



## 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 Minister Abetz

I am writing to you as Delegate of the Minister for the Environment and Water Resources in relation to the assessment of the Western Deepwater Trawl Fishery and the North West Slope Trawl Fishery, collectively known as the Western Trawl Fisheries (WTFs) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The WTFs were first assessed by the Australian Government Department of the Environment and Water Resources (DEW), formerly the Australian Government Department of the Environment and Heritage, in November 2004 under Parts 10, 13 and 13A of the EPBC Act in accordance with the Australian Government *Guidelines for the Ecologically Sustainable Management of Fisheries* (the Guidelines). In light of a number of concerns that needed to be addressed to manage environmental risks in the long term, the WTFs were declared an approved Wildlife Trade Operation (WTO), under Part 13A of the EPBC Act. This declaration allowed the export of product from the WTFs for three years. This assessment process also resulted in the WTFs gaining accreditation under section 33 of the EPBC Act and Part 13 in relation to protected species provisions under the EPBC Act.

In August 2007, the Australian Fisheries Management Authority (AFMA) submitted the *Draft Export Reassessment Report – Western Trawl Fisheries August 2007* (the AFMA 2007 submission) for consideration of further export approval of product from the WTFs. The AFMA 2007 submission, Western Deepwater Trawl Fishery Data Summary, North West Slope Trawl Fishery Data Summary, AFMA annual reports and the *Western Trawl Fisheries Statement of Management Arrangements 2004*, have been assessed under the protected species provisions of Part 13 and 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 WTFs.



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I am pleased to advise that assessment of the WTFs 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/western-trawl/index.html>

As there have been no management changes since the last assessment and noting the relatively low number of protected species interactions in the WTF, I consider that the existing Part 13 accreditation for this fishery still applies.

I am satisfied that the operation of the WTF 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 WTFs including finalisation of key management documents, namely 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 2009 to ensure AFMA gives priority to the completion of this critical work. The WTO will therefore be subject to the conditions at **Attachment A**.

While there are some environmental risks associated with the WTFs, I believe that 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. I understand that they also agreed to an additional recommended action, focusing on addressing data validation, to be implemented before the next Australian Government review of the WTFs. This recommendation can be found at **Attachment B**.

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

Yours sincerely

*[Signed]*

Claire Howlett

Delegate of the Minister for the Environment and Water Resources

15 November 2007

**Conditions on the Wildlife Trade Operation declaration for the  
Western Deepwater Trawl Fishery and the North West Slope Trawl Fishery  
(collectively known as the Western Trawl Fisheries)**

1. Operation of the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery will be carried out in accordance with the *Western Trawl Fisheries Statement of Management Arrangements 2004* made 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 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. By 31 July 2008 AFMA to:
  - a) finalise the Ecological Risk Assessment (ERA); and
  - b) finalise and implement the harvest strategy;for both the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery.
5. By 19 December 2008, AFMA to finalise and implement the management response to the risks identified in the North West Slope Trawl Fishery ERA and the Western Deepwater Trawl Fishery ERA.

## **Attachment B**

### **Recommendation to the Australian Fisheries Management Authority (AFMA) on the ecologically sustainable management of the harvest of product from the Western Deepwater Trawl Fishery and the North West Slope Trawl Fishery (collectively known as the Western Trawl Fisheries)**

1. AFMA to validate catch and effort information collected in the North West Slope Trawl Fishery and the Western Deepwater Trawl Fishery and continue to collect information on key components of the fisheries, including but not limited to, bycatch taken in the fisheries, interactions with protected species and biological information on target and by-product species.