plan only allows fish that are alive and vigorous to be released from the purse seine net immediately after capture. The proposed amendment will allow operators to apply to AFMA to release fish following the tow from the fishing ground to port. If approved any release would be subject to a range of conditions including: 100 per cent observer coverage; any mortality during release process covered by quota; all costs of the release will be met by the operator; release site for fish will be based on scientific advice; and a proportion of the released fish will be tagged for research purposes.

***Change the frequency of reviewing the monitoring arrangements from annually to every five years***

Section 4A.2(f) of the Plan requires that AFMA review the monitoring mechanisms for the fishery each year.

This provision is more frequent than is required and it is suggested that it be amended to require a formal review every five years, however a review could occur earlier than 5 years if any of the following criteria are triggered:

- a) AFMA finds evidence of quota misreporting;
- b) CCSBT recommends that there is a need for an evaluation;
- c) The SBTMAC advises that there is a need for an evaluation; or
- d) The Minister advises that there is a need for an evaluation.

***Update AFMA's address and phone numbers and legislative objectives***

AFMA has recently moved and hence relevant contact details within the Plan will need to be updated.

The economic objective in the Fisheries Management Act 1991 (FMA) has recently been amended. The proposed plan amendments take account of this change to the FMA.