



Australian Government

Department of Sustainability, Environment, Water, Population and Communities

Ref: 2012/04911

The Hon Norman Moore MLC
Minister for Fisheries
4th Floor, London House
216 St Georges Terrace
PERTH WA 6000

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 Western Australian Trochus Fishery under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In January 2012, the Western Australian Department of Fisheries submitted the 'Application to the Department of Sustainability, Environment, Water, Population and Communities on the Western Australian Trochus Fishery Against the Guidelines for the Ecologically Sustainable Management of Fisheries January 2012' for consideration of further export approval for the Western Australian Trochus Fishery.

The application has been assessed for the purposes of Part 13A of the EPBC Act, taking into account measures that have been developed by the Western Australian Department of Fisheries in response to recommendations made in the 2009 assessment of the fishery.

I am pleased to advise that assessment of the Western Australian Trochus 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/wa/trochus/index.html>

I consider that the management arrangements for the Western Australian Trochus Fishery meet most of the Australian Government 'Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition'. I am satisfied that the operation of the fishery remains consistent with the objects of the wildlife trade provisions of Part 13A of the EPBC Act, given the lack of bycatch and byproduct due to the hand collection methods used in the fishery and the management arrangements currently in place, which include limited entry, gear restrictions and minimum and maximum legal size restrictions. I am also satisfied that the operation of the fishery over the period of the export approval 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.



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Accordingly, I have decided to amend the list of exempt native specimens to allow export of product from the Western Australian Trochus Fishery to continue for a period of five years, until 17 August 2017.

While there are some environmental risks associated with the Western Australian Trochus Fishery, I believe that the Western Australian Department of Fisheries has in place measures to address these issues. Officers from the Western Australian Department of Fisheries and this department have discussed and agreed to five recommendations focussing on ensuring the continuation of good management practices. These recommendations can be found at **Attachment A**.

Please note that my decisions under the EPBC Act relate to the management arrangements in force at the time of the assessment decision. To ensure that the decisions remains valid, the Department of Sustainability, Environment, Water, Population and Communities 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 impact of the harvest in relation to target species, 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.

Yours sincerely

A handwritten signature in black ink, appearing to be 'GR' followed by a long horizontal line.

Geoff Richardson
Delegate of the Minister for Sustainability, Environment, Water, Population and
Communities

2nd August 2012

Recommendations to the Western Australian Department of Fisheries on the ecologically sustainable management of the Western Australian Trochus Fishery, August 2012.

1. Operation of the Western Australian Trochus Fishery will be carried out in accordance with the legislated management regime for the fishery made under the Western Australian *Fish Resources Management Act 1994*.
2. The Department of Fisheries Western Australia to advise the Department of Sustainability, Environment, Water, Population and Communities of any intended material change to the Western Australian Trochus Fishery's management arrangements that could affect the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* decisions are based.
3. The Department of Fisheries Western Australia 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'.
4. Department of Fisheries Western Australia to provide a confidential report on the annual catch and effort monitoring to the Department of Sustainability, Environment, Water, Population and Communities.
5. Department of Fisheries Western Australia to annually review the need for a stock assessment should concerns be raised by the Ardyaloon Aboriginal Community or if fishing activities or stock levels are determined to be beyond acceptable limits.

