



Australian Government

Department of the Environment, Water, Heritage and the Arts

The Hon Paul Caica MP
Minister for Agriculture, Food and Fisheries
GPO Box 668
ADELAIDE SA 5001

Dear Minister

I am writing to you as Delegate of the Minister for the Environment, Heritage and the Arts in relation to the re-assessment of the South Australian (SA) Prawn Trawl Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

An initial assessment of the SA Prawn Trawl Fishery was completed in November 2004, resulting in the then Delegate of the Minister for the Environment and Heritage declaring the fishery exempt from the export controls of the EPBC Act until 3 November 2009. The management regimes for the Spencer Gulf Prawn Fishery (SGPF), the Gulf St Vincent Prawn Fishery (GSVPF) and the West Coast Prawn Fishery (WCPF), made under the *South Australian Scheme of Management (Prawn Fisheries) Regulations 1991* and the *Fisheries (General) Regulations 2000* were also accredited at this time under the relevant protected species provisions of Part 13 of the EPBC Act.

These EPBC Act accreditations were remade in November 2007, following the introduction of new SA fisheries legislation which improved the management of all SA fisheries.

In September 2009, the Department of Primary Industries and Resources South Australia (PIRSA) submitted the document *Ecological Assessment of the South Australian Prawn Fisheries* (the Submission) for assessment under the EPBC Act. The submission has been assessed for the purposes of the protected species provisions of Part 13 and the wildlife trade provisions of Part 13A of the EPBC Act.

I am pleased to advise that assessment of the fishery is now complete. The assessment report will be available on the Department of Environment, Water, Heritage and the Arts (DEWHA) website at:

<http://www.environment.gov.au/coasts/fisheries/sa/abalone/index.html>

I am satisfied that for the purposes of the wildlife trade provisions of Part 13A of the EPBC Act, the management arrangements provide the basis for the fishery to be managed in an ecologically sustainable way. I therefore propose to amend the List of Exempt Native Specimens, to include specimens that are or are derived from fish taken in the SA Prawn Trawl Fishery, excluding specimens that are listed under Part 13 of the EPBC Act, for a period of five years. Such listing will serve to exempt the fishery from the export controls of the EPBC Act, providing the fishery operates in accordance with the management regime in force under the SA Fisheries Management Act 2007 and continues not to involve the export of specimens listed on the Convention on the International Trade in Endangered Species.

Additionally, as there have been no significant changes to management arrangements since our last assessment of the fishery in 2004 and noting the level of reported interactions with protected species in the fishery remains low, I consider that the SA Prawn Trawl Fishery continues to comply with the protected species provisions of the EPBC Act. For this reason I have decided to reaccredit the fishery's management arrangements under Part 13.

The management arrangements for the SA Prawn Trawl Fishery meet the Australian Government's *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*. The SA Prawn Trawl Fishery is a relatively low impact fishery that is appropriately precautionary. The combination of management arrangements, data gathering, proposed research and the nature of the fishery allows confidence that the fishery managers will maintain low bycatch levels, minimise interactions with protected species and manage impacts on the wider ecosystem.

While there are some environmental risks associated with this fishery, I believe that PIRSA is committed to addressing these issues. Officers from our two departments have discussed key areas requiring ongoing attention. I understand they have agreed to a number of recommended actions, focusing on ensuring the continuation of good management practices, to be implemented before the next Australian Government review of the fishery. The recommendations at **Attachment A** have been an important factor in my decision to exempt the fishery and I look forward to receiving your confirmation that they will be implemented.

I would also like to reiterate EPBC Act approvals are given to the SA Prawn Trawl Fishery's management regime in place at the time of the decision and as such DEWHA must be advised of any management changes to ensure that accreditations remain valid.

Yours sincerely

[Signed]

Travis Bover
Delegate of the Minister for the Environment, Heritage and the Arts
26 October 2009

Attachment A

Recommendations to PIRSA on the ecologically sustainable management of the SA Prawn Trawl Fishery.

Unless a specific time frame is provided in the recommendation each recommendation must be addressed before the next assessment of the SA Prawn Trawl Fishery in November 2014.

1. Operation of the fishery will be carried out in accordance with the management arrangements for the SA Prawn Trawl Fishery in force under the SA Fisheries Management Act 2007.
2. PIRSA to inform the DEWHA of any intended amendments to the SA Prawn Trawl Fishery's management arrangements that may affect the assessment of the fishery against the criteria on which EPBC Act decisions are based.
3. PIRSA to produce and present reports to DEWHA annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. PIRSA to:
 - a) By the end of 2010, develop and implement a management policy and harvest strategy for the WCPF, incorporating a regular review period;
 - b) Review and implement performance indicators and performance measures used in the assessment and management of Western King prawns stock status in the WCPF, for incorporation in future harvest strategies; and
 - c) As appropriate, develop harvest strategies for bycatch taken in the fishery.
5. PIRSA to ensure a compliance strategy is incorporated into the WCPF management policy.
6. PIRSA to continue to ensure prawn size and catch validation is being regularly reported through the survey process.

7. PIRSA to ensure:

- a) Completion of the risk assessment for bycatch, for all of three SA Prawn Trawl Fisheries;
- b) That there is an appropriate level of fishery independent fishery data recording across the three SA Prawn Trawl Fisheries;
- c) Completion of the bycatch data collection and analysis process for all of the fisheries;
- d) Implementation of appropriate management measures and mitigation responses for high risk species identified; and
- e) As appropriate, management plans and policies are updated in regard to bycatch management arrangements, for all fisheries, as new information becomes available.

8. PIRSA to continue to pursue reduction in the amount of bycatch taken in the SGPF, GSVP and WCPF through:

- a) Continued refinement and timely implementation, of appropriate bycatch mitigation technology; and
- b) Further investigation/refinement of methods for evaluating and increasing the survivability of bycatch species, where appropriate.

9. PIRSA to continue further regular/ongoing education programmes, which will complement the new logbook and species identification book, so as to ensure future protected species protection and accurate reporting.