



The Hon Leon Bignell MP
SA Minister for Agriculture, Food and Fisheries
GPO Box 1671,
ADELAIDE SA 5001,

Dear Minister

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

In August 2014, the Department of Primary Industries and Regions South Australia (PIRSA) provided an application to the then Department of the Environment, seeking continued export approval for the SA Sardine 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 PIRSA in response to the conditions and recommendations made in the previous export assessment under the EPBC Act in 2009.

I am pleased to advise that the assessment is now complete. The new assessment report will be available on the Department of the Environment and Energy's website at: <http://www.environment.gov.au/marine/fisheries/sa/sardine>.

The management regime for the SA Sardine Fishery was most recently accredited under Part 13 of the EPBC Act, for interactions with protected species, in November 2009. Subject to a condition requiring ongoing protective measures for common dolphins (**Attachment 1**), I am satisfied that 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 are 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 reaccredited the management regime for the SA Sardine 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.



Australian Government

Department of the Environment and Energy

I consider that the management arrangements for the SA Sardine Fishery meet most of the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*. Given the management arrangements and precautionary measures for the fishery, including gear and spatial restrictions, incorporation of an ecological risk assessment into the management plan and comprehensive compliance and monitoring arrangements, I have decided to amend the list of exempt native specimens to allow export of product from the SA Sardine Fishery for a period of five years, until 20 August 2021.

While there are some environmental risks associated with the SA Sardine Fishery, I believe that PIRSA has in place measures to address these issues. Officers from PIRSA and this department have discussed key areas requiring ongoing attention, including the need for ongoing mitigation measures for the protection of short-beaked common dolphins. Officers from PIRSA and this department have discussed and agreed to one condition and three recommendations focussing on ensuring the continuation of good management practices. 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

A handwritten signature in blue ink, appearing to read 'P. Murphy'.

Paul Murphy
Delegate of the Minister for the Environment and Energy
25 August 2016



Conditions on the Part 13 accreditation for the SA Sardine Fishery – August 2016

PIRSA to:

- a) Ensure all SA Sardine Fishery participants adopt the most effective measures to mitigate interactions with dolphins.
- b) Ensure observer coverage captures seasonal and spatial variation in fishing activity across the fleet.
- c) Investigate and resolve uncertainties around differences in sardine catch-per-unit-effort (CPUE) when observers are present and when observers are not present, to improve reliability of observer data.

Recommendations to PIRSA on the ecologically sustainable management of the SA Sardine fishery – August 2016

1. Operation of the fishery will be carried out in accordance with the management regime under the *SA Fisheries Management Act 2007*, the Fisheries Management (Marine Scalefish Fisheries) Regulations 2006 and the Fisheries Management (General) Regulations 2007.
2. PIRSA to inform the Department of the Environment and Energy of any intended material changes to the SA Sardine Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. PIRSA to produce and present reports to the Department annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

