



**Australian Government**

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

Our reference: 2011/10302

The Hon Bryan Green MP  
Minister for Primary Industries and Water  
Parliament House,  
Hobart,  
TASMANIA, AUSTRALIA, 7000

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 Tasmanian Commercial Dive Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In July 2011, the Department of Primary Industries, Parks, Water and Environment provided the Department of Sustainability, Environment, Water, Population and Communities with a submission for reassessment of the Tasmanian Commercial Dive Fishery under the EPBC Act.

I am pleased to advise that assessment of the Tasmanian Commercial Dive Fishery is now complete. The assessment report will be available on the department's website at: <http://www.environment.gov.au/coasts/fisheries/tas/commercial-dive/index.html>.

I am satisfied that the operation of the Tasmanian Commercial Dive 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 medium to long term.

Given the management arrangements and precautionary measures for the fishery including limited entry and specific measures such as catch limits, gear restrictions, and size limits for both sea urchins and periwinkles, I have decided to amend the list of exempt native specimens to allow ongoing export of product from this fishery for a period of five years, until 15 September 2016.

While there are some environmental risks associated with the Tasmanian Commercial Dive Fishery, I believe the Tasmanian Department of Primary Industries, Parks, Water and Environment has in place measures to address these issues. Officers from the Tasmanian Department of Primary Industries, Parks, Water and Environment and the department have discussed areas requiring ongoing attention and agreed to recommendations focussing on ensuring the continuation of good management practices. These recommendations can be found at **Attachment A**.

Please note that export decisions under the EPBC Act relate to the 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 plan 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 cooperation of your officials in this assessment.

Yours sincerely



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

6 September 2011

**Recommendations to the Tasmanian Department of Primary Industries, Parks, Water and Environment on the ecologically sustainable management of the Tasmanian Commercial Dive Fishery.**

1. Operation of the Tasmanian Commercial Dive Fishery will be carried out in accordance with the management regime in force under the *Tasmanian Living Fisheries Act 1995*
2. The Tasmanian Department of Primary Industries, Parks, Water and Environment to inform the department of any intended amendments to the management arrangements that may affect the assessment of the Tasmanian Commercial Dive Fishery against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. The Tasmanian Department of Primary Industries, Parks, Water and Environment 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*. These reports should include updates regarding current and future research information on periwinkle stocks.