



DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2021–0008; FXIA1671090000–FF09A10000–212]

Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Nineteenth Regular Meeting: Species Proposals for Consideration and Request for Information and Recommendations on Resolutions, Decisions, and Agenda Items for Consideration

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: To implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES or the Convention), the Parties to the Convention meet periodically to review what species in international trade should be regulated and other aspects of CITES implementation. The nineteenth regular meeting of the Conference of the Parties (CoP19) is tentatively scheduled to be held in Costa Rica, March 3–14, 2022. With this notice we are soliciting recommendations for amending Appendices I and II of CITES at CoP19 as well as recommendations for resolutions, decisions, and agenda items for discussion at CoP19. We invite you to provide us with information and recommendations on animal and plant species for which the United States should consider submitting proposals to

amend Appendices I and II of CITES at CoP19. Such proposals may concern the addition of species to Appendix I or II, the transfer of species from one Appendix to another, or the removal of species from Appendices. We also invite you to provide us with information and recommendations on resolutions, decisions, and agenda items that the United States might consider submitting for discussion at CoP19. Finally, with this notice, we also describe the U.S. approach to preparations for CoP19.

DATES: We will consider all information and comments we receive on or before [INSERT DATE 60 DAYS AFTER THE DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: You may submit comments by one of the following methods:

- (1) *Electronically:* Using the Federal eRulemaking Portal:

http://www.regulations.gov, search for FWS–HQ–IA–2021–0008, which is the docket number for this notice.

- (2) U.S. mail: Public Comments Processing, Attn: FWS–HQ–IA–2021–0008; U.S. Fish and Wildlife Service Headquarters, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We will not accept e-mail or faxes. Comments and materials we receive, as well as supporting documentation, will be available for public inspection on *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: For information pertaining to species proposals, contact Rosemarie Gnam, Chief, Division of Scientific Authority, 703–358–1708 (phone); 703–358–2276 (fax); or scientificauthority@fws.gov (email). For information pertaining to resolutions, decisions, and agenda items, contact Pamela Scruggs, Chief, Division of Management Authority, at 703–358–2493 (phone); or

managementauthority@fws.gov (email). If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS) at 800-877-8339.

SUPPLEMENTARY INFORMATION:

Background

The Convention on International Trade in Endangered Species of Wild Fauna and Flora, hereinafter referred to as CITES or the Convention, is an international treaty aimed at ensuring that international trade in listed animal and plant species does not threaten their survival. Species are included in the Appendices to CITES, which are available on the CITES Secretariat's website at <http://www.cites.org/eng/disc/species.php>.

Currently there are 183 Parties to CITES, 182 countries, including the United States, and one regional economic integration organization, the European Union. The Convention calls for regular meetings of the Conference of the Parties, and the Conference of the Parties has decided that these meetings should be held every 2–3 years. At the meetings, the Parties review the implementation of CITES, make decisions regarding the financing and function of the CITES Secretariat in Switzerland to enable it to carry out its functions, consider amendments to Appendices I and II, consider reports presented by the Secretariat, and adopt recommendations for the improved effectiveness of CITES. Any Party to CITES may propose amendments to Appendices I and II, resolutions, decisions, and agenda items for consideration by all the Parties at the meeting.

This is our first in a series of *Federal Register* notices that, together with at least one public meeting (time and location to be announced), provide you with an opportunity to provide input into the development of the U.S. submissions to, and negotiating positions for, CoP19. We intend to announce tentative species proposals and tentative documents related

to resolutions, decisions, and agenda items that the United States is considering submitting for CoP19, and solicit further information and comments on them, when we publish our next CoP19-related *Federal Register* notice. Our regulations guiding this public process can be found in title 50 of the Code of Federal Regulations (CFR) at § 23.87.

Announcement of the Nineteenth Meeting of the Conference of the Parties

We hereby notify all interested entities of the convening of CoP19, which is tentatively scheduled to be held in Costa Rica on March 3–14, 2022, at a location to be determined.

U.S. Approach for CoP19

What are the priorities for U.S. submissions to CoP19?

Priorities for U.S. submissions to CoP19 continue to be consistent with the overall objective of U.S. participation in the Convention: To maximize the effectiveness of the Convention in the conservation and sustainable use of species subject to international trade. With this in mind, we plan to consider the following factors in determining what issues to submit for inclusion in the agenda at CoP19:

(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?* Since our primary responsibility is the conservation of our domestic wildlife resources, we will give native species the highest priority. We will place particular emphasis on terrestrial and freshwater species with the majority of their range in the United States and its territories that are or may be traded in significant numbers; marine species that occur in U.S. waters or for which the United States is a major trader; and threatened and endangered species for which we and

other Federal and State agencies already have statutory responsibility for protection and recovery. We also consider CITES listings as a proactive measure to monitor and manage trade in native species to preclude the need for the application of stricter measures, such as listing under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), or inclusion in CITES Appendix I.

(2) *Does the proposed action address a serious wildlife or plant trade issue for species not native to the United States?* As a major importer of wildlife, plants, and their products, the United States has taken responsibility, by working in close consultation with range countries, for addressing cases of potential over-exploitation of foreign species in the wild. In some cases, the United States may not be a range country or a significant trading country for a species, but we will work closely with other countries to conserve species being threatened by unsustainable exploitation for international trade. We will consider CITES listings for species not native to the United States if they will assist in addressing cases of known or potential over-exploitation of foreign species in the wild, and in preventing illegal, unregulated trade, especially if the United States is a major importer. These species will be prioritized based on the extent of trade and status of the species, and also the role the species play in the ecosystem, with emphasis on those species for which a CITES listing would provide the greatest conservation benefits to the species, associated species, and their habitats.

(3) *Does the proposed action provide additional conservation benefit for a species already covered by another international agreement?* The United States will consider the inclusion of such a species under CITES when it would enhance the conservation of the species by ensuring that international trade is effectively regulated and not detrimental to the survival of the species.

Request for Information and Recommendations for Amending Appendices I or II

Through this notice, we solicit information and recommendations that will help us identify species that the United States could propose for addition to, removal from, or reclassification in the CITES Appendices, or to identify issues warranting attention by the CITES specialists on zoological and botanical nomenclature. This request is not limited to species occurring in the United States. We encourage the submission of information on any species for possible inclusion in, transfer between, or removal from the Appendices, including if these species are subject to international trade that is, or may become, detrimental to the survival of the species. We also encourage you to keep in mind the U.S. approach to CoP19, described above in this notice, when considering what proposals to amend the Appendices the United States should submit.

We ask that you submit convincing information describing: (1) The status of the species, especially trend information; (2) conservation and management programs for the species, including the effectiveness of enforcement efforts; and (3) the level of international as well as domestic trade in the species, especially trend information. You may also provide any other relevant information, and we appreciate receiving a list of references. Although we are not requesting complete proposals, they are always welcome.

The term “species” is defined in CITES as “any species, subspecies, or geographically separate population thereof.” Each species for which trade is controlled under CITES is included in one of three Appendices, either as a separate listing or incorporated within the listing of a higher taxon. The basic standards for inclusion of species in the Appendices are contained in Article II of CITES (text of the Convention is on the CITES Secretariat’s website at <http://www.cites.org/eng/disc/text.php>). Appendix I includes species threatened with extinction that are or may be affected by trade. Appendix II includes species that, although not necessarily now threatened with extinction, may become so unless trade in them is strictly controlled. Appendix II also includes species that must be subject to

regulation in order that trade in other CITES-listed species may be brought under effective control. Such “look alike” inclusions usually are necessary because of the difficulty inspectors have at ports of entry or exit in distinguishing one species from other species. Because Appendix III includes species that have been included in the Appendix unilaterally by a Party, we are not seeking input on possible U.S. Appendix-III listings with this notice, and we will not consider or respond to comments received concerning Appendix-III listings.

CITES specifies that international trade in any readily recognizable parts or derivatives of animals included in Appendices I or II, or plants included in Appendix I, is subject to the same conditions that apply to trade in the whole organisms. With certain standard exclusions formally approved by the Parties, the same applies to the readily recognizable parts and derivatives of most plant species included in Appendix II. Parts and derivatives often not included (i.e., not regulated) for Appendix-II plants are: seeds, spores, pollen (including pollinia), and seedlings or tissue cultures obtained in vitro and transported in sterile containers. You may refer to the CITES Appendices on the Secretariat’s website at <http://www.cites.org/eng/app/index.php> for further exceptions and limitations.

In 1994, the CITES Parties adopted criteria for inclusion of species in Appendices I and II (in Resolution Conf. 9.24 (Rev. CoP17) <https://cites.org/sites/default/files/document/E-Res-09-24-R17.pdf>). These criteria apply to all proposals to amend the CITES Appendices and are available from the CITES Secretariat’s website at <http://www.cites.org/eng/res/index.php> or upon request from the Division of Scientific Authority at the address provided above in **ADDRESSES**. Resolution Conf. 9.24 (Rev. CoP17) also provides a format for proposals to amend the Appendices. This information is also available upon request from the Division of Scientific Authority or via mail (at the address provided above in **ADDRESSES**).

What information should be submitted?

In any recommendations you submit for possible proposals to amend the Appendices, please include as much of the following information as possible in your submission:

- (1) Scientific name and common name;
- (2) Population size estimates (including references if available);
- (3) Population trend information;
- (4) Threats to the species (other than trade);
- (5) The level or trend of international trade (as specific as possible, but without a request for new searches of our records);
- (6) The level or trend in total take from the wild (as specific as reasonable); and
- (7) A short summary statement clearly presenting the rationale for inclusion in, or removal or transfer from, one of the Appendices, including which of the criteria in Resolution Conf. 9.24 (Rev. CoP17) are met.

If you wish to submit more complete proposals for us to consider, please consult Resolution Conf. 9.24 (Rev. CoP17) (<https://cites.org/sites/default/files/document/E-Res-09-24-R17.pdf>) for the format for proposals and a detailed explanation of each of the categories. Proposals to transfer a species from Appendix I to Appendix II, or to remove a species from Appendix II, must also be in accordance with the precautionary measures described in Annex 4 of Resolution Conf. 9.24 (Rev. CoP17).

What will we do with information we receive?

The information that you submit will help us decide if we should submit, or co-sponsor with one or more other Parties, a proposal to amend the CITES Appendices. However, there may be species that qualify for inclusion in the CITES Appendices for which we decide not to submit a proposal to CoP19. Our decision will be based on a number of factors, including the priorities we outlined above in the U.S. approach to CoP19. We will

consult range countries for foreign species, and for species whose range the United States shares with other countries.

One important function of the CITES Scientific Authority of each Party country is monitoring the international trade in plant and animal species, and ongoing scientific assessments of the impact of that trade on species. For native U.S. species included in Appendices I and II, we monitor trade export permits authorized so that we can prevent over-utilization and restrict exports if necessary. We also work closely with the States to ensure that species are appropriately listed in the CITES Appendices. For these reasons, we actively seek information about U.S. and foreign species subject to international trade.

Request for Information and Recommendations on Resolutions, Decisions, and Agenda Items

Although we have not yet received formal notice of the provisional agenda for CoP19, we invite your input on possible agenda items that the United States could recommend for inclusion, or on possible resolutions and decisions of the Conference of the Parties that the United States could submit for consideration. Copies of the agenda and the results of the last meeting of the Conference of the Parties (CoP18), as well as copies of all Resolutions and Decisions of the Conference of the Parties currently in effect, are available on the CITES Secretariat's website (<http://www.cites.org/>) or from the Division of Management Authority at the address provided above in **ADDRESSES**.

Future Actions

As stated above, CoP19 is tentatively scheduled to be held in Costa Rica, in 2022. The United States must submit all proposals to amend Appendix I or II, and draft resolutions,

decisions, or agenda items for discussion at CoP19, to the CITES Secretariat 150 days prior to the start of the meeting (tentatively October 4, 2021). In order to meet this deadline and to prepare for CoP19, we plan to keep the public informed about the CoP through a series of additional *Federal Register* notices and website postings in advance of CoP19. We will announce the tentative species proposals and proposed resolutions, decisions, and agenda items that the United States is considering submitting for CoP19 and solicit further information and comments on them. We will post on our website 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 CoP19. Finally, we will inform you about preliminary negotiating positions on resolutions, decisions, and amendments to the Appendices proposed by other Parties for consideration at CoP19, and about how to obtain observer status from us. We will also publish an announcement of a public meeting tentatively to be held approximately 4 months prior to CoP19, which will provide an opportunity to receive public input on our positions regarding CoP19 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 CFR 23.87. As noted, 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.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, please be aware that your entire comment—including your personal identifying information—may be made publicly available. 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.

Author

The primary authors of this notice are Thomas Leuteritz, Division of Scientific Authority, and Anne St. John, Division of Management Authority, U.S. Fish and Wildlife Service.

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Martha Williams,

*Senior Advisor to the Secretary,
Exercising the Delegated Authority of the Director, U.S. Fish and Wildlife Service.*
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