



## Australian Government

### Department of the Environment, Water, Heritage and the Arts

The Hon Jon Ford MLC  
Minister for Fisheries  
9<sup>th</sup> Floor Dumas House  
2 Havelock St  
WEST PERTH WA 6005

Dear Minister

I am writing to you as Delegate of the Minister for the Environment, Heritage and the Arts in relation to the re-assessment of the Western Australian (WA) Beche-de-mer Fishery (BDMF) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The BDMF was first assessed by the then Australian Government Department of the Environment and Heritage (now the Department of the Environment, Water, Heritage and the Arts) in December 2004 under Parts 13 and 13A of the EPBC Act, in accordance with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries*. This assessment was based on the submission provided by the WA Department of Fisheries (DFWA) in April 2004. In light of a number of concerns that needed to be addressed to manage environmental risks in the long term, the BDMF was declared an approved Wildlife Trade Operation (WTO) under Part 13A of the EPBC Act. This declaration allowed the export of product from the fishery for three years. The BDMF management regime in force under the *WA Fish Resources Management Regulations 1995* and the *WA Fish Resources Management Act 1994* was also accredited under the relevant protected species provisions of Part 13 of the EPBC Act.

In September 2007, DFWA submitted the document entitled *Application to the Department of the Environment and Water Resources on the Beche-de-mer Fishery* for assessment under the EPBC Act to allow continued export approval for this fishery. The submission 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.

I am pleased to advise that assessment of the fishery is now complete. The new assessment report will be available on the Department of the Environment, Water, Heritage and the Arts website at:

<http://www.environment.gov.au/coasts/fisheries/index.html>.

As there have been no management changes since the last assessment and noting the minimal occurrence of protected species interactions in the fishery and the management measures in place to minimise the risk of interactions, I consider that the existing Part 13 accreditation for this fishery in relation to protected species provisions under the EPBC Act still applies.

I am satisfied that the operation of the fishery is consistent with the objects of the wildlife trade provisions in Part 13A of the EPBC Act. I am also satisfied that it is unlikely to be detrimental to the survival or conservation status of any taxon to which the fishery operation relates, or threaten any relevant ecosystem in the short term.

However, there are a number of issues that need to be addressed to contain environmental risks in the longer term. The key challenges for this fishery will be a review of current management arrangements and possible progression towards a formal management regime, addressing potential local and serial depletion of target stocks, and improving knowledge of the target species' biology, ecology and stock structure. I therefore propose to declare the fishery an approved WTO, under Part 13A of the EPBC Act. This declaration would allow the export of product from the fishery for the next three years. I will make the declaration subject to the conditions at **Attachment A**.

While there are some environmental risks associated with this fishery, I believe that DFWA is committed to addressing these issues and is already taking proactive steps in some areas. Officers from our two departments have discussed key areas requiring ongoing and increased attention, and I understand that in addition to the conditions to the WTO declaration, they have agreed to a number of recommended actions to be implemented before the next Australian Government review of the fishery. The recommendations at **Attachment B** have been an important factor in my decision to declare the fishery a WTO and I look forward to receiving your confirmation that they will be implemented.

I would like to thank you for the constructive way in which your officials have approached this assessment.

Yours sincerely

[signed]

Robyn Bromley  
Delegate of the Minister of the Environment, Heritage and the Arts

18 December 2007

## **Attachment A**

### **Conditions on the Wildlife Trade Operation Declaration for the WA Beche-de-mer Fishery.**

1. Operation of the WA Beche-de-mer Fishery (BDMF) will be carried out in accordance with the management regime made under the Western Australian *Fish Resources Management Act 1994*.
2. Department of Fisheries Western Australia (DFWA) to advise the Department of the Environment, Water, Heritage and the Arts (DEWHA) of any intended material change to the BDMF legislated management regime and management arrangements that could affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.
3. DFWA to produce and present reports to DEWHA annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

## **Attachment B**

### **Recommendations to the Department of Fisheries Western Australia on the ecologically sustainable management of the WA Beche-de-mer Fishery.**

The BDMF is a relatively well-managed fishery with a range of management measures to promote the ecologically sustainable harvesting of species from the fishery. These measures include species-specific minimum legal size limits, limited entry (currently six endorsements), gear restrictions (hand harvest only), and limits on the number of divers operating under each endorsement.

The following recommendations have been made to further strengthen the effectiveness of the management arrangements for the fishery and minimise environmental risks in the medium to longer term. Unless a specific time frame is provided in the recommendation each recommendation must be addressed within the life of the declaration (3 years).

#### **Recommendations:**

1. In conjunction with relevant stakeholders, DFWA to conduct a formal review of the BDMF's management arrangements, and implement changes to the management regime, where appropriate.
2. DFWA to review, and where appropriate, develop and implement species-specific indicators and performance measures for the fishery.
3. DFWA to continue to develop and implement measures to minimise the risk of localised and serial depletion.
4. DFWA to continue to pursue collaborative research with other jurisdictions and agencies, in order to identify research information needs and priorities to meet the management, stock assessment and performance measurement needs of the BDMF.
5. DFWA to conduct a compliance risk assessment for the fishery and implement a compliance strategy to address any identified risks.