Ensuring Our Hunting Heritage

THE SAGA & THE MODEL

Article by Greg Simons

HUNTERS AND HUNTING HAS LONG BEEN THE ENGINE FOR SUCCESS OF WILDLIFE IN NORTH AMERICA. Shamefully, much of our American population has little or no understanding of how this came to be, and consequently, have little appreciation of the integral role that hunters play in wildlife conservation.

This article serves as the first of a three-part series, with the genesis of this work based on concerns about the destiny of our hunting heritage and the dire consequences for our wildlife resources should our public lose touch with the importance of hunting in the wildlife conservation equation.

This first piece will focus on creating a perspective of the hugely successful wildlife restoration phenomenon in North America, and I will articulate the evolution of historical conservation efforts and principles that have served as the support lattice of this remarkable journey. The second part of this series will review how and why our American culture views hunting and wildlife, with some thought-provoking philosophies on how our society’s perception of hunting may ultimately dictate the fate of wildlife in North America. The finale will integrate thoughts from the first two pieces into a look at our hunting markets and how hunting market strength and viability will likely be the determining factor on our ability to capitalize wildlife management for the success of these natural resources well into the future. Additionally, I will create context as to how all of this fits into our Texas style of managing wildlife.
A Look Back

Our North American wildlife past is one that can be described as a "riches to rags to riches" saga that largely took place over a 100 to 150-year period. Unfortunately, only a small percentage of our population is familiar with this important piece of American history.

As Anglo settlement moved westerly across North America during the colonial periods of the 19th century, vast, diverse populations of wildlife were encountered. In 1805, Lewis and Clark reported, upon entering Montana, "The whole face of the country was covered with buffalo, elk, antelope, and deer..." and many other similar records regarding an abundance of other varieties of wildlife are well documented.

Exploration and settlement of these new areas were fueled by this incredible wealth of wildlife, which not only provided vast sustenance resources, but also created financial opportunities for enterprising individuals. This early Industrial Revolution created a shift from about 1820 to 1860 that witnessed a huge demographic population swing from rural to urban settings. Markets for wildlife were born to feed the masses of the city, and a newly-created wealthy elitist segment of our population generated a colossal demand for fancy furs and feathers.

The notion that these natural resources were exhaustible, and the relationship between natural resource conservation relative to potential problems of National welfare had simply not dawned on the public's mind at that time. Market hunting initially took its toll along the coastal shores, waterways, and inland forests, but it rapidly marched its way across the continent with the railway advent, which provided expedient means of shipping large volumes of wildlife products to the growing marketplace.

As wildlife populations were depleted, so were large scale areas of critical habitat. Mature hardwoods along the water courses, pine forests of the Lakes states, and rich prairie pot holes were largely diminished.

In 1885, a cowboy looking for open range grazing traveled some 1,000 miles from Little Missouri, North Dakota, to the base of the Rockies and back. Upon his return, he described to a young Dakota rancher, Theodore Roosevelt, "I was never out of sight of a dead buffalo and never in sight of a live one." By then, the heyday for wildlife in North America was done, at least for awhile.

Conflicts between sport hunters and market hunters led to advocacy by the former for elimination of market hunting, allocation of wildlife by law rather than privilege, and restraint on killing of wildlife for anything other than legitimate purposes. A paradigm shift of sorts was now in place.

There were several noteworthy, early wildlife conservation champions who were instrumental in being able to either read the tea leaves as exploitation was unfolding and/or who had the initiative to drive the most successful wildlife conservation movement in the history of the world. Folks such as George Perkins Marsh, George Bird Grinnell, John Muir, and Gifford Pinchot championed early efforts in the mid to late 1800s with their natural resource expertise and with their inspiring leadership, and the fruits of their efforts are still in place today.

Sportsmen coalesced to form hundreds of clubs and associations during the second half of the 19th century, and with the formation of the Boone and Crockett Club in 1887, we now had a formalized group that took charge of helping enact and enforce game and fish laws. B&C Club also instilled the importance of fair play (fair chase) in hunting in order to preserve the traditional integrity of this activity.

No other one individual was more instrumental in this early conservation movement than Theodore Roosevelt. In addition to co-founding B&C Club, as well as setting aside millions of acres of wildlife lands for the benefit of future generations, Roosevelt also created some of the early wildlife laws that provided momentum for wildlife conservation and recovery through reasonable regulations.

Aldo Leopold's professional and professorial impact on the conservation movement cannot be underestimated. His mentorship and philosophical advancement of the wildlife profession still serves as a point of reference that modern day wildlife enthusiasts use as a compass to provide guidance and vision.

The first hunting license requirements were initiated during the early 1900s, and these mandates created the first real source of funding for state wildlife agencies to operate. This seed money also legitimized wildlife management in the U.S. as a bona fide user pay system that was highly reinforced with the passing of the Pittman-Robertson Act (Federal Aid in Wildlife Restoration Act) in 1937, which created an 11 percent excise tax on sporting arms and ammunition, to be apportioned to state wildlife agencies based on hunting license sales. From there forward, let's just say that the rest of the wildlife conservation success story in North America is history. Many species of wildlife that were depleted to dire levels at the end of the 1800s are now found in abundant levels over much of their historic range, and this is a direct result of hunters' impact.

The Model

Along the way, a template for wildlife conservation success was laid, creating what we commonly refer to as the North American Wildlife Conservation Model. It's the most successful wildlife conservation model on the planet, and as well known Canadian biologist Dr. Valerius Geist puts it, "When I came here from Germany, it was a real eye opener. The whole model here that ties hunting and conservation together is unique and is very successful."

The model's two most basic principles are that our fish and wildlife belong to the citizens and are to be managed in such a way that their populations are forever sustained.

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WILDLIFE IS OWNED BY THE PUBLIC

DATING BACK TO ANCIENT GREEK AND ROMAN LAW, the idea that wildlife is owned by no one and is held in trust by the government for the benefit of present and future generations is what many people consider to be the heart of the Model. The 1842 Supreme Court ruling in Martin v. Waddell laid the groundwork in U.S. common law, and the public trust of wildlife has held up in subsequent U.S. Court cases.

Today, the Public Trust Doctrine has been compromised with certain states’ allowances of private ownership and commercial sale of live wildlife. Here in Texas, our most recent Texas Legislature considered legislation that would provide private ownership of white-tailed deer and mule deer that are registered under a breeder permit. One might ask what the downsides of such conveyance of ownership are, and although this topic is debatable, here are a few.

- Compromised ability for Texas Parks and Wildlife Department to provide regulatory oversight of a keystone wildlife species that supports a multimillion dollar industry in Texas
- Potential public outcry of citizens not tolerant of conveyance of their publicly held resource, bringing into question the breach of their Constitutional rights
- Black eye for hunting community through perceptions that do not agree with raising wildlife in pens and then releasing these animals for hunting purposes, which will smell like canned hunting to some folks
- Possible restitution fees to be paid by the new owner of the deer to the State of Texas for fee consideration of conveyance
- Taxable and liability consequences to the new owner of the deer

Maintaining the integrity of public trust is highly contentious in some settings, but make no mistake, the professional wildlife community has little tolerance of the notion of conveying public trust to the private sector, which has been clearly addressed through the professional peer association, The Wildlife Society, comprising approximately 10,000 members. Texas Chapter of TWS, its largest chapter, recently reached out to its membership through a legislative alert, expressing concern over the proposed legislation mentioned above. The next three “Sisters” evolve from this doctrine.

PROHIBITION ON COMMERCE OF DEAD WILDLIFE

IN THE SECOND HALF OF THE 1800S, buying and selling of meat, hides, feathers, and other wildlife parts was a huge industry, and market hunting was one of the core causes of wildlife depletion over much of North America during this era. With the passing of the Lacey Act in 1900, we had the first Federal law that was intended to help to squelch market hunting by preventing interstate commerce of illegally-taken wildlife.

Certain states have deviated from this prohibition by providing specific allowances of commercial trade in certain species of wildlife. In some cases, such as regulated trapping of fur bearing mammals, we have seen little negative impact on the resource, but in other species of reptiles and amphibians, this is not necessarily the case. Some states forbid the sale of buck skulls and shed antlers in an attempt to discourage poaching and encroachment-related problems.

The Texas Legislature this year considered legislation that would provide legal sale of venison from whitetails and mule deer raised in captivity under a breeder permit. Potential downsides of such allowances are listed below.

- Potential public health hazard due to common use of drugs for immobilization and treatment of deer, whose biochemical properties and how they interact with these species, is not well understood. Human health hazards associated with such adulterated meats could pose perceptions that discourage consumption of venison altogether, pen raised or not, similar to the fear that CWD has created in some states.
- Sale of venison would potentially require reclassification of the species under “amenable” status, perhaps preventing traditional venison donation programs such as Hunters for the Hungry, and loss of these charitable programs minimize goodwill opportunities for the hunting community to establish with the non-hunting public.

DEMOCRACY OF HUNTING LAWS

THIS DEMOCRATIC GOVERNANCE ensures that all citizens have the right to help create laws to manage and conserve wildlife.

In Texas, this democratic relationship between citizens and wildlife is available through open public forum meetings on the regulatory side and through input from the public to their legislators on the statutory side. Never underestimate the power of public input in the processes that shape laws and regulations.

HUNTING OPPORTUNITY FOR ALL

EVERYONE IN THE U.S. AND CANADA is allowed to hunt and fish, regardless of the social status, race, creed, religion, or gender. Roosevelt’s work, through setting aside millions of acres of wildlife lands for the public’s enjoyment, helped ensure access issues for all citizens.

Some folks may contend that restricted access to enjoy wildlife on private lands circumvents this hunting democracy. Texas, for instance, is 96 percent privately owned, so it is largely the landowner’s choice to determine who has access for hunting over much of this state. Indeed, this closed gate system does inherently restrict access to much of these hunting grounds, but the flip side to this is that fee-based hunting programs, which characterize much of the Texas hunting scene, provide an incentivized relationship that in many cases drives landowners to reinvest huge sums of money and energy into wildlife resource management. Due to these enterprising opportunities, some of the finest wildlife lands in the U.S. are on private properties where seed monies for habitat and wildlife management originate from hunters’ pockets, reinforcing the user pay system that is responsible for wildlife’s recovery in North America.
5. **Non Frivolous Use**

This tenet addressed the extreme wanton waste of market hunting. Today, the ideology that hunters should practice reasonable, ethical standards regarding ultimate disposition over their harvest, is essential in preserving the integrity of this activity.

In Texas, there are waste of meat laws that can slap the violator with a Class A misdemeanor charge, which is a criminal offense more serious than a DWI charge.

6. **International Resources**

Fish and Wildlife do not recognize boundaries of states or nations as an impediment to movement or migration. Joint efforts between states and nations can be critical in conserving and managing certain species, and agreements or treaties between these areas are sometimes necessary to ensure these coordinated efforts. The 1911 Fur Seal Treaty and 1916 Migratory Bird Protection Act are two great examples.

7. **Scientific Management**

Science as the most appropriate discharge of wildlife policy ensures that management applications are generally based on sound processes. This was recognized early in the Model’s formation, and this is one of the hedges at ensuring that our publicly-held wildlife resource is managed prudently to ensure sustainable use for future generations.

Yes, even though it is the landowner in Texas that actually delivers the service of managing wildlife on their respective properties, joint relationships with state natural resource agencies that represent the public’s interest in wildlife through science-based expertise, creates a synergy of leveraged strength resulting in Texas being a showcase for diverse, rich wildlife lands.

The Texas Wildlife Association believes the North American model of wildlife management, whereby wildlife is a public resource that is managed through the funds provided by hunters and land stewards through free market economics, licenses, permits and specified excise taxes, provides an example for the world to follow.

You may or may not agree that the NAWCM is still the answer for guiding us into the future for the continued success of wildlife in North America. But, what can’t be denied is the fact that this Model worked 100 years ago, it worked 50 years ago, and it still works today. As well-known wildlife and hunting lecturer Shane Mahoney put it, “Because of the Model, we now enjoy the most democratic and abundant hunting and fishing opportunities on the earth.” Beyond reproach, it is the most successful international wildlife conservation model, and it was orchestrated by concerned hunters, for the benefit of all, including non-hunters.