



May 26, 2022

Public Comments Processing  
Attn: FWS-HQ-IA-2021-0008  
U.S. Fish and Wildlife Service, MS: PRB  
5275 Leesburg Pike  
MS: BPHC  
Falls Church, VA 22041-3803

Dear Sir/Madam:

This letter responds to the public notice by the United States Fish and Wildlife Service (USFWS) titled, "Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Nineteenth Regular Meeting: Taxa Being Considered for Amendments to the CITES Appendices." On behalf of the Association of Fish and Wildlife Agencies (Association), the professional association that serves as the collective voice of North America's state, provincial and territorial fish and wildlife agencies on a broad spectrum of biodiversity and conservation issues from migratory bird conservation to invasive species management to engagement in international treaties and conventions, and the International Relations Committee's CITES Technical Work Group, the following comments are being offered.

**Short-tailed albatross (*Phoebastria albatrus*) and Aleutian cackling goose (*Branta hutchinsii leucopareia*):** As supported by the periodic review process, the Association supports the transfer of these two species from Appendix I to Appendix II.

**Caribou (*Rangifer tarandus*):** Given the existing protections and management programs already in place to protect sustainable caribou populations in North America and given there is no evidence poaching or international trade in caribou parts threaten the species, the Association opposes an Appendix II or I listing of caribou.

Caribou are distributed throughout the northern latitudes of North America from the Aleutian Islands of Alaska east throughout Canada. Natural cyclic variation observed in wild caribou herds in both abundance and distribution over time is common and trends in abundance are better measured over decades and not years. Large population fluctuations can be observed in caribou populations with factors such as weather, vegetation, predators, disease, as well as density-dependent processes impacting population dynamics.

Caribou are vital culturally, economically, and ecologically throughout their range. Caribou are important sources of food through subsistence hunting and are culturally important to indigenous communities. Human harvest of caribou in North America is highly regulated with State/Provincial/Territorial governments determining and permitting sustainable harvest (or not

allowing human harvest at all, depending on the specific caribou population) ensuring that harvest will not have a negative impact on populations. Additionally, harvest of caribou in North America is almost exclusively for domestic subsistence or personal use with indigenous harvest being a large portion of the overall harvest, this is especially true in Canada. Also, there is no evidence that poaching or illegal international trade in caribou threatens the species.

There are a few small, domesticated reindeer operations in Alaska but they are regulated to ensure that they do not have an impact on the wild populations. In most instances, Alaska prohibits the collection of wild caribou for the purpose of starting or replenishing commercial caribou (reindeer) herds. In those instances where wild collection is allowed, Alaska prepares a statement examining the probable environmental impact of the action, and certifies the animals are surplus and unnecessary to sustained yield management of the resource. Additionally, Alaska has strict laws that prohibit the release of any animals that are raised in captivity into the wild. These regulations in turn protect the wild herd from overexploitation for the purposes of commercial (including international) trade.

The Government of Canada, under section 11 of the Species at Risk Act, has entered into conservation agreements with most provinces and territories, and some indigenous organizations, to benefit caribou and enhance its survival in the wild. The overarching goal of these Agreements is to achieve and maintain self-sustaining populations of caribou, by maintaining at the landscape scale the ecosystems they require, and by implementing conservation measures to achieve protection of caribou and their habitat.

The Table (CoP19 Extended Web Version) associated with the Federal Register document the USFWS states the Law Enforcement Management Information System Database (LEMIS) shows high trade in United States caribou, and that trade is in bone, horn, leather, trophies and meat. However, this information is incomplete and misleading. Because the majority of caribou are harvested for personal consumption, these data largely reflect quantities of meat and parts moving from Alaska to Alaska—transporting by road from northern Alaska to southeastern Alaska requires travel through Canada and requires that caribou meat or parts be declared at the international border crossing, even if they are for personal consumption. These declarations do not reflect “trade” in caribou as many of these animals are harvested domestically, transported back and forth over the international border, and consumed domestically—this is not international trade.

Comparative to Alaskan residents who harvest approximately 22,000 caribou annually for food, only a few thousand nonresident hunters, primarily from the lower 48 states (domestic hunters also travel across the Canadian border when transporting meat and parts home), Europe, and Mexico, travel to Alaska each fall to hunt caribou. There may be a small amount of international trade in caribou “parts” by indigenous people, beyond the hunted animals. This trade is in caribou “parts” that go into crafts and garments made and sold by indigenous artisans. However, each piece, even with just a tiny bit of caribou antler or fur would count as a single “part”, even though many crafts and/or garments could be derived from a single animal.

**American ginseng (*Panax quinquefolius*):** We agree with the recommendation of the USFWS and do not support a proposal to exclude sliced ginseng root from CITES regulations. Excluding sliced root from CITES regulations could provide a mechanism for illegally collected ginseng to enter the market. Slicing ginseng roots will render wild and cultivated ginseng roots indistinguishable. Given the variability of ginseng roots, a clear means for distinguishing wild and cultivated ginseng product is necessary. Nine State Agencies, including the top four with the largest annual wild-harvest volumes, strongly oppose a sliced root exemption because of the identification challenges it poses to law enforcement.

**Desert Horned Lizards (*Phrynosoma platyrhinos*):** Regulations prohibiting commercial collection of desert horned lizards exist in all states where the species is found in the wild. It is uncertain if listing the species in the CITES appendices would add to the conservation of the species in the United States.

**Timber rattlesnake (*Crotalus horridus*):** Timber rattlesnakes are well regulated throughout their U.S. range. Many states, where populations may be at risk, have developed plans and are implementing measures to conserve and monitor their populations. Attached is more detailed information from the States which was provided to the USFWS last fall. The LEMIS data does not indicate significant exports. While a variety of threats such as habitat loss, disease, human persecution, and illegal collection are known to occur, we do not believe an Appendix II listing is warranted or will aid in the conservation of this species.

**Florida softshell turtle (*Apalone ferox*), Smooth softshell turtle (*Apalone mutica*), and Spiny softshell turtle (*Apalone spinifera*) – Transfer 3 species from Appendix III to Appendix II:** The LEMIS database makes clear that both *Apalone ferox* and *Apalone spinifera* are heavily traded species and that the majority of animals traded originate from captive breeding/farming operations. There is no LEMIS information available for *Apalone mutica*. The international demand for all three species is predominantly for food. Throughout the wide geographic range of the three species, few states list them with elevated conservation concern, and the majority of states still allow for some level of recreational or commercial collection. Because the species are subject to strict regulations at the state level and there is little evidence that the current trade in these species threaten their existence in the wild, the Association does not support an Appendix II listing.

**Common snapping turtle (*Chelydra serpentina*) – Transfer from Appendix III to Appendix II:** *Chelydra serpentina* is traded internationally at extraordinary volumes. Similar to the softshell turtles, the majority of international demand for common snapping turtles is for food, and most of this demand is met via captive breeding/farming operations. The species is vulnerable to a host of threats and is subject to an inherent vulnerability to population declines because it is slow to grow and reproduce. However, it is a wide-ranging species and remains common throughout most of its range, where it is subject to strict state regulations. The Association does not support an Appendix II listing.

**Alligator snapping turtle (*Macrochelys temminckii*) and Suwannee alligator snapping turtle (*Macrochelys suwaniensis*) – Transfer from Appendix III to Appendix II:** The alligator snapping turtles are susceptible to a host of threats and are subject to an inherent vulnerability to population declines because they are slow to grow and reproduce. The LEMIS database shows substantial trade in the alligator snapping turtles and most of these animals are labeled as wild-caught. However, the Association maintains that nearly all alligator snapping turtles shipped internationally are captive-born hatchlings originating from farming operations. *Macrochelys temminckii* is a species subject to recent significant illegal collection and is a popular pet species, both domestically and overseas. Illegal collection is likely occurring to meet both domestic and international demand for pet and food markets. However, an Appendix II listing would do little to solve this problem. Rather, additional law enforcement resources and enforcement of existing regulations are required by both state and federal wildlife authorities. The Association does not support an Appendix II listing at this time.

**Map turtles (*Graptemys* spp.) – Inclusion of 10 species in Appendix II, and inclusion of 4 species in Appendix I:** Since their inclusion on Appendix III, the LEMIS database has revealed little or no trade for the majority of the *Graptemys* species under consideration. The exceptions are *G. pseudogeographica* and *G. ouachitensis* (and perhaps *G. sabinensis* which recently split

from *G. ouachitensis*) which both show substantial international trade. *Gratemys pseudogeographica* is subject to illegal collection from the wild and shows the signatures of being a staple species in the international pet trade. Both species are being considered for Appendix II, but because neither species is considered threatened in the wild, and because both species are subject to existing strict state regulations, The Association would not consider an Appendix II listing as “addressing a serious wildlife or plant trade issue that the United States is experiencing as a range country for species in trade.”

Of the remaining 12 *Gratemys* species under consideration, eight are of elevated conservation concern. Largely because of restricted ranges, ecological specialization, and population demographics, these species are particularly vulnerable to impacts from wild collection. Though there is little suggestion from the LEMIS database that any of these species are heavily traded, there is some suggestion that at least four of them (*G. barbouri*, *G. ernsti*, *G. gibbonsi*, and *G. oculifera*) occur in international pet markets (i.e., Hong Kong as determined by Sung and Fong 2018, *Assessing consumer trends and illegal activity by monitoring the online wildlife trade*). The Association would not oppose an Appendix II listing of these four species should USFWS have additional information suggesting they are experiencing significant international trade and that this trade may threaten the sustainability of the species. Also, the Association would support the inclusion of the recently classified *G. sabinensis* to Appendix III.

**Painted turtle (*Chrysemys picta*), Chicken turtle (*Deirochelys reticularia*), Big Bend slider (*Trachemys gaigeae*), and Cooters (*Pseudemys* spp.) – Inclusion of 11 species in**

**Appendix II:** These 11 species under consideration for inclusion on Appendix II are subject to some international trade, but the scale is poorly understood. There was no LEMIS data for any of these species. Based on the available evidence, it is the Association’s conclusion that the majority of this trade is for food, though several of the species do show a sustained presence in the international pet trade (Sung and Fong 2018; Sung et al. 2021, *Species list and distribution of non-native freshwater turtles in Hong Kong*). Commercial collection and/or farming of at least six of these species does occur in some of the range states, but none of these species are of elevated conservation concern. Because of a preponderance of data for these species, the Association would not oppose the inclusion on Appendix III, but does oppose inclusion on Appendix II.

**Western pond turtle (*Actinemys marmorata*) and Southwestern pond turtle (*Actinemys pallida*) – Inclusion in Appendix II:** These two recently split species continue to experience significant pressure from the loss and conversion of wetland habitat and competition from invasive species. *Actinemys marmorata* is considered an endangered species in Washington state, and the population trend of the species is thought to be decreasing by state agencies in California and Oregon. *Actinemys pallida* has a range restricted to southwestern California and is also considered to be declining. We were unable to identify any information suggesting that there is significant domestic or international trade in either species, legal or illegal. Therefore, the Association does not believe an Appendix II listing warranted. However, we would not object to an Appendix III listing to gather international trade data.

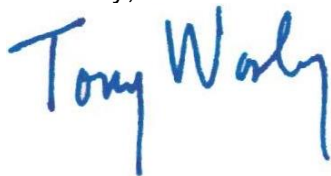
**Musk turtles (*Sternotherus* spp.) – Inclusion of 5 species in Appendix II:** Turtles from the genus *Sternotherus* are small-bodied and lay few eggs per clutch, making them inherently vulnerable to population declines because they are slow to reproduce, especially when adults are removed from a population. *Sternotherus depressus* is listed as critically imperiled by IUCN, and though not currently recognized by IUCN because it was only recently split, *S. intermedius* is endemic only to Alabama and therefore inherently at high risk. The LEMIS database makes clear that international trade in the musk turtles is substantial. In addition, there is abundant

evidence that several species are subject to significant illegal collection from the wild, namely *S. minor*, *S. odoratus*, and *S. depressus*. The majority of this demand is thought to originate from the pet trade, though overseas demand for food may play a role as well. Although 3 of the 5 species in question are not of elevated conservation concern, it is the Association's opinion that the genus is subject to an emerging threat from illegal collection that is international in nature. Moreover, because of their small and often nondescript physical appearance, the ability to correctly identify to species can be difficult. Thus, the Association would support an Appendix II listing for *S. minor*, *S. odoratus*, *S. depressus*, *S. intermedius*, and *S. carinatus*.

**Mud turtles (*Kinosternon* spp.) – Inclusion of 6 species in Appendix II :** Similar to the musk turtles, the genus *Kinosternon* consists of small-bodied turtles that lay few eggs per clutch, making them inherently vulnerable to population declines because they are slow to reproduce, especially when adults are removed from a population. Also, their small and often nondescript physical appearance makes identification to species difficult. The LEMIS database suggests that *Kinosternon baurii*, *K. flavescens*, and *K. subrubrum* are all subject to significant international trade, and other available data sources support this. Like the musk turtles, the nature of the demand for mud turtles is predominantly for the pet trade and this demand has increased in recent years from overseas. Only one of the species under consideration is of elevated conservation concern (*K. sonoriense*), but it is the Association's opinion that this genus is also subject to an emerging threat from illegal collection that is international in nature. For that reason, the Association would support an Appendix II listing for *K. arizonense*, *K. baurii*, *K. flavescens*, *K. hirtipes*, *K. sonoriense*, and *K. subrubrum*.

Thank you for the opportunity to provide input. Should further clarification of these comments be necessary, please do not hesitate to contact Deb Hahn, International Relations Director for the Association at [dhahn@fishwildlife.org](mailto:dhahn@fishwildlife.org).

Sincerely,



Tony Wasley  
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and Director, Nevada Department of Wildlife