



Australian Government  
Department of the Environment

Ref: 14/000103925

Dr James Findlay  
Chief Executive Officer  
Australian Fisheries Management Authority  
Box 7051  
Canberra BC  
Canberra ACT 2602

Dear Dr Findlay

James

I am writing to you as the Delegate of the Minister for the Environment in relation to decisions under Part 13 and Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) relating to the Small Pelagic Fishery.

Product derived from the fishery is currently included in the list of exempt native specimens under Part 13A of the EPBC Act until 2 November 2014. The Small Pelagic Fishery Management Plan 2009 is currently accredited under Part 13 of the Act, for interactions with protected species, while the Final (Small Pelagic Fishery) Declaration 2012 (first final declaration) is in force. Unless otherwise revoked, the first final declaration is in force until 18 November 2014.

Noting that two expert panels have been established to assess fishing activities relevant to the Small Pelagic Fishery, I have decided to:

1. include product derived from the fishery in the list of exempt native specimens under Part 13A of the EPBC Act for a period of 12 months, until 29 October 2015
2. accredit the Small Pelagic Fishery Management Plan 2009 under Part 13 of the EPBC Act, for interactions with protected species, for the period that the Final (Small Pelagic Fishery) Declaration (No.2) 2013 (second final declaration) is in force. The accreditation will be subject to the conditions which apply to the current declaration. The conditions are at **Attachment A** for your reference.

Yours sincerely

Paul Murphy  
Delegate of the Minister for the Environment

28 October 2014

**Conditions on the accreditation of the Small Pelagic Fishery Management Plan 2009,  
in force under the *Fisheries Management Act 1991*, under Part 13 of the EPBC Act  
(sections 208A, 222A, 245 and 265 — interactions with protected species)**

**October 2014**

1. Prior to fishing, mid-water trawl vessels must have in place effective mitigation approaches and devices, to the satisfaction of the Australian Fisheries Management Authority, to minimise interactions with dolphins, seals and seabirds.
2. The Australian Fisheries Management Authority requires that at least one observer be deployed on each new mid-water trawl vessel for the first 10 fishing trips, with additional observer coverage or other monitoring implemented as appropriate, following scientific assessment of the Small Pelagic Fishery.