COMMONWEALTH OF AUSTRALIA

##### **Environment Protection and Biodiversity Conservation Act 1999**

###### DECLARATION OF AN APPROVED WILDLIFE TRADE OPERATION – QUEENSLAND CORAL FISHERY, OCTOBER 2021

I, SUSSAN LEY, Minister for the Environment, have considered in accordance with section 303FN of the *Environment Protection and* *Biodiversity Conservation Act 1999* (EPBC Act) the application from the Queensland Department of Agriculture and Fisheries, public comments on the proposal as required under section 303FR and advice on the ecological sustainability of the operation. I am satisfied on those matters specified in section 303FN of the EPBC Act. I hereby declare the operations for the harvesting of specimens that are or are derived from fish or invertebrates, taken in the Queensland Coral Fishery as defined in the management regime in force under the:

* *Fisheries Act 1994* (Queensland)
* Fisheries (General) Regulation 2019 (Queensland)
* Fisheries (Commercial Fisheries) Regulation 2019 (Queensland)
* Fisheries Declaration 2019 (Queensland)
* Fisheries Quota Declaration 2019 (Queensland)
* *Marine Parks Act 2004* (Queensland)
* Marine Parks Regulations 2019 (Queensland)
* *Great Barrier Reef Marine Park Act 1975* (Commonwealth)
* Great Barrier Reef Marine Park Regulations 2019 (Commonwealth).

but not including:

1. specimens that belong to taxa listed under section 209 of the EPBC Act (Australia’s List of Migratory Species), or
2. specimens that belong to taxa listed under section 248 of the EPBC Act (Australia’s List of Marine Species), or
3. specimens that belong to eligible listed threatened species, as defined under section 303BC of the EPBC Act, or
4. specimens that belong to taxa listed under section 303CA of the EPBC Act (Australia’s CITES List) except for specimens that belong to taxa listed in Schedule 1

to be an approved wildlife trade operation, in accordance with subsection 303FN(2) and paragraph 303FN(10)(d), for the purposes of the EPBC Act.

Unless amended or revoked, this declaration:

1. is valid until 28 October 2024 and;
2. is subject to the conditions applied under section 303FT specified in the Schedule 2.

Dated this 28 day of October 2021

Sussan Ley

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Minister for the Environment

Notes:

1. Australia’s obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are met through Part 13A of the EPBC Act. Specimens of species listed in Appendix II of Australia’s CITES list under section 303CA of the EPBC Act may only be exported, under a CITES export permit issued under the EPBC Act, if Australia’s CITES Scientific Authority has issued a non-detriment finding for that species. Further information, including a list of species for which non-detriment findings have been issued and the fisheries from which they may be sourced, is available from htttp://www.environment.gov.au/topics/biodiversity/wildlife-trade/internationally-endangered-plants-and-animals-cites/how-export.

Schedule 1

Declaration of the harvest operations of the Queensland Coral Fishery as an approved wildlife trade operation, October 2021

|  |  |  |  |
| --- | --- | --- | --- |
| *Acanthastrea amakusensis* | *Acropora microclados* | *Astreopora macrostoma* | *Echinopora mammiformis* |
| *Acanthastrea bowerbanki* | *Acropora microphthalma* | *Astreopora moretonensis* | *Echinopora pacificus* |
| *Acanthastrea brevis* | *Acropora millepora* | *Astreopora myriophthalma* | *Eguchipsammia fistula* |
| *Acanthastrea echinata* | *Acropora monticulosa* | *Astreopora ocellata* | *Euphyllia ancora* |
| *Acanthastrea hillae* | *Acropora multiacuta* | *Astreopora scabra* | *Euphyllia cristata* |
| *Micromussa lordhowensis* | *Acropora nana* | *Australogyra zelli* | *Euphyllia divisa* |
| *Acanthophyllia deshayesiana* | *Acropora nasuta* | *Balanophyllia bairdiana* | *Euphyllia fimbriata* |
| *Acanthastrea regularis* | *Acropora nobilis* | *Balanophyllia dentata* | *Euphyllia glabrescens* |
| *Acrhelia horrescens* | *Acropora palifera* | *Balanophyllia desmophyllioides* | *Euphyllia paraancora* |
| *Acropora abrolhosensis* | *Acropora palmerae* | *Balanophyllia elliptica* | *Favia danae* |
| *Acropora abrotanoides* | *Acropora plana* | *Balanophyllia stimpsonii* | *Favia danai* |
| *Acropora aculeus* | *Acropora paniculata* | *Balanophyllia yongei* | *Favia favus* |
| *Acropora acuminata* | *Acropora polystoma* | *Barabattoia amicorum* | *Favia helianthoides* |
| *Acropora anthocercis* | *Acropora prostrata* | *Blastomussa merleti* | *Favia laxa* |
| *Acropora aspera* | *Acropora pulchra* | *Blastomussa vivida* | *Favia lizardensis* |
| *Acropora austera* | *Acropora robusta* | *Blastomussa wellsi* | *Favia maritima* |
| *Acropora azurea* | *Acropora rosaria* | *Catalaphyllia jardinei* | *Favia matthaii* |
| *Acropora brueggemanni* | *Acropora samoensis* | *Caulastraea curvata* | *Favia maxima* |
| *Acropora bushyensis* | *Acropora sarmentosa* | *Caulastraea echinulata* | *Favia pallida* |
| *Acropora cardenae* | *Acropora secale* | *Caulastraea furcata* | *Favia rotumana* |
| *Acropora carduus* | *Acropora selago* | *Caulastraea tumida* | *Favia rotundata* |
| *Acropora caroliniana* | *Acropora solitaryensis* | *Coeloseris mayeri* | *Favia speciosa* |
| *Acropora cerealis* | *Acropora spathulata* | *Coscinaraea columna* | *Favia stelligera* |
| *Acropora chesterfieldensis* | *Acropora speciosa* | *Coscinaraea crassa* | *Favia truncatus* |
| *Acropora clathrata* | *Acropora squarrosa* | *Coscinaraea exesa* | *Favia veroni* |
| *Acropora crateriformis* | *Acropora striata* | *Coscinaraea wellsi* | *Favia vietnamensis* |
| *Acropora cuneata* | *Acropora subglabra* | *Ctenactis albitentaculata* | *Favites abdita* |
| *Acropora cytherea* | *Acropora subulata* | *Ctenactis crassa* | *Favites chinensis* |
| *Acropora danai* | *Acropora tenuis* | *Ctenactis echinata* | *Favites complanata* |
| *Acropora dendrum* | *Acropora torihalimeda* | *Cynarina lacrymalis* | *Favites flexuosa* |
| *Acropora desalwii* | *Acropora torresiana* | *Cyphastrea agassizi* | *Favites halicora* |
| *Acropora digitifera* | *Acropora tortuosa* | *Cyphastrea chalcidicum* | *Favites pentagona* |
| *Acropora divaricata* | *Acropora valenciennesi* | *Cyphastrea decadia* | *Favites russelli* |
| *Acropora donei* | *Acropora valida* | *Cyphastrea japonica* | *Fungia concinna* |
| *Acropora echinata* | *Acropora vaughani* | *Cyphastrea microphthalma* | *Fungia costulata* |
| *Acropora elizabethensis* | *Acropora verweyi* | *Cyphastrea ocellina* | *Fungia curvata* |
| *Acropora elseyi* | *Acropora wallaceae* | *Cyphastrea serailia* | *Fungia cyclolites* |
| *Acropora florida* | *Acropora willisae* | *Dendrophyllia alcocki* | *Fungia danae* |
| *Acropora formosa* | *Acropora yongei* | *Dendrophyllia incisa* | *Fungia distorta* |
| *Acropora gemmifera* | *Alveopora allingi* | *Dendrophyllia velata* | *Fungia fragilis* |
| *Acropora glauca* | *Alveopora catalai* | *Diploastrea heliopora* | *Fungia fralinae* |
| *Acropora globiceps* | *Alveopora fenestrata* | *Distichopora coccinea* | *Fungia fungites* |
| *Acropora grandis* | *Alveopora gigas* | *Distichopora livida* | *Fungia granulosa* |
| *Acropora granulosa* | *Alveopora marionensis* | *Distichopora nitida* | *Fungia gravis* |
| *Acropora horrida* | *Alveopora spongiosa* | *Distichopora violacea* | *Fungia horrida* |
| *Acropora humilis* | *Alveopora tizardi* | *Duncanopsammia axifuga* | *Fungia klunzingeri* |
| *Acropora hyacinthus* | *Alveopora verrilliana* | *Echinophyllia aspera* | *Fungia moluccensis* |
| *Acropora insignis* | *Anacropora forbesi* | *Echinophyllia echinata* | *Fungia patelliformis* |
| *Acropora intermedia* | *Anacropora matthai* | *Echinophyllia echinoporoides* | *Fungia paumotensis* |
| *Acropora kirstyae* | *Anacropora puertogalerae* | *Echinophyllia nishihirai* | *Fungia repanda* |
| *Acropora latistella* | *Anacropora reticulata* | *Echinophyllia orpheensis* | *Fungia scabra* |
| *Acropora listeri* | *Astreopora cucullata* | *Echinophyllia tosaensis* | *Fungia scruposa* |
| *Acropora longicyathus* | *Astreopora explanata* | *Echinopora gemmacea* | *Fungia scutaria* |
| *Acropora loripes* | *Astreopora gracilis* | *Echinopora hirsutissima* | *Fungia sinensis* |
| *Acropora lovelli* | *Astreopora incrustans* | *Echinopora horrida* | *Fungia somervillei* |
| *Acropora lutkeni* | *Astreopora listeri* | *Echinopora lamellosa* | *Fungia tenuis* |
| *Galaxea acrhelia* | *Leptoseris yabei* | *Montipora verruculosus* | *Porites lobata* |
| *Galaxea astreata* | *Lithophyllon mokai* | *Moseleya latistellata* | *Porites lutea* |
| *Galaxea fascicularis* | *Lobophyllia corymbosa* | *Mycedium elephantotus* | *Porites mayeri* |
| *Galaxea longisepta* | *Lobophyllia diminuta* | *Mycedium robokaki* | *Porites monticulosa* |
| *Goniastrea aspera* | *Lobophyllia hataii* | *Oulastrea crispata* | *Porites murrayensis* |
| *Goniastrea australensis* | *Lobophyllia hemprichii* | *Oulophyllia bennettae* | *Porites myrmidonensis* |
| *Goniastrea edwardsi* | *Lobophyllia pachysepta* | *Oulophyllia crispa* | *Porites nigrescens* |
| *Goniastrea favulus* | *Lobophyllia robusta* | *Oxypora glabra* | *Porites rus* |
| *Goniastrea minuta* | *Madracis kirbyi* | *Oxypora lacera* | *Porites solida* |
| *Goniastrea palauensis* | *Merulina ampliata* | *Pachyseris rugosa* | *Porites stephensoni* |
| *Goniastrea pectinata* | *Merulina scabricula* | *Pachyseris speciosa* | *Porites vaughani* |
| *Goniastrea retiformis* | *Micromussa diminuta* | *Pavona bipartita* | *Psammocora contigua* |
| *Goniopora columna* | *Montastrea annuligera* | *Pavona cactus* | *Psammocora digitata* |
| *Goniopora djiboutiensis* | *Montastrea curta* | *Pavona clavus* | *Psammocora explanulata* |
| *Goniopora eclipsensis* | *Montastrea magnistellata* | *Pavona danai* | *Psammocora haimiana* |
| *Goniopora fruticosa* | *Montastrea valenciennesi* | *Pavona decussata* | *Psammocora nierstraszi* |
| *Goniopora lobata* | *Montipora aequituberculata* | *Pavona duerdeni* | *Psammocora profundacella* |
| *Goniopora minor* | *Montipora angulata* | *Pavona explanulata* | *Psammocora superficialis* |
| *Goniopora norfolkensis* | *Montipora australiensis* | *Pavona maldivensis* | *Psammocora vaughani* |
| *Goniopora palmensis* | *Montipora caliculata* | *Pavona minuta* | *Sandalolitha robusta* |
| *Goniopora pandoraensis* | *Montipora capricornis* | *Pavona varians* | *Scolymia australis**(= Homophyllia australis)* |
| *Goniopora pendulus* | *Montipora corbettensis* | *Pavona venosa* | *Scolymia vitiensis**(= Lobophylla vitiensis)* |
| *Goniopora somaliensis* | *Montipora crassituberculata* | *Pectinia alcicornis* | *Seriatopora aculeata* |
| *Goniopora stokesi* | *Montipora danae* | *Pectinia lactuca* | *Seriatopora caliendrum* |
| *Goniopora stutchburyi* | *Montipora digitata* | *Pectinia paeonia* | *Seriatopora hystrix* |
| *Goniopora tenuidens* | *Montipora efflorescens* | *Petrophyllia rediviva* | *Stylophora pistillata* |
| *Heliofungia actiniformis* | *Montipora effusa* | *Physogyra lichtensteini* | *Symphyllia agaricia* |
| *Heliopora coerulea* | *Montipora floweri* | *Platygyra contorta* | *Symphyllia radians* |
| *Herpolitha limax* | *Montipora foliosa* | *Platygyra daedalea* | *Symphyllia recta* |
| *Heteropsammia cochlea* | *Montipora foveolata* | *Platygyra lamellina* | *Symphyllia valenciennesii* |
| *Heteropsammia moretonensis* | *Montipora gaimardi* | *Platygyra pini* | *Trachyphyllia geoffroyi* |
| *Hydnophora exesa* | *Montipora granulosa* | *Platygyra ryukyuensis* | *Tubastraea coccinea* |
| *Hydnophora microconos* | *Montipora grisea* | *Platygyra sinensis* | *Tubastraea diaphana* |
| *Hydnophora pilosa* | *Montipora hispida* | *Platygyra verweyi* | *Tubastraea faulkneri* |
| *Hydnophora rigida* | *Montipora hoffmeisteri* | *Plerogyra sinuosa* | *Tubastraea micrantha* |
| *Leptastrea aequalis* | *Montipora incrassata* | *Plesiastrea versipora* | *Turbinaria bifrons* |
| *Leptastrea bewickensis* | *Montipora informis* | *Pocillopora damicornis* | *Turbinaria conspicua* |
| *Leptastrea inaequalis* | *Montipora millepora* | *Pocillopora eydouxi* | *Turbinaria frondens* |
| *Leptastrea pruinosa* | *Montipora mollis* | *Pocillopora kelleheri* | *Turbinaria heronensis* |
| *Leptastrea purpurea* | *Montipora monasteriata* | *Pocillopora ligulata* | *Turbinaria mesenterina* |
| *Leptastrea transversa* | *Montipora nodosa* | *Pocillopora meandrina* | *Turbinaria patula* |
| *Leptoria irregularis* | *Montipora peltiformis* | *Pocillopora verrucosa* | *Turbinaria peltata* |
| *Leptoria phrygia* | *Montipora spongodes* | *Pocillopora woodjonesi* | *Turbinaria radicalis* |
| *Leptoseris explanata* | *Montipora spumosa* | *Podabacia crustacea* | *Turbinaria reniformis* |
| *Leptoseris foliosa* | *Montipora stellata* | *Polyphyllia talpina* | *Turbinaria stellulata* |
| *Leptoseris gardineri* | *Montipora striata* | *Porites annae* | *Tubipora musica* |
| *Leptoseris hawaiiensis* | *Montipora tuberculosa* | *Porites australiensis* | *Corallium*(Genus) |
| *Leptoseris incrustans* | *Montipora turgescens* | *Porites cylindrica* | *Cirrhipathes*(Genus) |
| *Leptoseris mycetoseroides* | *Montipora turtlensis* | *Porites densa* | *Stylaster (Genus)* |
| *Leptoseris papyracea* | *Montipora undata* | *Porites evermanni* |  |
| *Leptoseris scabra* | *Montipora venosa* | *Porites heronensis* |  |
| *Leptoseris solida* | *Montipora verrucosa* | *Porites lichen* |  |

Schedule 2

Declaration of the harvest operations of the Queensland Coral Fishery as an approved wildlife trade operation, October 2021

**ADDITIONAL PROVISIONS (section 303FT)**

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 and Part 13A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), taken in the Queensland Coral Fishery:

**Condition 1:**

The Queensland Department of Agriculture and Fisheries must ensure that operation of the Coral Sea Fishery is carried out in accordance with management regime specified in Queensland Department of Agriculture and Fisheries, and Great Barrier Reef Marine Park Authority issued permits, as well as in the following:

* *Fisheries Act 1994* (Queensland)
* Fisheries (General) Regulation 2019 (Queensland)
* Fisheries (Commercial Fisheries) Regulation 2019 (Queensland)
* Fisheries Declaration 2019 (Queensland)
* Fisheries Quota Declaration 2019 (Queensland)
* *Marine Parks Act 2004* (Queensland)
* Marine Parks Regulations 2019 (Queensland)
* *Great Barrier Reef Marine Park Act 1975* (Commonwealth)
* Great Barrier Reef Marine Park Regulations 2019 (Commonwealth).

**Condition 2**:

The Queensland Department of Agriculture and Fisheries must inform the Department of Agriculture, Water and the Environment of any intended material changes to the Queensland Coral Fishery’s management arrangements that may affect the assessment against which *Environment Protection and Biodiversity Conservation Act 1999* decisions are made.

**Condition 3:**

The Queensland Department of Agriculture and Fisheries must inform the Department of Agriculture, Water and the Environment of any intended changes to fisheries legislation that may affect the legislative instruments relevant to this approval.

**Condition 4:**

The Queensland Department of Agriculture and Fisheries must provide a new application for accreditation of the fishery, 90 days prior to the expiry of this wildlife trade operation approval as per Appendix B of the *Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition.*

**Condition 5:**

Before the commencement of the 2022–23 fishing season, the Queensland Department of Agriculture and Fisheries must undertake work to better characterise the approximate species composition of catch for species listed in Attachment A for which identification to genus-level is acceptable at export, including by:

1. introducing a scientific program to independently characterise the approximate species composition of specimens of the genus Acropora harvested from the Queensland Coral Fishery.

This should be representative of Acropora sp. harvest from all regions and habitats in which the fishery operates and be conducted at regular intervals of no greater than every 12 months. Findings must be reported to the CITES Scientific Authority as part of the annual reporting requirement under Condition 4.

**Condition 6:**

Before the commencement of the 2022–23 fishing season, the Queensland Department of Agriculture and Fisheries must implement annual harvest limits in the Queensland Coral Fishery:

1. provided in Attachment B. These limits are to remain in place until robust data is presented to the satisfaction of the CITES Scientific Authority to underpin a revised Non-Detriment Finding.
2. for all species with a catch history in the fishery during the reference period used in the Harvest Strategy (except those species of concern listed in Table 1) and have a catch limit of 150% of the harvest level in the reference period.
3. of 600 kg for all other CITES listed coral species harvested in the fishery.

**Condition 7:**

The Queensland Department of Agriculture and Fisheries must:

1. for the remainder of the 2021–22 fishing season, work with industry to limit catch within the current season to as close as practicable to the harvest limits outlined in Condition 6.
2. before the commencement of the 2022–23 fishing season, inform the Department of Agriculture, Water and the Environment of what mechanism will be used to enforce the harvest limits outlined in Condition 6.
3. from the commencement of the 2022–23 fishing season, actively manage harvest within the limits specified in Condition 6.

**Condition 8:**

By 30 June 2022, the Queensland Department of Agriculture and Fisheries must publish a revised Ecological Risk Assessment for the Queensland Coral Fishery.

**Condition 9:**

The Queensland Department of Agriculture and Fisheries must, within 90 days of a disturbance event occurring in the Queensland Coral Fishery, inform the CITES Scientific Authority of any potential impacts these may have on the Non-Detriment Finding determinations, including management responses implemented.

**Recommendation 1:**

The Queensland Department of Agriculture and Fisheries to provide the facility for fishers in the Queensland Coral Fishery to report harvest of all species listed in Attachment A to species-level. This should be supported by guidance materials and expert review of records where fishers identify knowledge gaps.

**Recommendation 2:**

Queensland Department of Agriculture and Fisheries to work with the coral harvest industry to develop a traceability framework for the QCF that supports distinguishing wild harvested corals from captive bred corals.

**Attachment A**

Hard coral (order Scleractinia) taxa where identification to genus level is acceptable but should be identified to species level where feasible. All other hard corals should be recorded to species.

• Acropora

• Agaricia

• Alveopora

• Anacropora

• Astreopora

• Balanophyllia

• Barabattoia

• Blastomussa

• Caulastraea

• Coelastrea

• Coeloseris

• Coscinaraea

• Cyphastrea

• Dendrophyllia

• Dipsastrea

• Distichopora

• Echinophyllia

• Echinopora

• Favites

• Fungia

• Galaxea

• Goniastrea

• Goniopora

• Heteropsammia

• Hydnophora

• Isopora

• Leptastrea

• Leptoria

• Leptoseris

• Lobophyllia

• Merulina

• Montastrea

• Montipora

• Oculina

• Oulophyllia

• Oxypora

• Pachyseris

• Paragoniastrea

• Paramontrastrea

• Pavona

• Pectinia

• Platygyra

• Pocillopora

• Porites

• Psammocora

• Seriatopora

• Siderastrea

• Stylaster

• Stylocoeniella

• Stylophora

• Turbinaria

**Attachment B**

**Annual harvest limits for species of concern**

|  |  |
| --- | --- |
| Taxa | Harvest limit (kg) |
| *Acropora* spp. | 19,500 |
| *Micromussa lordhowensis* | 3,715 |
| *Homophyllia* cf. *australis* | 1,065 |
| *Trachyphyllia geoffroyi* | 701 |
| *Acanthophyllia deshayesiana* | 600 |
| *Catalaphyllia jardinei* | 1,772 |
| *Fimbriaphyllia ancora* | 1,863 |
| *Euphyllia glabrescens* | 926 |
| *Duncanopsammia axifuga* | 966 |
| *Cycloseris cyclolites* | 600 |
| *Montipora* spp. | 1,099 |