



5 Milner Street,
Hindmarsh SA 5000

Phone: (08) 7127 4630

Fax: (08) 82319773

Email: ncssa@ncssa.asn.au

Website: www.ncssa.asn.au

The Director
Wildlife Trade Assessments Section
Department of the Environment and Energy
GPO Box 787
CANBERRA ACT 2601
sustainablefisheries@environment.gov.au

Thursday 17 May 2017

Re: Ecological Assessment of the South Australian Beach-Cast Marine Algae Fishery, and Ecologically sustainable development risk assessment of proposed activity to harvest beach-cast marine algae

Dear Director of the Wildlife Trade Assessments Section,

The Nature Conservation Society of South Australia (NCSSA) appreciates the opportunity to comment on the 'Ecological Assessment of the South Australian Beach-Cast Marine Algae Fishery' and the 'Ecologically sustainable development risk assessment of proposed activity to harvest beach-cast marine algae' 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.

NCSSA understands that the export approval granted for this fishery in 2015 was appealed by the Friends of the Shorebirds SE through the Administrative Appeals Tribunal which resulted in amendments to the conditions of approval in June 2016 that aimed to address the impact of the fishery on the environment, particularly protected species of threatened and migratory birds. Anecdotally, we understand that the current license holders appear to have adhered to these conditions and also that the last two years have seen relatively low-levels of algal collection due to low availability. However, we remain concerned that important license conditions relating to reporting interactions with protected species and to establishing a monitoring program to investigate the impact of the fishery on these protected species may not have been met.

Regarding the risk assessment for the expanded fishery, the status of this document is not clear. We understand that the current reassessment process is about renewing export approval for material collected under the existing licenses, however, if it also includes expansion of the fishery by way of issuing Exploratory Permits, we suggest that the risk assessment document should clearly state this. It should also contain key pieces of information to assist engagement by external stakeholders, such as the timeframe within which PIRSA will decide if an Exploratory Permit will be granted, an indication of the scale of collection of material that will be permitted and an outline of the assessment process that would be followed should a holder of an Exploratory Permit then seek a Developmental Permit. We still hold many of the concerns we expressed to PIRSA in October 2015 about the proposed expansion of the fishery and these are reiterated in this submission.

NCSSA provides the following specific comments on the ecological assessment of the existing fishery and the risk assessment for the expanded fishery. 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 with a flourish at the end.

Julia Peacock
Nature Advocate

NCSSA comments on the Ecological Assessment of the South Australian Beach-Cast Marine Algae Fishery

Page 5-8: Description of Activity

This section provides a useful overview of the background and scope of the fishery.

Page 8: 4.5. Research and Monitoring

The first paragraph under this section lists the information that fishers are required to provide regarding their activity, but omits the need to report interactions with protected species via a Wildlife Interaction Logbook (condition 14 on page 14). This section should also report on the first year of annual monitoring of the impact of the fishery on shorebirds (condition 5, page 18).

Page 9-11: Ecological characteristics

This section provides a useful overview of the ecological characteristics of algae deposition and nutrient cycling.

Page 13: Condition number 6

We suggest this condition should be amended to make clear the arrangements between 15 May and 1 September each year. The current wording implies closure between those times when in fact we understand that collection can take place year round (outside exclusion zones) as is stated on page 5 of the risk assessment for the expanded fishery (under 'season' where it states 'harvest can occur year round in harvestable areas...').

Page 15: 7. Wildlife Interactions

We suggest that this paragraph should be made consistent with condition 14 on page 14: that is, that not only physical contact is to be reported but also bird sightings and alarm flights for the purposes of monitoring. It would also be useful to provide some interpretation of why 'no interactions with protected species have been reported' since reporting began. Is this because limited collection has taken place? Or are interactions likely taking place but not being reported, and if so, why not? This analysis is important since a requirement to report interactions with protected species is the main treatment for 'high risk' identified in the ecological risk assessment for the expanded fishery.

7.1 Birds

The statement that the 'harvest area relevant to this reassessment is not listed as an important area for the species in the Conservation Advice' for the Hooded Plover is somewhat misleading. Whilst the Conservation Advice does list particularly 'important stretches of coast' for the species based on the proportion of the breeding population that they host, and the harvest area is not included in this list, it also clearly states 'all breeding territories and non-breeding flocking sites are of high conservation significance' for the species and identifies beach wrack harvesting as a threat to the species. It would also be useful for the reassessment to assess how well the condition regarding the prohibition of harvest activity within 100 metres of nesting Hooded Plovers has been adhered to.

Page 17 8. Conditions and Recommendations

There is no evidence presented in the reassessment that condition 5 (page 18) has been met. The absence of any reporting of interactions with protected species does not constitute 'the implementation of a monitoring program to annually assess the impact of the fishery on migratory shorebirds'. To meet this license condition, we strongly recommend that further resources are provided to local shorebird experts to undertake regular monitoring of commercial harvest areas as part of broader surveys to assess shorebird numbers across the region, noting that the Hooded Plover is one of the 20 priority species identified in the federal Threatened Species Strategy.

NCSSA comments on the ‘Ecologically sustainable development risk assessment of proposed activity to harvest beach-cast marine algae’

Page 3: Exploratory and Developmental Permits

The report states that ‘an Exploratory Permit may be provided to allow the gathering of preliminary information to determine the feasibility of commercially harvesting an aquatic resource’, however, it does not:

- clarify that collection of material will be permitted under such a permit (as oppose to observation only) nor specify the sites likely to be visited (noting the proposed new licence 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);
- include the limits on the quantities of material that will be permitted to be collected, nor
- specify the timeframe for considering the application for the Exploratory Permit that PIRSA has received, though we understand it would last for three years once issued¹.

The draft Risk Assessment states that “If deemed feasible, a Developmental Permit may then be provided to enable a more rigorous assessment of the commercial potential of a fishery, in order to demonstrate that it is ecologically sustainable, economically viable and socially acceptable”. Given that there are existing licences in operation with insufficient baseline ecological data to assess their sustainability, we do not support the proposal for further permits to be issued until such studies are completed and the results made public.

We reiterate that the proposed new licence 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 proposed exploratory fishing activity to impact on EPBC listed species we strongly recommend that the risk assessment of the impact of the proposed exploratory fishery be undertaken in line with the EPBC Significant Impact Guidelines that consider habitat destruction and disturbance key factors that have potential to have significant impacts on shorebird populations.

Page 14: Threatened, Endangered and Protected Species (TEPS)

Section 7.2.1 of the report states that “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 report should provide further detail about how this has been improved to provide a performance indicator that is considered highly robust, particularly in light of the reassessment of the existing fishery where ‘no interactions have been reported’. We reiterate the need to clarify that the ‘interactions with TEPS’ includes sightings and alarm flights, not just physical contact.

We strongly suggest that future assessment of this fishery should reflect Curlew Sandpiper’s status as critically endangered, the highest category of threat before the extinction of a species. We also strongly suggest that as well as consulting the federal and state Environment Departments, PIRSA should also include the community when considering ‘appropriate management arrangements to reduce the potential impact on these listed species’.

Page 26 Table 9: Full performance report for High and Medium risks

We reiterate that the reassessment report for the existing fishery states that no interactions with protected wildlife has been reported, but does not analyze why this is the case. The implication is that no interactions have taken place, but this may not be the case: we question if the lack of reported interactions is because limited collection has taken place since June 2016, or are interactions likely taking place but not being reported, and if so, why not? This is critical because “Number of interactions reported in wildlife interaction logbooks” is a key treatment for the risk posed by the fishery to protected species, which is identified as ‘high risk’.

We strongly recommend that the report acknowledge the finding from the study by Orr (2013) that harvest levels of 30-50% of the wrack in a given geographic areas would require a 13-18 year recovery time for waders. The report also needs to consider proposed management strategies to address this issue.

In conclusion, we believe further long-term and rigorously designed monitoring is urgently required before any further exploratory or developmental permits are issued for this fishery.

Orr, K.K. (2013). Predicting the ecosystem effects of harvesting beach-cast kelp for biofuel. PhD thesis, University of Aberdeen, Aberdeen, Scotland.

ⁱ http://pir.sa.gov.au/fishing/commercial_fishing/exploratory_and_development_permits