



AWI

Quarterly

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For subscription inquiries or other information, contact AWI at 900 Pennsylvania Ave., SE, Washington, DC 20003. Phone: (202) 337-2332; facsimile: (202) 446-2131. Email: awi@awionline.org, or visit AWI's website: www.awionline.org.

ABOUT THE COVER

Remy, following his use in research at a major university, was among eight cats to arrive at Wyoming's Kindness Ranch when it opened in 2007. Remy lived in a cat yurt at the ranch, hid in cupboards, and prepared for life in the outside world by climbing perches, chasing laser pointers and toys, and interacting with resident staff. Because of his spirit and determination, he quickly became a favorite of ranch interns, availing himself of private sleepovers and additional socialization in their cabins. His adoptive family in Colorado reports he enjoys being the center of attention. Read more about animals formerly used in research who are being adopted out to families on page 14.

Photo by Kindness Ranch

WHALES RALLY ON THE MALL

Reminiscent of the *Save the Whales* days of the 70s and 80s, Earth Day 2010 saw a pod of whales and a mass of people converged on the National Mall in Washington D.C. to rally for whales. With cries of "Maintain the Moratorium" and "Stop Sell Out" the orange shirts of AWI staff and supporters mingled with those of other groups, activists, students and tourists all calling for an end to a proposal being negotiated at the International Whaling Commission which would see a return to commercial whaling. After the rally, the crowd marched on the White House to call on President Obama to intercede and turn the negotiations toward saving whales. The U.S. is involved in the high level negotiations which would result in a suspension of the two-decades old whaling moratorium and a return to mass whale slaughter. Details of the proposal are contained on page 11. You can make a difference by contacting President Obama to tell him that you don't want the whaling ban suspended, that Japan, Norway and Iceland should not be rewarded for decades of intransigence, that whaling is inherently cruel and that whales are worth more alive than dead as vital components of the ocean ecosystems and through whale watching. 🐾

Write: President Obama, The White House,
1600 Pennsylvania, Ave. NW, Washington D.C. 20500

Online: www.whitehouse.gov/contact

Phone: 202-456-1111



Cameron Creinin

Whale supporters rallied in front of the White House to tell the president to "Save the Whales!"— clad in bright orange t-shirts, AWI's supporters were hard to miss!



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Above Left: A coyote gives pause inside a Montana wildlife crossing. (Photo by CSKT & MDT 2009); **Top Right:** Black-tailed prairie dogs, a species that is key to the ecosystem, are threatened by the border walls. (Photo by Ross Tsai); **Bottom Right:** The Morelet's Tree Frog (*Agalychnis moreletii*) is critically endangered due to habitat loss, disease, and over-collection for the international pet trade. (Photo by Vladlen Henríquez).



New Mexico Town Opposes Cruel Traps

ON FEBRUARY 23, the Silver City, NM town council unanimously adopted a resolution calling on the state to ban steel-jaw leghold traps, strangling snares and other painful body-gripping traps on public lands. According to New Mexico resident Walter “Ski” Szymanski, who drafted and proposed the legislation and created a website that promotes banning cruel traps on public lands (www.nocrueltrapsonpubliclands.info/), companion animals have been maimed and/or killed in leghold and other traps in the region which includes the Gila National Forest and Ft. Bayard Game Refuge.

There are at least two Mexican gray wolves, victims of leghold traps, walking around on three legs apiece in New Mexico, Szymanski says based on information from the U.S. Fish and Wildlife Service. The wolves were discovered caught in leghold traps and needed their legs amputated before being returned to the wild. These wolves, protected under the Endangered Species Act, were part of the Blue Range Reintroduction Project to return them to the Southwest.

The resolution is a “public, political and moral stand that the town has taken,” Szymanski explained, adding that he and others are working to enroll other towns in the cause. Silver City Mayor James R. Marshall sent the resolution to Congressman Harry Teague, D-NM, urging him to support the Refuge from Cruel Trapping Act, H.R. 3710, noting that five out of seven New Mexico wildlife refuges fall within Teague’s district. 🐾



FWS

This three-legged Mexican gray wolf is a victim of the steel-jaw leghold trap.



Emily Hoyer

Hikers in the Pinnacles National Monument may catch sight of this extremely rare bird with a 9 foot wingspan—the California condor. In an exciting development, a nesting pair of condors has produced the first egg in the park in more than 100 years.

Territory Expands for California Condors

NORTH AMERICA'S LARGEST BIRD has not had an easy go of it, and after a century of absence, a pair of critically endangered birds has made the Pinnacles National Monument a roost to raise their young. In the early 1980s, due to loss of habitat, hunting, pesticides, egg collection, power line collisions and lead poisonings, the condor’s numbers had dwindled to fewer than 25 in the wild. In 1987 the final nine were caught and entered into a breeding program.

The Pinnacles National Monument joined the California Condor Recovery Program in 2003 and this year may have a welcome addition to the 26 free flying condors already inhabiting the area. Today, the total population of California condors is up to 348. One hundred and sixty-one reside in captive breeding centers with the rest free flying in California, Mexico and Arizona. 🐾

CONTROVERSIAL SAN CLEMENTE DAM TO GO

It was reported in January that government officials and the California American Water Company (Cal Am) had reached an agreement regarding the future of the San Clemente Dam on the Carmel River. After 10 years of study and debate, the parties decided to remove the now obsolete 106-foot tall structure.

The Carmel River is considered to be one of the top steelhead runs in the region; however, the dam has been preventing fish from reaching their spawning grounds, and over the years the runs have been declining. The dam was constructed in 1921 to create a reservoir for drinking water but has been inoperable for years and was deemed unsafe in 1991 by state dam inspectors. For years Cal Am considered repairing it, a less expensive option than removal, but because of community opposition and the unlikelihood of obtaining a permit for the repairs, finally agreed to removal of the structure. Removal of the dam will open up 25 miles of river. 🐾

Whale Meat Served in California

FOLLOWING AN UNDERCOVER OPERATION and federal investigation, trendy Santa Monica sushi restaurant, The Hump, was charged with serving meat from an endangered sei whale and consequently closed its doors on March 20. The Marine Mammal Protection Act prohibits the sale of whale meat in the U.S. The undercover investigation into the restaurant began in October 2009 by members of the team that made the Oscar-winning film "The Cove." Two environmental advocates visited the restaurant with hidden cameras to collect samples of the meat which was then sent to Dr. Scott Baker, a cetacean specialist at Oregon State University. Dr. Baker performed a DNA test of the meat and confirmed its source as a sei whale, from Japan's controversial "research whaling program." Officials from the National Oceanic and Atmospheric Administration, U.S. Fish and Wildlife Services, California Department of Fish

Stingrays Demonstrate Their Cognitive Abilities

IN DECEMBER, scientists studying the cognitive abilities of South American freshwater stingrays identified the fish's ability to use tools. Researchers provided the stingrays with a plastic pipe, sealed at one end and containing hidden food, to document how the animals would attempt to retrieve the food. All five stingrays quickly learned to use jets of water as a "tool" to dislodge the food from the pipe. The results of the study, published in the journal "Animal Cognition," provide interesting insight into the evolution of cognitive functions in humans and other higher vertebrates. 🐾



Dr. Michael J. Kubla

Stingrays have often been considered reflex machines but this study demonstrates their impressive problem solving skills.

and Game, and the U.S. Customs and Border Protection Agency conducted their own investigation with the same results. Along with The Hump, its parent company, Typhoon Restaurant Inc., and one of its chefs, Kiyoshiro Yamamoto, were charged with the illegal sale of a marine mammal product, a misdemeanor offense that carries a federal prison sentence of one year and a \$100,000 fine for an individual and \$200,000 for an organization. In a later development and for an unknown reason it was announced that the charges may be dismissed without prejudice, meaning they could be re-filed at a later date. This is not an isolated incident. Dr. Baker also traced whale meat purchased at a restaurant in Seoul, South Korea to the Japanese "research whaling program." Import of the whale meat into both the U.S. and South Korea is a violation of CITES. 🐾



P. Cranner

WILDLIFE CROSSINGS

WITH THE INSURANCE INSTITUTE FOR HIGHWAY Safety reporting a record 1.5 million vehicle strikes against wildlife annually, animals are forced to circumnavigate a daily procession of cars, trucks, SUV's and more, barreling down highways that run through habitats in man-made surroundings which in no way resemble their own.

Road mortality, according to the U.S. Department of Transportation, is a serious threat to 21 federally listed threatened or endangered species, and a State Farm Insurance study determined there were 2.4 million collisions between deer and vehicles between July 1, 2007 and June 30, 2009 alone. The study further revealed that a collision between animal and vehicle happens somewhere

in this country every 26 seconds. In addition to deer, the vehicular slaughter of elk, moose, bears, bighorn sheep, small mammals, reptiles and amphibians make up the grisly statistics, with the human toll approximated at 200 fatalities and 29,000 injuries each year according to the Federal Highway Administration. Property damage from these strikes has been listed by the Insurance Institute for Highway Safety at more than \$1.1 billion per year.

Meeting what at one time seemed like an insurmountable challenge to the varied agendas of commercial and recreational drivers, federal and local government, conservationists, highway engineers and

Photo above: Fences route highly migratory mule deer in Utah away from the road and in the direction of wildlife crossings.

members of Native American nations, many states have embarked on odysseys to build a series of bridges, culverts and tunnels for animals, or aptly named "wildlife crossings." These structures, often with fences that act as guidelines to direct wildlife to the crossings, mitigate the effects of the built environment and promote safety and survival by routing animals around, over and/or under roads and highways. Predicated on early models in Austria, Switzerland, the Netherlands, Canada, Slovenia and France, with France at the forefront of many of these structures since the 1950s, wildlife crossings now exist in various forms throughout the U.S.

SPECIES AND STATISTICS

Dr. Patricia Cramer, research assistant professor at Utah State University, worked with Principle Investigator Dr. John Bissonette and a team of nine ecologists and engineers on compiling a resource guide for professionals on construction of wildlife crossings: "Evaluation of the Use and Effectiveness of Wildlife Crossings." Surveying more than 400 professionals throughout the U.S. and Canada to find there are now more than 700 terrestrial underpasses, 9 overpasses and more than 10,000 aquatic passages in 46 states and most Canadian provinces, Cramer noted that Florida is "the leader in multiple crossings for multiple species," but that a 10-year project nearing completion in Montana—the U.S. Highway 93 project—is a "shining star study" of wildlife crossing construction and "a collaborative process (she) really value(s)."

CONFLUENCE OF CREEDS AND CROSSINGS

To that end, in western Montana, an infamous bumper sticker reading, "Pray for me, I drive U.S. 93" reflects a treacherous drive along a 55-mile stretch of roadway. Extending from Arizona to Canada, the two-lane U.S. 93 enters Montana from Idaho at Lost Trail Pass and continues through Missoula, Kalispell, the Flathead Indian Reservation and along the western shore of Flathead Lake before entering Canada. Described by many as "Montana's most dangerous two-lane highway," U.S. 93 is heavily traveled by local, commercial and recreational vehicles.

In 1989, the Montana Department of Transportation (MDT) initiated a plan to expand U.S. 93 into a four-lane highway to decrease fatalities which were determined, in the course of a 20-year study, to occur primarily during passing. At that time, the Confederated Salish and Kootenai tribes (CSKT) strongly opposed the plan, citing "concerns about their natural, cultural, recreational and scenic resources" along the large segment of highway that crossed the Flathead Indian Reservation. According to reports, the tribes "believed the road expansion would harm their land and its diverse animal population—from grizzly bears and elk to painted turtles and bullhead trout." Protecting and safeguarding animals is intrinsic to Indian culture, observers note, with the continuum of wildlife corridors an integral part of that.



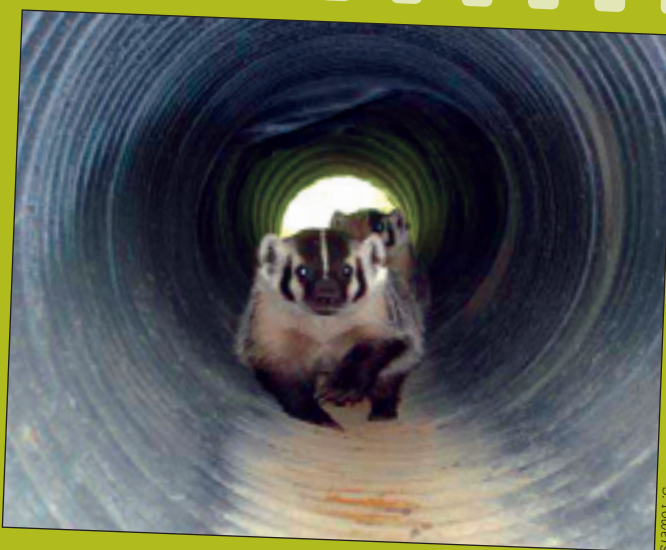
A mule deer follows a fence line directing him to a wildlife crossing.



Wild turkeys utilize a wildlife underpass to avoid the heavily trafficked road above.



CSKT & MDT 2009



S. Travers



Left to Right: Coyote, two badgers, a bear, mountain lion and bobcat avail themselves of an underpass and culverts.

“Early on, it wasn’t pretty,” said Dale Becker, program manager for the CSKT wildlife management project, which includes the crossings. CSKT studied wildlife crossings in Europe and at Canada’s Banff National Park, the latter of which eventually became a template for them, but initially, Becker says, “...everything we proposed met with real resistance. It was a tough run. We were dealing with great civil engineers, but even MDT and the Federal Highway Administration had not embraced this. We needed a set strategy and a set approach for the three governments.”

With CSKT’s escalating concerns, according to members, “that highway expansion wouldn’t just add lanes, it would also encourage higher speeds which would increase the number of animals killed by speeding traffic,” the plan stalled for nearly a decade until Jones & Jones—a Seattle-based architectural, landscape architectural, and planning firm—was brought in to mitigate what had become a contentious debate. The environmental award-winning firm, known globally for its practiced assimilation of architecture, the environment and wildlife spaces (“To save wildlife, we must save wild places” is among its slogans), determined that only the northern quarter of the highway required four lanes, and went on to design upwards of 40 strategic wildlife crossings including small-and large-box culverts, open span bridges and major over-crossings. The structures were created to channel bear, elk, moose, mountain lions, amphibians and waterfowl under and over the highway, according to Jones & Jones’ whitepaper report. With completion slated for this summer, an 8-foot stock fence running along the road

between crossings diverts animals from the road and into the crossings. Pat Basting, MDT Missoula district biologist who has been involved with the U.S. Highway 93 project since shortly after its inception, affirmed that the wildlife crossings have been getting “pretty substantial use by a multitude of species.” A formal monitoring process that will continue for five years will be in place this summer, he added, ascribing “the bulk of the credit to the tribes in maintaining connectivity to wildlife.”

PANTHERS AND PASSAGES

In Florida, where an estimated 120 panthers remain in the wild, conservationists have been particularly concerned with State Road 29 and Interstate 75, also called Alligator Alley, among others. Listed as an endangered species since 1967, and though numbers have rebounded considerably in the last two decades (up from 20-30 in 1987), the Florida panther continues to meet an untimely fate due to vehicle strikes with the loss of 10 individuals in 2008 and 16 (possibly 17) in 2009.

“There are not enough resources to protect every linear mile of highway in the state,” said Darrell Land, panther team leader of the Florida Fish and Wildlife Conservation Commission. But in areas that have benefitted from the construction of wildlife crossings, and in particular a 40-mile stretch of I-75 which boasts 36 structures, only two panthers have been lost to collisions in 20 years, he says, noting that 40 miles of fencing also help facilitate passage through the crossings, with an additional 5 miles on SR 29



CSKT & MDT 2009



CSKT & MDT 2009



Florida DOT

which traverses I-75. Four crossings also currently exist on Highway 1, south of Miami and in the vicinity of Everglades National Park. Land explained that in the state whenever a new road is planned, or a proposal for a road upgrade is submitted, wildlife crossings are considered and integrated where possible.

WYOMING WEIGHS IN

In Lander, Wyoming, an arduous research project between Wyoming Department of Transportation (WYDOT) and the state's Game and Fish Department, which involved a series of deer migration studies and analysis of vehicle-wildlife collisions over an 8-year period, resulted in the \$3.8 million construction of seven 12-foot high wildlife underpasses and more than 30 miles of fencing along U.S. Highway 30. Considered one of the state's busiest highways, with the label "world renowned as a bad place for motorist or mule deer," two-lane Highway 30 bisects Nugget Canyon, the state's largest big game winter range, and was known as a "slaughter zone" for 300-500 mule deer out of 7,000-10,000 who crossed the highway annually. Since its completion in 2008, the underpasses have reduced fatalities by up to 97 percent according to Mark Zornes, wildlife management coordinator for the Wyoming Game and Fish Department's Green River region.

"It all started in the 1980s with 11 miles of just deer fences," Zornes said, "and we still had significant mortalities. We tried everything on the planet to keep deer off the highway and warn motorists: flashing signs that

came on when animals tried to enter and had right of way. Nothing worked." With construction of the Wyoming underpasses, also referred to as boxes, not only did mule deer fatalities decrease to 11 last year, but elk, moose, bobcats, badgers, cottontails and other animals have been known to use them successfully.

Acknowledging mule deer's high migratory drive (Zornes quipped that one can herd mule deer anywhere they want to go), the state recognized the importance of providing enough underpasses in proportion to miles of fencing. "They will throw themselves into the fence to get to (winter or summer) ranges," Zornes explained, adding that if there are enough boxes, and once they figure out where the boxes are, it becomes a part of their migratory route. And with another thriving wildlife crossing in the Baggs area (Carbon County) utilized by 3,000 mule deer in its first year, WYDOT is seeking \$25.5 million in funding, including stimulus money, to build 25 miles of big game fencing, 10 underpasses and one overpass for pronghorn sheep along U.S. Highway 189 south of Kemmerer.

With Montana's U.S. Highway 93 project garnering the moniker "The Road as Respectful Visitor," and 46 states transcending the conventional approach to road building with the incorporation of wildlife crossings, proponents say construction no longer has to be construed as destructive, and the right of way (whose ever it is) can clearly yield to the right way. 🐾

Aid for Prosecutors of Animal Abuse

THE SUCCESS OF THE PROSECUTOR TRAINING

conference last year (AWI Quarterly Fall 2009) caught the attention of the federal government! AWI's partner in that conference, the Association of Prosecuting Attorneys (APA), received a grant of nearly \$500,000 from the U.S. Department of Justice's Office of Justice Programs (OJP) to expand its program of training and technical assistance to improve the prosecution of animal cruelty and animal fighting crimes. OJP showed great vision in recognizing that ensuring justice for animals benefits both animals and the entire community by reducing the overall level of violence. Under the grant, APA established the Animal Cruelty Advisory Council, comprised of prosecutors, investigators, law enforcement, veterinarians, psychologists, and members of the animal protection and domestic violence communities, among others, to identify issues, resource needs and strategies. APA

brings these same professionals together to provide its multidisciplinary training, and calls on them individually for topic specific web-based training and materials. AWI hosted the Council's first meeting on January 25, and senior federal policy advisor Nancy Blaney serves as the Council's vice-chairperson. 🐾



Regina Terlan

Members of the Animal Cruelty Advisory Council gather on the steps of AWI's office after their first meeting in January.

Senate Bill to Protect Whales

SENATOR JOHN KERRY (D-MA), a long-standing champion of whales, introduced legislation in early March "to amend the Whale Conservation and Protection Study Act to promote international whale conservation, protection, and research, and for other purposes." S. 3116 is a companion bill to a House version introduced last year that would promote a return to U.S. leadership on behalf of whales. Coming at a critical time for these marine mammals, when discussions about the resumption of commercial hunting are underway by the International Whaling Commission, the bill highlights the need for global protection efforts, given their migratory nature and the increasing threats of ozone depletion, climate change, marine debris, vessel strikes, prey depletion, entanglements with fishing gear, chemical and noise pollution, offshore industrial development, and continued human exploitation. 🐾

YOU CAN MAKE A DIFFERENCE

Letters from constituents are invaluable. Help support S. 3116 by contacting your Senators and asking them to co-sponsor the bill. Tell them that:

- Whales are essential components of ocean ecosystems;
- Whales face growing threats from climate change, pollution, fisheries interactions, ship strikes and other anthropogenic stressors;
- Whaling is inherently cruel;
- Killing whales for commercial gain is needless, archaic and must be stopped;
- Whales are worth more alive than dead; and
- The U.S. must lead the battle to protect whales from all threats.

Letters to Senators should be addressed to:

The Honorable (Full Name)
United States Senate
Washington, DC 20510

For assistance, please see our action center:
www.awionline.org/takeaction

Whaling to be Thrown a **LIFELINE** by IWC

THE INTERNATIONAL WHALING COMMISSION (IWC) is teetering on the brink of a frightful precipice. In June it will decide on a plan to legalize commercial whaling for the first time in over two decades. The proposal, released on April 22, is the culmination of almost three years of closed-door negotiations between a handful of IWC-member countries tasked with developing a solution to a perceived impasse at the IWC.



Dryoptera

Endangered fin whales won't swim free in the Southern Ocean or even in the North Atlantic if the IWC proposal goes through.

Since the moratorium on commercial whaling came into effect in 1986, three nations—Japan, Iceland and Norway—have defiantly persisted in whaling by exploiting loopholes in the whaling convention, while systematically generating disquiet and dysfunction within the body. Two decades later their endurance has paid off and the 88-member body is poised to reward their intransigence by legitimizing their whaling. The whaling nations have wholly orchestrated the problems with the IWC and have increased their whaling and trade in whale meat during the negotiation process. They were also involved in developing the current proposal so there is much reason for skepticism over its contents.

The U.S. has been leading the charge to capitulate, with the head of the U.S. delegation to the IWC calling the proposal a

means to “bring whaling under international control” because “the moratorium isn’t working.” She couldn’t be more wrong. Before the moratorium took effect, over 43,000 whales were being killed on average every year. Since then the yearly average has plummeted by 97% to 1,456 whales. Further, even if “controlling” such an egregious practice were possible, and one only need look to the recent behavior of certain CITES members to realize how unlikely that is, such a course of action is a poor substitute for working to eliminate it altogether.

The root problems with the IWC lie in its archaic convention which allows countries to “opt” out of decisions they don’t like and so not be bound by them, as well as to kill whales for “scientific research” and sell the meat. The proposal would not address either of these fundamental issues but will: suspend the whaling moratorium, allowing whaling on threatened and endangered populations; allow whaling to continue in a whale sanctuary; and set whaling quotas that are not based on the IWC’s approved precautionary scientific approach.

Fortunately not all countries are as willing to capitulate as is the U.S. The most vocal opposition to date has come from the UK and Australia, while naturally the whalers are declaring the quotas to be too small. By supporting the legitimization of commercial whaling rather than standing up to the whalers, the U.S. is sanctioning an inherently cruel practice, rewarding three countries for their decades of belligerence, facilitating the revival of a dying industry, and setting a very bad precedent for other international treaties. 🐾

AP Photo/ University of North Carolina-Wilmington. Marine Mammal Dept.



An endangered North Atlantic right whale mother with her calf above her who was born near the planned Navy training range. The Navy says that its use of the site by warships and aircraft will not impact the species, which number only a few hundred individuals.

Lawsuit Filed to Protect Marine Life

IN JANUARY, AWI AND 11 OTHER GROUPS FILED suit against the U.S. Navy and the National Marine Fisheries Service (NMFS) for violations of the Endangered Species Act (ESA) over the Navy's planned Undersea Warfare Training Range. The 500-square mile site off the northeast Florida coast will host thousands of Navy vessels and aircraft in hundreds of war game exercises every year, threatening the survival of countless marine animals. The site is adjacent to the only known calving grounds for the North Atlantic right whale, who number only an estimated 300-400 individuals. Already threatened by ship strikes, entanglement, noise pollution and other stressors, the species is listed as critically endangered under the ESA. NMFS has stated that the "loss of even a single individual right whale may contribute to the extinction of the species," yet its biological opinion on the project concluded that it would not likely jeopardize "the continued existence of any threatened species." If successful, the suit will compel the agencies to follow the law and take precautionary measures to protect marine life from the effects of the Navy's training. 🐾

WIND ENERGY PROJECT MODIFIED FOR BATS

After the precedent setting ruling by a federal court late last year that an industrial wind energy project in West Virginia will kill and injure endangered Indiana bats, AWI and other parties to the lawsuit have reached an agreement that will provide for more protections for bats and additional wildlife, while allowing some elements of the project to go forward.

The parties engaged in discussions following the court's invitation that they do so, in an attempt to determine whether an agreement could be reached as to terms for further turbine operation, while the wind energy company seeks an Incidental Take Permit (ITP) for the project from the U.S. Fish and Wildlife Service (FWS). As part of the agreement, a total of 31 of the 122 wind turbines, which were originally slated for the project, will not be constructed thereby eliminating potential impact of such turbines on Indiana bats and other wildlife. The parties further agreed that pending the issuance of an ITP from the FWS, certain turbines may be operated, but only during the part of the year when Indiana bats are in hibernation (November 16-March 31) and only during daylight hours through the remainder of the year. Additional details of the agreement can be found on AWI's web site. 🐾

BEQUESTS

If you would like to help assure AWI's future through a provision in your will, this general form of bequest is suggested:

I give, devise and bequeath to the Animal Welfare Institute, located in Washington, D.C., the sum of \$_____ and/or (specifically described property).

Donations to AWI, a not-for-profit corporation exempt under Internal Revenue Code Section 501(c)(3), are tax-deductible. We welcome any inquiries you may have. In cases in which you have specific wishes about the disposition of your bequest, we suggest you discuss such provisions with your attorney.

The Cruel Practice of Coyote & Fox "Penning"

FEW PEOPLE HAVE HEARD OF "penning." This cruel practice involves the live trapping of coyotes and foxes (generally with leghold traps or snares) who are then often shipped and traded across state lines and sold to penning facilities. The captured wild canids are then released into pens and used to "train" hunting dogs. Considered "sport" and "entertainment" by some, one terrified coyote or fox may be pitted against packs of hound dogs who are released into the pens to pursue the wild animals—domestic canine pitted against wild cousin. This practice parallels dog and cockfighting—activities made illegal in all U.S. states. Most penned coyotes and foxes literally become live bait and are torn apart and killed by the dog packs. As a result, pens must be continually restocked with wild canids.

Despite a resolution by the Midwest Association of Fish and Wildlife Agencies in 2008 urging the adoption of state-by-state regulations prohibiting the practice, penning is still

legal in several states throughout the Southeast and Midwest.

In Florida, penning was temporarily suspended on February 17 after a public hearing and comment period generated more than 2,500 letters in support of a ban and two major newspapers came out with editorials in favor of a permanent ban. An undercover investigation of penning operators in the state led to the arrest of 12 people and the issuance of 46 citations. One week later, the Indiana Department of Natural Resources (DNR) issued a report recommending that the Indiana Natural Resources Commission (NRC) prohibit coyote and fox penning citing ethical and ecological related concerns. In its report, the DNR stated, "...the DNR is recommending that the NRC not allow an individual to chase or kill a coyote or fox in an enclosure with the use or aid of dogs."

In both Florida and Indiana, AWI wildlife consultant, Camilla Fox, submitted letters endorsed by more

than 60 prominent scientists, wildlife biologists, veterinarians, ethicists and attorneys urging the state wildlife agencies and governors to prohibit penning and to ban trade in coyotes and foxes for such purposes.

The letter, with signatures which included internationally prominent scientists Dr. Michael Soulé, Dr. Marc Bekoff and Dr. Reed Noss and ethicists Dr. Holmes Rolston III and Dr. Dale Jamieson, states, "...we believe this practice—commonly referred to as 'penning'—violates the concept of fair chase and runs counter to fundamental concepts of wildlife management. There are serious ecological, ethical, disease and health-related issues associated with penning. We strongly support a ban on this practice."

AWI, in partnership with Project Coyote and other allies, will continue pursuing a ban on this practice nationwide. We thank our members in Indiana and Florida who responded to our call for action on this issue. 🐾

Above: Two hounds attack a penned coyote.

Adoption Can be an Option for Animals



AFTER THEIR USE IN RESEARCH

In a typically hardscrabble corner of southeastern Wyoming, a surprising series of sophisticated yurts and yards punctuate 1,000 dusty acres. Even more surprising, the yurts are home to very special cats and dogs, a number of whom until recently had never felt the grass beneath their feet.

“Some dogs are more adjusted than others, requiring very little time here,” said Karen Straight, Ph.D., co-director of Kindness Ranch, a sanctuary that

rehabilitates and seeks to place dogs, cats, horses, pigs and sheep who have been retired from laboratories. “Others may need an extended stay, as they may be unaccustomed to walks, toys and cuddles, and time will help them adjust to their new life outside the laboratory,” she added. Founded in 2007, the not-for-profit Ranch reaches out to those in research facilities who might be open to the idea of re-homing animals following their use in research, rather than euthanizing them.

“We’re starting to build relationships,” Straight said, noting that in some cases it has taken facilities well over a year to return her calls, if they did at all. As an outreach and marketing tool, she and co-director Matt Farwell developed a book of photographs to illustrate who they are and what they do.

With research laboratories highly secretive of their work and fearful of exposure and backlash, there is reluctance to venture into a formal adoption program for some of their



Kindness Ranch

Potbelly pigs Louise, Geraldine and Antoinette (left to right), formerly used for instruction in implantation of biomedical telemetry devices, enjoy an enrichment activity as part of their new routine at Kindness Ranch in preparation for re-homing.

animals. Some laboratories prefer to arrange adoptions directly to select individuals, while others work with local animal shelters, sanctuaries and other rescue organizations. Sometimes efforts stall in the initial outreach to research facilities. Once a relationship has been forged, however, anonymity and discretion are the cornerstones of an association of this nature.

From Lab to Lap

Purpose-bred dogs—those who go directly from a breeder to the lab—also present particular re-homing issues. Carolyn Sterner, director of Cascade Beagle Rescue-East, had been warned that these are “wild dogs” due to their behavioral conditioning in laboratories. For example, “...drinking out of a bowl can be a new experience to them because of automatic water dispensers in labs,” she explained. “They are not familiar with stairs, having the run of a house or being housebroken.” But she was determined to dispel the myth that these dogs were too unruly to live in homes. She has successfully placed over 75 beagles retired from labs—including adopting one herself. The Laboratory Beagle Adoption Division of Cascade Beagle Rescue-East run by Sterner helps research facilities develop their own internal adoption programs. It also fosters beagles who come from research laboratories in preparation for permanent homes when internal adoption programs are not an option. Sterner does this work as a volunteer and her desire is to grow the Laboratory Beagle Adoption Division so that as she says, “through

cooperation and respect with the field of biomedical research, these animals can find life and love in their retirement.”

Sterner, a former research facility Institutional Animal Care and Use Committee (IACUC) administrator who learned of the plight of purpose-bred beagles, said that though the process may take



Kindness Ranch

After spending the first six years of her life in a research laboratory, Angel, a 20-pound whippet mix, finds heaven in the arms of adoptive mom Birgit Fowler.



Sarah Fleming

Rats are very social and can enjoy the company of people as well as other rats.

time, every facility her group has approached has ended up working with them. She credits such entities as the New Jersey Association for Biomedical Research, which publicly endorses their efforts, with helping to facilitate what could be highly challenging outreach efforts. Sterner also indicated that the manner in which animals are treated at the breeder facility and in

the lab, through socialization and enrichment programs, helps ensure both the dog’s well-being and a smoother transition to a home.

Research Perspective

Lorraine Bell, research program coordinator for the Office of Laboratory Animal Resources at the University of Colorado, Denver, said that while her current position involves working primarily with rodents, a former role at a facility in Atlanta saw her overseeing internal adoptions for companion animals previously used in research.

“For any successful (internal adoption) program, the most important thing (for the overseer)



is to have some experience yourself working with retired laboratory animals,” she said of her prior role. “The laboratory animal is different. The prospective owner needs to be briefed about this, otherwise you’re going to end up with someone who is unprepared,” she explained, affirming that the kind of study for which the animals have been used, and how they behaved inside the facility, impacts prospects for them outside of the laboratory. “We actually went through the IACUC just as you would with any procedure to design the policy and rules governing who could or couldn’t adopt the animals and what kind of questions to ask on the screening questionnaire,” Bell said. She added that if someone had never owned a pet before, they were automatically screened out.



Kindness Ranch

Max has an eye toward the future, and another covered up by his friend Remy (AWI’s spring cover cat), who came from a research laboratory.

With its own internal adoption program in place, veterinarian Ron Banks, director of the Office of Animal Welfare Assurance at Duke University, said Duke will not automatically re-home all dogs and cats in the laboratory. Criteria for re-homing include determining that an animal is “normal,” though how one defines normal, Dr. Banks said, depends upon how the animal is used. For example if the animal was used for infectious disease study, he or she might carry an infectious agent precluding adoption. If issues are behavioral and training seems possible, the decision to adopt out might be more likely.

are denied protection under federal law and comprise more than 90% of the animals used for research and testing, there should be many good candidates for adoption. What is needed is for institutions to decide to devote some energy to it and for the public to be made aware of the availability of these animals for adoption. An adjustment to life outside the laboratory can typically be done with ease and these animals deserve to be in loving homes too. In the case of Bear, a rabbit used in antibody production, the adjustment was more than successful. When the facility manager who had cared for Bear for 5 years learned he was to

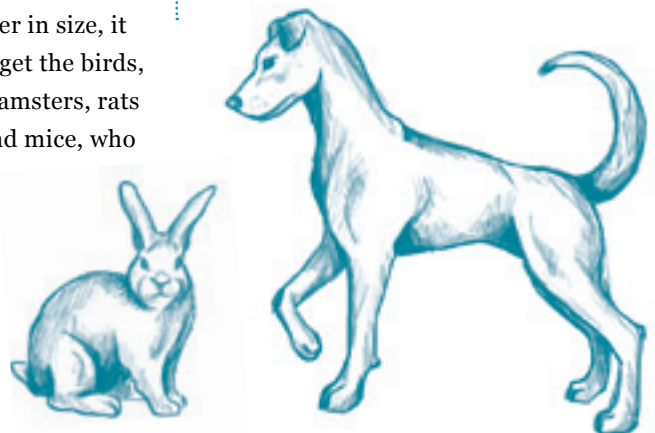


Kindness Ranch

Cathy was one of eight lambs transported to Kindness Ranch from a major West Coast university.

A Mouse in the House

Though they are smaller in size, it is important not to forget the birds, rabbits, guinea pigs, hamsters, rats and mice. With rats and mice, who



be euthanized, she stepped in and took him home. Before long, he was curling up with the family's two cats and was protectively guarded by the dog. His worst behavior: loudly thumping for his nightly carrot. He passed away at home at the age of 13.

release them at the end of the research cycle. Despite the reluctance of many research facilities to make animals available for re-homing, routinely euthanizing animals carries its own burdens. According to Duke's Dr. Banks, the practice "is not an easy thing for institutions, no matter who they might be." Many

or arrange for family or friends to do so, but this is certainly not always possible. Nonetheless, it is deeply encouraging for the technicians to see animals formerly in their care head off to a new beginning outside the laboratory. Sterner of Cascade Beagle-East says with that in mind, her organization sends the labs



Cascade Beagle Rescue

Vinny delights in having retiree Lola as a member of his family.

Technicians Step Up

According to Kindness Ranch's Karen Straight, it's an uphill battle for many sanctuaries and rescue groups to acquire laboratory animals because few laboratories actually

in getting these animals released, both personally and professionally." Technicians who work with the animals may well adopt some of the very animals they have come to know



Kindness Ranch

Grace upon arrival at the Ranch from an East Coast laboratory where she'd been used in nutrition studies since 1997.

technicians become emotionally involved with their research animals after spending months or years together in day-to-day interactions. In fact, according to Straight, "What I have encountered is that there are some individuals who are putting themselves at risk

updates on how the dogs are doing, not only in foster care, but after they are adopted out, reinforcing the efforts of those concerned enough to put themselves on the line. "This really keeps them going," she said.

While re-homing procedures may vary for internal adoption programs, rescue groups and sanctuaries, there is little doubt that the effort made to provide a life for animals outside the laboratory is a responsibility that can be undertaken with highly encouraging and satisfying results. 🐾



WILDLIFE SEGREGATED

BY U.S. BORDER POLICY

THE REMOTE BORDERLANDS between the United States and Mexico contain vast and beautiful wilderness and include the richest diversity of plant and animal species in North America. Why then, did the U.S. government, under the Bush Administration, choose to waive the many landmark laws set in place to protect these unique areas?

In the 1990s, in an effort to fight the increasing flow of illegal immigrants from Mexico, the U.S. Border Patrol began erecting barriers in urban areas along the U.S.-Mexico border starting with major cities like San Diego and El Paso. The Border Patrol installed two types of barriers: pedestrian fencing, the most restrictive, and vehicle barriers which impede the passage of vehicles but allow animals to cross. The many miles of barriers pushed



This unfortunate bird perished after becoming trapped in the steel barrier running through Organ Pipe Cactus National Monument in Arizona.

migrants into remote and sensitive wilderness areas and wildlife refuges. In response to the shift, the U.S. Border Patrol extended the wall into these previously undisturbed areas, endangering people, the ecological integrity of these pristine wild lands and vulnerable wildlife. High voltage lighting, low flying helicopters and the construction of roads have also disturbed wildlife.

U.S. BORDER POLICY

U.S. border policy dramatically changed in 2005 with the passage of the REAL ID Act. Section 102 of this legislation gives the Department of Homeland Security the unprecedented power to waive *in their entirety* all local, state and federal laws that might interfere with the construction of infrastructure along the borders, including landmark laws enacted to protect the environment, historical sites and public health and safety. In 2006, yet another damaging bill was passed, the Secure Fence Act, which requires the construction of double steel, 15-foot high walls along approximately one third of the U.S. border with Mexico, fencing in large portions of the Arizona, California and Texas borders.

In implementing the REAL ID Act, former Secretary of Homeland Security Michael Chertoff disregarded three dozen laws including the National Environmental Policy Act, the Endangered Species Act, the Migratory Bird Treaty Act, the Clean Water Act, the Clean Air Act, the Coastal Zone Management Act and the National Historic Preservation Act. Although the decisions to waive these laws were challenged by many groups, the REAL ID Act also stipulates that the Secretary's decisions are not subject to judicial review and the legal challenges were therefore dismissed.

To date, of the nearly 700 miles of required fencing, 640 miles have been constructed along the U.S.-Mexico border. The organization Taxpayers for Common Sense estimates that one mile of border wall costs taxpayers an average of \$4.5 million, and an average mile of vehicle barrier costs \$1.6 million. According to the Migration Policy Institute, increased fencing since 1994 has had no overall effect on immigrants' ability to successfully cross the border and about 97 percent of undocumented aliens are eventually able to enter the U.S. The barriers not only cut through federal and private land but split an entire continent in two. Fencing has been completed in all four southern border states and traverses a variety of distinct ecosystems, from mountain to desert, obstructing and degrading vital wildlife corridors. Access roads are just as damaging, having been carved through designated wilderness areas and wildlife refuges. The lack of guidance from environmental laws, public input or scientific analysis has led to floods, wildlife habitat fragmentation and the degradation of once pristine wilderness areas.

AFFECTED AREAS AND SPECIES

The isolation of the border region, high concentration of public lands and sparse human population make it a haven for plants and wildlife. Dozens of unique and endangered species inhabit the region, including jaguar, Sonoran pronghorn antelope, bighorn sheep, ocelot, jaguarundi and the Mexican gray wolf, which was recently reintroduced into the southwestern United States. The barriers have



wall background and bighorn sheep: Krista Schlyer

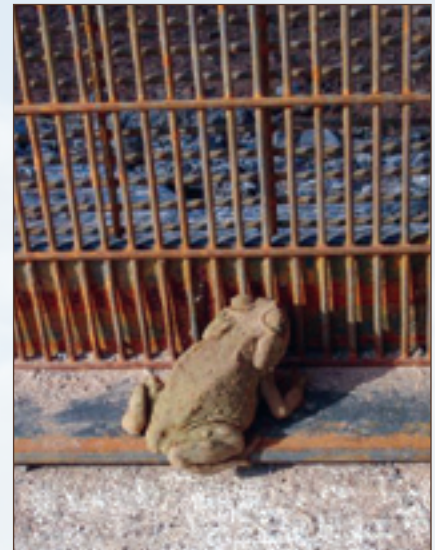
Cross-border breeding between the vulnerable Mexican populations of bighorn sheep and healthy U.S. populations has allowed their preservation.

fragmented some of the most productive and irreplaceable ecosystems in the U.S., prohibiting wildlife from reaching vital resources such as water and mates. This restricted gene flow could have devastating long-term effects on wildlife populations, particularly those imperiled populations with already limited genetic diversity that depend on uninhibited movement between the U.S. and Mexico. Wildlife in the region rely on open corridors and do not recognize human generated boundaries.

The impact of the barriers on jaguars in particular has drawn much attention. For many years jaguars were thought to be extinct in the U.S. until sightings in Arizona in 1996. The last known wild jaguar in the U.S. died in 2009. The barriers make the re-establishment of a healthy breeding population in the U.S. nearly impossible.

Conservation photographer Krista Schlyer began documenting the impact of the wall on borderlands wildlife three years ago, "Back then I witnessed bison jumping the barbed wire fence that used to form the border of New Mexico and Chihuahua, Mexico. And I photographed two years later the new border barrier that will block passage not only of bison, but most large mammals," she said.

In 2009, Schlyer, along with a group of photographers from the International League of Conservation Photographers, traveled the entire length of the border to document the impressive biodiversity of the region and raise awareness of the impact the border wall is having on the landscape and wildlife. Schlyer described the devastation she witnessed first-hand. "This is a very drought-prone area, and I have seen places where rare year-round water sources are now inaccessible to wildlife on the wrong side of the border wall. I have also personally seen wildlife attempting to cross the international border, and following the wall for 100 yards, only to turn away



Many miles of barriers have separated wildlife, such as this Sonoran Desert frog, from vital, reliable water sources, a sure death sentence in the arid desert.

when there was no way to cross. There has been documentation of Sonoran desert toads jumping against the wall until they literally die of dehydration.”

Few studies have been conducted to measure the effects of border walls on wildlife populations, however, one such study was featured in the journal “*Conservation Biology*” last year. Using telemetry, researchers measured the potential effects of the border fence on desert bighorn sheep and Ferruginous Pygmy-Owls. Models of gene flow suggested that the nine populations of bighorn sheep in northwestern Sonora, in Mexico, are linked with those in Arizona. Obstructing the dispersal of the animals would isolate some populations and stop gene flow, limiting genetic diversity among all of the populations. Since bighorn sheep population sizes are already small, fencing could also cause population extinctions.



Krista Schlyer

Although birds are graced with flight, many low-flying birds are unable to fly over the tall barriers.

Similarly, researchers found that fencing would obstruct the transboundary movement of Pygmy-Owls, whose flight height averages only 4.5 feet above ground. Since Pygmy-Owls are endangered in Arizona yet more common in Sonora, the health of the U.S. population is dependent on movement across the border. “The border wall presents a regional-scale barrier to the movement of wildlife, many of

which - like the pygmy owl and desert bighorn - are already threatened with extinction,” said Matt Clark, a co-author of the study and Southwest Representative with Defenders of Wildlife. “Wildlife do not recognize political boundaries. To survive they need unhindered access to resources on both sides of the border, and also to exchange genetics between populations. Interruption of gene flow with an impermeable wall could threaten populations on both sides of the border.”

Black-tailed prairie dogs represent another vulnerable species that is reliant on migration. Although this species was once prevalent in the U.S., due to massive extermination efforts in Arizona and New Mexico the largest remaining colony in North America is now found in Mexico. Because of cross-border breeding, colonies have started to establish themselves in New Mexico, however, barriers could stop the further recovery of this species in the U.S. Prairie dogs are considered a keystone species and play a very important role in their environment since they serve as prey for a number of predator species.

Peccary also play an important role in the ecosystem. The pig-like animal commonly consumes seeds and therefore serves an important role dispersing seeds throughout their environment. Blocking their movement will also inhibit the dispersal of many native plant species.

Along with the direct threat from the barriers themselves and the associated construction and infrastructure, the use of electric lighting also poses a huge threat to wildlife. The use of floodlights may negatively affect the movement of nocturnal animals such as some bird species and bats.

“It’s such harsh terrain it’s difficult to walk, let alone drive. There’s no reason to disrupt the land when the land itself is a physical barrier,” said a U.S. Border Patrol spokesman about Otay Mountain, which has been degraded by construction and subsequent erosion.



Krista Schlyer

The following wilderness areas have already been compromised by construction along the border:

- *The San Pedro Riparian National Conservation Area (AZ)*—The San Pedro River extends from Mexico into the U.S. and is renowned as one of the last free-flowing rivers in the Southwest. It is also designated as a World Heritage Natural Area and a Globally Important Bird Area;
- *Tijuana River National Estuarine Research Reserve (CA)*—The last remaining big saltwater marsh in the region. It serves as a rare and vital patch of coastal habitat for migratory birds and endangered species;
- *The Otay Mountain Wilderness Area (CA)*—It is home to the rare Tecate cypress tree which is the host plant for the even rarer Thorne’s hairstreak butterfly, found nowhere else in the U.S.;
- *The Lower Rio Grande Valley National Wildlife Refuge (TX)*—It was created as an important wildlife corridor for endangered ocelots and jaguarondi.

SOLUTION

Attempts are being made by Congress to restore laws to the borderlands in order to protect the environment and human health and safety, and fix the damage that has already been done. In May 2009, Representative Raúl Grijalva (D-AZ) introduced the “Border Security and Responsibility Act” (HR 2076) which calls for the analysis, monitoring and evaluation of the current border protection strategy, the return of laws to the borderlands and the analysis and mitigation of the environmental impacts of the barrier. In December of 2009, Representative Luis Gutierrez (D-IL) introduced “The Comprehensive

Immigration Reform for America’s Security and Prosperity Act” (CIR ASAP). The bill contains critical components of Rep. Grijalva’s bill and is intended to ensure that the Department of Homeland Security obeys all applicable laws when building infrastructure on the border. “CIR ASAP would restore healthy ecosystems throughout our border wildlands, protecting precious species like the jaguar from the ravages of the border wall,” said Dan Millis, Sierra Club Borderlands campaign organizer. “If we want our borderlands to survive for future generations, then the border tenants of CIR ASAP must be included in the final version of any immigration bill passed by Congress.”

President Obama announced in March his dedication to passing an immigration reform bill this year. To prevent further degradation, it is imperative that any immigration bill that passes repeals section 102 of the REAL ID Act, restores the precious ecosystems throughout the borderlands and replaces the current strategy with one based on comprehensive analyses and consultation. 🐾




fox and peccaries: Krista Schlyer

Even species with healthy populations are put at risk by the lack of movement, which will become necessary as global warming worsens and animals move to seek out more hospitable habitats.

Wildlife such as peccary, play a vital role in their environment. Barriers cutting through these ecologically productive lands, limiting the movement of wild animals could have devastating and irreversible ecosystem impacts.



SCIENCE SACRIFICED AT CITES



AT THE OUTSET, THE 15TH MEETING OF THE Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) stood to be historic and precedent setting. Never before had so many commercially valuable and highly exploited marine species been proposed for listing in the CITES appendices. From the bluefin tuna unsustainably killed for decades largely to satisfy demand from Japan, to several shark species killed by the millions each year primarily for their fins to make soup, to corals mined from the world's oceans to make jewelry—they all needed a lifeline to stop or stem international trade and to slow or stop their continued decline toward extinction.

That lifeline was never thrown. At the two week Conference of the Parties, held in Doha, Qatar, not a single marine species proposal was approved. Despite the overwhelming scientific evidence justifying each proposal, one after another was defeated, and it became abundantly clear that protection for commercially valuable species inhabiting the ocean, which are eaten or worn, despite their imperiled status, was not to be achieved. Politics, palates, economics and vanity ruled the day; science and conservation did not.

Those countries which eat or profit from the commercial exploitation of the marine species, namely Japan and China, joined forces and used their influence to secure the votes that denied these species much needed protections from international trade. Accusations of corruption and vote-buying were common themes heard throughout the meeting. Japan led many of the anti-conservation campaigns. It wined and dined delegates at several posh receptions including one on the eve of the tuna vote where bluefin was served. Not surprisingly, tossing aside the facts, the bluefin tuna proposal was resoundingly defeated. China, a country with a ravenous appetite for shark fin soup, led efforts to reject the shark proposals while Japan, Tunisia, and Morocco ensured that the red and pink coral proposal was rejected.

Bluefin tuna populations have declined by nearly 75 percent in the East Atlantic and Mediterranean since 1957 with 60 percent of that decline in the past decade while, in the West Atlantic, the species declined by over 82 percent since 1970. The International Commission for the Conservation of Atlantic Tunas (ICCAT), which ostensibly manages the species, is so ineffective that an independent review panel describes its management of bluefin fisheries as an “international disgrace” and made other recommendations promptly ignored by ICCAT. For example, despite scientists recommending in 2006 a total catch of 15,000 tons or less in the Mediterranean, ICCAT’s 2007 limit was 29,500 tons, yet an estimated 60,000 tons of tuna were caught. Despite this incompetence, many countries rejected the bluefin proposal claiming that ICCAT alone should regulate bluefin fisheries.



Christian R. Linder

The red-eyed treefrog (Agalychnis callidryas) is one of several tree frog species in the genus Agalychnis now protected under CITES.

Hammerhead sharks have been decimated by the fin trade with population declines of 83 percent in the northwest Atlantic Ocean and 99.9 and over 85 percent in the Mediterranean and in Australian waters, respectively. The reduction in oceanic whitetip sharks, also captured for its fins, includes declines of 60-70 percent in the northwest and western central Atlantic Ocean, 99 percent in the Gulf of Mexico, and 90 percent in the central

Pacific Ocean. The porbeagle shark, killed for its fins and meat, has declined by 80 to more than 99 percent.

The demand for pink and red corals by the jewelry industry is decimating the few remaining populations. Coral reproductive polyps have been reduced by 80-90 percent while the harvest of corals has declined by 60-80 percent since the 1980s. As the shallow coral populations are being mined, collectors are exploiting deep water colonies driving the species, already threatened by warming oceans and destructive fishing practices, closer to extinction.

For a convention that is intended to base its decisions on science, the decision to favor profits over protection and consumption over conservation does not bode well for the future of CITES. Since they couldn’t challenge the science, Japan, China and their allies concocted a variety of baseless claims to justify rejection of the proposals. In the end, even officials of the CITES Secretariat expressed concern about how pervasive politics and economics had become in the CITES decision-making process. Outgoing Secretary-General Willem Wijnstekers explained to the Associated Press that “the minute money gets involved, everything is different” causing “countries that consistently vote for conservation (to) then vote the other way.”



Threatened by illegal collection, habitat loss, and other anthropogenic threats the critically endangered Kaiser's newt, native to Iran, was listed on CITES Appendix I.

Despite global warming literally melting the habitat of this ice-dependent species from under its paws and expert predictions that the species won't survive the complete loss of summer sea ice, the polar bear was also denied a lifeline. With more than half of Canada's polar bear population in decline and with its international commercial export of an average of 300 bears per year between, the U.S. led effort was intended to provide another layer of protection to this iconic species. Logically, ending commercial trade is far easier than solving global warming, yet few countries thought that the cumulative impact of international trade on the polar bear justified supporting the proposal.

The news from Doha, fortunately, was not all bad. A U.S. proposal to delist the bobcat was again rejected because of concerns in distinguishing its pelts and products from more imperiled felid species. Increased protection was approved for the Baker's and Guatemalan spiny-tailed iguanas, tree frogs, the Kaiser's newt, and the Santanas beetle threatened by over-collection for the international pet trade. The Brazilian rosewood and Palo Santo trees, endemic to South America, were awarded Appendix II listing in order to regulate the trade in wood products and/or oils used to manufacture high-end perfume. Listing was also approved for several plant species endemic

to Madagascar. CITES parties also agreed to increase efforts to protect or improve management of rhinos, saiga and tibetan antelope, humphead wrasse, tigers, sharks and stingrays and to further study the trade of other species, including Asian snakes.

Proposals to downlist Tanzania and Zambia's elephant populations from Appendix I to Appendix II and to permit a one-time sale of stockpiled ivory were also rejected due to concerns about inadequate law enforcement in Tanzania, the potential for illicit ivory to be sourced through Zambia, and

the need for more time to assess the impact of a 2008 ivory sale on elephant poaching rates. While the CITES Secretariat denies any link between one-time ivory sales and elephant poaching rates, compelling evidence demonstrates a clear link between the sales and an escalation in elephant poaching which now claims more than 38,000 elephants annually.

The U.S. must be praised for leading the effort to increase CITES protections for the polar bear and, with Palau, for seeking the listing of hammerhead and oceanic whitetip sharks. While the U.S. voted in favor of many of the proposals that passed, it proposed the bobcat delisting, supported Zambia's elephant proposal, and voted against CITES protections for the spiny dogfish. To its credit, though secret ballots were used for all of the controversial proposals, it made public its vote unlike most countries that preferred secrecy to accountability.

In the end, the potential for this meeting to set a new precedent for conservation, was replaced with disappointment and concern for the future of CITES. With a new Secretary-General soon to take the helm, only time will tell if he can steer CITES down a path where species threatened by international trade will receive the protection they so desperately need. 🐾

AWI Honors Wildlife Protection Heroes

THE PRESENTATION OF THE CLARK R. BAVIN Wildlife Law Enforcement Award to eleven deserving recipients who demonstrated exemplary wildlife protection efforts was a highlight of the 15th meeting of CITES. This prestigious award presented by the Animal Welfare Institute at a Species Survival Network reception is named in memory of the late Chief of the U.S. Fish and Wildlife Service's Office of Law Enforcement, who pioneered the agency's highly effective use of covert investigations and "sting" operations to uncover illegal wildlife trade.

The 2010 award recipients included rangers, attorneys, investigators, agencies, instructors, and administrators whose diverse skills and activities resulted in exemplary wildlife law enforcement victories. Some provided developing nations and new CITES members with the tools, equipment and technical expertise to enable them to effectively implement the Convention. Others used their extraordinary abilities and passions for research, the law and tedious investigation to bring wildlife traffickers to justice. Those on the front lines of law enforcement, one of whom paid the ultimate price, put their lives on the line daily in the pursuit of wildlife protection and the proper enforcement of CITES. Through myriad ways each utilized their unique abilities for the sake of endangered animals.

The CoP15 Clark R. Bavin award recipients were: Dr. Bill Clark, CITES Coordinator for the Israel Nature and Parks Authority, Department of Law Enforcement; Nitin Desai, Director of the Wildlife Protection Society of India's operation in Central India; John Laigwanani, Sergeant with the Kenya Wildlife Service; The Anti-



AWI's DJ. Schubert stands amid the school of shark wielding award recipients. The hammerhead shark statues were made once again by John Perry, AWI's longtime supporter and friend.

smuggling Bureau of Guangzhou Customs, China; Andrew McWilliam, Investigative Support Officer, National Wildlife Crime Unit, United Kingdom; Birgith Sloth, Nature Conservation and Management Specialist based in Denmark; The Wildlife Crime Control Bureau, Ministry of Environment & Forests, India; Captain Li Huadong, Criminal Investigation Brigade in Shenyang Forestry Policy Bureau, China; Attorney Asis Generoso, Director for Law Enforcement, Tanggol Kalikasan, Philippines; and the U.S. Fish & Wildlife Service Office of Law Enforcement Special Operations Unit and U.S. Department of Justice attorneys involved in Operation Central. A posthumous Award was given to Muga Joel Got, a Kenya Wildlife Service ranger who was killed on Christmas Day 2009 by ivory poachers. The awards were presented by Willem Wijnstekers, the outgoing Secretary-General of CITES. Details regarding the recipients can be found at: www.awionline.org/bavinawards. 🐾

Organic Standards Evolving

Despite popular belief that an organic label ensures animal welfare, this is not the case. Organic rules pertaining to animals have been limited to use of organically-grown feed without animal byproducts and prohibiting use of hormones and antibiotics. Granted, antibiotics should not be given to animals on a routine basis to promote growth or prevent disease. However, organic animals in need of antibiotics to treat disease are either deprived of appropriate treatment so their products can be sold as organic or are transitioned to the less lucrative conventional market which is even less concerned with animal welfare. In February, the United States Department of Agriculture (USDA) National Organic Program (NOP) published a rule, fully effective February 2011, requiring that most organic ruminants actively graze on pasture at least 120 days per year. Though an improvement, organic is still not synonymous with high-welfare and it does not ensure that animals are raised outdoors on pasture or range for a majority of their lives. Consumer expectation coupled with the recent USDA Office of Inspector General report critical of the Department's oversight of the NOP will hopefully be the impetus needed to make this a program with integrity. 🐾

Tyson Foods' Chicken: Raised with Antibiotics

DESPITE CORRESPONDING FEEDING PRACTICES in large-scale industrial operations, in 2007, Tyson Foods sought to capitalize on growing consumer concern about the excessive use of antibiotics by marketing its chicken as "Raised Without Antibiotics." While making this claim, Tyson was in fact feeding chickens ionophores which are classified by USDA as antibiotics. Though the USDA regrettably approved the claim, it was later revoked. Arguing that ionophores are not used in human medicine, Tyson Foods proposed a modified label claim: "Chicken Raised Without Antibiotics That Impact Antibiotic Resistance in Humans." Virtually all intensively farmed animals receive low levels of antibiotics in their feed or water throughout their lives to expeditiously get them to market weight. When animals



Farm Sanctuary

Concentrated animal feeding operations, like those owned by Smithfield Foods, generate methane, ammonia and hydrogen sulfide that can be smelled for miles.

Smithfield Fouls

A RECORD-BREAKING \$11 MILLION has been awarded to plaintiffs suffering from horrendous odors emanating from hog factories in Berlin, Missouri. The case, filed in 2002 against Premium Standard Farms, a subsidiary of Smithfield Foods, and ContiGroup, stated that factory conditions prevented residents from venturing outdoors. The compound has 80 buildings, each confining 1,000 hogs at a time. Annually, the facility fattens 200,000 pigs and generates 83 million gallons of waste. Pigs are brought to the facility weighing approximately 60 pounds and are continuously confined to indoor pens until they reach slaughter weight of 260 pounds. Smithfield's inhumane factory production of such an unsustainable, unnatural number of pigs necessitates the animals be kept on slatted floors. Their waste collects in basins beneath them, is flushed to lake-sized cesspools and continually sprayed onto saturated land. The verdict is the largest monetary award against a pig factory in an odor nuisance case and follows a \$4.5 million verdict in 2006 against Premium Standard Farms. Roughly 250 additional plaintiffs have cases pending against the Smithfield subsidiary. 🐾

are confined indoors by the thousands, antibiotics are also used to suppress disease. By 2008, Tyson Foods withdrew its modified label, and recently the company agreed to settle a class action consumer lawsuit for its false "Raised Without Antibiotics" claim. The \$5 million in compensation it is expected to pay is unfortunately of little consequence to the company with annual revenues of nearly \$27 billion. 🐾

The Book of Honu Enjoying and Learning about Hawaii's Sea Turtles

By Peter Bennett and Ursula Keuper-Bennett

A Latitude 20 Book

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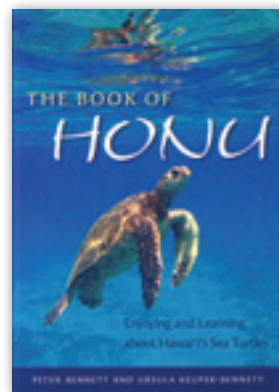
135 pages; \$18.95

THE BOOK OF HONU is a wonderful guide for all turtle enthusiasts, especially those interested in seeing Hawaii's green sea turtle, or honu, in the wild. The authors, Peter Bennet and Ursula Keuper-Bennet, are not scientists but their understanding of honu goes beyond science.

Their journey into the lives of honu began while on a dive in 1988. The pair encountered an individual green sea turtle who was infected with fibropapilloma tumors, a debilitating and often fatal disease, and pledged to tell her story by documenting the disease in the population.

The resulting book is a detailed guide to safely and respectfully viewing, understanding and enjoying honu and is beautifully illustrated with images and stories of the turtles they encountered.

Topics covered in the book include honu behavior, physiology, individual personalities, habits, places to view honu and threats to them. Throughout the book, the authors stress the need to respect honu and provide tips on how to read their body language to spot each individual animal's comfort zone. Over the years the couple has observed and identified 750 individual honu using photographs, which they use to raise awareness of the tumor problem in the population. 🐾



ANIMAL WELFARE AT THE OSCARS

Many animal protection advocates were glued to their televisions this year during the Oscar Awards. Two amazing films exposing animal welfare concerns were nominated for Best Documentary: "The Cove" and "Food Inc." "The Cove" won the award and both films received much needed exposure, which will hopefully move the issues they highlighted forward.

"The Cove" Director Louie Psihoyos, Producer Fisher Stevens and the main character Ric O'Barry, accepted the award. The action-packed film describes O'Barry's efforts to expose the continued slaughter of thousands of dolphins in Taiji, Japan and the connections to the captive dolphin industry. Although the hunts still persist, awareness is building in Japan.

Also nominated for best documentary of 2009, "Food Inc." exposes millions of Americans to the dark reality of food production in the U.S. today. Through interviews and video footage the movie explores some of the negative impacts that the current corporate controlled food industry has on our environment, worker safety, public health, farmer livelihood and animal welfare. The film concludes that while problems surrounding food production are challenging, alternatives exist and change is possible. 🐾

Elephants on the Edge: What Animals Teach Us about Humanity

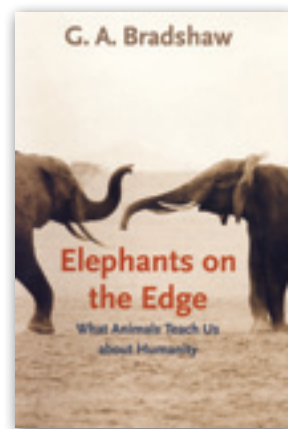
By G.A. Bradshaw

Yale University Press

ISBN: 978-0-300-12737-7

310 pages; \$28.00

IN ELEPHANTS ON THE EDGE, G.A. Bradshaw exposes how through mass slaughter, poaching and capture we have ravaged elephant populations, while drawing comparisons between the ways people and elephants respond to traumatic situations. She offers anecdotes of elephants in confinement, which reveal eye opening accounts of the suffering these animals can be forced to endure as a result of their institutionalized settings. At times, the book is somewhat history and science laden. Nevertheless Bradshaw presents a thought provoking work challenging us to recognize how we have traumatized elephants through our actions, and imploring us to support those who are currently working to rehabilitate these animals in ways used by professionals to treat people who have survived trauma. 🐾





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Trainer's Death Revives Cetacean Captivity Debate

TILIKUM, SEAWORLD'S LARGEST KILLER WHALE, weighing over 12,000 pounds, killed one of his trainers in February, as spectators watched with horror. He grabbed his trainer, Dawn Brancheau, a veteran trainer at SeaWorld in Orlando, FL, by her ponytail and pulled her into the pool to her death. Brancheau succumbed to blunt-force trauma injuries and drowning.

Orcas, apex predators of the oceans, live in pods with incredibly strong bonds that may consist of as many as four or five generations of animals. Pods have their own distinct language or dialect; young orcas are taught behaviors by adults and these social animals are known to swim more than 75 miles a day. An adequately imitated physical environment where the animals can engage in natural behaviors cannot be created in captivity. Instead, these behemoths, kept in small concrete tanks and forced to survive and perform unnatural tricks, tantamount to a closet in human terms.

Brancheau's death is not the first to be linked to Tilikum. In 1991, at Sealand of the Pacific in British Columbia, Canada, Tilikum, along with two other captive orcas, drowned a young trainer after she reportedly fell into the pool. According to witnesses, the three whales prevented the trainer from leaving the water as they tossed her around like a doll. Shortly after this incident, Sealand closed and Tilikum was sold to SeaWorld. In July of 1999, a 27-year-old man was found floating in the pool with Tilikum and there are reports of Tilikum playing with the body. Although the autopsy ruled



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Tragedies will continue when wild animals, like Tilikum and the other orcas pictured above are forced to survive in unnatural, derisory environments.

the cause of death as hypothermia and drowning, it is unclear if the bull whale contributed to the man's demise.

Keeping orcas captive in commercial entertainment facilities boils down to profit for parks like SeaWorld. The all-too-often claim of promoting conservation with captive marine mammals can hardly be proven and contradicts the more powerful message that visitors take home—that intensive confinement of cetaceans is acceptable. Dr. John Jett, a former SeaWorld trainer and currently a visiting research professor at Stetson University, summed it up effectively when he wrote on CNN's AC360 blog, "The burden of proof is, or should be, on zoological parks where animals like killer whales are held. Show us the proof that making killer whales do tricks somehow leads to pro-environmental attitudes and behaviors among visitors. Attendance records and monetary profits alone are not an adequate defense of concrete pool imprisonment." 🐾