

(Translation in CHamoru)

****NOTE:** Certain technical terms and scientific concepts may not have a direct translation from English to CHamoru, and the translated text may contain errors or inconsistencies.

FREQUENTLY ASKED QUESTIONS for Proposed Rule for 10 Species of Giant Clams under the Endangered Species Act (ESA)

I SESSO MAN'MAFAI'SEN NA KUESTIONA SIHA Proponi na lai para dies klâsi na hima gi ESA

Proposed Rule: General Questions

Proponi na lai: Henerât na kuestiona siha

Q: What actions is NOAA Fisheries proposing?

Kuestion (K): Hâfa na aksion i NOAA Fisheries ha proponi?

A: NOAA Fisheries is proposing to list five species of giant clams as endangered (*Hippopus porcellanus*, *Tridacna derasa*, *T. gigas*, *T. mbalavuana*, and *T. squamosina*) and one species of giant clam as threatened (*H. hippopus*) under the ESA because they are in danger of extinction now or in the foreseeable future. We are also proposing to extend all of the prohibitions of [section 9 of the ESA](#) to *H. hippopus*. Section 9 of the ESA prohibits certain activities, such as importing, exporting, taking, and selling the species. While these prohibitions automatically apply to any species listed as endangered, a regulation under section 4(d) of the ESA must be published in the *Federal Register* and become effective before any of these prohibitions can be applied to species that are listed as threatened.

Ineppe (I): I NOAA Fisheries ha proponi para u ma lista sinku na klâsin hima as gef peligru na u malingu ((*Hippopus porcellanus*, *Tridacna derasa*, *T. gigas*, *T. mbalavuana*, and *T. squamosina*), yan uno na klâsi as peligru ha na umalingu (*H. hippopus*) gi fino i ESA sa esta man peligru na para un fan malingu o sino gi ti âpman na tiempo. I NOAA Fisheries ma proponi lokkue para u ma ekstende todû i prohibision gi seksion 9 gi ESA para i *H. hippopus*. I [seksion 9 gi ESA](#) ha prohibisio guaha siha na chine'gue, kuntodo man'na' hallom, mu'na' hanão, man rekohi, yan man biende este siha na hima. Mientras este siha na prohibision man aplikayi para maseha hâfa na klâsin hima nu i ma lista na gef peligru na u malingu, i lai gi seksion 4(d) gi ESA debi di ma tuge' gi Rehistran Federât ya para u matutuhon ântes di este siha na prohibision man ma apliku kontra todû i klâsen hima nu i man ma lista na peligru na u malingu.

In addition, we are proposing to treat four other species of giant clams (*T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*) as threatened species due to their similarity of appearance to the giant clams that we are proposing to list under the ESA. Specifically, we are proposing to prohibit the

import and export of derivative parts and products of these species, such as meat and shell carvings, of *T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa* into and from the United States and its territories.

I: Pot lokkue, i NOAA Fisheries ma proponi para u ma trâta kuarto otro na klâsin hima (*T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*) sa siña man malingu na hima put i pinarehu gi lini'e kontra e'yu siha na hima i ma proponi para u ma lista gi ESA. Espisiatmente, in proponi para ma prohibisio i mu'na' hallom yan mu'na' hanão i koncha siha ginen este siha na klâsin hima, kontodu i sensen hima yan karakot ginen *T. crocea*, *T. maxima*, *T. noae*, yan *T. squamosa* yanggen ma'na hallom yan ma'na huyong ginen i *ustadus unidos* yan i *islas siha gi pasifiku*.

Q: What is a “giant clam”?

K: Håfa “hima”?

A: The name “giant clam” refers to 12 closely related species of clams that are grouped within the taxonomic subfamily Tridacninae. As their name suggests, some of these species are truly giant. *T. gigas*, for example, can grow to over a meter wide and up to 500 pounds. Other species are considerably smaller, with maximum sizes around 15-30 cm wide. In fact, the common name for *T. maxima* is quite confusingly the “small giant clam.” In addition to their size, several features of their life history make giant clams unique from other clam species. In particular, they orient themselves with the hinge of their shell facing downwards and their enlarged, brightly colored mantle (*i.e.*, tissue) pointed upwards toward the sunlight. This is because they have symbiotic algae living within their tissue that use the sunlight to perform photosynthesis, which provides supplemental nutrition to the clam.

I: I nã'an “hima” ha riferi guatu gi dosse' na man hihut na klâsin hima nu i man ma grupu gi i klasifikasion familian sanpâpa Tridacninae. Pumarehu yan i nã'an niha, este siha na klâsin hima man higãnte. I *T. gigas* siña dumankulu estaki mân tres pies na inanãko' yan kiñienos na minakatña. I otro siha na klâsin hima ti man gef dãnku ya gaige' kãsi gi kinensi hulo' gi trenta sentimiyot na fine'da'. Gi minagãhet, mas matungo i. *T. maxima* gef konfusión as i hima nu i ti parehu yan pumãlo yan i otro siha na hima. Piot yanggen man'afila siha yan i puma'lo na hima ya i bisãgran niha ma punta pâpa ya i man kulot i mahetuk sensin niha ma punta hu'lo ya ma fã'na i atdao. Siña este sa guaha linala gi hallom i sensin niha todos ya ma na se'setbe i atdao para u ma ayuda i nutrisyon niha.

Q: Why is NOAA Fisheries proposing to list six species of giant clams under the ESA?

K: Sa hãfa i NOAA Fisheries na ha propoñi para ma lista sais na hima gi ESA?

A: We are taking this action in response to a petition we received requesting the listing of 10 species of giant clams under the ESA. We reviewed the petition and found that it provided substantial scientific or commercial information indicating that listing may be warranted for 7 of the 10 species and then initiated a status review for those 7 species, as required by the ESA (see

[82 FR 28946, 06/26/2017](#)). After reviewing the best available scientific and commercial information regarding the status and threats to these species, we found that five of the seven species are in danger of extinction (*H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, and *T. squamosina*) and one of the seven species is likely to become in danger of extinction within the foreseeable future (*H. hippopus*). Therefore, we are proposing to list five species as endangered and one species as threatened under section 4(a) of the ESA. We also found that one of the seven species (*T. squamosa*) is not currently in danger of extinction nor is likely to become so in the foreseeable future, and therefore does not warrant listing under the ESA.

I: Para ba'i in'chegue' este na aksiona put i ginen i petision ni in resibe' ma'mamaisin para ma lista i dies na klâsin hima gi ESA. In resibe' i petision ya in sedta na sinapote' gi la'meggai na mi'nalâte na infotmasion ya ilekña na propiu u ma lista siette na klâsin ginen is dies put todû ya ma tutuhon lokkue i status review para i siette klâsin hima, manisisita gi ESA (attân i [82 FR 28946, 06/26/2017](#)). An'ai man munhayan ha'mi in at'an is mas minalâte' na infitmasion kao man'mauleg trabiha I gâga siha o sino hâfa guaha no peniligru siha para i hima, in setda na sinku ginen i siette na hima esta guaha peniligru para u fan malingu todos (*H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, and *T. squamosina*). Put en'nao na in proponi para u ma lista este sinko na klâsin hima gi gef peligrû yan uno na klâsi gi peligrû ha gi seksion 4(a) gi ESA. Otro, in setda na uno ginen siette na hima (*T. squamosa*) tarabiha ti taya pineligru'ña pâgu yan mo'na pues ti ma'nisisita ma lista.

Q: What information did NOAA Fisheries use to evaluate the extinction risk for the species proposed for listing as an endangered or threatened species?

K: Hâfa na infotmasion i NOAA Fisheries ha na setsetbe para ma bâlua pineligru malingu para is hima nu i ma proponi para ma lista gi gef peligrû yan gai peligrû nahima?

A: In order to assess the extinction risk of the seven species we considered for listing under the ESA (i.e., *H. hippopus*, *H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, *T. squamosa*, and *T. squamosina*), we considered the best scientific and commercial data available regarding the status and threats to these species - which we are required to do under section 4 of the ESA. The ESA does not require, nor is it always possible, to conduct new research in order to complete a status review. The best available information we considered includes peer-reviewed articles; trade and survey reports from various governmental agencies and non-governmental organizations; relevant information on public websites, such as the International Union for Conservation of Nature Red List website; trade records compiled by the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES); data from the U.S. Fish and Wildlife Service Office of Law Enforcement database; foreign statutes and regulations; and public comments received in response to the published 90-day finding ([82 FR 28946](#)). We also consulted members of academia and NOAA Fisheries staff with expert knowledge of these species. A complete list of references is available in our draft [Status Review Report](#) and online at <https://www.regulations.gov/document/NOAA-NMFS-2017-0029-0029>.

During the public comment period, we are seeking any additional, relevant data that could inform our final rule.

I: Anai para ma'ayek i bálua pineligru para i siette na hima ni in kunsudera para ma lista gi ESA (i.e., *H. hippopus*, *H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, *T. squamosa*, yan *T. squamosina*), in kusidera i guinaha na i mas málatte' na informasion put háfa i kundesion niha yan háfa na pineligru ma fãfã'na sa ma nesisita gi seksion 4 gi ESA. I ESA ti ha nesisita yan ti todo i tiempo pusible' para ma konduktu nuebo na estudia para ma na funhayan status review. I mas maolek na infotmasion ni inkunsidera lokkue tinige' ginen man parehu na taotao siha, tinige' ginen kometsio yan estudia siha ginen i diferenti siha na dipátamentun i gubetnamentu, yan otganasion nu i ti ginen i gubetnu; ginen i website i publiko nu i propiu, kontodu ginen i International Union for Conservation of Nature Red List website; pá'pet kometsio siha ginen i Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES); infotmasion ginen U.S. Fish and Wildlife Service Office of Law Enforcement, ginen i lai otro siha na nasion, yan ginen i publiku nu i ma reside put 90-dias ([82 FR 28946](#)). In faisen lokkue i membrun i eskuala siha yan NOAA Fisheries na emplyao nu i man gai tinengu put este siha na hima. Gaigi guine kabáles na refirensia ginen i tinige' ma'me [Status Review Report](#) yan online gi <https://www.regulations.gov/document/NOAA-NMFS-2017-0029-0029>.

Durenten i hinekungok i publiku, para bai in espiha mäs tãlo infotmasion para mana inayuda i I'yun mã'me na lai.

Q: Why is NOAA Fisheries proposing additional regulations for four other species of giant clams (i.e., *T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*)?

K: Sa háfa i NOAA Fisheries na maproponi mas tã'lu lai para kuarto otro na hima (i.e., *T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*)?

A: We are proposing additional regulations for four other species of giant clams to help ensure effective enforcement of the proposed listings. The giant clam species we are proposing to list as endangered or threatened species under the ESA face several threats, the most significant of which is harvest for their meat and shells. Meat and shell products from different species of giant clams look very similar, and enforcement personnel would have substantial difficulty in attempting to differentiate between products of the listed and non-listed species. The effect of this substantial difficulty would pose an additional threat to the species we are proposing to list as endangered or threatened. To facilitate effective enforcement, we are therefore proposing to treat four additional species of giant clams as threatened under the ESA and prohibit **only** the import and export of parts and products of these species into and from the United States and its territories.

I: I NOAA Fisheries maproponi otro siha na lai para kuarto na hima para inayuda yan guaha efektibu na inadahi put i manproponi na lista siha. I maproponi na hima para ma lista gi gef peligru na u malingu yan eyu i guaha didide na pinilegru na u malingu, gi ESA. Este siha lameggai na pineligru ma fãfã'na, i mas dankulu na pineligru i ma konne' para ma kãnu yan para koncha. Kãtnen hima yan koncha ginen difurentes siha na hima kulan man parehu. I pulis mãkkat para u ma difurensia siha ginen i ma lista yan i ti ma lista na hima. Teniki este na problema guaha tã'lu inãfekta para i hima siha nu i ma proponi para ma lista as gef peligru o sino peligru na u man malingu. Para mas mana' mauleg i inadahi, in proponi para ma trãta este kuartu na hima as peligru

gi ESA yan ma na pãra ma na hallom yan man na huyung guatto gi otro na tãno i pidasu yan karakot siha hallom yan huyung i ustadus unidos yan i islaña siha gi pasifiku.

Q: What happens now that a proposed rule has been published?

K: Hãfa mohon para masusede pã'gu yanggen esta i ma proponi na lai ma na publika?

A: The proposed rule is now undergoing public review and comment. A 60-day public comment period was opened on July 25, 2024, and, in response to requests, has since been [extended](#) for an additional 120 days. Comments must be received by February 19, 2025. Comments on the proposed rule were also solicited during a series of [six public hearings](#). During the comment period, we are soliciting relevant information and data from the public, other governmental agencies, the scientific community, cultural practitioners, indigenous communities, and any other interested parties, to inform a final rule. Prior to developing and issuing any final rule, we will consider all relevant public comments received and any relevant new information that may become available. Under section 4(b) of the ESA, we must base a final listing determination on the best scientific and commercial data available.

I: I ma proponi na lai pã'gu ma presenta huyong gi publiku para u ma atan yan kao guaha hãfa malagu masangan. Sisientai dias na kumenton publiku ma baba gi julio 25, 2024. Put guaha finaisen, ma [extendi](#) tã'lo 120 dias. Debi di ma resibe todos i kumento siha antest di Fibreru 19, 2025. Kumento put i ma propini na lai lokkue ma espiha ginen publiko duranten [sais na inetnon publiku](#). Durante este na kumenton publiku, man mamaisen ham propiu na infotmasion ginen i publiku, gubenamentu, i científiku siha, i kuttura na taotao siha, i natibu siha, yan hayi otro siha nu i man enteresau, para ma fatinas i ut'timonña na lai. Antes di ma fatinas yan fanu'i hãfa guaha na ut'timu na lai, para ma hu kunsidera todos na infotmasion ginen i publiku yan hãfa siha na impotante' na infotmasion ma resibe put gumuaha. Gi seksion 4(b) gi ESA, debi di ma áttan i udt'timu na lista yan detimasion gi mas mauleg na minatãte' infitmasion guinaha.

Q: Is critical habitat being proposed for the six species proposed for listing under section 4(a) of the ESA (*H. hippopus*, *H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, and *T. squamosina*)?

K: Este i espesiãt na sagan lugãt nu i ma proponi para i sais klãsi na hima para u ma lista gi seksion 4(a) gi ESA (*H. hippopus*, *H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, yan *T. squamosina*)?

A: No. Because critical habitat is not yet determinable for these species, we are not proposing to designate critical habitat at this time. To inform our consideration of potential critical habitat, we are soliciting scientific information regarding the habitats of these species, including any essential physical and biological features of their habitats, as well as information on potential impacts of designating any particular area as critical habitat for these species in U.S. waters. Note that critical habitat cannot be designated in areas outside U.S. jurisdiction.

I: Ahi. Sa este na espesiât sagan lugât tarabiha ti ma detitminina para este siha na hima. Ti ma propoponi para u mana espesiât sagan lugât gi pâgu na tiempu. Para u guaha mas infotmasion para ma konsidera para ma na espesiât na sagan lugât, man mamamaisen ham nu i mas mâlata' na informasion put i lugât este siha na hima, kontodo hâfa guaha siha na impotante na guinaha kunto i tattaotao siha gi sagan lugât. Yan hâfa siha na infotmasion guaha put i posible na impatto nu i patikulat na lugât kumu espesiât sagan lugât para este siha na hima gi tâsin ustados unidos. Repara na tisiña ma fana'an espesiât sagan lugât i san hiyong i jurisdiksion amerika.

Q: Can critical habitat be designated for the four species proposed to be treated as threatened due to their similarity of appearance (*T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*)?

K: Kao siña i espesiât na sagan lugât ma na setbe para est na kuarto na klâsin hima para ma trâta kao mohon ti man gefmeggai esta yan put kulan man parehu siha (*T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*)?

A: No. Critical habitat cannot be designated for species that are regulated under section 4(e) of the ESA due to their similarity of appearance to a listed species. Critical habitat can only be designated for threatened and endangered species listed under section 4(a) of the ESA. Therefore, critical habitat will not be designated for *T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*.

I: Ahi. I espesiât na sagan lugât hima tisiña ma trâta para e'yu na hima i esta man ma a'atan gi seksion 4(3) gi ESA put kulan man parehu ha' yan i hima ni esta maliste. I sagan lugât hima siña ha' ma trâta para e'yu siha na hima i ti gef meggai o sino tisiña esta ma sotda ya ma lista gi seksion 4(a) gi ESA. Pues i sagan lugât hima tisiña ma trâta as *T. crocea*, *T. maxima*, *T. noae*, yan *T. squamosa*.

Q: Numerous aquaculture facilities are producing giant clams throughout the Indo-Pacific. How did NOAA Fisheries account for these operations in the extinction risk assessments for *H. hippopus*, *H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, *T. squamosa*, and *T. squamosina*?

K: Lameggai na fasilidat aquaculture man produkta hima gi todû i Indo-Pacific. Taimanu NOAA Fisheries ha na seguru na este siha na operasion inadahen minalingu put este siha na hima *H. hippopus*, *H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, *T. squamosa*, yan *T. squamosina*?

A: We considered the best scientific and commercial data available regarding giant clam aquaculture (or "mariculture") at the time we published the proposed rule. Specifically, we considered the more than 20 facilities in the Pacific Islands and South Asia that are breeding and raising giant clams or have done so in the past. According to the best available data, most of these facilities were established with the primary goal of generating food and income for local communities. Some facilities have explored the possibility of replenishing natural stocks with culture-raised clams. However, we were unable to find evidence that these operations have reduced

pressure on wild populations or enhanced the abundance or productivity of wild giant clam populations. Common challenges with giant clam aquaculture include the low survival rate of giant clam larvae post-fertilization, insufficient resources to protect juveniles once they have been out-planted, illegal poaching, and storm damage. Thus, although we considered these operations and initiatives, they did not alter our conclusions regarding extinction risk of the seven giant clam species we reviewed.

I: Ma konsidera i mas minalâte na infotmasion, kontodo i komersiât na infotmasion put i aquaculture para hima (o sinot ‘mariculture’) guihe na tiempo anai ma’na huyong i proponi na lai. Piot mas, ma konsidera mas ki biente na lugât siha gi islas pasifiku yan san lichan na Asia nui i mañasaonao man poksai hima o sinot ginen man poksai estaba. I mas minalâte na infotmasion, ilekña i memegaiña este siha na lugât man ma hâtsa primeru para mafatinas nengkanu yan salape’ para i taotao niha. Guaha siha ma estudia kao siña ma na la’dangkulu yan lameggai’ i hima nu i ma popoksai ginen i sa’gan neni’n hima. Lao tâya ma sotda ebidansio na este siha na operasion ma na mas tâpapa i presiú gi hima ni man gaige gi tâsi or sino ma na mas maoleg i mineg’gai o sinot i produktun hima. Guaha siha debi di ma adahi put i aquaculture para hima, kontodo i ti man gef meg’gai ma lâllâ dispues i anai ma fertilize, tinahong guinaha siha para u ma prutehi i manhoben dispues di anai man ma tânum, i timasusede na kinen’ni, yan distrosu ginen pagyo. Achokka’ ma konsidera este siha na operasion yan minalagu’, ti ma tulaika i konklusion put siña man malingu todú esta siha na siette nu i man ma âttan.

Species Information

Infotmasion is klâssen hima

Q: Where do the six species proposed for listing as endangered or threatened live?

K: Mânu na siña masotda i sais na hima ni mapropóni para ma lista gi hâssan masotda yan i tisiña masotda?

A: *H. porcellanus*, *T. mbalavuana*, and *T. squamosina* have highly restricted ranges that comprise small areas of the Indo-Malay Archipelago, western Pacific, and the Red Sea, respectively. *H. hippopus*, *T. derasa*, and *T. gigas* occupy overlapping ranges centered in the Indo-Malay and western Pacific regions. *H. hippopus*, *H. porcellanus*, *T. gigas*, and *T. squamosina* prefer shallow coastal habitats, typically within or adjacent to coral reefs or nearshore seagrass beds. *T. derasa* prefers the clear waters of offshore oceanic environments (*i.e.*, small islands and atolls) more than fringing reefs adjacent to large land masses, and it can be found as deep as 25 m. *T. mbalavuana* is adapted to deepwater environments and is typically found on reef slopes at depths greater than 20 m.

With respect to U.S. waters, fossil evidence indicates that two of these species historically lived in waters of the U.S. Pacific Territories – *H. hippopus* in American Samoa, Guam, and CNMI; and *T. gigas* in Guam and CNMI. However, based on the best available information, both species disappeared from these areas likely before humans settled the region. Certain giant clam species, including *H. hippopus*, *T. derasa*, and *T. gigas*, have been introduced or re-introduced to the U.S.

Pacific Territories via aquaculture; however, based on the best available information, very few, if any, individuals of these species are believed to have survived in the wild.

I: Put i H. porcellanus, T. mbalavuana, yan T. squamosina, dikiki yan restriktu i sâgan niha gi Indo-Malay Archipelago, san lâgu pasifuku, yan gi tâsen agaga na lugât. I H. hippopus, T. derasa, yan T. gigas man chilung i sâgan niha gi entâlu Indo-Malay yan i san lâgu pasifiku. H. hippopus, H. porcellanus, T. gigas, yan T. squamosina mas yaña i ti man tâ'dung na lugât, hihut yan i tâno. Masotda gi hâlom mâmate' o sinot hihut yan i mâmate' yan châguan tâsi. T. derasa mas yaña klaru na hânom yan cha'gu huyong, parehuha yan gi mandikiki na isla siha, yan mâmate' hihut yan dangkulu na tâno siha. Manmasosotda gi 25 m na tinadung. T. mbalavuana yaña tâdung na tâsi na lugât ya sesso ma sotda gi kântun mâmate' pâpa esta 20 m na tinadung.

Put i tâsin ustadus unidos, ebidansia guaha put i man gef amko na karakot ya ma sotda na dos na espesimen hâgas sumaga gi tâsen i islas pasifukun ustadu unidos. H. hippopus gi American Samo, Guahan, yan notte marianas; T. gigas gi ya Guahan and notte marianas. Masotda na i mas santifiku na infotmasion guaha, todû i dos na hima mâlingu ântes di guaha taotao mañaga gi este siha na islas. I H. hippopus, T. derasa, yan T. gigas ma introdusi o sinot ma introdusi tâlo' gi esta siha na islas ginen i aquaculture na manera. Lao masotda na ti gef megâi o sinot taya man lâla gi hallom tâsi.

Q: Where do the four “similarity of appearance” species live?

K: Mânu na mañasaga i kuarto siha na manparehun hima?

A: *T. maxima* and *T. squamosa* have the broadest distributions, which span from the western Indian Ocean and the Red Sea in the west to the central Pacific Islands in the east. *T. crocea* is distributed from the Andaman Islands in the west to Palau and Vanuatu in the east, and from the Great Barrier Reef in the south to Japan in the north. *T. noae* was only recently described as a species, and therefore its full geographic range is not known. To date, it has been observed throughout the Indo-Malay and western Pacific region, as far east as Kiribati and the Cook Islands, and from western Australia in the south to Japan in the north. All four species can be found in shallow coastal waters (less than 15 m depth), typically on or adjacent to coral reefs, although *T. squamosa* can also be found along deeper reef slopes (up to 40 m depth).

With respect to U.S. waters, *T. squamosa* has been observed in American Samoa and Guam, *T. crocea* and *T. noae* have been observed in CNMI and Guam, and *T. maxima* occurs in all three of these territories.

I: *T. maxima* yan *T. squamosa* i dos mas fed'da i sâgan niha. Ginen i san lâgu na tâsen India guatu gi tâsen agaga gi san lâgun i sentro Pasifiku gi san hâya. *T. crocea* man sotda disde tâno Andaman gi lâgun Palau yan Vanuatu gi san haya, yan ginen Great Barrier Reef gi san lichen guatu hapon gi san kâttan . I *T. noae* ti gef âpman na ma sotda na especimen pues todû i lugât anai masotda tarabiha ti ma tungho. Esta pâgu, ma sotda gi Indo-Malay yan san lâgu na pasifuku na lugât, kuntodo guatu gi ya haya as islas Kiribati yan islas Cook, ginen san lâgu na Australia gi san lichen hu'lo hapon gi san kattan. Todû i kuarto na hima man ma sotda gi ti gef tâddong na tasi hihut yan i tâno, kasi 15 m na tinadong, yan sesso ma sotda gi san hilo o sinot hihut yan ma'mate'.

Put respetu put i tåsen amerika, ma li'e i T. squamosa gi American Samoa yan Guahan. T. crocea yan T. noae ma li'e gi the notte marianas yan Guahan. I T. maxima masosotda gi todû is tres na lugât.

Q: Are any giant clams listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)?

K: Kao guaha hima ma lista gi konbension i kometsion internasionat put i man mafnas na gâ'ga' i machâlek na tinanum yan flores?

A: Yes. In fact, *all* species of giant clams have been listed under Appendix II of CITES since 1985. This means that, while trade in these species is not prohibited, it is supposed to be closely monitored to ensure that the trade is not detrimental to the survival of the species. Countries that are a party to CITES and that are engaging in the export of giant clams or their products must make such a non-detriment finding and issue accompanying CITES export or re-export permits. We note that Palau has taken a reservation to the Appendix II listings of giant clams. This means that, although Palau is a party to CITES, it is effectively not bound by the provisions of CITES with respect to these species. If finalized as proposed, the rule is more stringent in its application than the current CITES requirements by generally prohibiting import into and export from the United States of the five species proposed to be listed under section 4(a) of the ESA.

I: Hunggan. Gi magâhet, todû i hima man ma lista esta gi Appendix II fi CITES desde 1985. Kumeklekeña na achuka guaha kometsio put este siha na hima ti ma prohibi, diputsi para ma atan hihut para na ma na seguro na a kometsion i man na'hanao para otro na tâno ti inafecta is li'lala niha. I nasion siha nu i man ñes'so gi CITES ya man na'na heyung hima yan i pätte'n hima para otro na tâno debi di ma siguru na ti ma na dâño ya debi di ma asunto gi CITES man na'huyong yan man-nahuyong ta'lo na pâppet petmisu siha. Palau man chinathinasso put i Appendix II na lista para hima. Kumeklekeña esta na achuka duma'ña Palau gi CITES, ti nisisario ma tâtatiye i lai ginen CITES put respetu put este siha na hima. Yangin ma apreba i proponi, i lai mas estriktu gi i aplikasion ki i pâgu' na nisisita ya teniki ma na pâra munahallom yan munaheyung ginen ustadus unidos put este i sinko na klâssen hima nu i proponi para ma lista gi seksoin 4(a) gi ESA.

Effects of the Rule if it is Finalized as Proposed:

I efectibun i lai yanggen ma oprepa i maproponi:

Q: What activities would not be allowed for the species proposed for listing as a threatened species under the ESA (*H. hippopus*)?

K: Hâfa na aktibidata siña ma cho'gue put i hima nu i maproponi para hu ma lista na ti gef meggai esta guaha ginen i ESA (*H. hippopus*)?

A: If the protective regulation for *H. hippopus* under section 4(d) of the ESA is finalized as proposed, all of the acts prohibited by section 9(a)(1) of the ESA would apply to this species. Under section 4(d) of the ESA, we may prohibit any of the acts listed in section 9(a)(1) that automatically apply to endangered species.

The section 9(a)(1) prohibitions that would apply to *H. hippopus* (and its parts or products) include:

- importing it into, or exporting it from, the United States;
- possessing, selling, delivering, carrying, transporting, or shipping any *H. hippopus* that was illegally taken;
- delivering, receiving, carrying, transporting, or shipping in interstate or foreign commerce any *H. hippopus* in the course of a commercial activity;
- selling or offering *H. hippopus* for sale in interstate or foreign commerce; and
- “taking” *H. hippopus* within the United States or its territorial sea, or upon the high seas.

“Take” is defined under the ESA as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or an attempt to engage in any such conduct.” These prohibitions would apply to all persons subject to the jurisdiction of the United States, including in the United States, its territorial sea, or on the high seas.

I: Yanging i lai para *H. hippopus* gi seksion 4(d) gi ESA ma proponi ya ma na funhayan, todú i chinegui ni timasedi gi seksion 9(a)(1) gi ESA man apliku para este na hima. Gi seksion 4(d) gi ESA, siña ma na para todú na aksion gi ma lista gi seksion 9(a)(1) ya teniki ma na apliku gi guatto’ gi man gef hássan na hima siha.

Este na seksion 9(a)(1) na lai man aplikau para i *H. hippopus* (kontodu i pátte’ yan kosas siha):

- Man na’hallom o sinot mun na’huyong ginen i ustadus unidos;
- Ma gotte’, biniende, ma entrega, ma kátga, ma chule’ pat ma na hánnao para otro na lugat, maseha háfa na pidasu ginen *H. hippopus* nu i ma kosecha achuka ti masiede;
- Man en’na’i, man resibe, mangákatga, o sinot muna’hanao gi hallom ustadus unidos o sino ma biende guatto gi tâno otro durenten i kometsio;
- Biniende o sinot man ofresi para ma fâhan gi hallom ustadus unidos o sino ma biende guatto gi tâno otro duranten i kometsio; yan
- Mangon’ne esta hima hallom ustadus unidos, gi tasi’n ustadus unidos, yan gi tasi’n takhilo.

I definision “Take” kumekel’iekña na gi ESA para ma estotba, ma daño, ma dulâlag, ma paki, ma puno’, ma ko’llat, ma tâmpe’, ma kurehi, o sinot maseya háfa na bina’dia. Este siha na lai man aplika para todú i taotao nu i man asuntón amerika, kontodu i tasin ustadus unidos, i islas pasifiku, yan i tâsin dangkulo.

Q: What activities would not be allowed for the species included in the proposed rule due similarity of appearance (i.e., *T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*)?

K: Háfa an aktibidat ma ti ma sedi para i eyu siha na hima nu i ma na inklusio gi maproponi na lai sa kulan man a’parehu (i.e., *T. crocea*, *T. maxima*, *T. noae*, yan *T. squamosa*)?

A: If the rule is finalized as proposed, the import and export of derivative parts and products of *T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa* into and from the United States and its territories would be prohibited. No other prohibitions are proposed for these four species. This means that, for these four species, activities like aquaculture, consumption, collection from the wild, as well as possession of live clams or their parts and products would be allowed. Import and export of live specimens or intact shells of these four species would also be allowed. This also means that while domestic travel with shell carvings derived from these species would be allowed, international travel with shell carvings would not be allowed, as that is considered to be export from the United States.

I: Yanging i lai esta ma na futmat, i muna'hallom yan muna'heyung i lâlâla na hima o sinot i karakot niha ginen *T. crocea*, *T. maxima*, *T. noae*, yan *T. squamosa* hallom yan huyung ginen i ustadus unidos yan i tânu islas pasifiku ti ma sedi. Tâya otro na lai maproponi para este kuarto na hima. Kumeke'ilekña na este na kuarto na hima, tisiña ma tãnum, ma kãnno, ma kurehi ginen i tasi, yan para ma gotte i lâlâla na hima o sinot i patte'ña masede. Mun na'hallom yan mu na'huyong nu i lâlâla na hima o sinot i man mãmaoleg na karakot. Kumeke'ilekña lokkue na siña ma kãtga este siha na hima duranten karera gi hallom i tãnota amerika. Lao tisiña ma katga duranten karera huyung ginen amerika sa ma konsidat na para ma na huyong guatto gi otro na tãno'.

Q: What is proposed to be regulated as “derivative parts and products” for the similarity of appearance species?

K: Hãfa maproponi para ma regula as pãtte' yan kosas put man a'parehu?

A: “Derivative parts and products” are proposed to include (a) any tissue part that has been removed from the shell, including mantle tissue, adductor muscle, portions thereof, or the whole flesh of the animal comprising both the mantle and adductor muscle; (b) any worked shell product, including handicrafts, sculptures, jewelry, tableware, decorative ornaments, and other carvings, but not raw, unworked shells; and (c) pearls or any product derived from a pearl.

I: I pãtte' yan kosas siha ginen hima nu i proponi para ma inklusu (a) hãfa na lasas mana suha esta ginen i koncha, kontodu ginen i mahetok na lugât gi koncha yan sensin; (b) maseya hãfa na pidãsu ginen este siha, kontodu i mafatinas na kosas karakot, lamasa, dekorasion siha, lao ti fresku, ti ma pa'cha na karakot; (c) petlas o sinot todû hãfa na produkto ginen i petlas.

If the listings of *H. hippopus*, *H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, and *T. squamosina* are finalized as proposed...

Yanggen i lista siha put i *hippopus*, *H. porcellanus*, *T. derasa*, *T. gigas*, *T. mbalavuana*, yan *T. squamosina* man ma'nafun'hãyan as ma proponi...

Q: Could I keep shells or jewelry of these species that I currently own?

K: Kao siña yu man gotte koncha ginen esta siha na espesimen yanggen

eyoku esta?

A: Yes. Parts and products of these species that are held in possession at the time of listing can be kept in possession. Individuals should be able to provide evidence demonstrating that the listed species that makes up the part or product was taken prior to the date the species was listed under the ESA and that the item has not been involved in commerce since the listing.

I: Hunggan. Pidasiu yan karakot ginen este siha na espesia nu i iyun taotao siha durenten anai ma lista siha siña ma go'tte. Eyu siha nu i man sahngge debi di guaha ebidansiu na i ma lista siha na espesia nu ginen machule i pidasio put todū āntes di eyu i ha'āni anai ma lista gi ESA yan i kosas ti ma na setbe gi biniende.

Q: Could I keep the live clams that I currently have in captivity?

K: Kao siña yu man poksai lălăla na hima ni hu gogotte pāgu?

A: Yes. Continuing to hold and provide normal care for captive specimens of listed species that were legally obtained prior to listing would be allowed. Normal care includes activities such as handling, cleaning, maintaining water quality within an acceptable range, and treating of maladies such as disease or parasites using established methods proven to be effective. Individuals or organizations should be able to provide evidence that specimens of listed species were in captivity prior to their listing.

I: Hunggan. Siña ha un kontinua man gotte' hima yan un nā nāi propiu na inatende i espesimen siha nu i man'malista yanggen magāhet na propiu na un konne'. Debi di un trāttan māoleg, un na gāgasgas i hanom, un tātitiyi i propiu na minānengheng i hanom, un trāta hāfa siha na minalāngu yan hutu, ya prepāra maoleg na kustumbre para un effectibu. I taotao siha pat inetnon siha debi di siña man man'nāi ebidansio put i espesimen nu i man ma lista na man gaige gi kapottibu āntes di man ma lista.

Q: Could I outplant giant clams that I am currently maintaining in captivity?

K: Kao siña yu māōtta hima gi halom tāsī yanggen esta yu man popoksai hi kapottibu?

A: Releasing captive or cultured specimens of these species into the wild would not be allowed. However, depending on the circumstances of the case, NOAA Fisheries may authorize the release of a captive animal through an ESA section [10\(a\)\(1\)\(A\) permit](#).

I: Māñotta hima ginen i kapottibu o sinot eyu siha i man ma poksai na espesimen tātte gi tāsī timasedi. Dependī gi situasion, i NOAA Fishers buente siña ha sedi yanggen ginen is ESA seksion [10\(a\)\(1\)\(A\) na petmīsu](#).

Q: Are giant clams that are held in open-water nurseries or grow-out facilities considered to be in captivity?

K: Kao guaha hima siha nu i man mana fanlâla gi tâsi o sio otro siha na fasilidat nu i ma kunsurida kapottibu?

A: Specimens are considered to be in captivity if they are maintained in a controlled environment (e.g., land-based aquaria) or under human care in open-water nurseries (i.e., protected nearshore enclosures under the active management of humans). Specimens are not considered to be in captivity if they have been outplanted to a natural habitat or restoration site.

I: I espesimen siha man ma konsidera man gâige gi kapottibu yanggen man mântieni gi halom gi mâkontrola na lugât, parehu yan gi halom tasi ya hihut yan i kântun tâsi or sinot gi inâttan i taotao gi hallom tasi na lugât. Espesimen siha ti ma konsidera na man ma kapottibu yanggen man ma tânum gi naturat na lugât o sinot gi man ma restorasion la lugât.

Q: Could I harvest and eat wild clams from these six species?

K: Kao siña yu man rikohi yan kânno hima ginen i tâsi?

A: No, harvest and consumption of these species would not be allowed. According to the best available information, these six species are currently very rare or absent in the wild in American Samoa, Guam, and CNMI. Certain species, such as *H. hippopus*, *T. derasa*, and *T. gigas*, have been introduced or re-introduced to the U.S. Pacific Territories; however, very few, if any, individuals of these species are believed to have survived in the wild. When alive, these six species are distinguishable from *T. crocea*, *T. maxima*, *T. noae*, and *T. squamosa*, the four species proposed to be regulated based on similarity of appearance.

I: Ahi. Tisiña ma rikohi yan ma kânno este siha na klâsin hima. Ginen i mas mauleg na infotmasion, este sais na espesiat ti seso man ma sotda o sino tâya esta guaha gi tâsi gi American Samoa, Guahan, yan go notte Marianas. Guaha siha na espesiat, kuntosdo *H. hippopus*, *T. desara*, yan *T. gigas*, man ma introdusi o sino man ma introdusi tâlo tâtte gi tâsi gi esta siha na lugât. Lao guaha siha na espesiat ma honge' na man lâlâla tarabiha gi tâsi. Yangin man lâlâ gi halom tâsi, este seis na espesiat siña ma rekognisa ginen *T. crocea*, *T. maxima*, *T. noae*, yan *T. squamosa*, I quatro na espesiat maproponi pâra ma adahi put i pinarehu klasen niha.

Q: Could I collect the shells from these species if they washed onto the beach?

K: Kao siña yu man rikohi koncha ginen hima yanggen hu sotda gi unai tâsi?

A: No, shells (or any other parts) of listed species cannot be collected without a permit or other authorization under the ESA.

I: Ahi, tisiña ma rekohi koncha o sinot otro siha na pátte ginen hima solu guaha petmasion o sinot aturidat ginen ESA.

Q: Could I collect giant clam shells that have been excavated from the land (e.g., during construction activities)?

K: Kao siña yu man rekohi hima nu i esta man ma guaddog? Buenti ginen is maguaddog para konstruksion?

A: It would depend. Parts (including shells) of species that are listed under the ESA may not be collected without a permit or other authorization. However, if the excavated parts are fossilized, no ESA permit is required, because fossils of listed species are not protected under the ESA. It is important to note that not all old shells are fossils.

I: Depend. Kosas hima, kontodu koncha ginen i eyu ni ma lista gi ESA tisiña ma rekohe solo guaha petmasion o sinot aturasion. Yangin i man ma guaddog siha na kosas hima esta gef amko, ti ma na sisita petmasion sa i man gef amko na kosas hima nu i man ma lista gi ESA ti ma prutehi gi ESA.

Q: Could I travel with my giant clam shell jewelry domestically or internationally?

K: Kao siña yu kumârera yan iyo'ku siha na koncha hima gi hâlom amerika o sino internasionât?

A: Domestic and international travel with shell carvings made from the listed species would be allowed, provided the carvings were obtained legally and the carvings are not involved in interstate or foreign commerce. A Letter of Determination would be required for evidence of legal possession of the item while travelling. More information about Letters of Determination is available [here](#).

I: I kârera gi hâllom amerika yan internasionât yanggeng hun kâkâtga koncha ginen eyu siha nu i mân'mâlista siña ha mâ sedi yanggen i koncha ma chule' ginen i ma sedi na kosas ya ma na siguro na ti put biniende. Mânâsesitâ un kâtta mafana'an Letter of Determination, Kâttan Detetminasion, para ebidensia na legât yan siña ma go'tte yanggeng kumârerera. Guaha ta'lo mas infotmasion [guine](#).

Q: Could I sell shell carvings of these species domestically?

K: Kao siña yu humânão kumârerâ gi hâlum I ustâdus unidos yanggen guaha hu go'gotte koncha?

A: Offering for sale or selling shell carvings made from these species within a Territory or within a State would be allowed, provided the shell was legally obtained. Selling or offering for sale shell carvings made from these species in *interstate* or *foreign* commerce, however, would not be allowed.

I: I inifresi para ma biende o sinot man bebiendi koncha siha given hima gi halum i teritoriu o sinot hâlom esta ma sedi, lâo diebe na i hima ma fâhan legatmente. Pâra u ma biende o sinot para umâ'ufresi pâra u mǎfâhan koncha siha gi enta'lu i lugât siha gi amerika o sinot gi otro na tâno ti siña.

Q: Could I sell shell carvings of these species internationally?

K: Kao siña yu man biendi koncha ginen este siha na hima guatu gi otro na tâno?

A: No. Exporting, selling, or offering for sale shell carvings made from these species in foreign commerce would not be allowed.

I: Ahi. Tisiña. Tisiña muna'hâllom, ma'biende or sinot ma ofresi linâbla siha na kosas pâra u mǎfâhan guatu gi otro na tâno.

Q: Could I import live specimens, parts, or products of these six species from another country?

K: Kao siña yu muna'hâllom manlâlâla yan pidâsu siha nu i siña ma atoridât ginen i ESA seksion 10(a)(1)(A) na petmisu ginen i NOAA Fisheries?

A: Importation of live specimens, parts, or products could potentially be authorized under an ESA section 10(a)(1)(A) permit issued by NOAA Fisheries. Such permits are issued only for scientific research or to propagate and enhance the survival of the species in the wild. Importation of live specimens or parts or products of these species would not be allowed for commercial purposes.

Importation of live specimens, parts, or products of these species may also be authorized if they are held in possession at the time of listing; the importation is not occurring in the course of a commercial activity; and, for live specimens, the possession or holding was not related to commercial activity. A [Letter of Determination](#) would be required to import these animals, parts, or products into the United States or its territories. There are also certain exceptions for antique articles that are at least 100 years old (see [here](#) for more information).

I: I muna'hâllom i manlâlâla yan pidâsu siha na hima sen siña ma nâ'i atoridât gi pa'pa i ESA seksion 10(a)(1)(A) na petmisu ginen i NOAA Fisheries. Este siha na petmisu man ma nâ'nâ'i ginen i estudian sentifiku o sinot para u ma na la'meggâi yan para ma na lâ'maoleg i linalâ'ña i man machâlek na gâ'ga' gi halom tâsi. I mana'hallom i man lâlâla na hima o sinot i pidâsun niha tisiña ma sedi yanggen para u ma biende.

I mana'hállom i man lálála na hima o sinot i pidásun niha siña ha lokkue ma atoridât yanggen gai eyu durântén anai ma lista i hima, i mana'hállom ti masusesedi durantén anai ma bebiendi. Otro, put i man lálála' na hima, yanggen gâi eyu o sinot ma go'gotte i hima lăo ti para u mabiende. Un kâtta put i designasion ma na sesita yanggen para muna'hállom hima o sinot i pidásun hima siha gi ustâdus unidos o sinot i pumalo na teritoriu siha. Guaha siha lokkue' fuéra para i man antigu na kosas piot yanggeng puede siento años na inâmko.