



Australian Government

Australian Fisheries Management Authority



# Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC)

FINAL MINUTES  
SOUTHMAC 37  
15 MAY 2019

## **SUB-ANTARCTIC FISHERIES MANAGEMENT ADVISORY COMMITTEE (SouthMAC)**

**CHAIR:** Mr Peter Neville

**Date:** 15 May 2019

**Venue:** Australian Antarctic Division, Hobart

### **Attendance**

#### **Members**

Mr Peter Neville, Chair

Mr Rhys Arangio, Industry Member

Mr Malcolm McNeill, Industry Member

Dr Philippe Ziegler, Scientific Member

Ms Lihini Weragoda, Australian Antarctic Division

Ms Lyn Goldsworthy, Conservation Member

Ms Jo Fisher, AFMA Member

Ms Sarah Kirkcaldie (Executive Officer)

#### **Observers**

Mr Trent Timmiss

Mr Josh Van Limbeek

### **Introduction**

The thirty seventh meeting of the Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC 37) was held in Hobart on 15 May 2019.

The key items on the agenda were:

- Macquarie Island stock assessment;
- Extension of Macquarie Island Toothfish longline season;
- Heard Island and McDonald islands Fishery Patagonian Toothfish stock assessment;
- Results of the HIMIF season extension trial;
- New vessel access to HIMIF season extensions; and
- Offal dumping trial in HIMIF.

### **Agenda item 1 - Preliminaries**

SouthMAC 37 was opened at 9.00 am on 15 May 2019 by the Chair, Mr Peter Neville.

Mr Neville welcomed the attendance of members especially Lyn Goldsworthy attending her first face-to-face MAC meeting, as well as the observers, Mr Trent Timmiss, AFMA and Mr Josh Van Limbeek, AAD.

## 1.1 Declaration of interests

As outlined in the *Fisheries Administrations Act 1991* and AFMA Fisheries Management Paper No. 1, all members (but not permanent observers or invited participants) 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 make a decision 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.

Mr Neville declared that he was the Principal of a fisheries consulting business (P.J.Neville & Associates) and Chair Fisheries Research and Development Corporation's (FRDC's) recreational fishing sub-program. Mr Neville advised that he has no pecuniary interest in the sub-Antarctic fisheries.

Mr McNeill advised he is the Managing Director of Australian Longline P/L which holds various fishing rights in, and operates vessels in the sub-Antarctic fisheries and New and Exploratory fisheries under the jurisdiction of CCAMLR. Mr McNeill further advised he is a member on SARAG, Board member of the Coalition of Legal Toothfish Operators (COLTO). 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 an observer to SARAG. Mr Arangio 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 Commission for the Conservation of Antarctic Marine Living Resources (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 Lihini 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 AAD, industry and other research collaborations.

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 and his salary is not connected to any research grants noting that he is a co-investigator on a FRDC project and future FRDC projects. Dr Ziegler informed members that he is also a member 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 Fisher advised she is employed by AFMA and is the Manager for Antarctic fisheries and has no pecuniary interest in the sub-Antarctic fisheries.

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

Mr Trent Timmiss advised he is employed by AFMA as a Senior Manager, Tuna and International fisheries that he is also the member on the Tropical Tuna MAC (TTMAC) and SBTMAC. Mr Timmiss advised that he has no pecuniary interests in the sub-Antarctic fisheries.

## 1.2 Apologies

Members noted that no apologies were received. SouthMAC agreed to send Mr Martin Exel and Dr Malcolm Haddon letters thanking them for long serving membership.

## 1.3 Adoption of agenda

SouthMAC adopted the agenda with no changes.

## Agenda item 2 – Minutes from SouthMAC 36 and November teleconference

Members noted that the draft minutes from SouthMAC 36 held on 1 March 2018 were circulated for comment on 12 April 2018. Comments were received from Mr Rhys Arangio, industry and Ms Lihini Weragoda, AAD. Members noted that the minutes from the SouthMAC 36 meeting have now been finalised.

SouthMAC noted that the draft minutes from the teleconference held on 8 November 2018 were circulated on 27 November 2018. Comments were received from Ms Lihini Weragoda, AAD, Dr Philippe Ziegler, AAD, Mr Malcolm McNeill, industry, and Mr Rhys Arangio, industry. Members noted that these comments have been incorporated and minutes from the November 2018 teleconference have now been finalised.

## Agenda item 3 – Action arising from SouthMAC 36

SouthMAC discussed the action arising from SouthMAC 36.

Item	Action arising from SouthMAC 36	Status
1	<b>MITF seabirds</b> - AAD to consult on how the 5 birds were originally listed (under what criteria) to enable a discussion on decision rules for possible removal from the list if warranted (SouthMAC 36 Actions arising).	SouthMAC noted the AAD paper titled 'Seabird species of concern in the Macquarie Island Toothfish Fishery' presented at SouthMAC 36. Industry questioned if once a species is not listed on the Agreement on the Conservation of Albatrosses and Petrels anymore could it be removed (e.g. soft plumaged petrel no longer listed). Members noted that the number of breeding pairs in 2016/17 did not warrant removing. Industry expressed concern regarding one bird and out. Industry requested that this issue be re-visited next year. SouthMAC noted that the Grey petrel is not listed as threatened under EPBC Act but is listed as near threatened IUCN.

<b>2</b>	<b>MITF Fishery assessment Plan</b> - AFMA to incorporate suggested changes to the draft MITF FAP and re-circulate (SouthMAC 36 Agenda item 6).	Members noted that the revised FAP was circulated on 20 March 2018.
<b>3</b>	<b>Ecological Risk Assessment</b> – SouthMAC to write to SARAG to thank them for all their work in producing the ERA's (SouthMAC 36 Agenda item 9).	The Executive Officer advised that this action will be completed shortly.
<b>4</b>	<b>Fisheries Management Strategy (FMS)</b> – AFMA member to clarify if the FMS is a public document (SouthMAC 36 Agenda item 10).	AFMA confirmed that the intention is to publish the FMS once it is approved by the AFMA Commission
<b>5</b>	<b>HIMI Fishery Assessment Plan</b> – AFMA to incorporate suggested changes to the draft HIMIF FAP and re-circulate (SouthMAC 36 Agenda item 11).	Members noted that this action arising was completed and the revised FAP was circulated on 20 March 2018.
<b>6</b>	<b>Skate and ray handling guide</b> – AFMA to finalise the Skate best Practice handling Guide and sent to industry (SouthMAC 36 Agenda item 17a).	SARAG noted that the finalised Skate and Ray best Practice Handling Guide was circulated on 27 March 2018.
<b>7</b>	<b>Update on US Marine Mammal Imports</b> – AFMA to clarify if there will be a blanket rule that applies to all fisheries (SouthMAC 36 Agenda item 17b).	Members noted that this action was discussed under Agenda item 16.

## Agenda item 4 – Correspondence

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

- An email dated 15 March 2018 from Sarah Kirkcaldie seeking comments on the draft 2018/19 budget for the Commonwealth fisheries;
- An email dated 20 March 2018 from Jo Fisher, providing the final HIMI and MIT Fishery Assessment Plans for the 2017-18 and 2018-19 fishing years;
- An email dated 27 March 2018 from Jo Fisher, providing the finalised Skate and Ray Best Practice handling Guide;
- An email dated 12 April 2018 from Sarah Kirkcaldie seeking comments on the draft minutes from SouthMAC 36 held on 1 March 2018;
- An email dated 19 April 2018 from Sarah Kirkcaldie seeking applications to become a SouthMAC members (three year term 1 July 2018-30 June 2021);
- An email dated 22 May 2018 from Sarah Kirkcaldie providing a letter from Dr James Findlay to Mr Peter Neville regarding the AFMA Commission agreement to extend the Macquarie Island Toothfish Fishery longline season by one week;
- An email dated 5 July 2018 from Sarah Kirkcaldie providing a link to the most recent edition of the Australian Antarctic Magazine;
- An email dated 30 October 2018 from Sarah Kirkcaldie providing the draft agenda for the SouthMAC teleconference scheduled for 8 November 2018;
- An email dated 1 November 2018 from Sarah Kirkcaldie providing the agenda and papers for the SouthMAC teleconference scheduled for 8 November 2018;

- An email dated 27 November 2018 from Sarah Kirkcaldie seeking comments on the draft minutes from the November SouthMAC teleconference;
- An email dated 14 March 2019 from Sarah Kirkcaldie seeking comments on the draft 2019/20 budget for the Commonwealth fisheries;
- An email dated 10 April 2019 from Sarah Kirkcaldie providing the draft agenda for the SouthMAC meeting scheduled for 15 May 2019; and
- An email dated 16 April 2019 from Sarah Kirkcaldie seeking comments on the proposed changes to the *Fisheries management (Heard Island and McDonald Islands Fishery) Regulations 2002*.

## **Agenda Item 5– Report on fishing operations**

Mr McNeill and Mr Arangio provided SouthMAC with verbal updates on fishing operations in the Heard Island and McDonald Islands Fishery (HIMIF), Macquarie Island Toothfish Fishery (MITF) and CCAMLR Exploratory fisheries.

Mr Arangio noted that Austral fisheries 2017/18 HIMIF season had about 380 tonnes of uncaught quota at the end of the season. Members noted that the company had three vessels fishing until the end of the season on 30 November 2018 and then the fishing vessel *Atlas Cove* began trawling for Mackerel icefish in the new season on 1 December 2018. Mr Arangio noted that catch rates were below 10 tonnes/day which is lower than the usual 25 tonnes/day of recent years. The *Atlas Cove* returned to Port before returning to HIMIF to conduct the Random Stratified Trawl Survey (RSTS) and then began longlining on 1 April 2019 with the other two Austral fisheries vessels (*Isla Eden* and *Corinthian Bay*). Members noted that there had been a lot of whale sightings and the whales appeared to be more aggressive this season and were relentless in following vessels and depredation on the line. Industry indicated they are not sure why there are more whales present but noted that Dr Tixier's research found that there is currently 8 whales identified (4 new ones and 4 old ones that have been seen at Kerguelen). SouthMAC noted that there has been no line damage caused by whales.

Mr McNeill stated that Australian Longline Pty Ltd (ALPL) had two successful trips to HIMIF in the 2017/18 season and caught all of their quota. ALPL then leased quota from Austral fisheries and caught that as well. Members noted that the MITF 2018/19 season started slow with low catch rates in the first trip. However, the second trip had very high catch rates and ALPL caught all of the quota in the MITF.

Mr McNeill explained that in the 2019/20 MITF season the vessel had to return to port twice (for a sick crew member and then an issue with the rudder) resulting in the vessel being out of the fishery for 14 days. Members noted that the vessel had just started fishing again and that catch rates were good.

Mr McNeill noted that one vessel fished in the CCAMLR statistical subareas 88.1 and 88.2 in the 2018/19 Exploratory fishing season. Members noted that the catch rates were not as good as Industry had hoped but that was due to the fact that it is an Olympic fishery. Mr McNeill noted that ALPL also participated in research activities targeting toothfish in Division 58.4.2 and continues to have interest in participating in the region including in Division 58.4.1.

SouthMAC noted that the 2018/19 HIMIF season had started slowly for ALPL; however there had been an increase in both the number of whale sightings and depredation on the lines.

SouthMAC thanked the AFMA observer section for providing the detailed update. Industry requested that if any safety issues are identified by observers both companies be informed so that the issue can be fixed across all vessels.

## **Agenda item 7 – Extension of Macquarie island season**

SouthMAC noted that in 2018 SARAG, SouthMAC and the AFMA Commission agreed to extend the MITF longline season by one week at the end of the season. The RAG and MAC agreed that the observer report for the 2018 trip would be used to assess whether bird observations are higher in the first week in September compared to the last week in August. Members noted that subsequently the 2018/19 MITF statutory fishing rights conditions were amended to extend the longline season to 7 September 2018 but due to good catch rates early in the season the extension was not required. SouthMAC noted that the one-week extension was applied again to the 2019/20 MITF longline season and the longline season dates are 15 April to 7 September 2019.

Industry requested that, for operational reasons, including that the vessel had unexpectedly returned to port twice already this season, that consideration be made for an additional week to the extension period so that the longline season extends to 14 September 2019. SouthMAC noted that SARAG supported the additional week extension (two weeks in total) at its meeting on 14 May 2019.

The AAD members noted that they understood that bird abundance increases significantly in September and supported the one week extension but expressed concerns with agreeing to a two week extension without consulting with the AAD seabird team. The conservation member also expressed concern regarding moving into a situation where there may be a significant increase in the abundance of birds. Industry noted that they use multiple mitigation measures including only setting at night.

The AFMA observer noted that there is little data on bird abundance on MITF fishing grounds in September. Members noted that in the HIMIF November has the highest bird abundance but this doesn't translate to MITF as it is a different set of species. The AFMA observer stated that he didn't think that birds will be breeding and foraging in early September.

SouthMAC noted that AFMA was expecting a proposal from Industry to extend the longline season by a further week and AFMA will consult with AAD Threat Abatement Plan team and will report back to SouthMAC out-of-session (**Action arising 1**).

## **Heard Island and McDonald Islands Fishery**

### **Agenda item 8 – William's Ridge SIOFA update**

SouthMAC noted that at the SIOFA's Scientific Committee meeting in Japan in late March 2019, discussions included recent toothfish catches from William's Ridge and Del Cano Rise. SouthMAC noted that Spanish fishing boats had fished in William's Ridge last year for first time and fished there again early this year. Members noted that the area hadn't been fished since illegal, unreported and unregulated fishing was prevalent in the area in the early 2000s.

Dr Ziegler, Mr Arangio and Ms Goldsworthy all attended the SIOFA stock assessment working group and the Scientific Committee (SC) meetings. Australia had presented a paper to arguing that the toothfish on William's Ridge are part of the same population as those at HIMIF. Members noted that discussions were difficult and that the SC recommended that temporary

management measures to regulate fishing activity at 2016 levels (effectively zero). Members noted that Mr Arangio did a fantastic job of consulting with industry representatives and getting agreement from other countries to not fish on William's Ridge

Members noted that since the Scientific Committee meeting and despite its clear advice, negotiations were continuing between the Australian government and France/EU to come up with a proposal that is acceptable to all parties. SouthMAC noted that the SIOFA Meeting of Parties will convene in July to further discuss this issue and an update of the outcomes will be sent to members. Members noted that it is Australia's intention to have a Conservation measure that states a catch limit of zero until more information is known about the population and impact on the HIMIF. In addition, Members noted that depending on the outcome from SIOFA, Australia could pursue actions through CCAMLR and there was opportunity for discussions between CCAMLR and SIOFA

On behalf of industry, Mr Arangio thanked AAD, AFMA and the Department of Agriculture and Water Resources and especially Dr Ziegler for achieving the various agreements and recommendations.

### **Agenda item 9 – Skate and Ray bycatch**

Members noted that as at 20 April 2019, 47.09%, of the skate bycatch limit had been caught. SouthMAC noted that the majority of the skate bycatch is caught when trawling for icefish which had now ceased for the 2018/19 season. Industry noted that in previous seasons when icefish catch rates have been low like the current season the skate bycatch has been high.

SouthMAC noted that the species of skates caught when trawling (shallow water skates) are different to the species of skates caught when longlining (deeper water skates) for Patagonian Toothfish. Members noted that a possible skate assessment is in the workplan for the second half of the year but noted that CCAMLR would be unlikely to agree to any increase in bycatch limits. Members noted that there is abundance information on the shallower water skates from the random stratified trawl survey but limited information on the deeper water species.

SouthMAC noted that this issue was discussed at SARAG and industry stated that they do not think they will reach the bycatch limit this year but have suggested some trawl gear modification to reduce bycatch. Industry noted that the Icefish TAC has been very stable but bycatch may be an issue if the TAC was to increase.

### **Agenda item 10 – Results of season extension trial**

Dr Ziegler presented a paper summarising the results of the final analysis of the HIMIF longline season indicating that the core season (1 May – 14 September) and post extension (14 September – 31 October) had a very low risk to seabirds. the trial pre-season (1-14 April) and post-season extensions (1-30 November) had similar yet around 10-15 times higher risk than the core season, but the risk was also similar to the existing 15-30 April approved extension period. SouthMAC noted that this issue was discussed at SARAG and members agreed that the trial periods should be incorporated into the season extensions noting that this will require no changes to CCAMLR conservation measures.

Members noted that it was proposed that the core season would extend from 1 May to 14 September. The season extension periods would apply from 1 – 30 April and 15 September – 30 November and a three-seabird limit would apply to all extension periods and all other mitigation measures would remain in place.



SouthMAC noted that the final paper will be submitted to CCAMLR's Working Group on Fish Stock Assessment.

### **Agenda item 11 – New vessel access to season extensions**

SouthMAC noted that Industry have two new vessels coming into the HIMIF during the 2019/20 season, one vessel owned by ALPL and one vessel owned by Austral Fisheries. Members noted that both companies have indicated that the new vessels will be seeking access to fish the longline season extensions. Members noted that under current arrangements the new vessels will not be able to access the season extension periods as they will not have had the opportunity to '*demonstrate full compliance with CCAMLR Conservation Measure 25-02 in the previous season*'. Industry stated that these vessel will not be additional vessel in the Fishery but will be replacing existing vessels and will have better mitigation measures.

At their meeting on 14May, SARAG was asked to consider if there were any additional risks with new vessels fishing in the season extensions given the current mitigation measures. Noting the three-bird limit in place for the season extension periods, and that both companies have a strong track record in sub-Antarctic Fisheries, SARAG agreed that there are no additional risks. SARAG supported the new vessels being provided with access to the season extension periods.

SouthMAC noted that Australia would need to seek CCAMLR agreement to this approach but acknowledged that no other CCAMLR fishery has this requirement.

SouthMAC supported the new vessel getting access to the season extension and recommended that the Australian government pursue this issue at CCAMLR but acknowledged that it would do so in the context of the overall objectives for Australia at CCAMLR for 2019.

### **Agenda item 12 – Offal dumping trial**

SouthMAC noted that SARAG discussed that current SFR conditions for Australian vessels prevent the dumping or discarding of offal in the Fishery. Industry explained that the Austral fisheries vessels cannot retain offal for a whole trip and therefore must steam outside the Exclusive Economic Zone (EEZ) to dump offal, generally once or twice per trip. Members noted that depending on where the vessels are fishing, under current requirements, this could involve 1-2 days of steaming. SouthMAC noted that this is a domestic issue and under CCAMLR rules offal can be dumped anywhere north of 60° so long as this was consistent with the seabird mitigation rules. Members noted that France allows dumping minced offal in waters deeper than 500m and not in marine reserve and not closer than 25 miles to Kerguelen. Industry explained that they had also sought advice from Dr Paul Tixier who was not aware of any studies that suggested offal dumping attracts sperm or killer whales. Industry explained that initially put forward a proposal to be able to dump offal in four boxes within EEZ but then proposed a line on the western and southern side of the Fishery to bring in the boundary. Austral fisheries noted that the offal would be minced, dumped in deeper water and not when setting or hauling.

SouthMAC supported the proposal to dump offal off fishing grounds in deeper water noting that this may require an amendment to the HIMIF Management Plan although it may be possible through a scientific permit. Industry agreed to draw the perimeter line and AAD agreed to overlay fishing effort and provide the results to AFMA. AFMA explained that if a Management Plan amendment was required could members provide AFMA with any other suggested amendments as it is a lengthy process to change the Plan.

The AAD member noted that with respect to the marine reserve, she was satisfied that the proposed areas for offal dumping were sufficiently far away from the reserve areas.

## **CCAMLR New and Exploratory Fisheries**

### **Agenda item 13 – Exploratory fisheries proposals for 2019/20**

SouthMAC noted that ALPL have submitted applications to participate in exploratory in CCAMLR subareas 88.1, 88.2, and divisions 58.4.1 and 58.4.2. The applications have been supported by the CCAMLR Consultative Forum and AAD are now developing research plans and notifications which will be submitted to CCAMLR by the 1 June 2019 deadline. SouthMAC noted that directed fishing for toothfish in 2018/19 was prohibited in Statistical Division 58.4.1 and Australia will be seeking to recommence and continue collaborative research in this division in 2019/20.

## **Finance**

### **Agenda item 14 – 2019/20 Budget process**

SouthMAC noted that on 14 March 2019, AFMA circulated for comment the draft 2019-20 budgets for HIMI and MIT fisheries and no comments were received from members. Members noted that the budget has now been finalised and the issue with the Macquarie Island fee for service costs has been rectified.

Members noted that the small increase in the HIMI cost recovered budget is due to an increase in costs associated with management of commercial fisheries.

SouthMAC noted that the decrease in the MITF cost recovered budget is largely due to an increase in fee for service charges to more accurately reflect the observer activities. Previously, these costs have been under estimated in the budget.

## **Other**

### **Agenda item 15 – Five-year Strategic Research Plan**

The AFMA member advised that the *Heard Island and McDonald Islands Fishery Management Plan 2002* and the *Macquarie Island Toothfish Fishery Management Plan 2006* both require that a five year strategic research plan be in place for these fisheries. For simplicity, last year AFMA drafted one five year plan - the Antarctic Fisheries Five Year Strategic Research Plan 2019-2023 (the Plan) for both fisheries. The Strategic Research Plan has been previously discussed at SARAG and SouthMAC and suggested changes incorporated. Members provided further comments and it was agreed that AFMA would finalise the plan and circulate it to out-of-session (**Action arising 2**).

### **Agenda item 16 – Update on US Marine Mammal Imports**

SouthMAC noted that in 2016, the US Government published a final rule implementing the import provisions of the MMPA. This rule requires fisheries exporting seafood to the US to

protect marine mammals at standards comparable to those required for US fisheries. The US rule requires harvesting nations to meet US standards for fisheries management with regard to interactions with marine mammals. The provisions will come into force on 1 January 2022.

In 2017, as a first step in the implementation process, the US sought information from importing countries on each export fishery's recorded interactions with marine mammals and as well as details of management measures to mitigate marine mammal interactions.

Members noted that the Australian Government Department of Agriculture and Water Resources (DAWR) provided a submission to the US National Marine Fisheries Service, on behalf of all Australian fisheries exporting to the US, highlighting the level of recorded interactions and regulatory measures to prevent and monitor interactions with marine mammals in April 2017.

Information provided by export countries was used by the US Government to classify fisheries as either 'exempt' or 'export' fisheries under the US rule. The list of those classifications is known as the List of Foreign Fisheries (LOFF) and has now been published by the US National Marine Fisheries Service.

SouthMAC noted that the HIMI, MIT and CCAMLR Exploratory fisheries (88.1, 88.2) fisheries were assessed under the US classification system as 'export' fisheries. Therefore to keep exporting product to the US after 2022, Australia will need to demonstrate that the fisheries meet the criteria established by the US through a 'comparability finding'. The criteria include that the fishery must have conditions relating to the prohibition of intentionally killing or injury of marine mammals and also have and maintain bycatch reducing programs that are comparable to the USA's regulatory programs in relation to bycatch of marine mammals.

SouthMAC noted that nations will need to apply for a 'comparability finding' on behalf of their export LOFF listed fisheries and DAWR will lead Australian Government applications to the US for comparability findings. SouthMAC recommended that DAWR talk to the United States at CCAMLR and any other Regional Fisheries Management Organisation meeting.

SouthMAC noted that AFMA will provide further advice to the members on any progress and whether a desk top study of mammal populations is required for the Antarctic fisheries

## **Agenda item 17 – Environmental interactions and gear loss/recovery**

SouthMAC noted that during the 2017/18 HIMI Fishery fishing season 16,415,948 hooks were set and there were eight seal, two seabird and one porbeagle shark interactions with fishing gear resulting in deaths:

- on 22 April 2018 a grey petrel was hooked and drowned while longline gear was being set on the vessel *Corinthian Bay*;
- on 25 May 2018 a porbeagle shark was discovered dead in trawl gear;
- on 6 June 2018 a Southern Elephant Seal was found tangled and drowned in longline gear on the vessel *Isla Eden*;
- on 29 June 2018 a Southern Elephant Seal was found tangled and drowned in longline gear on the vessel *Antarctic Chieftain*;
- on 5 July 2018 a Southern Elephant Seal was found tangled and drowned in longline gear on the vessel *Corinthian Bay*;
- on 26 July 2018 a Southern Elephant Seal was found tangled and drowned in longline gear on the vessel *Atlas Cove*; and
- on 23 August 2018 a Southern Elephant Seal was found tangled and drowned in longline gear on the vessel *Antarctic Chieftain*;
- on 31 October 2018 a Southern Elephant Seal was found tangled and drowned in longline gear on the vessel *Isla Eden*;

- on 8 November 2018 a white-chinned petrel was hooked and drowned while longline gear was being set on the vessel *Corinthian Bay*;
- on 15 November 2018 a Southern Elephant Seal was found hooked, tangled and drowned in longline gear on the vessel *Isla Eden*; and
- on 19 November 2018 a Southern Elephant Seal was found hooked, tangled and drowned in longline gear on the vessel *Isla Eden*.

Members noted that during the 2018/19 MITF season 2,026,880 hooks were set with no seal or bird interactions with fishing gear that resulted in a death. There were 10 Porbeagle sharks killed as a result of interactions with fishing gear.

SouthMAC noted that there was a decrease in the amount of gear lost in the HIMI Fishery in 2018 compared to 2017 and the amount of gear recovered was similar to the previous season. Gear loss in the MITF decreased in the 2018/19 season compared to the previous season and in 2018/19 Exploratory fisheries had a significant increase in gear lost when compared to the previous season. Austral fisheries noted that they had recently hauled about 10km of Illegal Unreported and Unregulated gear which was about 15-20 years old.

Industry further noted that plastics and pollution in the oceans is going to be discussed more in future. Austral fisheries noted that they have now installed micro filters for washing machine and ALPL have additional filters installed on the new vessel.

### **Agenda item 18 – HIMI Regulations**

SouthMAC noted that the *Fisheries Management (Heard Island and McDonald Islands Fishery) Regulations 2002* (the Regulations) are being reviewed by AFMA as they are currently subject to 'sunsetting' (i.e. will cease to exist) on 1 October 2019. In addition the current Regulations do not comply with current legislative drafting standards. As such AFMA Management is reviewing the Regulations with a view to replacing the Regulations with a new instrument.

Members noted that Austral Fisheries have requested discussion around the possibility of removing or modifying Section 9 of the Regulations and has prepared the paper at Attachment B '*Proposal for modifying HIMI Regulation on trawl gear*'. Industry presented a design to SouthMAC which is 30% lighter than current gear but has smaller bobbins and smaller disc than is currently allowed under the HIMIF Regulations which specifies a minimum size. Industry noted that the gear is lighter but still has the same strength.

SouthMAC noted that SARAG 59 supported Austral fisheries running gear trials for 12 months either through SFR conditions or a scientific permit. SARAG 59 also supported implementation of new gear requirements if the trial proves that the new gear specifications reduce bycatch.

SouthMAC supported removing Section 9 of the HIMI Regulations to HIMI Statutory Fishing Right (SFR) conditions to allow flexibility around trials of new gear.

### **Agenda item 19 – Other business**

Industry queried how the sea lice containers/traps and benthic cameras project was progressing. The scientific member noted that the scientists are still struggling with cameras (not starting when under pressure). Members further noted that AAD was waiting on an

ethics approval as the traps also caught fish. Members noted that once the ethics approval has been received the project is expected to commence.

### **Agenda item 20 - Next meeting**

SouthMAC agreed to meet via teleconference on Thursday 7 November 2019 at 10:30am – 12:30pm to discuss the outcomes of CCAMLR. Members agreed the next face-to-face meeting of SouthMAC would be held in Hobart in early 2020 in conjunction with SARAG.

The Chair closed the meeting at 12:40pm.

## Sub-Antarctic Fisheries Management Advisory Committee (SouthMAC) - Meeting 37

### Final Agenda

**Wednesday 15 May 2019**

**9:00am – 3.00pm**

**Mawson Conference Room 2**

**Australian Antarctic Division – Channel Highway, Kingston**

### 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 36 & November teleconference                   | AFMA  | For Information |
| 3.  | Action Arising   | AFMA  | For Discussion  |
| 4.  | Correspondence   | AFMA  | For Discussion  |
| 5.  | Update on fishing operations<br>(HIMI, MITF, Exploratory, observers) | All   | For Information |

### Macquarie Island Toothfish Fishery

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|----|--------------------------------------|-------|-----------------|
| 6. | Macquarie Island stock assessments   | CSIRO | For Discussion* |
| 7. | Extension of Macquarie Island season | AFMA  | For Information |

### Heard Island and McDonald Islands Fishery

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|-----|--|----------|--------------------|
| 8.  | William's Ridge SIOFA update           | AAD      | For Information    |
| 9.  | Skate and ray bycatch                  | AFMA     | For Information    |
| 10. | Results of season extension trial      | AFMA/AAD | For Recommendation |
| 11. | New vessel access to season extensions | AFMA     | For Recommendation |
| 12. | Offal dumping trial                    | Austral  | For Discussion     |

### CCAMLR New and Exploratory Fisheries

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|-----|---|------|------------------|
| 13. | Exploratory fisheries proposals for 2019/20 | AFMA | For Information* |
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## **Finance**

14.	2019/20 budget process	AFMA	For Information
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## **Other**

15.	Five-year Strategic Research Plan	AFMA	For Decision
16.	Update on US Marine Mammal Imports	AFMA	For Information
17.	Environmental interactions and gear loss/recovery	Indus/AFMA	For Information
18.	HIMI regulations	AFMA	For Decision
19.	Other Business	Chair	For Discussion
20.	Next Meeting	Chair	For Discussion

\* Verbal update, no agenda paper provided