

Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Seventeenth Regular Meeting: Taxa Being Considered for Amendments to the CITES Appendices

The United States, as a Party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), may propose amendments to the CITES Appendices for consideration at meetings of the Conference of the Parties. The seventeenth regular meeting of the Conference of the Parties to CITES (CoP17) is scheduled to be held in South Africa, September 24 to October 5, 2016.

With this notice, we describe proposed amendments to the CITES Appendices (species proposals) that the United States might submit for consideration at CoP17 and invite your comments and information on these proposals.

Please note that we published an abbreviated version of this notice in the **Federal Register** on August 26, 2015, in which we simply listed each species proposal that the United States is considering for CoP17, but we did not describe each proposal in detail or explain the rationale for the tentative U.S. position on each species.

CITES is an international treaty designed to control and regulate international trade in certain animal and plant species that are affected by trade and are now, or potentially may become, threatened with extinction. These species are listed in the Appendices to CITES, which are available on the CITES Secretariat's website at <http://www.cites.org/sites/default/files/eng/app/2015/E-Appendices-2015-02-05.pdf>. Currently, 181 Parties, including the United States, have joined CITES. The Convention calls for regular biennial meetings of the Conference of the Parties, unless the Conference decides otherwise, and meetings are typically held every 2 to 3 years. At these meetings, the Parties review the implementation of CITES, make provisions enabling the CITES Secretariat in Switzerland to carry out its functions, consider amendments to the list of species in Appendices I and II, consider reports presented by the Secretariat, and make recommendations for the improved effectiveness of CITES. Any country that is a Party to CITES may propose amendments to Appendices I and II, as well as resolutions, decisions, and agenda items for consideration by all the Parties at the meeting.

Recommendations for Species Proposals for the United States to Consider Submitting for CoP17

In our **Federal Register** notice of June 27, 2014 (79 FR 36550), we requested information and recommendations on potential species proposals for the United States to consider submitting for consideration at CoP17. We received recommendations from 22 individuals and the following organizations for possible proposals involving 80 taxa (2 families, 6 genera, 70 individual species, and 2 general groups (U.S. and African softshell turtles and North American map turtles)): the American Herbal Products Association (AHPA); Center for Biological Diversity (CBD); Earthtrust; Ginseng Board of Wisconsin (GBW); Hsu's Ginseng Enterprises, Inc. (HGE); Humane Society International (HSI); International Fund for Animal Welfare (IFAW); International Union for Conservation of Nature-Species Survival Commission

(IUCN–SSC) Tortoise and Freshwater Turtle Specialist Group; Natural Resources Defense Council (NRDC); Ornithological Council; Pew Environment Group (PEG); Species Survival Network (SSN); United Plant Savers (UPS); Wildlife Conservation Society (WCS); and World Wildlife Fund (WWF)/TRAFFIC. We also received general comments from individual commenters for CITES protections on the following species: 7 on rhinoceroses, elephants, and lions; 44 on elephants; 39 on rhinoceroses; and 29,738 on polar bears, pangolins, nautilus, snapping and map turtles, walrus, sea cucumbers, and seahorses. Additionally, the United States may submit proposals on six animal species, one plant species, and one plant genus currently under periodic review by the CITES technical committees, and is undecided about submitting proposals regarding four bird species based on recent taxonomic changes.

We have undertaken initial assessments of the available trade and biological information on all of these taxa. Based on these assessments, we made provisional evaluations of whether to proceed with the development of proposals for species to be included in, removed from, or transferred between the CITES Appendices. We made these evaluations by considering the biological and trade information available on the species; the presence, absence, and effectiveness of other mechanisms that may preclude the need for species' inclusion in the CITES Appendices (e.g., range country actions or other international agreements); and availability of resources. We have also considered the following factors, as per the U.S. approach for CoP17 discussed in our June 27, 2014, **Federal Register** notice:

(1) Does the proposed action address a serious wildlife or plant trade issue that the United States is experiencing as a range country for species in trade?

(2) Does the proposed action address a serious wildlife or plant trade issue for species not native to the United States?

(3) Does the proposed action provide additional conservation benefit for a species already covered by another international agreement?

Based on our initial assessments, we have assigned each taxon to one of three categories, which reflects the likelihood of our submitting a proposal. In sections A, B, and C below, we have listed the current status of each species proposal recommended by the public, as well as species proposals we have been developing on our own. We welcome your comments, especially if you are able to provide any additional biological or trade information on these species. For each species, more detailed information is on file in the Division of Scientific Authority than is presented in the summary below. We delineate what additional information we are seeking or have sought to assist us in making our decision.

A. What species proposals is the United States likely to submit for consideration at CoP17?

The United States is likely to develop and submit proposals for the following taxa. Most of the taxa in this section are undergoing periodic review of the CITES Appendices by the Animals Committee (AC) and Plants Committee (PC), in accordance with Resolution Conf. 14.8 (Rev. CoP16). This is a regular process under CITES to evaluate whether listings of taxa in

CITES Appendices I and II continue to be appropriate, based on current biological and trade information. These taxa are at various stages in the periodic review process. This process includes an initial assessment that is put before the appropriate Committee (Plants or Animals) for discussion, which may result in an AC or PC recommendation that a taxon be uplisted (transferred from Appendix II to Appendix I); or downlisted (transferred from Appendix I to Appendix II, or deleted from Appendix II); or that no change be made to the listing.

Plants

1. Saw-toothed Lewisia (*Lewisia serrata*)—Potential amendment to Appendix-II listing

The United States is conducting a periodic review of the saw-toothed Lewisia (*Lewisia serrata*) to assess whether the current inclusion of this species in Appendix II is appropriate. The CITES Plants Committee selected this species to be included in the Periodic Review of the Appendices between CoP15 (Doha, 2010) and CoP17. This species was listed in Appendix II in 1983. Saw-toothed Lewisia is endemic to the United States, found in certain riparian habitat of California. It is considered in the California Native Plant Society Inventory of Rare and Endangered Plants as seriously threatened in California, with over 80% of occurrences threatened and a high degree and immediacy of threat. CITES trade data indicates that there has been no wild trade in this species since 2002.

The United States initiated a status review for this species, including consulting with appropriate State and Federal agencies in the state of California, where this species occurs, and will report results of the periodic review to the 22nd meeting of the Plants Committee (PC22; to be held in September 2015), potentially including a draft proposal to change the listing status of this species. The United States is likely to submit a proposal to amend the listing of this species in the CITES Appendices, pending the outcome of the Plants Committee recommendations.

2. Fishhook cactus (*Sclerocactus* spp.)—Potential amendments to Appendix-I and Appendix-II listings

The United States is conducting a periodic review of native fishhook cactus in the genus *Sclerocactus* to assess whether the current inclusion of these species in Appendix I or II is appropriate. The entire cactus family (Cactaceae), including the genus *Sclerocactus*, was included in the CITES Appendices in 1975. CITES recognizes 21 species of fishhook cactus, of which 20 occur in the United States. Appendix-I listed species include: *Sclerocactus brevihamatus* subsp. *tobuschii*, *S. erectocentrus*, *S. glaucus* (synonyms *S. blainei*, *S. brevispinus*, and *S. wetlandicus*), *S. mariposensis*, *S. mesae-verdae*, *S. nyensis*, *S. papyracanthus*, *S. pubispinus*, and *S. wrightiae*. Appendix II-listed species include: *S. brevispinus*, *S. cloverae*, *S. intertextus*, *S. johnsonii*, *S. parviflorus*, *S. polyancistrus*, *S. scheeri*, *S. sileri*, *S. spinnosior*, *S. uncinatus*, *S. unguispinus*, *S. warnockii*, and *S. whipplei*. Fishhook cacti are low-growing plants with hooked spines, which have restricted distributions in the following States: Arizona, California, Colorado, Nevada, New Mexico, Texas, and Utah.

We have consulted with these States, and will report results of the periodic review at PC22, potentially including a draft proposal to change the listing status of this species. The United

States is likely to submit a proposal to amend the listings of these species in the CITES Appendices, pending the outcome of the Plants Committee recommendations.

Invertebrates

3. Wabash riffleshell (*Epioblasma sampsonii*)—Potential amendment to Appendix I listing

The United States is conducting a periodic review of the Wabash riffleshell (*Epioblasma sampsonii*) to assess whether the current inclusion of the species in Appendix I is appropriate. The CITES Animals Committee selected this species to be included in the Periodic Review of the Appendices between CoP15 and CoP17. This species was listed in Appendix I in 1975 and is considered to be extinct. The Wabash riffleshell was known from the lower Ohio River drainage of Illinois, Indiana, Ohio, and Kentucky. The species likely went extinct during the 1930s–1940s, due to the construction of dams and the associated changes to the river systems. There is no reported CITES trade in this species.

We have completed a status review for this endemic species and will recommend to the Animals Committee that this species be removed from the CITES Appendices. However, a joint AC/PC Working Group is examining procedural options for the handling of extinct CITES-listed species, which may include retaining extinct species in the Appendices with an annotation. The working group will report progress on this issue at the 28th meeting of the Animals Committee (AC28) and at PC22. The United States is likely to submit a proposal to amend the listing of this species in the CITES Appendices, pending the outcome of the discussions of the Animals and Plants Committees' recommendations on extinct species.

Reptiles

4. Puerto Rican boa (*Epicrates inornatus*) —Amendment to Appendix-I listing

The United States conducted a periodic review of the Puerto Rican boa (*Epicrates inornatus*) to assess whether the current inclusion of the species in Appendix I is appropriate. The Animals Committee selected this species to be included in the Periodic Review of the Appendices between CoP15 and CoP17. This species was listed in Appendix I in 1977. The Puerto Rican boa is endemic to Puerto Rico and is considered widespread there, common in the undisturbed karst areas of northwestern portion of the island.

We have completed a status review for this species and our results were presented to AC27, which agreed with our recommendation that it be transferred to CITES Appendix II. Therefore, the United States is likely to submit a proposal to amend the listing of this species in the CITES Appendices.

Mammals

5. Caribbean monk seal (*Monachus tropicalis*)—Potential amendment to Appendix-I listing

The United States is conducting a periodic review of the Caribbean monk seal (*Monachus*

tropicalis) to assess whether the current inclusion of the species in Appendix I is appropriate. The Animals Committee selected this species to be included in the Periodic Review of the Appendices between CoP15 and CoP17. This species was listed in Appendix I in 1975 and is considered to be extinct. The Caribbean monk seal occurred along coastal areas on islands in and adjacent to the Caribbean Sea and the Gulf of Mexico (Bahamas, Colombia, Cuba, Guadeloupe, Haiti, Honduras, Jamaica, Mexico, Puerto Rico, and United States of America). The species was last observed in 1952 and is believed to have gone extinct due to overharvest. There is one record of CITES trade from 2009 consisting of six scientific specimens exported from Mexico to Germany. In 2008, this species was removed from the list of threatened and endangered species under the Endangered Species Act due to extinction of the species.

We have completed a status review for this species and at AC27, the Committee agreed with our recommendation that this species be removed from the CITES Appendices. However, a joint AC/PC Working Group is examining procedural options for the handling of extinct CITES-listed species, which may include retaining extinct species in the Appendices with an annotation. The working group will report progress on this issue at AC28 and at PC22. The United States is likely to submit a proposal to amend the listing of this species in the CITES Appendices, pending the outcome of the Animals and Plants Committees' recommendations on extinct species.

6. Guam flying-fox (*Pteropus tokudae*)—Potential amendment to Appendix-II listing

The United States is conducting a periodic review of the Guam flying-fox (*Pteropus tokudae*) to assess whether the current inclusion of the species in Appendix-I is appropriate. The Animals Committee selected this species to be included in the Periodic Review of the Appendices between CoP15 and CoP17. This species was listed in Appendix II in 1987, and is considered to be extinct. The Guam flying-fox occurred in Guam. The last observation of this species was reported in 1968, with an unconfirmed report in 1979. There are two records of CITES trade, both for scientific purposes: 1) in 2009, consisting of 8 bodies exported from Guam in 1994; and 2) in 2012, consisting of a single 1 skin piece exported from the United States to Canada.

We have completed a status review for this species and the U.S. recommendation to retain this species in Appendix II due to concerns about enforcement issues regarding similarity of appearance that may arise due to the higher-taxon listing of the entire genus *Pteropus* was agreed at AC27. However, a joint AC/PC Working Group is examining procedural options for the handling of extinct CITES-listed species, which may include retaining extinct species in the Appendices with an annotation. The working group will report progress on this issue at AC28 and at PC22. The United States is likely to submit a proposal to amend the listing of this species, pending the outcome of the Animals and Plants Committees' recommendations on extinct species.

7. Eastern cougar (*Puma concolor cougar*) and Florida panther (*P. concolor coryi*)—Potential amendments to Appendix-I listings

Canada and the United States are conducting a periodic review of the Eastern cougar (*Puma concolor cougar*) and Florida panther (*P. concolor coryi*) to assess whether the current

inclusion of the subspecies in Appendix I is appropriate. The results of the periodic review will be reported to AC28. These subspecies, as well as, the Costa Rican puma (*P. concolor costaricensis*), have been included in Appendix I since July 1, 1975. The other *P. concolor* subspecies have been included in Appendix II under the family Felidae since 1977. The Eastern cougar and Florida panther are endemic to eastern North America and the southeastern United States, respectively; however, the Eastern cougar is considered to have been extirpated from its range, and the Florida panther is now restricted to one breeding population in south Florida.

The United States and Canada have completed a status review for these species and will recommend at the next Animals Committee that they be downlisted to Appendix II. The United States or Canada is likely to submit a proposal to transfer these subspecies to Appendix II, pending the outcome of the Animals Committee recommendations.

8. Polar bear (*Ursus maritimus*)—Transfer from Appendix II to Appendix I

The CBD, HSI, IFAW, NRDC, SSN, and two private individuals recommended that the United States submit a proposal for the transfer of the polar bear from Appendix II to Appendix I due to human activities (including harvest and international trade) and the potential loss of, or reduction in, sea-ice as a consequence of climate change. The polar bear has been included in CITES Appendix II since 1975, and is protected in the United States under the Marine Mammal Protection Act since 1972 and listed as Threatened under the ESA in 2008 (73 FR 28212, dated May 15, 2008). The IUCN Red List includes the polar bear as Vulnerable (2008). The United States submitted proposals to transfer the polar bear from Appendix II to Appendix I at CoP15 and CoP16, both of which were rejected. The following builds upon information the Service published in the **Federal Register** in response to a previous suggestion to include this species in the CITES Appendices at CoP16 (77 FR 21798, dated June 21, 2012; <http://www.gpo.gov/fdsys/pkg/FR-2012-04-11/pdf/2012-8665.pdf>).

Since CoP16, the conservation status of the polar bear has continued to draw international attention. For example, several peer-reviewed, technical publications have documented a decrease in sea-ice, the natural habitat of polar bears, as well as a decrease in polar bear biological parameters, such as mean body weight or recruitment. According to the Polar Bear Specialist Group, the current population trends in the 19 subpopulations indicate that 9 subpopulations are data deficient; 3 subpopulations are declining; 6 subpopulations are stable; and 1 subpopulation is increasing. In addition, we note the formation in December 2013 of the Trade Working Group of the 1973 Agreement on the Conservation of Polar Bears (Range States Agreement). The goal of this working group is to improve our collective understanding of the number of polar bears in international trade, as well as to increase our understanding of polar bear supply chain and consumer demand dynamics, to establish administrative procedures to facilitate verification of CITES export permits, and to coordinate enforcement information sharing. A traditional ecological knowledge (TEK) study from the Inuvialuit and Nanuq communities has provided TEK information that informs management of polar bear populations in Canada. Lastly, Canada and the United States held a polar bear stakeholder forum in June 2015 to share information and perspectives on polar bear conservation. Much information was exchanged in regard to community-based management of polar bears in Canada. While these actions suggest that positive conservation actions are being developed and implemented,

additional analyses and conservation measures within the context of CITES may be necessary. The United States continues to be concerned about the impacts of commercial international trade in polar bears on the long-term survival of the species.

Based on our previous CITES proposals, absent new information to the contrary, the United States believes that polar bears meet the biological and trade criteria for inclusion in Appendix I. Therefore, the United States is likely to submit a proposal to transfer this species from Appendix II to Appendix I at CoP17. We will continue to consult with other range countries, Alaska Natives, and the State of Alaska on this issue, and to seek updated information about the species' biological status, management, and economic impacts from international trade. We will evaluate this information in making a final decision on whether to submit this proposal.

B. On what species proposals is the United States still undecided, pending additional information and consultations?

The United States is still undecided on whether to submit proposals for CoP17 for the following taxa. In most cases, we have not completed our consultations with relevant range countries. In other cases, we expect meetings to occur in the immediate future, at which participants will generate important recommendations, trade analyses, or biological information on the taxon in question that may be useful to our final decision-making.

Invertebrates

1. Sea cucumbers native to the United States: Pepino de mar (*Actinopyga agassizii*), Deep-water redfish (*A. echinites*), Stonefish (*A. lecanora*), Surf redfish (*A. mauritiana*), Blackfish (*A. miliaris*), Giant California sea cucumber (*Apostichopus californicus*), Warty sea cucumber (*A. parvimensis*), Furry sea cucumber (*Astichopus multifidus*), Leopard fish (*Bohadschia argus*), Brown sandfish (*B. vitiensis*), Orange-footed sea cucumber (*Cucumaria frondosa*), tripang (*Holothuria arenicola*), Lollyfish (*H. atra*), Zanga fleur (*H. cinerascens*), Snakefish (*H. coluber*), Pinkfish (*H. edulis*), Red snakefish (*H. flavomaculata*), Labuyo (*H. fuscocinerea*), White teatfish (*H. fuscogilva*), Elephant trunkfish (*H. fuscopunctata*), Tiger tail (*H. hilla*), Spotted sea cucumber (*H. impatiens*), Golden sandfish (*H. lessoni*), White threadfish (*H. leucospilota*), Pepino de mar (*H. mexicana*), Bantunan (*H. pardalis*), “Unknown” (*H. pervicax*), Black teatfish (*H. whitmaei*), Four-sided sea cucumber (*Isostichopus badionotus*), Blackspotted sea cucumber (*Pearsonothuria graeffei*), Greenfish (*Stichopus chloronotus*), Curryfish (*S. herrmanni*), Selenka’s sea cucumber (*S. horrens*), Prickly redfish (*Thelenota ananas*), Amber fish (*T. anax*), and Lemonfish (*T. rubralineata*)—
Inclusion in Appendix II

The CBD and one private individual recommended that the United States propose the inclusion in Appendix II of the above-mentioned 36 species of sea cucumbers that are found in U.S. or territorial waters, and 10 species of non-native sea cucumbers that are either traded in the United States or resemble U.S. species in trade. For purposes of moving forward in the decision process on whether to propose an Appendix-II listing, these 46 species are being divided into the 36 species found within U.S. jurisdictional waters and the 10 species which are not native to U.S. jurisdictional waters. See section C of this Notice regarding the non-native sea cucumber

species.

The United States submitted a discussion paper at CoP12 (Santiago, 2002) regarding international trade in sea cucumbers of the families Holothuridae and Stichopodidae, to which the above-mentioned species belong. The CITES Parties directed decisions to the Secretariat and the Animals Committee to review and gather additional biological and trade data on these taxa at CoP12, CoP13 (Bangkok, 2004), and CoP14. At CoP15, the Animals Committee was instructed to evaluate the results of the 2007 FAO Sea Cucumber Workshop and to make recommendations at CoP16. At CoP16, the Animals Committee recommended that the Parties make use of recently published management and biological information on sea cucumbers, that range countries promote conservation and management of species occurring within their own jurisdictions, and, when appropriate, propose CITES listings.

The 36 species of sea cucumbers found in U.S. territorial waters are found primarily in the Indo-Pacific, the North and South Atlantic, and the Caribbean. While most of the species are found in warm tropical seas, there are commercially harvested species found as far north as Alaska. Most of the species have populations easily collected in shallow habitats but some species retain populations within refugia not easily accessible to harvest. Except for the orange-footed sea cucumber, which has not been assessed, the IUCN Red List of Threatened Species (IUCN Red List) includes 7 of the remaining above-mentioned sea cucumber species as Data Deficient, 19 as Least Concern, 6 as Vulnerable, and 3 as Endangered (2013). The orange-footed sea cucumber is among the most-studied sea cucumber species and is considered by FAO to be the most abundant commercial sea cucumber on the globe and the unexploited stock remains extensive in local areas. The primary threat to these species is overharvest for consumption, but some species are more valuable than others due to differences in taste and size and so are preferentially harvested. Some species are currently not targeted but become targets in localized areas when preferred species become rare. Processed sea cucumber products in trade are often similar in appearance making it impossible to visually identify individual species. When harvested, however, many high value species are identified by fishers and targeted.

The commercial sea cucumber fishery in the United States began in the 1970s, but most of the above-mentioned U.S. native sea cucumbers are not harvested commercially in the United States. The giant California sea cucumber and the warty sea cucumber on the west coast, and the orange-footed sea cucumber on the east coast, are among the species that are commercially-harvested in the United States. As of 2003, the U.S. fishery for the orange-footed sea cucumber off the east coast of the United States had become the world's second largest producer of wild-caught sea cucumbers as markets for products have expanded. National management exists for these species in some jurisdictions, especially for populations located within U.S. jurisdictional waters. In the United States, sea cucumber fisheries are managed by the States and, outside the 200-mile zone off the coast, by NOAA Fisheries in coordination with Regional Fishery Management Councils. U.S. states with active fisheries have instituted various sustainable management practices to include rotating harvest locations, licensing of collectors, special licensing and permit requirements, fishing equipment restrictions, and catch reporting. In regions not under U.S. jurisdiction however, management may be weak due to a lack of enforcement. Inclusion in Appendix II could potentially provide conservation benefit because of their vulnerability to overharvest, low productivity and susceptibility to capture. Pending

additional information on these species' biological status (population size and trends), and management and international trade to assess how these species meet the CITES listing criteria, the United States remains undecided about proposing to include in Appendix II the 36 species of sea cucumber found in U.S. jurisdictional waters.

2. Chambered nautilus (*Allonautilus* spp. and *Nautilus* spp.)—Inclusion in Appendix II

The CBD, Earthtrust, SSN, and several private individuals, including species experts, recommended that the United States propose the inclusion of chambered nautilus (including the genus *Allonautilus* and the genus *Nautilus*) in Appendix II based on ongoing or increasing harvest and potential overharvest of their shells for commercial international trade. The following summary builds upon information the Service published in the **Federal Register** in response to previous suggestions to include this family in CITES Appendix II at CoP15 and CoP16, respectively (74 FR 33460, dated July 13, 2009; <http://www.fws.gov/international/pdf/federal-register-notice-74-fr-33460-extended-version.pdf> & 77 FR 21798, dated June 21, 2012; <http://www.fws.gov/international/pdf/federal-register-notice-77-fr-21798-extended-version.pdf>).

Chambered nautilus are native to the U.S. territory of American Samoa and occur in 16 other Indo-Pacific countries. Several nautilus life history traits suggest that these species have low resilience to harvest, including late maturation, low fecundity, lengthy egg maturation period, and lack of a mobile larval phase for distribution. With poor dispersal ability, these species are apparently unable to repopulate geographically isolated areas, except by chance. There are six recognized species and all but one (*Nautilus pompilius*) are endemic to single countries. Studies of *N. pompilius* populations that have not been subjected to commercial harvest in Australia (Osprey Reef and Lizard Island), Fiji (Beqa Harbour), and American Samoa (Taena bank) found low abundances and densities, with few juveniles. Small population size increases the risk of extinction by chance events.

The primary threats to chambered nautilus are overfishing and habitat degradation. All living species of nautilus have been recorded in international trade. Trade is primarily from the wild and consists of whole shells and worked shells or shell parts for the curio and tourist markets; live animals for research and aquaria; and possibly as meat for consumption in non-range countries. It is difficult to distinguish nautilus shell products to the species level. Quantitative declines in catch per unit effort have been documented in *N. pompilius* – the most wide-ranging, best studied, and most-traded nautilus species – and there are anecdotal reports of population declines in this and the other chambered nautilus species that have a more restricted distribution. Research at a fished site in the Philippines (Bohol Sea) showed tenfold fewer individuals in comparison to the unfished populations mentioned above. It is also unlikely that the amount of chambered nautilus products in international trade could be supplied by incidental collection of drift shells. In addition, captive breeding has not produced viable offspring beyond the hatchling stage.

At this time, the United States remains undecided about proposing to include these taxa in Appendix II. The Service has been working with experts at the National Marine Fisheries Service (NMFS) as well as species experts to gather biological and trade data. The United

States, as a range country and importer of this species and its products, has been working with other range countries to better understand the extent of the fishery, management, regulations, and protections for these species. We seek additional information on chambered nautilus biology, management, and trade throughout this species' range to assist in our decision-making.

3. Red and pink corals (*Corallium* spp. and *Paracorallium* spp.)—Inclusion in Appendix II

The SSN recommended that the United States propose the inclusion of all red and pink corals (*Corallium* and *Paracorallium* species) in Appendix II. The United States submitted a proposal at CoP14 to include *Corallium* spp. in Appendix II, and submitted a joint U.S.-European Union proposal to include all species in the family Coralliidae in Appendix II at CoP15. Both proposals were rejected.

Red and pink coral are found throughout the world's oceans at depths ranging from 7 to 1,500 meters. Although the full extent of their distribution is currently unknown, these genera appear to be in all tropical, subtropical, and temperate oceans. Red and pink corals are important deep-water resources that are harvested mainly from the western Mediterranean Sea and the western North Pacific Ocean. Prices of pink and red precious corals have increased significantly in the last two years. Increasing prices are attributed to increased demand for precious corals in China. This demand has led to well-documented increases in illegal harvest on Coralliidae beds in Japan.

The primary threats to red and pink coral species are overharvesting for the precious coral trade and the destructive practices used in bottom-tending fishing gear. The only U.S. precious coral fishery is based in Hawaii and is currently dormant due to the cost of the fishery's selective harvest requirements (e.g., submersibles). The United States does not export products made from *Corallium* spp., primarily because the Hawaii precious coral industry only sells to domestic retail stores. The Hawaiian fishery is currently well managed at the State and Federal levels. However, the United States is likely the number one consumer of precious corals for curios and jewelry (including *Corallium* and *Paracorallium* species) for curios and jewelry.

The United States is currently undecided about submitting a proposal to include red and pink corals in Appendix II, pending consultations with other range countries and the receipt of updated biological, management, and international trade information on these species. In particular, we seek information on the implementation of the *Regional Management Plan on Red Coral in the Mediterranean*.

Fishes

4. American eel (*Anguilla rostrata*)—Inclusion in Appendix II

The WCS recommended that the United States propose the inclusion of the American eel (*Anguilla rostrata*) in Appendix II, on the basis that they are vulnerable to overharvest and that trade may be shifting to this species now that European eel (*A. anguilla*) is included in Appendix II and the European Commission banned all European eel exports from EU member countries in 2010. This species has not previously been proposed for listing. The following builds upon

information the Service published in the **Federal Register** in response to a previous suggestion to include this species in the CITES Appendices at CoP15 (74 FR 33460, dated July 13, 2009; <https://www.federalregister.gov/articles/2009/07/13/E9-16410/conference-of-the-parties-to-the-convention-on-international-trade-in-endangered-species-of-wild>).

The American eel inhabits fresh, brackish, and coastal waters along the Atlantic Ocean from the southern tip of Greenland to Brazil, including the East Coast of the United States. American eels metamorphose into several stages during their lifetime: larval stage (1-3 years), juveniles (glass eels to elvers), sexually immature adults (yellow eels), and mature adults (silver eels). The species has several life-history characteristics that make American eels particularly vulnerable to overharvest: they are long-lived with a large body size; sexual maturity occurs late in life; each female's offspring are all produced at one time; and young eels experience high mortality rates. Adult eels are presumed to die after spawning. American eels were historically abundant in Atlantic coastal streams, constituting more than 25 percent of the total fish biomass. Historical declines were followed by relatively stable stock levels until the 1970s, and harvest data and limited stock-assessment data indicate continued declines in stock abundance in the next decades. The Service and NOAA were petitioned to list the American eel under the ESA in 2004 and 2010. For the 2004 petition after an extensive review of all available scientific and commercial information, it was determined that listing the American eel under the ESA was not warranted in 2007 (72 FR 4968). Following the second petition, the Service published a 90-day finding in the **Federal Register** (76 FR 60431, September 29, 2011) stating that the petition presents substantial information that a listing may be warranted, and a status review was initiated to determine if a listing was warranted. An ESA listing determination is expected on this petition by September 2015. In 2012 the Atlantic States Marine Fisheries Commission (ASMFC) produced a benchmark stock assessment for this species in the western Atlantic coast. The 2012 ASFMC Stock Assessment determined that the American eel stock is depleted and that the prevalence of significant downward trends in multiple surveys across the coast is cause for concern, but that no overfishing determination could be made at that time.

The ASMFC regulates the harvest of all phases of this species where it occurs throughout the drainages of all Atlantic coast states of the United States. In 2014, the ASFMC adopted additional management measures for the species. These included reductions in glass eel and yellow eel harvests, as well as establishing a coast wide quota to be implemented in the 2015 fishing year for 907,671 pounds of yellow eels if the quota is exceeded by more than 10% in a given year or for two consecutive years, the overage would trigger further quota reductions on a state allocation basis.

FAO data indicate that Canada, Mexico, and the United States exported a combined volume of 969 tonnes of American eel in 2012. An analysis by TRAFFIC of LEMIS trade data in *Anguilla* species from 2000 to 2009 indicates that the United States exported a reported 276 tonnes in weight plus 1.5 million specimens; more than 99% of the exports were for live American eels and were mostly of U.S. origin. According to the IUCN Red List, during the 15-year period preceding 2010, the U.S. and Canada have been the first- and third-most important suppliers of all life stages of live eels to Europe, accounting for nearly 50% of all imports of live eels into the EU.

As noted previously, the European Commission (EC) imposed an import and export ban on European eels, effective in 2010, which remained in place until the end of 2011 along with a zero export quota established by the European Union in 2011. In 2012, the Scientific Review Group (SRG), a scientific body of the Committee on Trade in Wild Flora and Fauna that assists the European Union countries in implementing CITES, determined that it was not possible to produce a non-detriment finding for export of this species and proposed continuing the ban and the zero quota. The zero quota is still in place for exports. However, the SRG approved a quota of 135,000 kg for import of wild-harvested European eels from Tunisia. Continuing the ban on import, from countries other than Tunisia, and export could increase demand for the American eel as a replacement species in international trade.

We are pursuing consultations with other range countries, our Regional offices, and the ASMFC representatives who are coordinating with the States on this issue to better understand the status of the stock and the domestic and international trade in the species. At this time, the United States remains undecided about proposing the American eel for inclusion in Appendix II, pending these consultations. In particular, we seek information on how the recently adopted ASFMC harvest and management efforts address the long-term sustainability of this species. In addition, we seek recent biological and trade information on other species of eel and how this impacts the trade in American eel, and information on the identification of eel species and their products, such as live elvers and meat.

5. Lined seahorse (*Hippocampus erectus*)—Transfer from Appendix II to Appendix I

The CBD and one private individual recommended that the United States submit a proposal for the transfer of the lined seahorses (*Hippocampus erectus*) from Appendix II to Appendix I based on an inferred or projected decline based on a decrease in quality of habitat; patterns of exploitation; and a high vulnerability to intrinsic or extrinsic factors. The genus *Hippocampus* was listed in Appendix II of CITES in 2002.

Lined seahorses occur from the southern end of Nova Scotia, Canada south through the Atlantic coast of the United States, throughout the Caribbean and Gulf of Mexico, and to Venezuela. The lined seahorse inhabits a variety of coastal waters at depths from the surface to around 73 meters and is usually associated with aquatic vegetation or soft corals. They may move to deeper waters in winter. In the United States, the species is less common in northeast Florida and the western panhandle than other parts of the state. Monitoring in South Carolina indicates a slight decline in abundance since 1990. There are no other published data from other states within the United States. Small specimens from Brazil appear to be genetically distinct from the north Atlantic specimens and may prove to be a separate species. The IUCN Red List includes the lined seahorse as Vulnerable (2003).

The primary threats to seahorses are numerous forms of habitat degradation, as well as targeted and incidental commercial catch, with associated high mortality of seahorses caught as bycatch, even after very short trawls; there is also limited recreational catch. Seahorses are used in the live aquarium trade and in traditional medicines and tonic foods. Traditional Chinese medicine accounts for the largest consumption of seahorses, while there is also an extensive aquarium trade. The United States has issued export permits for the live trade of specimens of this species

that were harvested in Florida, with permit conditions requiring that lined seahorse individuals to be greater than or equal to 10 cm in length and that collection of brooding males should be avoided. In Florida, harvest has been variable since the early 1990s, while fisheries independent data show stable populations since 1996. The United States is undecided on proposing the transfer of lined seahorse from Appendix II to Appendix I, we seek additional information on the biological status and management and harvest practices in the United States and from other range countries that will inform our decision.

6. Dwarf seahorse (*Hippocampus zosterae*)—Transfer from Appendix II to Appendix I

The CBD and one individual recommended that the United States submit a proposal for the transfer of the dwarf seahorses (*Hippocampus zosterae*) from Appendix II to Appendix I based on an inferred or projected decline based on a decrease in quality of habitat; patterns of exploitation; and a high vulnerability to intrinsic or extrinsic factors. The genus *Hippocampus* was listed in Appendix II of CITES in 2002. NOAA was petitioned to list the dwarf seahorse under the ESA in 2011. In 2012, NOAA published a 90-day finding in the **Federal Register** (77 FR 26478) announcing that the petition and information in NMFS' files presented substantial information indicating that the petitioned action may be warranted for listing the dwarf seahorse, and a status review was initiated to determine if a listing was warranted.

Dwarf seahorses occur in coastal areas, bays and lagoons, in the Gulf of Mexico, the Bahamas, Bermuda, and Cuba. They are found in shallow coastal and lagoon habitats and are primarily associated with turtle grass and manatee grass. However, they appear to be evenly distributed regardless of seagrass species. In the United States, this species appears to be most common in Florida, although several studies indicate that it occurs in moderate numbers in south Texas. They do not appear to have ever been common in the northern U.S. Gulf of Mexico. While the IUCN Red List includes the dwarf seahorse as Data Deficient (2003), the American Fisheries Society listed the U.S. populations of dwarf seahorses as Threatened (2000) due to habitat degradation.

The primary threats to seahorses are numerous forms of habitat degradation, as well as targeted and incidental commercial catch, with associated high mortality of seahorses caught as bycatch, even after very short trawls; there is also limited recreational catch. Seahorses are used in the live aquarium trade and in traditional medicines and tonic foods. Traditional Chinese medicine accounts for the largest consumption of seahorses, while there is also an extensive aquarium trade. The United States has issued export permits for the live trade of specimens of this species that were harvested in Florida, with permit conditions requiring that dwarf seahorse individuals to be greater than or equal to 2 cm in height and that collection of brooding males should be avoided. Data indicate all of the international trade in dwarf seahorse has remained reasonably constant from 1997 to 2008. The United States is undecided on proposing the transfer of the dwarf seahorse from Appendix II to Appendix I, we seek additional information on the biological status and management and harvest practices in the United States and from other range countries that will inform our decision.

7. Devil rays (*Mobula* spp.): Pygmy devil ray (*M. eregoodootenkee*), Atlantic devil ray (*M. hypostoma*), Spinetail devil ray (*M. japanica*), Shortfin devil ray (*M. kuhlii*), Giant devil ray

(*M. mobular*), Smoothtail devil ray (*M. munkiana*), Lesser Guinean devil ray (*M. rochebrunei*), Sicklefin devil ray (*M. tarapacana*), and Smoothtail devil ray (*M. thurstoni*)—Inclusion in Appendix II

The WCS and the WWF/TRAFFIC recommended that the United States propose the inclusion of all devil rays (*Mobula spp.*) in Appendix II based on the targeted harvest and bycatch of these species entering into international trade and look-alike concerns with manta rays. This taxon has not been previously proposed for listing. Manta rays (*Manta spp.*) were listed in Appendix II at CoP16. Devil rays and manta rays are the only two genera belonging to the family Mobulidae.

The genus *Mobula* consists of nine living species, of which the Atlantic devil ray, the spinetail devil ray, and the sicklefin devil ray are native to tropical marine environments, including U. S. territorial waters. The primary threats to devil rays across the globe are capture in targeted fisheries for Asian medicinal markets; for local consumption in parts of Asia and Africa; and as bycatch in surface gill net, longline, purse seine, and directed harpooning throughout much of their range. While all nine species are known to be targeted or are harvested as bycatch, only the spinetail devil ray, the sicklefin devil ray, and the smoothtail devil ray are known to be in international trade. In the United States, Hawaii established a working group to protect the Batoidea order of rays, which includes devil rays, from poaching and fishing, and Florida bans all harvest. Guam and the Commonwealth of the Mariana Islands prohibit possession, sale, distribution, and trade in rays and ray parts. The devil rays are easily distinguished from manta rays by their terminal mouths, while the mantas have sub-terminal mouths. Gill rakers, the primary products in international trade that are derived from both the manta rays and the devil rays, can readily be distinguished from each other. While meat is locally consumed, it is unclear whether devil ray meat is in international trade.

The current status of many devil ray species is unknown, as there is almost no published data on life history traits (including gestation length, fecundity, growth, or longevity) or population size or trends. Most assessments assume the devil rays are similar to manta rays in their life history (and thus inherently vulnerable), but the smaller size of devil rays and different habitat and grouping behavior suggest life history traits may be different between genera. The IUCN Red List includes the giant devil ray as Endangered (2006) due to high bycatch mortality, limited reproductive capacity, and small range. The extent to which products of giant devil ray enter international trade is unclear. Conversely, the spinetail devil ray, the sicklefin devil ray, and the smoothtail devil ray are heavily targeted in Indonesian fisheries and are assumed to have low productivity life history traits. The IUCN Red List includes the spinetail devil ray and the smoothtail devil ray as Near Threatened. The lesser Guinean devil ray is included in the Red List as Vulnerable due to its susceptibility to capture; heavy and unregulated fisheries throughout large areas of its range; and its low reproductive potential. The pygmy devil ray and the smoothtail devil ray are included in the Red list as Near Threatened based on assumptions about life history and threats, though the pygmy devil ray is cited as locally common and as of no commercial value in Australia (a small portion of this species' range). IUCN has assessed the remaining species as Data Deficient. Surveys suggest the Atlantic devil ray is increasing in U.S. waters along the east coast of the United States.

At this time, the United States remains undecided about proposing to include this taxon in

Appendix II, pending receipt of additional trade or biological information that demonstrates that it meets the CITES criteria for listing and consultation with the other range countries. In addition, we seek information on identification techniques for the species and products in international trade.

Reptiles

8. Chaco side-necked turtle (*Acanthochelys pallidipectoris*)—Inclusion in Appendix II or Appendix I

The IUCN - Species Survival Commission (SSC) Tortoise and Freshwater Turtle Specialist Group recommended that the United States propose the inclusion of the chaco side-necked turtle (*Acanthochelys pallidipectoris*) in Appendix I or II based on its limited distribution, locally small populations and high value in the pet trade.

This species has a narrow range of distribution centered on the Chaco ecoregion in South America which includes western Paraguay, southern Bolivia and northern Argentina. The primary threats to this turtle species are habitat modification and destruction, harvest for local tribal use and harvest for the international pet trade. The IUCN Red List currently includes the Chaco side-necked turtle as Vulnerable (1996). Its status was recently reassessed and provisionally categorized as Endangered (2011) and this categorization is currently undergoing final review by IUCN. The chaco side-necked turtle is not known to breed in captivity. Therefore, specimens in trade must come from the wild. There is no overall population data available for this species. The species apparently occurs in dispersed, small populations but on two occasions, it was located in larger aggregations. The largest population was observed in National Park Chaco, in El Chaco, Argentina.

The United States remains undecided about proposing to include the chaco side-necked turtle in Appendix I or II, pending further information from range countries, or additional trade or biological information that demonstrates that it meets the CITES criteria for listing

9. African and Middle Eastern softshell turtles in the family Trionychidae: Aubry's flapshell turtle (*Cycloderma aubryi*); Zambezi flapshell turtle (*C. frenatum*); Nubian flapshell turtle (*Cyclanorbis elegans*); Senegal flapshell turtle (*C. senegalensis*); Euphrates softshell turtle (*Rafetus euphraticus*); and African or Nile softshell turtle (*Trionyx triunguis*)—Inclusion in Appendix II

The IUCN Freshwater Turtle & Tortoise Specialist Group, the CBD, and the SSN recommended that the United States propose the inclusion of the African and Middle Eastern softshell turtles belonging to the family Trionychidae in Appendix II based on unregulated international trade in these softshell turtles. The related Asian softshell turtles were listed in Appendix II at CoP16.

Soft-shelled turtles of the family Trionychidae are among the most highly valued freshwater turtle species in international trade, traded mainly for consumption in eastern Asia. Live animals, as well as parts and derivatives (dried shell and cartilage, dried meat) are internationally traded. In addition, these species are widely captured for local subsistence consumption and

domestic trade. Trade in soft-shelled turtles is generally non-specific for any particular species – they are interchangeable as a food/medicinal sources. As Asian softshell turtle species have been depleted and as their trade has become regulated through CITES and domestic measures, trade to meet the commercial demand has shifted to other softshell turtle ranges including the United States, Africa, and the Middle East.

These species were evaluated by the IUCN in 1996 and recently reassessed, as noted below; the revised provisional categorizations are currently under final review by IUCN.

Species	Current Status (1996)	Provisional Status (2013)
Nubian flapshell turtle	Near Threat/Low Risk	Critically Endangered
Senegal flapshell turtle	Near Threat/Low Risk	Vulnerable
Aubry’s flapshell turtle	Not Listed	Vulnerable
Zambezi flapshell turtle	Near Threat/Low Risk	Not Evaluated
African or Nile softshell turtle	Not Listed	Vulnerable
Euphrates softshell turtle	Endangered	Not Evaluated

At this time, the United States remains undecided about proposing to include African softshell turtles in Appendix II, pending further information from range countries, or additional trade or biological information that demonstrates that the species meets the CITES criteria for listing.

10. African pygmy chameleons (*Rhampholeon* spp. and *Rieppeleon* spp.): Mount Gorongosa pygmy chameleon (*Rhampholeon gorongosae*), Marshall’s pygmy chameleon (*R. marshalli*), Cameroon stumptail chameleon (*R. spectrum*), East Usambara pygmy chameleon (*R. temporalis*), Rare (Green) pygmy chameleon (*R. viridis*), Nguru spiny pygmy chameleon (*R. acuminatus*), Beraducci’s pygmy chameleon (*R. beraduccii*), Boulenger’s pygmy chameleon (*R. boulengeri*), Chapman’s pygmy chameleon (*R. chapmanorum*), Udzungwa pygmy chameleon (*R. moyeri*), Nchisi pygmy chameleon (*R. nchisiensis*), Mulanje pygmy chameleon (*R. platyceps*), Uluguru pygmy chameleon (*R. uluguruensis*), Mount Inago pygmy chameleon (*R. bruessoworum*), Mount Namuli pygmy chameleon (*R. tilburyi*), Mount Chiperoone pygmy chameleon (*R. nebulauctor*), Mount Mabu pygmy chameleon (*R. maspictus*), Zomba pygmy chameleon (*Rieppeleon brachyurus*), Bearded pygmy chameleon (*R. brevicaudatus*), Kenya leaf chameleon (*R. kerstenii*)—Inclusion in Appendix II

The SSN recommended that the United States propose the inclusion of all African pygmy chameleons (*Rhampholeon* spp. and *Rieppeleon* spp) in Appendix II, based on concerns about the impact of the live pet trade, including illegal trade due in part to a taxonomic ambiguity, and similarity of appearance in trade that is indiscriminant of species. The Rosette-nosed pygmy chameleons are already listed in CITES Appendix II under its former name *Bradypodion spinosum*. African pygmy chameleons are the only chameleons not yet covered by CITES; all other chameleons are included in CITES Appendix II (except *Brookesia perarmata*, which is included in Appendix I). These taxa have undergone frequent taxonomic changes and were

originally all included in the genus *Rhampholeon*. In 2004 African pygmy chameleons were separated into two genera, *Rhampholeon* and *Rieppeleon*, although the old taxonomy is still dominant in the trade. Four species were described as recently as 2014: *Rhampholeon bruessoworum*, *R. tilburyi*, *R. nebulauctor* and *R. maspictus*.

All of these chameleons occur only within continental Africa. The IUCN Red List includes nine of these African pygmy chameleon species as Endangered, one as Threatened, three as Vulnerable, and nine species have been assessed as species of Least Concern (2014). Several *Rhampholeon* spp. are locally restricted due to specific habitat requirements, including nine species that have a small distribution range and are endemic to biodiversity hotspots, such as the Eastern Ark Mountains of Tanzania and Kenya. Extensive habitat alteration and loss has impacted several regional populations of chameleons. International trade of African pygmy chameleons is neither monitored nor regulated and they are now commonly available in the international pet trade, most notably in Europe and the United States. The difficulty of distinguishing between species of pygmy chameleons, the ongoing confusion regarding the nomenclature used in trade, and the occurrence of numerous unspecified or incorrect trade records are factors that contribute concern that both genera may be affected negatively by trade, with the endemic and habitat-restricted species being particularly vulnerable.

At this time, the United States remains undecided about proposing to include African pygmy chameleons in Appendix II, pending further information from range countries, or additional trade or biological information that demonstrates that these species meet the CITES criteria for listing

Birds

11. Four Indo-Pacific bird species: Loria's bird-of-paradise (*Cnemophilus loriae*), Crested bird-of-paradise (*C. macgregorii*), Yellow-breasted bird-of-paradise (*Loboparadisea sericea*), and Macgregor's bird-of-paradise (*Macgregoria pulchra*)—Removal from Appendix II

The Ornithological Council recommended that the United States propose the removal of Loria's bird-of-paradise (*Cnemophilus loriae*), crested bird-of-paradise (*C. macgregorii*), yellow-breasted bird-of-paradise (*Loboparadisea sericea*), and Macgregor's bird-of-paradise (*Macgregoria pulchra*), on the basis that the species are no longer considered to be members of the Paradisaeidae family (Birds-of-paradise). These species have undergone taxonomic changes that remove them from Paradisaeidae and place the first three species in the Cnemophilidae family (Satinbirds) and the fourth species in the Meliphagidae family (Honeyeaters). All species of Paradisaeidae were included in Appendix II in 1975.

The four species are native to Indonesia and Papua New Guinea, except for yellow-breasted bird-of-paradise, which is only found in Papua New Guinea. Following an IUCN Red List evaluation in 2012, Loria's bird-of-paradise and Crested bird-of-paradise were categorized as Least Concern; Yellow-breasted bird-of-paradise as Threatened; and Macgregor's bird-of-paradise as Vulnerable. The CITES trade data indicate that there has been no trade in Crested bird-of-paradise and Macgregor's bird-of-paradise from 1999 to 2013 (the latest year for which the most complete CITES trade data is available). For Loria's bird-of-paradise, CITES trade

data since 1999 consisted of U.S. imports totaling 8 biological specimens of wild origin from Papua New Guinea. Since 1999, CITES trade data for the Yellow-breasted bird-of-paradise have consisted of U.S. imports totaling 16 specimens of wild origin: a total of 5 biological specimens originating from Papua New Guinea for scientific purposes in 2004, 2005 and 2013; and 1 body imported in 2005 (from Papua New Guinea) for commercial purposes; and 10 live birds imported in 2009 (from Indonesia) for commercial purposes.

The United States is consulting with the range countries and is requesting the CITES Nomenclature Specialist to evaluate and provide guidance on this nomenclature matter. Pending the outcome of such discussions, the United States is undecided whether to submit a proposal to remove these four species from the CITES Appendices at CoP17.

12. African grey parrot (*Psittacus erithacus*)—Transfer from Appendix II to Appendix I

The WCS recommended that the United States submit a proposal for the transfer of the African grey parrot (*Psittacus erithacus*) from Appendix II to Appendix I. This species was listed in Appendix II of CITES in 1981. It has also been selected three times for the CITES Review of Significant Trade due to the large volume of trade in the species since the 1980s.

The African grey parrot has a wide geographic distribution in Africa, including Angola, Benin, Burundi, Cameroon, Central African Republic, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Ghana, Guinea, Guinea Bissau, Kenya, Liberia, Mali, Nigeria, Rwanda, Sao Tome and Principe, Sierra Leone, Togo, Uganda, and the United Republic of Tanzania. Prior to the establishment of the Wild Bird Conservation Act (WBCA) in 1992, the United States was a major importer of this species. To protect exotic bird populations subject to international trade, the WBCA prohibits the importation of most wild-caught CITES-listed bird species, except as provided under the Act. The global population of this species is 0.56-12.7 million individuals, and the population trend is decreasing. Demand for African grey parrots is high due to their gregarious, speaking ability, and intelligent nature. They are particularly sought after in the Middle East and Asia. They are also consumed as bushmeat and used in traditional medicine preparations. BirdLife International has categorized this species as Vulnerable (2012), according to the IUCN Red List criteria. According to BirdLife, population declines have been noted in Burundi, Cameroon, Ghana, Guinea, Guinea-Bissau, Kenya, Liberia, Nigeria, Rwanda, São Tomé and Príncipe, Sierra Leone, Togo, Uganda and parts of Congo and the Democratic Republic of the Congo. In all of these declines, trapping for the wild bird trade has been implicated, with habitat loss also having significant impacts throughout West and East Africa.

At this time, the United States remains undecided about proposing to transfer the African grey parrot from Appendix II to Appendix I, pending further information from range countries specifically on local and regional population abundance and trends, and additional trade and biological information that demonstrates that it meets the CITES criteria for transfer to Appendix I.

Mammals

13. Pangolins (*Manis* spp.)—Transfer from Appendix II to Appendix I

The CBD, IFAW, SSN, WCS, WWF/TRAFFIC, and one private individual recommended that the United States submit a proposal for the transfer of the eight species of pangolins (*Manis* spp.) from Appendix II to Appendix I due to ongoing and growing high levels of international trade, much of which is illegal trade, in pangolins and their parts to satisfy the demand for pangolin meat and scales. The four Asian pangolin species, the Indian or thick-tailed pangolin (*M. crassicaudata*), the Philippine pangolin (*M. culionensis*), the Sunda or Malayan pangolin (*M. javanica*), and the Chinese pangolin (*M. pentadactyla*) were included in Appendix II in 1975 and, concurrently, one of the four African pangolin species, Temminck's ground pangolin (*M. temminckii*), was included in Appendix I. In 1976, Ghana included the remaining three African pangolin species in Appendix III: the giant ground pangolin (*M. gigantea*), the black-bellied pangolin (*M. tetradactyla*), and the white-bellied pangolin (*M. tricuspis*). In 1995, Temminck's ground pangolin was transferred from Appendix I to Appendix II, and all remaining *Manis* species were included in Appendix II. A zero annual export quota was established in 2000 for the four Asian pangolin species for specimens removed from the wild and traded for primarily commercial purposes. The following builds upon information the Service published in the **Federal Register** in response to a previous suggestion to transfer the four Asian pangolin species from Appendix II to Appendix I at CoP16 (77 FR 21798, dated June 21, 2012; <http://www.gpo.gov/fdsys/pkg/FR-2012-04-11/pdf/2012-8665.pdf>).

We note that the public comments received by the Service regarding pangolins referenced either one or both of two nomenclature standards. Whereas the IUCN Red List places the African pangolins in three separate genera (*Smutsia*, *Phataginus*, and *Uromanis*), the CITES standard reference for pangolins includes all eight pangolin species in the genus *Manis*. The nomenclature we use in this notice is consistent with the CITES standard.

All species of pangolins are exploited for traditional medicine and food. In a recent species assessment for the IUCN Red List, the IUCN–SSC Pangolin Specialist Group found all eight pangolin species to be threatened with extinction. Of the four Asian species, two were classified as Critically Endangered and two as Endangered (2014). One African pangolin species, Temminck's ground pangolin, has been listed as Endangered under the U.S. Endangered Species Act since 1976 (41 FR 24062-24067, dated June 14, 1976). The IUCN–SSC Pangolin Specialist Group estimates that over one million pangolins have been traded illegally in the last decade, possibly making pangolins the most heavily trafficked wild mammal in the world. Although all range countries of these four Asian pangolin species have zero export quotas, illegal international trade of these species continues to occur. Despite the zero export quotas for Asian pangolins, 300 wild-source skins of the Sunda pangolin (*Manis javanica*) were exported from the Lao People's Democratic Republic (Lao PDR) for commercial purposes in 2003. In addition, in 2010, Lao PDR exported 1,000 Chinese pangolin (*Manis pentadactyla*) skins, reported as ranches, also for commercial purposes.

African range countries have no export quotas for African pangolin species, and the reduced availability of Asian species for legal international trade has put increased pressure on African pangolin species to become the replacement species in international trade. Recently, we have seen a dramatic increase in seizures of large volumes of illegal shipments of African pangolins

and their parts and products. Legal trade in African pangolin species has also increased in recent years. According to the UNEP-WCMC CITES trade database, 624 live pangolins, 269 skins, 10 skeletons, and 50 kg scales were exported from seven African countries (Togo, Cameroon, Democratic Republic of the Congo, Uganda, Ivory Coast, Benin and Guinea) for commercial purposes between 2002-2011, and most of these exports occurred in the most recent five years.

Because of their high levels of trade, two African pangolin species, the giant ground pangolin and the white-bellied pangolin, were selected for the Animals Committee Review of Significant Trade at AC27. In addition, reflecting increased global concern over the conservation status of pangolins, at the 65th meeting of the CITES Standing Committee (SC65; Geneva, 2014), the Committee agreed to invite Parties to provide information on the conservation of and trade in Asian and African pangolin species. The CITES Secretariat requested such information be provided to the CITES Secretariat by June 30, 2015 (Notification 2014/059, dated December 8, 2014; <http://cites.org/sites/default/files/notif/E-Notif-2014-059.pdf>). More recently, Viet Nam and the United States of America co-hosted an international meeting of delegates representing the 48 African and Asian pangolin range countries, which was held in Viet Nam in June, 2015. The meeting brought range countries together to jointly review the responses to the CITES Notification, to determine if the eight species of pangolins are appropriately listed in the CITES Appendices, and to develop a joint action plan to accomplish adopted goals. At this time, the United States remains undecided about proposing to transfer pangolin species from Appendix II to Appendix I, pending the review of additional biological and trade information received at the June 2015 meeting in Viet Nam and further consultations with range countries.

14. Narwhal (*Monodon monoceros*)—Transfer from Appendix II to Appendix I

The CBD recommended that the United States submit a proposal for the transfer of the narwhal (*Monodon monoceros*) from Appendix II to Appendix I based on unsustainable levels of harvest in some regions and significant impacts of international trade. This species was listed in Appendix III by Canada in 1975, and was listed in Appendix II in 1979 through a listing of all species included in the order Cetacea.

Although this species is abundant globally, there are several subpopulations with discrete ranges and movement patterns. The proponents of this recommendation are concerned about the area of distribution, its uncertain population status in certain parts of its range, the impacts of climate change, and decrease in quality of habitat, including prey species. They also believe that the current levels of harvest in Canada and Greenland are unsustainable. The proponents believe that inclusion in Appendix I would likely benefit the conservation of the species because there is international commercial trade resulting from the harvest, and that trade may be an incentive to continue a high harvest level in some areas. The following summary builds upon information the Service published in the **Federal Register** in response to previous suggestions to transfer this species to CITES Appendix I at CoP15 and CoP16, respectively (74 FR 33460, dated July 13, 2009; <http://www.fws.gov/international/pdf/federal-register-notice-74-fr-33460-extended-version.pdf> & 77 FR 21798, dated June 21, 2012; <http://www.fws.gov/international/pdf/federal-register-notice-77-fr-21798-extended-version.pdf>).

We note that narwhal trade levels and conservation status are closely monitored by the North Atlantic Marine Mammal Commission (NAMMCO), as well as the Canada/Greenland Joint Commission on Conservation and Management of Narwhal and Beluga Scientific Working Group. At this time, there are no recommendations by these organizations to limit narwhal harvest, but stock assessments are ongoing. A symposium to evaluate the effects of human disturbance on narwhals and other cetaceans is scheduled for Fall 2015.

Based on this pending evaluation, the United States is currently undecided on whether to propose transferring the narwhal from Appendix II to Appendix I at CoP17.

15. African lion (*Panthera leo leo*)—Transfer from Appendix II to Appendix I

The HSI, IFAW, and 12 private individuals recommended that the United States submit a proposal for the transfer of the African lion (*Panthera leo leo*) from Appendix II to Appendix I due to recent trends in African lion habitat loss, population declines, and a decreased range of distribution, in conjunction with pressure from trophy hunting and commercial trade. In 1976, Ghana included its lion population in Appendix III. In 1977, all lions (*Panthera leo*), with the exception of the Asiatic lion subspecies (*Panthera leo persica*), were included in Appendix II under the family Felidae listing. At that time, the Asiatic lion, which had been in Appendix II since 1975, was transferred to Appendix I. Kenya submitted a proposal for consideration at CoP13 to transfer lion populations of western and central Africa from Appendix II to Appendix I; however, Kenya withdrew its proposal during Committee I discussions at CoP13 due to a lack of regional consensus on the proposal.

Lions can be found in most countries in sub-Saharan Africa; however, their current range in sub-Saharan Africa is only about 22% of its historical range. Most (77%) of its current range is in eastern and southern Africa. Information currently available suggests there are approximately 34,907 African lions in the wild, with only about 480 and 2,419 of these occurring in western and central Africa, respectively. Current information indicates that suitable lion habitat in the African savannah has been reduced from 13.5 million km² to about 3.4 million km². Although not a range country for the African lion, the United States is a major importer of African lions and their parts, a portion of which are imported for commercial purposes.

The Animals Committee is conducting a Periodic Review of the African lion, scheduled to be completed by CoP17 in accordance with CITES Decision 13.93 (Rev. CoP16). At AC27, a representative of the IUCN informed the Animals Committee that an updated Red List Assessment of the African lion would be completed in 2015. In addition, potential nomenclature changes to lion subspecies were suggested. At this time, the United States remains undecided about proposing to transfer the African lion from Appendix II to Appendix I, pending range State consultations and the results of the CITES Periodic Review and the IUCN Red List Assessment, which we expect will provide additional trade and biological information that will inform our decision.

C. What species proposals is the United States not likely to submit for consideration at CoP17, unless we receive significant additional information?

The United States does not intend to submit proposals for the following taxa unless we receive significant additional information indicating that a proposal is warranted. As described further below, information currently available for each of the taxa listed below does not support a proposal.

Plants

1. Goldenseal (*Hydrastis canadensis*)—Removal from Appendix II

The AHPA recommended that the United States propose the removal of goldenseal (*Hydrastis canadensis*) from Appendix II because exports are mostly for cultivated material and international trade involves an insignificant amount of the harvest and trade in this species. Goldenseal was included in CITES Appendix II in 1997 (with an annotation to include “whole and sliced roots and parts of roots, excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionery”). At CoP14, the CITES annotation on this species was amended to include: “Underground parts (i.e. roots, rhizomes): whole, parts and powdered.”

Goldenseal is native to 26 states in the eastern United States and one province in Canada. The root is harvested for a variety of medicinal uses, such as topical antiseptic, appetite stimulant, and immune booster. This is a monotypic genus with intrinsic life history factors that limit its expansion, dispersal, and regeneration: it appears to rely primarily on clonal reproduction; it takes 4-7 years to reach sexual maturity; few seeds produce seedlings and few seedlings survive; and its occurrences are patchy, localized, isolated, and sparse. Goldenseal patches typically have between several to several hundred stems. Two core range States, West Virginia and Indiana, report decreasing population trends. Population reductions reported in the core of goldenseal’s range, including Kentucky and Ohio, have been attributed to over-collecting. Officials in Indiana, Kentucky, Michigan, Missouri, North Carolina, Virginia, and West Virginia have noted that collection is a likely threat to this species. The species is state-listed as endangered, vulnerable or threatened in at least eleven States, and Canada; and is included under special protection in 3 states. The species is not protected in 6 states, most notably five states considered to be the core of its range: Illinois, Indiana, Kentucky, Ohio, and West Virginia. There are few state-level mechanisms in place to track the status and harvest of this species.

U.S. CITES export data indicate that, since the species’ inclusion in CITES in 1997, international trade in goldenseal has shifted from wild to artificially propagated material. Between 2002 and 2012, the United States exported 10,654 pounds of dried goldenseal roots and 51 kg of powder, and that the last export of wild specimens occurred in 2002. However, our office recently found that significant amounts of goldenseal root that was purportedly artificially propagated did not meet the CITES criteria for artificially propagated and information indicated that a good portion of that material was sourced directly from the wild. Therefore, we consider that continued regulation of CITES is required in order to ensure that harvest does not impact the survival of the species. In addition, removing goldenseal from CITES would likely result in expanded and renewed wild harvest at levels that could be detrimental to populations. Other threats to this species include habitat loss for urbanization and logging, foraging by mammals, encroachment from invasive species, and plant diseases.

All factors that impact the status of a species (including domestic and international, legal and illegal uses) are considered when making listing, amendment or permitting decisions in determining whether international trade is detrimental to the survival of a CITES-listed species. In addition to the above concerns about the harvest and status of wild goldenseal, long-lived species that reach reproductive age after a lengthy juvenile period may be generally more vulnerable to overharvesting than species that reach reproductive maturity quickly. Moreover, the Service considers monotypic genera to be at higher conservation risk because the species represents highly distinctive or isolated gene pools. The overall impact of domestic and international trade on this species warrants its continued listing in Appendix II. Therefore, it is unlikely that the United States will submit a proposal to remove goldenseal from the CITES Appendices at this time.

2. American ginseng (*Panax quinquefolius*)—Amendment of the Appendix-II listing annotation to exclude sliced roots from CITES control

The AHPA, the GBW, and HGE recommended that the United States propose an amendment to the Appendix-II listing annotation for American ginseng (*Panax quinquefolius*) to exempt “sliced” roots from CITES controls. American ginseng is native to the eastern United States and Canada, and was included in Appendix II in 1975. The original listing covered plants and roots. At CoP11 (Gigiri, 2000), the Russian Federation population of red ginseng (*Panax ginseng*) was included in Appendix II with the same annotation as American ginseng.

From 1997 to 2007, the annotation for ginseng included: “whole and sliced roots and parts of roots, excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionery.” In 2007, at CoP14, Switzerland as the Depositary State for CITES, submitted a proposal to remove the “exclusionary” language (i.e., excluding manufactured parts or derivatives such as powders, pills, extracts, tonics, teas and confectionery) from the annotation. The purpose of removing the “exclusionary” language was to harmonize the annotation with the other annotations for medicinal plant species listed in the CITES Appendices, by only listing what is included under the listings of the species, which was recommended by the Plants Committee. The removal of the “exclusionary” language, however, created confusion among U.S. ginseng exporters, U.S. custom officials, and others, and resulted in seizures of shipments of ginseng parts and derivatives. As a result, the United States submitted a proposal at CoP16 to reinstate the deleted “exclusionary” language in the annotation, which was adopted by the Parties, and was supported by the AHPA, GBW, and HGE.

Given the increased poaching of American ginseng and high value of American ginseng in international trade, we are concerned about exempting sliced roots from CITES controls. Illegally harvested roots could be sliced to avoid CITES control measures, such as permitting and inspection of shipments. Once ginseng roots are sliced, it is difficult to distinguish whether such roots were cultivated or harvested from the wild, particularly as ginseng is grown under various forestry systems to develop wild-looking root characteristics.

Based on the recent difficulties experienced with the implementation of the previously amended annotation, we are concerned that removing “sliced” roots from the annotation would result in similar implementation difficulties, particularly differentiating shipments of “parts of roots”

(controlled under CITES) from root “slices” (which would not be controlled under CITES), which could result in seizures of shipments. The existing annotation covers the commodities that are of conservation concern (roots), and excludes those that are not of conservation concern (manufactured products such as pills, extracts, tonics, teas), and is clear and easy to understand. In addition, the CITES Standing Committee is currently reviewing the annotations for plant species listed in Appendices II and III, and the outcome of these discussions will be submitted to CoP17. Therefore, the other ginseng range countries (Canada and the Russian Federation) and other Parties are not likely to support an amendment to the annotation for ginseng until the results from the Standing Committee deliberations are known and considered by the Parties at CoP17. At this time, the United States is unlikely to submit a proposal to amend the listing annotation for ginseng to exempt “sliced” roots from CITES controls.

3. Hawaiian sandalwoods (*Santalum* spp.)—Inclusion in Appendix II

The UpS recommended that the United States propose the inclusion of Hawaiian sandalwoods (*Santalum* spp.) in the CITES Appendices because international trade is unregulated and of conservation concern to the status of the species. The following builds upon information the Service published in the **Federal Register** in response to UpS’ previous suggestion that the United States propose to include these species in the CITES Appendices at CoP16 (Bangkok, 2013; 77 FR 21798, dated June 21, 2012; <http://www.gpo.gov/fdsys/pkg/FR-2012-04-11/pdf/2012-8665.pdf>).

Hawaiian sandalwood or ‘iliahi comprises six endemic species of small- to medium-sized evergreen trees. Due to their restricted distribution there is concern that international trade could affect wild populations. Mountain sandalwood (*Santalum paniculatum*) is the only known Hawaiian sandalwood that is currently harvested for international trade. Mountain sandalwood trees are harvested for the fragrant heartwood, which is distilled into essential oil. This oil is used as a fragrance in incense, perfumes, and personal care products. Hawaiian sandalwoods were extensively harvested for trade to China from the early 1790s to the late 1820s, which resulted in significantly depleting sandalwood on the Hawaiian Islands.

The UpS first recommended that the United States propose to include Hawaiian sandalwoods in the Appendices at CoP16 (2013). At that time, we consulted with the State of Hawaii and others, but there was insufficient information for the United States to determine the impact of international trade on wild populations. In recent discussions with the State, we have learned that an inventory to assess the status of mountain sandalwood on State forest lands will begin in late 2015. In addition, the State is working with landowners on the management and harvest of mountain sandalwood on lands classified as ‘agricultural lands’ where the current harvest occurs. Since the results from the States’ efforts will most likely not be final prior to CoP17, it is unlikely that the United States will submit a proposal at this time. We will continue to monitor the status of mountain sandalwood and await the results of the State inventory, and continue to gather biological and trade information that will assist our decision-making in the future.

Invertebrates

4. Sea cucumbers not native to the United States: Deepwater blackfish (*Actinopyga palauensis*), Burying blackfish (*A. spinea*), Japanese sea cucumber (*Apostichopus japonicas*), Brown-spotted sandfish (*Bohadschia marmorata*), Falalyjaka (*B. subrubra*), Japanese cucumaria (*Cucumaria japonica*), Black teatfish (*Holothuria nobilis*), Sandfish (*H. scabra*), Selenka's sea cucumber (*Stichopus monotuberculatus*), Selenka's sea cucumber (*S. naso*)—Inclusion in Appendix II

The CBD and one private individual recommended that the United States propose the inclusion of 10 species of sea cucumbers that are not native to the United States in Appendix II on the basis that they are either traded in the U.S. or resemble any of several U.S. native species in trade in the United States. These non-native species are being discussed separately from the sea cucumber species that are native to the United States. See Section B, Item 6 of this Notice regarding sea cucumbers native to the United States and for background information regarding sea cucumber conservation and management within the CITES context. Note that, except for the Japanese cucumaria which belongs to the family Cucumariidae, the above-mentioned species belong to the families Holothuridae and Stichopodidae.

The 10 non-native species of sea cucumber are found primarily in the Indo-Pacific and mostly have populations easily collected in shallow habitats. Except for the Japanese cucumaria, which has not been assessed, the IUCN Red List includes 3 of the remaining above-mentioned sea cucumber species as Data Deficient, 3 species as Least Concern, and 3 species as Endangered (2013). The primary threat to these species is overharvest for consumption, with the Japanese cucumaria possibly comprising the majority of U.S. imports from Asia and with the remaining species at risk of trade shifting toward them as other species that are currently targeted become rare. Processed sea cucumber products in trade are often similar in appearance making it difficult to identify individual species, however, when harvested many high value species are identified by fishers and targeted.

Some national management exists for these species but lack of enforcement and the vulnerability of these species due to their low productivity and susceptibility to capture, indicate that an Appendix II listing could potentially provide conservation benefits, unless additional enforced management actions are taken by member states. At this time, however, unless we receive significant additional information on the similarity of appearance of these species and their products relative to the native sea cucumber species noted above in See section B of this Notice, the United States is unlikely to propose an Appendix II listing for these 10 species.

Fishes

5. Thresher sharks (*Alopias* spp.): Bigeye thresher shark (*A. pelagicus*), Pelagic thresher shark (*A. superciliosus*), Common thresher shark (*A. vulpinus*)—Inclusion in Appendix II

The PEG recommended that the United States propose the inclusion of the bigeye thresher shark (*Alopias* spp.) in Appendix II, along with the common thresher shark and the pelagic thresher shark in Appendix II as look-alike species, on the basis of biological information, a decline in population, and the impacts of bycatch and targeted harvest for fins and meat of these species which enter into international trade. The following summary builds upon information the

Service published in the **Federal Register** in response to a previous suggestion to include this family in CITES Appendix II at CoP16 (77 FR 21798, dated June 21, 2012; <http://www.fws.gov/international/pdf/federal-register-notice-77-fr-21798-extended-version.pdf>).

These sharks have a circumglobal distribution in tropical and temperate seas, including U.S. waters. The primary threats to these species are capture in targeted fisheries for their fins, skin, liver oil, and valuable meat, and as bycatch in other fisheries; they are fished both commercially and recreationally. Estimates of declines in northwest and Central Atlantic based on longline fisheries data exceed 80% for bigeye threshers and are over 96% for common threshers in the Mediterranean and 63 to 80% in the northwest and central Atlantic. However, discrepancies between longline and observer data in the Atlantic show conflicting results, with observer data showing an increase in abundance of greater than 20% in the Atlantic over the last two decades. In the Eastern Pacific, data demonstrate a rebuilding of thresher abundance due to effective management. Recent vulnerability assessments show that bigeye threshers are a little more vulnerable and common threshers are less vulnerable than prior information indicated. New information also points to high-release mortality from recreational fishing, but the impact of recreational catches on thresher abundance is not clear. In the U.S. Atlantic, bigeye thresher sharks remain on the prohibited species list, so possession and retention are prohibited in the commercial shark fishery. The IUCN Red List includes all three thresher species as Vulnerable (2009).

Some national and international management and agreements exist. The lack of data and sustainable management in some areas, high values for parts, likely enforcement problems in some areas, and the vulnerability of these species due to their low productivity and susceptibility to fisheries, imply that a CITES listing could potentially provide conservation benefits unless further management actions are taken by member states and appropriate Regional Fishery Management Organizations. With the listing of the 5 shark species (Oceanic whitetip shark (*Carcharhinus longimanus*); Porbeagle shark (*Lamna nasus*); Scalloped hammerhead shark (*Sphyrna lewini*); Great hammerhead shark (*S. mokarran*); and Smooth hammerhead shark (*S. zygaena*)) at CoP16 with a delayed implementation date, the United States recognizes that it would be prudent and wise not to propose additional shark listings at CoP17 until Parties have evaluated lessons learned from the implementation of the CoP16 listings. The United States continues to work within Regional Fisheries Management Organizations on the adoption of shark conservation and management measures for all shark species, to promote our “fins naturally attached” policy overseas, and to provide technical assistance to other countries in support of the conservation and management of sharks globally. Therefore, it is unlikely that the United States will submit a proposal at this time.

6. Dusky shark (*Carcharhinus obscurus*)—Inclusion in Appendix II

The PEG recommended that the United States propose the inclusion of the dusky shark (*Carcharhinus obscurus*) in Appendix II based on biological information, a decline in population, and harvest of their fins which enter into international trade. The following summary builds upon information the Service published in the **Federal Register** in response to a previous suggestion to include this family in CITES Appendix II at CoP16 (77 FR 21798, dated June 21, 2012; <http://www.fws.gov/international/pdf/federal-register-notice-77-fr-21798->

[extended-version.pdf](#)).

Dusky sharks have a wide distribution in tropical and warm temperate seas. In the western Atlantic Ocean, they range from the United States (Massachusetts) through the Gulf of Mexico to southern Brazil, and in the eastern Pacific Ocean, from southern California through the Gulf of California to the eastern coast of Chile. The IUCN Red List includes the dusky shark as Vulnerable (2009). Since the last IUCN assessment, new research in a number of areas suggests improved status (e.g., decreased bycatch and increasing abundance trends in the northwest Atlantic). Dusky sharks have a low intrinsic rate of increase, making them vulnerable to overharvest. Dusky sharks are harvested primarily for fins, which are prized for their large size and high fin-needle content. Because of its high-value fin, dusky sharks caught incidentally in tuna and swordfish fisheries are now regularly landed rather than released in countries where landings of dusky sharks is allowed; along the Atlantic, the United States prohibits landings of dusky sharks.

Some national and international management agreements exist. The general lack of data and sustainable management in some areas, high values for parts, potential enforcement problems in some areas, and the vulnerability of this species due to their low productivity and susceptibility to fisheries suggest that a CITES listing could potentially provide conservation benefits and compliment management actions that are taken by member states and appropriate Regional Fishery Management Organizations. With the listing of the 5 shark species (Oceanic whitetip shark (*Carcharhinus longimanus*); Porbeagle shark (*Lamna nasus*); Scalloped hammerhead shark (*Sphyrna lewini*); Great hammerhead shark (*S. mokarran*); and Smooth hammerhead shark (*S. zygaena*)) at CoP16 with a delayed implementation date, the United States recognizes that it would be prudent and wise not to propose additional shark listings at CoP17 until Parties have evaluated lessons learned from the implementation of the CoP16 listings. The United States continues to work within Regional Fisheries Management Organizations on the adoption of shark conservation and management measures for all shark species, to promote our “fins naturally attached” policy overseas, and to provide technical assistance to other countries in support of the conservation and management of sharks globally. Therefore, it is unlikely that the United States will submit a proposal at this time.

7. Silky shark (*Carcharhinus falciformis*)—Inclusion in Appendix II

The PEG recommended that the United States propose the inclusion of the silky shark (*Carcharhinus falciformis*) in Appendix II based on biological information, a decline in population, the impacts of bycatch and targeted harvest for their meat and fins which enter into international trade.

Silky sharks have a circumtropical distribution in the Atlantic, Indian, and Pacific Oceans (where they are considered common throughout). In the western Atlantic, they range from the United States (Massachusetts) through the Gulf of Mexico and Caribbean Sea to southern Brazil, and in the eastern Pacific, from Southern Baja California, to Peru, and in the western Pacific, in the Hawaiian archipelago. Silky sharks are usually found near the edge of continental and insular shelves at depths of 200 meters or more, in warm waters around 23° C. They have been recorded inshore in waters as shallow as 18 meters, and offshore at depths of at least 500 meters.

Different life stages are found in varying environments and depths, with smaller sharks more frequently found in coastal nurseries and adults further offshore in deeper water. Silky sharks are highly associated with seamounts and islands, and demonstrate strong fidelity to natural or manmade objects (like fish aggregating devices (FADs)) floating at the sea surface, with juveniles in particular congregating around FADs.

The greatest threat to this species is being caught as bycatch. Worldwide, silky sharks may be the most commonly caught shark species in tuna longline and purse seine fishing gear, especially when set on FADs. Purse seine catches of silky sharks are predominately juvenile individuals. Silky sharks are also taken by artisanal fisheries.

Some national and international management agreements exist. The lack of data and sustainable management in some areas, high values for parts, likely enforcement problems in some areas, and the vulnerability of this species due to their low productivity and susceptibility to fisheries, imply that a CITES listing could potentially provide conservation benefits and compliment the actions of Regional Fishery Management Organizations. With the listing of the 5 shark species (Oceanic whitetip shark (*Carcharhinus longimanus*); Porbeagle shark (*Lamna nasus*); Scalloped hammerhead shark (*Sphyrna lewini*); Great hammerhead shark (*S. mokarran*); and Smooth hammerhead shark (*S. zygaena*)) at CoP16 with a delayed implementation date, the United States recognizes that it would be prudent and wise not to propose additional shark listings at CoP17 until Parties have evaluated lessons learned from the implementation of the CoP16 listings. The United States continues to work within Regional Fisheries Management Organizations on the adoption of shark conservation and management measures for all shark species, to promote our “fins naturally attached” policy overseas, and to provide technical assistance to other countries in support of the conservation and management of sharks globally. Therefore, it is unlikely that the United States will submit a proposal at this time.

8. Mako sharks: Longfin mako shark (*Isurus oxyrinchus*) and shortfin mako shark (*I. paucus*)—Inclusion in Appendix II

The PEG recommended that the United States propose the inclusion of the shortfin mako shark in Appendix II, along with the longfin mako as look-alike species in Appendix II, based on biological information, a decline in population, and the international trade in meat and fins of this species.

Longfin makos are circumglobal in their distribution in tropical and warm temperate waters; however, records are patchy and these sharks are rarely encountered, so the species’ complete distribution is unclear. In the U.S. Atlantic Ocean, this species is on the prohibited species list, so possession and retention are prohibited in the commercial shark fishery. The Shortfin mako is widespread in temperate and tropical waters of all oceans, including U.S. waters, and is a coastal, oceanic species. . The IUCN Red List includes the longfin mako shark and the shortfin mako shark as Vulnerable (2006 and 2009, respectively).

The primary threats to mako sharks are targeted fisheries and bycatch. Both species are used for its fins and meat, and fins are traded internationally. Recreational fishing for mako sharks is common in many areas. Catches of the longfin mako may be underestimated due to the common

misidentification as shortfin makos. The recent 2012 ICCAT stock assessment found that the species was not being overfished or undergoing overfishing. The U.S. Atlantic population is no longer considered overfished. The Indian Ocean Tuna Commission (IOTC) produced an inconclusive stock assessment and the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) will be completing a stock assessment in 2015.

Some national and international management agreements exist. The lack of data and sustainable management in some areas, high values for parts, likely enforcement problems in some areas, and the vulnerability of these species due to their low productivity and susceptibility to fisheries, imply that a CITES listing could potentially provide conservation benefits and complement the actions of Regional Fishery Management Organizations. With the listing of the 5 shark species (Oceanic whitetip shark (*Carcharhinus longimanus*); Porbeagle shark (*Lamna nasus*); Scalloped hammerhead shark (*Sphyrna lewini*); Great hammerhead shark (*S. mokarran*); and Smooth hammerhead shark (*S. zygaena*)) at CoP16 with a delayed implementation date, the United States recognizes that it would be prudent and wise not to propose additional shark listings at CoP17 until Parties have evaluated lessons learned from the implementation of the CoP16 listings. The United States continues to work within Regional Fisheries Management Organizations on the adoption of shark conservation and management measures for all shark species, to promote our “fins naturally attached” policy overseas, and to provide technical assistance to other countries in support of the conservation and management of sharks globally. Therefore, it is unlikely that the United States will submit a proposal at this time.

9. Blue shark (*Prionace glauca*)—Inclusion in Appendix II

The PEG recommended that the United States propose the inclusion of the blue shark (*Prionace glauca*) in Appendix II based on biological information, a decline in population, and the international trade in fins of this species. Blue sharks are widely distributed, pelagic, oceanic sharks, found throughout tropical and temperate waters worldwide from about 60° N to 50° S. Although primarily occupying offshore habitat, these sharks are sometimes found inshore, particularly in areas with a narrow continental shelf. The species prefers cool waters (7 to 16° C), occupying greater depths in tropical regions, but tolerates higher water temperatures of up to 27° C. Like other elasmobranchs, blue sharks have low fecundity and slow growth relative to the bony fish species encountered in the same fisheries. These factors make the blue shark potentially susceptible to overharvesting. However, this species is believed to be one of the most productive species of shark and was found to be the most abundant large pelagic shark in the Atlantic Ocean. Also, available data suggest that blue sharks are abundant in all oceans, and not overfished or subject to overfishing.

The primary threats to this species include bycatch by longline fleets targeting tuna and tuna-like species, and directed catch from high-seas longline fleets and purse seine vessels. However, its meat and fins are generally of low value. The IUCN Red List includes the blue shark as Near Threatened (2009).

Although vulnerable to pelagic fisheries targeting other highly migratory species, the trade of blue sharks does not appear to be reducing wild populations. Therefore, unless we receive significant additional information on this species’ biological status and international trade

impacts, indicating that the CITES listing criteria are met, the United States is unlikely to propose an Appendix II listing for this species.

10. Hammerhead sharks (Sphyrnidae Family): Winghead shark (*Eusphyrna blochii*), Scalloped bonnethead (*Sphyrna corona*), Whitefin hammerhead (*S. couardi*), Scoophead shark (*S. media*), Bonnethead shark (*S. tiburo*), Smalleye hammerhead shark (*S. tudes*)—Inclusion in Appendix II

The WWF/TRAFFIC recommended that the United States propose the inclusion of all sharks in the family Sphyrnidae in Appendix II. This family includes nine species in two genera, three of which species were listed in Appendix II at CoP16 – the scalloped hammerhead (*Sphyrna lewini*), the squat-headed hammerhead (*S. mokarran*), and the smooth hammerhead (*S. zygaena*).

Hammerhead sharks have a circumglobal distribution in coastal warm, temperate, and tropical seas. Species can occur from the shore to over continental and insular shelves to adjacent deep water. The bonnethead and the scalloped bonnethead sharks are found within U.S. waters. The primary threats to the species in this family are targeted and bycatch fisheries. Some harvest for meat, usually for local consumption, occurs for all hammerheads. The three species of hammerhead shark previously listed at CoP16 are known to be harvested primarily for fins, and they are the second most abundant species in the international fin trade. None of the six species of hammerhead listed here are known to be in international trade for their fins or in other markets. Since the trade of these hammerhead shark species do not appear to be reducing wild populations, unless we receive significant additional information on this species' biological status and international trade impacts indicating that the CITES listing criteria are met, the United States is unlikely to propose an Appendix II listing for these species.

11. Humphead wrasse (*Cheilinus undulatus*)—Transfer from Appendix II to Appendix I

The SSN recommended that the United States submit a proposal for the transfer of the humphead wrasse (*Cheilinus undulatus*) from Appendix II to Appendix I because the species is estimated to have experienced a population reduction of at least 50% over the last three generations (approximately 30 years) based on an index of abundance and actual or potential levels of exploitation; the declines are predicted to continue or even accelerate because of the likely growth of the live fish export trade. This species has been listed in CITES Appendix II since 2005.

Humphead wrasse is widespread throughout the Indo-Pacific into the central Pacific Ocean, occurring in the territorial waters of 48 countries. In American territorial waters, it is found in American Samoa, Guam, the Northern Mariana Islands (CNMI) and the U.S. Minor Outlying Islands. The IUCN Red List includes the humphead wrasse as Endangered (2004).

The primary threat to this species is overharvest, which is facilitated by predictable habitat selection and behavior of the species. The main harvesters and suppliers are limited to a few countries in Southeast Asia and Papua New Guinea. Both fishery-dependent and fishery-independent data indicate that population declines are dramatic in unregulated areas, but populations remain stable or are increasing in areas with proper regulation and enforcement.

The impacts of harvest are exacerbated by selective harvest of juveniles to satisfy consumption preferences. There are reports of illegal, unregulated, and unreported fishing; existing regulations in some of the main trading countries are poorly enforced; and the lack of regional cooperation hampers management efforts. Three decisions taken at CoP16 call on Parties to strengthen bilateral and regional cooperation, including intelligence exchange and enforcement actions, and to assess implementation and investigate reported violations of the Convention (CITES Decisions 16.139, 15.87 (Rev. CoP16) & 16.140; <http://www.cites.org/eng/dec/valid16/E16-Dec.pdf>). The United States is committed to improving the conservation status of the humphead wrasse and has supported efforts to improve data sharing, monitoring, and enforcement and to implement sustainable fishing practices and CITES requirements for this species. This focus on continued and enhanced regional cooperation to achieve sustainable harvest of and legal trade will be integral to ensuring the protection afforded by the current CITES Appendix-II listing.

At this time, unless we receive significant additional information on this species' biological status and international trade impacts, indicating that a proposal is warranted, the United States is unlikely to propose an Appendix I listing for this species.

Reptiles

12. North American softshell turtles in the Genus *Apalone*: Spiny softshell (*A. spinifera*, including 6 subsp.*); Smooth softshell (*A. mutica*, including 2 subsp.); and Florida softshell (*A. ferox*)—Inclusion in Appendix II [* excluding *A.s. atra* which is included in Appendix I and found in Mexico]

The CBD and the SSN recommended that the United States propose the inclusion of the three recognized species of softshell turtles in the genus *Apalone* in Appendix II. The following summary builds upon information the Service published in the **Federal Register** in response to previous suggestions to include these species in CITES Appendix II at CoP15 and CoP16, respectively (74 FR 33460, dated July 13, 2009; <http://www.fws.gov/international/pdf/federal-register-notice-74-fr-33460-extended-version.pdf> & 77 FR 21798, dated June 21, 2012; <http://www.fws.gov/international/pdf/federal-register-notice-77-fr-21798-extended-version.pdf>).

These softshell turtles are native to the United States, with spiny softshell ranging into Canada and Mexico. Populations of spiny softshell are either stable or declining, whereas the status of the other two species is unknown. North American softshell turtles (*Apalone* spp.) are threatened by habitat loss and by harvest for the food and pet trade. Trade occurs in both live specimens and eggs that appear to be predominantly captive bred.

The Service published a Proposed Rule in the **Federal Register** (79 FR 64553, dated October 30, 2014) to amend CITES Appendix III to include these three species of North American softshell turtles, which is necessary to allow us to adequately monitor international trade in these species; to determine whether exports are occurring legally, with respect to State and Federal law; and to determine whether further measures under CITES or other laws are required to conserve these species. The United States is unlikely to propose inclusion of North American softshell turtles in Appendix II, unless we receive significant additional information on these

species' biological status and international trade impacts, indicating that a proposal is warranted.

13. North American map turtles (*Graptemys* spp.): Barbour's map turtle (*G. barbouri*); Cagle's map turtle (*G. caglei*); Escambia map turtle (*G. ernsti*); Yellow-blotched map turtle (*G. flavimaculata*); Northern map turtle (*G. geographica*); Pascagoula map turtle (*G. gibbonsi*); Black-knobbed map turtle (*G. nigrinoda*); Ringed map turtle (*G. oculifera*); Ouachita map turtle (*G. ouachitensis*); Pearl River map turtle (*G. pearlensis*); False map turtle (*G. pseudogeographica*); Alabama map turtle (*G. pulchra*); Texas map turtle (*G. versa*)—Transfer from Appendix III to Appendix II

The CBD recommended that the United States submit a proposal for the transfer of the above 13 species of North American map turtles in the genus *Graptemys* from Appendix III to Appendix II. In 1997, the United States submitted a proposal to CoP10 (Harare 1997) to include nine of the twelve then-recognized of map turtles in Appendix II. The proposal did not receive the two-thirds majority required for adoption. The United States included this genus in CITES Appendix III in 2006 (70 FR 74700, dated December 16, 2006). The following builds upon information the Service published in the **Federal Register** in response to the same suggestion prior to CoP16 (77 FR 21798, dated June 21, 2012; <http://www.gpo.gov/fdsys/pkg/FR-2012-04-11/pdf/2012-8665.pdf>).

Map turtles are native to the United States and are threatened by habitat degradation, disturbance, predation, water quality, and to a lesser extent overharvesting. Six of the thirteen species have decreasing population trends. Only the Northern map turtle, black-knobbed map turtle, and Ouachita map turtle are stable; and the status of the ringed map turtle, false map turtle, Alabama map turtle are unknown. Although U.S. trade data indicate that most map turtle exports are reported as wild, the majority of animals are actually hatchlings produced in U.S. turtle farms.

The United States is unlikely to transfer map turtles from Appendix III to Appendix II, unless we receive significant additional information on these species' biological status and international trade impacts, indicating that a proposal is warranted.

14. Chinese softshell turtle (*Pelodiscus sinensis*)—Inclusion in Appendix II

The CBD and the SSN recommended that the United States propose the inclusion of the Chinese softshell turtle (*Pelodiscus sinensis*) in Appendix II on the basis that wild populations are being exploited for food and possibly for founder stock in farming operations. The related Asian softshell turtles were listed in Appendix II at CoP16, in a proposal that was jointly sponsored by the United States and China.

The Chinese softshell turtle is a wide-ranging species, found in China, Japan, and Viet Nam. This species is mass farmed in China to supply the trade. In 2008 there were 1,499 officially recognized turtle farms in China. A survey of approximately half of these facilities showed that these farms produced 125 million specimens per year (value \$685 million) from a captive stock of 300 million adults. In addition, information published in 2012 reported an apparent trade shift

away from imported wild caught stock to in-country [China] farmed stock. Based on this information, we concluded that the risk of wild harvest for specimens or parental stock would be low and this species was excluded from the proposal at CoP16 (COP16 Prop. 38).

Given that no new information was provided to indicate that this situation has changed, the United States is unlikely to submit a proposal for inclusion in Appendix II.

15. Alligator snapping turtle (*Macrochelys temminckii*)—Transfer from Appendix III to Appendix II

The CBD recommended that the United States submit a proposal for the transfer of the alligator snapping turtle from Appendix III to Appendix II. This species was proposed for inclusion in Appendix II by the United States of America at CoP10, but was withdrawn. The United States included this species in CITES Appendix III in 2006 70 FR 74700, dated December 16, 2006). The following builds upon information the Service published in the **Federal Register** in response to the same suggestion prior to CoP16 (77 FR 21798, dated June 21, 2012; <http://www.gpo.gov/fdsys/pkg/FR-2012-04-11/pdf/2012-8665.pdf>).

This native species is exported from the United States as captive-bred hatchlings and is wild-collected for domestic consumption as food, not for international trade. Studies suggest the alligator snapping turtle is still relatively widespread, particularly in the southern part of its range.

The United States is unlikely to transfer the alligator snapping turtle from Appendix III to Appendix II, unless we receive significant additional information on this species' biological status and international trade impacts, indicating that a proposal is warranted.

Mammals

16. Cape fur seal (*Arctocephalus pusillus*)—Transfer to Appendix I

A private individual recommended that the United States propose the inclusion of cape fur seals in Appendix I. Cape fur seals were included in Appendix II under a genus-level listing in 1977; we note that three other species in the genus *Arctocephalus* had been included in Appendix II and one in Appendix I in 1975.

Native to Angola, Australia, Gabon, Mozambique, Namibia, and South Africa, cape fur seal populations are large and widespread. The IUCN Red List includes the cape fur seals as Least Concern (2008). The United States is not a range State and U.S. imports of this species since 2003 have been primarily for scientific and for personal purposes, with three seizures of commercial shipments in 2009 and 2010, and no U.S. imports in 2011 or 2012. While the cape fur seal is subject to legal and minimal illegal take, it does not appear that this seal has exhibited a marked decline in population size.

The United States is unlikely to submit a proposal for inclusion in Appendix I unless we receive significant additional information on the cape fur seal's biological status and international trade

impacts, indicating that a proposal is warranted.

17. White rhinoceros (*Ceratotherium simum*)—Inclusion of the entire species in Appendix I

Several private individuals recommended that the United States propose the inclusion of all white rhinoceroses in Appendix I by removing the current annotation that places the populations of southern white rhinoceroses of South Africa and Swaziland in CITES Appendix II “for the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.” The white rhinoceros was listed in Appendix I in 1975, with the entire family (a total of five extant species) being included in Appendix I in 1977. At CoP9 (Ft. Lauderdale, 1995), the population of white rhinoceroses of South Africa was transferred from Appendix I to Appendix II with the above-mentioned annotation. The population of Swaziland was similarly transferred to Appendix II at CoP13, with the same annotation.

The Parties have adopted two resolutions pertaining to rhinoceroses: 1) CITES Resolution Conf. 9.14 (Rev. CoP15) (*Conservation of and trade in African and Asian rhinoceroses*), adopted at CoP9 urges CITES Parties to adopt a number of measures to safeguard wild rhino populations, including comprehensive legislation and enforcement controls to reduce illegal trade and collaboration to develop and implement strategies for reducing reduce the use and consumption. This resolution also recommends that the IUCN–SSC African and Asian Rhino Specialist Groups and TRAFFIC submit written reports to subsequent CoPs that assess specific aspects of the rhinoceros status, conservation, and trade. 2) CITES Resolution Conf. 11.20 (*Definition of the term ‘appropriate and acceptable destinations’*) defines the term 'appropriate and acceptable destinations' to mean destinations where the Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it. The following builds upon information the Service published in the **Federal Register** in response to the same suggestion prior to CoP16 (77 FR 21798, dated June 21, 2012; <http://www.gpo.gov/fdsys/pkg/FR-2012-04-11/pdf/2012-8665.pdf>).

Rhinos were discussed extensively at CoP16. Kenya withdrew a proposal to impose a zero quota on the export of hunting trophies from South Africa and Swaziland, urging Parties to support several draft decisions submitted by the Rhinoceros Working Group and the CITES Secretariat. The Parties adopted 9 decisions directed variously at a specific country or all Parties (Decisions 16.84 to 16.92; <http://www.cites.org/eng/dec/index.php>) pertaining to the management and enforcement of protections, and reporting and combatting of illegal trade in this species. These Decisions have various deadlines for completion and reporting variously at SC66 (to be held in 2015) and CoP17. The Parties also amended Resolution Conf. 13.7 (*Control of trade in personal and household effects*) to ensure that rhinoceros horns, along with elephant ivory, would not be included in any exemption for personal and household effects. In 2011, as directed by CITES Decision 15.72, the CITES Secretariat convened a meeting of the CITES Ivory and Rhinoceros Enforcement Task Force, attended by enforcement and conservation agencies from 12 countries, to foster greater communication, collaboration and coordination on efforts to combat poaching and illegal trade at national and international levels. The United States has supported these efforts to combat poaching and illegal trade in rhinoceroses, and is also addressing both domestic

and international illegal trade in rhino horns through the Advisory Council on Wildlife Trafficking and the Presidential Task Force on Wildlife Trafficking. The IUCN–SSC African and Asian Rhino Specialist Groups and TRAFFIC report estimated in 2011 that the white rhinoceros population totaled about 20,165 individuals and poaching levels are high and increasing.

The United States is unlikely to submit a proposal for inclusion of South Africa or Swaziland populations of southern white rhinoceroses in Appendix I at CoP17 unless significant additional information is received about its biological status and international trade impacts, indicating that a proposal is warranted, or either South Africa or Swaziland requests our assistance.

18. African Elephant (*Loxodonta africana*)—Inclusion of the entire species in Appendix I

Ten individuals recommended that the United States submit a proposal to include all African elephant (*Loxodonta africana*) populations in Appendix I by removing the Appendix-II annotation for elephant populations in Botswana, Namibia, South Africa and Zimbabwe. In support of this recommendation, these individuals cited: high levels of elephant poaching driven by the demand for ivory; increases in illegal trade of elephant ivory; concerns about increasing numbers of elephants being taken into captivity by facilities unable to provide appropriate care for them; and habitat loss resulting from human settlement. Ghana first listed the African elephant (*Loxodonta africana*) in CITES Appendix III on February 26, 1976. At CoP1, African elephants were added to Appendix II, effective February 4, 1977. At CoP7 they were transferred from Appendix II to Appendix I (effective January 18, 1990) with the provision that the Parties would establish a Panel of Experts to evaluate and provide advice on requests for transfer of particular elephant populations back to Appendix II. The African elephant populations of Botswana, Namibia, and Zimbabwe were transferred to Appendix II at CoP10 (1997) and the population of South Africa was transferred to Appendix II at CoP11 (2000). The Appendix-II listings for these populations are subject to annotations that have been revised over the years. The current annotation allows: noncommercial trade in hunting trophies; trade in live animals under certain conditions; trade in hides and hair; some trade in leather goods; and some noncommercial trade in certain carved ivory (for Namibia and Zimbabwe). The annotation also provides for a one-time sale of raw ivory from registered government stocks in these four countries and a restriction on any further proposals from existing Appendix-II elephant populations for the sale of ivory until nine years after the sale described in the annotation. That sale took place in 2008 (a previous sale approved under an earlier annotation took place in 1999). All specimens not included in the annotation are deemed to be specimens of species included in Appendix I. All other populations of African elephant outside of Botswana, Namibia, South Africa, and Zimbabwe remain in Appendix I.

In 2008, IUCN assessed the African elephant as “Vulnerable” with an increasing population trend (Blanc 2008). The African elephant is listed as “Threatened” (throughout its range) under the U.S. Endangered Species Act (ESA), with a special rule under Section 4(d) of the Act (50 CFR 17.40(e)), which regulates trade in African elephant specimens. In 1989, the U.S. Secretary of the Interior established a moratorium under the African Elephant Conservation Act (AfECA) on the import into the United States of African elephant ivory, except for sport-hunted trophies, which remains in place (with certain limited exceptions) today.

The United States recognizes that currently the greatest threat to African elephants is the illegal killing as a result of the skyrocketing demand for ivory. Transfer of African elephants to Appendix I would not solve the crisis, however. The United States is taking a whole-of-government approach to combatting wildlife trafficking, including trafficking of elephant ivory. President Obama recognized the significant adverse effects of wildlife trafficking in Executive Order 13648, issued July 1, 2013, which, among other things, established a Presidential Task Force co-chaired by the Secretary of State, the Secretary of the Interior and the Attorney General. The Task Force developed a National Strategy for Combating Wildlife Trafficking (issued in February 2014), which specifically addresses the African elephant poaching crisis and outlines steps the U.S. Government will take to help stop the illegal killing. The Strategy identifies three priorities in responding to the global crisis including efforts to strengthen enforcement, reduce demand for illegally traded wildlife, and build international cooperation and public/private partnerships. Multiple government agencies, including the Departments of State, Interior, and Justice and the U.S. Agency for International Development (USAID) are directly involved in this effort.

To help ensure that U.S. domestic markets do not contribute to the decline of elephants in the wild, the Service has taken steps to further control U.S. domestic trade in elephant ivory. Director's Order 210, issued by the Service on February 25, 2014, and revised on May 15, 2014, reaffirms the AfECA moratorium on import of African elephant ivory and bans all commercial import of African elephant ivory, regardless of its age. The Director's Order allows for the use of enforcement discretion with regard to the import of certain ivory specimens for noncommercial purposes, including: ivory for law enforcement purposes; ivory for genuine scientific purposes that will contribute to the conservation of the species; and worked ivory contained in musical instruments or as part of a traveling exhibition or a household move or inheritance provided it meets specific conditions, including that the ivory was removed from the wild prior to February 26, 1976 (the date the African elephant was first listed under CITES) and that it is accompanied by an appropriate, valid CITES document. In addition, U.S. CITES implementing regulations were revised in June 2014, including provisions governing use of CITES specimens after import into the United States (50 CFR 23.55). Under the new regulations, African elephant ivory may not be sold in the United States (either within a State or across State lines) unless the seller can demonstrate that the ivory was imported prior to January 18, 1990 (the date the African elephant was listed in CITES Appendix I) or that it was imported under a CITES pre-Convention certificate. To further address the U.S. role in the illegal ivory market, the Service published a proposed rule in the **Federal Register** on July 29, 2015, to revise the ESA special rule for the African elephant (50 CFR 17.40(e); <http://www.regulations.gov/#!documentDetail;D=FWS-HQ-IA-2013-0091-0001>). The proposed rule further restricts interstate commerce and export of African elephant ivory with limited exceptions, including for antiques. We believe that together these administrative actions will facilitate enforcement efforts and result in effective control of the U.S. market for African elephant ivory, allowing us to ensure that our markets do not provide cover for the illegal ivory trade.

Through CITES and other fora, the United States is working cooperatively with African elephant range countries, consumer countries, and a variety of stakeholders to address the illegal killing of

elephants and illegal trade in elephant ivory. Through the African Elephant Conservation fund, the Service supports efforts to prevent poaching, minimize elephant conflict with people, and protect habitat across sub-Saharan Africa. For example, in 2014, the Service awarded 21 grants supporting 11 different African countries. Through these grants, the Service distributed \$1,915,337, which leveraged \$5,193,845 in partner contributions.

The United States is unlikely to submit a proposal for inclusion of all African elephants in Appendix I unless we receive significant additional information about the species' biological status and international trade impacts, indicating that the criteria for listing these populations of African elephants in Appendix I are met, or an African elephant range country requests our assistance.

19. Walrus (*Odobenus rosmarus*)—Inclusion in Appendix I

The CBD recommended that the United States propose the inclusion of the walrus (*Odobenus rosmarus*) in Appendix I based on information suggesting a significant level of international trade in walrus products, noting that at a minimum the Pacific walrus subspecies (*O. r. divergens*) should be proposed for Appendix I and the Atlantic (*O. r. rosmarus*) and Laptev (*O. r. laptevi*) walrus subspecies for Appendix II. Canada included the walrus in Appendix III in 1975. The following builds upon information the Service published in the **Federal Register** in response to a previous suggestion to include the walrus in Appendix II or Appendix I at CoP16 (77 FR 21798, dated June 21, 2012; <http://www.gpo.gov/fdsys/pkg/FR-2012-04-11/pdf/2012-8665.pdf>).

Concerns raised by the CBD pertaining specifically to Pacific walrus subspecies include a restricted area of distribution, a high vulnerability to and observed impacts of climate change on the Pacific walrus and its sea-ice habitat, overharvest, and illegal trade. The IUCN Red List has assessed the walrus as “Data Deficient” (2008), with an unknown population trend. A 2014 TRAFFIC report on the international trade in walrus parts and derivatives identified the paucity of long-term population estimates for walrus as a limitation to determining the potential impacts of walrus harvest and consequential international trade on the species and whether regulatory changes are needed. The report outlined issues with the international trade data that make it impossible to determine the number of walruses in international trade. For example, many of the items in trade are small items, such as carvings, ivory pieces, and bones that do not correspond to one individual animal; and items traded as personal and household effects may not be recorded and represented in the trade data. The report found that the levels of trade in walrus tusks and skulls, which represent a finite number of animals, do not suggest that international trade is a current threat to walrus. In addition, the report noted that neither illegal trade nor illegal hunting appear to be at high enough levels to suggest a concern for walrus.

The Service cooperates with the Russian Federation to implement a comprehensive Pacific walrus harvest monitoring program that provides detailed information on harvest trends and characteristics. According to the Service's 2014 stock assessment report for Pacific walrus, harvest levels since 2006 are 5 to 68% lower than the long-term average over the past 60 years. The Service will continue to work cooperatively with the Russian Federation to monitor Pacific walrus harvest levels in an effort to maintain a sustainable harvest (USFWS 2014). The United

States is unlikely to submit a proposal to include the walrus in Appendix I or Appendix II, unless we receive significant additional information on the species' biological status and international trade impacts, indicating that a proposal is warranted.

Public Comments

You may submit comments pertaining to species proposals for consideration at CoP17 by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS–HQ–IA–2014–0018.
- **U.S. mail or hand-delivery:** Public Comments Processing, **Attn:** FWS–HQ–IA–2014–0018; Division of Policy, Performance, and Management Programs; U.S. Fish and Wildlife Service; 5275 Leesburg Pike, MS: BPHC; Falls Church, VA 22041-3803.

We will not consider comments sent by e-mail or fax or to an address not listed in the above paragraph. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us. If you submit a comment via <http://www.regulations.gov>, your entire comment—including any personal identifying information—will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy comments on <http://www.regulations.gov>.

Comments and materials we receive in response to this notice will be available for public inspection on <http://www.regulations.gov>, or by appointment between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays, at the U.S. Fish and Wildlife Service, Division of Scientific Authority, 5275 Leesburg Pike, MS: IA, Falls Church, VA 22041–3803; phone 703–358–1708.

Future Actions

As stated above, the next regular meeting of the Conference of the Parties (CoP17) is scheduled to be held in South Africa, September 24 to October 5, 2016. The United States must submit any proposals to amend Appendix I or II, or any draft resolutions, decisions, or agenda items for discussion at CoP17, to the CITES Secretariat 150 days (April 27, 2016) prior to the start of the meeting. In order to meet this deadline and to prepare for CoP17, we have developed a tentative U.S. schedule. Approximately 12 months prior to CoP17, we plan to publish a **Federal Register** notice announcing draft resolutions, draft decisions, and agenda items the United States is considering submitting for CoP17 and soliciting further information and comments on them. We will consider all available information and comments, including those received in writing during that comment period, as we decide which proposed resolutions, decisions, and agenda items warrant submission by the United States for consideration by the Parties. Approximately 4 months prior to CoP17, we will post on our Web site an announcement of the species proposals, draft resolutions, draft decisions, and agenda items submitted by the United States to the CITES Secretariat for consideration at CoP17.

Through a series of additional notices and website postings in advance of CoP17, we will inform you about preliminary negotiating positions on resolutions, decisions, and amendments to the Appendices proposed by other Parties for consideration at CoP17. We will also publish an announcement of a public meeting to be held approximately 3 months prior to CoP17. That meeting will enable us to receive public input on our positions regarding CoP17 issues. The procedures for developing U.S. documents and negotiating positions for a meeting of the Conference of the Parties to CITES are outlined in 50 of the Code of Federal Regulations at §23.87. As noted in paragraph (c) of that section, we may modify or suspend the procedures outlined there if they would interfere with the timely or appropriate development of documents for submission to the CoP and of U.S. negotiating positions.