

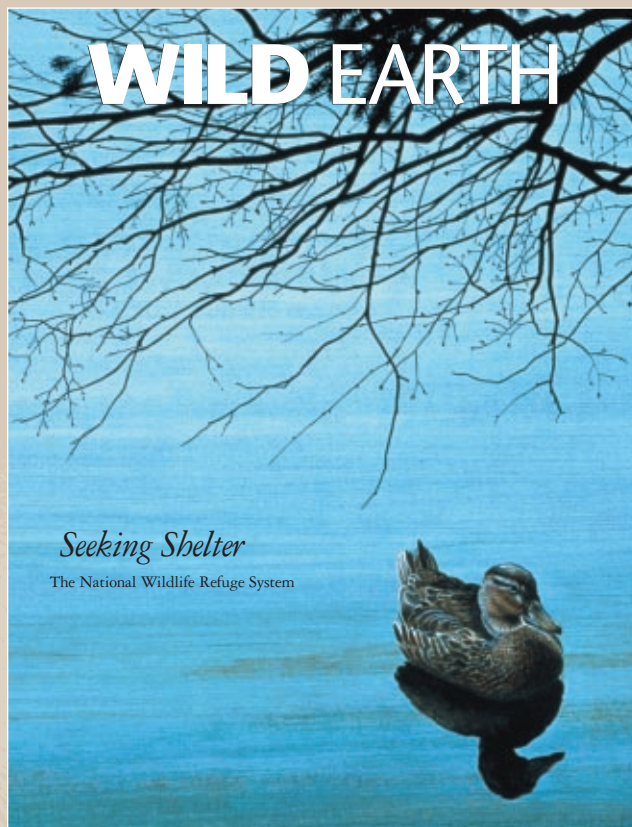
WILD EARTH FORUM

# *Trapping on National Wildlife Refuges*

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# Trapping on National

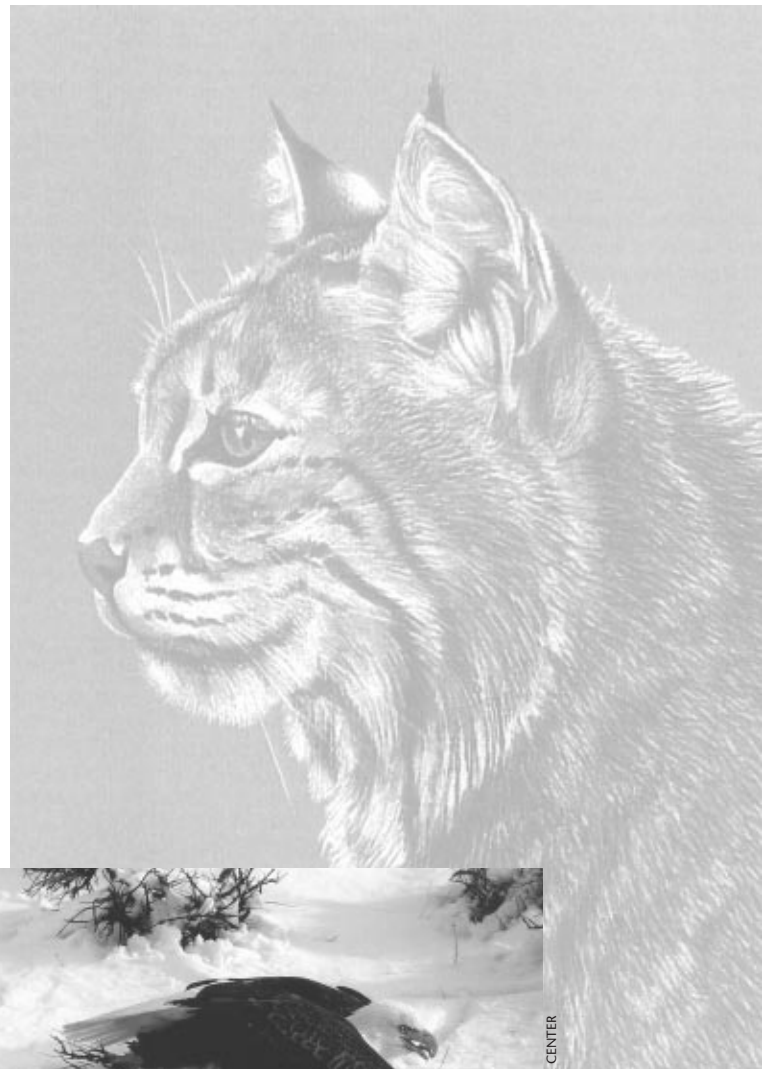
## Cull of the Wild

by Camilla H. Fox

MOST AMERICANS THINK OF national wildlife refuges as sanctuaries for wildlife, and they once were. In 1903, when President Theodore Roosevelt established the first national wildlife refuge on Pelican Island off the coast of Florida, the recreational killing of wildlife was prohibited. Although an avid hunter himself, Roosevelt recognized the need to set aside lands to protect wildlife from exploitation, and continued to create sanctuaries for the protection of various species of colonial nesting birds that were being killed for their plumage. By the end of his term in 1909, Roosevelt had issued 51 Executive Orders establishing wildlife reservations in 17 states and 3 territories.

Much has changed in the 100 years since the creation of the first national wildlife refuge. Today, more than 60% of all refuges allow activities that are harmful to wildlife, including mining, oil and gas drilling, cattle grazing, and logging, according to a 1990 General Accounting Report. Perhaps most egregious of all is that the U.S. Fish and Wildlife Service (FWS) allows—and even promotes—the trapping of wildlife on more than half of the nation's 543 national wildlife refuges. While the exact number of animals trapped and killed on refuges is unknown due to jurisdictional complications and a lack of adequate monitoring and reporting, the total count is likely in the tens of thousands of animals, including bobcat, fox, coyote, badger, and river otter as well as numerous “non-target” animals.

To many people, the concept of trapping on lands specifically set aside to *protect* wildlife contradicts the very definition of the word refuge as a “safe haven,” or a “shelter or protection from danger and distress.”



Bald eagle caught in a leghold trap

MARK MARTELL/THE RAPTOR CENTER

How is it that a public land system established to provide sanctuary to wild animals from commercial profiteering now allows and even encourages the killing of wildlife for profit and “sport”? This drastic change in management of the

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# Wildlife Refuges

The endangered California clapper rail



USFWS

## An Important Tool for Conservation

by **Steve Williams**

THE ENDANGERED CALIFORNIA CLAPPER RAIL lives only in the San Francisco Bay area. In the 1980s its numbers were in serious decline, with only about 300 birds left. One of the bird's few sanctuaries was—and remains—the Don Edwards San Francisco Bay National Wildlife Refuge. There, the U.S. Fish and Wildlife Service is actively working to improve clapper rail habitat in the tidal bay marshlands—an ecosystem severely fragmented by the construction of salt pond levees a century ago and the inevitable urban development that followed.

One day, former refuge manager Rick Coleman and biologist Jean Takekawa were floating along the area's shallow tidal marshes, conducting a seasonal clapper rail survey. To their surprise, they encountered several non-native red foxes out hunting in these same tiny remnant marshes. "They were doing the same thing we were—looking for rails," Coleman recalled.

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## ► Cull of the Wild

National Wildlife Refuge System (NWRS) can be traced to 1934, when Congress passed the Migratory Bird Hunting and Conservation Stamp Act, more popularly known as the “Duck Stamp Act.”<sup>1</sup> This act required that waterfowl hunters purchase a Duck Stamp in order to hunt migratory birds. The funds collected from the sale of Duck Stamps were placed in the Migratory Bird Conservation Fund, which was used for the acquisition of additional refuge lands. This gave consumptive wildlife users political clout to push for the expansion of hunting and trapping on refuge lands since they could argue that they were the chief financiers of refuge land purchases.

With the acquisition of refuge land deeply dependent on migratory bird hunting through the sale of Duck Stamps, management of refuges now focuses largely on ensuring an adequate supply of waterfowl for hunters. The “wildlife as commodity” viewpoint is reflected in the name used to classify many units of the Refuge System, Waterfowl Production Areas (WPAs), and in one of the stated goals of the National Wildlife Refuge System: “to perpetuate the migratory bird resource.” Since avian predators, including foxes, raccoons, badgers, coyotes, and bobcats, threaten the “production” of waterfowl, state and federal agencies encourage trapping on refuges to meet national migratory bird population objectives. Trappers who trap on WPAs do not even have to obtain the permit that is normally required to trap on refuge lands.

In its publication *Fulfilling the Promise*, the FWS makes no secret about its alliance with and dependence upon consumptive wildlife user groups, stating that “migratory birds are often considered the ‘bread and butter’ of the System.”<sup>2</sup> An example of this is in the memoranda of agreement between the FWS, the National Rifle Association, and the National Wild Turkey Federation, which call for the creation of a national “Predation Avian Recruitment Team” to increase bird populations (i.e., hunting targets) on refuges by encouraging the trapping and killing of avian predators. Such politically motivated agreements provide these special interest groups with a unique position and heightened influence over refuge management decisions.

The Fish and Wildlife Service also wants to convince the public that trapping on refuge lands is justified because it is used to protect imperiled species. Even if one puts aside the significant scientific controversy over the effectiveness of trapping for recovering endangered wildlife, only about one in fif-

teen refuge trapping programs are implemented for this purpose, far fewer than the agency would like the public to believe. Further, the traps commonly used on refuges—including leghold traps, neck snares, and vise-like kill-traps—are inherently nonselective and can injure or kill the very species that refuges are intended to safeguard. Records obtained through the Freedom of Information Act show that body-gripping traps have maimed and killed numerous threatened and endangered species, including lynx, bald eagles, and wolves. One study conducted by the U.S. Department of Agriculture showed as many as 10 nontarget animals are captured for each “target” animal caught in a body-gripping trap.<sup>3</sup> While such evidence makes clear the danger these traps pose to threatened and endangered species, the FWS continues to widely sanction and promote their use on the National Wildlife Refuge System.

Leghold traps remain one of the most commonly used traps in the U.S. on both public and private lands. With spring-loaded jaws that forcefully clamp an animal’s foot or leg when triggered, leghold traps can cause swelling, lacerations, joint dislocations, fractures, damage to teeth and gums, limb amputation, and death.<sup>4</sup> Trapped animals may endure serious trauma, dehydration, exposure to harsh weather, and predation by other animals. Many die or are so severely injured that they cannot survive in the wild. A six-year study conducted at Alabama’s Wheeler National Wildlife Refuge in the 1950s reported that one-quarter of mink, raccoons, and foxes caught in steel traps were “crippled,” which researchers defined as “animals that pulled out of the traps, escaped by wringing-off or gnawing feet, or escaped with the traps” attached to their limbs.<sup>5</sup> The steel-jaw leghold trap has been declared inhumane by the American Veterinary Medical Association, the American Animal Hospital Association, and the National Animal Control Association,<sup>6</sup> and has been banned or severely restricted by more than eighty countries and eight U.S. states.<sup>7</sup>

In 1997, the FWS actually thwarted international efforts to prohibit the use of leghold traps and used refuge managers as puppets to support their use. An internal memo delivered to refuge managers from former acting Refuge Division Chief Stan Thompson strongly encouraged managers to emphasize and promote the use of leghold traps in refuge management.<sup>8</sup> The memo was in response to a resolution passed by the European Union that called for a ban on the importation of furs from countries still using leghold traps or not complying with international humane trapping standards. Thompson’s memo included attachments, one of which stated that if the U.S. were

to oppose this international ban on leghold traps, the U.S. could become “isolated as the ‘only country’ still continuing to use the conventional steel-jawed leghold restraining trap.”

WHILE THE FISH AND WILDLIFE SERVICE has done its best to keep the American public in the dark about trapping on national wildlife refuges, wildlife advocates have had some success in exposing the truth through the Freedom of Information Act. In 1997, as a result of publicity and political pressure, Congress directed the Service to convene a task force to “study the use of animal traps in the National Wildlife Refuge System [and to] consider the humaneness of various trapping methods...and other relevant issues.”<sup>9</sup> The FWS, however, argued that such a task force could not be convened in the allotted time and convinced Congress to replace it with a survey of refuge managers about trapping in the Refuge System. The agency also posted a notice in the *Federal Register* allowing the public a scant 60 days to submit comments on the issue of “the use of animal traps within the National Wildlife Refuge System.” Despite the brief comment period, the agency received nearly 1,000 public comments, the vast majority of which expressed opposition to the continued allowance of trapping on refuges.

The FWS eventually forwarded a summary of the survey and four volumes of unedited public comments to Congress. In its final report, the Service offered a glowing account of trapping on national wildlife refuges and diverted attention from the large number of trappers who trap primarily for prof-

it and recreation. The report claimed that trapping on refuges is conducted chiefly for the protection of facilities, migratory birds, and threatened and endangered species. Trapping for “recreation / commerce / subsistence” was listed as the *last* of eleven reasons for trapping on refuges. The Animal Protection Institute, however, obtained a copy of the raw survey data and found that the agency’s official conclusions did not accurately reflect the information submitted by the refuge managers. “Recreation / commerce / subsistence” was in fact the refuge managers’ *single most frequently cited* reason for trapping; one out of every six refuge trapping programs was conducted for this purpose. While “facilities protection,” “habitat management,” and “predator control for migratory bird protection” were listed, these were frequently considered to be indirect by-products of commercial and recreational trapping, and not primary purposes. Not surprisingly, the summary failed to report the number of nontarget animals caught as well as information about the types of traps used for different species.

The Fish and Wildlife Service’s deliberate attempts to misinform the public and legislators, coupled with poor oversight and a dearth of information about trapping on refuges, have only increased the controversy and fueled ensuing legislative efforts to restrict trapping on the Refuge System. In an historic vote, the House of Representatives widely approved an amendment to the 1999 Interior Appropriations bill that would have severely restricted commercial and recreational trapping on the Refuge System. The amendment was later



***Is it unreasonable to ask that the National Wildlife Refuge System, a mere 5% of the public land available to consumptive wildlife users, be maintained as “inviolable wildlife sanctuaries,” as Congress and President Theodore Roosevelt originally intended?***



defeated in the Senate after trapping proponents organized an aggressive lobbying campaign.

Prior to the opening of a refuge to hunting or fishing, the National Environmental Policy Act requires that the FWS administer an environmental and public review process. No such process, however, has been implemented for refuge trapping programs. The decision to allow trapping on a refuge has been left to the sole discretion of the refuge manager, who must determine whether trapping is compatible with the specific purpose of the refuge. The 1997 National Wildlife Refuge System Improvement Act, however, does require the Service to provide some degree of oversight and justification for allowing trapping on an individual refuge.<sup>10</sup> The new act “directs that wildlife comes first in the National Wildlife Refuge System” by establishing that “wildlife conservation is the principal mission of the Refuge system; by requiring that we maintain the biological integrity, diversity, and environmental health of each refuge and the Refuge System; and by mandating that we monitor the status and trends of fish, wildlife, and plants on each refuge.”<sup>11</sup> If the FWS fails to meet basic requirements while assessing compatibility and potential impacts of refuge activities, the agency may become vulnerable to legal challenges from conservation and wildlife advocates.

THE FISH AND WILDLIFE SERVICE has continued to promote and facilitate the trapping of animals on refuges, even though trappers represent a minority interest in every state, and nonconsumptive users of wildlife contribute substantially more money to the local and national economy than do trappers and other consumptive wildlife users. Further, in recent years the FWS has increased its efforts to open refuges to consumptive wildlife use for the benefit of organizations and politicians who support such activities.

An Animal Protection Institute–commissioned opinion poll conducted in 1999 revealed that 79% of Americans oppose trapping on national wildlife refuges and 88% believe that wildlife and habitat preservation should be the highest priority of the Refuge System.<sup>12</sup> Patterns of public use reflect this view even more strongly. According to the FWS, of the 30 million people who visited refuges in 1995, fewer than 5% went there to trap or hunt animals. Most refuge visitors expect to view wildlife without stepping into a trap or witnessing the pain and suffering of maimed animals. Trappers already have access to millions of acres of public and private lands outside the Refuge System. Is it unreasonable to ask that the National Wildlife Refuge System, a mere 5% of the public land available to consumptive wildlife

users, be maintained as “inviolable wildlife sanctuaries,” as Congress and President Theodore Roosevelt originally intended?

As the U.S. Fish and Wildlife Service’s celebration of the centennial anniversary of the National Wildlife Refuge System winds down, Congress and the FWS should take a hard look at the mission of this public land system. It’s time to restore the true meaning and spirit of the term “refuge” to the National Wildlife Refuge System by prohibiting trapping and other activities inimical to wildlife protection. ☺

**Camilla Fox** is the national campaign director of the Animal Protection Institute, a national nonprofit animal advocacy organization with headquarters in Sacramento, California. For more information about trapping on the National Wildlife Refuge System, visit API’s websites: [www.api4animals.org](http://www.api4animals.org) and [www.BanCruelTraps.com](http://www.BanCruelTraps.com).

#### NOTES

1. Migratory Bird Hunting Stamp Act of 1934, 16 U.S.C. § 718, *et seq.*, commonly referred to as the Duck Stamp Act.
2. *Fulfilling the Promise*, 1998 (The National Wildlife Refuge System, U.S. Fish and Wildlife Service), September 18.
3. Thomas N. Tomsa and James E. Forbes, 1990, *Coyote Depredation Control in New York—An Integrated Approach* (USDA-APHIS-ADC, New York State Department of Agriculture), 75–82.
4. G. Proulx, 1999, Review of current mammal trap technology in North America, in *Mammal Trapping*, ed. G. Proulx (Sherwood Park: Alpha Wildlife Research & Management Ltd.), 1–46.
5. Thomas Z. Atkenson, 1956, Incidence of Crippling Loss in Steel Trapping, *Journal of Wildlife Management* 20 (July): 3.
6. The National Animal Control Association states in its policy on trap use: “NACA strongly opposes the use of leghold or snare traps...NACA also recommends that agencies work to eliminate laws that allow the use of inhumane legholds or snares.”
7. *Countries banning the leghold trap*: Austria, Bahrain, Bangladesh, Belgium, Belize, Benin, Botswana, Brazil, British West Indies, Bulgaria, Burkina Faso, Burundi, Cameroon, Cayman Islands, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, England, Equatorial Guinea, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Greenland, Guinea, Guyana, Hong Kong, Hungary, India, Israel, Ireland, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Korea (Republic of), Lebanon, Liberia, Liechtenstein, Luxembourg, Mali, Malawi, Malaysia, Maldives, Mauritania, Mexico, Moldova, Monaco, Morocco, Mozambique, Netherlands, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Philippines, Poland, Portugal, Russia, Scotland, Senegal, Seychelles, Singapore, Spain, Sri Lanka, Swaziland, Sweden, Switzerland, Tanzania, Thailand, Togo, Trinidad & Tobago, Tunisia, Uganda, United Arab Emirates, United Kingdom, Wales, Zaire, Zambia, Zimbabwe. *States banning or severely restricting the leghold trap*: Arizona, California, Colorado, Florida, Massachusetts, New Jersey, Rhode Island, Washington.
8. Thompson also tried to quell debate about the trapping of coyotes to protect the endangered Columbian white-tailed deer on the Julia Butler Hansen Refuge in southern Washington. It was discovered later that the FWS scapegoated coyotes to draw attention away from the real long-term threat to the deer: competition with livestock allowed to graze on the refuge.
9. The language directing the USFWS to convene a task force to study trapping on national wildlife refuges was included in the 1997 Department of the Interior Appropriations bill.
10. H.R. Rep. No. 105-106, 105th Cong., 1st Sess. 1798-6 (1997).
11. *Fulfilling the Promise*, 1998 (The National Wildlife Refuge System, U.S. Fish and Wildlife Service), September 18.
12. National poll commissioned by the Animal Protection Institute and conducted by Decision Research in April 1999 regarding trapping and hunting on national wildlife refuges and other public land systems. For a summary of the poll results, contact the Animal Protection Institute.

## ► An Important Tool for Conservation

It was not a pleasant sight. A brand new predator on the scene, whose presence stemmed from conditions created by human activity, spelled imminent extinction for the rail. An ideal solution to eliminate the red fox would have been to reintroduce native coyotes to the area; but given the proximity of the refuge to residential areas and domestic pets, that was unworkable. In 1991, none too soon for the endangered rail, the refuge decided to establish a trapping program. It wasn't a popular decision, at first.

During the environmental review and public comment period when trapping was proposed for the Don Edwards San Francisco Bay National Wildlife Refuge, initial opposition soon became support with the help of our refuge friends group, the Citizens to Complete the Refuge, as well as local Audubon chapters, the Save San Francisco Bay Association, and other local environmental and conservation groups. These groups were key in explaining why trapping was cru-

cial if we were to preserve the California clapper rail, and why active wildlife management is sometimes a conservation requisite.

The situations faced by refuge managers today are much different from those that existed in 1903, when President Theodore Roosevelt established the first national wildlife refuge at tiny Pelican Island, Florida. But even then, Paul Kroegel, the first refuge manager, practiced his own form of management. Whenever poachers came to the island, which happened often, he grabbed his gun, jumped in his boat, and sailed out to scare them off. Today's refuge managers are coping with even more complex and pressing challenges: urbanization, habitat fragmentation, invasive species, and the loss of critical components in a variety of ecosystems. Meeting these challenges requires a host of tools and techniques. Trapping is an important tool we need to retain if we are to sustain wildlife diversity in these stressed ecosystems.

DURING MY CAREER in wildlife management, I have worked for three state wildlife agencies. I have seen a vari-

*As we mark the bicentennial of the Lewis and Clark exploration, we should not forget that it was trapping that helped open, discover, and map many of the wildest parts of the continent.*



ety of perspectives, running the gamut from animal rights groups to trappers. While the control of animal populations through any means is likely to cause a stir, I have learned that it is crucial to stay focused on the big picture.

The big picture is not always easy to see. In Massachusetts (one of the states in which I worked), a ballot initiative was passed that banned trapping. Subsequently, beavers ran rampant, building their dams, as beavers do. As a consequence, serious flooding of roads, culverts, and septic tanks created a burden to the state and to taxpayers, and the state had more challenges to contend with in achieving its long-term wildlife management goals. In July 2000, an exception in the Massachusetts law eventually allowed for trapping in emergency situations; there are currently two bills that have been proposed to re-allow permits during a trapping season.

While I worked for state agencies, I helped promote Best Management Practices for trapping. I still encourage trappers to employ them. A practical tool for trappers, Best Management Practices are carefully researched recommendations that address the welfare of captured animals and identify the safest, most efficient, humane, and practical techniques and equipment.

The predator control program at the Don Edwards San Francisco Bay National Wildlife Refuge involves two types of traps: padded leghold traps and cage traps. Both are considered “live traps” because nontarget species inadvertently captured can be released unharmed. The trapping is conducted by USDA Wildlife Services personnel who are expert at reading signs of target predators and trained in humane methods of euthanasia approved by the American Veterinary Association. Problem predators are humanely euthanized and are made available to interested researchers for study.

Altogether, this program—and others like it—serve an important function in our conservation efforts. We are responsible for protecting endangered wildlife. Today, as a result of the trapping program established back in 1991, the California clapper rail population—so perilously close to extinction—has more than doubled and remains stable. Additionally, the refuge has documented larger population sizes and better reproductive success for three other endangered species: the western snowy plover, the California least tern, and the salt marsh harvest mouse.

Of course, these achievements are symptomatic of a larger and more complex goal: to restore habitat and the balance of Nature in a stressed ecosystem. The National Wildlife Refuge System has been working towards this goal for a full century now.

WHILE 2003 marks the centennial anniversary of the National Wildlife Refuge System, it also marks another historic landmark. In 1803, a full century before the Refuge System was established, Meriwether Lewis and William Clark set off on their celebrated exploration of the American West. As we mark the bicentennial of the Lewis and Clark exploration, we should not forget that it was trapping that helped open, discover, and map many of the wildest parts of the continent.

Today, as our conservation challenges have grown increasingly complex, I believe it is equally important to encourage people in the outdoor traditions, including trapping. We should not abandon this important part of our cultural heritage, nor the skill it imparts. Trappers are among the most astute observers of Nature; they are up before dawn and they are keen to the subtlest cues in wildlife behavior. They represent a tradition that really has helped balance Nature in urban, suburban, and rural areas, and in doing so, they pass on a uniquely refined ability to perceive the workings of the natural world. This is an important offset to the multitudes of urban dwellers who don't have time or access to the outdoors, and whose children are raised on video games and television.

The anniversaries of the National Wildlife Refuge System and the Lewis and Clark exploration have more in common than mere coincidence. Both speak of the importance in discovering and documenting America's wild heritage; both speak of the traditions that continue to this day to be valuable components in the conservation of wild America; both tell us now that if history is a lesson, then our perpetual homework assignment is the responsible stewardship of our natural heritage.

This is the big picture, and as I look at this picture, I see it is not an easy task; it is an endless task. But it is a necessary one that involves difficult trade-offs. Among the many conservation challenges that lie ahead, we should keep in mind the California clapper rails, and remain open to the role of trapping in maintaining the richness and diversity of America's wildlife populations. ☺

**Steve Williams**, who holds a doctorate in forest resources from Pennsylvania State University, has been director of the U.S. Fish and Wildlife Service since 2002. A career wildlife professional, he previously served as secretary of the Kansas Department of Wildlife and Parks, executive director of the Pennsylvania Game Commission, and assistant director for Wildlife in the Massachusetts Division of Fisheries and Wildlife.