



May 6, 2024

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“The Society intends to act as an international forum of scientific discussion for all those interested in pertinent issues on sturgeons, while at the same time seeking for opportunities for close cooperation at an international level”.

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The Honorable Cliff Bentz
Chairman
Subcommittee on Water, Wildlife
and Fisheries
Committee on Natural Resources
1324 Longworth House Office Building
Building
Washington, DC 20515

The Honorable Jared Huffman
Ranking Member
Subcommittee on Water, Wildlife
and Fisheries
Committee on Natural Resources
1324 Longworth House Office
Washington, DC 20515

Dear Chairman Bentz and Ranking Member Huffman,

We write to express our strong support for Chairman Bentz’s bill, [H.R.6546](#). This important legislation will further the goals of the Endangered Species Act (ESA) by protecting endangered fish while permitting the farming of those species. This crucial legislation was introduced in response to U.S. Fish and Wildlife Service’s (USFWS) 2022 proposed rules which would list certain species of sturgeon as endangered without distinguishing between wild fish in their native range and those reared in fish farms.

The World Sturgeon Conservation Society is an environmental NGO dedicated to the protection of sturgeon worldwide. We are very concerned about the declining sturgeon populations that has occurred over the last 100 years, and it is our mission to protect these species and aid in their conservation and recovery. Applying the ESA to captive populations – that is populations raised specifically for human uses – will not help conserve these species in the wild nor will it aid in their recovery.

The ESA, as interpreted by the USFWS, does not differentiate between captive-bred and wild sturgeon population, causing a discrepancy between U.S. law and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Since 2010, CITES has suspended its Annex II listing permissions for the international trade of sturgeon species originating from wild populations. This means that aquaculture is the only legal source of sturgeon meat and products, i.e. caviar, skin, chemical extracts etc. with a global production of meat of more than 150,000 t/y (2022) and global production of caviar of about 750 t/y (2022).

If these proposed rules are finalized, they will substantially limit U.S. domestic market access for farmed sturgeon meat and caviar. This could lead to illegal harvesting, poaching and smuggling of autochthonous species in North America. The proposed listing would then have an adverse effect upon US sturgeon conservation as the aquaculture industry reduces pressure on wild sources and renders poaching less lucrative.

Furthermore, extensive conservation efforts are ongoing in numerous range states and several of these initiatives have been and are possible only due to the availability of broodstocks maintained and progenies produced by farmers. As such species conservation is supported through commercial aquaculture. Neglecting this fact will ultimately interfere with the current conservation attempts in a number of range states. The exclusion of the USA legal market could in fact be detrimental for some companies that will no longer be able to support stocks that are used for conservation purposes too.



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H.R.6546 offers a comprehensive solution to the threat facing commercial aquaculture producers and importers, not just sturgeon farms, by exempting all fish held in captivity and their progeny from ESA consultation requirements, prohibitions and penalties. If enacted, this bill would prevent future ESA listings from disrupting the aquaculture industry, the restaurant and food industry and international trade.

The bill is modeled after 16 U.S.C. § 1538(b)(2)(A), a provision of the ESA that has exempted raptors legally held in captivity or a controlled environment and their progeny since 1978. A key purpose of the "raptor exemption" was to permit commerce of raptors to encourage genetic diversity in captive breeding programs. A similar exemption is the most effective way to prohibit FWS from imposing ESA prohibitions and penalties on captive-bred fish.

We support the solution proposed H.R. 6546 which will allow the FWS to protect endangered fish species while permitting farming of those species.

Sincerely,

The Board of Directors

Paolo Bronzi,

Joern Gessner

Thomas Friedrich

Leonardo Congiu

Mikhail Chebanov

Wei Qiwei