



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Our reference: 2011/16294

The Hon Craig Wallace MP
Minister for Main Roads, Fisheries and Marine Infrastructure
PO 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 Marine Aquarium Fish Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Marine Aquarium Fish Fishery was most recently assessed under the international wildlife trade provisions of Part 13A of the EPBC Act in November 2008. The Delegate of the then Minister for the Environment, Heritage and the Arts subsequently declared the Marine Aquarium Fish Fishery an approved wildlife trade operation under Part 13A of the EPBC Act for a period of three years until 25 November 2011, thereby allowing export of product from the fishery.

In August 2011, Fisheries Queensland provided a submission to the Department of Sustainability, Environment, Water, Population and Communities for assessment, seeking further export approval for the Marine Aquarium Fish Fishery. The submission has been assessed for the purposes of Part 13A of the EPBC Act, taking into account measures that have been developed by Fisheries Queensland in response to the conditions and recommendations made in the 2008 assessment of the fishery.

I am pleased to advise that assessment of the Marine Aquarium Fish Fishery is now complete. The new assessment report will be available on the Department of Sustainability, Environment, Water, Population and Communities' website at: <http://www.environment.gov.au/coasts/fisheries/qld/marine-aquarium-fish/index.html>

The assessment considered the possible impacts on species harvested in the Marine Aquarium Fish Fishery which are listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). As a party to the Convention, Australia must apply all CITES provisions of the EPBC Act to imports and exports of CITES listed species as appropriate.

I am advised by the Australian CITES Scientific Authority - Marine Species that, based on available information, it is not possible to determine that the export of seahorses (*Hippocampus spp*) harvested from the QMAFF will not be detrimental to the survival of the species (a non-detriment finding). This is a result of the limited information on species distribution and abundance and population trends for seahorses in the area of the fishery.



Taking into account the current management arrangements in place in the QMAFF, I am satisfied that the operation of the fishery, apart from the harvest of species listed under CITES, 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, excluding the harvest of CITES listed species, 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 Marine Aquarium Fish Fishery, excluding the harvest of specimens of species listed under CITES, an approved wildlife trade operation for three years, until 21 November 2014. The declaration will be subject to the conditions at **Attachment A**. As seahorses are also listed under Part 13 of the EPBC Act, to provide clarity I have excluded the harvest of specimens of all species listed under Part 13 of the EPBC Act from the declaration.

Should additional information regarding seahorse populations be obtained to allow a non-detriment finding to be made, Fisheries Queensland will be able to submit a new application for export approval for the fishery, including some or all seahorse species.

Officers from Fisheries Queensland and the Department of Sustainability, Environment, Water, Population and Communities have discussed key aspects of the management of the fishery requiring ongoing attention, and have agreed to additional recommendations to be implemented before the next Australian Government assessment of the fishery (**Attachment B**).

Please note that my decision relates 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 and I seek your assurance that the recommendations will be implemented.

As the Marine Aquarium Fish 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



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

25 November 2011

**Conditions on the approved wildlife trade operation declaration for the
Queensland Marine Aquarium Fish Fishery**

1. Operation of the Queensland Marine Aquarium Fish Fishery will be carried out in accordance with the management arrangements in force under the Queensland *Fisheries Act 1994* and the Queensland *Fisheries Regulation 2008*.
2. Fisheries Queensland to advise the Department of Sustainability, Environment, Water, Population and Communities of any intended amendments to the management arrangements for the Queensland Marine Aquarium Fish Fishery that could 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 of Sustainability, Environment, Water, Population and Communities annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*

Recommendations to Fisheries Queensland on the ecologically sustainable management of the Queensland Marine Aquarium Fish Fishery

1. Fisheries Queensland to put in place arrangements which ensure that management tools for the Marine Aquarium Fish Fishery, including the ecological risk assessment and performance measurement system, are subject to periodic reviews to ensure that they:
 - take into account new information as it becomes available; and
 - remain relevant and capable of identifying when a management response is needed to maintain the ecological sustainability of the fishery.

Fisheries Queensland to continue to monitor the status of the fishery in relation to the performance measures and report annually against those measures, including any management actions implemented in response to performance triggers and the rationale for any nil management response.

2. Fisheries Queensland to implement appropriately precautionary possession limits to manage recreational take in the Marine Aquarium Fish Fishery.