



4 September 2020

Dear Torres Strait Beche-de-mer Fishery licence holder

CITES Appendix II listing and PZJA decision on a 20 tonne black teatfish opening

This letter is to advise you of the Convention on the International Trade of Endangered Species (CITES) Appendix II listing of black teatfish (*Holothuria whitmaei*) and white teatfish (*H. fuscogilva*) and a recent decision by the Protected Zone Joint Authority (PZJA) to convene a black teatfish opening.

CITES Appendix II listing of black and white teatfish

The CITES listing of black and white teatfish under Appendix II took effect on 28 August 2020. Australia's obligations under CITES are met through the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Species listed in Appendix II of CITES may only be exported, if accompanied by a CITES export permit issued by the Department of Agriculture, Water and the Environment (the Department) under the EPBC Act¹. A CITES export permit can only be issued if a positive non-detriment finding has been made for that species. A positive non-detriment finding means that the level of take of that species has been found to not be detrimental to or contribute to trade which is detrimental to the survival of the species in the wild. Non-detriment finding assessments are made by the country's CITES Scientific Authority, in Australia that is the Department.

On 28 August 2020 the Delegate of the Minister for the Environment amended the conditions of the current wildlife trade operation (WTO) declaration for the fishery to allow for the export of these two CITES listed species taken in the Fishery. A copy of the WTO is enclosed². The new conditions (conditions 7 and 8) require the PZJA amongst other things, to limit the take of white teatfish to the current 15 tonne total allowable catch (TAC) for the species and 0 tonnes for black teatfish. The total take prescribed in the new conditions were found by the Department to be non-detrimental to the species. These conditions are in place until the current WTO expires on 17 December 2020. Between now and the expiry date, future take of these species from the fishery will be reassessed as part of the reassessment of this fishery as a WTO under the EPBC Act.

PZJA decision to convene a black teatfish opening

The PZJA met on 27 August 2020 to consider a future trial re-opening for black teatfish. Taking into account the latest scientific advice and advice from members of the PZJA Hand Collectable

¹ More information on export permits can be found on the Departments website or by emailing wps@awe.gov.au. <http://www.environment.gov.au/biodiversity/wildlife-trade/cites>

² The Fishery's WTO can also be found here: <https://www.legislation.gov.au/Series/F2020N00099>

Working Group (HCWG), the PZJA agreed to a trial opening subject to a 20 tonne TAC and requirement of daily landing and reporting to AFMA of catch through the mandatory fish receiver system. The PZJA also agreed for AFMA to set the date of the opening having regard for:

- a) advice from industry recommending that the opening be convened in April 2021, and that in the meantime, meetings be held with fishers to agree on further voluntary arrangements and promote accurate daily catch and effort reporting; and
- b) impacts of the COVID-19 pandemic and AFMA's ability to communicate and monitor arrangements for an opening.

To progress the agreed black teatfish opening, AFMA will inform the Department of the PZJA's decision and as required, seek an amendment to the Fishery's WTO conditions. In doing so AFMA will continue to submit to the Department, all available scientific information and advice for the Fishery to support this process (this is also consistent with condition 8 of the WTO).

AFMA is looking forward to meeting and working with fishers and Malu Lamar (Torres Strait Islander) Corporation RNTBC to explain arrangements for a future opening. This will include daily landing and reporting of catches and exploring opportunities for voluntary reporting by fishers of more detailed daily catch and effort information and the collection of length data. Similarly AFMA wishes to understand any additional voluntary measures traditional owners wish to adopt to reinforce cultural laws with respect to who can fish and where during the opening.

In the coming weeks AFMA will commence contacting stakeholders to arrange convenient times to meet. AFMA will be inviting the traditional inhabitant members on the PZJA Hand Collectables Working Group to join these meetings. The ability to conduct face to face meetings will be subject to COVID-19 pandemic measures at the time.

Should you have any further questions on the matters covered in this letter, please contact Danait Ghebregabhier at the AFMA Thursday Island office on 07 4069 1990 or Danait.Ghebregabhier@afma.gov.au. If you would also like to receive future management updates by email or SMS please contact the AFMA Thursday Island office to update your contact details.

Yours sincerely



Selina Stoute

Senior Manager Torres Strait Fisheries
Australian Fisheries Management Authority

Enclosures

Declaration of the Harvest Operations of the Torres Strait Beche-de-mer Fishery as an approved Wildlife Trade Operation



Australian Government
**Department of Agriculture,
Water and the Environment**

Mr Wez Norris
Chief Executive Officer
Australian Fisheries Management Authority
Box 7051
Canberra BC
CANBERRA ACT 2610

Dear Mr Norris

I am writing to you as the Delegate of the Minister for the Environment in relation to new conditions being placed on the Part 13A approval of the Torres Strait Beche-de-mer Fishery (the fishery) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

At the 18th meeting of the Conference of the Parties to Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) on the 17-28 August 2019, a proposal to include three species of sea cucumber or teatfish (including *Holothuria whitmaei* and *H. fuscogilva*) in Appendix II to CITES was adopted. The listing will come into effect on 28 August 2020.

The Department, in consultation with the Australian Fisheries Management Authority, have amended the wildlife trade operation conditions for the fishery to allow for the export of CITES listed species under the EPBC Act, as the take specified in the conditions has been found to be non detrimental to the species. The amended conditions are provided at Attachment 1 and are in place until 17 December 2020.

These conditions will be reviewed when the fishery is reassessed as a wildlife trade operation by 17 December 2020.

Yours sincerely

Stephen Oxley
Delegate of the Minister for the Environment
28 August 2020

Declaration of the Harvest Operations of the Torres Strait Bêche-de-mer Fishery as an approved wildlife trade operation, August 2020

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of specimens that are or are derived from fish or invertebrates, other than specimens that belong to species listed under Part 13 of the EPBC Act (other than a species listed in the conservation dependent category), and specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia's CITES list), taken in the Torres Strait Bêche-de-mer Fishery:

1. Operation of the Torres Strait Bêche-de-mer Fishery will be carried out in accordance with the management regime in force under the Torres Strait Fisheries Act 1984.
2. The Torres Strait Protected Zone Joint Authority to inform the Department of Agriculture, Water and the Environment of any intended material changes to the Torres Strait Bêche-de-mer Fishery management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.
3. The Torres Strait Protected Zone Joint Authority to produce and present reports to the Department of Agriculture, Water and the Environment annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.
4. The Torres Strait Protected Zone Joint Authority to implement a strategy to manage the risks of overfishing and localised depletion for all species harvested in the fishery. This may include data collection and analysis protocols to manage risks, triggers and/or limits for managing harvest, and should also account for all sources of stock mortality, including commercial, recreational, Traditional and illegal harvest.
5. The Torres Strait Protected Zone Joint Authority to complete an ecological risk assessment and implement an ecological risk mitigation strategy to ensure all environmental and ecological risks are appropriately managed.
6. The Torres Strait Protected Zone Joint Authority to continue to pursue the changes necessary to facilitate reporting of interactions with species listed in Part 13 of the *Environment Protection and Biodiversity Act 1999*.
7. The Torres Strait Protected Zone Joint Authority must limit the take of the following species listed under the Convention on the International Trade of Endangered Species (CITES), from the Torres Strait Beche-de-mer Fishery to no more than:
 - a) 15 tonnes of white teatfish (*Holothuria fuscogilva*), and
 - b) 0 tonnes of Black teatfish (*Holothuria whitmaei*).

The Torres Strait Protected Zone Joint Authority must report the amount of White Teatfish harvested by weight and where available, include the number of individuals, their lengths and locations of harvest, to the CITES Scientific Authority of Australia, as part of the annual reporting referred to in Condition 3.

8. The Torres Strait Protected Zone Joint Authority to provide the Department of Agriculture, Water and the Environment with the preliminary results of the population survey for White Teatfish and Black Teatfish conducted in 2019 as soon as they become available, but no later than 18 September 2020, with final survey results provided as soon as they become available in December 2020.