

Appendix A. Letter from Susan Lieberman, Chief, Division of Scientific Authority, USFWS to Willem Wijnstekers, Secretary General, CITES Secretariat describing how the USFWS implements Article IV of the CITES treaty concerning exports of Acipenseriformes species in the Review of Significant Trade.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

In Reply Refer To:
FWS/AIA/DSA/DMA

JAN 26 2001

Willem Wijnstekers, Secretary General
CITES Secretariat
15, chemin des Anémones
Case postale 456
CH-129 Châtelaine
Geneve, Switzerland

Dear Mr. Wijnstekers:

This letter is in response to your telefax transmission to us of November 24, 2000, requesting that we provide information on our "... implementation of Article IV of CITES concerning exports of Acipenseriformes species in the Review of Significant Trade." Specifically, you asked us to provide you with the scientific basis on which we issued permits for the exports of native specimens of Acipenseriformes from 1997 to 2000. As you know, we requested, in a December 22, 2000, fax to the Secretariat (addressed to Dr. Lindeque) a three-week extension to January 28, 2001, to send this information (due to the workload of hosting the Animals and Plants Committee meetings). We appreciate your understanding in that regard.

We are providing this information in two forms. First, we have express-mailed copies of our actual non-detriment findings for three of the nine species of Acipenseriformes native to the United States: paddlefish (*Polyodon spathula*) from 1992 to 2000, white sturgeon (*Acipenser transmontanus*) from 1998 to 2000, and shovelnose sturgeon (*Scaphirhynchus platorynchus*) from 1998 to 2000. The paddlefish listing came into effect in 1992 and the other species listings in 1998. These findings will include those where we found no detriment or detriment, or were unable to make a finding because of insufficient information. These are the only species of Acipenseriformes native to the United States for which there is commercial international trade in any parts or products. For more details, please refer to our letter to you of January 16, 2001, in which we responded in detail to Decision 11.58 ("Regarding Trade in Sturgeons and Paddlefish") and the attached table. The table lists all Acipenseriformes native to the United States, and whether or not there is commercial trade from the wild or aquaculture in each species.

The following is a summary of our non-detriment finding process for native sturgeon and paddlefish exports:

Whenever an exporter (individual, company, institution, etc.) applies for a CITES export permit from the Service, a finding of non-detriment pursuant to CITES is required. For every permit issued, therefore, a non-detriment finding from the U.S. CITES Scientific Authority will be on file. We track the permits that are issued, and the exports from the United States, in order to implement the treaty effectively. For Appendix II species, this monitoring contributes to effective implementation of Article IV, especially paragraph 3.

In general cases, the status of the species in the wild is the primary factor that the Scientific Authority takes into consideration in making a non-detriment finding. We endeavor to consider all of the factors that pertain to the degree of risk to the species, and afford an increased level of scientific scrutiny to those permit requests with increased risk to species and populations in the wild. As with all species, we try to ensure that our sturgeon and paddlefish non-detriment findings are based on the best available biological information, are scientifically grounded, and consider whether the species in the wild is common, abundant, managed, stable, declining, threatened, or endangered. However, in some cases, there is insufficient information to definitively determine that the requested activity would not be detrimental to the species. In those cases, we act in a precautionary manner, noting that there is insufficient information on which to base the required finding of non-detriment; the requested export or import is not approved in such a case. You will note that some sturgeon and paddlefish findings that we sent to you indicate insufficient information (and therefore a permit was not issued).

In the case of sturgeon and paddlefish, based on our ongoing consultations with our States, we particularly consider: (1) the current year's harvest levels; (2) input from State biologists and managers on recent activities with the species; (3) the robustness of the State's management program; (4) the current market situation for the commodity in question; (5) the magnitude of individual catches to ascertain if spawning shoals are being targeted; and (6) all other available biological information. Our non-detriment findings for sturgeon and paddlefish have either been case-by-case findings, State-based general findings, or facility-based (aquaculture) findings.

Species-based general findings, another method we use in some cases, have not been used for sturgeon and paddlefish. We have decided to make case-by-case findings for wild harvests of sturgeon and paddlefish, for a variety of reasons, including: low volumes of trade from native species; few States allowing or requesting exports; and increased risk to the species necessitating increased case-by-case scrutiny. We approve the programs of our States based on information provided to us by them. We do not issue quotas to our States, or national quotas, but rather approve exports from individual States, based upon our satisfaction that the State's harvest or export program is not detrimental to the survival of the species. Please refer to the general non-detriment findings for Montana and North Dakota (the Glendive and North Star operations) in the express-mail package we sent you.

Facility-based non-detriment findings are issued for sturgeon or paddlefish aquaculture facilities with which we are very familiar, whose work usually either benefits species conservation or recovery, where adequate controls are in place as regards augmentation from the wild, and/or where the facility is working with species that we are familiar with. In several cases, we have physically inspected the aquaculture facility. Alternatively, we rely on State agencies that have regulatory mechanisms for monitoring and control of aquaculture facilities.

If your office has any questions about the information provided, please don't hesitate to contact the Chief of the Division of Scientific Authority, Dr. Susan Lieberman, at telephone: (703) 358-1708 or Fax: (703) 358-2276.

Sincerely,



Teiko Saito
Chief, Division of Management Authority



Susan Lieberman, Ph.D.
Chief, Division of Scientific Authority

Attachment

Table 1. Exports of native Acipenseriformes from the United States

Species	Commercial trade permitted?	Product	Source
Shortnose sturgeon <i>Acipenser brevirostrum</i>	No		
Atlantic and Gulf sturgeon <i>Acipenser oxyrinchus</i>	No		
Lake sturgeon <i>Acipenser fulvescens</i>	No		
Pallid sturgeon <i>Scaphirhynchus albus</i>	No		
Alabama sturgeon <i>Scaphirhynchus suttkusi</i>	No		
Shovelnose sturgeon <i>Scaphirhynchus platorhynchus</i>	Yes	Meat	Wild
		Caviar	Wild
Green sturgeon <i>Acipenser medirostris</i>	Yes ¹	No documented international trade	
White sturgeon <i>Acipenser transmontanus</i>	Yes	Meat	Wild
			Captive propagation
		Caviar	Captive propagation
Paddlefish <i>Polyodon spathula</i>	Yes	Caviar	Wild
			Captive propagation
		Meat	Captive propagation
			Wild
		Live eggs	Captive propagation

¹No specimens exported from United States since taxon was listed in 1998.

