



## Environmental Protection Authority

Esperance Port Sea and Land  
PO Box 35  
ESPERANCE WA 6450

Our Ref A617900  
Enquiries Leanne Thompson  
Phone 6145 0820

Attn: Alex Leonard

Dear Sir/Madam

**NOTICE UNDER SECTION 39A(3)  
*Environmental Protection Act 1986***

**PROPOSAL:** Port of Esperance Maintenance Dredging,  
**LOCATION:** Esperance  
**PROPONENT:** Esperance Port Sea and Land  
**DECISION:** Not Assessed – Public Advice Given

The Environmental Protection Authority (EPA) understands that you wish to undertake the above proposal which has been referred to the Authority for consideration of its potential environmental impact.

This proposal raises a number of environmental issues. However, the EPA has decided not to subject this proposal to the environmental impact assessment process and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986* (EP Act). Nevertheless, the staff of the Office of the EPA has provided the attached advice to you as the proponent, and other relevant authorities on the environmental aspects of the proposal.

The EPA's decision to not assess the proposal is open to appeal. There is a 14-day period, closing 19 August 413. Information on the appeals process is available through the Office of the Appeals Convenor's website, [www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au), or by telephoning 6467 5190.

Yours faithfully

Anthony Sutton  
Director  
Assessment and Compliance Division

5 August 2013

Encl

**PUBLIC ADVICE UNDER SECTION 39A(7)**  
***Environmental Protection Act 1986***

**ESPERANCE PORT SEA AND LAND – PORT ESPERANCE MAINTENANCE  
DREDGING**

- 1. Environmental Issues**
  - a. Marine Environmental Quality
- 2. Advice and Recommendations regarding Environmental Issues**
  - a. **Marine Environmental Quality**

The Office of the EPA notes that the proponent has committed to monitor marine water quality both during and immediately following the completion of dredging consistent with Section 8 of the *Port of Esperance 2013 Maintenance Dredging, Environmental Impact Assessment* document, July 2013. The monitoring is to ensure that the maintenance dredging proposal meets the national guidelines for marine water quality.

The Office of the EPA expects that if the proposal is implemented consistent with the commitments in the referral documentation then the proposal will not result in a significant impact to the environment.

The Office of the EPA advises the proponent to make publicly available on its website the referral documentation on which this decision is based. It should also make available the results of the marine water quality monitoring and any contingency monitoring and measures undertaken.