



Australian Government

Department of the Environment, Water, Heritage and the Arts

The Hon Tony Rundle
Chairman
Australian Fisheries Management Authority
PO Box 7051
CANBERRA BUSINESS CENTRE ACT 2610

Dear Mr Rundle

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

In August 2003, the NPF was strategically assessed against the Australian Government's *Guidelines for the Ecologically Sustainable Management of Fisheries* for the purposes of Part 10 (strategic assessment), Part 13 (protected species provisions) and Part 13A (wildlife trade provisions) of the EPBC Act.

As a result of that assessment the former Minister for the Environment and Heritage amended the List of Exempt Native Specimens (LENS) established under s303DB of the EPBC Act to allow export of product taken in the fishery until 9 January 2009. In January 2006, the Delegate of the Minister for the Environment and Heritage also accredited the *Northern Prawn Fishery Management Plan 1995* under section 33 and Part 13 of the EPBC Act.

In October 2008, the Australian Fisheries Management Authority (AFMA) provided a submission to the Department of the Environment, Water, Heritage and the Arts (DEWHA) seeking ongoing export approval for the NPF. The 2008 submission has been assessed for the purposes of Parts 13 and 13A of the EPBC Act. The assessment also took account of measures that have been developed by AFMA in response to recommendations made in the 2003 assessment of the NPF.

I am pleased to advise that 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 through the following address: <http://www.environment.gov.au/coasts/fisheries/commonwealth/index.html>.

I am satisfied that the operation of the NPF 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 in the medium to long term.

Given management arrangements and precautionary measures of the fishery including a series of input controls, including limited entry to the fishery, gear restrictions, bycatch restrictions and system of seasonal, spatial and temporal closures, I have decided to amend the LENS to allow ongoing export of product from this fishery for a period of five years, until 9 January 2014.

While there are some environmental risks associated with the NPF, I believe AFMA are committed to addressing these issues and are already taking proactive steps in some areas. Officers from AFMA and DEWHA have discussed key areas requiring ongoing and increased attention and agreed to additional recommendations focusing on the need to develop and implement appropriate strategies to manage risks identified through the Ecological Risk Assessments process and to pursue best practice mitigation for interactions with protected species to be implemented by December 2009. These recommendations can be found at **Attachment A**.

As there have been no significant material changes to the management arrangements for the fishery since the last assessment and noting the mitigation practices for interactions with protected species already in place in the NPF, I consider that the existing section 33 and Part 13 accreditations for this fishery still apply.

I would like to thank you for the cooperation of your officials on this assessment and look forward to receiving your formal endorsement of the recommendations.

I have written to Mr Roland Pittar, General Manager, Domestic Fisheries and Aquaculture, Department of Agriculture, Fisheries and Forestry in similar terms.

Yours sincerely

[signed]

Claire Howlett

Delegate of the Minister for the Environment, Heritage and the Arts

22 December 2008

Recommendations to the Australian Fisheries Management Authority (AFMA) on the ecologically sustainable management of the Northern Prawn Fishery (NPF)

The material submitted by AFMA for assessment of the NPF suggests the fishery generally operates in accordance with the Australian Government's *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition*.

DEWHA is satisfied that the harvest of species from the NPF will not be detrimental to the survival or conservation status of the taxon to which the fishery relates in the short to medium to long term. Similarly, it is not likely to threaten any relevant ecosystem in the short to medium term. To minimise the risks in the longer term, the following recommendations have been made for the NPF.

Recommendation 1:

Operation of the fishery will be carried out in accordance with the *Northern Prawn Fishery Management Plan 1995* (the Management Plan), made under the Commonwealth *Fisheries Management Act 1991*.

Recommendation 2:

AFMA to inform DEWHA of any intended amendments to the management arrangements that may affect the criteria on which *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.

Recommendation 3:

AFMA 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:

By December 2009, AFMA to formalise and link detailed objectives, performance criteria, performance measures and review requirements to the NPF Management Plan, including a formal requirement for a comprehensive review and an assessment of the effectiveness of the management arrangements at least every five years.

Recommendation 5,

By December 2009, AFMA to develop and implement appropriate management responses to address and mitigate risks identified in the NPF Ecological Risk Assessment (ERA). In the event that risk levels increase, or cumulative effects are detected, AFMA to implement appropriate mitigation measures to address these risks.

Recommendation 6,

The ERA and the effectiveness of management responses should be reviewed as appropriate, but at least within three years of completion of the level 2.5 SAFE analysis.

Recommendation 7:

AFMA to continue to cooperate with relevant jurisdictions to pursue complementary management and research of all aspects of the fishery, including target, byproduct, bycatch (including protected species) and impacts on the ecosystem.

Recommendation 8:

AFMA to continue to improve monitoring systems for byproduct species ensuring trigger limits and reference points are biologically meaningful, and that management responses have clear timeframes for implementation.

Recommendation 9:

AFMA to continue to:

- (a) monitor bycatch and protected species interactions in the fishery; and
- (b) develop, trial, test and refine the effectiveness of bycatch mitigation and other management measures, to continue to effectively mitigate against and reduce bycatch in the fishery.

Particular focus should be given for sawfish, rays and sea snakes.