



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Ref: 2010/13747

The Hon Gail Gago MLC
Minister for Agriculture, Food and Fisheries
GPO Box 1671,
ADELAIDE SA 5001

Dear Minister

I am writing to you as the Delegate of the Minister for the Environment, Heritage and Water in relation to the reassessment of the South Australian Abalone Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In June 2013, the Department of Primary Industries and Regions South Australia provided an application to the Department of Sustainability, Environment, Water, Population and Communities seeking continued export approval for the South Australian Abalone Fishery.

The application 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. The assessment took into account measures that have been developed by the Department of Primary Industries and Regions South Australia in response to the recommendations made in the 2009 assessment of the fishery.

I am pleased to advise that the assessment is now complete. The new assessment report will be available on the Department of Sustainability, Environment, Water, Population and Communities' website at: <http://www.environment.gov.au/coasts/fisheries/sa/abalone/index.html>

The management regime for the South Australian Abalone Fishery was most recently accredited under Part 13 of the EPBC Act, for interactions with protected species, in June 2009. I am satisfied that it is unlikely that fishing operations conducted in accordance with the management regime will adversely affect the conservation status of protected species or affect the survival or recovery in nature of listed threatened species or adversely affect the conservation status of listed migratory species, cetaceans or listed marine species. I also consider that under the current management regime, operators continue to be required to take all reasonable steps to avoid the killing or injuring of species listed under Part 13 of the EPBC Act.

I have therefore decided to continue accreditation of the management regime for the South Australian Abalone Fishery under Part 13 of the EPBC Act. Accreditation will ensure that individual fishers operating in accordance with the current management regime are not required to seek permits if they are at risk of killing or injuring listed species in Commonwealth waters.

I consider that the South Australian Abalone Fishery operates in line with the Australian Government 'Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition.' Given the management arrangements and precautionary measures for the fishery including a new management plan, limited entry (restricted to 35 transferable licences), individual transferable quota for each licence, total allowable commercial catch, minimum legal length, possession and size limits for recreational fishers and area closures, I have decided to amend the list of exempt native specimens to allow export of product from the South Australian Abalone Fishery for a period of five years, until 24 August 2018.

While there are some environmental risks associated with the South Australian Abalone Fishery, I believe that the Department of Primary Industries and Regions South Australia has in place measures to address these issues. Officers from the Department of Primary Industries and Regions South Australia and this department have discussed and agreed to four recommendations focussing on ensuring the continuation of good management practices and monitoring of stock levels in particular management zones. These recommendations can be found at **Attachment 1**.

I would like to thank you for the constructive way in which your officials have approached this assessment.

Yours sincerely



Paul Murphy

Delegate of the Minister for the Environment, Heritage and Water

21 August 2013

**Recommendations to the Department of Primary Industries and Regions South Australia
on the ecologically sustainable management of the South Australian Abalone Fishery,
August 2013**

Recommendation 1:

Operation of the SA Abalone Fishery will be carried out in accordance with the Management Plan for the South Australian Commercial Abalone Fishery - September 2012 in force under the *SA Fisheries Management Act 2007*.

Recommendation 2:

The Department of Primary Industries and Regions South Australia (PIRSA) to continue to inform the department of any proposed changes to the SA Abalone Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.

Recommendation 3:

PIRSA to continue to produce and present reports to the department annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

Recommendation 4:

PIRSA to continue monitoring greenlip and blacklip abalone in the Central and Western Zones of the fishery and implement timely, appropriate management measures to recover the stocks to sustainable levels.