



July 18, 2008



China Approved for Controlled Ivory Imports From Africa

“China has been approved as a buyer of the one-off sale of African Elephant ivory under strict conditions. The decision was taken at a Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) meeting in Geneva, Switzerland...Members of the CITES Standing Committee voted by a clear majority in favour of acceptance of China as an approved buyer. The decision comes into effect once it enters the meeting’s formal written record...The request to trade African Elephant ivory was originally approved at the CITES Conference of the Parties in 2002 and then modified to include new conditions at the meeting in 2007. The CITES meeting this week was charged with deciding whether China could be approved as a trading partner. To gain approval, China had to convince CITES it had put in place adequate measures to manage regulated sales and tackle any illegal domestic ivory trade.” (Source: [www.Traffic.org](http://www.traffic.org)) To read the full article on CITES approved ivory trade with China, please go to <http://www.traffic.org/home/2008/7/15/china-approved-for-controlled-ivory-imports-from-africa.html>.



Polar Bear Litigation Revs Up

As previously reported, SCI filed a lawsuit in Washington D.C. to challenge the U.S. Fish and Wildlife Service’s current ban on the import of polar bears from Canada. Two sets of anti-hunting/environmental groups have been granted permissive intervention in the case. SCI has also submitted a 60-day notice letter to the FWS outlining the claims it intends to bring to challenge the actual listing of the polar bear as threatened under the Endangered Species Act. SCI can file that lawsuit in mid-August. The State of Alaska also has filed a 60-day notice letter and could sue the FWS as early as next week over the listing. Three animal groups have already filed a lawsuit in California challenging the listing, arguing that the FWS should have listed the polar bear as “endangered” instead of “threatened.” An endangered listing would have an even greater impact on the ability to import polar bear trophies into the United States. Other groups may file lawsuits on one side or the other of the listing issue. The field is crowded and how the dust will settle remains unknown. SCI will keep you posted.



SCI Files First Brief in Yellowstone Grizzly Bear Litigation

SCI has filed its first brief in one of the three lawsuits currently pending over the delisting of the Yellowstone area population of grizzly bears. The delisting paves the way for possible future sustainable hunting of the bear. SCI's brief, filed in District Court in Montana, supports the delisting and opposes the brief filed by the Greater Yellowstone Coalition. Among other things, SCI argues against delisting standards that would essentially keep the grizzlies on the threatened species list forever, defends the adequacy of State funding for managing the bear, and explains that the States will regulate any future hunting of grizzly bears in a sustainable way. Briefing in the two cases pending in District Court in Idaho is set to commence in August and September. SCI has been granted amicus (friend of the court) status in one of these case and its request for amicus curiae status in the other case is pending. SCI will keep you posted on developments in all these cases.



Court Approves Minnesota Trapping Plan

The U.S. District Court for Minnesota recently approved a plan proposed by the State to reduce the risk of "take" (harm or death) of threatened Canadian lynx during trapping of other animals. SCI participated as amicus in the lawsuit that imposed liability on the State for authorizing trapping in lynx range, an area of northeast Minnesota. After finding liability, the Court ordered the State to come up with a plan to minimize the risk of take. The State's plan allows trapping to continue, but imposes some additional restrictions on the methods of trapping. The restrictions are much less onerous than those sought by the animal rights plaintiffs in the case. The Minnesota Trappers Association is satisfied with the Court's approval of the plan. As part of the resolution of the case, the State is also seeking an "incidental take permit" from the U.S. Fish and Wildlife Service that would allow the take of lynx during trapping, subject to conditions. SCI will keep you posted.



Zimbabwe: Parks Authority Embarks On Animal Census

"The Parks and Wildlife Management Authority (PWMA) has embarked on a programme to establish the population of animal species in the country by having the information from stakeholders in the hunting industry...The Parks Authority public relations manager, Retired Major Edward Mbewe said stakeholders from the hunting industry would meet in various provinces this week to provide information on aspects of wildlife... 'The stakeholders in the industry will be attending workshops to establish the game quota setting and how the wildlife is conserved,' said Rtd Major Mbewe...The figures he said would help the authority to come up with details of showing if the wildlife population is decreasing or increasing which will help them to come up with better conservation methods." (Source: allafrica.com) View the full article at <http://allafrica.com/stories/200807160751.html>.



An End to Alaska Subsistence Litigation

Late last month, a federal district court in Alaska approved the Federal Subsistence Board's regulation that establishes the membership distribution of the councils that advice the FSB on subsistence priority decisions related to hunting. Upon approving the rule, the court dismissed the final claim of SCI's Alaska subsistence litigation -- a suit that SCI filed almost a decade ago. As a result of SCI's litigation challenge, the FSB took it upon itself to correct many of the illegal conditions addressed in SCI's complaint. In

addition to including recreational hunting interests on the advisory councils, the FSB established a higher standard of evidence upon which recommendations should be made, disbanded illegal decision-making bodies, created specific meeting guidelines and rules for documenting decision-making, and opened hunting opportunities formerly closed to the recreational hunting community. SCI's litigation team is currently examining whether any of the issues in the case should be appealed. If we pursue an appeal, we will update you in future Crosshairs.



SCI Granted Amicus Status in State of Alaska's Subsistence Appeal

The Ninth Circuit Court of Appeals has granted SCI the right to participate as an amicus (friend of the court) in a case brought by the State of Alaska to challenge subsistence hunting determinations made by the Federal Subsistence Board. Drawing upon its extensive knowledge of federal subsistence law, SCI's litigation team submitted a brief in support of the state's position, challenging the legality of the FSB's subsistence allocation. The case of State of Alaska v. Federal Subsistence Board will be argued in the Court of Appeals in California on August 5, 2008.



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