

An outline of the threatened species listing process under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

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Background and listing process

In January 2001, the then Minister for the Environment and Heritage, Senator Robert Hill, commissioned a report to examine the conservation status of the Murray cod. This report '*The Status of Murray cod in the Murray-Darling Basin*, Kearney, R.E. and Kildea, M.A. (2001)' concluded that:

Cod populations have declined dramatically since European settlement to the extent that cod are no longer common in many parts of the Basin and that persistence of the species does not appear to be of immediate concern, but the integrity of wild populations and of the ecosystems which support them are seriously threatened.

Senator Hill subsequently requested that the Threatened Species Scientific Committee (the Committee) advise him on the national conservation status of the Murray cod.

The Committee undertook an extensive information gathering and expert consultation exercise that provided the Committee with a wide base of information from which to instigate their deliberations. The assessment by the Committee included a two-month public consultation period to facilitate an open and transparent process for the assessment of the Murray cod and to enhance the level of information available to the Committee. The Committee also took into account relevant published data and information from relevant experts.

The Minister accepted the expert advice from the Committee that the Murray cod was eligible to be listed as a species nationally vulnerable to extinction under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act):

- it is estimated that the size of the Murray cod population has declined substantially over the past 30 years (conservatively estimated to be at least 30%);

- the Murray cod is threatened by continuing habitat degradation; less capacity to replenish its adult population through loss of natural water flows and physical barriers to its natural spawning migration; and cold-water pollution;
- much of the woody instream structures that the Murray cod is dependent on have been lost due to past river improvement programs involving large scale desnagging of rivers and streams;
- as a result of past changes to its core habitat, recruitment to the adult breeding population has been, and is still, unsustainably low; and
- while some sites may still support good local populations of Murray cod, at a national scale the species is fragmented and under threat.

Implication of listings

Under the Act, listed threatened species are a matter of National Environment Significance. A person must not take an action which has, will have, or is likely to have, a significant impact on a matter of National Environmental Significance without the Australian Government Minister's approval. Consequently, an activity that is likely to have a significant impact on the Murray cod will require a referral for approval under the EPBC Act.

In relation to new activities which may trigger the EPBC Act, these may include large scale desnagging activities (the Murray cod is known to be highly dependent on instream woody structures for habitat) or the construction of large weirs or dams (which may further the fragmentation of the population and its habitat).

Implications for fishers

The legal catch of a recreational angler is unlikely to constitute a significant impact on the Murray cod. Recreational fishing is already regulated in all range States and Territories. These regulations restrict the activities of freshwater anglers through measures such as fishing gear restrictions, size and bag limits, and closed fishing seasons.

Commercial fishing for Murray cod is currently prohibited in all States and Territories. All range States have either never allowed or have closed their commercial fisheries. New areas opened up for the commercial fishing of Murray cod or increases to existing commercial catch limits of Murray cod may require referral under the EPBC Act.

Recovery Planning

Recovery plans set out the research and management actions necessary to stop the decline of, and support the recovery of, listed threatened species. The Victorian Department of Sustainability and Environment (DSE) has recently been contracted to take the lead in preparing a national (ie. full range) recovery plan for the Murray cod. The funding provided to DSE will cover the cost of involvement of all range states, and a draft recovery plan is due by 30 June 2005.

Once the Murray Cod Recovery Plan is prepared (in consultation with State agencies, local councils, relevant regional bodies, industry associations, Indigenous groups and the general public), it will complement the large number of strategies which the Australian Government has in place to improve the overall health of the River Murray system, such as the *Native Fish Strategy*.

Listing will help protect this iconic species of the Murray-Darling Basin and provide increased protection for the Murray cod from future large-scale infrastructure and river desnagging programs. It will also assist in future efforts towards the long-term recovery of the Murray cod.

Additional information

Funding for projects to recover threatened species is available through the Threatened Species Network Community Grants, which are normally opened for application in autumn each year. More information is available at www.wwf.org.au/tsn.

Small community-based projects may also be eligible for funding under Envirofund grants; more information on these grants is available at www.nht.gov.au/envirofund.

You may also wish to participate in the development and implementation of your region's Natural Resource Management Plan. In this case, contact your local land management agency.

