



Australian Government  
Australian Fisheries Management Authority



# Western Tuna and Billfish Fishery Management Advisory Committee (WTBF MAC)

MAC CHAIR'S SUMMARY  
MEETING 28  
17 AUGUST 2006

## WESTERN TUNA AND BILLFISH FISHERY MAC (WTBF MAC)

**CHAIR: Richard McLoughlin (Acting)**

**Date 17 August 2006**

The MAC, noting outcomes of the preceding joint MAC/RAG Workshop, welcomed the significant progress made by the Harvest Strategy Working Group towards the development of the harvest strategies for the WTBF. However the MAC recognised that one of the major challenges for this fishery will be setting of TACCs in the context of the international uncertainty noting that IOTC resolution 06/05 currently seeks to manage impacts on stocks through a cap on fishing capacity. The MAC strongly endorsed the DAFF's commitment to take into account national interest (in relation to international fisheries) under the draft Commonwealth Fisheries Harvest Strategy Policy. The MAC also welcomed DAFF's efforts to consult broadly on the draft policy however identified the lack of clarity around its application to international fisheries as a significant impediment to the completion of the harvest strategy project for the WTBF by 1 January 2007.

The MAC reiterated its conviction that sustainable outcomes for key species in the Indian Ocean can only be achieved through a functional and effective IOTC. In this context the MAC considered that the major driver of sustainability outcomes would be the level of catches by industrial fleets operating in the Indian Ocean. The MAC has previously agreed that the level of the domestic TACCs endorsed by the AFMA Board in December 2004 would only have a marginal impact on the sustainability of stocks in the Indian Ocean.

The MAC respected the AFMA Board's decision to run a normal consultation process with respect to the proposed amendments to the WTBF Management Plan and in light of this the MAC supported AFMA Management's decision to now review Total Allowable Commercial Catch (TACCs) in late 2006. The MAC agreed that the longstanding body of work on TACCs should guide/underpin the development of TACC recommendations in conjunction with the outcomes of the harvest strategy project. The MAC recognised the need for TACC recommendations to be supported by due consideration against AFMA's legislative objectives.

The MAC regarded progress against the remaining requirements of the Ministerial Direction as generally good and agreed to consider bycatch management at its next meeting noting that further advice on AFMA's discard and bycatch policy was expected from the AFMA Board Environment Committee. The MAC also agreed to consider the fishery's observer program and develop more detailed advice on alternatives to fishery independent surveys at its next meeting.

The MAC made recommendations on a number of policy and operational matters. Key recommendations in brief were:

### **Key outcomes**

Harvest Strategies - The MAC endorsed the direction of the HSF Working Group and noted good progress however considered that the implementation of harvest strategies in the WTBF and their harmonisation with TACCs by January 2007 was highly sensitive to technical and national interest aspects of the draft Commonwealth Fisheries Harvest Strategy Policy which were still under consideration.

DAFF engagement - The MAC supported the concept of DAFF stakeholder meetings being held in conjunction with MAC meetings particularly to assist in preparations for the IOTC and in the dissemination of information following the Commission's annual meeting.

Compliance – The MAC supported the proposed changes to the Domestic Compliance Program.

Conversion factors – The MAC made recommendations on conversion factors for bigeye tuna, yellowfin tuna and striped marlin, and asked AFMA to review the interim ETBF conversion factor for broadbill swordfish against available agency and observer information.

Longtail tuna – The MAC recommended the implementation of an interim measures to prevent targeted fishing of longtail tuna pending a decision from the Australian Government on a resource sharing arrangement for Australia's northern waters.



## Attendance

Mr Richard McLoughlin (AFMA's Managing Director) chaired the meeting noting an apology from Dr Tony Lewis who was at sea off Papua New Guinea as part of the Regional Tuna Tagging Project being undertaken by the Oceanic Fisheries Programme (Secretariat of the Pacific Community) and the PNG National Fisheries Authority. The MAC welcomed Ms Trysh Stone as the new AFMA member. All other members attended.

The MAC appreciated the contribution made by Dr Natalie Dowling (CSIRO) and was pleased to have additional industry input from Mr Ray Davies, Mr Anthony Pirrottina and Ms Erica Starling. The MAC welcomed the interest shown by the Western Australian Department of Fisheries with Mr Greg Paust and Mr Ross Gould attending. Ms Shalan Bray (AFMA Compliance) briefed the MAC on proposed changes to AFMA's domestic compliance program.

The MAC, noting that its current membership expired on 30 September 2006, acknowledged the contribution made by members who had resigned recently, Dr John Kalish, Mr Geoff Diver and Mr Andrew Townley. The Acting Chair thanked Dr Lindsay Joll (state member) for his contribution noting that he would stand down at the end of this term.

## Amendment to the WTBF Management Plan 2005

WTBF MAC 28 followed a joint meeting of the Research and Assessment Group (RAG) and the MAC where members were briefed on progress towards developing harvest strategies for the fishery by representatives from the Harvest Strategy Working Group.

The joint workshop was originally convened to refresh TACC recommendations in anticipation of a grant of Statutory Fishing Rights (SFRs) in late 2006. Immediately prior to the Workshop AFMA advised its decision to proceed with a normal consultation process for a technical amendment to the *WTBF Management Plan 2005*. Consideration had been given to implementing a temporary order concurrent with the amendment process to allow the grant of SFRs to take place by 1 November 2006. The AFMA Board, on the basis of legal advice from the Australian Government Solicitor, decided against this course of action and agreed to proceed with a normal public consideration and appeal process. AFMA then advised that it expected that SFRs would be operational at the earliest by 1 April 2007 provided no appeals are received by the Statutory Fishing Rights Allocation Review Panel.

The MAC, noting disappointment from industry about the delay to the grant of SFRs, welcomed an approach proposed by the AFMA member whereby AFMA would make the provisional SFR grant to permit holders once the amendment to the management plan was registered on the Federal Register of Legislative Instruments. The MAC agreed that this would provide permit holders with greater certainty about their stake in the fishery and help in business planning in the lead-up to the grant becoming available. The AFMA member indicated that the Authority might be in position to advise this by mid-November if the public comment process was, as expected, relatively uneventful.

**Action:** AFMA to make the provisional SFR grant once the amendment to the management plan is formally notified.

## Deferred consideration of Total Allowable Commercial Catches (TACCs)

Noting that the earliest possible date for SFR grant availability was now April 2007 AFMA decided to defer consideration of TACCs until late November/early December 2006. The MAC identified a number of areas where improvements in information relevant to TACCs and harvest strategies should be available for consideration by the TACC workshop in early December 2006 (provisional scheduling). These were expected to include:

- An approved Commonwealth Fisheries Harvest Strategy Policy;
- A formal report from the IOTC Working Party on Tropical Tunas; and
- Informal outcomes from the IOTC Scientific Committee.



## Strategic issues - external factors

The MAC noted that active longline vessels were experiencing quite good fishing conditions however the impact of unfavourable exchange rates and continued increases in the price of fuel made it difficult to turn a profit. The MAC, noting that operators needed to respond more flexibly to changing market circumstances, welcomed the issuing of a scientific permit by AFMA which allowed additional processing at sea for a number of species under Commonwealth jurisdiction.

The MAC noted industry concern over the alleged importation of tuna by some east coast businesses which apparently had been treated with carbon monoxide. The MAC accepted AFMA's offer to refer this concern to authorities in Canberra.

The MAC acknowledged the informative report on the Indonesian longline fishery prepared intersessionally by Dr Tony Lewis (MAC Chair).

**Action:** AFMA to refer industry concern over the importation of tuna allegedly treated with carbon monoxide into Australia to relevant Commonwealth agencies.

## Internal factors

### Use of foreign boats

The MAC recognised strong interest from industry to streamline the processes governing the use of foreign vessels. The AFMA member provided the MAC with background on the options available under the *Fisheries Management Act 1991* and the *WTBF Management Plan 2005*. The MAC requested that AFMA provide an assessment of current arrangements which allow the use of foreign vessels (and crew) including options for rationalising the associated approval processes to the MAC out of session.

**Action:** AFMA to provide an out of session paper on the arrangements under which foreign and foreign crewed vessels can be used in the WTBF.

### Recreational concern over potential for inshore depletion

The MAC noted that the RAG had tasked CSIRO with reviewing aggregated times series data previously provided by AFMA's Data Section to the recreational member to investigate the extent, if any, of inshore depletion in previous years.

The recreational member while noting his support for ITQs as a basis for more rational fishing operations, considered that under certain circumstances (i.e. strong Leeuwin current) that the flexibility offered by ITQs might also allow a fleet of crayboats to gear up with longline gear and fish along the continental shelf break. The MAC accepted that the concentration of longline effort near the shelf break was a longstanding concern of the recreational and charter sectors as both sectors strongly believed it reduced the availability of game fish in inshore waters.

### Offshore Constitutional Settlement and MOU

The MAC noted steady progress in regard to OCS negotiations between the Commonwealth and Western Australia state government including the current technical consultation on shark species. The MAC asked that AFMA (in consultation with DAFF) keep the MAC informed of progress on the OCS Review.

**Action:** That AFMA, in consultation with DAFF, keep the MAC updated on the OCS Review.

## Management

### Ministerial Direction - Harvest Strategies

The MAC agreed that the joint MAC/RAG Harvest Strategies workshop had been productive and acknowledged the quality of the presentation made by Dr Prince on behalf of the Harvest Strategy Working Group. The MAC was pleased with the substantial progress made by the Working Group and recognised the contributions made by Dr Basson, Dr Dowling, Dr Prince and Mr McLoughlin (BRS).



The MAC noted that the general thrust of working group's advice was that harvest strategies for the ETBF and WTBF should be developed around depletion based reference points and that the decision rules should, in the short to medium term, refer to size based indicators and CPUE. The MAC expressed confidence in this approach although noted that the Harvest Working Group had formally advised DAFF of their concerns over a number of technical elements in the draft Commonwealth Fisheries Harvest Strategy Policy which they believed needed to be resolved before the harvest strategy frameworks for species in international fisheries could be finalised. The MAC noted that simulation testing of proposed decision rules in other fisheries had contributed to concerns over the current biological reference points and confidence bounds set out in the draft policy. RAG scientists advised that simulation testing was an important component of the work still to be undertaken for the WTBF.

Of particular concern to the MAC was the harmonisation of TACCs and harvest strategies. The MAC recognised that the implementation of harvest strategies had brought earlier difficulties associated with domestic TACC setting against the backdrop of a large, essentially unfettered international fishery into sharp relief. The MAC noted that the harvest strategy working group had sought clarification from DAFF on issues of national interest and prospects for tailoring decisions rules to an 'Area of Relevance' concept. The MAC agreed that harvest strategies developed with reference to ocean wide reference points may be largely unsuitable for small fisheries like the ETBF and WTBF which are largely 'downstream' from the major equatorial components of both fisheries.

Industry members and observers expressed confidence in DAFF being able to respond to calls for flexibility in harvest strategy policy for both fisheries given the Department's effective engagement in both RFMOs. Given that the respective RFMOs were still some way from considering national allocations the MAC expected that the general approach would be to identify a Recommended Biological Catch (RBC) for our Area of Relevance and that TACCs and harvest strategies would then be developed in an iterative process. The MAC considered that AFMA's economic efficiency and cost effective management objectives would need to be taken into account and reference made to the Commonwealth Fisheries Harvest Strategy Policy for guidance on national interest. The MAC noted industry concern that uncertainty around the 'political aspect' could conceivably open the process to lobbying.

#### **Summary**

In summary WTBF MAC endorsed the direction of the Harvest Strategy Working Group and noted good progress however considered that the implementation of harvest strategies in the WTBF and their harmonisation with TACCs by January 2007 was highly sensitive to technical and national interest aspects of the draft Commonwealth Fisheries Harvest Strategy Policy which were still under active consideration.

#### **Other elements of the Ministerial Direction**

The MAC reviewed progress against other elements of the Ministerial Direction.

Additional species (under Commonwealth jurisdiction) - The MAC noted industry views that the targeting shift to albacore in the ETBF provide further justification for going to quota on this, and other species under Commonwealth jurisdiction as soon as is practical.

Addressing bycatch in the WTBF - The MAC, noting that further advice on AFMA's discard and bycatch policy was expected from the AFMA Board Environment Committee, agreed to consider discard and bycatch management at its next meeting.

Phasing out of boat SFRs -The MAC noted AFMA advice that the WTBF Management Plan was adequate in this regard and that AFMA was developing a fishery wide paper to review timelines and identify a process to bring the various management plans into step with this requirement.

Vessel Monitoring System - The MAC accepted AFMA's assessment that the VMS rollout was compliant with the Ministerial Direction.



Enhanced monitoring of fishing activity – The MAC agreed to consider future observer coverage and the potential of onboard monitoring systems (i.e. drum sensors) at its next meeting. The MAC noted that the recently approved Seabird Longline TAP set out minimum requirements for observer coverage which would need to be considered along with the BRS Report on the Pilot Observer Program which was expected shortly.

Independent surveys – The MAC agreed to consider this issue at its next meeting in order to provide the AFMA Board with an assessment of alternatives to fishery independent surveys which could provide semi-independent indices of abundance for key species.

Spatial closures – the MAC noted that AFMA and DAFF were seeking legal advice in regard to implementation of measures to give effect to spatial closures announced as part of resource sharing arrangements in October 2005. The MAC did not discuss the utility of spatial closures for other ecological or fishery management purposes in relation to the WTBF.

### **Longtail tuna**

The MAC appreciated the AFMA Board's understanding of the Committee's rationale for recommending voluntary restraint in regard to longtail tuna while DAFF, WA and the Northern Territory finalised the resource sharing arrangement for northern Australian waters. The MAC recognised Board concern that despite catches of longtail tuna being insignificant at the moment that it was still possible that targeting of this species by minor line methods could occur. The MAC agreed that this was inconsistent with the request from the former Minister for Fisheries to AFMA to implement interim bycatch limits.

The MAC noting, that industry had indicated they would seek legal recourse if this species was removed from their permits, recommended that the AFMA Board write to the Minister for Fisheries, Forestry and Conservation to see if interim catch limits to prevent targeted fishing of longtail tuna would be acceptable pending the Government's decision on a resource sharing policy for Northern Australian waters. The MAC considered that, provided such an arrangement allowed for reasonable bycatch of longtail tuna in purse seine operations targeting yellowfin tuna, an interim measure of this nature would be acceptable to industry.

The MAC noted that RecFish Australia maintained a position that longtail tuna should be a recreational only species.

**Recommendation:** That the AFMA Board consider seeking advice from the Minister for Fisheries, Forestry and Conservation on whether interim catch limits which prevented targeting of longtail tuna would be acceptable pending finalisation of the Government's resource sharing policy for northern Australian waters.

### **Conversion factors**

The MAC reviewed conversion factors for quota species. The MAC noted that the main application of conversion factors would be to raise processed weights to whole weights for quota reconciliation purposes. The MAC also noted advice from the RAG that the operation of harvest strategies that referred to size based indicators would be sensitive to conversion factors. This was particularly the case for large slower growing animals like swordfish.

The MAC endorsed a 'keep it simple approach' and in regard to yellowfin and bigeye tuna noted close agreement between industry experience, conversion factors used in New Zealand Quota Management System (QMS) and the large body of data from AFMA observer operations on Japanese vessels. On this basis the MAC recommended adopting the conversion factor for yellowfin and bigeye tuna used in the New Zealand QMS (gilled, gutted and tail on = 1.10).

The MAC observed that there was less information available for striped marlin noting that it could not be retained for commercial purposes in New Zealand. The MAC referred to AFMA observer data and recommended that a conversion factor of 1.15 (gilled and gutted) be adopted.

AFMA acknowledged industry concern over the application of the interim conversion factor of 1.5 (trunked to whole weight) for swordfish in the ETBF (competitive TAC). The MAC noted a BRS



analysis<sup>1</sup>, New Zealand QMS information and papers presented at Standing Committee on Tuna and Billfish 14 which suggested that conversion ratios for swordfish trunks to whole should be around 1.2 to 1.3 and from fillet to whole weight in the order of 1.5. The AFMA member agreed to examine the available information on swordfish and report back to the MAC.

The MAC also asked AFMA to review the available information for headed and gutted tuna which was preferred by the American market.

### **Recommendations**

That the conversion ratio for gilled, gutted and tail on bigeye tuna and yellowfin tuna be 1.10.

That a conversion ratio for gilled and gutted striped marlin be 1.15.

### **Actions**

1) That AFMA review available information on conversion ratios for broadbill swordfish (trunked and fillets); and

- reassess the conversion ratio currently in place for swordfish in the ETBF;
- consider methods to collect additional data; and
- consult both MACs on revised conversion ratios, if appropriate.

2) That AFMA review available information to establish a ratio for headed and gutted tuna.

### **Draft Research Catch and Effort Allowance Policy**

The MAC supported the approach set out in draft policy whereby the responsibility for generating recommendations to set aside research quota (or effort units) would be confined to the forum charged with making the fishery's annual TAC/TAE recommendations, except in cases where the relevant RFMO was responsible for allocating global research quota.

The MAC considered that the main need for research quota in the WTBF would be to cover mortalities associated with tagging programs. The MAC also noted that AFMA periodically issued scientific permits for Japanese research vessels to undertake tuna survey work in the AFZ and suggested that research quota might need to be issued in conjunction with scientific permits for these vessels once ITQs were in place.

### **Indian Ocean Tuna Commission (IOTC)**

The MAC noted that the IOTC third special session held in May 2006 had begun a process to move the IOTC out from under the auspices of the Food and Agriculture Organisation (FAO). This move, if broadly supported by members, would allow for the formal participation of Taiwan which was a major fishing entity in the Indian Ocean.

The Scientific member briefed the MAC on the 10th Session of the Commission and noted strong direction from the chair in regard to the adoption of catch limits for bigeye tuna as per the resolution passed in 2005. However, no agreement was reached on the implementation of catch limits. A further resolution (06/05) was passed at the meeting to place limits on fishing capacity. In brief, this resolution requires parties to limit their number of vessels fishing in the Indian Ocean to the number reported to the IOTC for 2006. The resolution also allows Members to increase the number of vessels operating to a maximum level operating in a season or year since 2000 and allows for further development by coastal states. Members noted that this resolution would not be effective in regard to both industrial fleets and coastal states as:

- Distant Water Fishing Nations (DWFNs) could refer to a broad historical window to nominate their fleet capacity; and
- Coastal states could increase their catches provided they submitted a fleet development plan to the IOTC.

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<sup>1</sup> Ward and Elscot 2000 - Broadbill Swordfish: Status of world fisheries (2000) - BRS



Mr Gamblin (in his capacity as WWF representative) and Mr Patrick (in his capacity as IGFA Board Trustee) were part of the Australian delegation and provided the MAC with their perspective on the session. Mr Gamblin's view was that this year's Commission had not built sufficiently on the positive tone of the 9<sup>th</sup> session. Mr Patrick found it disappointing that despite consistent concern emanating from the Scientific Committee since 1999 that no firm outcomes had been reached on bigeye tuna.

The MAC considered that DAFF had worked very effectively within the Commission but noted members' preference was for face to face meetings with DAFF officers in the lead up to Commission meetings to assist in the development of Australia's negotiating position. The MAC recommended that the Department consider scheduling stakeholder meetings in conjunction with WTBF MAC to enhance Australia's effectiveness in the IOTC and where possible to also brief stakeholders on outcomes of the Commission.

The MAC noted that this could also provide a forum for discussion of policy matters like OCS and resource sharing which had a strong influence on the management arrangements for the WTBF but were largely outside AFMA's bailiwick other than in regard to advice on implementation and operational implications.

#### **Recommendation**

The MAC supported the concept of DAFF stakeholder meetings being held in conjunction with MAC meetings particularly to assist in preparations for the IOTC and in the dissemination of information following the Commission's annual session.

#### **Compliance Discussion Paper**

The MAC welcomed AFMA's proposal to revamp its compliance functions. The MAC endorsed the approach which aimed to develop a more strategic focus on major compliance concerns and change the role for service providers of field services (state agencies). The MAC noted that under the proposed model that state officers would focus primarily on inspections and intelligence gathering. The MAC supported the establishment of a Compliance Investigations Unit (CIU) and welcomed the possibility of budget reduction via an incentive arrangement which was designed to reduce a component of the CIU budget for fisheries where intelligence indicated a high measure of compliance. The MAC supported such an arrangement but noted concern from some members over the proposed model for applying the 'compliance rate' factor and asked AFMA to review its formula.

The MAC noted an industry view that at the moment there are very few incentives in the WTBF to sort the system. The MAC would welcome additional advice on the new approach, if supported, and an assessment of its implications for the WTBF.

#### **Recommendation**

The MAC supported the proposed changes to AFMA's domestic compliance program and budget and expenditure processes.

**Action:** That AFMA check the formula for deriving specific compliance budgets (Appendix 1) – possibly by way of simulations.

#### **Next meeting**

The MAC looked forward to its meeting with the AFMA Board, and noting advice from Mr McLoughlin (AFMA), agreed that an afternoon slot on the 19 October 2006 would be ideal. The MAC agreed to meet in session prior to its meeting with the Board and that it would be appropriate to convene its annual public meeting for the morning of the 19<sup>th</sup> of October 2006. Mr McLoughlin advised that the AFMA Board had scheduled AFMA's annual public meeting for 20 October 2006 in Fremantle (9.30 am to 11.00 am).

The MAC tentatively scheduled a TACC Workshop for the week 27 November to 1 December 2006.



The Acting Chair thanked members and observers for their constructive and expertise based input and closed the meeting at 3.00 pm.



Richard McLoughlin  
Acting Chair

29 August 2006

