



Australian Government

Department of the Environment and Water Resources

Senator the Hon Eric Abetz
Minister for Fisheries, Forestry and Conservation
Parliament House
CANBERRA ACT 2600

Dear Senator Abetz

I am writing to you as Delegate of the Minister for the Environment and Water Resources in relation to the assessment of the Coral Sea Fishery (CSF) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The CSF was strategically assessed under the EPBC Act in November 2004 and accredited under Parts 13 and 13A, and section 33 of the EPBC Act. Product from the Trawl, Line, Lobster and Trochus, Aquarium and Trap sectors of the fishery were declared exempt from the export controls of Part 13A of the EPBC Act until 19 November 2009. However, due to some uncertainties associated with the Sea cucumber sector, this sector was declared a Wildlife Trade Operation (WTO) until 19 November 2007. At a meeting on 27 June 2007 between the Department of the Environment and Water Resources (DEW) and the Australian Fisheries Management Authority (AFMA) to discuss the second assessment of the CSF, it was agreed, due to changes to the CSF management arrangements, that all sectors of the CSF would be assessed in 2007, not just the Sea cucumber sector.

In August 2007 AFMA submitted the *Strategic and Export Reassessment Report – Coral Sea Fishery, August 2007*; the *Statement of Management Arrangements, Coral Sea Fishery 2007*; and the supplementary *2007/08 Coral Sea Fishery Annual Management Arrangements Booklet*, (the AFMA 2007 submission) for consideration of further export approval of product from the CSF.

The AFMA 2007 submission, including the *Statement of Management Arrangements, Coral Sea Fishery 2007*, has been assessed for the purposes of the wildlife trade provisions of Part 13A of the EPBC Act. The assessment also took account of measures that have been developed by AFMA in response to recommendations made in the initial assessment of the CSF.

I am pleased to advise that assessment of the CSF Fishery is now complete. The assessment report will be available on the Department of the Environment and Water Resources' (DEW's) website at:
<http://www.environment.gov.au/coasts/fisheries/commonwealth/coral-sea/index.html>

I am satisfied that the operation of the CSF 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.

Given the need to take immediate action to address the more prominent risks in the CSF including finalisation of key management documents such as the ecological risk assessment and harvest strategy, I have decided to make this WTO declaration valid for a short term period expiring on 19 March 2008, to ensure AFMA gives priority to the completion of this critical work. The WTO declaration will be subject to the conditions at **Attachment A**.

While there are some environmental risks associated with the CSF, I believe AFMA is committed to addressing these issues and is already taking proactive steps in some areas. Officers from AFMA and DEW have discussed key areas requiring ongoing and increased attention. AFMA have agreed to three additional recommendations, focusing on addressing shared stocks, bycatch and compliance issues in the CSF, to be implemented before the next Australian Government review of the CSF. These recommendations can be found at **Attachment B**.

The management regime for the CSF was accredited under Parts 13 and section 33 on 12 January 2006. However, the management arrangements for the CSF have significantly changed since this accreditation was granted. The CSF is now to be managed under the *Statement of Management Arrangements, Coral Sea Fishery 2007*. DEW believe that the Statement of Management Arrangements for the Coral Sea Fishery continue to provide for the CSF to be managed in an ecologically sustainable way, as such new section 33 and Part 13 accreditation will be given to the CSF, due to changes to the CSF management arrangements.

The assessment also considered the possible impacts on species harvested in the CSF which are listed under the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES). As a party to the Convention, Australia must apply all CITES provisions of the EPBC Act to CITES listed species, such as *Cheilinus undulates* (mouri wrasse), imports and exports as appropriate. As a result of the listing, CITES specimens taken from the wild or bred in captivity may only be exported under either a single or multiple use CITES permit, issued by the International Wildlife Trade Section of DEW.

I have written to the Hon Tony Rundle in similar terms.

Yours sincerely

Claire Howlett
Delegate of the Minister for the Environment and Water Resources
16 November 2007

**Conditions on the Wildlife Trade Operation declaration for the
Coral Sea Fishery (CSF)**

1. Operation of the fishery will be carried out in accordance with the CSF management regime made under *Statement of Management Arrangements, Coral Sea Fishery 2007*, in force under the *Fisheries Management Act 1991*.
2. The Australian Fisheries Management Authority (AFMA) to inform the Department of the Environment and Water Resources (DEW) of any intended amendments to the management arrangements that may affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.
3. AFMA to produce and present reports to DEW annually as per Appendix B to the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. AFMA to develop and finalise the Harvest Strategy for the CSF by 31 July 2008.
5. By 31 December 2008 AFMA to finalise the Ecological Risk Assessment (ERA) for the CSF. AFMA to then identify and implement appropriate management responses, to address and mitigate risks and impacts identified in the ERA.

**Recommendations to the Australian Fisheries Management Authority (AFMA)
on the ecologically sustainable management of the Coral Sea Fishery (CSF)**

1. AFMA to continue to cooperate with the Queensland Department of Primary Industries and Fisheries to pursue complementary management and research of shared stocks for all target and by-product species.
2. AFMA to develop performance measures and performance indicators that take account of fishery impacts on bycatch species, protected species and the ecosystem for all sectors of the CSF by 31 December 2008.
3. AFMA to continue monitoring compliance with CSF permit conditions, management arrangements and bycatch and protected species policies and plans. Within 3 months of becoming aware that a breach of the management arrangements has occurred, AFMA to develop a clear timetable for the implementation of appropriate management responses.