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General Comment on:

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
50 CFR Part 16
[FWS-R9-FHC-2008-0015; 94410-1342-0000-N3]
RIN 1018-AV68

Injurious Wildlife Species; Review of Information Concerning
Constrictor Snakes From Python, Boa, and Eunectes genera

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of inquiry.

To whom it may concern:

My name is Tracy Barker. I am co-owner of Vida Preciosa International, Inc. established in 1990, located in Boerne, TX USA. I am a graduate biologist, a herpetologist and a professional herpetoculturist. I have worked as a field biologist, and a zoo keeper. I have written extensively on the general topic of large constrictors, publishing in scientific, professional, and popular publications. My husband, David G. Barker, and I recently published *Pythons of the World, Vol. II: Ball Pythons: The History, Natural History, Care, and Breeding*, recognized as the "Best Animal Book of 2006," an international award given annually by the Independent Publishers.

I make the following comments pertinent to the Notice of Inquiry posted in the Federal Register on 31 January, 2008. That NOI regards the consideration of various species of boas and pythons in the genera *Python*, *Boa*, and *Eunectes* for possible addition to the Injurious Wildlife List in the Lacey Act.

First, please consider that without any cost to the government or conservation agencies, the American snake community has established almost all of the species of pythons and boas in captivity. Most of the species that are investigated by this NOI are currently maintained in the United States in viable, self-sustaining captive populations. To list any of these species on the Injurious Wildlife list will remove them from captivity. This effectively will disassemble and destroy 30 years of valuable work of immense importance.

Consider that the American snake community has accomplished what today is being attempted with great difficulty by biologists and conservationists working with amphibians. We can only reflect how the world-wide mass extinction of amphibian species over the last 10 years might have at least been mitigated had zoologists made the decision to bring many species into captivity at that time. Sadly, that was not the case. Millions of dollars are now being spent as the amphibian community

works to belatedly start these breeding programs with what remains of the world's amphibian species.

There are no crystal balls that will tell what awaits any of the world's species in the future. The course we set today to get as many animals as possible into successful captive breeding programs will be the measure by which future generations will judge us. It would be the greatest hubris to do nothing to establish species in captivity, or to inhibit the establishing of species in captivity. It is a false hope to assume no calamity will befall the snakes in the world, particularly the largest species of snakes. How can the disassembling of viable ancillary captive populations be justified?

Captivity is taking on a new importance as a conservation tool for the species of the world. The world's wildlife in the future will be dependent on private citizens to maintain them for perpetuity.

The American snake community has done the work. We have spent 30 years learning how to maintain and propagate snakes in captivity. We have quietly accomplished one of the greatest conservation projects ever attempted. We have freely shared with the world conservation community our techniques of husbandry and propagation. A significant percentage of what is has been published about the large snake species has come from the private snake community.

The action of adding Burmese pythons and possibly other snake species to the Injurious Wildlife List is analogous to telling all American Zoos they can no longer have animals because some of the Dade County Zoo animals escaped into the Everglades during a hurricane. It's analogous to telling American farmers they can no longer raise corn because corn has been found growing along the canals in the Everglades. An analogy even more appropriate—domestic cats should be placed on the Injurious Wildlife List and removed from all American homes because feral house cats are threatening Key Largo woodrats. These all are inappropriate national responses to local problems.

In the future, the survival of much of the wildlife of the world will require the directed efforts and participation of far more people than zoos and governments will be able to provide. We need the people of the world to participate in this effort. Amazing, in its own quiet disorganization, we now step back and realize that the American snake community has created a superb decentralized model incorporating economic incentives, accomplishing independently many of the goals of wildlife conservation and preservation.

I urge the USF&W Service to consider the challenges that we all face today in our work to conserve animal species for future generations. Please consider the consequences to the existing captive populations of the largest snake species by the actions, if any, you take in response to this NOI. The presence of Burmese pythons in South Florida, and the possibility that other species might establish is a local problem. Already there are more than 2000 established nonnative species in South Florida. It's a very local phenomenon. Please refrain from a national solution to such a local problem.

In Response to the Questions posed in the NOI:

1) The state of Texas has a permit system in place for four species in the genus *Python* and for *Eunectes murinus*. The species in the genus *Python* are: *P. reticulatus*, *P. molurus*, *P. sebae*; and *P. natalensis*. Keepers wishing to maintain any number of these species must obtain a \$50 annual permit. The permit is issued by Texas Parks and Wildlife.

2) All taxa listed in the NOI have been bred multiple times in the United States, with the exception of *Eunectes deschauenseei*. US breeders regularly produce 9 of 10 species in the genus *Python*. So far as I know, only *P. natalensis* is not currently being bred in the country. All recognized subspecies of *Boa* are bred with regularity. At least 5,000 *Boa constrictor imperator* annually are captive-bred and born in the country. Only a handful of breeders sell captive born *Eunectes*; probably 100–200 green anacondas are born, and probably two-to-three times that many yellow anacondas are captive bred and born.

It is my belief that that a conservative estimate would be that 80,000–100,000 boas and pythons are captive produced in the United States annually. The upper limit is an estimated average of 2000 animals per state. Undoubtedly there are states where that many pythons and boas are not produced—Hawaii, for example—but there are businesses that alone produce this many. My business produces 600 babies annually, and we are but one of dozens of Texas breeders. There are single businesses in the country that produce in excess of 3000 babies in the genera *Boa* and *Python*.

3) Based on local snakes shows occurring throughout the country where there are 50–500 vendors per show I would make the conservative estimate that there are an average of 100 businesses per state that breed and sell boas and pythons in 49 states, equaling some 4900 individuals/businesses in the US that sell boas and pythons. Additionally, major pet store chains such as Petco and PetSmart, small independent pet shops, and reptile shops throughout the United States sell pythons and boas. In fact, looking at the numbers of internet sites that offer snakes for sale, it would suggest that my estimate is low.

During the past 25 years, USFWS has been present to sign the entry forms for the importation of approximately 1.5 million ball pythons. Many US businesses and individuals built their businesses with these animals as the foundation. The total value this represents to the US economy is in the millions of dollars.

4) See above:

5) Reptile breeders and keepers are buyers of real estate, builders of homes/buildings, and are hardworking professionals including, doctors, lawyers, real estate agents, stock brokers, teachers, air traffic controllers, military personnel, police officers, carpenters, students—in short, there is no one criterion or class that dominates the demographics of snake keepers; they are a cross-section of

American citizens. Annual sales of pythons and boas from these breeders and keepers in 2007 are in the millions of dollars.

More important, business and individuals who breed boas and pythons and/or maintain them as pets spend millions of dollars on merchandise from U.S.A. big box corporations such as Costco, Home Depot, Lowe's, Target, and Walmart. Additionally, local, county, and state corporations, including electric companies, phone companies, computer companies, paper supply companies, feed stores, rodent breeders, and other reptile breeders are making significant income from reptile breeders and keepers. Individuals and businesses pay state sales, property, franchise, and county inventory equipment taxes. In the course of a single year in the United States, vendors and participants together book hundreds of thousands of nights in hotels and eat hundreds of thousands of meals in restaurants when attending trade shows and weekend snake sales.

6) The permit system in Texas for large pythons and anacondas has only very recently been enacted on 1 April 2008. Permits are available for hobbyists and commercial breeders. To date we do not know how many permits have been issued.

At the national level, there are no restrictions on the numbers of boas and pythons imported into the United States. That number is regulated by CITES agencies in exporting countries.

For example, the major countries that export ball pythons *Python regius* from Africa (Ghana, Benin, and Togo) export more than 60,000 ball pythons into the USA each year. It is our understanding that the USA in no way regulates what comes into the country beyond the constraints of CITES and the ESA.

7) We here request that USF&WS not give weight to estimated or potential risk when actual data exists. It is our estimation that the current national population of the taxa of interest to this NOI is in the range of 600,000 animals to 1.2 million animals. The total number of individuals imported and in captivity over the past 40 years far exceeds that number and to date, after millions of animals being held in 49 states, there has been no cost to any state for eradication programs, except for the recent problems in South Florida. The actual measured risk for the establishment of snakes in the genera *Boa*, *Python*, or *Eunectes* in the continental United States, exclusive of South Florida is zero—it has not happened.

South Florida has a unique combination of climate and habitat where many exotics can flourish. This has been well documented for over 50 years—more than two thousand nonnative plants and animals have been recorded in the Everglades. The fact that Miami is the major port of entry for tropical plants and wildlife is a classic example where a conflict of interest exists between ecology and economy.

Miami is an inappropriate place to allow import businesses—the adage is, “there is good news and there is bad news.” Florida has the most fabulous weather and is a great place to live and has wonderful wildlife, but Florida is NOT a good place for a port of entry for tropical plants and animals UNLESS measures are in place that minimize the potential for invasive species. Florida does not now have the luxury of hindsight; it is paying the price of not having had full scale action plans in place fifty years ago to eliminate the possibility of the spread of exotic species of plants and animals. There are no records or reports of established large snake species in any other location in the continental United States.

8) Please set into the record that mammalian and bird species in South Florida and the Keys currently believed to be threatened by the presence of Burmese pythons in that area ALL WERE LISTED AS THREATENED OR ENDANGERED LONG BEFORE PYTHONS CAME ALONG. Yes, a Burmese python may eat the last Key Largo woodrat, but the truth is that the species, along with the Florida panther, the round-tailed muskrat, and all others listed as threatened, all are primarily endangered by habitat loss, rampant development, habitat alteration, road mortality, feral housecats, pollution, and a host of other factors already contributing to the reduction and predicted eventual demise of those species. As a counterpoint, I offer that there currently are no data that argue against the possibility that the ecosystem of the Everglades, already severely altered, may not be significantly improved by the presence of Burmese pythons.

The figures to initiate propagation of threatened native species of the Everglades would be comparable to any captive program in zoos or private institutions. The main insight here is that an ounce of prevention would have been worth a pound of cure. Pythons have been known in the Everglades for 30 years and until very recently no set action plan seems to have existed or been enacted to eradicate their presence.

The future of some of the state-listed species in South Florida, if there is to be any future, lies in captivity. Most will not be restored to their natural habitats. While Burmese pythons may bear the brunt of that blame, the fact is that the natural habitats of Florida state-listed species have all been long altered and gone.

9) There are no State-listed species in Texas expected to be impacted in any way by any species of interest to this NOI. It is highly unlikely for any species in the genera *Boa*, *Python*, or *Eunectes* to become established in the State of Texas. Therefore there is no danger to any species currently listed as threatened in the State. There are no projected costs of restoration, recovery or propagation.

10) No boa or python of any sort is reported or recorded to be established in the State of Texas. Therefore there is not a single native species that has been impacted.

Last Thoughts

I hope that USF&WS will consider that the existence of the viable captive populations of many species of snakes, regardless of the hands in which they are held, represent an unprecedented and successful model in which private citizens can take an active role in the maintenance of species. Legislation based on emotion, opinion, and poor science is quietly having a potentially catastrophic effect on biodiversity. Pervasive animal-rights agendas call for an end to captivity for all animals.

Calls for a “Green Planet” are genuine and articles on the cover of Newsweek and Vanity Fair magazines are great if the effort can transcend media exposure to become reality. But a “Green Planet” without animals seems a real possibility. In light of habitat loss and severely disturbed ecosystems around the planet, now is the time to embrace captivity as an increasingly important tool in the preservation of global biodiversity.

Do not list these animals on the Injurious Wildlife List. Enlist the people who can help design protocols and action plans to preserve our native species as well as our world’s species.

Sincerely,

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Tracy Barker