

Biosecurity Queensland Comments

National Marine Pest Biosecurity Review - Discussion Paper

4 May 2015

Thank you for the opportunity to provide comment on the national review of marine pest biosecurity discussion paper.

Further to the discussion we had at the stakeholder workshop in Brisbane on April 21 2015, we have provided written responses to some of the questions in the discussion paper as well as some additional comments.

Issue: Limited commitment and resource allocation to implement the National System

1. *What do you consider to be the main impacts (consequences) from marine pests to your business, industry, activities or the environment?*

Our business: Redirection of staff time and resources to coordinate and participate in a response.

Industry: potential to close down important shipping ports and restrict movement of vessels with significant impact on trade, potential to restrict commercial fishing activities, damage to vessels and marine infrastructure, costs for inspections and cleaning of vessels and marine infrastructure. Introduced diseases can impact on commercially valuable wild and aquaculture fisheries resources.

Environment: Marine pests have the ability to change the balance of the local ecosystem through direct predation, competition with native species for food and shelter or introduction of diseases. Marine pests can also impact on public amenity.

2. *What activities should the Australian Government do to manage the biosecurity risks associated with marine pests to an acceptable level (to protect your business, industry, activities or the environment)?*
 - Quantification of the potential impacts of marine pests on industry/economy and environment (easier said than done putting values on environmental assets) to use as a tool to help raise the profile of marine pest management as a priority for national investment.
 - Develop a cost sharing model that incorporates industry, particularly the risk creators and beneficiaries of management such as shipping companies and ports. ABARES are in the best position to develop a framework for this.
 - Establish risk based assessment tool for international vessels for ballast water and biofouling which will determine level of clearance/risk mitigation required before entering Australian waters. A similar system could also be introduced for domestic vessel movements where it is determined a level of risk needs to be established. This would facilitate a consistent approach to risk assessment that is centrally available.
 - Coordinate and implement extensive national education campaign on entry requirements for ballast water and biofouling targeting international shipping companies and recreational vessels.

3. *What information or data should the Australian Government collect to support ongoing national commitment to managing marine pest biosecurity*
- Information on incident reports should be collected and maintained nationally and could be reported to State and Territory governments annually to provide an indication of potential impacts and identify where resources should be directed to mitigate risks
 - Information on pest introduction pathways ie, analysis of international and domestic ship/boat movement patterns and source areas for known invasive marine species, which could be incorporated into international ballast water and biofouling risk assessment procedures. This would provide insight into the importance of international port linkages and the need to manage these for better biosecurity outcomes.

Issue: Current biofouling requirements are not consistent across jurisdictions

4. *What are the best ways to manage and monitor the biosecurity risks of biofouling on vessels?*
- Establish a biofouling risk assessment tool that vessels must undertake prior to entering Australian waters. Those vessels from high risk paths and/or with a high level of biofouling should require a higher level of clearance/mitigation measures prior to entry.
 - Conversely, establishment of 'clean pathways' that require a lower level of clearance.
 - Provide incentives for ships that are assessed as consistently low risk eg lower rate of inspection or introduce environmental levy for ships that come in as high risk.
 - Develop a protocol for collecting biofouling samples from vessels in both the low risk and the higher clearance category to be analysed for presence of species on the national priority list once established. This would help to validate the risk assessment approach and provide some monitoring information. Sample collection guidelines would need to be developed and resources to implement this would need to be secured – state government would not have the resources to do this.
 - Regulations should apply to all types of vessels, commercial and recreational though may be slightly different for different vessel categories.
 - Education of vessel operators on risks associated with marine pests, mitigation strategies and any regulations they are required to comply with
 - Education of customs officers on marine pest regulations and include checking of ballast and biofouling management plan or other relevant documentation on vessel arrival forms.
5. *If the Commonwealth progresses to regulate the management of biofouling on international vessels, what role should it take in the development of domestic controls by the states and territories?*
- The Commonwealth should play a role in facilitating the development of consistent domestic biofouling controls for the states and territories. This would include balancing the need for regulations to protect the environment (as suggested by resource managers) with costs and practicalities of regulations for those that would be impacted (shipping companies and vessel operators).
 - Clarification of roles and responsibilities of the Australian and State governments and industry.
 - Undertake a risk assessment on domestic vessel movement and biofouling as a vector for introduction of marine pests. It may be that large areas of Australia eg Dampier north east to Brisbane, could be considered "clean" and movement of vessels within this zone require no further control.

- Clarify when an international vessel becomes a domestic vessel in relation to biofouling requirements– eg. An Australian vessel travels offshore, when it arrives back in port and is slipped, marine pests are discovered. Would this be dealt with under international biofouling arrangements or domestic? What are the roles of the Australian and State governments in this scenario?

Issue: The ‘species based’ approach to manage biofouling

6. *Should the department consider a regulatory framework for international biofouling management that is:*
- *a species-based approach (as currently proposed in the Biofouling RIS) or*
 - *an approach based on a requirement for vessel operators to adopt IMO Biofouling Guidelines, including onboard biofouling management plan and record book.*
- Currently under Queensland legislation, we do not have the power to do anything, or make a vessel owner do anything until a pest species is identified.
 - The new *Biosecurity Act 2014*, due to commence in mid-2016, will declare 35 marine pest species as prohibited.
 - The species based approach outlined in the consultation RIS would be quite resource intensive.
 - Putting time limits on vessels for operation in Australian waters based on their risk rating would require significant administrative resources and would rely on appropriate enforcement powers and capability.
 - If a vessel is established as being low risk, or is high risk but must undertake risk mitigation measures to bring its risk down to within an acceptable level before it is allowed to enter Australian waters, the length of stay should not need to be regulated.
 - We would support the development of a biofouling risk assessment tool for vessels to self-asses their general risk and to determine any further risk mitigation requirements is appropriate. This should involve gathering information on the vessels recent movements and measures taken to manage biofouling such as details of antifouling application. Risk assessments would need to be sighted by customs officers s as part of vessel entry requirements.
 - A requirement for an onboard biofouling (and ballast water) management plan and record book that must also be sighted by customs officers would validate the risk assessment and ensure vessel operators are aware of the status of their vessel and should not be surprised if marine pest mitigation actions are required prior to them entering Australian waters.
 - Random inspections of low risk vessels should also be undertaken to validate the risk assessment and ensure compliance.
 - The proposed second stage of the species based approach requires the need to identify all species to clear the vessel of any species of concern. In our experience, there are very few taxonomic experts in this field in Australia and it can take a number of days to even weeks get a formal identification of a single specimen. Undertaking a full inspection of a large ship may also not be possible depending on availability of appropriate infrastructure and technical experts.
 - One of the benefits of a risk based approach, such as level of fouling, is that action could be required without the need for formal species identification however this approach may require enabling amendments of state marine pest legislation – Qld legislation is currently species based.
 - If a vessel is identified as a high risk, then a species based inspection may be one of a suite of further mitigation requirements.

Issue: Minimise the cost to industry of domestic ballast water management requirement

7. *How can the Australian Government cost-effectively manage domestic ballast water risks, while preventing the spread of established marine pests?*
 - Undertake a risk based assessment on the likelihood of domestic ballast water movements being a vector for marine pests. It may be that the risk of pest introduction from some vessel movements are very low and may not need further mitigation.
 - Consider establishing domestic ballast (and biofouling) zones – where movements within zones would not require any specific ballast water management but movement between zones would.
 - Require vessels to maintain onboard ballast water management plans and log books
8. *Should species-specific assessments of port-to-port movements, with associated monitoring, be used?*
 - This approach would be very resource intensive. Governments would not be in a position to fund this and it would need to be propped up by a large industry contribution
 - Maybe it does not need to be so detailed as species specific and whether that species would survive and establish in another area. A presence absence assessment could be used eg any movement from a “present” zone to a “clean/absent” zone requires a management action.
 - Monitoring should be done as part of a response
9. *Should we restrict ballast water movements between suitably determined regions?*
 - Movement of vessels from regions/zones with known established marine pests to areas that currently have no known pests should be subject to restriction/regulation
 - Defining domestic ballast water zones where movement within a “clean” zone is unrestricted could minimise impact on industry of domestic ballast water management
 - For example, there are no known established marine pest species from Dampier in northern WA north east to Brisbane in Queensland and so movement of vessels within these waters may not trigger a requirement for any management measures.
 - As part of a response, areas (biosecurity zones) may be designated where additional restrictions on vessel movements are applied.

Issue: Incomplete implementation of the National Monitoring Strategy

10. *What are the most important aim(s) for monitoring in a cost-effective national marine pest biosecurity system?*
 - Establishing a risk based approach to monitoring to ensure funds are used in a manner that will deliver the best outcomes for the outlay (best bang for buck)
 - Developing partnerships with industry/ risk creators to undertake monitoring activities
11. *How should this monitoring be achieved?*
 - Monitoring should be a shared responsibility, including the risk creators and beneficiaries such as shipping companies and ports.

Additional comments

Industry currently see any restriction on vessel movement due to establishment of a biosecurity zone (area of a reported infestation) as an imposition put on them by government. They have not experienced the actual impacts that an outbreak would have on industry and their business and perhaps do not fully appreciate the costs that would be involved if a marine pest was to establish.

If establishing both domestic ballast and domestic biofouling arrangements, efforts should be made to try and simplify arrangements by making them as consistent as possible.

Legal powers need to be better understood. For example, how can we turn a boat away if we think it is a marine biosecurity risk? Costs of turning away a large cruise ship would be huge as well as disruptive to the annual scheduling of the ship.

Currently under Queensland legislation, we cannot do anything, or make a vessel owner do anything until a pest species is identified. Under the new Qld *Biosecurity Act 2014* due to commence by 30 June 2016, action will be able to be taken if there is a reasonable belief that a serious risk exists, without having to wait for scientific confirmation.

The new Act also introduces the “general biosecurity obligation” which will apply to individuals and organisations whose activities pose a biosecurity risk and they will have greater legal responsibility for managing them. This general biosecurity obligation means they must take all reasonable steps to ensure they do not spread a pest, disease or contaminant.