



**Australian Government**

**Department of Sustainability, Environment, Water, Population and Communities**

Our Reference: 2011/05970

The Hon Craig Wallace MP  
Minister for Main Roads, Fisheries and Rural and Marine Infrastructure  
GPO Box 15456  
CITY EAST QLD 4002

Dear Minister

I am writing to you as Delegate of the Minister for Sustainability, Environment, Water, Population and Communities in relation to the reassessment of the Queensland East Coast Bêche-de-mer Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The East Coast Bêche-de-mer Fishery was most recently assessed under the international wildlife trade provisions of Part 13A of the EPBC in December 2007. As a result of the 2007 assessment, in light of a number of concerns that needed to be addressed to manage environmental risks in the long term, the Delegate of the then Minister for the Environment, Heritage and the Arts declared the East Coast Bêche de-mer Fishery an approved wildlife trade operation under part 13A of the EPBC Act for a period of three years until 21 December 2010, thereby allowing export of product from the fishery.

In December 2010, the then Delegate of the Minister for Sustainability, Environment, Water, Population and Communities agreed to a short term inclusion of product derived from the East Coast Bêche-de-mer Fishery in the list of exempt native specimens, under Part 13A of the EPBC Act until 20 June 2011. This allowed export from the fishery to continue while reassessment of the East Coast Bêche-de-mer Fishery under the EPBC Act was undertaken in conjunction with the reassessment of other similar fisheries operating in northern Australia.

In March 2011, Fisheries Queensland provided a submission to the Department of the Sustainability, Environment, Water, Population and Communities for assessment, seeking continued export approval for this fishery.

In June 2011, the departmental delegate agreed to a further short term inclusion of product derived from the fishery in the list of exempt native specimens, until 22 July 2011, to allow export from this fishery to continue while the reassessment under the EPBC Act was completed.

The submission received from Fisheries Queensland 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. The assessment also took account of measures that have been developed by Fisheries Queensland in response to the conditions and recommendations made in the 2007 assessment of the fishery.



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I am pleased to advise that the assessment of the fishery is now complete. The new assessment report will be available on the Department of Sustainability, Environment, Water, Population and Communities' web site at <http://www.environment.gov.au/coasts/fisheries/qld/east-coast-beche-de-mer/index.html>.

I consider that the management arrangements for the East Coast Bêche-de-mer Fishery meet most of the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries - 2<sup>nd</sup> Edition*. Given the lack of bycatch and byproduct due to the hand collection methods used in the fishery and the management arrangements currently in place, which include limited entry, gear restrictions and catch trigger limits, I am satisfied that the operation of the fishery remains consistent with the objects of the wildlife trade provisions of Part 13A of the EPBC Act. I am also satisfied that the operation of the fishery over the period of the declaration as an approved wildlife trade operation 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.

Accordingly, I have decided to declare the East Coast Bêche-de-mer Fishery an approved wildlife trade operation until 17 July 2014. The declaration will be subject to the conditions at **Attachment A**.

Officers from Fisheries Queensland and the department have discussed key areas requiring ongoing attention. While there are some environmental risks associated with this fishery, I believe that Fisheries Queensland is committed to addressing these issues and has already taken proactive measures in some areas. Fisheries Queensland and the department's officers have agreed to additional recommendations (**Attachment B**) to be implemented before the next Australian Government assessment of the fishery. The recommendations focus on ensuring the long term sustainable harvest of sea cucumber species.

The management regime for the East Coast Bêche-de-mer Fishery was first accredited under Part 13 of the EPBC Act, for interactions with protected species, in December 2004 and recredited in April 2008 following the replacement of the Queensland *Fisheries Regulation 1995* with the *Fisheries Regulation 2008*. I am satisfied that it continues to be unlikely that fishing operations conducted in accordance with the current management regime for the fishery will adversely affect the survival or recovery in nature of listed threatened species or adversely affect the conservation status of listed migratory species, cetaceans or listed marine species. I also consider that under the current management regime, operators are required to take all reasonable steps to avoid the killing or injuring of species listed under Part 13 of the EPBC Act.


I have therefore recredited the management regime for the East Coast Bêche-de-mer Fishery under Part 13 of the EPBC Act. Accreditation will ensure that individual fishers operating in accordance with the current management arrangements are not required to seek permits if they are at risk of killing or injuring listed species in Commonwealth waters.

Please note that my decisions relate to the management arrangements in force at the time of the assessment decision. To ensure that the decision remains valid, the department needs to be advised of any intended changes to the management arrangements and make an assessment that the new arrangements are equivalent or better, in terms of ecological sustainability, than those in place at the time of the original decision. This includes legislated amendments and operational changes that may affect the sustainability of the target species or negatively impact on byproduct, bycatch, protected species or the ecosystem.

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

As the East Coast Bêche-de-mer Fishery operates within the Great Barrier Reef Marine Park, I have copied this letter to Dr Russell Reichelt, Chairman and Chief Executive of the Great Barrier Reef Marine Park Authority, for his information.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Joanne Nathan', with a large, stylized initial 'J'.

Joanne Nathan  
Delegate of the Minister for Sustainability, Environment, Water, Population and Communities

18 July 2011



**Conditions on the approved wildlife trade operation declaration for the  
Queensland East Coast Bêche-de-mer Fishery**

1. Operation of the East Coast Bêche-de-mer Fishery will be carried out in accordance with the management regime for the fishery in force under the Queensland *Fisheries Act 1994* and the Queensland *Fisheries Regulation 2008*.
2. Fisheries Queensland to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the management arrangements that may affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. Fisheries Queensland to produce and present reports to the department annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2<sup>nd</sup> Edition*.
4. Fisheries Queensland to implement measures to ensure that, where a resource assessment is triggered for a species, catch of that species will not exceed the reference point until an agreed sustainable yield estimate, based on the results of the resource assessment, is implemented.



**Recommendations to Fisheries Queensland on the ecologically sustainable management of the East Coast Bêche-de-mer Fishery.**

1. As part of ongoing review of the performance measurement system for the East Coast Bêche-de-mer Fishery, Fisheries Queensland to further refine the management responses to annual catch exceeding review reference points, such that if the need for a resource assessment is indicated, the continuation of fishing for the triggered species is dependent on:
  - the undertaking of resource assessments within defined timeframes;
  - the implementation of appropriate catch limits related to estimated biomass;
  - the triennial review of catch limits (based on resource assessments) to ensure that the limits remain appropriate; and
  - the implementation of precautionary catch limits outside of defined areas where catch limits are based on resource assessment.
2. Fisheries Queensland to develop a statement of management arrangements for the East Coast Bêche-de-mer Fishery and condition licences to operate in accordance with that statement.
3. Fisheries Queensland, in conjunction with relevant stakeholders, to continue to identify and pursue opportunities to improve knowledge of the biological characteristics of species harvested in the East Coast Bêche-de-mer Fishery, with reference to the research priorities for the fishery identified in the *Harvest Fishery Research & Development Priorities (2008-2013)*.
4. Fisheries Queensland to:
  - further develop appropriate spatial reporting and analysis for key target species and emerging target species; and
  - demonstrate that the spatial management arrangements are appropriately managing sustainability risks related to key target species and emerging target species.
5. Fisheries Queensland to continue and encourage further co-operation with relevant jurisdictions to pursue increased knowledge and complementary management of sea cucumber resources across fisheries and across jurisdictions.



