

Appendix B. CITES exporting permits reviewed by the USFWS for export of paddlefish products from the Ohio River Sub-basin, 1997-2000.

MEMORANDUM

To: Chief, Branch of Permits,
Office of Management Authority

From: Chief, Branch of Consultation and Monitoring,
Office of Scientific Authority

MAR 30 2000

Subject: Convention Permit Application

Please be advised that, after examining the available information, we are unable to find that all portions of this export will not be detrimental to the survival of the species, except the shovelnose sturgeon roe supplied by The Fish Market. We find that allowing the export of The Fish Market's shovelnose sturgeon roe will not be detrimental to the survival of the species.

Application number	Applicant	Species	Specimens
18899	Caspian Star Caviar, Inc. Jamaica, NY	Paddlefish (<i>Polyodon spathula</i>) Shovelnose sturgeon (<i>Scaphirhynchus platorynchus</i>)	undetermined amount of processed roe

BASIS FOR ADVICE:

1. The applicant requests a permit to export an undetermined amount of caviar processed from the roe of paddlefish (*Polyodon spathula*) and shovelnose sturgeon (*Scaphirhynchus platorynchus*) to various consignees.
2. The applicant has provided invoices from Royaloff Caviar Company of Chattanooga, Tennessee, indicating the purchase of caviar processed from paddlefish and shovelnose sturgeon (or hackleback, the local common name for *S. platorynchus*), and paddlefish meat. Documentation was not provided to indicate the river and location of harvest of the paddlefish and shovelnose products, nor the names and license numbers of the fishers that harvested the paddlefish and shovelnose sturgeon.

Invoices from The Fish Market of West Union, Illinois, were also included in the application: all invoices are affixed with a stamp that states: "This ROE and or FISH taken from legal waters RIVER." Of the 39 invoices provided, three list the river of origin as the Wabash River in

Illinois: the remaining 36 do not specify a distinct river as the source for the paddlefish and shovelnose roe. In a fax dated January 8, 2000, the owner of The Fish Market furnished a list of the commercial fishers that sold the roe to him along with a statement that all roe was taken from the Wabash River in Illinois.

In a fax dated January 10, 2000, a fishing license for a Mr. Ron Hall of Missouri was submitted by the applicant's attorney. Mr. Hall was identified as another dealer that supplied roe to Caspian Star Caviar, Inc. However, no information was available to indicate the species harvested, the amount of roe taken, or the geographic location where the fish were harvested.

3. Discussions with biologists from the State of Illinois indicate that shovelnose sturgeon populations are considered fairly healthy and there is an open fishery with no limits for this species on the Wabash River. There is no specific information regarding shovelnose abundance on the Wabash River, as there were no indications of a market for shovelnose roe prior to 1999, and shovelnose were not considered a species of concern. However, a recent review of 1999 harvest reports submitted to the State by commercial fishers indicates that Mr. Radloff of the Fish Market reported harvest of shovelnose roe in excess of 2,500 lbs in 1999, and total harvest (all fishers) for the Wabash River exceeded 4,000 lbs.. The state biologists are unable, at this time, to determine that this level of harvest is detrimental, due to a lack of current sampling studies for this species.

The diminutive size of this species (in comparison to other sturgeon species) limits the amount of roe that may be harvested from a single female to less than one pound, and generally averages 0.5 pound. In addition, the sex ratio for shovelnose sturgeon is skewed toward males: there are four males for each female. The sexes are morphometrically similar, and it is impossible to determine a male from a female through a visual inspection. Calculations show that more than 8,000 mature fish (no estimate is available for juvenile fish taken as bycatch) may have been harvested to produce the amount of roe claimed by The Fish Market. Although the State of Illinois does not have a definitive answer to the question of detriment to the wild population of shovelnose sturgeon on the Wabash River, it is our belief that continued harvest at these levels may rapidly result in a fishery that is unsustainable in the future.

Paddlefish are currently regulated by State fisheries agencies. At the present time, six states allow commercial harvest, including Tennessee, Arkansas, Illinois, Kentucky, Mississippi, and Missouri. Paddlefish population declines can be attributed to several factors, including over-exploitation as a result of fishing, habitat modifications, and declining water quality throughout its historic range. Wildlife biologists and resource managers share deep concerns regarding the increasing evidence of over-exploitation of paddlefish for its roe, particularly since the 1998 CITES listing of all previously unlisted Acipensiformes species. Therefore, as a result of population declines, and the current increase in the harvest of paddlefish roe, the Office of Scientific Authority must have information regarding the specific source of all paddlefish roe to determine if allowing an export the roe is detrimental to the survival of the species.

4. The applicant states that all of The Fish Market's roe (paddlefish and shovelnose sturgeon) originated in the Wabash River in Illinois. However, in a press release dated May 22, 1997, the Illinois Department of Natural Resources stated that "[d]ue to concern about the paddlefish population, commercial harvest of paddlefish is banned in all Illinois waters with the exception of

SCIENTIFIC AUTHORITY EXPORT ADVICE - NATIVE SPECIES

APP. NO.: 777027

APPLICANT: Caspian Star Caviar, Incorporated
Jamaica, NEW YORK

SPECIES and SPECIMENS:
3,900 lb. paddlefish (*Polyodon spathula*) caviar

RECIPIENTS: American Airlines, Incorporated

ADVICE

This export will not be detrimental to the survival of the species.

BASIS FOR ADVICE:

Species managed by the State of Kentucky; take from the wild is regulated so that wild populations will remain self-sustaining.

COMMENTS:

Caviar originated from wild specimens taken in the Ohio River commercial fishery. The 3,900 lb. of caviar represents a loss of 490 - 560 mature females from the Ohio River, but this fishery is managed by the State of Kentucky. Currently, there are no seasons, quotas, or creel limits imposed by the state, but Ted Crowell (KY Department of Fisheries and Wildlife Resources, pers. comm.) has said that 25 years of survey data show no decline in local paddlefish populations.

Applicant obtained unprocessed paddlefish roe from Clarksville Fish, Inc. of Clarksville, Indiana, and provided copies of valid KY commercial fishing licenses, FDA HACCP permit, sales receipts, and specific harvest locations used by Clarksville Fish.

BIOLOGIST: _____ CONCUR: _____

ADVICE ISSUED: _____ via copy of advice OMA BIOLOGIST: A. Coppola
OSA:JField 10/23/00; 026440

the Illinois portion of the Ohio River, the Mississippi River south of Lock and Dam 19 near Hamilton, and the Illinois River south of Illinois Route 89 near Spring Valley." On March 24, 2000, Bob Williamson of the Illinois Department of Natural Resources verified that the Wabash River was closed to commercial harvest of paddlefish due to concerns about the population's status. **Therefore, we are unable to find that the export of The Fish Market's paddlefish roe will not be detrimental to the survival of the species in the wild, due to the state's closure of the Wabash River to protect the declining paddlefish population.**

Likewise, the lack of information regarding the actual amount of roe to be exported by the applicant, and no indication of the sources of Royaloff Caviar Co. and Mr. Ron Hall's paddlefish and shovelnose roe, renders us **unable to make a finding that allowing the export of shovelnose sturgeon and paddlefish roe from either Royaloff Caviar Co. or Mr. Ron Hall will not be detrimental to the survival of the species**, for these portions of the application. For any paddlefish export, we must be able to determine the impact on the population from which the specimens being exported (e.g., roe, meat, or live fish) were harvested. For shovelnose sturgeon, since it is listed for purposes of similarity of appearance, the origin of the fish is required for us to determine whether there would be any adverse impacts on either paddlefish or other sturgeon species by allowing this export.

However, due to the open and unlimited nature of the shovelnose fishery on the Wabash River in the State of Illinois, and the lack of substantial information indicating that the export of this shovelnose roe would be detrimental, **we find that allowing the export of The Fish Market's supply of shovelnose sturgeon roe will not be detrimental to the survival of the species on the Wabash River.** We are concerned, however, about whether the number of shovelnose sturgeon derived from this fishery will be sustainable if current harvest levels remain unchecked.

Therefore, we are unable to find that allowing the export of the following will not be detrimental to the survival of the species:

1. All paddlefish and shovelnose sturgeon roe supplied by Royaloff Caviar Co., Chattanooga, Tennessee;
2. All paddlefish and shovelnose sturgeon roe supplied by Mr. Ron Hall of Missouri;
3. Paddlefish roe supplied by The Fish Market, West Union, Illinois.

We find that allowing the export of shovelnose sturgeon roe supplied by The Fish Market, West Union Illinois, will not be detrimental to the survival of the species.

MEMORANDUM

To: Chief, Office of Management Authority
From: Biologist, Office of Scientific Authority
Subject: Convention Permit Application

Please be advised that, after examining the available information, we are unable to find that this export will not be detrimental to the survival of the species.

Application number	Applicant	Species	Specimens
827428	Steve Kinder Perry Park, KY	Paddlefish (<i>Polyodon spathula</i>)	roe (caviar and raw); up to 3 metric tons

BASIS FOR ADVICE:

1. The applicant requests to export up to 3 metric tons (6,600 pounds) of paddlefish roe, collected from Kentucky waters, to Transpac Fisheries, Ltd., Tokyo, Japan. This amount of roe represents the production from an estimated 1,000 average-size female paddlefish.
2. The paddlefish were historically abundant in most of the large rivers of the Mississippi River drainage, particularly the Missouri, Ohio, Tennessee, Cumberland, White, Arkansas, and Red Rivers. They also were considered abundant in many of the Gulf Slope river drainages in Texas, Louisiana, Mississippi, and Alabama. Relict populations occurred in Lake Erie and other Great Lakes around the turn of the century, and were known to exist in Ontario, Canada. They have been extirpated from the Great Lakes and Canada, and from some of the peripheral range states such as Pennsylvania, New York, Maryland, and North Carolina. The peripheral range of the paddlefish has continued to decline since the turn of the century. Today, even though paddlefish still occur in 22 States, only remnant populations remain in many of the major river systems and their tributaries where they once were considered to be abundant.
3. Paddlefish are highly mobile and a long-lived fish, grow relatively rapidly, and reach large sizes. In established populations, 15- to 20-year-old fish are common, and some individuals may live 30 years. Individuals between 50 and 100 pounds also are common in older populations, but this size is unusual today throughout most of its present range. Males reach sexual maturity at 7 to 9 years of age and females at 10 to 12 years, but this can vary depending upon the geographical location of the populations. Because paddlefish are highly mobile and long-lived, cumulative adverse impacts associated with environmental alterations of habitat (such as dams,

channelization, gravel mining, and irrigation), overexploitation (especially illegal harvest), and contaminant effects often are not immediately recognized. Its mobility, large size, and tendency to live in large rivers makes it a difficult species to obtain specific population status information on.

4. The State of Kentucky has laws and regulations established regarding the harvest of paddlefish. Although a license is required to commercially harvest paddlefish, there does not appear to be any control over the level of harvest or season of harvest. Although there has been very little research into the population status in Kentucky, according to Edwin Crowell, Assistant Director of Fisheries, Commonwealth of Kentucky, the population is "healthy."

5. In the application, while purportedly taken from Kentucky waters, the specific origin of the roe was not given. When this information was requested from the applicant, Mrs. Kinder stated that, given the competitive nature of paddlefish harvesting and because the applicant want to maintain a high level of confidential operation, the exact origin could not be provided. Given the large but localized range of paddlefish, the exact origin of the paddlefish being collected to harvest the roe is important to determining what impact the harvest will have on the wild population, particularly with such a large volume of roe requested for export.

6. Therefore, since the applicant is not willing to state the origin of the roe, we are unable to determine the origin of the paddlefish and we are concerned that the harvest of such a large number of paddlefish could have a substantial impact on the wild population. Furthermore, even if the roe all originated from paddlefish harvested from Kentucky waters, specific population information is lacking for paddlefish in Kentucky, making the impact of the removal of such a large number of fish difficult to assess. Therefore, we cannot determine that this export would not be detrimental to the survival of the species.

for the Scientific Authority

OSA:TVanNorman:6/2/97:827428x.fsh

SCIENTIFIC AUTHORITY EXPORT ADVICE - NATIVE SPECIES

APP. NO.: 032078

DATE OSA: 9/14/00

APPLICANT: Great Atlantic Trading Co.
Portland, Maine

SPECIES and SPECIMENS: Paddlefish meat (*Polyodon spathula*); 100 lbs.

RECIPIENT: Chosin Suisan Boeki Co.
Tokyo, Japan

BASIS FOR ADVICE:

XXX Species managed by the State of Tennessee, and take from the wild is regulated so that wild populations will remain self-sustaining.

THEREFORE, this export will not be detrimental to the survival of the species.

COMMENTS: All paddlefish meat included in this application was harvested by Mike Kelley, dba Kelley's Katch Caviar, located in Savannah, Tennessee. Mr. Kelley is a licensed fisherman in the State of Tennessee and harvested the paddlefish from Kentucky Lake, Tennessee.

BIOLOGIST: Marie J. Maltese ^{9/21/00} CONCUR: Robert P. Gabel ^{9/21/00}

ADVICE ISSUED: SEP 21 2000 OMA BIOLOGIST: C. Hamilton

OSA:Maltese:032078cex

SCIENTIFIC AUTHORITY EXPORT ADVICE - NATIVE SPECIES

APP. NO.: 021457

DATE OSA: 1/5/00

APPLICANT: **Great Atlantic Trading Co.**
Portland, Maine

SPECIES and SPECIMENS: **700 lbs. of paddlefish roe (*Polyodon spathula*)**

RECIPIENT: **Daikyu Bussan Ltd.**
Osaka, Japan

BASIS FOR ADVICE:

XXX Species managed by the State of Tennessee and take from the wild is regulated so that wild populations will remain self-sustaining.

XXX We are not aware of any reintroduction programs for this species in Tennessee.

THEREFORE, this export will not be detrimental to the survival of the species.

COMMENTS: This paddlefish roe was harvested by Mike Kelley and Ricky Scott, licensed commercial fishers in the State of Tennessee, and sold by Mike Kelley dba Kelley's Catch Caviar. Harvest took place on Kentucky Lake, near New Johnsonville, TN. This area is open for commercial take of paddlefish, and the population can sustain this volume of take without detriment to the wild population, per Jerry Strom, Assistant Regional Manager of Fisheries for West Tennessee.

BIOLOGIST: M. Maltese CONCUR: _____

ADVICE ISSUED: _____ OMA BIOLOGIST: A. Coppola

OSA:Maltese:1/19/00:021457cex

SCIENTIFIC AUTHORITY EXPORT ADVICE - NATIVE SPECIES

APP. NO.: 22662

DATE OSA: 5/2/00

APPLICANT: Great Atlantic Trading Inc.
Portland, Maine

SPECIES and SPECIMENS: Paddlefish (*Polyodon spathula*) roe, 2260 lbs.

RECIPIENT: Universal Traders Ltd.
Osaka, Japan

BASIS FOR ADVICE:

XXX Species managed by the State of Tennessee and take from the wild is regulated so that wild populations will remain self-sustaining.

XXX We are not aware of any reintroduction programs for this species within the State of Tennessee.

THEREFORE, this export will not be detrimental to the survival of the species.

COMMENTS: The largest percentage of paddlefish roe taken for this application was harvested in January and February, 2000; catch dropped off suddenly after February. Jerry Strom, Assistant Regional Manager for western Tennessee fisheries, verified that the State noted very high catch reports for those months, due to drought conditions that resulted in extremely low water levels. Paddlefish congregated in pools and were easily and rapidly harvested during the low water conditions.

BIOLOGIST: Manu J. Maltes^{5/8/00} CONCUR: Robert P. Gabel^{5/9/00}

ADVICE ISSUED: MAY 10 2000 OMA BIOLOGIST: A. Coppola

OSA:Maltes:5/8/00:22662cex

MEMORANDUM

To: Chief, Branch of Permits,
Office of Management Authority

From: Chief, Branch of Consultation and Monitoring,
Office of Scientific Authority

Subject: Convention Permit Application

Please be advised that, for the following application, we find that allowing the export of up to 100.17 pounds of paddlefish roe will not be detrimental to the survival of the species, but we are unable to find that the export of the remaining 99.83 pounds will not be detrimental to the survival of the species.

Application number	Applicant	Species	Specimens
021760	Hansen Caviar Co., Inc. Bergenfield, New Jersey	Paddlefish (<i>Polyodon spathula</i>)	200 pounds of processed roe

BASIS FOR ADVICE:

The applicant requests a permit to export 200 lbs. of caviar processed from the roe of paddlefish (*Polyodon spathula*) to Altonaer Kaviar Import Haus in Hamburg, Germany.

No-detriment finding for 100.17 pounds of caviar

1. To document the origin of 100.17 pounds of paddlefish caviar covered by this application, the applicant has provided invoices for their purchase of this amount from Royaloff Caviar Company of Chattanooga, Tennessee. Additional documentation provided by the applicant includes information on the location of harvest, a copy of a valid fishing license issued by the State of Tennessee, and invoices confirming the sale of roe by the fisherman, Anthony Melson, to Royaloff Caviar Co.
2. The documentation provided indicates that this roe was harvested in accordance with regulation promulgated by the State of Tennessee that are designed to support management of the species for long-term sustainability, both within the State and as part of a coordinated effort among range States of the species. The Wildlife Resources Agency of Tennessee is a member of MICRA, an organization of 28 state natural resource departments, instituted in 1991, as a

SCIENTIFIC AUTHORITY EXPORT ADVICE - NATIVE SPECIES

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APP. NO.: 777027 DATE OSA: 4/2/99
(multiple permits to be issued)

APPLICANT: River of Life Hatchery,
David Mueller, President/Owner
Vadnais Heights, MN 55127

SPECIES and SPECIMENS: Paddlefish (*Polyodon spathula*) eggs, fry, and
fingerlings

RECIPIENTS: Forever Enterprises, Hong Kong; Fortune Wide Asia, Kowloon
City, Hong Kong; Rainbow Aquarium Farm, China; Wun Fat Aquarium, New
Territory, Hong Kong; Chinese Foodstuffs Co. Ltd., Tokyo, Japan; Water World,
Higashi-Osaka, Japan

BASIS FOR ADVICE:

XXX Species managed by the State of Kentucky; take from the wild is
regulated so that wild populations will remain self-sustaining.

THEREFORE, this export will not be detrimental to the survival of the
species.

COMMENTS: Captive-bred stock originated from the paddlefish fishery
managed and regulated by the State of Kentucky and Kentucky State
University Aquaculture Research Center. Wild-caught stock exported
under this permit originated from the paddlefish fishery managed and
regulated by the State of Kentucky.

BIOLOGIST: _____ CONCUR: _____

ADVICE ISSUED: _____ OMA BIOLOGIST: W. Weber

OSA:MMaltese:5/7/99:777027

SCIENTIFIC AUTHORITY EXPORT ADVICE - NATIVE SPECIES

APP. NO.: 024388

APPLICANT: Royaloff Caviar Co.
Savannah, TENNESSEE

SPECIES and SPECIMENS:
American paddlefish (*Polyodon spathula*); one (1) lb. caviar

RECIPIENT: W.G. White LTD.
Midxx, TAIWAN

ADVICE

This export will not be detrimental to the survival of the species.

BASIS FOR ADVICE:

Species managed by the State of Tennessee; take from the wild is regulated so that wild populations will remain self-sustaining.

COMMENTS:

Caviar originated from wild specimens taken in the Tennessee River commercial fishery. The applicant provided copies of the fisherman's valid TN commercial fishing license and an invoice showing the sale of a larger 23.6 pound lot of roe from the fisherman to the applicant. The date of sale coincides with the open season for the Tennessee fishery, and the state manages the fishery through a combination of seasons and minimum sizes. In addition, Tennessee requires permitted fishermen to report numbers harvested, fish lengths, and product weights (meat and roe) (Rober Todd, Tenn. Wildlife Resources Agency, pers. comm.). The one (1) pound of caviar represents a negligible loss to the wild population of paddlefish in the Tennessee River.

BIOLOGIST: John Field ^{1/17/01} CONCUR: Robert J. Gabel ^{1/17/01}

ADVICE ISSUED: ²⁰⁰¹ JAN 17 2000 via copy of advice OMA BIOLOGIST: A. Coppola
OSA:JField 1/17/01; 024388.wpd

