

2012 MAFWA Committee Report on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

MEETING TIME & PLACE

CITES 26th Animals Committee Meeting March 15-24, 2012, Geneva, CH and Dublin, IE
AFWA Annual Meeting, September 2011; Omaha, NE

Joint State/Federal CITES Meeting & AFWA International Relations Committee
Interagency CITES Coordination Committee, hosted monthly by USFWS in Washington DC
CITES Technical Work Group also conducted business via numerous conference calls

CITES TECHNICAL WORK GROUP REPRESENTATIVES

Carolyn Caldwell- MAFWA (Ohio Division of Wildlife)
Jack Buckley- NEAFWA (Massachusetts Division of Fisheries and Wildlife)
Buddy Baker- SEAFWA (Louisiana Department of Wildlife & Fisheries)
Noel Kinler- SEAFWA (Louisiana Department of Wildlife & Fisheries)
Bob Broscheid- WAFWA (Arizona Game & Fish Department)
Deb Hahn- Association of Fish & Wildlife Agencies
Curtis Taylor- U.S. CITES Delegate Representing the State Fish & Wildlife Agencies and
International Relations Committee Chair (West Virginia Division of Natural Resources)

EXECUTIVE SUMMARY

International wildlife trade is estimated to be worth billions of dollars annually. Trade is diverse, ranging from live animals to a wide array of products derived from them including food products, fur and leather goods, tourist curios, and medicine. CITES (Convention on the International Trade in Endangered Species of Wild Fauna and Flora) is an international trade treaty enacted in 1973 to ensure that international trade in specimens of wild animals and plants does not threaten species' survival. CITES works by subjecting international trade in specimens of selected species to certain controls. These require that all imports, exports and re-exports of CITES species have to be authorized. The species covered by CITES are listed in three Appendices, according to the degree of protection they need. Appendix I includes species threatened with extinction. Trade in specimens of these species is only permitted in exceptional circumstances. Appendix II includes species not necessarily threatened with extinction, but for whom trade must be controlled in order to avoid utilization incompatible with their survival. Appendix III contains species that are protected in at least one country, which has asked other CITES countries for assistance in documenting trade.

International treaties impact state fish and wildlife agencies and represent a continuous and pressing challenge to resource management. Left unchecked, additional regulations and burdensome oversight will result from restrictions adopted through these international treaties. For example, some state management and harvest decisions for bobcats and river otters stem from restrictions dictated by the federal government resulting from CITES actions taken more than three decades ago. The original intent of CITES was to ensure globally sustainable use of natural resources. Over the past decade, NGO participation (e.g., HSUS and the Animal Welfare Institute) has greatly increased and pushed a protectionist/no use approach in CITES for well managed species. Protectionists outnumber sustainable use advocates 6:1.

The U.S. Fish and Wildlife Service (USFWS), Office of International Affairs, administers CITES for the United States. The USFWS solicits input and feedback on issues of importance from the state fish and wildlife agencies through the CITES Technical Work Group of the International Relations Committee of AFWA. The Technical Work Group consists of one representative from each of the four regional associations who work on behalf of states in concert with the USFWS on CITES matters. This state-federal partnership has been effectively working since 1994.

CITES updates presented in greater detail in this document include: 1) Federal Register Notice Concerning Potential Amendments to the CITES Appendices; 2) Project to Develop Biological Reference Points and Identify the Status of the Stock for Fishery Management of Paddlefish (*Polyodon spathula*) in the Mississippi River Basin; 3) Alligator and Furbearer Tag Failure, 4) 26th CITES Animals Committee; 5) Turtle Farming Workshop, 6) CITES Technical Work Group & Louisiana Department of Wildlife and Fisheries Hosts Chinese CITES Delegation; 7) Hellbender CITES Appendix III Listing; 8) Comments on Proposed Revisions to Implementing CITES Within the U.S.; and 9) River Otter Nationwide Non-detriment Finding, and 10) NCN and MSG Proposal.

DIRECTOR ACTION ITEMS

Your timely response to CITES related requests throughout the year is appreciated. No items are in need of action by the MAFWA Directors at this time.

DIRECTOR INFORMATION ITEMS

Federal Register Notice Concerning Potential Amendments to the CITES Appendices

The U.S. Fish and Wildlife Service (USFWS) is considering a list of species as proposed amendments to the CITES Appendices for consideration at the Conference of the Parties to CITES (CoP16) tentatively scheduled March 3–15, 2013. The species they decide to take to CoP16 will be considered for new listings or amendments to the CITES Appendices. Changes to the CITES Appendices species lists impact how species are regulated under CITES. The CITES Technical Work Group of the AFWA International Relations Committee has solicited input from the States and will be drafting a response letter for each regional association to consider submitting to the USFWS before they finalize their position on each species. The letter is intended to focus on biological or harvest information provided by the States for the proposed species. The final draft letter will be submitted to each Regional Association Executive Committee for their consideration and a copy will be provided to each state wildlife agency Director.

Project to Develop Biological Reference Points and Identify the Status of the Stock for Fishery Management of Paddlefish (*Polyodon spathula*) in the Mississippi River Basin

The CITES Technical Work Group has partnered with the USFWS to undertake a range-wide paddlefish project to enhance our knowledge of paddlefish population dynamics, productivity and ability to sustain fishing pressure. The development of biological reference thresholds is critical to responsible stewardship of paddlefish resources in Mississippi River Basin. Without such measures the paddlefish may experience a serious risk of commercial and biological extinction.

The principal investigator for this work will be Alexei Sharov (Maryland DNR). This one year project is slated to begin later this summer and is intended to 1) Quantify principal parameters for paddlefish populations (growth, maturity, fecundity, natural and fishing mortality, stock – recruitment relationship, spatial aspects of population parameters variability); 2) Develop a set of

biological reference points including thresholds and targets for fishing mortality and population abundance that will ensure population health and sustainability; 3) develop metrics suitable for the definition of population status; 4) make recommendations for uniform management regulations for commercial and recreational fisheries that will allow them to achieve maximum sustainable yield; and 5) conduct a workshop with the State wildlife and fisheries agencies to present and discuss the results of the assessment.

Alligator and Furbearer Tag Failure

To implement CITES, the USFWS requires the use of CITES tags on skins of American alligator (*Alligator mississippiensis*), bobcat (*Lynx rufus*), brown bear (*Ursus arctos*), Canada lynx (*Lynx canadensis*), grey wolf (*Canis lupus*), and river otter (*Lontra canadensis*) exported from the United States. In February 2012 it was discovered that some of the locking devices on the alligator tags were malfunctioning. It was also determined that some tags on fur skins were also malfunctioning but to a lesser degree. Overall, the failure rates were significantly higher than normal for these fur skin and alligator tags. The USFWS continues to work closely with the Louisiana Department of Wildlife and Fisheries, those states impacted by malfunctioning furbearer tags, and the manufacturer. All state agency furbearer biologists have also been kept informed. The manufacturer is replacing the tags and beginning to address the causes of tag malfunctions. The USFWS also provided a notice to the CITES signatory countries.

26th CITES Animals Committee

The MAFWA, NEAFWA, and WAFWA CITES Technical Work Group members and Deb Hahn (AFWA) represented the state fish and wildlife agencies at the CITES 26th Animals Committee meeting held March 15-24, 2012.

The Animals Committee discussed 21 substantive agenda items, including but not limited to: climate change, non-detriment findings; the review of significant trade in Appendix II species; the periodic review of animal species included in the Appendices; amendments to the Appendices; sharks; snakes and turtles; and sturgeon. Over 200 people were registered for the meetings which included a significant number of NGOs representing groups such as the Humane Society International, ProWildlife, and the Animal Welfare Institute. These organizations participated in all of the working groups and were vocal concerning nearly every matter before the Animals Committee. Fourteen working groups formed during the meeting to advance matters related to agenda topics. In cases where issues of importance to the state agencies were discussed more details have been provided below.

- **Climate Change**

The CITES Technical Work Group has been monitoring this issue. At this meeting a report was presented from the intersessional work group on climate change. The majority of participants felt additional guidance on climate change was not necessary and that climate change is just one of many impacts to biodiversity and that additions or changes to the Conventions, its resolutions, and its processes were not necessary.

- **Non-Detriment Findings**

Non-detriment findings (NDFs) ensure that commercial trade in specimens of Appendix-II listed species is sustainable and non-detrimental to the survival of species in the wild. However, many

countries lack the necessary capacity to make appropriate NDFs. Many countries also need technical training and guidance to improve the capacity of countries to make appropriate NDFs.

A joint working group was formed to continue efforts on this issue. The problem is that few individual countries are being included in this group but a number of NGOs are being allowed/invited to participate. The USFWS asked the CITES Technical Work Group to participate in an attempt to elevate sound scientific decision making on this issue. Bob Brosheid (WAFWA CITES Technical Work Group Member) participated as a member of the Working Group and provided direction supporting the development of broad guidance on the development of NDFs. The state agencies believe that a prescriptive approach would tie the hands of USFWS and the state agencies when they develop NDFs.

- **Tortoises and Freshwater Turtles**

A work group was formed to assess progress with the non-detriment findings (NDFs) study to identify and discuss factors that are of particular relevance for tortoises and freshwater turtles and to review the results of two workshops on tortoises and freshwater turtles, which were organized in 2010 in North America and in 2011 in Asia; and recommend appropriate next step actions. Because of growing demand for tortoises and freshwater turtles in international markets the CITES Technical Work Group has been actively engaged in this issue for more than a decade.

- **Sturgeon and Paddlefish**

A member of the AFWA CITES Technical Work Group participated in the two day Working Group because of its relevance to the future management of paddlefish in regards to the methodology for stock assessment of sturgeon and paddlefish.

The Working Group focused on changes to caviar labeling, reporting requirements by the Secretariat under the resolution, and stock assessment methodology currently being used by Caspian Sea states to assess the status of sturgeon stocks. The Working Group included representatives from the Islamic Republic of Iran, Russian Federation, Canada, Germany, Saudi Arabia, China, Poland, International Caviar Importers Association, United States, IWMC, and TRAFFIC.

Turtle Farming Workshop

On November 1-4, 2011 the USFWS, the CITES Technical Work Group, and Louisiana Department of Wildlife and Fisheries convened a workshop to develop best management practices for turtle farms operating in the United States. The goal of the meeting was to Develop Best Management Practices for Turtle Farming in the U.S. in order to improve trade practices and industry standards while minimizing impacts to wild turtle populations, farmers, regulators, researchers and other stakeholders. The group identified the issues pertaining to, or that should be incorporated into, Best Management Practices; established a framework/plan that could be used in the development of Best Management Practices guidelines; and identified contributors (authors) to draft the guidelines. The workshop convened 26 specialists--7 state agencies with turtle farms (AL, AR, FL, GA, LA, MS, OK), federal government agencies, nongovernmental organizations, four universities, and three turtle farming operations. The BMPs are being drafted and should be available for review in the near future.

CITES Technical Work Group & Louisiana Department of Wildlife and Fisheries Hosts Chinese CITES Delegation

The Chinese CITES Authority recently met with the U.S. to share information on CITES matters and to more fully understand treaty implementation, procedures, and practices. On April 16th & 17th, 2012 the Louisiana Department of Wildlife and Fisheries, led by Buddy Baker SEAFWA CITES Technical Work Group representative, hosted the group for a two-day field trip to observe alligator and turtle management. The group explored both wild caught and farmed trade issues. Don Ashley (IUCN Crocodile Specialist Group) helped facilitate discussions concerning alligator products manufactured and distributed as personal effects. The Chinese government has stricter domestic policy on personal effects which hinders trade in American alligators in that country. Since 30% of future growth in crocodilian trade is projected to come from the Pacific Rim, it's important that we try to remove barriers that are an impediment to trade in that region. The two days were productive and good relations were established with the Chinese delegation.

Hellbender CITES Appendix III Listing

The USFWS final rules to list the Ozark hellbender as an endangered species and to include hellbenders [*Cryptobranchus alleganiensis* sp. (Eastern & Ozark subspecies)] in Appendix III of CITES were published in the Federal Register on October 6, 2011. Effective April 3, 2012, the CITES Appendix III listing requires any person wishing to export any hellbender, live or dead whole specimens or readily recognizable parts, products, and derivatives to apply for a permit and provide proof of legal acquisition. This listing also provides a mechanism to monitor trade worldwide. An Appendix III listing is not a panacea that will sustain the species by itself, but it is a means of reducing the incentive of poachers to remove hellbenders from the wild. In Asia people have paid up to \$1,700 for a single hellbender.

Comments on Proposed Revisions to Implementing CITES Within the U.S.

With input from the States, comments were submitted addressing proposed revisions to the implementation of CITES as drafted by the USFWS stemming from amendments to CITES Resolutions and Decisions implemented at the 15th Conference of the Parties. The letter was sent to the USFWS on May 2, 2012 on behalf of the Association of Fish and Wildlife Agencies, the International Relations Committee CITES Technical Work Group, and the Sustainable Wildlife Use Committee Furbearer Conservation Technical Work Group. The comments focused on the definitions of "furbearer" and "Ranch Wildlife," issuing replacement tags for alligator & furbearer exports, and the export of alligator skulls and parts.

River Otter Nationwide Non-detriment Finding

The USFWS anticipates completion of the nationwide finding for river otter by the end of July. This finding would then be in place before the next river otter season begins. Keep in mind the nationwide finding is for states with open harvest seasons for river otter and will not include states that do not allow direct harvest of river otter. In those states with closed seasons, like North Dakota and Pennsylvania, applications for the export of incidentally killed otters will need to be submitted on a case-by-case basis to the USFWS CITES Management Authority. Of course, once an otter season is "open" for the first time, the state would automatically fall under the nationwide find. The Furbearer Conservation Technical Work Group and the CITES Technical Work Group have continued efforts with the USFWS to streamline the process as much as possible.

NCN and Multi-State Grant Proposal

A multi-state grant (MSG) proposal entitled, "Protect State Fisheries and Wildlife Agencies' Authority to Manage Wildlife Resources in Concert With Federal Actions Required by International Treaties and Conventions" was submitted to support the efforts of the CITES Technical Work Group. The state fisheries and wildlife agencies have found in order to weigh in on CITES decisions requires regular participation in the decision meetings for CITES and is most effectively and efficiently implemented through regional association representation. This is the basis of the CITES Technical Work Group, which can monitor and participate in CITES meetings where decisions affecting states may be made. The USFWS recognizes the CITES Technical Work as partners and are included in all aspects of CITES international negotiations and domestic implementation. While personnel time for this activity is covered by the individual state wildlife agency, all other expenses can be covered under the MSG.

TIME & PLACE OF NEXT MEETING

AFWA Annual Meeting, September 2012; Hilton Head, SC
Joint State/Federal CITES Meeting & AFWA International Relations Committee

Respectfully submitted by,

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