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**“SERVING THE HUNTER WHO TRAVELS”**


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*“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

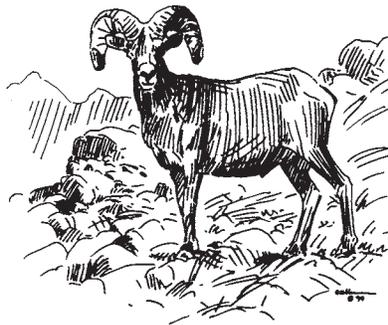
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*Baja Hunts At Risk...*

**Desert Sheep Proposed  
 For Endangered Status**

**T**he US Fish and Wildlife Service (USFWS) has reopened its proposal to list all desert big-horn sheep in the Peninsular Ranges as endangered. The Peninsular Ranges include the desert slopes in the vicinity of Palm Springs, California southward including the sheep populations in Northern Baja California, Mexico; i.e., both the US and Mexican populations. The purpose of the Federal Register notice (62 FR 16518, April 7, 1997) is “to resume the proposed listing action” that was started on May 8, 1992, five full years ago. The original comment period on the proposal closed on November 4, 1992 but no final determination was made. The intent expressed is to now make the “final determination.” The Federal Register notice provides some lame excuses for the rule languishing for five years. The Endangered Species Act provides the USFWS must make

a listing determination within one year except when there is a scientific dispute, in which case it can be extended an extra six months, 1 1/2 years total. The USFWS has had a practice of dismissing listing proposals that were not timely resolved in compliance with the time limits specified in the ESA. One



court has ruled that the time limit is mandatory and overturned a species listing. It remains to be seen what will occur in this instance which some had considered an abandoned proposal years ago. The US population of the sheep has not been hunted for many years and is already protected by the

California authorities. It is believed to be declining further and experiencing heavy predation by mountain lions (see this supplement in the last issue). Two separate and well documented studies have disclosed that mountain lions are the leading cause of the species’ death in southern California. Perhaps its listing would provide an additional revenue source and critical habitat designation that might be of benefit. There are only 280 of the sheep left in the US; land development is also a serious concern and is beyond the ordinary regulatory authority exercised by the state. For example, 12 golf courses are planned in south Palm Springs. The sentiment of the state authorities who have been trying so desperately to restore the sheep may now align with the species listing on the California side of the range. The far more important issue is the listing of the foreign/Mexican population. If the thousands of sheep in the Baja, Mexico population are listed, we are unlikely to ever hunt them again. The ESA does not provide benefits for listed foreign species so the result would simply be

the elimination of import of trophies from Mexico and the obstruction of the conservation programs for sheep dependent upon that sport hunting. Who needs that kind of help? The deadline for comments is May 7, 1997, a 30-day period that will have expired before you read this. If you really have something to add, then send it in to the USFWS anyway and ask that the comment period be extended to consider your comment. The 30-day comment period is short considering the period the proposed listing was dormant and apparently abandoned. For more information, contact Peter Sorensen at the USFWS field office in Carlsbad, California (760-431-9440).

*Appeal To Be Filed...*

**Wildlife Service Denies  
Cheetah Import Permits**

**T**he test import permits for cheetah from Namibia have just been denied at the “reconsideration” level, April 24. The USFWS Office of Scientific Authority reversed its earlier position but the Office of Management Authority affirmed its original denials. Import of an endangered species harvested in the wild requires the approval of both the OSA and the OMA. The matter will be immediately appealed to the next level which is the final level before suit. The Director of the Service has 45 days to decide the appeal. The reconsideration was decided at a lower level. It remains to be seen if the Administration really intends to administer the Endangered Species Act in accordance with contemporary science and policy or whether it has only been giving lip service to reform. An unpublished policy that contradicts the plain language as well as the intent of the ESA and its implementing language is illegal. Obstructing Namibia’s cheetah conservation strategy is unforgivable and gives little incentive to developing nations to follow Namibia’s model conservation efforts. The decision compromises cheetah conservation. As the Director of Safari Club International’s (SCI) Cheetah Initiative and legal counsel on

the appeals, I will not abandon the effort until it is successful. Just like in the polar bear rule, the information demands and delays have been a subterfuge. The USFWS refuses to acknowledge the benefits of sport hunting and has had to be sued before they allowed the import of leopard, white rhino, bontebok, elephant and now polar bear and cheetah in all probability.

*Federal Laws Apply...*

**A Special Warning On  
Hunting Firearms Export**

**Y**ou may not believe this, but it is very serious. All firearms and ammunition are considered potential “implements of war.” There are strict federal laws governing their export and import regardless of the purpose of the export. Export and import requires a license except in one narrow case. A sportsman can export and re-import for his own temporary personal use up to three guns that he owns and 1,000 rounds of ammunition. Four guns or three rifles and a pistol are one too many, therefore you need to apply to the US Department of State for a special export license. If you have three rifles and intend to leave one with your guide as a gift, it is a serious criminal offense if you don’t get the necessary Department of State permit beforehand. You can only export your personal firearms for your personal use, up to three, if you bring them back. You need a permit if you intend to leave any of them. Of course, the allowance for you and your wife or son (two people) is six guns.

*Supreme Court Acts...*

**Ruling Opens Door For  
Hunt-Related Interests**

**I**n a unanimous decision, the Supreme Court has reversed a line of lower Federal Court decisions that people impacted by the Endangered Species Act did not have standing to bring suit to complain of it. Before the lower courts had held that only those filing suit for the purpose of protect-

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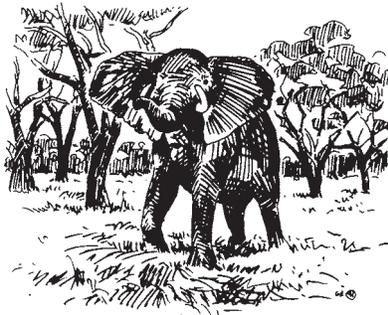
ing the listed species had standing but not others whose personal interests were impacted. The new decision opens doors for sport hunting-related interests and should still benefit species that benefit from hunting. In the famous Elephant Law Suit, SCI, et al. V. Secretary Bruce Babbitt, which was filed to overcome the unpublished internal guidelines that were stopping the import of nearly all elephant trophies, the “standing” of the plaintiffs to bring suit was directly in issue. Some of the claims in the suit were partly dismissed because the claims were perceived to be personal interest, not the interest of the protected species. The very first question the Federal Judge asked me in that case was, “How can SCI profess to care about and be saving elephants when you hunt them?” That indicated the judge thought the membership of SCI was suing to protect its own interest not the species. Some of the claims of two hunting brokers, Jack Atcheson, Sr. and Richard Elliott, were in fact dismissed by the judge because their personal interest from losing brokerage fees from not booking elephant hunts was too remote from standing arising from protection of the species in the judge’s mind. Under the new Supreme Court decision, their loss of brokerage fees would itself be adequate standing to stay in court and SCI would not have to educate or convince the judge on the complex relationships between hunting and the survival of the species being hunted. The Anti-hunters can no longer argue that the ESA is for their exclusive use as they did in the Elephant and Argali suits.

*Countermeasure Needed...*

**HSUS Continues Attack  
On CAMPFIRE Program**

**J**ust as the Congressional Sportsmen’s Caucus is under attack because of its association with hunting interests, so is CAMPFIRE. There is an all out war being waged by the Humane Society of the United States (HSUS) against CAMP-

FIRE. HSUS claims to have 4.5 million members (1.5 million more than the NRA) and is adamantly opposed to all recreational hunting. It has focused in on the world-renowned CAMPFIRE program, proving that no one is safe if associated with sport hunting, much less dependent upon it, as are some of Africa’s poor indigenous blacks. HSUS is showing no more respect for the indigenous blacks of Zimbabwe than it does for the “wealthy” sport hunters who are in reality the United States’ most successful, prominent and exemplary citizens - the leaders of American business, government and industry. Nothing is sacred, whether a dying boy making a wish to the Make A Wish Foundation or poor blacks struggling for their very survival. Our friends in Africa are suffering retribution for our love of wild places and



hunting. HSUS has issued defaming press releases to every major newspaper in the US. The *San Francisco Examiner* had an article entitled “Elephant Killers,” attacking sport hunting, CAMPFIRE and US support of both. Here follows a sample of what appeared in that paper as well as others across the nation: “The Humane Society of the United States went to Congress last month and begged the Senate subcommittee on foreign operations to stop spending taxpayer funds to kill elephants.... We can’t do much about Zimbabwe [allowing hunting], but Congress certainly can bring a halt to the spending of US Funds for the slaughter of elephants for the benefit of wealthy hunters who hope that big guns will make up for any personal shortcomings. If you agree, send a note to Sens. Dionne Feinstein and Barbara

Boxer. Tell them to douse CAMPFIRE.” Perhaps the real intent of HSUS is to send out a message that sport hunting should be avoided unless you wish to expose yourself to worldwide ridicule and be denied funds and aid from donor agencies that spend billions each year. If CAMPFIRE is subject to attack, many others will conclude that no one is safe if associated with hunting! There is only one solution. A proactive countermeasure must be initiated that sends the exact opposite message to developing countries with hunting programs. One such measure would be an Act of Congress expressly directing funds to programs like CAMPFIRE in full recognition of the special contribution sport hunting has and can make. At this time, Congressional representatives are circulating an anti-hunting-proposed bill to take CAMPFIRE’s funds away! We must send an equal and greater opposite message or suffer the consequences.

*How to Avoid Trouble...*

**Trophy Import Problems  
Center On Three Areas**

**T**here are three recurring problems with trophy imports that each traveling hunter needs to understand if he ever handles his trophies or any of their parts himself. The easiest step is the filing of a “Declaration for Importation...of Fish or Wildlife” (USFWS Form 3-177). You must declare all animals and their parts that you bring into the country on the form. This includes the tooth or claw you have in your pocket. It includes pickup items from the ground from animals you did not harvest. If it is a hunting trophy you do not have to state its value so put “NA” or “0”. If it is a purchased animal souvenir, then you have to declare it and state its purchase price. Second, if it is a primate, a special permit is now required (42 CFR 71, 53 and 54) from the National Center for Disease Control in Atlanta, Georgia (Tel. 404-639-8108). It must be shipped in a separate container from your other trophies. Once the skin is tanned the rules are inappli-

cable. All of this is a job for your taxidermist, but you need to let him know you have a primate trophy. Third, if it is a ruminant (all animals that chew the cud, such as buffaloes, sheep,

goats, deer, antelopes and giraffes) or any wild hog or swine, then it must be received and treated by a person licensed by the US Department of Agriculture (USDA). This means that

your taxidermist must be licensed by the USDA and he, not you, must pick up the trophies and handle them until after they are treated. Trophies from Canada are exempt.

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## Briefly Noted

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### Auctioning of Firearms... HSUS Symposium... Quotas Versus Sustained Yield

**Auctioning of Firearms:** *SHOT Business* in their Bureau of Alcohol, Tobacco and Firearms question and answer column report that “delivery” of firearms sold at auctions can only be made at the premises of the licensee with the Federal Firearms License (FFL). They can be sold but can not be delivered at the auction location unless that exact site is the licensed premises. They can be shipped to another licensed dealer but he too can only deliver the firearms on the premises he is licensed for (there is an exception for gun shows). In short, this means that firearms can’t be delivered at the conservation and sport hunting auctions around the country (with the rare exception that the license is for that exact premises).

**HSUS Symposium:** The topic of the HSUS Annual Membership meeting and symposium this year is “Making the Connection: Animal Cruelty and Human Violence.” It is to be at the J.W. Marriott Hotel in Washington, DC on September 9 to 10. Prepare yourself for a lot more allegations that hunters are violent types who are more likely to harm humans. What is ironic is that hardly any segment of society could be more uncivil, rude and antisocial than the common animal rightist. In my past leadership of SCI, I sometimes had my life threatened several times a day by these people who wish to accuse hunters of being dangerous.

**Quotas Versus Sustained Yield:** There is a dangerous misconception by some hunters and the general public that quotas for safari hunting are synonymous with the maximum number of animals that can be harvested without a population decline of that hunted animal. Consequently those people incorrectly think that the exceeding of

a quota threatens the population. Nothing could be farther from the truth. Game animal quotas for safaris are set at a level to maintain trophy quality that is competitive with other hunting destinations. It has little relationship to the harvest level point at which a population decline begins. For example, if an elephant quota were set at .75 percent to maintain trophy quality (which is common), the potential sustainable yield of elephant for meat harvest purposes might be five to seven percent, the annual population growth rate. In this example, hunters would have to exceed the quota seven-fold before the real harvest level limits were exceeded. Even that is an understatement. Trophy hunters shoot

males, which unlike females exist far in surplus of what is necessary for reproduction, i.e., you don’t need them all, so you can harvest more males than females. There have been attempts to reduce population growth by shooting all the males that can be found with the opposite result. The population growth actually increased because the elimination of the older males that provided security from sexual harassment were eliminated, with the result that the younger, more sexually aggressive juvenile males were not suppressed by the larger, more dominant males that had been eliminated. If you are having trouble following this, think of whitetail deer in North America. In some southern states, every buck with any size horn that could be found was harvested each season. Nevertheless, the deer population skyrocketed in growth. The few males that escaped were enough for reproduction as long as the doe population was not harvested. The quota was every male deer that could be found and still the deer have thrived. For trophy deer the quota would have to be like it is at safari destinations, a small fraction of the adult males and would not have the remotest relationship to the maximum sustainable harvest for survival. You can complain about trophy quality but you can’t claim that safari hunting/trophy hunting is jeopardizing a game species in most instances. A low-volume, select harvest of males is far different than the maximum sustainable harvest and therefore even the population estimate upon which a quota is based is generally not critical. In fact, such a harvest can be expected to make room for more productive members of the species (Rowan Martin, Gene Decker).

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*“Serving The Hunter Who Travels”*

MEMO

To: Jim Young, Print N Mail  
From: Elaina Panozzo, Hunting/Angling Reports  
Re: Special Supplement to The Hunting Report, May 1997  
Date April 30, 1997

Jim,

Here's the file for the Special Supplement to The Hunting Report, May 1997 issue. Please fax blue lines for approval ASAP. Don't forget picture of John Jackson on page 2. Print run is 4,125 (3,859 circulation plus 266 overs). Please send overs via UPS 2nd day air.

Thanks! Elaina