WILDLIFE UTILIZATION
1. To give a history of wildlife utilization laws

2. To identify and explain laws and regulations regarding the utilization of wildlife
Historical Use of Wildlife

Roman Times
500 B.C. - A.D. 476

- Hunting

- practices were favored because it developed military skills
- landowners had right to hunt on their property
- wildlife belonged to everyone
- wildlife became property once captured or killed
Roman Times
500 B.C. - A.D. 476

- Domesticating
  - Raised wildlife for recreational and commercial purposes
    - rabbits
    - wild boar
    - deer
    - exotics
  - Used for food and to cure diseases
  - Developed game reserves and feeding grounds
Historical Use of Wildlife

Middle Ages
A.D. 350 - A.D. 1450

- General Hunting
  - recreational hunting was popular, and game farming was extensive
Hunting in Feudal Europe

- maintained qualification status - reserve right of hunting to landowner and friends

- concerned with keeping weapons out of the hands of the conquered

- considered essential for conservation and keeping common folk from neglecting their trade

  - common folk could only hunt on non-work, non-religious days (i.e., never)
Hunting Laws in England

- 800 A.D. - Forest Laws
  - used for “highest and best use”
Hunting Laws in England

- 1215 A.D. - Magna Carta
  - took power away from king and bestowed it on Parliament
  - continued practice of qualification status
    - still needed wealth and land to hunt, no one could take game unless qualified
  - gave complete authority of the King and Parliament to determine what rights others might have with respect to taking of wildlife
  - maintained class distinction
  - continued to keep weapons from the poor
Hunting Laws

“The right to hunt on alien property and compulsory services connected with the chase are abolished without compensation. Henceforth, the right to hunt shall be that of the landowner on his own property.”

Game Ownership

Game became property of the people

- Turned hatred of wealthy to wildlife
- Annihilated game species
- Created pursuit of migratory song birds
- Gave land owner control of game
Wildlife Management in Europe

- Followed goal to produce useful game and eliminate predators
  - wolves
  - lynx
  - bear

- Used Professional Game keepers
  - Game master - position obtained only after years as an apprentices
  - European System developed the first foresters
French Revolution

Revier System

- Was responsible for saving game species in Europe
- Developed in early 1800s
- Registered acreage of greater that 75 to 150 h.a.
- Included private, state or corporate owned land
- Allowed land to be kept or leased out long term (i.e., nine - 12 years)
- Managed by owner
- Deputized all hunters
  - allowed hunter to disarm and hold trespassers
- Allowed meat to be sold by revier owner
Specified requirements to hunt on a revier

- hunter must have a Hunter ID
- hunter must be at least 16 years old
- hunter must renew licenses every one - three years

Created problems

- created heavy over utilization of resources
- required winter feeding
- created large cost of depredation
United States in the 1900s

- People did not believe in laws that favored one group or class in the United States
  - everyone had guns
  - wildlife seemed inexhaustible
  - everyone used wildlife for food
  - wildlife was sold for food
  - predators were sold for bounty
United States in the 1900s

- Federal and State Legislation was relatively insignificant
  - some sport species were protected by law
    - 1639 - Rhode Island closed deer season
    - 1880 - all states had laws regarding wildlife
    - 1890 - U.S. Census was completed
      - frontier was gone
      - people could no longer waste resources
  - 1900 - conservationalist Teddy Roosevelt was in full swing
  - Sierra Club was 8 years old
Federal Powers

- To make treaties
- To control interstate commerce
- To manage federal property
Themes of Federal Wildlife Law

- Acquiring and managing Wildlife Habitat
  - Migratory Bird Conservation Act of 1929
  - National Wildlife Refuge System Administration Act of 1966
  - Forest Service Organic Administration Act of 1897

- Funding for wildlife programs
  - The Migratory Bird Hunting Stamp Act of 1934
  - The Federal Aid in Wildlife Restoration Act of 1937
  - The Federal Aid in Fish Restoration Act of 1950
  - The Land and Water Conservation Act of 1964
Themes of Federal Wildlife Law

- Regulating the taking of wildlife
  - The Migratory Bird Act of 1918
  - The Bald Eagle Protection Act of 1940
  - The Wild Free-Roaming Horse and Burro Act of 1970

- Regulating commerce in Wildlife
  - Lacey Act of 1900
  - Migratory Bird Act of 1918
  - Black Bass Act of 1926

- Conserving Endangered Species
  - Endangered Species Act of 1966
  - Endangered Species Conservation Act of 1969
  - Endangered Species Act of 1973
EXPLANATION OF ACTS

Forest Service Organic Administration Act of 1897

- Managed multiple use lands
- Identified three purposes of use
  - protect forest
  - secure favorable water flows
  - supply timber
Lacey Act of 1900

- Aimed toward the protection of wildlife: first law with wildlife focus
- Involved federal government with state wildlife law for the first time
- Prohibited interstate transportation of any wild animals or birds
  - federal government supported states by allowing states to prohibit the import of lawfully killed game
- Stopped the importing of starlings, English sparrows and other birds or animals damaging to agriculture or horticulture
Lacey Act of 1900

- Gave Secretary of Agriculture power to adopt all means necessary for the preservation, distribution, introduction and restoration of game birds and other wild birds subject to laws of states and territories.

- Made way for Black Bass Act of 1926

- Law making it illegal to transport black bass - taken, purchased or sold in violation of state law - across state boundaries for the purpose of commerce.
Migratory Bird Act of 1918

- Allowed taking of waterfowl only during open season
- Prohibited hunting of birds on all lands the U.S. Government set aside as birds’ breeding grounds
- Declared all migratory game and insectivorous birds to be within the custody and protection of the U.S. Government
  - made the hunting, taking, capturing or killing of any protected species illegal
Migratory Bird Act of 1929

- Provided for wildlife refuge acquisition
- Lacked adequate funding
Migratory Bird Hunting Stamp Act of 1934

- Established funds for habitat acquisition
- Required the purchase of migratory bird hunting stamps for all waterfowl hunters
The Bald Eagle Protection Act of 1940

- Protected the symbolic value of the vanishing Bald Eagle
- Made a variety of activities involving Bald Eagles illegal
  - import
  - export
  - take
  - sell
  - purchase
  - barter
- Became the Bald and Golden Eagle Act in 1970
  - Golden Eagles resemble juvenile Bald Eagles
The Land and Water Conservation Act of 1970

- Provided access for all citizens to outdoor recreation resources through preservation and development
- Provided funding for preservation and development through:
  - user fees
  - motor boat fuel tax
  - sale of surplus federal property
- Allowed states to receive up to 50% of funds collected
  - requirements must be met for state eligibility (e.g., a state must submit an outdoor recreational plan)
Endangered Species Preservation Act of 1966

- Designed to protect, restore and propagate native fish and wildlife threatened with extinction
- Required federal government to consult and cooperate with states prior to listing
- Provided no restrictions on taking the species; restrictions were the states’ responsibilities
Endangered Species Conservation Act of 1969

- Prohibited the importation of species “threatened with extinction worldwide”
  - made exceptions for zoological and scientific purposes and propagation in captivity
- Gave the Department of the Interior power to list species threatened with extinction? No protection only listing
Endangered Species Conservation Act of 1973

- Stated “endangered species of wildlife and plants are of aesthetic, ecological, educational, historical, recreational and scientific value to the Nation and its people”

- Covered all members of Plant and Animal Kingdom
Endangered Species Conservation Act of 1973

- Setup “Critical Habitat”
  - was not defined, did not specify how to determine; yet federal agencies could not modify or destroy a critical habitat
  - interpreted as “a means whereby the ecosystem upon which they (endangered species) depend may be conserved”
Endangered Species Conservation Act of 1973

- Added definition in 1978

- critical habitat
  - refers to a portion of the area occupied by a listed species
  - is when the entirety of the species occupies the area
  - includes area outside the currently occupied area
  - can include areas where the species is not located now but is expected to be when the species’ population increases
Endangered Species Conservation Act of 1973

- Expanded the scope of prohibited activities to include
  - other activities involving the illegal acquisition of a species
  - taking (harass, harm, pursue, hunt, shoot, wound, trap, kill, capture or collect)
  - exporting
  - possessing
Endangered Species Conservation Act of 1973

- Added a new “threatened” category
  - endangered: any species in danger of extinction throughout all or a significant portion of its range
  - threatened: any species likely to become endangered in the foreseeable future

- Encouraged foreign nations to establish and carry out endangered species protection
  - authorized financial assistance
  - authorized loan of federal wildlife personnel
  - authorized law enforcement investigations and research abroad
1. In Roman times hunting practices were:
   A. favored because they developed military skills
   B. favored because everyone got weapons
   C. not civilized
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