



MISSOURI DEPARTMENT OF CONSERVATION

Headquarters

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TOM A. DRAPER, Interim Director

October 21, 2016

Ms. Collette L. Adkins
Senior Attorney
Center for Biological Diversity
PO Box 595
Circle Pines, MN 55415-0595

Dear Ms. Adkins:

This letter responds to your regulatory petition dated August 24, 2016, to end the unlimited commercial collection of common snapping turtles and softshell turtles in Missouri. The Missouri Department of Conservation (Department) has been monitoring developments in this area for some time and agrees that unlimited commercial collection of common snapping turtles and softshell turtles should be addressed through the rulemaking process.

The *Wildlife Code of Missouri* currently regulates commercial harvest of three turtle species by holders of a commercial fishing permit: common snapping turtle, spiny softshell, and smooth softshell. These three species may be taken from commercial waters and possessed in any numbers throughout the year by holders of a commercial fishing permit. Commercial waters are limited to flowing portions of the Missouri River, Mississippi River, and the portion of the St. Francis River that forms the boundary between the states of Arkansas and Missouri. Of the 34,000 river miles of permanent-flowing streams in Missouri, only 1,100 river miles (3%) are open to commercial turtle harvest. Commercial fishermen are required to record the numbers of each species taken in Missouri and submit monthly records to the Department. These data allow the Department to monitor fishing pressure and commercial harvest of turtle populations. Data for turtle harvest from 2002 to 2014 was obtained from the Department and is accurately portrayed in your petition.

The Department shares some of the concerns mentioned in your petition and supported by recent scientific studies related to the life history traits (e.g., delayed female maturation, relatively low fecundity, low recruitment, long generation times, etc.) of turtles that potentially make these species more vulnerable to harvest. In 2014, the Department funded and participated in the project cited in your petition entitled

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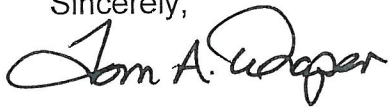
Ms. Collette L. Adkins
October 21, 2016
Page 2

"Modeling the Effects of Commercial Harvest on Population Growth of River Turtles," by Zimmer-Shaffer, *et al.* The results of this project provide useful scientific information that will assist the Department and other states in freshwater turtle management including the evaluation of commercial harvest regulations. In addition, the Department shares some of your concerns regarding increasing harvest pressures from illegal trafficking of turtles internationally. We supported the recent addition of the common snapping turtle and softshell turtles to Appendix III of the Convention on International Trade in Endangered Species and Wild Fauna and Flora (CITES) in order to better track the export of these turtle species on an international scale.

Missouri Revised Statute section 536.041 requires the Department to provide a written response to the petition. Based on recently developed scientific information regarding life history traits and the changing landscape with respect to increasing harvest pressures, the Department has determined it will consider the proposed rule modifications outlined in the petition through the Department's regulatory process, which could result in submission to the Conservation Commission of a formal rulemaking for its final approval. In accordance with Missouri Revised Statute section 536.175.4, any such rule limiting the harvest of commercial turtles adopted by the Conservation Commission should fulfill the Commission's constitutional authority; should not overlap, duplicate, or conflict with other regulations; should be narrowly tailored to accomplish its purpose; should not impose unnecessary paperwork or regulatory burden; and should fulfill a specific public purpose or interest.

Thank you for expressing your interest in the conservation of Missouri's turtles.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom A. Draper", written in a cursive style.

TOM A. DRAPER
INTERIM DIRECTOR

c: Bruce Morrison, General Counsel
Conservation Commission
Regulations Committee
Joint Committee on Administrative Rules
Commissioner of Office of Administration Doug Nelson