



Senator the Hon Joe Ludwig
Minister for Agriculture, Fisheries and Forestry
Parliament House
CANBERRA ACT 2600

Dear Minister

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

In April 2011, the Australian Fisheries Management Authority submitted the *Strategic and Export Reassessment Report – Torres Strait Bêche-de-mer Fishery – April 2011*, for consideration of further export approval for the Torres Strait Bêche-de-mer Fishery.

The submission has been assessed for the purposes of Parts 13 and 13A of the EPBC Act. The assessment also took account of measures that have been developed by the Australian Fisheries Management Authority and the Torres Strait Protected Zone Joint Authority in response to recommendations made in the 2008 assessment of the fishery.

I am pleased to advise that assessment of the Torres Strait Bêche-de-mer Fishery is now complete. The assessment report will be available on the Department of Sustainability, Environment, Water, Population and Communities' website at:
<http://www.environment.gov.au/coasts/fisheries/commonwealth/torres-strait-beche-de-mer/index.html>

The policy for the Torres Strait Bêche-de-mer Fishery was first accredited under Part 13 of the EPBC Act in June 2008. I am satisfied that it continues to be unlikely that fishing operations conducted in accordance with the current management arrangements will adversely affect the conservation status of protected species, or affect the survival and recovery of listed threatened species. I also consider that under the current management arrangements operators are required to take all reasonable steps to avoid the killing or injuring of protected species.

I have therefore reaccredited the policy for the Torres Strait Bêche-de-mer Fishery under Part 13 of the EPBC Act. Accreditation ensures 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.



Given the lack of bycatch and byproduct due to the hand collection methods used in the fishery and the management arrangements in place for sea cucumber species, I am satisfied that the operation of the Torres Strait Bêche-de-mer Fishery remains 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 within the next three years. Accordingly, I have decided to declare the Torres Strait Bêche-de-mer Fishery an approved wildlife trade operation until 20 June 2014. The declaration will be subject to the conditions at **Attachment A**.

Officers from the Australian Fisheries Management Authority and the department have discussed key areas requiring ongoing and increased attention. While there are some environmental risks associated with the Torres Strait Bêche-de-mer Fishery, I believe the Protected Zone Joint Authority and the Australian Fisheries Management Authority are committed to addressing these issues and have already taken proactive steps in some areas.

Officers from the Australian Fisheries Management Authority and the department have agreed to four additional recommendations (**Attachment B**), focusing on:

- obtaining reliable estimates of commercial (community) harvest;
- developing strategies for implementing the existing draft community based harvest strategies to include meaningful performance indicators, performance measures and responses;
- continuing to identify and pursue opportunities for research on target species; and
- continuing collaborative research and management with other jurisdictions exploiting similar species.

Each of the recommendations is to be implemented before the next Australian Government assessment of the fishery.

I understand that Australian Fisheries Management Authority officers will be liaising with officers of the Protected Zone Joint Authority in the coming months regarding the recommendations. I look forward to receiving the final Protected Zone Joint Authority response on these recommendations as soon as possible.

I have written to the Hon Michael Egan, Chairman of the Australian Fisheries Management Authority Commission, in similar terms.

Yours sincerely

[Signed]

Nigel Routh
Delegate of the Minister for Sustainability, Environment, Water, Population and Communities

16 June 2011

**Conditions on the approved wildlife trade operation declaration for the
Torres Strait Bêche-de-mer Fishery**

1. Operation of the fishery will be carried out in accordance with the management regime in force under the Torres Strait *Fisheries Act 1984* and the Torres Strait *Fisheries Regulations 1985*.
2. The Protected Zone Joint Authority to inform the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the Torres Strait Bêche-de-mer Fishery management arrangements that may affect the assessment of the fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. The Protected Zone Joint Authority to produce and present reports to the Department of Sustainability, Environment, Water, Population and Communities annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

Recommendations to the Protected Zone Joint Authority on the ecologically sustainable management of the Torres Strait Bêche-de-mer Fishery

1. The Protected Zone Joint Authority to:
 - a) implement strategies to improve estimates of commercial (community) harvest from the Torres Strait Bêche-de-mer Fishery; and
 - b) develop and implement appropriate strategies to obtain improved estimates of all removals from sea cucumber stocks.

2. The Protected Zone Joint Authority to:
 - a) develop strategies for implementing the existing draft community based harvest strategies to include meaningful performance indicators, performance measures and responses;
 - b) extend the development of harvest strategies to other communities in the area of the Torres Strait Bêche-de-mer Fishery as appropriate; and
 - c) consider formalising performance indicators, performance measures and responses for those areas of the fishery not covered by community based harvest strategies.

3. The Protected Zone Joint Authority to continue to identify and pursue opportunities for research relevant to species harvested in the Torres Strait Bêche-de-mer Fishery.

4. The Protected Zone Joint Authority and the Australian Fisheries Management Authority to continue and encourage further co-operation with other relevant jurisdictions to pursue increased knowledge and complementary management of sea cucumber resources across fisheries and across jurisdictions.