

# **2011 MAFWA Committee Report on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)**

## **MEETING TIME & PLACE**

76th North American Wildlife & Natural Resource Conference, March 2011; Kansas City, MO

Joint State/Federal CITES Meeting & AFWA International Relations Committee

100<sup>th</sup> AFWA Annual Meeting, September 2010; Grand Rapids, MI

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)

Buddy Baker- SEAFWA (Louisiana Department of Wildlife & Fisheries)

Bob Broscheid- WAFWA (Arizona Game & Fish Department)

Jack Buckley- NEAFWA (Massachusetts Division of Fisheries and Wildlife)

Noel Kinler- SEAFWA (Louisiana Department of Wildlife & Fisheries)

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**

CITES (Convention on the International Trade in Endangered Species of Wild Fauna and Flora) is an international trade agreement among countries 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 34 years ago. The original intent of CITES was to ensure globally sustainable use of natural resources. However, today this arena is a place for extremists to promote preservation instead of

conservation using emotional rhetoric instead of biological and scientific facts. Extremists will continue to be a threat to state management authority.

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.

Three items are presented in greater detail in this document: 1) Bobcat and River Otter Tagging, 2) Freshwater and Terrestrial Turtles, and 3) Hellbender CITES Appendix III Listing.

### **DIRECTOR ACTION ITEMS**

We greatly appreciate your response to requests throughout the year that have required immediate attention. No items are in need of action by the MAFWA Directors at this time.

### **DIRECTOR INFORMATION ITEMS**

#### **Bobcat and River Otter Tagging**

CITES regulates the international trade of river otter and bobcat because these common North American furbearers have a close resemblance to rare species native to other countries. For 34 years, USFWS has used a plastic pelt seal to confirm that any given bobcat or river otter pelt could be exported out of the U.S. This means that state wildlife agencies have been required to use CITES tags to mark bobcat and river otter taken in their states for export outside of the U.S.

Beginning in 2003, the AFWA and the USFWS established a “work group” to address the CITES obligations pertaining to river otter and bobcat. The work group’s final report was issued on September 15, 2005, and included the elimination of the specific requirement to use federal CITES tags for river otter and bobcat. This report continues to have the strong support of the Association’s executive committee.

While a number of the work group’s recommendations have already been implemented, we have not yet eliminated the unnecessary tagging of river otter and bobcat. This requirement is very costly to state agencies, is not mandated by CITES, and provides no “added value” for the sound management of these two abundant furbearers in the United States.

During the summer of 2009, the AFWA and the USFWS reached agreement on an acceptable method of eliminating the tagging requirements while fulfilling the obligations pursuant to CITES to document the legal acquisition of exported river otter and bobcat. It was the States’ understanding that this recommendation would be adopted and effective for the 2010 trapping season.

However, at the AFWA annual meeting in September 2009, the USFWS informed the States that the Service desired to postpone implementing the alternative tagging methodology as a result of concerns raised by the U.S. Department of the Interior Office of the Solicitor. Essentially the

USFWS could only agree to eliminate tagging if an alternative “chain of custody” process could be substituted. However, no other chain of custody process could be devised that the fur industry did not feel was equally cumbersome to them. Even though chain of custody is not a requirement of CITES, the USFWS felt it necessary due to the risk of litigation associated with any perceived “de-emphasis” on controlling bobcat and otter fur movement within the U.S.

In August 2010, Gordon Batcheller (Fur Resources Technical Committee) and Craig Hoover of the USFWS met with representatives of the fur industry in Wisconsin to discuss alternative tagging. The fur industry believes at this stage, the tag is the simplest and most efficient way to mark legally obtained pelt for export from the U.S.

The USFWS, with the assistance of the Fur Resources Technical Committee, is developing a clarification document for state wildlife agencies concerning the purpose of the tags, acceptable distribution methods and use. Gordon Batcheller is also developing a document summarizing the history of this issue and future steps being undertaken. This document should be completed and distributed in June, 2011.

The Fur Resources Technical Committee and the CITES Technical Work Group will continue efforts with the USFWS to streamline the furbearer export permit program for state wildlife agencies and develop a nationwide non-detriment finding for river otter similar to what was implemented for the bobcat.

### **Freshwater and Terrestrial Turtles**

With the assistance of PARC and the CITES Technical Work Group, the USFWS International Wildlife Trade Program hosted a state-federal agency workshop entitled “Conservation and Trade Management of Freshwater and Terrestrial Turtles in the United States in St. Louis, September 21-24, 2010. Ninety people representing 36 states participated to discuss the pressing management, regulatory, scientific, and enforcement needs associated with the harvest and trade of freshwater turtles in the United States. The USFWS was responding to a significant increase in the export of native turtles, particularly to Asia, and has been monitoring this situation closely. All the state wildlife agencies were invited and funding was provided for all state government participants. In addition, the Service supported a number of government, academic, and conservation group turtle researchers with specialized knowledge for this four-day meeting. The IUCN Tortoise and Freshwater Turtle Specialist Group provided technical advice and prepared draft revised assessments of native turtle species for the workshop participants to consider. Participants developed three sets of recommendations pertaining to conservation, management, and law enforcement in the turtle trade. As a result of the discussions and presentations the states were in consensus that there will continue to be high international demand for wild-collected turtles from the United States.

The USFWS launched a webpage to provide the workshop's results and recommendations to the general public and the conservation, scientific, and wildlife law enforcement communities ([http://www.fws.gov/international/DMA\\_DSA/CITES/animals/turtles.html](http://www.fws.gov/international/DMA_DSA/CITES/animals/turtles.html)). The Service hopes to facilitate implementation of as many of the recommendations from the workshop as possible. Some of these recommendations are being integrated into the AFWA Amphibian & Reptile Subcommittee regulatory assessment recommendations that will soon be available.

During the 76<sup>th</sup> North American Wildlife & Natural Resource Conference the USFWS International Affairs Program, the CITES Technical Work Group, and the Amphibian and Reptile Subcommittee invited State Directors to an event to hear about and discuss conservation of native U.S. turtles. The event included a presentation on the status of turtles in the US and worldwide by Anders G.J. Rhodin, M.D., Chair of the IUCN/SSC Tortoise and Freshwater Turtle Specialist Group. Dr. Rhodin noted that the U.S. has the highest species richness of turtles & tortoises in the world (57 species).

### **Hellbender CITES Appendix III Listing**

The USFWS proceeded with a CITES Appendix III listing for the hellbender [*Cryptobranchus alleganiensis* sp. (Eastern & Ozark subspecies)] published September 8, 2010 in the Federal Register (75 FR 54579). A CITES Appendix III 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 will also provide 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.

Also, on September 8<sup>th</sup> in a separate but related action, the USFWS' Endangered Species Program published a proposal to designate the Ozark hellbender as endangered throughout its entire range (75 FR 5461).

### **TIME & PLACE OF NEXT MEETING**

25<sup>th</sup> Animals Committee Meeting, July 2011; Geneva

Respectfully submitted by,

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