



“SERVING THE HUNTER WHO TRAVELS”

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

Special To The Hunting Report World Conservation Force Bulletin

by John J. Jackson, III

DATELINE: CANADA

News... News... News

New Efforts To Reverse The Polar Bear Listing

All of the trophy import permit applications for polar bear taken in the spring of 2008 have been returned to the applicants unapproved. The cover letter from the USF&WS states that the import applications can be resubmitted if and when Congress amends the MMPA to once again allow importation of polar bear trophies.

Conservation Force has lodged its appeal in the Federal 9th Circuit Court of Appeals to challenge the Oakland federal trial judge’s order making the listing “effective immediately” and also her denial of our motion to reconsider and “fix” her error. The brief is due in November, and we hope for a decision by spring, one year after the bear were taken. Although the USF&WS admits it would likely have permitted the imports if the court had not ordered the listing to be made ef-

fective immediately, it is fighting us all the way and opposed Conservation Force’s motion to reconsider. Its position is that it is too late and burdensome now that everything has been published. Unfortunately, the USF&WS did not itself choose to seek reconsideration of the court’s order or to appeal the judge’s order. It remains to be seen if



the USF&WS ends up defending the trial court’s order that the final rule be made “effective immediately” when they were the underlying cause of that remedial action by the court.

Second, Conservation Force has filed seven permits to import bear from the Gulf of Boothia under the “en-

hancement” permit provisions for depleted marine mammals of the Marine Mammal Protection Act. Those permit applications will determine if any of the bear already taken, or taken in the future, can be imported with “enhancement permits.” No such permits have ever been applied for. These are pioneering permits to see if it can be done.

Third, Conservation Force has decided to directly challenge the ESA listing that has triggered the “depleted” provisions of the Marine Mammal Protection Act, i.e. the listing decision itself. We have sent the required 60-day notice of intent to sue and expect to file suit in the District of Columbia Federal District Court in November. The State of Alaska and SCI have filed separate suits already. Our respective suits should complement and support each other in most respects. That said, Conservation Force’s suit will be more narrowly focused on the listing of Canada’s bear (Nunavut and Northwest Territories) and the obstruction of that country’s conservation programs and negative impact on its people and the bear. Every error we allege in the listing process is emphati-

cally more grievous in the case of Canada because of the obstruction of its conservation program and distinct bear populations within Canada that are not projected to lose summer ice in three bear generations (45-50 years). In short, the USF&WS had a legal and moral duty to “take into account” Canada’s program, but instead erroneously concluded that it was prohibited from considering Canada’s program and that such a consideration was not part of the listing criteria. We feel this is an important stand-alone issue in its own right. It will be the first time the requirement to “take into account” foreign programs will be directly before any court. It is too bad the USF&WS chose to disregard the “take into account” requirement in the ESA and has made it an issue for the court to decide. To us it seems reprehensible to list another nation’s species over their express objection, knowing that the ESA will obstruct their program (in this case, the best in the world serving the largest population of bear) knowing that the listing does not provide benefits for foreign species as it does for domestic species that are listed.

DATELINE: US

News Analysis

USF&WS Seizing Some Utilitarian Trophy Items

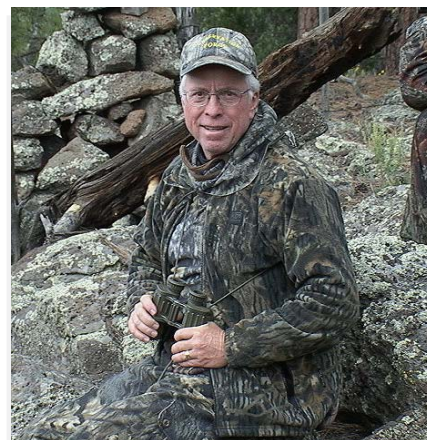
The new USF&WS regulation changing the definition of trophies of CITES listed species has caused the seizure of rhino parts from RSA and elephant tusks from Zimbabwe. These are the first seizures enforcing the new USF&WS regulations adopted August 23, 2007. Those regulations state that the term “sport-hunted trophy” definition will no longer “include handicraft items or items manufactured from the trophy used as clothing, curios, ornamentation, jewelry, or other utilitarian items.” Appendix II and III items of that nature must be coded as “personal items” (P) instead of as trophies (H). It is not clear to us if importation of such items of Appendix I species are import-

able at all, even if they are coded on the export permit as “personal items” (P) instead of as trophies. Of course, only trophies are generally allowed to be traded when species are listed on Appendix I; other trade is treated as prohibited commercial.

The first items seized under the new regulations were white rhino feet and a tail that had been made into buckets and a swish, respectively. The irony of the seizure is that white rhino are on Appendix II, not Appendix I. Apparently, the USF&WS position is that the sport hunter had to have an Appendix I import permit to import those items because the white rhino was down listed to Appendix II only for importation of trophies – for all other purposes it remains on Appendix I. Since the USF&WS does not recognize the utilitarian items as trophies, they require an Appendix I import permit; therefore, they were imported in violation of law without an import permit. It remains to be seen if the USF&WS would have granted an import permit had one been timely applied for.

The second seizure is of two elephant tusks that have the Big Five scrimshawed on them. They were taken by a sport hunter and are clearly marked and fully identified. The tusks are whole trophies from Zimbabwe and are on Appendix II of CITES. Of course, importation of African elephant ivory is prohibited in the United States by the African Elephant Conservation Act with the exception of sport-hunting trophies – but apparently the tusks are no longer considered trophies because of the scrimshawing.

It seems clear that these parts (trophies) were intended to be importable under the CITES proposals that downlisted the rhino and Zimbabwe elephant – where they were downlisted before the new USF&WS definition change of the term “trophy.” It is also the trade the African Elephant Conservation Act found to benefit the elephant and Congress intended to exempt from import restriction. We know that the animal rights groups suggested the change in the definition of “trophy” to the USF&WS, but subsequently the USF&WS justified the



JOHN J. JACKSON, III
Conservation Force



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World Conservation Force Bulletin

Editor/Writer

John J. Jackson, III

Publisher

Barbara Crown

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Conservation Force
3240 S I-10 W Serv Road
Metairie, LA 70001

Tel. 504-837-1233. Fax 504-837-1145.

www.ConservationForce.org

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The Hunting Report
9200 S. Dadeland Blvd., Suite 523
Miami, FL 33156-2721.

Tel. 305-670-1361. Fax 305-670-1376.

change to facilitate the law enforcement need to exclude commercial items being imported under the guise of being trophies. In the two instances here, there is no question that the utili-

tarian items were sport-hunted.

We must advise against conversion of raw parts into any sort of utilitarian items until you get your trophy home. If you have already had the trophy con-

verted to a utilitarian item, the best advice is to apply for an Appendix I import permit before the importation. We will keep readers advised as these two seizures progress.

Briefly Noted

Valuable Information Service for Private Landowners and Holders:

There is a new free source of information for private landowners and holders available on the web. It is the ultimate one-stop source of information. Every private landholder and rancher needs to know of and browse this site at the first opportunity. It is the *Private Landowner Network* at www.PrivateLandownerNetwork.org.

The Private Landowner Network (PLN) is the only place on the internet providing a national network of experienced professionals, conservation organizations, educational articles, maps, satellite imagery and other tools and resources to help achieve conservation estate planning and management success. The PLN has been established by Resources First Foundation to provide a simple and effective means for landowners to connect with qualified, often local, professionals to navigate the complex ins and outs of real estate transactions, tax and estate planning and regional land conservation activities. The database contains local land trusts, non-profit conservation organizations and other folks out there who are in the business of helping you fulfill your conservation objectives. PLN researches federal and state funding and technical assistance programs. They do the hard work of understanding the programs and then provide simple, easy-to-understand program summaries and easy-to-find eligibility requirements and even links to application forms. It's an invaluable free service.

Some of the page titles illustrate the valuable nature of this one-stop information center. *Conservation Yellow Pages* gives you instant access to local resources when you enter your ZIP code. *Land and Energy Conservation Toolbox* is a toolbox that provides access to satellite imagery, programs

and information services. *Tax Planning and Estate Management* provides contacts to help keep your land in the family. *Land Conservation Grant & Assistance Programs* tells you all you need to know about federal, state and local funding, incentives and financial/technical assistance programs to



help you conserve your land and estate. The *PLN Library* contains articles, books, papers and a database of conservation success stories to elevate your conservation IQ, offering articles such as *Ranching as a Conservation Strategy* and *Everything You Need to*

Know about Conservation Easements.

There is much more to this free information resource, and it is growing. The Project Director is the reputable Amos S. Eno, who was the longtime Executive Director of the National Fish and Wildlife Foundation. He has been a champion of private land stewardship for over three decades. His initiative is empowering landowners and leading many individuals and communities to seek the high ground of conservation. He provides valuable tools. PLN offers the necessary information, partnership tools and associations, preferred provider expertise, funding sources (public and private) and the linkages necessary to enable private landowners and community assemblages to do conservation on their own terms. They have a privacy policy, so it is a no-risk, free site.

Why so focused on private lands? Today, private individuals own, protect, steward and work on over 61 percent of the land in the lower 48 states. Fifty percent of the United States, 907 million acres, is cropland, pastureland

In Memory of Cam Lancaster - Outfitter, Conservationist and Friend

■ This issue is dedicated to Cam Lancaster of the Lancaster Family of British Columbia. Cam was killed in a plane crash while on a hunt in the Northwest Territories on August 22. Cam and the entire Lancaster Family have been leaders in the British Columbia and Canada hunting industry. He was a donor to Conservation Force, but our relationship went beyond that. He and his twin brother Clay guided me on my unforgettable Stone sheep hunt. Those who receive my personal photograph Christmas card each year should know that Cam

took the very first Christmas photograph Chrissie and I sent out. It was from atop a mountain, overlooking a lake in northern British Columbia. I seldom drink from cold mountain streams without thinking of Cam and now never will. One thing is certain: he lived a full and good life as an outfitter and guide. He and his family were closely connected to another dear Canadian friend, Bob Fontana, who died on the horns of a Cape buffalo. Cam will be greatly missed. Our hearts go out to the entire Lancaster family.

and rangeland owned and managed by farmers, ranchers and their families. “These 4.7 million landowners manage and protect most of our significant ecological resources,” according to Amos. That is over 70 percent of the wetlands and over 75 percent of endangered species habitat.

I recently spent a “think tank” weekend with Amos and have no doubt about his sincerity and the value of his contribution to conservation and his service to private landholders. He has serious doubts about the “burgeoning expense and inefficiency of federal management” and empathy with western and other private landowners. We are only too happy to introduce you to this information resource.

Delta Land Trust Support: Conservation Force continues to develop its land trust division. More private landowners are considering donation of conservation easements to Conservation Force. We can also serve as a land trust for organizations that support us and desire or need to partner to save habitat. In August, the Delta Land Trust added to that growth by making a \$10,000 contribution to Conservation Force in a ceremony at the Louisiana Department of Wildlife and Fisheries in Baton Rouge, Louisiana.

Delta Land Trust is a long-established easement bank in Arkansas, Mississippi and Louisiana where Conservation Force’s land holdings and easements presently exist, though we hope to expand into other states throughout the country and in foreign lands that have legal provisions for conservation easements. The easements are created by donating development rights on private land to a non-profit, public, charitable foundation such as Conservation Force. It is a tax-deductible, charitable contribution for the landowner and serves wildlife conservation and the public good by preserving and/or restoring the land to its wild state forever. To date, many of Conservation Force’s land and easements holdings are on rivers, streams and waterways. That fits well with the Scenic River Act of Congress that was designed to help preserve valuable river borders, and with recovery efforts

for the “threatened” listed Louisiana black bear. Conservation Force has long been a member and partner of the Louisiana Black Bear Conservation Committee (<http://www.bbcc.org/web/index.php>), which was selected and cited as a model at the White House Conference on Cooperative Conservation. Water frontage appraises higher because of its potential as frontage lots for developments. Consequently, easement donors get higher tax deductions for their creation.

Why do we do this? For the same reason we are a conservation organization. We are saving land for hunters now and in the future. Hunting cannot be saved, much less game to hunt, without saving the habitat necessary for both. It is the root of all biodiversity.

The Exemplary Service of the National Wild Turkey Federation: The National Wild Turkey Federation (NWTF) is a world class wildlife conservation organization that should make all hunters proud. Every hunter needs to recognize and arm himself with the following facts:

The NWTF has increased its staff of field biologist to 29 across the United States. Each is assigned to one or more states. Think about that! This is in addition to its headquarters biologists and technician staff. What a statement of commitment to the resource and wildlife habitat so very

important to our hunting heritage. There can be no doubt about the NWTF’s commitment.

The NWTF is working state-by-state in Canada, Mexico and 14 other foreign countries. It has spent more than \$279 million dollars since 1985 upholding hunting traditions, but also conserving more than 13.9 million acres of wildlife habitat.

In 2007 the NWTF assembled agency and organizational partners at the inaugural *North American Wild Turkey Management Plan Summit* to develop a national plan specifying the mission and guiding principles for a national conservation plan. The plan is designed to benefit plant and wildlife species across North America, including many endangered and threatened species. The team of field biologists is cooperatively assisting state chapters and local, federal and state agencies to develop regional and individual state plans. Such national and local planning is state-of-the-art engineering of conservation. This epitome of conservation commitment is supported by a small army of sportsmen and women now numbering more than half-a-million members and 2,350 chapters. Some examples of State Strategic Plans are in the states of Mississippi, Alabama, Pennsylvania and New York. The chapters in those states have respectively spent 1.8 (Mississippi), 1.4 (Alabama), 4.4 (Pennsylvania), and 1.6 (New York) million dollars each in support of wild turkey conservation and the preservation of the hunting tradition. More than half of the states now have plans.

It is an understatement to simply state that the NWTF is a responsible organization conserving and preserving biodiversity. The more than 7 million wild turkey today in North America are but one benefit to us all. Isn’t it comforting to know that they have created a national plan, are creating state plans and are engaging so many professional biologists? Of course, they are a fellow founding member of the American Wildlife Conservation Partners (AWCP) and much more. For more on the NWTF, see www.nwtf.org.

Conservation Force Sponsor

Grand Slam Club/Ovis generously pays all of the costs associated with the publishing of this bulletin. Founded in 1956, Grand Slam Club/Ovis is an organization of hunter/conservationists dedicated to improving wild sheep and goat populations worldwide by contributing to game and wildlife agencies or other non-profit wildlife conservation organizations. GSCO has agreed to sponsor *Conservation Force Bulletin* in order to help international hunters keep abreast of hunting-related wildlife news. For more information, please visit www.wildsheep.org.

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