

C.I.T.E.S. Lawsuit Alert Request for Public Comments

****Please note time sensitive** The USFWS posted a draft EA with 4 alternatives to the Federal Register for comment on March 10, 2017, with **comments due back by April 10, 2017.****

This is critically important to the future of Bobcat and Otter Trapping!

There is a lawsuit, that if successful, could end the export of bobcats and otters!

Again, It is important that you read this e-mail and **provide comments at the link provided.** Take the time to leave your comments. You can be assured, the Anti's will be leaving their comments!

WildEarth Guardians sued the USFWS in Montana District Court arguing that the USFWS has not appropriately considered the environmental impacts of the CITES furbearer export program pursuant to NEPA. The lawsuit specifically references export of bobcat, lynx, river otter, gray wolves, and brown bears. The USFWS had previously concluded that the CITES export program was categorically excluded from NEPA review. As part of a stay agreement issued by the Court, the USFWS agreed to prepare an EA on the CITES export program for furbearers, solicit comments through the Federal Register, issue a final analysis and decision, confer with the Plaintiffs, and then file a report to the Court asking the complaint be either dismissed or continued.

The USFWS posted a draft EA with 4 alternatives to the Federal Register for comment on March 10, 2017, with **comments due back by April 10, 2017.**

The EA document can be downloaded at:

<https://www.regulations.gov/document?D=FWS-HQ-IA-2017-0012-0002>

Other information can be accessed here

<https://www.regulations.gov/document?D=FWS-HQ-IA-2017-0012-0001>.

The 4 alternatives (starting on page 9) are:

1. Alternative 1, the “preferred action” alternative/”No action” alternative: Continues the CITES Export Program in its current form.

1. Alternative 2, the “no tag” alternative

2. Alternative 3, the “no permit” alternative: no export of CITES species allowed.

3. Alternative 4, the “no approved CITES export program” alternative: Individuals would apply for permits on a case-by-case basis with USFWS for each specimen to be exported

To comment: <https://www.regulations.gov/docket?D=FWS-HQ-IA-2017-0012> and click the “Comment Now” button.

The key messages can include:

1) Support for Alternative One/the preferred alternative of “no action”. This would maintain the current tagging process and allow for the continued export of otters and bobcats.

2) Comments should primarily focus on ways to further support the conclusions in the draft, specifically why the current export program has not caused negative environmental/economic consequences, and why alternatives 3 and 4 are more likely to do so.

a. Trapping and hunting is highly regulated; trapping and hunting seasons are established to assure long-term sustainability of bobcat and otter populations. States are the wildlife management authority for these species and have monitoring programs in place to assure sustainable populations.

b. Since the current export program was established, otter and bobcat population size and occupied range has increased in the United States. For example, otters occur in all states where they historically did, and 46 of 47 states have indicated stable to increasing otter populations.

c. The current system (tags/alternative 1) is a success story and an example of collaborative safeguards put in place by state agencies and USFWS, with cooperation from trappers. This success story does not need to be fixed, especially through alternative 3 and 5.

d. Loss of the export market (under Alternative 3) or higher costs/burden of individual export permits (Alternative 4) will have negative economic consequences to trappers, hunters, supply dealers, hunting guides, etc...

e. Loss or higher cost/burden of export will result in declines in trapper participation and higher public costs for addressing wildlife conflicts. Certain species are often trapped together (e.g., otters and beavers, bobcats and coyotes), and a loss in export potential for CITES species will lead to increases in human-wildlife conflicts (e.g., aquaculture, flooding of roads/agriculture/private property, livestock depredation)

3) While some may prefer Alternative 2 (no tags), we believe this is “not the time to make that case.” A previous AFWA CITES Work Group discussed this idea with the various national trapping associations, state furbearer biologists, and fur dealers/fur auction houses and concluded this option was not feasible at the time due to opposition from fur buyers and fur auction houses due to increased paperwork/reporting on their end.

4) You are encouraged to **provide personalized arguments** in support of the draft’s conclusion (i.e., NOT form letters containing the exact verbiage above). Multiple comments submitted with exact wording will not be treated by the USFWS as separate comments.