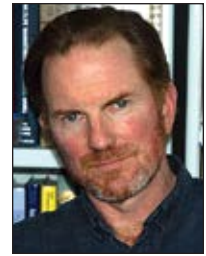


FUR TRAPPING AND THE NORTH AMERICAN MODEL OF WILDLIFE CONSERVATION

SCIENCE BLASTS



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There is great diversity in the manner in which people throughout the world appreciate, denigrate, use, enjoy, and fear or dislike wildlife. For example, in North America, people typically have positive attitudes towards African elephants, while some people in certain parts of the range of African elephants fear and dislike them because of crop depredation and the risk of human injury or death from encounters with the animals. Similarly, many North Americans look favorably upon animals such as beavers, coyotes, river otters, and raccoons, unless they experience direct conflict in the form of property damage (e.g., beaver flooding), depredation (e.g., coyote and river otter predation on livestock and fish farms, respectively), or injury, which can change their attitude dramatically. A challenge for wildlife managers is to maintain animal populations at levels that ensure their continued viability while minimizing negative conflicts with humans.

The concept of “social carrying capacity” differs from “biological carrying capacity” in that the latter refers to the limit of a population in terms of what its habitat or environment can support, while the former refers to the limit of a population in terms of the tolerance of the human society with which it coexists. Finding that balance whereby animals can exist and human uses such as viewing and

harvesting (where appropriate and legal) can be done sustainably while conflicts are minimized can be the essence of wildlife management.

Sustainability is a term that has been in vogue for a long time now. As human societies, particularly post-industrial ones, come to grips with their footprint on resources, both renewable and non-renewable, products and activities that are labeled sustainable have favorable connotations. The International Union for the Conservation of Nature (IUCN) supports sustainable use and has a formal Sustainable Use and Livelihoods Specialist Group, whose North American chair is Club Professional Member Shane Mahoney. It is no accident that the term livelihoods is included in the group’s title, as livelihood in many, if not most, parts of the world is tied to direct-resource use. Protein derived directly from the Amazon and Mekong watersheds alone is critical to the survival of hundreds of millions of rural and indigenous people.

So, it is safe to say that sustainable use of natural resources is accepted in the United States and Canada, provided (1) the use serves a practical purpose, (2) a species or population is not threatened by the use, and (3) the methods of use are generally acceptable to society (these three principles were outlined in a report sponsored by the Canadian government related to the harvest of seals).

Sustainable use is a cornerstone of North American wildlife conservation.

Recently, there has been a resurgence of legislative action that would ban or greatly restrict fur trapping in certain jurisdictions in the United States. The protagonists of these initiatives claim that trapping is inconsistent with the North American Model of Wildlife Conservation (NAM) and violates principles of wildlife governance. Are these claims valid? No, and I’ll explain why.

In the Club’s landmark textbook, *North American Wildlife Policy and Law*, edited by professional members Bruce Leopold, Wini Kessler, and James Cummins, I authored a chapter on NAM and the Public Trust Doctrine (PTD) that is based on nearly three decades of collaboration with Valerius Geist and Shane Mahoney, the two most important authorities on NAM, and others. The claims of the protagonists who oppose fur trapping are that the NAM principles “Wildlife is

a Public Trust Resource” and “Elimination of Markets for Game” are violated. They also cite a paper I coauthored titled, “Governance Principles for Wildlife Conservation in the 21st Century,” stating that fur trapping is in conflict with the principles espoused therein. Let’s take a close look at these claims.

The PTD, an 1842 Supreme Court decision, is the common law basis for wildlife ownership in the United States. It essentially places wildlife in the trust of state governments to conserve for the benefit of current and future generations, except where the constitution provides for federal ownership (Property Clause, Commerce Clause, Supremacy Clause [federal treaties]). The government, as trustee, has certain responsibilities in managing the wildlife trust for the beneficiaries of the trust, i.e., all

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citizens. In a paper I published in 2014, I summarized trustee responsibilities as:

- **Prudence:** careful management; exercise of good judgment
- **Risk aversion:** conservative management; economically responsible decision-making
- **Loyalty to beneficiaries:** avoidance of favoritism and conflict of interest; fairness and equitability
- **Corpus protection:** balancing current benefits against the sustainability of trust resources
- **Application of expertise:** use of special skills and knowledge relative to trust resources in decisions
- **Adaptability:** information on trust status and beneficiaries' interests should be regularly updated to allow for adjustments in objectives and actions

Does state management of fur trapping violate these responsibilities? Given that no species has been endangered by trapping programs in modern history under management by state wildlife biologists, and furbearer populations are generally abundant enough for viewing even though most species are nocturnal and shy, it cannot be claimed that there is mismanagement or favoritism towards the relatively small proportion of the human population who trap. Furthermore, as illustrated earlier, balancing the desire to maintain viable populations and minimize conflicts with humans is a challenging endeavor, and fur trapping is one tool wildlife managers have to manage furbearer conflicts. As an example, beaver trapping in Massachusetts

was greatly restricted after a 1996 ballot initiative. Mass-Wildlife had been conducting annual surveys to attain beaver population estimates for some number of years prior to the restrictions being imposed, and these surveys continued. Estimates indicated the beaver population tripled in a matter of a few years after the restrictions were put in place, and damage complaints skyrocketed. The end result is that people now pay up to \$500 to private nuisance wildlife trappers to remove a single beaver under permit, whereas before the law was enacted, fur trappers were doing the work and paying for a license to have the privilege and use the meat, pelt, glands, and other products from the animal. Fur trappers also had a vested interest in the perpetuation of the species,

whereas under a nuisance management regime, significant reduction is the goal. The result: beavers, once considered a valued resource, are now considered by many to be a liability.

What about markets for fur and the NAM principle pertaining to game markets? The markets for game meat to feed the burgeoning urban population during the Industrial Revolution in the 19th century led to the decline and even extinction (passenger pigeon) of species. Unregulated fur trapping in the first half of the 19th century led to dramatic reductions in furbearer species. The need to manage conflicts contributed to the legalization of fur trapping in most states under highly restrictive regimes. Market hunting of game was driven by economics, and the

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“tragedy of the commons,” whereby if you didn’t get the last one, someone else would, ruled the day. Today’s legal fur market is much different than the former legal market for game meat. Sociocultural studies of trappers suggest economics are not a primary motive; most engage in trapping for the challenge of capturing wary animals and the associated lifestyle—similar to fair chase hunters. The modest income provided by the sale of pelts helps defray expenses and provides additional motivation. In my own work, and that of many other wildlife biologists, trappers are a wealth of information and are often the first ones to raise alarm over possible environmental contaminants in aquatic systems, based on their site-specific observations. The fur market is quite different than the game meat market, and under the highly regulated management regimes in place today, does not violate the NAM principle. Another important distinction is that by helping to keep furbearer populations within human tolerance limits, the fur market serves a conservation purpose.

What about good governance? As I mentioned, a paper I coauthored has been cited by opponents of trapping. The paper in question outlined

governance principles, below, for wildlife trustees.

Wildlife governance will:

1. Be adaptable and responsive to citizens’ current needs and interests, while also being forward-looking to conserve options of future generations;
2. Seek and incorporate multiple and diverse perspectives;
3. Apply social and ecological science, citizens’ knowledge, and trust administrators’ judgment;
4. Produce multiple, sustainable benefits for all beneficiaries;
5. Ensure that trust administrators are responsible for maintaining trust resources and allocating benefits from the trust;
6. Be publicly accessible and transparent;
7. Ensure that trust administrators are publicly accountable;
8. Include means for citizens to become informed and engaged in decision making;
9. Include opportunities for trust administrators to meet their obligations in partnerships with non-governmental entities; and
10. Facilitate collaboration and coordination across ecological, jurisdictional and ownership boundaries.

Please note principles 4 and 5: Trustees will produce multiple, sustainable benefits for all beneficiaries and allocate benefits from the trust. Fur trapping under the oversight of trustees is consistent with these principles, so long as furbearers remain on the landscape so others can enjoy them as they please.

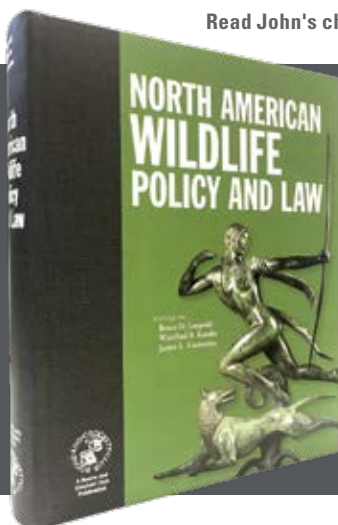
Earlier I outlined three principles that apply to the acceptance of sustainable use. One of these is that the method of use is generally accepted in society. Trap devices have become a lightning rod for advocacy against trapping because of perceptions of cruelty. Images of steel traps and claims of animals chewing their feet off have mobilized many to oppose trapping. The reality is modern-day fur trapping has advanced significantly, and best management practices (BMPs) for trapping in the United States have been developed through an ongoing collaboration with the Association of Fish and Wildlife Agencies, USDA Wildlife Services, Fur Institute of Canada, the Association of Wildlife Veterinarians, the National Trappers Association and others. The guidance on trap devices—including modern foothold traps—that will meet animal welfare, safety,

efficiency, selectivity, and practicality standards have been developed through more than two decades of field and laboratory research and testing. The claims of cruelty and use of archaic devices simply are not true. Trappers have no inclination or desire to inflict suffering on animals they harvest, or to capture non-target animals. The active participation of fur trappers in BMP research is testament to this.

It is unfortunate that advocacy groups are transmogrifying principles developed by wildlife professionals designed to advance our profession in order to challenge accepted and legitimate wildlife management practices. Beware—this will not be the last we see of these attempts, and we need to ensure we look beyond the rhetoric and understand the core of these principles. In so doing, we hopefully can retain sustainable uses that provide benefits to conservation and livelihoods. ■



Read John's chapter on the North American Model and the Public Trust Doctrine.



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EDITED BY : Bruce D. Leopold, Winifred B. Kessler, and James L. Cummins

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