



Australian Government

Australian Fisheries Management Authority

Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC)

FINAL MINUTES

SOUTHMAC 40

6 MAY 2022

SUB-ANTARCTIC FISHERIES MANAGEMENT ADVISORY COMMITTEE (SouthMAC)

CHAIR: Dr Rachel Baird

Date: 6 May 2022

Venue: Australian Antarctic Division, Hobart

Attendance

Members

Dr Rachel Baird, Chair

Mr Rhys Arangio, Industry Member

Mr Malcolm McNeill, Industry Member

Ms Lihini Weragoda, Australian Antarctic Division

Ms Lyn Goldsworthy, Conservation Member*

Dr Philippe Ziegler, Scientific Member

Ms Claire Wallis (Executive Officer, AFMA)

Ms Fiona Hill, AFMA Member

Observers

Dr Nigel Abery, AFMA

Mr Brad Milic, Industry

* Via videoconference

Introduction

The fortieth meeting of the Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC 40) was held in Hobart on 6 May 2022.

The key items on the agenda were:

- Skate and Ray Bycatch limits for 2022/23;
- Exploratory fisheries proposals for 2022/23;
- Trawl gear modification trials;
- Random Stratified Longline Survey proposal; and
- 2022/23 budget process.

Agenda item 1 - Preliminaries

SouthMAC 40 was opened at 9:00am on 6 May 2022 by the Chair, Dr Rachel Baird.

1.1 Acknowledgement of Country

The Chair on behalf of all members and observers acknowledged the Traditional Owners of the land on which we met and paid respects to Elders past, present and emerging.

1.2 Declaration of interests

As outlined in the *Fisheries Administrations Act 1991* and AFMA Fisheries Management Paper No. 1 - Management Advisory Committees, all members of SouthMAC must declare



any pecuniary interest in the Fishery at the commencement of the meeting and also at the commencement of each agenda item. If a member discloses an interest in an item, the member must absent themselves from the meeting before the item is considered and the MAC must decide as to whether the member can participate in the discussion and in making of a recommendation or remain absent from the meeting for the item.

Dr Baird advised that she was a former lawyer and academic with experience in international law and Southern Ocean fisheries and that she has no interest pecuniary or otherwise in sub-Antarctic Fisheries.

Mr McNeill advised he is the Managing Director of Australian Longline Fishing Pty Ltd which holds various fishing rights in, and operates vessels in the sub-Antarctic fisheries and New and Exploratory fisheries under the jurisdiction of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). Mr McNeill further advised he is a member on SARAG, a Board member of the Coalition of Legal Toothfish Operators (COLTO), and the Chair of the Ross Sea MSC Client Group. Mr McNeill was not aware of any investigation or prosecution action by AFMA against his Company or of any legal action taken by his Company against AFMA.

Mr Arangio advised that he is employed by Austral Fisheries P/L that owns Statutory Fishing Rights (SFRs) in the Australian sub-Antarctic fisheries and waters under the jurisdiction of CCAMLR. Mr Arangio further advised he is the Executive Officer of COLTO, as well as being a member of SouthMAC and AFMA's Commonwealth Fisheries Marine Mammal Working Group. He was not aware of any investigation or prosecution action by AFMA against his Company or of any legal action taken by his Company against AFMA.

Ms Weragoda advised that she is an employee of the AAD and her colleagues conduct the HIMI stock assessment. Ms Weragoda attends international meetings related to Antarctic fisheries and has no pecuniary interest in Antarctic fisheries and her salary is not dependent on research collaborations between AAD, industry or others.

Dr Ziegler advised that he is employed by AAD and is the Fishery scientist responsible for HIMIF work including the HIMI stock assessments. Dr Ziegler has no pecuniary interest in the sub-Antarctic fisheries and his salary is not connected to any research grants noting that he is a co-investigator on a FRDC project and potentially future FRDC projects. Dr Ziegler informed members that he is also a member of SARAG.

Ms Lyn Goldsworthy advised that she is currently completing a PhD through the Institute for Marine and Antarctic studies and the University of Tasmania. Ms Goldsworthy also conducts contract work for the Antarctic and Southern Ocean Coalition (ASOC) and Deep-Sea Conservation Coalition (DSCC). Ms Goldsworthy advised that she has no pecuniary interest in sub-Antarctic fisheries.

Ms Hill advised she is employed by AFMA as the Senior Manager, Tuna and International fisheries and has no pecuniary interest in the sub-Antarctic fisheries.

Ms Wallis advised she is employed by AFMA, is also the Executive Officer for SARAG and has no pecuniary interest in the sub-Antarctic fisheries.

Dr Abery advised he is employed by AFMA as the Acting Manager, Antarctic fisheries Dr Abery advised that he has no pecuniary interests in the sub-Antarctic fisheries.



Mr Milic advised he was attending as an observer to SouthMAC and is the General Manager, Operations, at ALFPL which holds various fishing rights in, and operates vessels in, the sub-Antarctic fisheries and New and Exploratory fisheries under the jurisdiction of CCAMLR.

1.2 Apologies

Members noted that no apologies were received.

1.3 Adoption of agenda

SouthMAC adopted the agenda with the following amendment:

- Agenda Items 7 and 8 were reversed to allow the skate and ray bycatch study results to better inform discussion of bycatch limit settings for 2022/23.

The agenda can be found at [Attachment A](#).

Agenda item 2 – Minutes from SouthMAC 39 and November teleconference

Members noted that the draft minutes from SouthMAC 39 held on 6 May 2021 were circulated for comment on 2 June 2021. Comments were received from Ms Lihini Weragoda, AAD, Dr Philippe Ziegler, Scientist and Mr Rhys Arangio, Industry.

SouthMAC noted that the draft minutes from the teleconference held on 9 November 2021 were circulated on 20 April 2022 and comments were received from the Industry Members Mr Rhys Arangio and Mr Malcolm McNeill.

Ms Weragoda raised an additional amendment to the SouthMAC teleconference minutes in regard to Agenda Item 5, which discussed transshipment notification requirements. The AAD requested the meeting record be adjusted to clarify and reflect the requirements described in the relevant Conservation Measure (10-09, para 4), which is that both vessels are required to report transshipment. Industry representatives advised SouthMAC that the notification template does not allow for identification of two-way transfers during transshipping (i.e., both vessels are receiving things from each other), instead generating only a single list of “exchanged items”.

Members noted that advice received from the CCAMLR Secretariat that one vessel reporting is acceptable while two vessels reporting is best practice does not fully reflect obligations under the CM. Industry requested that the AAD make further contact with the Secretariat to clarify this advice, noting Australia’s interpretation of the CM and the risk of incorrect advice increasing the level of non-compliance reported and increasing administrative burden. The AAD member agreed to review communication with the Secretariat on this issue, and to follow up again to finalise communication, including Australia’s understanding of the CM, on the matter (**Action Item 1**).

The Conservation Member commented on the November 2021 teleconference meeting record regarding Agenda Item 3.1 (Exploratory Fisheries Proposals) and requested that language be amended to reflect that a representative of academia was also present in the delegation. AFMA agreed to update the language in the November meeting record and distribute to members for finalization out of session (**Action Item 2**).



ACTION ITEM 1 – AAD to contact CCAMLR Secretariat to clarify and finalise correspondence on interpretation and guidance provided on CM10-09 on transshipment notification requirements.

ACTION ITEM 2 – AFMA to redistribute updated SouthMAC November teleconference minutes and finalise out of session

Agenda item 3 – Action arising from SouthMAC 39 and November teleconference

SouthMAC discussed the action arising from SouthMAC 39 and the November teleconference.

Item	Action arising from SouthMAC 39	Status
1	Porbeagle risk assessment - the EO agreed to send the completed Porbeagle risk assessment to the AAD (SouthMAC 39 Actions arising).	Completed
2	Export Control Act – Industry to report to next SouthMAC meeting regarding discussions with the Department of Agriculture, Water and the Environment on the current (Covid-19 related) difficulties meeting the new Export Control Act requirements (SouthMAC 39 Agenda item 5).	Verbal update to be provided at the meeting
3	CCAMLR circulars – AFMA and AAD to discuss request from Industry to directly receive all CCAMLR circulars relating to exploratory fisheries (SouthMAC November 2021 teleconference, Action Arising 1).	Verbal update to be provided at the meeting
4	Data exchange SIOFA – Scientific member to report back on outcomes of meeting to discuss Patagonian Toothfish data exchange between SIOFA and CCAMLR (SouthMAC November 2021 teleconference, Action Arising 2).	Verbal update to be provided at the meeting

SouthMAC noted that Action Arising 1 had been completed and heard a verbal update from Industry Members on Action Arising 2. Members heard that under the new Export Control Act, industry are now required to provide DAWE with C2 reports monthly (in addition to AFMA and the AAD), as well as fishery entry and exit points. DAWE requires provision of the C2 and a signed observer declaration on catch prior to vessels exiting a fishery at the end of the trip. Industry considers the C2 does not accurately reflect what product is on the vessel and that observer ability to verify green weight does not account for changes due to processing on board. As a result, the weights on a C2 form do not match the weights on the export forms.

This increased administrative burden is considered by industry to not provide meaningful information to DAWE while increasing the red tape burden and delaying vessels in their ability



to leave the fishing ground. SouthMAC heard that this new administrative process usually takes around 12 hours.

SouthMAC noted these concerns, and advice that the changes now allow all industry participants to export directly from HIMI as Australia, for re-export from Mauritius as a product of Australia.

AFMA advised that the template has been updated and is now an “Export Permission” rather than a permit, and of amendments requiring shipments to be accompanied by DED and/or DRED forms rather than a DCD. Industry requested an update, and AFMA agreed to arrange a meeting with Paul Rickard (AFMA), a DAWE representative and industry representatives to discuss potential streamlining (**Action Item 3**).

On Action Arising 3, the AAD provided an update that acknowledged the volume of communications and the work needed to categorise types of circulars appropriate for further dissemination. Members heard that work is ongoing to develop a recommendation on categories that could be shared and noted the advice that an SOP would need to be developed on identifying and sharing relevant circulars. Industry members clarified topics of interest, including New and Exploratory fishery season information, monthly catch aggregate reports, and circulars relevant to specific operations. Members requested that the AAD provide a further update at the next meeting of SouthMAC on processes informing sharing relevant circulars, including future development of an SOP (**Action Item 4**).

The MAC discussed the importance of regular catch reporting, noting the daily reports provided by the CCAMLR Secretariat for the Ross Sea, and discussed a request from Industry on availability of real time total fishery catch and bycatch information in the New and Exploratory Fisheries. The Conservation Member queried whether this issue was found in other CCAMLR fishery areas where Australia is not active and supported follow up with the Secretariat to address potential reporting gaps to ensure lowered risk of noncompliance more broadly. SouthMAC requested that the AAD approach the CCAMLR Secretariat seeking an increase in reporting frequency on catch limit monitoring in Exploratory Fisheries, with emphasis on the importance of these communications as limits are being approached (**Action Item 5**).

Noting the challenges of real-time risk management around exceeding the competitive TAC, SouthMAC also requested that the AAD approach the CCAMLR Secretariat to request a communication from the Secretariat to Members who are fishing or intending to fish in an area when vessels have left a fishery area (**Action Item 6**).

On Action Arising 4, an update was provided by the Scientific Member on a workshop between interested parties from CCAMLR and SIOFA to discuss Patagonian Toothfish data exchange. The group discussed each organisation’s approaches to data collection, submission and use and generated a recommendation for the SCs to investigate data flows and how they might be exchanged, particularly tagging data.



ACTION ITEM 3 – AFMA to arrange a meeting with Paul Rickard (AFMA), a DAWE representative and industry representatives on C2 provision requirements.
ACTION ITEM 4 – AAD to provide a further update on processes informing sharing relevant circulars, including future development of an SOP.
ACTION ITEM 5 – AAD to approach the Secretariat on the issue of catch reporting frequency and information sharing in exploratory fisheries. AAD to make a request to CCAMLR Secretariat seeking an increase in reporting frequency on catch limit monitoring in Exploratory Fisheries, with emphasis on the importance of these communications as limits are being approached.
ACTION ITEM 6 – AAD to make a request to CCAMLR that the Secretariat communicate to Members who are fishing or intending to fish in an area when vessels have left a fishery area.

Agenda item 4 – Correspondence

SouthMAC noted that the following correspondence had been received between meetings:

- An email dated 6 May 2021 from Sarah Kirkcaldie reminding members that AFMA was seeking applications for Members for SouthMAC;
- An email dated 2 June 2021 from Sarah Kirkcaldie seeking comments from members on the draft minutes from SouthMAC 39;
- An email dated 8 June 2021 from Sarah Kirkcaldie seeking members agreement to the Macquarie Island Toothfish Fishery bycatch limits;
- An email dated 20 October 2021 from Sarah Kirkcaldie seeking comments from members on the draft agenda for the November 2021 teleconference;
- An email dated 2 November 2021 from Sarah Kirkcaldie circulating details for the November 2021 teleconference;
- An email dated 4 November 2021 from Sarah Kirkcaldie circulating the draft agenda and papers for the November teleconference;
- An email dated 9 November 2021 from Sarah Kirkcaldie circulating draft Declaration of interests for the SouthMAC teleconference;
- An email dated 16 December 2021 from Sarah Kirkcaldie seeking comments on Research proposals submitted to AFMA’s Research Committee for funding;
- An email dated 27 January 2022 from Sarah Kirkcaldie circulating a letter from Anna Willock, A/g Chief Executive Officer, AFMA regarding the management of conflicts of interest;
- An email dated 3 March 2022 from Sarah Kirkcaldie proposing a new date for SouthMAC 40; and
- An email dated 7 April 2022 from Sarah Kirkcaldie seeking comments on the draft agenda for SouthMAC scheduled for 6 May 2022.
- An email dated 20 April 2022 from Claire Wallis seeking comments from members on the draft minutes from the SouthMAC November teleconference.



Agenda Item 5– Report on fishing operations

Mr Arangio and Mr McNeill provided SouthMAC with verbal updates on fishing operations in the HIMIF, MITF and CCAMLR Exploratory fisheries.

Mr Arangio advised that since the last SouthMAC meeting, Austral Fisheries had a successful summer with icefish, noting that the icefish TAC for the current and next seasons is the largest in quite some time. The MAC heard that Austral Fisheries vessels had minimal catch of icefish over 3-4 days in December, but icefish were abundant on their return to the fishing grounds in mid-February. The industry member reported that two vessels targeted icefish between mid-February and late March, taking an average of 25t per day and approximately ~900t in total, in addition to 70t caught through the RSTS.

Members noted the change in market access in eastern Europe, which has historically been the primary market for icefish. Austral Fisheries expect that a majority of icefish catch will still enter this market and are also investigating supplying 200-300t to the domestic market. SouthMAC heard that these changes in conditions coupled with efforts to avoid market saturation have led Austral Fisheries to pause icefish fishing with a view to resume later in the season. This effort management approach to market conditions is anticipated to extend into the 2022/23 season.

SouthMAC heard that Austral Fisheries have all longline vessels deployed to the fishing grounds, reporting good catches for April compared to previous years. The group heard that Cape Arkona recently completed the RSTS survey, and that the RSTS catch of approximately 40t of toothfish was a reduction compared to recent years but still above the long term average. High catches of icefish in the RSTS were considered to support survey and assessment discussions for the current season. Members heard reports of a few sperm whales following vessels, and that the whales usually migrate northwards by the end of May. SouthMAC also noted reports of minor interactions with birds but no captures.

Members heard that Austral recently sold the Corinthian Bay to a domestic buyer, and that it will not be used for commercial fishing going forward.

Mr McNeill provided an update on ALFPL and reminded SouthMAC that due to the *Antarctic Aurora* catching three birds in the 2020/21 season extension, the vessel ceased fishing in the HIMI in mid-September. Following the exclusion of the *Antarctic Aurora*, the *Antarctic Discovery* moved from the MITF into HIMI and the *Antarctic Aurora* moved to the Ross Sea for the remainder of the season. The *Antarctic Discovery* moved to 58.4.1 following the HIMI season.

SouthMAC noted reports that the end of the MITF season had low catch rates, and industry views that conditions seemed to be different to previous seasons. ALFPL advised Members that their skippers reported stronger tides and current patterns were impacting gear differently to usual, which also resulted in increased gear losses.

In the Ross Sea New and Exploratory fisheries, the *Antarctic Aurora* went to 88.1 but did not fish 88.2. Catch in this region was reported as below average, due in part to a high number of vessels in small area. SouthMAC noted that ALFPL had access to 58.4.2 and the recent establishment of a second more western research box, but that Australian vessels did not have access to fish 58.4.1. The group heard that research lines were set in the new box by



ALFPL and a French vessel, and that due to bycatch levels the French vessel left the area early and the remaining research sets were carried out by the Antarctic Discovery. Mr McNeill confirmed that ALFPL is interested in returning to 58.4.2 next season and would also seek to re-access 58.4.1 as allowed going forward.

This season (2021/22) in HIMI the Antarctic Aurora started fishing in mid-April and reported sighting a few whales at that time. The vessel steamed away from any whales seen due to suspicion they may have been interacting with gear. Members discussed whether whale presence had increased in recent years, hearing that the April period has been particularly challenging the last two years though perhaps not quite as bad as the those preceding. SouthMAC noted advice that vessels were later to the fishing grounds this season, which may impact perceptions of whale predation levels. Members noted that orcas have not been seen this year, in contrast to the previous year.

Mr Arangio reported that industry's ARC whale depredation project was wrapping up, but that COLTO has agreed to fund an additional 12 months to continue the work, including photo ID data collection and analysis across all toothfish fisheries.

SouthMAC also noted the update provided by the AFMA observer section.

Observer deployments in Southern Ocean Fisheries Update

Covid-19 continues to provide challenges to observer deployment, and both border requirements and case levels in foreign ports hosting the Australian sub-Antarctic fishing fleet needing to be actively monitored.

Prior and post deployment mandatory quarantine continues to occur as need arises. All instances relate to observers travelling internationally to join a vessel in a foreign port or returning to Australia from overseas. It is anticipated that the need for fully vaccinated observers to quarantine upon arrival back in Australia will lessen throughout 2022.

Heard Island and McDonald Islands Toothfish Fishery

Agenda item 6 – Patagonian toothfish summary 2020/21 season

The Scientific Member provided a verbal update on recent analyses presented at SARAG, including a summary of the spatial extent of the fishery, and the results of the previous season's tag-recapture study. Members heard that after the fishery footprint had increased up to 2018, it had again contracted substantially in 2020 and 2021. Tag recaptures from previous years' releases indicated that two years were strongly represented in recaptures in the last season. The group noted the potential impact of targeted fishing locations and spatial overlap on tag return rates and the flow on effects on TAC setting.

Agenda item 7 – Skate and ray bycatch assessment

The Scientific Member provided a verbal update on the SARAG discussion of the Skate and Ray Bycatch Assessment and noted that SARAG recommended a workshop be held on the issue. SouthMAC heard that a workshop would seek to further explore the challenges associated with implementing the skate assessment, following the "avoid, mitigate, limit" approach, i.e. seeking to understand how avoidance and mitigation can be improved, and what impact this would then have on bycatch limits and recommendations. SARAG



recommended that the workshop, which the AAD will organize, take place before the next meeting of the RAG.

The Scientific Member advised that SARAG does not have concerns about the current management settings and reflected that if possible the RAG might consider species level approaches. The AFMA member agreed that with current levels of data availability the current management settings were considered appropriate and acknowledged emerging information on varying vulnerabilities between species. SouthMAC heard that sources of variability in this information should be clarified to better inform next steps and discussions going forward.

Agenda item 8 – Bycatch limits for the 2022/23 season

Bycatch Limits

The AFMA member advised SouthMAC that SARAG had considered the bycatch limits for 2022/23 and recommended maintaining the current limits, noting that future season settings for skates and rays may be updated as information comes to hand.

Heard Island and McDonald islands Fishery bycatch species:

<i>Macrourus caml</i> and <i>M. whitsoni</i>	409 tonnes
<i>M. halotrachys</i> and <i>M. carinatus</i>	360 tonnes
Unicorn icefish (<i>Channichthys rhinoceratus</i>)	1 663 tonnes
Skates and rays (<i>Bathyraja spp.</i>)	120 tonnes
Grey rockcod (<i>Lepidonotothen squamifrons</i>)	80 tonnes
All other species (each)	50 tonnes

SouthMAC **recommended** the HIMI Bycatch limits remain the same for 2022/23.

Skate and Ray Sub-Limit Triggers

The AFMA member reported that SARAG discussed the soft trigger limits and sought to clarify management responses as bycatch levels of 50t and 80t are reached. SouthMAC heard that currently, reaching the 50t soft trigger prompts a meeting between AFMA and the AAD, with industry to be advised of the outcome of the meeting. Members heard that if the 80t trigger is reached, commercial icefish fishing pauses until Austral indicate they would like to recommence commercial icefish fishing, at which time a meeting will be convened between AFMA, the AAD, Austral and ALFP to explore ways forward that consider inter alia historical catch rates, remaining toothfish quota, and increasing reporting frequency. AFMA would then make the final decision on resumption of trawling following the meeting.

Agenda item 9 – Trawl Gear Modification Results

SouthMAC noted that in November 2020, Austral Fisheries was issued with a scientific permit to trial a new icefish trawl rig comprising lighter gear with smaller bobbins and discs than permitted under the HIMIF Regulations. Members heard that the vessel *Cape Arkona* ran



trials of the new gear in December 2020 to January 2021, March to April 2021, and again in April 2022, where the presence of a second vessel allowed for paired tows. The MAC noted that preliminary trial results showed lower skate bycatch with a higher ratio of mackerel icefish to skates when using the lighter new gear. Participants heard reports that the new gear also appeared to have reduced impacts on the benthos, with the vessel skipper reporting less sand and weeds in the net in addition to reduced damage to the mackerel icefish.

SouthMAC noted that SARAG welcomed the preliminary analysis and that the AAD had only 48 hours available to review the data prior to the meeting. Members heard that SARAG has recommended that the trial continue for another year to complete the planned number of shots, with an update to be presented at a SARAG meeting later in 2022. SouthMAC recommended for AFMA to pursue amending the Regulations to relocate trawl gear specifications to a more appropriate legislative instrument.

Agenda item 10 – Random Stratified Longline Survey draft proposal

The Scientific Member provided a verbal update on the proposed Random Longline Survey (RLS), noting that “stratified” had been removed from the name until a methodology is confirmed. SouthMAC heard that SARAG had not made any recommendations on the RLS at the meeting, but had confirmed that work on exploring options should continue, and had requested the AAD present a paper providing a business case and exploring three options for progression at the next meeting of the RAG.

CCAMLR New and Exploratory Fisheries

Agenda item 11 – Exploratory fisheries proposals for 2021/22

The AFMA member provided an update to participants on an application for the 2022/23 season of CCAMLR New and Exploratory Fisheries. SARAG noted that the application had been discussed in April by the IDC and CCF and were supported with no amendments, and that the AAD would submit the application on behalf of Australia to the CCAMLR Secretariat in advance of the 1 June 2022 deadline. SouthMAC noted that the supporting Research Plan is currently under development with co-proponents. The AAD member noted the work going into development of the plan included comprehensive scenario testing and engagement with co-proponents.

Finance

Agenda item 12 – 2022/23 Budget Processes

SouthMAC noted a presentation by the AFMA member on the 2022/23 Budget Process, and heard that the key drivers for increases related to Observer Program costs, and Electronic Monitoring (EM) and Data Management costs. Members heard that EM costs had been anticipated to reduce in the 2021/22 budget but that efficiencies had not been realised and FTEs had increased, so the cost has returned to level with 2020/21 levels. Regarding observer costs, the MAC heard that these have increased across the board, and that the HIMI proportion has also increased as part of the split among all fisheries, resulting in a substantial increase.



Industry Members reflected that due to TAC reductions, total fishing days have decreased, with a significant decrease in observer days in 2020, so there was some surprise when the observer budget was still increased in 2021. The AFMA Member advised that the acquittal should be available soon, and their understanding was that the observer program may have been under-budgeted last year across the board, so the increase in the current year may be due to reassessment. SouthMAC also heard that COVID impacts, including travel challenges and quarantine requirements are considered observer land days, and that industry also holds responsibility for accommodation costs. A request was made to AFMA to clarify whether the estimate of observer days in the new budget reflects changes in the TAC going into the next season, whether industry provided trip planning informs the calculations, and whether a reduction in quarantine days going forward had been considered (**Action Item 7**).

Members discussed the application of the AFMA and WOAG travel policies to observers, noting the government travel policy requiring the use of certain booking tools. The MAC noted the COVID impact of increasing business class flight prices while reducing availability and the challenges this presented in terms of both finances and logistics. The AFMA member advised that going forward, if flight and travel class availability is limited, industry should reach out to the AFMA Observer Coordinator to discuss possible ways forward on a case-by-case basis.

ACTION ITEM 7 – AFMA to review whether observer days have reduced in line with the toothfish TAC reduction, whether observer day projections incorporate trip planning information provided by industry, and whether an anticipated reduction in quarantine days has been considered in the projected budget.

Other

Agenda item 13 – Marine Mammal Import Rule update

SouthMAC heard an update from the AFMA member on the USA Marine Mammal Import Rule (MMIR). The group heard that the Potential Biological Removals approach that the MMIR is built on is different to the Australian legislation which seeks to reduce and minimise to all extent possible TEP species interactions. AFMA and DAWE have provided the requested information for Commonwealth fisheries into the USA assessment process, and are responding to further queries from the USA. The USA is scheduled to provide the outcome of the assessments by the end of 2022. However, AFMA intends to seek advice as early as possible, given the MMIR comes into effect on 1 January 2023. Members noted that marine mammal interactions occur in Southern Ocean fisheries, but the interaction rates fall below the prescribed level as calculated by the USA.

The Conservation Member noted that the HIMI and MI fisheries are currently listed as export under the MMIR, but the CCAMLR New and Exploratory fisheries are listed as exempt at this time, and asked what the difference might be. The group heard that the level of marine mammal bycatch in the new and exploratory fisheries by Australian vessels was considered so low during an initial round of assessment that the fishery was classed as exempt without further data needed.



Agenda item 14 – Environmental interactions and gear loss/recovery

SouthMAC noted that during the 2020/21 HIMI Fishery fishing season, eight seabirds and eight seals have died as a result of interactions with fishing gear (since 1 December 2020):

- on 13 December 2020 a white chinned petrel was found deceased in the trawl net;
- on 2 April 2021 a southern black browed albatross was hooked on longline gear when setting and drowned;
- four white chinned petrels were hooked on longline gear when setting and drowned on 5 April 2021, 8 April 2021, 17 April and 5 November 2021.
- on 15 June 2021 a grey petrel was hooked on longline gear when setting and drowned; and
- on 3 August a giant Southern petrel was hooked on longline gear when setting and drowned.
- eight southern elephant seals were found dead after being hooked on longline gear on 3 June, 30 June, 5 July, 23 July, two on 10 August, 25 August and 28 August 2021.

Members noted that during the 2020/21 seasons of the MITF and CCAMLR Exploratory Fisheries there were no marine mammal or bird interactions with fishing gear. Members noted that there were ten porbeagle shark killed due to interactions with fishing gear in the MITF.

SouthMAC noted that the spread of effort at HIMIF had resulted in a recent increase in gear loss and that industry were aiming to attempt to recover gear towards the end of season. In 2020/21 the exploratory fisheries also had a significant increase in gear lost when compared to the previous season. Industry advised that stronger tides and greater frequency of poor weather impacted gear loss rates. These environmental factors were also reported as impacting gear recovery success, despite a regular level of attempts.

The Conservation Member asked for further details on the elephant seal interactions, particularly whether a single vessel was involved and what might be done to mitigate this. Industry advised that the seals access the line at depth where they get entangled, which is difficult to mitigate. The Conservation Member asked whether this is a result of changes in prey distribution or oceanographic variables, and asked whether there is any geographic trends in these interactions. SouthMAC asked AFMA to explore the distribution of elephant seal interactions in the most recent season (**Action Item 8**) and the AAD offered to assist with mapping.

SouthMAC discussed production of a Chair's Summary for publication on the AFMA website, with fulsome minutes provided only to advisory group members. SouthMAC requested that minutes of SARAG meetings be made available to SouthMAC members, in addition to relevant technical papers, via email as they become available (**Action Item 9**) and that AFMA explore production of a supplementary high level meeting summary for website publication (**Action Item 10**).



ACTION ITEM 8 – AFMA to review mapping Southern Elephant Seal interactions for 2021/22 to explore potential interaction clustering.

ACTION ITEM 9 – going forward AFMA to provide minutes from prior SARAG minutes and relevant technical papers to MAC members.

ACTION ITEM 10 – AFMA to explore development of a separate high level meeting record for broader publication.

Agenda item 15 – AFMA’s Reflect Reconciliation Action Plan (RAP)

AFMA provided an update on the Reconciliation Action Plan, noting the development of an Agency specific plan is in line with WOAG approaches to reconciliation. The SARAG noted that there is no current recreational or Indigenous membership of the group. The group suggested that Indigenous representation might be well placed within the MAC, if interest is present.

Agenda item 16 - Other Business

MSC Certification Processes

Members heard an update from the Industry Members on the ongoing full MSC reassessment processes of the HIMI Toothfish, Macquarie Island Icefish and the Macquarie Island Toothfish fisheries. Members noted that the criteria have been updated to a higher standard, and that the outcomes were mostly positive, with almost all criteria assessed as exceeding SG80 and requiring no new conditions. The remaining additional MSC recommendations were reported as primarily administrative in nature and included updates to the discard and bycatch work plan updates, the development of some short-term habitat objectives for the fishery, and that the Macquarie Island ERA be updated.

The industry members advised that a draft report had been made available, with the report to be refined in the coming weeks. The final draft is expected to be provided in a month, and the final assessment report available by the end of the year. Of note, industry advised that no external stakeholder feedback was received during the consultation phase. If no points of contention or technical oversight issues emerge, then industry expects that the certification will be issued successfully.

Agenda item 17 - Next meeting

SouthMAC agreed to meet via teleconference on Wednesday 9 November 2022 (after 11am AEST) to discuss the outcomes of CCAMLR and to recommend a TAC for Patagonian Toothfish and Mackerel Icefish for the 2022/23 season. Members agreed the next face-to-face meeting of SouthMAC would be held in Hobart in early 2023 in conjunction with SARAG.

The Chair closed the meeting at 12:30pm.





Attachment A

Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC) - Meeting 40

Draft Agenda

Friday 6 May 2022

9:00am – 1.00pm

**Australian Antarctic Division – Channel Highway, Kingston
Mawson Conference Room 2**

Introduction

- | | | | |
|-----|----------------------------------------------------------------------|-------|-----------------|
| 1. | Preliminaries | | |
| 1.1 | Declaration of interests | Chair | For Discussion |
| 1.2 | Apologies | AFMA | For Information |
| 1.3 | Adoption of Agenda | Chair | For Decision |
| 2. | Minutes from SouthMAC 39 & November teleconference | AFMA | For Decision |
| 3. | Actions Arising | AFMA | For Discussion |
| 4. | Correspondence | AFMA | For Discussion |
| 5. | Update on fishing operations
(HIMI, MITF, Exploratory, observers) | All | For Information |

Heard Island and McDonald Islands Fishery

- | | | | |
|-----|----------------------------------------------------|----------|--------------------|
| 6. | Patagonian Toothfish Fishery summary 202/21 season | AAD | For Discussion * |
| 7. | Bycatch limits for the 2022/23 season | AFMA/AAD | For Recommendation |
| 8. | Skate and ray assessment | AAD | For Information * |
| 9. | Trawl gear modification trial | Austral | For Recommendation |
| 10. | Random Stratified Longline Survey draft proposal | AAD | For Discussion * |

CCAMLR New and Exploratory Fisheries

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| 11. | Exploratory fisheries proposals for 2022/23 | AFMA | For Information* |
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Finance

12. 2022/23 budget process AFMA For Information

Other

13. Update on US Marine Mammal Imports AFMA For Information
14. Environmental interactions and gear loss/recovery Indus/AFMA For Information
15. AFMA's Reflect Reconciliation Action Plan (RAP) AFMA For Discussion
16. Other Business Chair For Discussion
17. Next Meeting Chair For Discussion

* Verbal update, no agenda paper provided

