

RESPONSIBILITIES OF THE ENDANGERED SPECIES SCIENTIFIC AUTHORITY

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Abstract: The well-being of any species of wildlife should be determined by scientific methods of observation. The ESSA is charged with the responsibility of insuring that the government's decisions concerning import and export of certain species of animals and plants are scientifically sound.

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The ESSA was established on 13 April, 1976, by Executive Order 11911, (3 CFR 112.114). It is composed of the following representatives of 6 Federal agencies and the Smithsonian Institution:

Members and Department or Agency:

Mr. Harold O'Connor, Chairman, Department of the Interior

Dr. Robert L. Williamson, Department of Agriculture

Dr. R. V. Miller, Department of Commerce

Dr. Joe R. Held, Department of Health, Education, and Welfare

Dr. James T. Callahan, National Science Foundation

Dr. Jane Yarn, Council on Environmental Quality

Dr. David Challinor, Smithsonian Institution.

The ESSA was created to insure the scientific soundness of governmental decisions concerning trade in endangered species of animals and plants. Its primary responsibility is as the United States Scientific Authority for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Convention), TIAS 8249 (1973), which became effective 1 July 1975. Department of the Interior regulations were promulgated to implement the Convention on 22 February 1977, 42 FR 10462-10488, and became generally effective 23 May, 1977.

The preamble to the Convention regulations describes the Convention and its history as well as the regulations. In brief, the Convention protects 3 categories of species. First are those species of animals and plants that are threatened with extinction and which are or may be affected by trade. These species are listed in "Appendix I" of the Convention, and trade in them may only be authorized in exceptional circumstances. Second are those species not necessarily now threatened with extinction but which may become so unless trade in them is subject to strict regulation. These species are listed in "Appendix II" of the Convention, along with any other species whose similarity to truly threatened or potentially threatened species requires that they be regulated because of the risk of confusion. Third are those species that any Party to the Convention conserves within its jurisdiction and has identified as needing the cooperation of other Parties to control trade. These species are listed in "Appendix III" of the Convention.

The Convention and its implementing regulation control trade in those species listed in the Appendices, and a complete list of these species may be found in the 2 February 1977 Convention regulations 42 FR 10469-10488. Except for several important exceptions spelled out in the Convention and regulations, permits required for trade in Appendix I and II species may not be issued by the Federal Wildlife Permit Office until it has determined that certain requirements have been met and, in addition, the ESSA has advised it of certain findings: (1) Export permits may not be issued for Appendix I or II specimens unless the ESSA finds that the export will not be detrimental to the survival of that species; (2) Permits may not be issued to introduce from the sea Appendix I or II specimens unless the ESSA finds such actions will not be detrimental to the survival of the species, and, for Appendix I, that the recipient is suitably equipped to house and care for living specimens; (3) Permits may not be issued to import Appendix I specimens from other countries, unless the ESSA finds that the import will be for purposes which are not detrimental to the species involved and that the recipient of a living specimen is suitably equipped to house and care for it.

In addition to its responsibilities under the Convention, the ESSA advises other agencies on various matters concerning international wildlife conservation.

Appendix I Imports

The ESSA has established a policy on Appendix I imports, provided suitable housing and care is available for living specimens (42 FR 42296). That policy states that import will be approved when the purpose is for an essential scientific use not detrimental to the survival of the species, or to enhance the propagation or survival of the species. Import of salvaged specimens will be allowed for any bona fide scientific use, provided that the possibility of import neither directly nor indirectly contributed to the specimens' death or removal from the wild. Imports for other purposes will be disallowed if they can be reasonably expected to stimulate demand for wild plants or animals, or their parts or products, unless the evidence established that import is in the best interest of the species.

Appendix II Exports

Findings on Appendix II exports have taken the lion's share of the ESSA's time over the past year, primarily because of inclusion in the Appendix of bobcat, lynx, river otter and American ginseng.

The ESSA has adopted a flexible set of guidelines to clarify its findings on detriment for these species (43 FR 15098). The guidelines incorporate the recommendations of the ESSA's Working Group on bobcat, lynx, and river otter:

Minimum Requirements For Biological Information

1. Population trend information** method of determination to be a matter of State choice.
2. Information on total harvest of the species.
3. Information on distribution of harvest.
4. Habitat evaluation.

Minimum Requirements For A Management Program

1. There should be a controlled harvest*** methods and seasons to be a matter of State choice.
2. All pelts should be registered and marked.
3. Harvest level objectives should be determined annually.

Final findings have now been made for 1978-1979, based primarily on data submitted by the states and evaluated in light of the ESSA's guidelines and Working Group recommendations.