



## Australian Government

### Department of the Environment, Water, Heritage and the Arts

Mr Glenn Hurry  
Chief Executive Officer  
Australian Fisheries Management Authority  
PO Box 7051  
CANBERRA BUSINESS CENTRE ACT 2610

Dear Mr Hurry

I am writing to you as Delegate of the Minister for the Environment, Heritage and the Arts in relation to the Wildlife Trade Operation (WTO) declaration for the North West Slope Trawl Fishery (NWSTF) and the Western Deepwater Trawl Fishery (WDWTF), collectively known as the Western Trawl Fisheries (WTFs), under Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

On 15 November 2007, the Delegate of the then Minister for the Environment and Water Resources declared the WTFs an approved WTO under Part 13A of the EPBC Act until 19 March 2009. This short term declaration was based on the need to take action to address the more prominent risks in the WTFs including finalisation of key management documents, namely the ecological risk assessment and harvest strategy.

In January 2009, the Australian Fisheries Management Authority (AFMA) provided a submission to the Department of the Environment, Water, Heritage and the Arts (DEWHA) seeking extension of the current WTO accreditation. In March 2009 AFMA provided additional information addressing the issue of data validation for the WTFs.

The 2009 submission has been assessed for the purposes of Part 13A of the EPBC Act. The assessment also took account of measures developed by AFMA in response to the recent inclusion of School Shark (*Galeorhinus galeus*) to the national threatened species list as conservation dependant.

I am satisfied that the operation of the WTFs 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.

However, there are some issues that need to be addressed to contain environmental risks including the need to ensure that the management arrangements in the WDWTF are complementary to AFMA's School Shark Stock Rebuilding Strategy 2008. Hence, I propose to declare the WTFs an approved WTO under Part 13A of the EPBC Act, subject to the four conditions at **Attachment A**. This declaration will allow the export of product from the WTFs until 15 November 2010, the three years maximum validity for a WTO.

While there are some environmental risks associated with this fishery, I consider that AFMA is committed to addressing these issues and is already taking proactive steps in most areas. Officers from AFMA and DEWHA have discussed key areas requiring ongoing and increased attention including the need to continue to ensure that a minimum of 5% observer coverage is achieved in the WTFs, the need to implement species specific identification and reporting of chondrichthyan species taken in the WDWTF and the need to continue to cooperate with other relevant jurisdictions to pursue complementary management and research for species harvested in the WTFs. As such, in addition to the conditions in the WTO declaration, AFMA has agreed to a number of recommended actions, focusing on addressing these key issues for the WTFs. These recommended actions should be implemented before the next assessment of the fishery under the EPBC Act. The recommendations at **Attachment B** have been important factors in my decision to declare the WTFs a WTO and I look forward to receiving your confirmation that they will be implemented.

Noting the improved management measures implemented in line with conditions on the previous WTO declaration, I consider that the existing Part 13 and section 33 accreditations in relation to protected species provisions under the EPBC Act still apply.

I look forward to receiving your formal endorsement of the recommendations.

Yours sincerely

*[Signed]*

Nigel Routh  
Delegate of the Minister for the Environment, Heritage and the Arts

March 2009

**Conditions on the Wildlife Trade Operation Declaration for the  
Western Deepwater Trawl Fishery and the North West Slope Trawl  
Fishery (Western Trawl Fisheries)**

**Condition 1:**

Operation of the North West Slope Trawl Fishery (NWSTF) and the Western Deepwater Trawl Fishery (WDWTF) will be carried out in accordance with the Western Trawl Fisheries Statement of Management Arrangements 2004 made under the *Fisheries Management Act 1991*.

**Condition 2:**

The Australian Fisheries Management Authority (AFMA) to inform DEWHA of any intended amendments to the management arrangements that may affect the assessment against the criteria on which *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) decisions are based.

**Condition 3:**

AFMA to produce and present reports to DEWHA annually as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries - 2nd Edition*.

**Condition 4:**

AFMA to ensure that management arrangements in the WDWTF are complementary to AFMA's School Shark Stock Rebuilding Strategy 2008

**Recommendations to the Australian Fisheries Management Authority (AFMA) for the ecologically sustainable management of the Western Deepwater Trawl Fishery (WDWTF) and the North West Slope Trawl Fishery (NWSF) collectively known as the Western Trawl Fisheries (WTFs)**

The WTFs are relatively well-managed fisheries with a range of management measures to promote the ecologically sustainable harvesting of species from the fishery.

The following recommendations have been made to further strengthen the effectiveness of the management arrangements for the WTFs and minimise environmental risks in the short to medium term. Unless a specific time frame is provided in the recommendation each recommendation must be addressed before the next review of the WTFs in 2010.

1. AFMA to continue to ensure that a minimum of 5% observer coverage is achieved in the WTFs.
2. AFMA to implement species specific identification and reporting of chondrichthyan species taken in the WDWTF.
3. AFMA to continue to cooperate with other relevant jurisdictions to pursue complementary management and research for species harvested in the WTFs.