

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA



Fifteenth meeting of the Conference of the Parties  
Doha (Qatar), 13-25 March 2010

Interpretation and implementation of the Convention

Exemptions and special trade provisions

Applications to register operations that breed Appendix-I animal species in captivity for commercial purposes

REQUEST FROM THE UNITED STATES OF AMERICA REGARDING RICHARD W. ANDERSON

1. This document has been prepared by the United States of America\*.
2. Resolution Conf. 12.10 (Rev. CoP14) has established a procedure to register operations that breed Appendix-I animal species for commercial purposes; once registered, such operations qualify for the exemption contained in Article VII, paragraph 4, of CITES, which allows specimens bred at such operations to be treated as if they are specimens of a species listed in Appendix II. In addition to providing guidelines on the information that a Management Authority should provide to the Secretariat to obtain and maintain the registration of a captive-breeding operation (Annex 1 of the Resolution), the Resolution establishes the mechanism under which the Secretariat should handle registration requests and the role the Parties have in the registration of an operation (Annex 2 of the Resolution).
3. In accordance with Resolution Conf. 12.10 (Rev. CoP14), a Management Authority that wishes to register a breeding operation submits an application to the Secretariat for consideration. Once the Secretariat can verify that the application meets the requirements of the Resolution, a Notification to the Parties is published announcing the proposed registration. The Parties have 90 days to respond to the Notification by submitting comments on the proposed registration of the operation. If any Party objects to the registration, the Secretariat will refer the documentation on the operation to the Animals Committee, which will respond to the objections within 60 days. The Secretariat would then facilitate a dialogue between the Management Authority that submitted the registration request and the objecting Party and provide an additional 60 days to resolve the objections. If the objections are not withdrawn or the identified problem(s) not resolved, the application would be postponed until it is decided by a two-thirds majority vote at the following meeting of the Conference of the Parties, or by postal procedures equivalent to those set forth in Article XV.
4. The United States supports the registration process established in Resolution Conf. 12.10 (Rev. CoP14). The proposed registration contained in Annex 1 will be transmitted to the Secretariat in mid-October 2009, for consideration. Provided the Secretariat can review the proposed registration and publish a Notification to the Parties in early November, the 90-day comment period will not expire until mid-February. If an objection were to be raised to the registration of this operation, and no resolution could be found to the objection, a process that could take up to 120 days, a final decision on the registration would be delayed until the next meeting of the Conference of the Parties (CoP16 in 2012 or 2013). While the United States is confident that the proposed registration meets all of the criteria established in Resolution Conf. 12.10 (Rev. CoP14), we are concerned that any unresolved objections could adversely affect this breeding operation by delaying

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\* The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat or the United Nations Environment Programme concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

a final decision for several years.

5. Therefore, on the recommendation of the Secretariat, the United States is submitting the attached registration directly to the Parties for consideration at CoP15.
6. Annex 1 of this document contains the information regarding the registration of Richard W. Anderson, Arlington, Washington, United States of America, for *Falco rusticolus* and *F. rusticolus* X *F. peregrinus* hybrids. Annex 2 contains supporting documentation for this proposed registration. This is the same information that will be submitted to the Secretariat in mid-October 2009, in the language in which it will be submitted.
7. The Conference of the Parties is requested to take a decision regarding this registration.

#### COMMENTS FROM THE SECRETARIAT

At the time of writing (late October 2009), the Secretariat had not received from the United States the documentation supporting the application. It is therefore in no position to assess the compliance of this application with Resolution Conf. 12.10 (Rev. CoP14) and, therefore, to make a recommendation to the Conference of the Parties. The Secretariat will provide an oral update of its assessment of the application at the present meeting.

Application to Register the Breeding Operation of Richard W. Anderson, an Operation Breeding Appendix-I Animal Species for Commercial Purposes: Gyrfalcon (*Falco rusticolus*) and Gyr-peregrine (*F. rusticolus* X *F. peregrinus*) hybrids

**1. Name and address of the owner and manager of the captive breeding operation:**

Richard W. Anderson  
26425 Dahl Road  
Arlington, Washington 98223

**2. Date of establishment:** 2001

**3. Species bred:** Gyrfalcon (*Falco rusticolus*) and Gyr-peregrine hybrids (*Falco rusticolus* X *Falco peregrinus*)

**4. Description of parental breeding stock:** The original parental breeding stock consists of 6.6 *Falco rusticolus* and 0.2 *Falco peregrinus*. All but three *F. rusticolus* of the parental breeding stock was captivity bred in the United States between 1997 and 2007 and was purchased by or transferred to the applicant. The three remaining *F. rusticolus* were bred in captivity in Canada by a registered breeding operation and legally imported into the United States in 1995 and 2001. Each of the birds bred in the United States have a closed U.S. Fish and Wildlife Service (USFWS) leg band in accordance with the U.S. Migratory Bird Treaty Act (MBTA), a stricter domestic measure. The three Canadian birds also have closed leg bands that have been registered with the USFWS and are in accordance with the MBTA. The list of parental breeding stock, and additional breeding stock bred by the applicant from the original parental stock, is attached (Annex 2).

**5. Range State evidence that parental stock was obtained in accordance with the relevant national laws:** The range of the gyrfalcon extends into the United States and Canada, being circumpolar in distribution.

The applicants has been licensed by the USFWS as a breeder of raptors since 2001 (license number: MB043292-0), as well as being licensed as a master falconer (license number: MB699608-0). Ownership and breeding of all U.S.-native raptors is regulated under the MBTA, which requires annual propagation reports and notification to the USFWS of any transfer or sale of birds. The applicant is in complete compliant with the MBTA and all other State and U.S. Federal Government regulations.

Under the MBTA, anyone who sells, donates, or otherwise transfers a raptor must report that activity to the USFWS by submitting a Form 3-186A<sup>1</sup>, "Migratory Bird Acquisition and Disposition Report." In addition to providing a copy of this report to the USFWS, copies are maintained by both parties of the transaction (i.e., the breeder and purchaser), and copies may be provided to the State wildlife agency(s) that regulates raptor propagation or falconry within the state(s) in which the buyer and seller reside.

The applicant's current breeding stock was acquired from other USFWS-licensed raptor breeders in the United States, a CITES registered breeder in Canada, or bred by the applicant from parental stock described above (see #4). For each of his breeding stock, the applicant has provided the U.S. Management Authority with his copies of Migratory Bird Acquisition and Disposition Reports (USFWS Form 3-186A), which indicates legal acquisition for those specimens obtained from other breeders/falconers, or produced by the applicant. These reports, which document the legal acquisition of specimens from other U.S. breeders/falconers, are submitted to the USFWS Migratory Bird Permit Office. Both parties to the transfer maintain copies of the reports. The applicant has also provided the U.S. Management Authority signed breeder's statements for the birds he bred, and copies of Forms 3-186A showing retention of these specimens for propagation purposes, as well as USFWS raptor propagation annual reports.

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<sup>1</sup> Form 3-186A is a reporting requirement; it is not a permit, and there is no requirement for the USFWS to authorize a transfer prior to the transfer occurring. Since copies of the report go to individuals or government agencies besides the USFWS, the USFWS would not have the ability to stamp all copies of the Form 3-186A, nor is it a requirement that any copies of the form be stamped or otherwise validated by a USFWS official, including the copy maintained by the USFWS. In addition, the USFWS did not require institutions requesting registration as a commercial breeding operation to obtain stamped copies for inclusion with their registration application.

It should be noted that, under the MBTA, stock held under a falconry permit and stock held under a propagation permit must be maintained separately. Any transfer of birds from one stock to the other must be documented to the USFWS through the submission of a Form 3-186A. All of the applicant's stock of *F. rusticolus* and *Falco peregrinus* is maintained under his propagation license. Copies of Form 3-186A, as well as breeder's statements, are available from the CITES Secretariat or U.S. Management Authority.

**6. Criteria for operations located in non-range States:** Not applicable.

**7. Current stock held in addition to parental breeding stock:**

All the birds listed in Annex 2 are breeders or potential breeders.

**8. Information on the percentage of mortalities:** From 2001 through the present, there have been two mortalities at the applicant's facility. The deaths consist of two male gyrfalcons – one bird was 3 months; the second was 13 months. Therefore, the mortality rate for the breeding operation has been less than 5% of all stock and 0% of adult birds. This percentage is based on young birds produced, adult birds held as breeders and the two birds that died. From 2004 through 2008, there have been 19 gyrfalcons hatched and reared at this facility.

**9. Documentation that the species has been bred to second-generation offspring (F2) at the facility and a description of the method used:** All of the breeding stock of gyrfalcons in the facility was acquired as at least F1 as indicated by the USFWS acquisition forms and CITES documents provided with the application. From the 6.6 gyrfalcon founders, the applicant has produced 19 offspring since 2004. For the 2008 breeding season, two F1 or beyond gyrfalcon specimens successfully produced six chicks, documenting breeding to the first generation at this facility. Breeding techniques are methods that have been commonly and successfully used by falcon breeders throughout the world. Breeding pairs copulate naturally and natural incubation is encouraged. Where necessary, particularly for the production of hybrid specimens, artificial insemination and supplemental incubation can be used. Mr. Anderson has been a U.S. licensed falcon propagator since 2001 and has been successful with using these standard techniques.

**10. If the operation has only bred the species to the first generation, documentation showing that the husbandry methods used are the same as, or similar to, those that have resulted in second-generation offspring elsewhere:** Although the applicant has only produced one generation at his facility, he is using husbandry techniques that are widely recognized for producing second-generation offspring. These techniques are the same ones used by other CITES-registered operations, including by Dan Konkel (CITES registration A-US-503), Northwoods Limited (CITES registration A-US-504), and Falcon Farms Ltd (A-CA-501).

**11. Past, current, and expected annual production of offspring:** There have been no unusual fluctuations in annual production at this facility. The applicants operation has produced 19 gyrfalcons between 2004 and 2008. In 2008, 6 offspring were produced and in 2007, 4 offspring were produced. Three chicks were produced each year between 2004 and 2006. No gyr-peregrine hybrids have been produced. The applicant has two male and four female gyrfalcons, as well as two female peregrine falcons that are at sexual maturity. As younger stock matures, the applicant is anticipating an increase in productivity. With the possibility of double clutching the birds, the Applicant anticipates that this will result in an annual yield of 15 to 20 birds.

**12. Anticipated need for, and source of, additional specimens to augment breeding stock to avoid deleterious inbreeding:** This program is not anticipating any need to broaden the gene pool currently held. The program has made great efforts over the years to obtain and maintain a widely diverse genetic pool of unrelated falcons to avoid any inbreeding. However, if, in the future, birds were needed to avoid deleterious inbreeding or to breed for specific characteristics, the applicant would obtain additional stock from USFWS-licensed breeders or CITES-registered breeding operations. Breeding records are maintained to ensure outcrossing of related birds. As a result, fecundity remains high and there have been no obvious genetic abnormalities.

**13. Type of product exported:** Live birds.

**14. Description of marking methods:** Each specimen produced at the facility is banded with a seamless aluminum numbered leg band issued by USFWS. Leg band numbers are unique for each bird. This information is recorded for parents and offspring to facilitate husbandry decisions.

**15. Description of inspection and monitoring procedures to be used by the CITES Management Authority:** The applicant will apply to the U.S. CITES Management Authority for all export permits for progeny produced at the facility. He will also submit an annual report listing the total number of birds at the facility, number of offspring produced, mortalities, and other acquisition or dispositions of the birds. This will allow the U.S. Management Authority to monitor activities in the breeding facility. In addition, the applicant may receive unannounced visits from USFWS personnel (e.g., Division of Law Enforcement, Division of Management Authority, Division of Scientific Authority, Office of Migratory Birds) who will report their findings to the CITES Management Authority.

**16. Description of housing facilities:** The breeding facility consists of eleven chambers, ranging in dimensions from 2.5 by 4 meters (8' x 12') to 4 by 9 meters (12' x 30'). All are 3 meters (10') high. Construction is of corrugated tin, fully enclosed sides, with vinyl-covered chain link covering all ceilings to allow fresh air to circulate, as well as providing natural sunlight. Locks are maintained on all entrances and double doors to the access hallway prevent possible escapes. The entire compound has a cement footing to prevent animals from digging under the enclosure's borders. This facility meets or exceeds all U.S. Federal and state captive propagation requirements while I enter individual enclosures.

The facility does not currently incubate eggs, given that the breeding stock as proven themselves as successful brooders. However, the facility does maintain two incubators, each with a capacity of 30 eggs, with a total capacity of 60 eggs.

The facilities food source is coturnix quail. All quail used as a food source are produced at the facility. In addition, these quail are readily available from commercial producers/suppliers. A skilled avian veterinarian, Dr. Thomas Ray, DVM, is readily available if any medical issues arise.

**17. Strategies used by the breeding operation to contribute towards the conservation status of wild populations of this species:** The applicant has sold falcons for the sport of falconry, breeding, and education. This breeding program will also reduce reliance on the wild population of gyrfalcons for falconry and breeding purposes. Therefore, the operation will make a meaningful contribution according to the conservation needs of this species.

**18. Assurance that the operation is humane:** There is little human interaction with paired falcons except for routine maintenance and veterinary procedures. All falcons are kept in rooms large enough to allow them to fly short distances. The facilities are well ventilated. All birds have access to natural sunlight and water for bathing and drinking. A veterinary facility/raptor rehabilitation facility is available nearby. Therefore, the operation will be conducted in a humane manner.

**Current Parental Stock Housed by Mr. Anderson at His Facility**

*Falco rusticolus – Founder Stock bred by another Breeder*

Band Number	Hatch Year	Sex	Breeder
CX010779	1995	F	J. Lejeune (A-CA-501)
CX012165	2001	F	J. Lejeune (A-CA-501)
CX012154	2001	M	J. Lejeune (A-CA-501)
RX085885	2007	F	D. Ertsgaard (registration pending)
RX085664	2007	F	Brad Wood (A-US-504; additional registration pending)
RX085893	2008	F	D. Ertsgaard (registration pending)
RX082994	2001	F	D. Ertsgaard (registration pending)
RW086525	1997	M	S. Baptiste (USFWS licensed)
RW089276	2002	M	S. Baptiste (USFWS licensed)
RX086153	2006	M	D. Konkel (A-US-503)
RW094007	2006	M	D. Konkel (A-US-503)
RW093434	2008	M	T. Sell (USFWS licensed)

*Falco rusticolus – Breeding Stock bred by Applicant*

USFWS Band Number	Hatch Year	Sex
RX083944	2004	F
RX083947	2008	F
RW092636	2008	F
RW089961	2008	F
RX083949	2008	F
RX083945	2004	M
RX083946	2005	M
RX085619	2007	M
RY080110	2005	F

*Falco peregrinus – Founder Stock bred by another Breeder*

Band Number	Hatch Year	Sex	Breeder
RW091500	2001	F	G. Geiger (USFWS licensed)
RV085102	2003	F	G. Geiger (USFWS licensed)