



Australian Government

Department of the Environment and Water Resources

The Hon Tim Mulherin MP
Minister for Primary Industries and Fisheries
GPO Box 46
BRISBANE QLD 4001

Dear Minister

I am writing to you as Delegate of the Minister for the Environment and Water Resources in relation to the re-assessment of the Queensland Gulf of Carpentaria Inshore Finfish Fishery (GOCIFF) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The GOCIFF was first assessed by the Australian Government Department of the Environment and Water Resources (formerly the Department of the Environment and Heritage) in August 2004 under Parts 13 and 13A of the EPBC Act in accordance with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries* (the Guidelines). This assessment was based on the submission provided by the Queensland Department of Primary Industries and Fisheries (DPI&F) in May 2003. In light of a number of concerns that needed to be addressed to manage environmental risks in the long term, the GOCIFF was declared an approved Wildlife Trade Operation (WTO) under Part 13A of the EPBC Act. This declaration allowed the export of product from the fishery for a period of three years.

In June 2007 DPI&F submitted the 2005, 2006 and 2007 Annual Status Reports for the GOCIFF for assessment under the EPBC Act to allow continued export approval for this fishery. 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 new assessment report will be available on the Department of the Environment and Water Resources website at: <http://www.environment.gov.au/coasts/fisheries/index.html>.

As I have been made aware that the management arrangements for the GOCIFF currently allow the retention of two EPBC Act listed species, spartooth sharks and freshwater sawfish, I have decided to re-accredit the GOCIFF under Part 13 of the EPBC Act subject to a condition to prohibit the retention of these species as a priority, but by no later than 31 July 2009.

I am satisfied that the operation of the fishery is consistent with the objects of the wildlife trade provisions in Part 13A of the EPBC Act. I am also satisfied that it is unlikely to be detrimental to the survival or conservation status of any taxon to which the fishery operation relates, or threaten any relevant ecosystem. The fishery is

relatively well managed and operates under an adaptable and precautionary regime capable of controlling, monitoring and enforcing the level of take from the fishery. Performance against the Guidelines is adequate, however there are a number of issues that need to be addressed to contain environmental risks in the longer term. The key issues for this fishery include improving the management of EPBC Act listed species and reviewing the management of species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Hence, I propose to declare the fishery an approved WTO under Part 13A of the EPBC Act. This declaration would allow the export of product from the fishery for the next two years. I will make the declaration subject to the conditions at **Attachment A**.

While there are some environmental risks associated with this fishery, I believe that DPI&F is committed to addressing these issues and is already taking proactive steps in some areas. Officers from our two departments have discussed key areas requiring ongoing attention. In addition to the conditions to the WTO declaration, I understand that they have agreed to a number of recommended actions, focusing on addressing key issues outstanding from the last assessment, to be implemented before the next Australian Government review of the fishery. The recommendations at **Attachment B** have been an important factor in my decision to declare the fishery a WTO and I look forward to receiving your confirmation that they will be implemented.

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

Yours sincerely

[signed]

Andrew McNee
Delegate of the Minister for the Environment and Water Resources

21 August 2007

Conditions on the Wildlife Trade Operation Declaration for the Queensland Gulf of Carpentaria Inshore Finfish Fishery

1. Operation of the fishery will be carried out in accordance with the Queensland *Fisheries Regulation 1995* and the Queensland *Fisheries (Gulf of Carpentaria Inshore Fin Fish) Management Plan 1999* in force under the Queensland *Fisheries Act 1994*.
2. The Department of Primary Industries and Fisheries (DPI&F) to inform the Department of the Environment and Water Resources of any intended amendments to the management arrangements that may affect the criteria on which EPBC Act decisions are based.
3. DPI&F to continue to produce and present reports to the Department of the Environment and Water Resources annually. Reports to include:
 - a. Information sufficient to allow assessment of the progress of DPI&F in implementing the recommendations made in the Assessment of the Queensland Gulf of Carpentaria Inshore Finfish Fishery 2007; and
 - b. A description of the fishery, management arrangements in place, recent catch data for all sectors of the fishery, status of target stock including performance of the fishery against objectives, performance indicators and measures, interactions with protected species, impacts of the fishery on the ecosystem in which it operates and research and monitoring outcomes.

Information should only be provided on those aspects which are relevant to the fishery and that articulate 'changes' since the last annual report.

Recommendations to the Department of Primary Industries and Fisheries (DPI&F) on the ecologically sustainable management of the Queensland Gulf of Carpentaria Inshore Finfish Fishery (GOCIFF)

The GOCIFF is a relatively well-managed fishery with a range of management measures to promote the ecologically sustainable harvesting of species from the fishery. These measures include: a seasonal closure, gear restrictions, limited entry, minimum and maximum size limits and protection of nursery habitats.

The following recommendations have been made to further strengthen the effectiveness of the management arrangements for the fishery and minimise environmental risks in the medium term. Unless a specific time frame is provided in the recommendation each recommendation must be addressed within the life of the declaration (2 years).

Recommendations

Recommendation 1: DPI&F to prohibit the retention of all EPBC Act listed Chondrichthyan species in the GOCIFF.

Recommendation 2: As a part of the review of the *Fisheries (Gulf of Carpentaria Inshore Fin Fish) Management Plan 1999*, DPI&F to specifically consider the management of CITES listed species, in particular members of the Pristidae family.

Recommendation 3: DPI&F to monitor annual catch and catch rate trends (validated by observers) of those non-listed shark species identified as 'least sustainable' in the Northern Australian Sharks and Rays Phase II project (FRDC Project number 2002/064) to ensure that risks to the sustainability of these species are identified.

Recommendation 4: DPI&F to continue to improve estimates of recreational and Indigenous harvest. Once available, DPI&F to take estimates of IUU fishing, recreational and Indigenous harvests into account in stock assessments and to introduce management arrangements to mitigate any risks identified.

Recommendation 5: Within 2 years, DPI&F to analyse the number, rate and type of protected species interactions of the SOCI data compared to the observer data available and review the adequacy of the protected species interactions information collection system. DPI&F to implement further measures to mitigate interactions, if necessary.

Recommendation 6: As a part of the review of the Performance Measurement System, DPI&F to include an objective and performance measure related to GOCIFF impacts on the ecosystem.