



SPECIAL SUPPLEMENT

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

World Conservation Force Bulletin

www.conservationforce.org June 2017

Conservation Force Submits Two ESA Petitions to Expedite Imports of Species Down-Listed at CITES CoP17

On May 10, 2017, Conservation Force submitted two petitions to the US Fish & Wildlife Service (FWS) to request action for species recently down-listed by the Conference of the Parties (CoP) to CITES. Our petitions seek to bring US law in line with CITES by deregulating imports for these species. The petitioned actions will facilitate imports of hunting trophies of Cape mountain zebra and Canadian wood bison.

The first petition, filed jointly with the Professional Hunters Association of South Africa, seeks delisting (or alternatively, down-listing) for Cape mountain zebra. This species is endemic to South Africa. It has recovered from near extinction in the 1950s to 4,800 individuals today across 76 subpopulations. Three-quarters of those subpopulations are privately owned. The species' growth has exceeded recovery goals set in a 2002 IUCN action plan.

The main threats to Cape mountain zebra are disease, hybridization, and inbreeding. Those risks are being mitigated through adoption of a 2016 Biodiversity Management Plan. This plan addresses fragmentation concerns by managing the species as a metapopulation. It focuses on research and exchange of genetic material across subpopulations.

The zebra's continued recovery is now constrained because it is nearing the carrying capacity of much of its habitat. At CoP17, South Africa proposed down-listing to Appendix II of



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CITES to enable regulated international trade in Cape mountain zebra, particularly in hunting trophies. There is little off-take now (approximately 12 zebra in five years), but research indicates that private landowners will expand their zebra herds, or will establish new zebra subpopulations, if the species generates economic value through regulated hunting. The species' range will increase, and there will be incentives to continue to grow the population. South Africa is currently working with private owners of zebra populations to establish sustainable hunting off-take and export quotas.

In support of our petition, we submitted documents including South Africa's management plan, CITES proposal, population off-take calculator, population status reports, and more. We demonstrated that none of the Endangered Species Act (ESA) listing factors are met for Cape mountain zebra. It simply is not at risk of extinction, now or in the "foreseeable future." Its habitat

is secure, utilization is almost non-existent, increased utilization will actually benefit the species, disease and predation threats are being mitigated, and international/national/provincial regulations are effective. The species has experienced decades of population growth—almost 10% per year in the 2009-2015 period. In 2015,

South Africa assessed the zebra as "least concern" on its national list of at-risk species. We argued that it is time to update the 1976 ESA "endangered" listing.

We propose complete delisting, which would open up imports as the ESA would not apply (except as it implements CITES), or alternatively, down-listing to "threatened." Down-listing will support regulated hunting and generate conservation incentives for the species because a threatened-listed species that is listed on Appendix II may be imported without an FWS import permit under Section 9(c)(2) of the ESA. See 16 U.S.C. § 1538(c)(2).

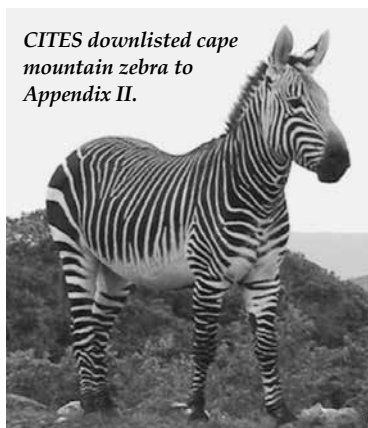
Our second petition requests a special rule to allow imports of Canadian wood bison trophies without



Canadian wood bison was removed from CITES Appendices by CoP17.

an FWS permit or enhancement finding. At CoP17, the wood bison was removed completely from the CITES Appendices. The CITES Parties acknowledged the extremely limited international trade and generally stable population recovery for the species. But because it is no longer listed on Appendix II, the "threatened"-listed wood bison no longer qualifies for the import permit exception under Section 9(c)(2). It is now subject to the general FWS regulation that imposes all the same requirements on threatened species that apply to endangered species. See 50 C.F.R. § 17.31.

To put the species in the same position as before it was delisted from CITES, Conservation Force and the Yukon Outfitters Association requested



CITES downlisted cape mountain zebra to Appendix II.

Wanted: Test Permit Applications for Cape Mountain Zebra and Canadian Wood Bison

Conservation Force needs test permit applicants to establish Cape mountain zebra and wood bison trophy import permits. If you have recently taken a wood bison or Cape mountain zebra or intend to this year or the next, then please contact us to assist you with your permit application.

One of the key services Conservation Force provides in support of our mission is test permitting. We submit applications to the International Affairs section of the US Fish & Wildlife Service (FWS) on behalf of hunters for species not currently importable. We collect and submit information to the FWS to demonstrate "enhancement" and non-detriment from the conservation hunting, and thereby meet the legal requirements of the Endangered Species Act and CITES. We follow through—sometimes in court—until the imports are established. By helping to open the US

market to well-managed, sustainable, beneficial hunting programs, we use FWS permitting as a "force" for conservation.

We pioneered the enhancement permits of endangered-listed species like the Suleiman markhor, southwestern black rhino, and the wood bison (before the species was down-listed), and have been using this strategy for over 20 years, since first opening elephant imports from southern and Eastern Africa.

If you are considering a Cape mountain zebra or Canadian wood bison hunt, please email us at cf@conservationforce.org. We will handle your import permit application pro bono as a public service. The sooner we can get the process started, the sooner these species can benefit, or can continue to benefit, from the incentives generated by Americans participating in conservation hunting. ■

the FWS adopt a special rule to waive this general permit requirement. We pointed out that the species is in an even better position than when it was down-listed to "threatened" in 2013. Its habitat is generally stable. Utilization is carefully regulated, and hunting (resident and nonresident) is used as a management tool to maintain separation between wood bison herds and their threats and keep population numbers in check. The species' main threats—disease and hybridization—are kept under control through national and provincial regulations and monitoring. These threats will be further mitigated by research to eradicate diseases and maintain genetic integrity. Canada has managed the species effectively at the provincial and national level. A new Recovery Strategy was proposed in 2016, and will guide the species' recovery into the future.

Most importantly, international trade in wood bison is negligible. As we explained in the petition, adopting a special rule will decrease the FWS' regulatory burden and encourage US hunters to engage in the limited, management-driven hunting that does

not threaten the species.

We submitted numerous documents in support of this petition. These included a recent assessment by a council of scientists that concluded the wood bison is no longer "threatened" in Canada. It was assessed as a species of "special concern." (Canada's government is currently considering whether to down-list the wood bison under the Species at Risk Act, to "special concern," a step below "threatened.")

In response to our petition to delist the Cape mountain zebra, the FWS will make a 90-day finding. Typically, the "90-day finding" may take six months or even a year. If the FWS finds the petition presents "substantial information" that delisting or down-listing is warranted, it will initiate a status review. It will request that interested persons and the range state submit information on the ESA listing factors. After the status review, the FWS will propose delisting or down-listing and solicit public comments on the proposal. In response to our petition for a special rule for wood bison, the FWS does not need to make a 90-day finding but must act



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within a “reasonable time.” It may then seek public comments on a proposed special rule.

In any event, to go through these processes is likely to take two or three years. Until then, an ESA “endangered” import permit is needed to import Cape mountain zebra hunting trophies. A

“threatened” import permit is needed to import wood bison hunting trophies.

The irony of the wood bison permit requirement is that Conservation Force initially established import of these trophies when the species was listed as “endangered” under the ESA. Now that the wood bison has been de-

listed from CITES, ESA import permits have become necessary once again! Conservation Force will of course go the next round, until the job is done.

These petitions are available on Conservation Force’s website at <http://www.conservationforce.org/news-updates-alerts>. ■

Taking Permitting Issues to The Top—Letter to Secretary Zinke

On May 5, Conservation Force sent a three-page letter to Secretary of the Interior Ryan Zinke. We requested that Secretary Zinke “urgently” direct the US Fish & Wildlife Service (FWS) to approve all pending import permit applications for lion trophies from Mozambique, Namibia, Tanzania, Zambia and Zimbabwe, and all pending import permit applications for elephant trophies from Tanzania, Zambia and Zimbabwe. We pointed out that lion import applications have been pending *since January 2016*. And we explained how the FWS’ processing delay is inexcusable, irresponsible and detrimental to these species.

Our letter detailed our interactions with the International Affairs section of FWS about these applications. For lion, we explained how the FWS has not responded to the range states, despite promising them feedback on information they submitted during the CoP17 in October. Without feedback the range countries do not know what to do or, if necessary, how to reform their practices to comply with the nebulous enhancement requirement. For elephant, Tanzania and Zimbabwe have each responded to multiple FWS information requests. Zimbabwe has responded at least five times! And yet, the FWS has not made an enhancement finding for Zimbabwe since March 2015—over two years ago. It has not made any finding for Tanzania since July 2015. The FWS has also not made an enhancement evaluation for elephant imports from Zambia, despite telling us *twice* that they were going to do so. (They emailed us before the CITES CoP, then told us during the CoP they would make a finding right after.) The FWS has offered no explanation for its lack of action. It has gone silent about these permits.

As we explained to Secretary Zinke, FWS enhancement permitting can be used as a tool for good. But the FWS’ failure to issue import permits damages the species’ recovery by denying lion and elephant the “enhancement” benefits from conservation hunting. And we submitted more than enough evidence of these benefits to sustain positive enhancement findings. Among other things, we provided data that individual operators in Zimbabwe spent between \$100,000 and \$500,000 annually on anti-poaching and shared over \$1 million with rural communities over three years. We provided a study of 27 hunting operators in Tanzania documenting \$9.8 million in habitat security, anti-poaching, and community investment in the 2013-2015 period, over-and-above fees paid to the government. We provided operator reports from Zambia evidencing contributions of over \$350,000 in anti-poaching and community support in one year alone. We submitted primary documents (receipts, letters, certifications) to back up these reports. And we cited information in the range states’ non-detriment findings and responses to FWS questionnaires proving that lion and elephant off-takes are limited and sustainable, and the funding from licensed, regulated hunting is dedicated to conservation purposes.

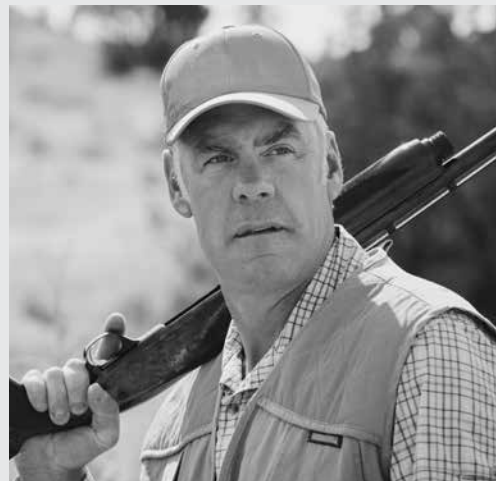
By not engaging with this data and sitting on permit applications,

the FWS has shut down the flow of American hunters to these countries. Their wildlife authorities used to rely upon US revenue, but that funding is greatly reduced. The most dedicated and invested hunting operators used to count primarily on American clients. The decline in the US market is driving these operators out of business. They do not have the revenue to sustain

expensive anti-poaching and community support programs. The FWS’ delay has a real, detrimental impact. It is causing operators to surrender concessions, pull out of communal areas, or reduce enforcement expenditures. Unfortunately, the wildlife will suffer most. These returned concessions and re-

duced anti-poaching patrols will allow conversion of key habitat to agriculture and grazing. The administrative delay in issuing permits is damaging the conservation systems of these range states to the detriment of lion, elephant, and other species. As we explained to the Secretary of the Interior, this result is contrary to the ESA’s intent or the goal of enhancement permitting.

We hand-delivered a copy of our letter to the Deputy Assistant Secretary for Fish, Wildlife and Parks. We have circulated it broadly among some of our key supporters. At this point, we can only hope the Secretary will heed and respond to our concerns, and grant the pending permits. ■



Secretary of the Interior Ryan Zinke is a sportsman who understands hunters’ issues.

Five “Wildlife Protection” Organizations Petition to List Giraffe as “Endangered”

On April 19, 2017, five “wildlife protection” organizations submitted a petition to the US Fish & Wildlife Service (FWS) to list all giraffe subspecies as endangered under the Endangered Species Act (ESA). In the alternative, the petition seeks to list all giraffe species as threatened, with certain distinct population segments to be listed as endangered. The organizations signing the petition include Humane Society International, Humane Society United States, the International Fund for Animal Welfare, the Center for Biological Diversity, and the Natural Resources Defense Council. This petition¹ is the third in a series, following petitions to up-list all elephant and all leopard from threatened to endangered.²

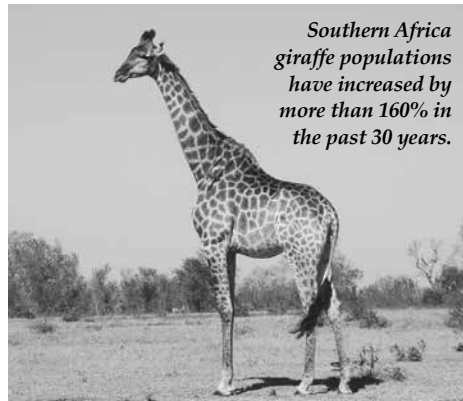
These organizations are trying to stop lawful hunting by erecting ESA barriers. They admit as much in their press releases when they claim the listing of giraffe will be an “important protection” for “saving” the species from “overexploitation.” This bias against sustainable use is also clear in the petition’s focus.

But there is a big problem with the

1 The petition is available at https://www.biologicaldiversity.org/species/mammals/giraffe/pdfs/Giraffe_ESA_Petition_4-18-17.pdf.

2 Conservation Force opposed these up-listing petitions. Our filings are posted at <http://www.conservationforce.org/newsupdates-alerts>.

petition’s analysis. Just like elephant and leopard, giraffe are doing the *best* in countries that rely upon sustainable use as a conservation tool. According to the IUCN *Red List*, in southern Africa giraffe populations have increased by more than 160% in the past 30 years. In the three countries that currently allow safari hunting (Namibia, South Africa, and Zimbabwe), giraffe populations



are indisputably increasing. To the contrary, giraffe are doing the *worst* in countries that restrict sustainable use or ban hunting. For example, as the petition itself admits, Kenya has lost three-quarters of its reticulated giraffe and half its Masai giraffe over the past 20 years.

The 2016 IUCN *Red List* assessment identifies habitat loss, civil unrest, poaching, and ecological change due to mining and climate warming as the main threats to giraffe. Lawful hunting is not referenced as having

any impact on the species, much less a negative impact. However, the listing petition barely engages with these identified threats. The petition spends only two pages discussing habitat loss and only two paragraphs on civil unrest and ecological change. It discusses illegal bushmeat poaching for four short pages—although that factor has greatly affected populations in Kenya, Tanzania, Central Africa, and elsewhere. However, the petition discusses “overutilization,” with an undeserved focus on lawful hunting, for 18 pages and two appendices! The petition is clearly written from an ideological perspective, not a scientific one. And it is clearly misguided. Listing the giraffe will not help to reverse its decline. It will have a limited impact on most of the range states. But listing the giraffe may devalue the species where it is currently hunted, and increase the risks of habitat loss and poaching, adding to the real threats.

Conservation Force will oppose the petition should the FWS find it provides substantial information to warrant further review. However, we believe the FWS cannot list the giraffe subspecies whose populations have increased. Simply put, how can a species be at risk of extinction, now or in the “foreseeable future,” if its population has doubled in 10 or 15 years? Stay tuned as the process moves forward. As with our Cape mountain zebra petition, the FWS must first make a positive 90-day finding then open its status up for public comment. ■

Tanzania Amends Tourist Hunting Regulations to Allow Leopard Export

We previously reported that Tanzania was not exporting leopard trophies taken in 2015-2016 if they were under 150 centimeters from the tip of the nose to the base of the tail. This temporary suspension was due to a clerical error in the 2015 tourist hunting

regulations. It was essentially a typo, but it was blocking export of lawfully hunted leopard.

The 2015 regulations have been amended and signed as of May 5, 2017. Tanzania is now exporting leopard trophies over 130 centimeters (tip of

nose to base of tail).

We have been monitoring this issue along with the Tanzania Hunting Operators Association, which worked directly with the Ministry of Natural Resources on the amendments. We will keep readers updated if anything changes. ■

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