



SPECIAL SUPPLEMENT

"Hunting provides the principal incentive and revenue for conservation.
Hence it is a force for conservation."

World Conservation Force Bulletin

conservationforce.org February 2012

Conservation Force Partners with SAVE Valley Conservancy

Conservation Force's primary purpose is conservation of the natural world and wildlife through hunting. Through select partnerships and signature projects in Africa we are recognized and documented to be the leading hunting-based conservation NGO in Africa. The collaborations have spanned from the renowned Cullman & Hurt Community Conservation Project in Tanzania to the LIFE Plus Project in Namibia. The newest is with SAVE Valley Conservancy in Zimbabwe.

The SAVE Valley Conservancy, SVC, is the largest privately-owned reserve in Africa. Lion were reintroduced starting in 1995. Today the population may soon reach capacity. It is an important example of what hunting forces can do. Conservation Force recently helped fund a lion population survey and *Lion Management Plan* for the conservancy to ensure the perpetuation of those lion. That is stepping down the Regional and Zimbabwe National action plans for lion. Steps like this are crucial if lion (and lion hunting) are to be saved. We need African lion numbers to increase and this is one of too few examples. The average growth rate of lion in SVC since 1996 has been an "exponential population increase...of 35% per year...and may yet double..." (Paul Funston). This one conservancy has approximately 10% of the total lion population of Zimbabwe, including parks.

The SVC also has exemplary populations of white and black rhino and elephant and particularized management plans for each. Though the rhino were initially reintroduced, today they constitute nearly a quarter of all the

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Zimbabwe



John J. Jackson III

rhino in Zimbabwe. Like the lion, these protected rhino are crucial to those species and the nation of Zimbabwe. The IUCN Rhino Specialist Group notes the black rhino on the SVC to be a "Key 1 population," one of only five such rated populations remaining in the world, thus critical to the survival of the species. The SVC has an extremely sophisticated anti-poaching unit backed up by 200 game scouts employed by the respective members of the Conservancy, but serious funding is needed at this critical time. Only

recently has the poaching level exceeded the production rate of those rhino. Immediate funding is necessary to stem the new negative trend in this proven conservation area.

The nearly one-million-acre conservancy falls within the Great Limpopo Transfrontier Conservation Area/Park at the juncture of RSA, Zimbabwe and Mozambique. It is a key part of the conservation strategy in all three countries.

The SVC current wish list is the

following: digital radio system for secure communications; 15 handheld radios; four base station radios; two battery packs and chargers; two base aerials and two vehicle aerials; seven pairs of binoculars; seven handheld GPS units; chargers and batteries for the above; three cameras suitable for taking pictures of evidence; an extra vehicle; funding to run the Anti-Poaching Unit (US \$140,000 per year); funding for Community Rewards for individuals and schools who assist with anti-poaching information; funding for accommodation and office space for research, administration, anti-poaching unit, as well as classrooms for education programs; generators; computers; inverters/UPS's for computers; projectors to assist with education and research; funding for education programs and teaching aids; sports equipment; and funding to train wildlife community liaison/education personnel to assist communities to enter into and run wildlife programs/projects.

All contributions to SVC through Conservation Force are greatly appreciated. Of course, Conservation Force is a public, charitable foundation providing the maximum tax deduction. Contributions should be earmarked for "SVC" and mailed to Conservation Force, PO Box 278, Metairie, LA, 70004-0278, USA. ■



New Mexico Further Restricts Nonresident Hunting

The State Legislature of New Mexico in its First Session of 2012 made a number of new restrictions on nonresidents to become effective in 2012.



Mexico residents" and "hunts on all state wildlife management areas shall be allocated exclusively to New Mexico residents." The effective date of the Amendment, Chapter 17 NMSA 1978, is April 1, 2012. The new law can

be found at <http://www.nmlegis.gov/Sessions/11%20regular/bills/senate/SB0196FCS.html>.

The Legislature amended the special drawings for licenses that had long provided that 22% of the licenses should be issued to nonresidents, with 12% going to nonresidents who were to be guided by a New Mexico outfitter, and the remaining 10% to those not required to be guided by a New Mexico outfitter or guide. It now limits the licenses to no more than 16%, if that, by providing 10% of the licenses for both residents and nonresidents who are contracted with a New Mexico outfitter prior to the application, and 6% to nonresidents who are not required to be contracted with an outfitter. The legislative provision specifies that "a minimum of 84% of the licenses shall be issued to residents of New Mexico." It does provide that leftovers can be sold to nonresidents after first offering the licenses to residents.

The new legislation also provides that special draw antlerless elk hunts "shall be exclusively for New

These new restrictions on nonresident hunters are probably lawful, but the preference for "New Mexico outfitters" is not. Discrimination against outfitters from out-of-state is no doubt a violation of the Privileges and Immunities Clause of the US Constitution. Too many cases have held that a state can't discriminate against outfitters or guides that ply their trade interstate.

We cite this development in the long term trend to protect resident over nonresident recreational hunters for information purposes only. Conservation Force is no longer championing nonresident rights on private or public land since Congress spoke on the issue, in effect giving states unlimited authority to discriminate by stating so in an emergency fiscal measure. ■



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An Open Letter to Ranchers and Hunters of ESA Listed Exotics in The US

As of April 4th it will be illegal to hunt or to transfer interstate addax, dama gazelle or scimitar-horned oryx unless the ranch has permits. The exemption from the permit requirement that has existed since those three were listed as endangered has been eliminated by the US Fish & Wildlife Service (FWS) to comply with a court judgment that the publication of notice and comment was a mandatory requirement of the ESA. The FWS states that it could not figure any other way to comply other than requiring the permitting.

The Exotic Wildlife Association (EWA) estimates there are 11,032 scimitar-horned oryx, 5,112 addax and 894 dama gazelle on EWA member ranches. There are others on non-member ranches as well.

Although the court did not rule one way or the other whether or not the USF&WS determination that the

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United States



ranching itself enhanced the survival of the species because the plaintiffs had no standing to make that challenge according to the Court, the USF&WS abandoned that position in the Final Rule. The animal rights plaintiffs might as well have won that part of their case as well because the FWS will require that in addition to maintaining the populations on their ranches, the ranchers must expend a percent of the revenue derived from the hunts to conservation projects in the species' countries of origin. We will assist with that, as always.

The FWS also did not simplify the permitting or their forms or procedures as requested by Conservation Force and others. It has extended the life of Captive Bred Permits/Registration from three to five years but did so to accommodate still another animal rights organization that wanted Captive Bred applications to be published and noticed as well as Take applications.

Conservation Force is contemplating filing a formal petition to revise the permitting and processing regulations. There is a provision under the Administrative Procedures Act to compel consideration of such changes. If changes arise from the petition it will probably take a year or more, and we know from meetings with FWS that changes will be resisted.

The following is an email letter sent to all known ranchers of these listed species. The forms and applications mentioned here were attached in our email. Readers of *Conservation Force Bulletin* can download all of these forms and documents from the FWS website at <http://www.fws.gov/forms>. The form to amend an existing permit is Form 3-200-52, to get a Captive Bred Registration/Permit is 3-200-41, for a Take of Animals permit it is 3-200-37 and for an Annual Report Form it is 3-200-41a. ■

Dear Rancher,

On January 5, 2012 the USF&WS published its Final Rule governing the breeding and taking/culling of addax, dama gazelle and scimitar-horned oryx. The exemption from permitting is being eliminated and the same two permits (Captive Bred and TAKE) that apply to barasingha, Arabian oryx, Eld's deer and red lechwe will apply to the three. The effective date is April 4. The purpose of this email is to help you with that change.

This letter is being sent to you on behalf of Conservation Force, Dallas Safari Club, Houston Safari Club, The Conklin Foundation and Texas Wildlife Association with the intent of obtaining the permits for everyone in the community before the April 4, 2012 effective date of the regulation.

Without the necessary permit, after April 4 it will be illegal to transfer or attempt to transfer one of the species out of state for commercial purposes or to take (hunt or cull) or attempt to take one of the animals. A permit will not be necessary to sell or trade wholly within the state, but certainly will be necessary to hunt. Commercial transfer interstate and any form of taking/hunting is a "prohibited activity," thus a serious violation of law if the ranch owner does not have the necessary permits. If knowingly committed, the violation could be a felony. Conducting hunts before April 4 continues to be lawful, but the purposeful killing off of a ranch herd is not. Ranchers would be ill-advised to kill off their herds and should avoid that appearance.

If you already have a "Captive Bred" permit and/or a "TAKE" permit for barasingha, Eld's deer, Arabian oryx or red lechwe, then you merely have to file an application to amend your existing permit to include the new species. That application is entitled

(Continued)

Open Letter (Continued)

Reissuance, Renewal or Amendment of Permit, Form 3-200-52. The USF&WS fee to amend the captive bred permit is \$100 and to amend the take permit is \$50. An Annual Report must be attached, but those are due soon anyway.

If you don't already have permits that you can simply amend, then you must file for the permits to conduct the prohibited activities. Applications for both are CAPTIVE BRED WILDLIFE Registration - CBW and TAKE OF ANIMALS. A Captive Bred permit is necessary to commercially trade a listed species from state to state. A rancher must have both permits to conduct hunts of the species.

The permits cover the whole herd on the ranch. A separate permit is not necessary for each animal bred, sold or hunted. The hunter does not need a permit, i.e. he hunts and transports within the United States on the rancher's TAKE permit for the ranch herd.

The Captive Bred permit is now for five (5) (recent change) years, and the TAKE permit is for one (1) year. If a renewal application is received by the USF&WS more than 30 days before its expiration date, then it continues in effect until it is renewed or denied. On the other hand, if renewal is requested less than 30 days before the expiration date, then you cannot use the expired permit past its expiration date until it is renewed by the USF&WS. Avoid such gaps in coverage by filing to renew the permit or permits at least 30 days before expiration. A Renewal Application is the same form used to amend permits.

For a TAKE permit you must pledge to direct 10% or more of the gross price of the animal hunted to a suitable project in the country of origin of the species that enhances its survival or perpetuation in the wild. Those projects already exist and are maintained by Conservation Force. Conservation Force's leadership in IUCN on its Deer and Antelope Specialist Groups facilitates those 100% pass-throughs to key projects in the countries of origin.

Some pointers: You should attach one or more photographs to show there is some protective cover on your property. The diagram of the property should be drawn on an aerial map. A printed Google map is ideal for that (<http://maps.google.com>). On the Take of Animals application, Section G.7.d. asking for how the activities will enhance or benefit the wild population, you should state that you "pledge to contribute 10% or more of the revenue for each animal taken to Conservation Force's Ranching for Restoration Program."

We suggest you fax or email a PDF of your application(s) to Conservation Force at 504-837-1145 or email@conservationforce.org as soon as possible (early this week, if not today) so that we can proofread it and assist you. This is a free public service primarily provided by Conservation Force, the cost of which is being shared by the above-named organizations to facilitate this transition. An Authorization of Representation is also necessary. Every effort will be made to file the applications and amendments within a week to protect your ownership interests and management options even though permits, periodic reporting and proof of enhancement of the species in the wild are now to be required. We tried to do this in advance but the USF&WS had asked us to wait until the Final Rule was decided.

This assistance should not suggest that every effort is not also being made to overturn or modify the Final Rule or improve the permitting process. This is a conservation effort for the species and a service to those who will ultimately determine the fate of the ranch herds while our other efforts to contend with the listings are continuing unabated.

Call John J. Jackson, III of Conservation Force at 504-837-1233 if there are any questions, but please complete the applications today.

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