

Legal Considerations for Turtle Conservation

*Lessons from the history of conservation in North
America*

Gordon Batcheller

AFWA's Resolution and Model Language:

*Cooperatively-Produced Resources for Voluntary
Coordination among Jurisdictions*

Lane Kisonak



ASSOCIATION *of*
FISH & WILDLIFE
AGENCIES







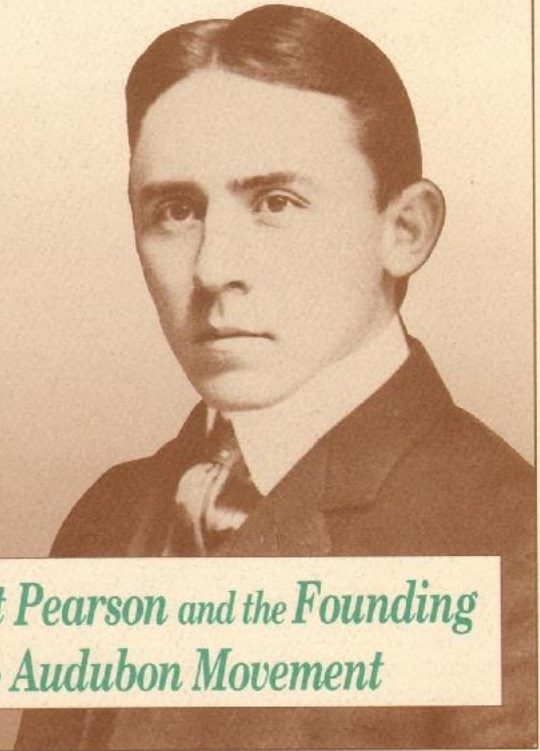


STORIES
OF BIRD LIFE

BY T. GILBERT PEARSON

B-F JOHNSON PUBLISHING CO.
RICHMOND VIRGINIA

SAVING
AMERICAN
BIRDS



*T. Gilbert Pearson and the Founding
of the Audubon Movement*

Oliver H. Orr, Jr.



Public Outcry

- Absolute abolishment of trade in Game
- Political activism
- Audubon Societies

FOREST AND STREAM.

A WEEKLY JOURNAL OF THE ROD AND GUN.

NEW YORK, SATURDAY, FEBRUARY 8, 1894.

Vol. 12, No. 1.

For Prospects and Advertising Rates see Page 5.

A PLEA.

THIS is 1894. We have just been celebrating the four-hundredth anniversary of the coming to this continent of one equipped with firearms. For four centuries, from the time of Christopher Columbus to that of Charles Delano, we have been killing and marketing game, destroying it as rapidly and as thoroughly as we know how, and making no provision toward replacing the supply. The result of such a course is that for the most part the game has been hunted out from wide areas, and today, after four hundred years of waste and wastefulness, we are just beginning to ask one another how we may preserve the little that remains, for ourselves and our children.

With all the discussion of the subject in the columns of the *Forest and Stream* from 1873 to 1894, there has been and is a general consensus of opinion that the markets are answerable for a larger proportion of game destruction than any other agency or all other agencies combined. The practical nullification of one species of large game from the continent, and the sweeping off of other species from vast regions formerly peopled by them, have not been brought about by the action of the market, but by marketing the game for commercial purposes. The idea, now doing itself best to make happy a company of sportsmen, who hunt for the sake of hunting, has had an effect so trivial, that in comparison with that of the market hunter it need not be taken into account. The game penalty of today is due to the skin hunter, the most killer, the market shooter.

From the beginning wild game has played an important part in the development of the country. It has supplied subsistence when there was no other food for the deer and the rabbit, and it has been a source of food for the poor and the sick. It has been a source of food for the soldier and the sailor, and it has been a source of food for the laborer and the farmer. It has been a source of food for the rich and the poor, and it has been a source of food for the whole people. It has been a source of food for the present and for the future, and it has been a source of food for the whole world.

But times have changed. Conditions are not what they were. Game will afford food for the dweller in the wilderness, for those who live on the mountains, and for people in such situations where it is cheaper commonly than food. But for the vast and over-crowded multitude of the people of the continent game is no longer in any sense an essential factor of the food supply. It has become a luxury, it is no longer a necessity, and it is no longer a source of food for the whole people. It is no longer a source of food for the present and for the future, and it is no longer a source of food for the whole world.

There are many who will say that the game is still a source of food for the poor and the sick, and that it is still a source of food for the laborer and the farmer. But this is not true. The game is no longer a source of food for the poor and the sick, and it is no longer a source of food for the laborer and the farmer. It is no longer a source of food for the whole people, and it is no longer a source of food for the whole world.

It is an old saying that we must have our winter snows, meaning that if the cold weather be not prolonged during the usual time it will come with intensified rigor before the coming of spring. Nevertheless, this is proving to be so far a season of unusual mildness, and in consequence of much advantage to game, over a wide area in the latitude. If the favorable weather conditions shall continue to corresponding degree through the winter, the result will be manifested next season in an increased supply of quail and other game.





United States Department of Agriculture

BUREAU OF BIOLOGICAL SURVEY.

E. W. NELSON, *Chief of Bureau.*

SERVICE AND REGULATORY

MIGRATORY BIRD TREATY, ACT,

CONVENTION BETWEEN THE
FOR THE PROTECTION OF M
AND CANADA.²

[39 5]

BY THE PRESIDENT OF THE UNITED STATES

A PROCLAMATION.

Whereas a Convention between the United States of America and
the United Kingdom of Great Britain and Ireland for the protection
of migratory birds in the United States and Canada was concluded
and signed by their respective Plenipotentiaries at Washington





FEDERAL FISH AND WILDLIFE PERMIT APPLICATION FORM
Migratory Bird Import/Export
(Migratory Bird Treaty Act, 50 CFR 21.21)
U.S. Fish and Wildlife Service
Division of Migratory Bird Management



BEFORE FILLING OUT THIS FORM, please access the [Return Addresses](#) (to obtain the email/postal mail addresses where this form can be returned), and read the form [Frequently Asked Questions](#) and [Instructions](#). Please retain the "NOTICES" page for your records.

TYPE OF REQUEST

- New Application
 Renewal
 Amendment

If requesting a renewal or amendment, provide Permit # _____

Complete Sections A or B, and C, D, and E of this application. U.S. address may be required in Section C, see instructions for details. See instruction page(s) for information on how to make your application complete and help avoid unnecessary delays.

A. Complete if applying as an individual			
1.a. Last name	1.b. First name	1.c. Middle name or initial	1.d. Suffix
2. Date of birth (mm/dd/yyyy)	3.a. Telephone number	3.b. Alternate telephone number	3.d. E-mail address
B. Complete if applying on behalf of a business, corporation, public agency, Tribe, or institution			
1.a. Name of business, agency, Tribe, or institution		1.b. Doing business as (dba)	
2. Tax identification no.		3. Description of business, agency, or institution	
4.a. Principal officer Last name	4.b. Principal officer First name	4.c. Principal officer Middle name/ initial	4.d. Suffix
5. Principal officer title		6. Primary contact name	
7.a. Business telephone number	7.b. Alternate telephone number	7.c. Business fax number	7.d. Business e-mail address
C. All applicants complete address information			
1.a. Physical address (Street address; Apartment #, Suite #, or Room #; no P.O. Boxes)			
1.b. City	1.c. State	1.d. Zip code/Postal code:	1.e. County/Province
1.f. Country			
2.a. Mailing Address (include if different than physical address; include name of contact person if applicable)			
2.b. City	2.c. State	2.d. Zip code/Postal code:	2.e. County/Province
2.f. Country			
D. All applicants MUST complete			
1. A nonrefundable processing fee is required to process this permit, please attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE. Federal, Tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee - Please see link for processing fee cost and fee exempt status as outlined in 50 CFR 13.11(d) . Click here for Processing Fees .			
2. Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, list the number of the most current permit you have held or that you are applying to renew/re-issue:			
3. Certification: I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13 of the Code of Federal Regulations and the other applicable parts in subchapter B of Chapter I of Title 50, and I certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.			
Signature of applicant/Principal Officer (No stamped signatures. Electronic signatures accepted.)		Date of signature (mm/dd/yyyy)	

Please continue to next page







What are the lessons from the history of conservation?

AFWA Resolution 2022-01-04

In Support of Enhancing Regulatory, Collaborative, and Strategic Capacity to Combat the Illegal Trade in Turtles

Problem Statement

- **WHEREAS**, turtles are one of the most **vulnerable** vertebrate groups worldwide, and **unsustainable take** is a significant threat to turtle species;
- **WHEREAS**, delayed maturation, small clutch sizes, low embryonic and juvenile survival rates, and increased vulnerability of nesting females can predispose turtle populations to **rapid declines following loss of adults**;

AFWA Resolution 2022-01-04

The Collaborative Approach

- **WHEREAS**, natural resource management agencies are making considerable efforts to reverse turtle population declines by collaboratively developing **model legislative** and **regulatory language**, convening **workshops and conferences** designed to assess **regulatory, capacity, and funding** needs, population statuses and limiting factors, developing **confiscation** and **repatriation** plans, and taking **law enforcement** actions;
- **WHEREAS**, these efforts are sustained by **leadership support** and **coordination** between **biological, law enforcement,** and **legal and policy** personnel, including through directed training, skills development, and information-sharing;
- **WHEREAS**, agencies can benefit from **consulting experts** on aspects of prosecutions such as **species identification, handling protocols,** and **managing evidence**;

AFWA Resolution 2022-01-04

Identifying a Path Forward

- **NOW THEREFORE BE IT RESOLVED**, that AFWA recognizes that the illegal trade in turtles is a significant threat to native turtle species that natural resource management agencies are entrusted to manage and conserve;
- **BE IT FURTHER RESOLVED**, that AFWA urges agencies to identify enforcement of laws and regulations for the conservation of native turtles as an important law enforcement priority, communicate the urgency of this priority to prosecutors, judges, and other arms of law enforcement, and engage with federal partners to make use of enforcement tools available including the Lacey Act, other federal statutes, and the IWVC;
- **BE IT FURTHER RESOLVED**, that model language and reports on regional needs emphasize the clarification of agency functions in conserving turtles

AFWA Model Statutory Language

Statement of policy

- **Highlight:**
 - Benefits of healthy and abundant herpetofauna to the State
 - History of successful wildlife conservation programs within the State
 - Policy of conservation of all wildlife in perpetuity for the enjoyment of the people
- **Focus on:**
 - Importance of amphibians and reptiles to the State's ecosystems
 - Existing needs and gaps, whether regulatory, capacity, or financial

AFWA Model Statutory Language

Definitions

- “**Wildlife**” means all wild birds, mammals, fish, reptiles, amphibians and other wild aquatic forms, and all other animals which normally can be found in the wild state, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive, and shall extend to and include any and every part of any individual species of wildlife, whether or not bred, hatched, or born in captivity, and including any part, product, egg, or offspring thereof” **(OK)**
- “**Wildlife**” means all species of invertebrates, fish, amphibians, reptiles, birds and mammals which are wild by nature. **(CT)**
- “**Wildlife**” means all wild birds, mammals, fish, reptiles, amphibians, and invertebrates which are found in the wild state, and shall extend to and include any and every part of any individual species of wildlife, including any part, product, egg, or offspring thereof. **(MIX)**

AFWA Model Statutory Language

Authority to regulate take, possession, scientific collection, commercial use

- **Prohibitions:** Take, possess, hunt, fish, trap ... personal use, export, sale, commercial purposes ... Commission, Department, Board
- **Legal harvest:** Commission, Department, Board ... legal harvest seasons by rule or regulation ... license requirements, season dates, bag limits, methods of take, areas of harvest, reporting requirements
- **Scientific study:** Commission, Department, Board ... revocable licenses for scientific study ... criteria for licenses, application procedures, revocation procedures