Robbing the Wild

How Nine States’ Refusal to Ban Trapping Is Hurting America’s Wild Turtles

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Executive Summary

Turtles are the oldest living group of reptiles on the planet, with fossil evidence suggesting they were alive more than 200 million years ago. The ancestors of modern turtles survived the asteroid that killed the dinosaurs and evolved into more than 350 species living today, ranging from the prehistoric-looking alligator snapping turtle in the United States to the brilliantly patterned Indian star tortoise in India. But because of human pressures, turtles are one of the most threatened group of vertebrates in the world, with unrestrained commercial trapping and trade helping to drive their declines.

Turtles cannot withstand even low levels of commercial trapping because their survival depends on living long lives and having many opportunities to reproduce. One study of common snapping turtles found that removing as few as 10% of adults from a population could reduce the entire population by half in only 15 years.

Unfortunately the global demand for turtles for food, pets and traditional medicine is high, and the United States has exported millions of live turtles to meet this demand. According to federal export records, from 2011 through 2016, turtle dealers exported more than 17 million wild-caught adults and “farmed” hatchlings, whose parents may have been wild-caught. These turtles are shipped to overseas markets, principally in China, where turtles have been overharvested for food and traditional medicine to a point where native populations are depleted or even extinct in the wild.

If this unsustainable trade continues, wild turtle populations in the United States could also disappear from the landscape before wildlife managers even realize they’re in trouble. Because turtles serve important roles in their ecosystems—from food webs to mineral cycles—this loss would be devastating.

The Center for Biological Diversity has, for more than a decade, advocated for stronger state-level protections for freshwater turtles. The Center submitted legal petitions to 13 state wildlife agencies asking them to ban commercial harvest of wild turtles and advocated in support of state-initiated actions to protect the reptiles. These efforts led to five states banning commercial turtle trapping and three states adopting stronger protections. But it isn’t enough.

For this report we analyzed state laws across the country to determine how effectively they protect wild turtles from commercial exploitation. We then ranked each state’s laws as strong, moderate or weak based on whether the state allows commercial trapping of any native turtles in unlimited numbers.

Key Finding: While there has been important progress in curbing turtle collecting, nine states still allow unlimited commercial harvesting of at least one native turtle species — contributing to the export of more than a million native turtles each year.

Other findings:

- 30 states allow no commercial turtle harvest, nine states provide moderate protection, and nine states have weak protections.
- Of the 15 states where the Center petitioned or advocated to ban commercial trapping of wild turtles, five banned trapping and three adopted stronger protections.
- The states with the weakest protections are Louisiana, Oklahoma, Arkansas, South Carolina, Maryland and Ohio.
- In 2020 South Carolina legislators are considering a bill to end commercial trade of native reptiles and amphibians, positioning the state to join the majority of states that prohibit commercial wild turtle trade.
Recommendation: The nine remaining states with weak turtle-protection laws should ban commercial trapping of all wild, native freshwater turtles, as should the states that provide only moderate protection. Adopting strong protections in these states would create a comprehensive layer of state-level protection, defending turtles from legal commercial overexploitation and making it harder for poachers and traffickers to carry out their illegal operations.

I. Trap and Trade: A Reckless and Unsustainable Practice

Turtles are the oldest group of living reptiles, with their earliest ancestors roaming the Earth more than 200 million years ago. Unfortunately they are now among the most endangered groups of animals on the planet, with more than half threatened with extinction.12

Commercial wild collection is one of the greatest drivers of turtle declines globally, along with habitat loss, pollution, poaching, climate change and other threats.13 Because turtles are long-lived animals with late sexual maturity, low fecundity and high natural levels of nest predation, their survival depends on adult turtles living long lives and producing many eggs.14 Collection of even small numbers of adult turtles can cause population declines with effects that can last decades.15 Turtle populations may appear stable even when they’ve reached a point where they will disappear with no hope of recovery.

States across the country have long allowed reckless commercial trapping and trading of wild turtles. Large-scale turtle trapping operations are highly organized, composed of trappers, middlemen and dealers.16 Trappers use nets and traps to capture multiple turtles at a time from forests, streams and ponds.17 Dealers usually work with an interstate network of employees capable of trapping and transporting hundreds of thousands of turtles per year.18 These turtles are then exported to foreign markets, where they are sold for meat, pets and traditional medicine.19 The demand for, and magnitude of, freshwater turtle exports from the United States in response to foreign demand has remained high.20 According to federal export records, from 2011-2016 more than 17 million live turtles were exported from the country.

Commercial turtle trapping can also harm species not targeted for collection. It is nearly impossible to ensure that state and federally protected species will not be accidentally captured in traps and nets set for more common species.21 Trappers also misidentify protected species as unprotected ones. Trappers who can distinguish rare species and recognize their high value on the illegal market may purposely harvest them and pass them off as legally captured species.

Despite clear science showing it is unsustainable, several states still allow trappers to remove turtles from the wild in unlimited numbers. Many of these states are in the southeastern United States, a hotspot of turtle diversity and richness.22 Compounding the risk, as surrounding states strengthen their laws, turtle harvesting may be displaced into states with weak or no regulations.23 These states’ weak or nonexistent regulations not only put their own turtles at risk but also turtles in surrounding states. Trappers harvest turtles in states where it is illegal and pass them off as legally harvested in a state with weak or no regulation — a process known as turtle laundering.

II. A Campaign to Curb Overexploitation

In 2008 the Center initiated a campaign to end the unsustainable practice of commercial turtle trapping. We focused on strengthening state wildlife laws, acknowledging that states play a crucial role in protecting wildlife from overexploitation and thus preventing a conservation crisis.

In 2008 and 2009, the Center and conservation partners submitted regulatory petitions to 13 states that had weak or nonexistent freshwater turtle trapping regulations (see Table 1, below). These petitions asked the states to ban commercial freshwater turtle trapping in all public and private waters to prevent further harm to native turtle
populations. In response some states acted swiftly to protect wild turtles from commercial trapping, while others adopted only some protections. (Although the Center did not petition Alabama, in 2012 the state moved to ban all commercial collection of wild turtles.)

Several years later, equipped with even more scientific studies showing the harms of commercial trapping to the nation’s turtles, the Center submitted new regulatory petitions to Arkansas, Iowa, Louisiana, Maryland, Missouri, Oklahoma and Texas, with varied results (see Table 1, below). The Center also successfully advocated in support of New York’s proposal to end commercial trapping of diamondback terrapin turtles and Virginia’s proposal to further restrict commercial trapping of common snapping turtles.

<table>
<thead>
<tr>
<th>States petitioned</th>
<th>Date(s) submitted</th>
<th>Status of commercial trapping laws</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkansas</td>
<td>3/11/2009; 9/25/2017</td>
<td>Adopted regulations restricting commercial trapping and ordered 3-year study in 2018</td>
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<tr>
<td>Florida</td>
<td>3/27/2008</td>
<td>Banned commercial trapping in 2009</td>
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<tr>
<td>Georgia</td>
<td>3/27/2008</td>
<td>Adopted annual catch limits on freshwater turtle trapping in 2012</td>
</tr>
<tr>
<td>Iowa</td>
<td>3/11/2009</td>
<td>Adopted regulations restricting commercial trapping in 2017</td>
</tr>
<tr>
<td>Louisiana</td>
<td>3/11/2009; 10/19/2016</td>
<td>Commercial trapping still allowed for at least one species</td>
</tr>
<tr>
<td>Missouri</td>
<td>3/11/2009; 8/22/2016</td>
<td>Commercial trapping still allowed for at least one species</td>
</tr>
<tr>
<td>Ohio</td>
<td>3/11/2009; 1/11/2017</td>
<td>Commercial trapping still allowed for at least one species</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>3/27/2008; 5/11/2017</td>
<td>Enacted a moratorium on commercial harvest of turtles in public waters while studying the status of its wild turtle populations in 2009; commercial trapping still allowed on private lands and waters</td>
</tr>
<tr>
<td>South Carolina</td>
<td>3/11/2009</td>
<td>Limited turtle trapping by setting possession limits for some species, but other species remain unprotected; current House and Senate bills would end most commercial trade of native reptiles and amphibians</td>
</tr>
<tr>
<td>Tennessee</td>
<td>3/11/2009</td>
<td>Commercial trapping still allowed for at least one species</td>
</tr>
</tbody>
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### III. Survey of State Protections

We reviewed statutes and regulations governing commercial turtle trapping for each of the states to determine the status of freshwater turtle conservation nationwide (see Figure 1, below). We defined a state as having “strong protection” if its laws ban commercial turtle trapping of all native species found in the state. States were listed as having “moderate protection” if their laws limit commercial trapping through bag limits, size limits, and/or limits on the number of commercial permits issued. And those states with laws allowing trapping of at least one native species of turtle in unlimited numbers were defined as having “weak or no protection.”

Two states, Hawaii and Alaska, do not have native terrestrial or freshwater turtles and were not assessed for this report. This review also does not account for personal collection and breeding of turtles for aquaculture purposes, which implicates a separate but related set of conservation problems.

After concluding our review, we found that 30 states now have strong protection for freshwater turtles; however, nine states have weak or no protection. Nine states have moderate protections for freshwater turtles, but further restrictions are needed.
States with moderate protection for freshwater turtles include those with possession and bag limits like Georgia, Iowa, New Jersey, North Carolina, Pennsylvania and West Virginia. While Vermont law allows unlimited commercial trapping of at least one turtle species, no permits have been issued in the last few years. Virginia recently adopted stricter size requirements, limited the number of permits it issues to trappers, and closed off areas previously subject to heavy trapping. While scientists agree that the best protection for wild turtles is a total ban on commercial harvest, these states are on the right track.

States with weak or no protections include Arkansas, Delaware, Louisiana, Maryland, Minnesota, Ohio, Oklahoma, South Carolina and Tennessee. Each of these must strengthen their laws, with varying levels of urgency. While Tennessee allows commercial trapping of 14 types of turtle, trapping of all but one is geographically limited to one wildlife management area. Minnesota still allows trapping of common snapping turtles, spiny softshell turtles, and painted turtles in unlimited numbers, though there is currently a moratorium on the issuance of new commercial permits, and the state legislature is considering a bill that would ban the practice. However, a few states stand out for their especially weak or nonexistent laws regulating commercial overexploitation: Louisiana, Oklahoma, South Carolina, Arkansas, Maryland and Ohio.

A. Louisiana

Louisiana allows permitted trappers to take 19 types of native turtle in unlimited numbers. Until August 2016 it did not require trappers to report wild turtles they caught and commercially traded. While trappers must now submit data to the Louisiana Department of Wildlife and Fisheries, this information is largely redacted when released to the public (see Figure 2, below). The number of wild turtles harvested from Louisiana is unknown, but it is clear that Louisiana plays an integral role in the turtle trade. Federal export records show the majority of live turtle exports leave the country through New Orleans. With its lax protections and heavy trade, Louisiana
has also been implicated in several illegal turtle trafficking operations.\textsuperscript{37}

In 2009 and 2016, the Center and local conservation partners petitioned the Louisiana Department of Wildlife and Fisheries to end unlimited commercial trapping of the state’s turtles, but the agency refused to make any changes.

<table>
<thead>
<tr>
<th>Source: Louisiana Department of Wildlife and Fisheries Trip Ticket Program</th>
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<tbody>
<tr>
<td>2016 - 2018 Non-Confidential Turtle Landings by Year</td>
</tr>
<tr>
<td>Data are preliminary and subject to correction</td>
</tr>
<tr>
<td><strong>This aggregation and confidential protection is required by both State (Title 70) and Federal Law (Magnuson-Stevens Fishery Conservation and Management Act)</strong></td>
</tr>
<tr>
<td><strong>SPECIES</strong></td>
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<tr>
<td>Common Musk Turtle</td>
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<tr>
<td>Common Snapping Turtle</td>
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<tr>
<td>Common Snapping Turtle</td>
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<tr>
<td>Common Snapping Turtle</td>
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<tr>
<td>Mississippi Map Turtle</td>
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<tr>
<td>Mud Turtle</td>
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<tr>
<td>Mud Turtle</td>
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<tr>
<td>Razor Backed Musk Turtle</td>
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<td>Red Eared Turtle</td>
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<td>Red Eared Turtle</td>
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<td>Red Eared Turtle</td>
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<tr>
<td>Softshell Turtle</td>
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<td>Softshell Turtle</td>
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<td>Softshell Turtle</td>
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**Figure 2.** Redacted Public Records Response From Louisiana Department of Wildlife and Fisheries

**B. Oklahoma**

Oklahoma allows licensed turtle trappers to collect an unlimited number of eight types of native turtle from private waters.\textsuperscript{38} The vast majority of those taken are common snapping turtles, red-eared sliders and softshell turtles. In response to a 2008 petition from the Center and its allies, Oklahoma prohibited commercial collection of turtles on publicly owned waters, but this restriction does little to protect the state’s turtles: Approximately 95\% of the state’s land is privately held. From 1994 to 2014, more than 50,000 turtles each year on average were bought from turtle trappers.\textsuperscript{39} A 2011 study confirmed that further restrictions on commercial harvest are needed in Oklahoma,\textsuperscript{40} and in 2017 the Center and local conservation groups again petitioned the state to put an end to commercial collection of turtles. But the state failed to respond, meaning the petition is considered denied under Oklahoma law.\textsuperscript{41}

**C. South Carolina**

South Carolina has no laws to protect striped mud turtles, southeastern mud turtles and eastern musk turtles from commercial overexploitation, meaning trappers can take unlimited numbers without a permit or any other restrictions. For another nine species, South Carolina limits the number of turtles that can leave the state to no more than 10 per trip and no more than 20 per year, with exceptions for aquaculture and private ponds.\textsuperscript{42} State wildlife officials acknowledge that these laws are weak and make South Carolina a target for trafficking.\textsuperscript{43} Since the state only regulates the transport of turtles across state lines, traffickers can lawfully trap and hold large numbers of turtles on their land, staging them for eventual illegal sale on the black market.\textsuperscript{44} In 2018 a kingpin in an international scheme to traffic rare turtles — along with at least five other men from South Carolina — was arrested for his role in trafficking

**Hopeful Future for South Carolina:** In December 2019 state Sen. Vincent A. Sheheen pre-filed Senate Bill 885, which would make it illegal for any person to commercially trade native reptiles and amphibians. House Bill 3841, a companion bill, was introduced in January 2020. These bills would also authorize the South Carolina Department of Natural Resources to establish personal possession limits for reptiles and amphibians and establish penalties for violating the new laws. Corresponding wildlife regulations are also in development and review. If made into law, these proposals would provide strong protections for South Carolina’s native turtles, curbing commercial overexploitation and making it much more difficult to poach and traffic rare species.
rare turtles from South Carolina to dealers in New York, Hong Kong and the Carolinas. And in September 2019 state wildlife officials seized 216 turtles from a trafficker who was planning to ship them to Asia.

**D. Arkansas**

Arkansas allows resident trappers holding permits to commercially trap 13 types of turtle from waters across roughly half of the state with no bag limit, including common snapping turtles, southern painted turtles, softshell turtles, musk turtles and map turtles. According to state wildlife officials, trappers reported taking more than 1.3 million wild turtles from 2004 to 2017, with an annual average harvest rate of more than 94,000 turtles. Many of these turtles were classified as large, reproductively mature adults, which are critical to the survival of wild populations. These numbers represent only a fraction of commercial trapping in Arkansas, as fewer than 50% of turtle harvesters actually reported their catch during that time period.

In response to a petition from the Center and Arkansas environmental groups, in 2018 the Arkansas Game and Fish Commission closed the Gulf Coastal Plain ecoregion to trapping (representing 0.2% of wild turtle harvest in the state), banned the harvest of razorback musk turtles, tightened reporting requirements, and committed to a three-year study of the effects of commercial trapping on wild turtle populations in the Mississippi Delta ecoregion. While these changes are a step in the right direction, they leave many of Arkansas’ wild turtles vulnerable to overexploitation.

**E. Maryland**

Maryland allows trappers to take an unlimited number of common snapping turtles for commercial purposes. Trappers reported collecting more than 70,000 snapping turtles from the wild between 2008 and 2016. After a multi-year study found previous regulations were unsustainable, the Center in 2019 petitioned the Maryland Department of Natural Resources to adopt its own restrictions. Despite the lack of any formal research examining the sustainability of the practice in Maryland, the petition was hastily denied.

**F. Ohio**

People with permits can trap unlimited numbers of common snapping, spiny softshell and smooth softshell turtles in Ohio. Because Ohio has no reporting requirements, it is unclear how many turtles are taken from the wild each year, but a survey in 2014 showed that approximately 4,000 fishing license holders had sold turtles in the past five years. With no restrictions on the numbers of turtles that can be taken, Ohio’s turtles are vulnerable to commercial overexploitation. The Ohio Department of Natural Resources has yet to respond to a January 2017 petition submitted by the Center along with Dr. Lisa Regula Meyer and local conservation groups: Ohio River Foundation, Ohio Wetlands Association, Kent Environmental Council and Friends of the Ravines.

**Conclusion**

To protect America’s wild turtles, a comprehensive network of state-level protection is necessary to curb legal and illegal overexploitation. This means the nine remaining states with weak turtle-protection laws should ban commercial trapping of all wild, native freshwater turtles. Adopting strong protections in these states would create a more comprehensive layer of protection for turtles, both from legal commercial overexploitation and illegal operations, by adding further obstacles for poachers and traffickers.
Species Highlights

Common snapping turtle

The common snapping turtle is a large, mostly aquatic turtle that can weigh as much as 50 pounds. It is omnivorous and consumes a wide variety of small animals and aquatic vegetation, essentially eating anything it can fit into its jaws.

These mature, larger turtles are the main targets of turtle trappers whose profits depend on the total pounds of turtles they collect for meat markets. With hundreds of thousands of wild common snapping turtles being trapped in the United States and exported each year, trapping significantly impedes the long-term survival of their populations.

Southern painted turtle

The southern painted turtle is a relatively small, dark-colored turtle with yellow stripes and blotches down its neck and legs, and a vivid red or yellow stripe that runs down its shell from head to tail. It can be seen basking in the sun on rocks and logs along lakes and streams in Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Missouri and Tennessee.

Commercial trappers can still capture these turtles in unlimited numbers in Louisiana and parts of Arkansas and Tennessee. There is significant demand for southern painted turtles for the pet trade. For instance, in 2016, trappers reported taking more than 3,000 painted turtles from Reelfoot Wildlife Management Area in Tennessee.
**Endnotes**


8. Due to idiosyncrasies in federal export monitoring regulations at the time, turtles designated as “wild caught” include “farmed” or ranched individuals of certain species. Turtle farms and ranches are not comprehensively regulated or monitored, leaving the source of farmed hatchlings uncertain. For example, “farmed” turtles are defined as having been born in captivity; however, these hatchlings can include the offspring of wild-caught parents.


Two states, Hawaii and Alaska, have no native freshwater turtle species.


24  Ga. Comp. R. & Regs. § 391-4-16-.05(1) (setting bag limits).

25  Iowa Admin. Code r. 571-86.1 (setting seasons and catch and possession limits).


27  15A N.C.A.C. 10H.1301 (prohibiting the commercial taking of turtles in the families Emydidae and Trionychidae); 15A N.C.A.C. 10B.0119(b) (setting bag limits for turtles from the family Kinosternidae and Chelydridae).

28  58 Pa. Code § 79.9 (generally prohibiting commercial taking of reptiles or amphibians from the wild unless specifically authorized); 58 Pa. Code § 79.5 (setting possession and bag limits for common snapping turtle).

29  W. Va. CSR § 58-73-4, s. 4.6 (setting bag limits for wild turtle trapping).


32  Tennessee Fish and Wildlife Commission, Proclamation 17-10, Statewide Proclamation on the Commercial Taking of Fish and Turtles (October 6, 2017).


37  See, e.g., Press Release, United States Department of Justice [USDOJ], Two Brothers Sentenced to

38 29 Okl. St. § 6-204; O.A.C. § 800:15-9-3(2).


41 75 Ok. St. § 305


47 002-00-001 Code Ark. R. §§ 34.01–34.11.


51 Code of Maryland Regs. 08.02.06.01(G)(1)(b).


La. Admin. Code tit. 76, pt. XV § 101(A), (G), (I)–(J); 002-00-001 Code Ark. R. §§ 34.01–34.11; Tennessee Fish and Wildlife Commission, Proclamation 17-10, Statewide Proclamation on the Commercial Taking of Fish and Turtles (October 6, 2017).