



## Australian Government

### Department of the Environment, Water, Heritage and the Arts

Hon Michael O'Brien 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 Environment Protection, Heritage and the Arts in relation to the re-assessment of the South Australian Blue Crab Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

An initial assessment of the Blue Crab Fishery was completed in November 2004, resulting in the then Delegate of the Minister for the Environment and Heritage declaring the fishery exempt from export controls under Part 13A of the EPBC Act until 29 November 2009. The fishery was granted a further short term exemption to 15 April 2010.

In January 2010, the Department of Primary Industries and Resources, South Australia (PIRSA) provided a submission for assessment under the EPBC Act, seeking continued export approval for this fishery. The submission has been assessed for the purpose of the wildlife trade provisions of Part 13A of the EPBC Act.

I am pleased to advise that the assessment of the fishery is now complete. The assessment report will be available on the Department of the Environment, Water, Heritage and the Arts (DEWHA) website at:  
<http://www.environment.gov.au/coasts/fisheries/sa/blue-crab/index.html>

I am satisfied that for the purposes of the wildlife trade provisions of Part 13A of the EPBC Act, the current management arrangements provide the basis for the fishery to be managed in an ecologically sustainable way. The management arrangements for the Blue Crab Fishery meet the Australian Government's *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.

The Blue Crab Fishery is a relatively low impact fishery that is appropriately precautionary. The combination of management arrangements, data gathering, and the nature of the fishery allows confidence that the fishery managers will manage the fishery to maintain low bycatch levels, minimise interactions with protected species and manage impacts on the wider ecosystem.



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MEMBER



I therefore propose to amend the List of Exempt Native Specimens, to include specimens that are derived from fish taken in the South Australian Blue Crab 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 SA Fisheries Management (Blue Crab Fishery) Regulations 1998; SA Fisheries Management (Marine Scalefish Fisheries) Regulations 2006; and the SA Fisheries Management Act 2007, as the Regulations and Act apply to the Blue Crab Fishery, and continues not to involve the harvest and export of specimens listed on the Convention on the International Trade in Endangered Species.

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 that 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 that EPBC Act approvals are given to the Blue Crab 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.

I ask that you ensure PIRSA officers are aware of this requirement and keep DEWHA appropriately informed.

Yours sincerely



Nigel Routh  
Delegate of the Minister for Environment Protection, Heritage and the Arts

13 April 2010



**Recommendations to PIRSA on the ecologically sustainable management of the South Australian Blue Crab Fishery.**

Unless a specific time frame is provided in the recommendation, each recommendation must be addressed before the next assessment of the Blue Crab Fishery in April 2015.

**Recommendation 1:**

Operation of the fishery will be carried out in accordance with the management arrangements for the *Fisheries Management (Blue Crab Fishery) Regulations 1998* and the *Fisheries Management (Marine Scalefish Fisheries) Regulations 2006* in force under the *South Australian Fisheries Management Act 2007*.

**Recommendation 2:**

The Department of Primary Industries and Resources, South Australia (PIRSA) to inform the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended amendments to the Blue Crab Fishery management arrangements that may affect the assessment of the fishery against the criteria on which EPBC Act decisions are based.

**Recommendation 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*.

**Recommendation 4:**

PIRSA to ensure that all relevant stakeholders are included in ongoing future consultative processes annually, including industry, recreational, conservation and public representatives.

**Recommendation 5:**

PIRSA to:

- a) Report on regular surveys, in the annual report, to determine the extent of increased recreational fishing to obtain improved estimates of recreation take; and
- b) Ensure all estimates are incorporated into future stock assessments and management arrangements.