

# CONSERVATION

## National Wildlife Refuges

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It is fairly common for devotees of the Boone and Crockett Club, as well as aficionados of President Theodore Roosevelt, to

identify the year 1903 as the start of the United States National Wildlife Refuge System.

While TR was certainly a major player in the history of America's wildlife refuges, the actual story of how the federal government set aside habitat for the protection of wildlife is more complicated, and the designations of "refuges," "reserves,"

"preserves," "reservations," and even "areas" were used somewhat interchangeably.

During the early 1800s, all land within the United States not privately or state owned belonged to the public domain. As the U.S. expanded its territory, this

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federal land also grew. One such piece was the Yosemite Valley. In 1864, with the Civil War still raging, by an act of Congress, the federal government gave Yosemite Valley to the state of California, which "shall provide against the wanton destruction of the fish and game found within said reservation." Although later expanded and given back by California to the federal government, Yosemite Valley appears to have been America's first dedicated wildlife refuge.

### Pribilof and Afognak Islands

Five years later, prodded by president Ulysses S. Grant, Congress enacted legislation to protect Alaska's Pribilof Islands. The Pribilofs were a major seal rookery, and the seal fur trade was commercially valuable. This act was the first official effort by the federal government, rather than a state, to protect and manage a wildlife resource, even if done for commercial reasons.

In 1891, Congress passed the Forest Reservation Creative Act (known simply as the Creative Act) that empowered the president to "set apart and reserve, in any state or territory having lands... in any part covered with timber or undergrowth, whether of commercial value or not, as public reservations..."

Boone and Crockett Club co-founder George Bird Grinnell campaigned in his newspaper, *Forest and Stream*, to establish Alaska's Afognak Island as a refuge for walrus, sea lions, seals, sea

otters, and marine birds. In 1892, President Benjamin Harrison created the Afognak Forest and Fish Culture Reserve. Because Afognak was partially forested, the president stretched the criteria of the Creative Act and set Afognak aside as a salmon-spawning reservation. He used the forests on the island as the reason to limit fishing and hunting on not only the land itself, but in the adjacent waters. Afognak, however, was termed a "reserve," not a "refuge."

President Grant was involved with another wildlife protection effort. It was under his watch that the Organic Act was passed in 1872 to create Yellowstone National Park. But it took another 22 years before President Grover Cleveland

signed the Yellowstone Protection Act that, among other things, made illegal the killing of wildlife within the park. Again, the word "refuge" was not used.

### Pelican Island

Grinnell's editorials also railed against the rampant millinery trade in which the excessive use of bird plumes for ladies apparel was decimating many bird populations. Grinnell was not alone. The Audubon Society was founded as an advocacy group to protect the threatened birds.

Theodore Roosevelt, the other co-founder of the Boone and Crockett Club, had been an ornithologist since his youth. When TR ascended to the presidency in 1901, the Boone and Crockett Club had been in existence already for 14 years. Among Roosevelt's friends were a number of nationally known ornithologists, the two most prominent being C. Hart Merriam and Frank M. Chapman. Merriam had joined B&C in 1893, and Chapman would enter in 1926. It was Merriam and Chapman who pointed out the plight of Pelican Island to the president.

Pelican Island was a five-and-a-half acre piece of land at the mouth of Florida's Indian River. Nests of brown pelicans, egrets, great blue herons, and roseate spoonbills saturated the island's mangrove swamps. The plumes of these birds were still highly desirable in the now illegal millinery trade. In addition, fishermen, who erroneously considered the birds as competition for the fish, joined in the killing, and of course sold the skins illicitly for an added profit.



# ON timeline

Theodore Roosevelt never made it to Florida's Pelican Island, which he established with a stroke of a pen in 1903. However, six years after leaving the presidency, Roosevelt did visit the Breton National Wildlife Refuge, a string of islands in the Chandeleu chain in St. Bernard Parish, Louisiana, designated as a refuge in 1904. Roosevelt visited the refuge in 1915. The trip was recorded in one of his autobiographies, "A Book Lover's Holidays in the Open." Roosevelt recounts contemplating the world, as he approached the final years of his life, from this solitary perch on Bird Island. **FAR LEFT:** Early visitors watch Old Faithful Geyser in Yellowstone National Park in 1878.



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The impetuous Roosevelt could have taken the standard route and requested Congress to pass a bill making Pelican Island off-limits for hunting and trapping. That, however, was not TR's style. Borrowing a page from President Harrison and the Afognak Reserve, TR determined that the mangrove and palmettos were indeed "timber," and on March 14, 1903, under the authority of the Creative Act, issued an order that Pelican Island was "hereby reserved and set apart for the use of the Department of Agriculture as a preserve and breeding-grounds for native birds."

### More Reserves and Refuges

The "reserve" ball started to roll. State Audubon societies bombarded Roosevelt with requests for other bird sanctuaries. In short order, TR issued executive orders establishing many other wildlife reserves.

Congress followed suit when it established the Wichita Mountains Forest and Game Reserve (1905) and the National Bison Range (1908). By the time he had left office in 1909, President Roosevelt had established 51 wildlife reservations in 17 states and three territories.

The Isaak Walton League purchased land north of Jackson, Wyoming, and donated it to the United States as a nucleus for a winter elk reserve. The federal government added more land, and in 1912 created the National Elk Refuge, the first time that the word "refuge" was used in the name of a wildlife protective area.

### Migratory Bird Act, Treaty, and Stamp

Most reserves and refuges, however, were set aside for migratory birds. Hunting regulations differed from state to state, as did the intensity of law enforcement. The Boone and Crockett Club, through such members as John Burnham and again Grinnell, along with other conservation groups, lobbied Congress to have the federal government take over authority for waterfowl and other migratory birds. This was accomplished when the Weeks-McClearn bill, a.k.a. the Migratory Bird Act, was added as a rider to the agricultural bill, and signed unknowingly into law by President Howard Taft in 1913.

There was an immediate legal challenge to the law's constitutionality by Southern and Western states-rights advocates. Woodrow Wilson, who was more sympathetic to the cause of the conserva-

**Boone and Crockett Club member Ira N. Gabrielson was also a giant in the history of the National Wildlife Refuge System. He rose to succeed J.N. "Ding" Darling as chief of the Bureau of Biological Survey. Under his leadership, the refuge system expanded rapidly. Gabrielson is shown here releasing a duck at Roaches Run near Washington, D.C., on March 8, 1940.**

tionists, replaced Taft as president in 1913, and the United States immediately began negotiations with Great Britain (Canada was not yet independent) for a comprehensive North American migratory bird plan. John Burnham was one of the lead negotiators. The Senate ratified the Migratory Bird Treaty between the United States and Canada in 1918, and the Supreme Court ended the legality question when it upheld its constitutionality two years later.

Although the federal government continued to acquire lands for reserves and refuges, they were poorly managed, habitat was deteriorating, and the total size was inadequate to accomplish significant migratory bird protection. In 1921, a bill was introduced in Congress to establish a "refuge system," a Migratory Bird Refuge Commission, and a federal hunting stamp. Over the next eight years, the bill was introduced and defeated four times, but finally in 1929, having been stripped of the stamp provision, it became law as the Migratory Bird Conservation Act.

Five years later, however, the Migratory Bird Hunting and Conservation Stamp Act (the Duck Stamp Act) was passed. This act successfully raised funds for refuge habitat acquisitions and management, and allowed hunting on many refuges.

### Fish and Wildlife Service

That same year, President Franklin Roosevelt appointed a three-person "blue ribbon committee" to address waterfowl needs. Two of the three were Boone and Crockett members

Aldo Leopold and Norwood "Ding" Darling. Excessive legal hunting, poaching, habitat loss, and the "dust bowl" drought had caused a waterfowl crises. The committee not only recommended solutions, it contacted state conservation clubs, gun clubs, and Isaak Walton League chapters to create a groundswell of support for refuge funding.

Darling in 1935 was appointed to head the Bureau of Biological Survey, which had been ineffectively in charge of the refuge system. He successfully reorganized the agency. By limiting hunting days and bag limits, by outlawing baiting and live decoys, and by limiting shotguns to three shells, he also reversed the decline in duck and goose populations. Darling's efforts helped salvage the refuge system.

In 1940, the Bureau of Biological Survey (within the Department of Agriculture) merged with the Bureau of Fisheries (from the Department of Commerce) to become the U.S. Fish and Wildlife Service (USFWS) within the Department of Interior.

The USFWS today remains responsible for our National Wildlife Refuge System. The 520 units in the 50 states and territories encompass 93 million acres of wildlife habitat. Of these, 1.9 million acres are in the prairie pothole region of the north-central United States, and another 20.6 million acres have been designated as wilderness areas by the provisions of the 1964 Wilderness Act. The seeds of wildlife reserves planted in the late 19th century and enhanced by Theodore Roosevelt in the early part of the last century have indeed borne their fruit very well. ■

