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The Director
Wildlife Trade Assessments Section
Department of the Environment and Energy
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Friday 7 September 2018

Re: South Australian Beach-cast Marine Algae Fishery - Agency application 2018 - Addendum

Dear Director of the Wildlife Trade Assessments Section,

The Nature Conservation Society of South Australia (NCSSA) appreciates the opportunity to comment on the 'Addendum to the Environmental Assessment of the South Australian Beach-Cast Marine Algae Fishery - Inclusion of additional area' prepared by Primary Industries and Regions South Australia (PIRSA). Since 1962, NCSSA has been a strong advocate for the protection of native vegetation and biodiversity in South Australia with particular attention being paid to nationally and state listed threatened plants, animals and ecological communities and the management of protected areas.

Further to our comments submitted to you in May 2018, it is useful to be made aware that the Exploratory Permit for an additional area for this fishery has now been granted by PIRSA, and that the license conditions will be similar to the existing fishery. We acknowledge that the risk assessment for this activity (dated 2015) is an attempt to address the risks to the ecology of the region posed by this fishery and that there are conditions outlined in the Addendum to ameliorate impacts on shorebirds, however, we do not believe these adequately address the possible significant impact of the fishery on EPBC Act listed species.

As we stated to PIRSA in 2015 and in our letter to you of May this year, the additional area covers over 100 kilometres of coastline, including sites that are of international and national importance to a large number of shorebird species, including migratory waders. Given the potential for the additional fishing activity to impact on EPBC listed species, we believe:

- the risk assessment (or Addendum) should explain the rationale for the exclusion zones in the additional area in the context of important sites for EPBC Act listed species. From the available information it would appear that at least one important site for shorebirds, Danger Point, is currently included in the harvest area.
- the risk assessment should be updated, for example, to reflect the Curlew Sandpiper's current conservation status. This species was listed under the EPBC Act in 2015 as critically endangered, the highest category of threat before the extinction of a species. We also suggest the risk assessment should be undertaken consistent with the EPBC Act Significant Impact Guidelines that include habitat destruction as a key factor that has the potential to have significant impacts on shorebird populations. In the current assessment, habitat destruction is only considered in a general way rather than in relation to specific species of conservation concern, including EPBC Act listed species.

We also remain concerned that a current condition of the existing export approval is “the implementation of a monitoring program to annually assess the impact of the fishery on migratory shorebirds”, yet no evidence has been presented to confirm this program has commenced since the condition was gazetted in June 2016. Against this condition, the Ecological Assessment document (April 2018) states that “Monitoring of interactions with Threatened, Endangered and Protected species reported annually. No interactions reported for the South Australian Marine Algae Fishery since granting of the last export approval”. We do not believe an absence of reported interactions with shorebirds constitutes a monitoring program. This appears to be a serious breach of the current export approval conditions, which we believe should be given due consideration in this decision-making process regarding whether or not to grant ongoing export approval.

If ongoing export approval is granted, the condition to pro-actively monitor the impact of the fishery on migratory shorebirds must be enforced and should apply to the entire fishery area (so the existing area and the additional area referred to in the Addendum), since the Exploratory Permits allow for collecting algal material in the same manner as the existing fishery and therefore present the same risk to shorebirds. Surveys of the shorebird use of the coast of south-east South Australia have been conducted by local community members since 1981. These committed local community members, together with other interested bodies in the region, would welcome a discussion as to what resourcing may be required to support the establishment of an adequate monitoring program.

We also remain concerned that no interactions with Threatened, Endangered and Protected Species (TEPS) have been reported from the existing fishery, and no interpretation of why this might the case has been offered. The risk assessment for expanding the fishery into the additional area acknowledges “there may have been some ambiguity in the past about the definition of an interaction with TEPS and reporting requirements, which was considered in the assessment”. The risk assessment did not explain how this ambiguity will be resolved, yet maintains it is a performance indicator of high robustness for assessing the impact of the fishery on TEPS. We acknowledge that the Addendum includes a condition for the Exploratory Permit holder to complete records of bird sightings and interactions (including alarm flights) on the Shorebirds Sighting Form as approved by the Minister, and that this additional condition may assist in clarifying the reporting requirements. However, ensuring a clear understanding by the permit holder of the condition, and resourcing to ensure compliance with it, will still be necessary.

If you would like to clarify or discuss any of the points raised please contact me on (08) 7127 4633 or via email at julia.peacock@ncssa.asn.au.

Yours sincerely,

A handwritten signature in blue ink that reads "Julia Peacock". The signature is written in a cursive style and is placed on a light yellow rectangular background.

Julia Peacock
Nature Advocate