

# **OREGON WILDLIFE**

March 1974



# OREGON WILDLIFE

**MARCH 1974**  
**Volume 29, No. 3**

RON E. SHAY, Editor

HAROLD C. SMITH, Staff Artist

Oregon Wildlife is published monthly by the Oregon Wildlife Commission. Earlier volumes of the publication were entitled the Oregon State Game Commission Bulletin.

OREGON WILDLIFE COMMISSION MEMBERS  
FRANK A. MOORE, Chairman ..... Idleyld Park  
DAN CALLAGHAN, Vice Chairman ..... Salem  
MRS. ALLEN BATEMAN ..... Klamath Falls  
ALLAN L. KELLY ..... Portland  
JAMES W. WHITTAKER ..... Pilot Rock

JOHN W. McKEAN, Director

*All correspondence should be sent to:*  
OREGON WILDLIFE COMMISSION  
P.O. Box 3503  
1634 SW Alder Street  
Portland, Oregon 97208

Permission to reprint is granted; credit would be appreciated.

Oregon Wildlife is circulated free of charge. Please report change of address promptly giving both new and old addresses and zip codes.

Second-class postage paid at Portland, Oregon.

## The Cover

A variety of feeders will bring birds to your backyard. For details, see feature article.

*Photo by Hubert Prescott*

## HUNTER EDUCATION PROGRAM

### Instructors Approved

Month of January ..... 15  
Total to date ..... 3,335

### Students Trained

Month of January ..... 418  
Total to Date ..... 206,262

### Firearms Hunting Casualties Reported In 1974

Fatal ..... 0  
Nonfatal ..... 0

# National Wildlife Week 1974

According to the National Wildlife Federation, "We Care About Endangered Wildlife" is the theme for National Wildlife Week, March 17-23.

In their concern, they are far from being alone. Endangered wildlife species draw perhaps more attention from the nonhunting public than any other types of birds, fish, or mammals. This is probably well and good; however, there is one aspect of the concern that is quite disturbing to wildlife management biologists.

In our last issue we ran partial results of a survey administered to a number of college and university students in various parts of the country. Though the point of the survey was to try to determine the extent of anti-hunting sentiment, some of the other results were revealing and disturbing.

How does this relate to the theme of National Wildlife Week? According to the survey, some two-thirds of the people answering the questionnaire indicated they felt that sport hunting was endangering various forms of wildlife. Concern for these species is important but misdirected concern is perhaps worse than none at all because it tends to mask the true threats to wildlife.

According to the Department of Interior, 32 species of birds native to the 50 states are now extinct. Twenty-four of these lived in Hawaii and were never hunted by sportsmen. They succumbed to the predatory activities of domestic cats and mongooses introduced by man to the islands.

Of the remaining eight extinct species of birds, only two — the heath hen and the passenger pigeon — were ever hunted for sport. The heath hen was eradicated by spreading civilization in the densely populated northeastern United States. The main causes for the destruction of the passenger pigeon were market hunting and habitat change.

Nine species of modern-time U.S. mammals are extinct. Only three such could have been pursued by sportsmen. These were the Eastern elk, Merriam elk, and Badlands bighorn sheep. All were wiped out before 1910 during the settlement of their respective ranges. They were hunted for food by pioneers and for sale by commercial hunters but they were long gone before sport hunting achieved any popularity in their range areas.

Actually, the monies paid by sportsmen have been responsible for the introduction of a number of species into areas where they never existed or had been driven out, and game laws control the hunter harvest to provide for continuing supplies of wildlife.

Concern for endangered species is something both the hunter and nonhunter can get together on. Concern for these species should be manifested in concern for their habitat. Drained marshes, concreted cover patches, and channelized waterways do not provide homes for wildlife. It's true that humans are causing certain species to become endangered — but not by sport hunting. Instead, the human animal is crowding the other forms of animals out of their place to live or possibly making the homesites unfit for living through pollution and indiscriminate use of certain chemicals.

It is easy to damn the hunter for the demise of wildlife and thus salve one's conscience. However, such wrath will do little to ease the problems of wildlife. The energy crisis has made us all look closer at our use of natural resources. National Wildlife Week with its plea for endangered species should make us all take a closer look at what we're demanding from the land — how we're treating the land — and what we're doing to the all important supply of food, water, and shelter that determines the fate of all species that inhabit the earth. □

RES

# Backyard Wildlife

by CHUCK BRUCE  
Staff Biologist, Nongame

Regardless of whose groundhog you've been watching lately, spring is just over the hill and coming fast. For the farmer it's time to get his seed into the ground, for the wildlifer it's time to look for the early migration of birds, and for the home gardener it's time to plan a personal backyard arboretum. Better yet, why not plan to make this spring the starting point for your own backyard wildlife refuge combining the ideas of the farmer, wildlifer and gardener. All it takes is a little imagination, a lot of patience and a good shovel.

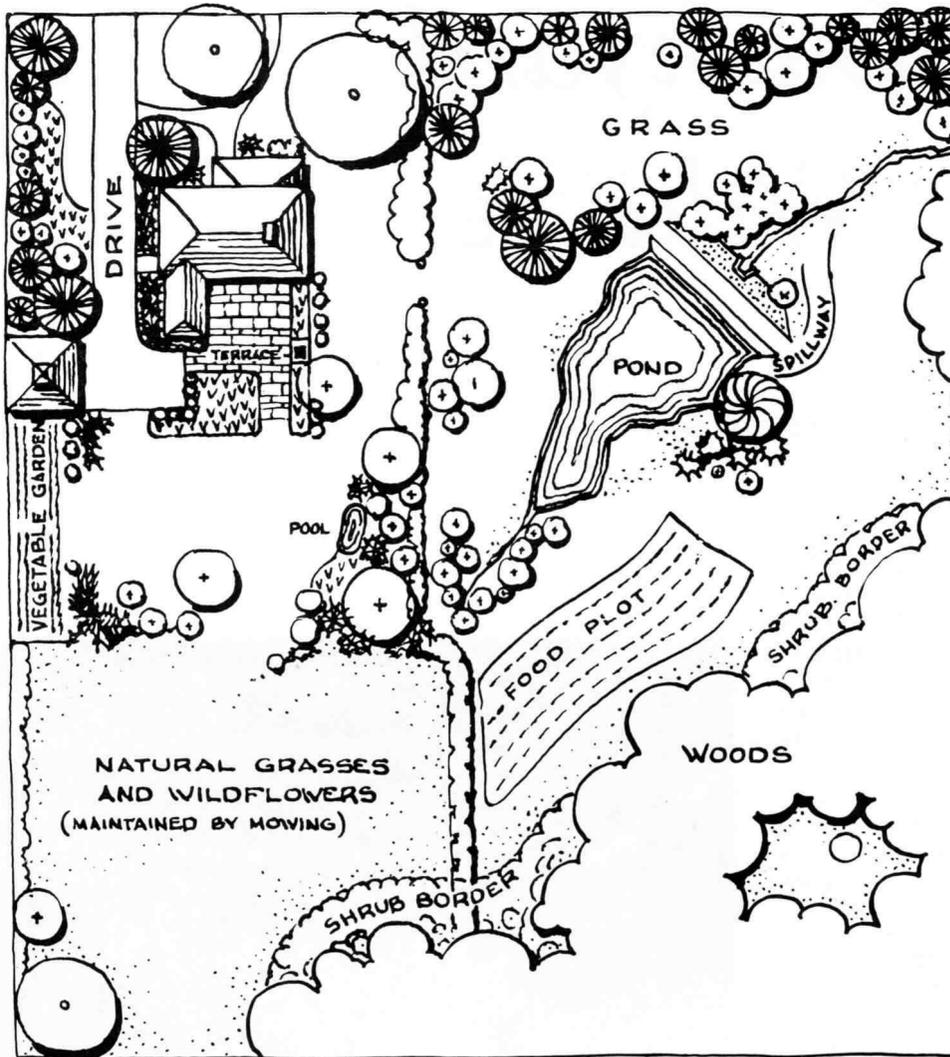
## A Backyard Land Use Plan

For those of you with a limited suburban yard, it's especially important that you plan your mini-refuge on paper first. You can only get just so many plants and animals into that one-quarter acre. Depending upon where you live in Oregon, you are already limited to what you can grow by the climate, soils and availability of water. A quick visit to your local nursery, County Extension Agent or Soil Conservation Service office will help to answer your questions on environmental limitations.

When planning the development of your yard or farm for wildlife, three goals should be kept in mind: (1) to provide the greatest variety of plants and grasses; (2) to create the greatest amount of "edge effect" or area of change from one plant type to another; and (3) to provide the basic needs of all wildlife: food, water, cover and a place to reproduce.



If you have a wooded area near by, bird feeders may bring other types of visitors, but all of them add to the interest of the backyard.



*Courtesy of S.C.S.*

LEGEND

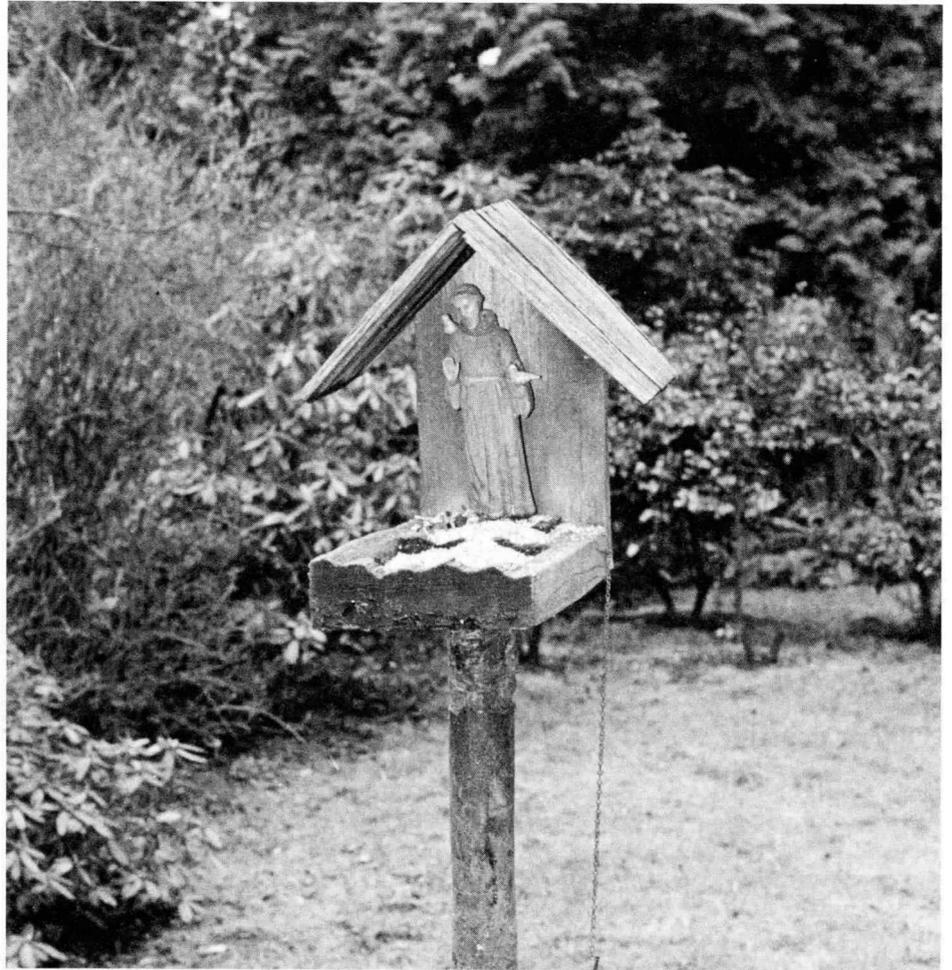
- |   |                             |   |   |
|---|-----------------------------|---|---|
|  | Pool or birdbath            |  | Trees for birds                           |
|  | Flowerbed                   |  | Shrub hedge                               |
|  | Shade tree                  |  | Weeping willow                            |
|  | Large conifer               |  | Woodland clearing                         |
|  | Low conifer                 |  | Natural or planted hedgerow               |
|  | Ornamental or garden shrubs |  | Conifer screen with planted shrub borders |
|  | Shrubs for birds            |   |   |

By providing a greater diversity of trees, shrubs, grasses and weeds, you automatically increase your chances of providing the habitat requirements for a greater variety of animals. In turn, you can attract a greater number of each variety by providing more edge. This can be done by combining different kinds, shapes and sizes of plants into groups that are spread throughout the yard as shown in the sketch. In other words, don't put all your conifers in one corner and shrubs in another. Mix them together.

### Natural Food

Of the three essentials for your backyard wildlife — food, water and cover — the most important is food. Without it, your yard will become a place to migrate over and fly through. Select your trees and shrubs, keeping in mind the food value they will provide throughout the year in the form of flower nectar, fruit, berries, seeds and nuts. If you hope to attract a specific bird or mammal that is native to your area, a quick trip to the library is in order. One good reference available in paperback is *American Wildlife and Plants* by Martin, Zim and Nelson.

A wide variety of native trees and shrubs are available to meet your needs. Since many of them won't be providing any significant food value for a number of years, you should get them started in your yard as soon as possible. While you are waiting for the fruit to come of age, they will provide escape cover and nesting areas. Suggestions include bigleaf maples, Pacific dogwood, madrona, western juniper, hawthorn, elderberry, cascara, serviceberry, Oregon grape, Oregon white oak, Douglas fir and incense cedar. Non-native plants that provide a good food source include mountain ash, Russian olive, apple and other fruit trees, blackberries, multiflora rose, pyracantha and red-flowering currant.



Feeders may be simple or elaborate with statuary. Equally important are various plantings around the yard such as these in the background. They provide important cover and, in some cases, desirable food such as rose hips shown below.

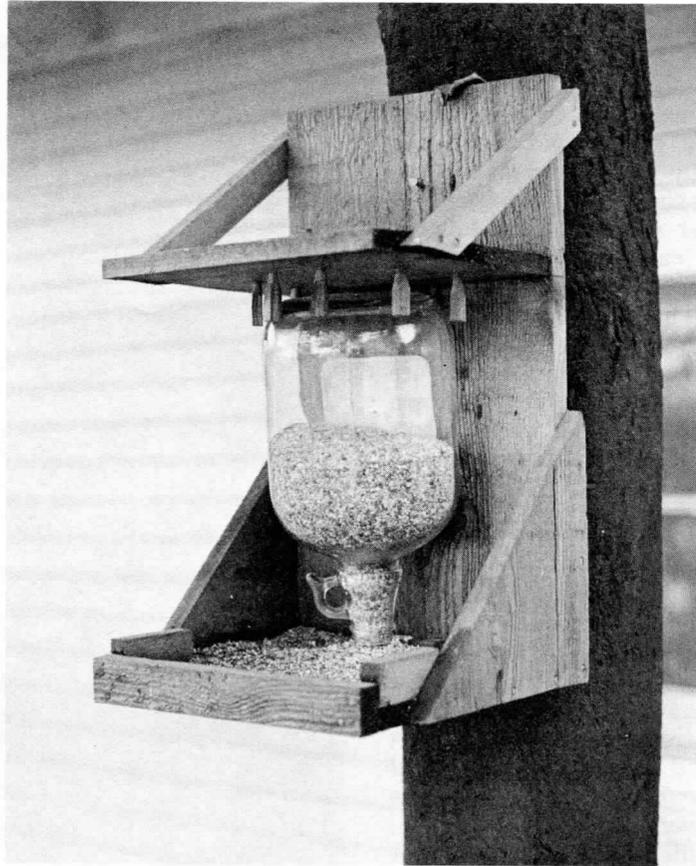


## Artificial Feeding

While some people are fortunate to have an acre or more to develop for wildlife, most people have less or none at all. A simple feeder on the window sill of your apartment or one hanging from a back porch can provide endless hours of enjoyment and satisfaction while providing badly needed energy to wintering wildlife. Many people may laugh at the idea but an estimated 50 million dollar-a-year business is nothing to laugh at.

Attracting and feeding birds can become a real art to those who are hooked. In general, however, a few guiding principles should be kept in mind. First is the fact that winter feeding is an artificial situation. You are concentrating a large number of birds into an area that cannot naturally support them. Thus, once you have started those birds, they become your responsibility until spring arrives and natural foods become more available.

Secondly, you have basically three types of birds that can be attracted if you provide the goodies: (1) seed eaters such as house finches, sparrows and towhees, (2) protein or suet eaters such as woodpeckers, nuthatches and chickadees, and (3) nectar eating hummingbirds. Commercial bird seed mixtures are available at most stores but they are expensive. Prices have just about doubled in the last few years. Economical homemade mixtures can be devised from a few basics purchased from feed stores and it is cheaper when you buy large quantities. Cracked corn, millet, sunflower seeds and chick scratch will do the job. Protein eaters will be satisfied with beef suet, grease drippings from cooking or peanut butter. The beef suet can be served straight but mix some seeds with the peanut butter and drippings. A mixture of one part sugar to five or six parts water and a little red food coloring will keep the hummers happy. During cold weather they can empty a feeder a couple of times per day so keep your eye on it.



Various used containers can serve as feeders. A reservoir of seeds makes for less time spent out in the rain. Below—it's not the water, but the mixture of seeds and suet that brings in the birds. Larger species such as starlings usually won't go into such a feeder.





Sources of drinking water and bathing water are strong attractants. Any type of shallow container will do the job but it should be kept filled during hot summer months.



OREGON WILDLIFE

The best type of feeder is the one you like. Commercial feeders are available at most garden shops if you lack carpentry skills. Suet can be placed whole on a platform feeder, spread into a hanging log feeder or hung from a tree within a mesh bag. No matter how you present the food, it should be close to trees or shrubs for a quick escape from predators. If quail, doves or pheasants inhabit your area, scatter some cracked corn and seeds on the ground.

### Water

No matter how abundant food is in your backyard, many species of wildlife will not appear unless there is water available for drinking or bathing. The real need comes during the warm summer months, especially in eastern Oregon. Those of you with a stream, lake or stock pond nearby don't need to worry but it is just as interesting to watch a group of birds splashing in a pool as it is to observe them feeding. A metal pan or concrete bowl will do the job but fresh water should be added every day. The more ambitious may want to build a pond with a recycling pump system. Water close to escape cover is probably more desirable.

### Nest Boxes

Unless you have a lot of patience, it will be a long time before your trees are large enough and old enough to provide a home for cavity nesting birds and squirrels. There are at least 40 birds and mammals in the northwest that reproduce in tree cavities. Since they are losing their natural homes with modern forestry practices and the high demand for firewood, you can be a great help in this area.

Birds are not particular how the nest boxes look. In general, a box that is 6 x 6 x 8 inches will suffice for most backyard birds. Cedar or exterior plywood boxes will last longer. An entrance hole of 1 1/4 inches will exclude those pesky foreigners, the English sparrow and starling. Drainage and ventilation holes should be provided. Boxes should be placed in fairly open areas at least 6-15 feet above the ground. Be sure and clean out the boxes after the nesting season.

### Need Additional Information?

I've only begun to touch on the ways and means of inviting wildlife into your backyard. There's a vast amount of information available and we are prepared to help you get started. The National Wildlife Federation has initiated a national backyard wildlife program. This year it has been adopted for use in Oregon by the Oregon State University Extension Service and the Oregon Wildlife Commission in cooperation with the Oregon Wildlife Federation.

About the first of April an information packet will be available that includes a plan for inviting wildlife to your backyard, a list of plants attractive to wildlife for both eastern and western Oregon, detailed plans for making nest boxes and feeders and an application for certification of your own backyard wildlife project by the National Wildlife Federation. This packet will be available free from the offices of the cooperating agencies throughout Oregon.

Why not invite wildlife to your backyard this spring! □

## Winter Waterfowl Numbers Down

The annual winter waterfowl survey conducted jointly by the Oregon Wildlife Commission and the U.S. Fish and Wildlife Service found fewer numbers of ducks and geese wintering in Oregon than during the past several years.

Overall there were about 36 percent fewer birds wintering in the state than last year. In checking all the major waterfowl wintering areas, biologists counted 263,000 ducks — a 35 percent reduction from last year — and 47,000 geese, which was only slightly more than half of those observed in 1973. Total figures are down some 23 percent from the average of the previous ten years.

Biologists also counted the eagles observed on the survey areas. They saw 62 bald eagles and 69 golden eagles, almost exactly the same numbers observed last winter. Nearly a third of the eagles were juvenile birds, indicating good production.

Some 40 biologists participated in the survey which took a week during the early part of January. Many areas were completely frozen over and birds were concentrated in large numbers on any open water. Observers reported that even salt water bays along the coast were partially frozen during the survey.

Chet Kebbe, small game biologist with the Wildlife Commission, says the wintering figures for the state are not really significant until the observations of other states in the Pacific Flyway are tabulated too. Bad weather conditions can affect the numbers of waterfowl that winter here and the severe freeze experienced just prior to the survey may have caused many birds to migrate out of the state. □

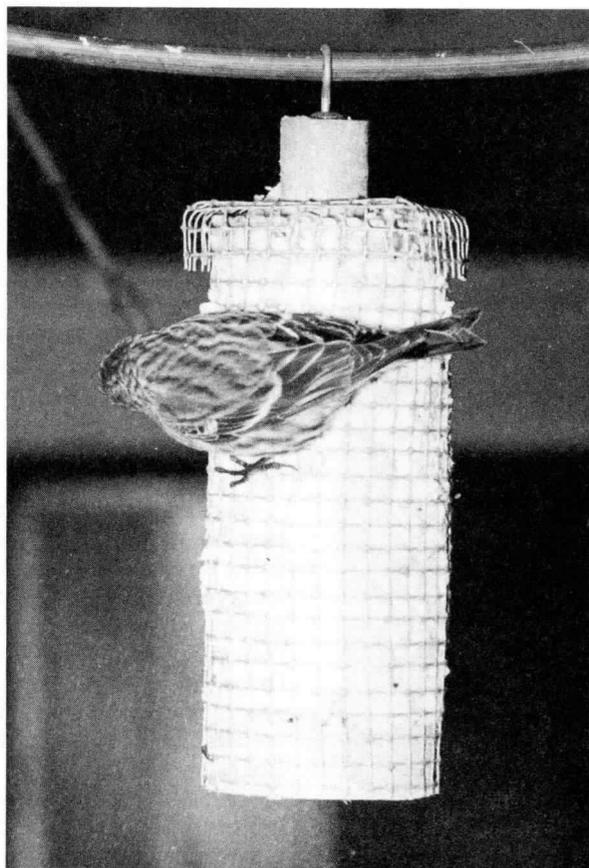
## Commission Supports Steelhead Initiative

In a unanimous decision, the Oregon Wildlife Commission voted to endorse an initiative petition which would prohibit the sale of steelhead trout within the state. The initiative is sponsored by "Save Oregon's Rainbow Trout, Inc." and was filed in early February with the Secretary of State.

It was designed to take the profit motive out of commercially taken steelhead, thus discouraging gillnetters from fishing drifts in which these fish are plentiful. In endorsing the petition, the Commission said such a ban would increase the number of steelhead trout available to anglers in the Columbia River and tributaries.

The Commission supported unsuccessful legislative proposals in 1969 and in 1973 which would have prohibited the commercial marketing of steelhead within the state. Oregon is the only state that allows the sale of these important anadromous fish.

The 1969 Legislature defined the steelhead trout as a "game fish" and directed the Fish Commission to regulate to reduce the commercial taking of that recreational resource but permitted the processing and sale of steelhead that are taken incidental to other food fish. □



## Deer Herds Counted

Wildlife Commission staff biologist Paul Ebert has compiled the results of herd composition surveys taken by field biologists from all over the state during November and December. These surveys are taken to determine the breakdown of the herds as they enter the winter season.

Biologists observe as many deer as possible during the composition survey and classify them in terms of fawns per 100 does and bucks per 100 does.

The fawn ratio provides a measure of the spring productivity of the deer populations and the buck ratio indicates the survival of the bucks during the hunting season. The latter also tells biologists whether there are enough bucks for breeding purposes.

In western Oregon a total of 5,859 blacktail deer was classified. Fawn ratios were at an average of 67 fawns per 100 does. This represents a 5 percent increase over last year and a 6 percent increase over the average for the last ten years.

The biggest improvement in the fawn ratios was observed in southwestern Oregon while the ratio remained unchanged in the northwestern part of the state.

Buck ratios in western Oregon were down 16 percent from last year and 38 percent from the ten-year average. Before anyone jumps to the conclusion that the bottom is about to drop out of the blacktail population, it should be pointed out that this is not detrimental to the deer herds. It merely indicates a more adequate 1973 blacktail buck harvest. For all of western Oregon the buck ratio still remains at a very adequate 21 bucks per 100 does. The ratio is higher in northwest Oregon at 28 bucks per 100 does and lower in the southwest part of the state with a ratio of 15 bucks per 100 does.

In eastern Oregon biologists classified 19,256 mule deer. Over the whole mule deer range they observed an average of 64 fawns per 100 does, which is just about the same as last year and within 3 percent of the ten-year average.

Taken by region, the picture varies somewhat. There was a 15 percent improvement in the fawn ratio in the northeastern region but a 19 percent

# Environmental Events

The Water Resources Board staff has proposed that minimum flows be established on 70 Middle Coast Basin streams. The suggested flows are similar to those determined necessary for aquatic life by Wildlife Commission studies.

A move to reduce the South Yamhill River's minimum flow by one cubic foot per second was opposed by the OWC staff. The Water Resources Board had been requested to approve a municipal water right as an exception to the established minimum flow program.

The Wildlife Commission staff made three recommendations to strengthen Oregon's water laws for protection of instream flow requirements. In testimony to the Legislative Agriculture and Natural Resources Subcommittee it said that either: (1) changing the free water rights to a fee-lease system, (2) requiring a full environmental assessment for all substantial water right applications, or (3) strengthening and broadening the minimum stream flow base to include the needs of recreation, esthetics, and other social values would improve the balance between public and private water needs.

The Tillamook People's Utility District has suspended further action on the proposed Trask River hydroelectric dam during the remainder of 1974.

The OWC staff advised the Corps of Engineers that it was opposed to the destruction of Ross Island or the closing of the island's lagoon to public use until there has been a reasonable opportunity to develop an acceptable management plan for public use.

The proposed Hart Mountain

decline in the central region. The southeast region remained the same as last year, about at the ten-year average.

The fawn population, especially in eastern Oregon, can change substantially by spring. Winter is the toughest season for the young deer and there are usually some losses. A mild winter may let a small fall population through relatively unscathed while a severe one can reduce a very

National Antelope Refuge wilderness area was opposed as it would prevent the development of watering places which are needed to benefit the high desert wildlife species.

A report was made to Congressman Ullman concerning the potential for deer-caused agricultural crop damage in the proposed John Day Fossil Bed National Monument.

Preparations are being made to monitor the fish and wildlife effects of DDT if the decision is made to use it for tussock moth control.

A report of how geothermal energy development may affect wildlife habitat was submitted to the International Association of Game, Fish and Conservation Commissioners.

Appraisals were made of three alternate plans for Highway I-205 crossing Government Island. The least damaging would be to use full pier construction since that would involve the smallest area and would not block animal movements.

In behalf of the Wildlife Commission, the Attorney General's office filed a civil damages complaint as the result of a pollution caused fish kill in Grant County's Canyon Creek. The trial is to start in mid-April.

The Corps of Engineers is considering the addition of six to nine generator units at McNary Dam. If construction is authorized, the existing powerhouse would be extended toward the Oregon shore.

The Clackamas County Planning Commission denied a conditional use permit for the proposed Cedar Ridge development near Brightwood. The Wildlife Commission staff had made a report on the environmental impacts. □

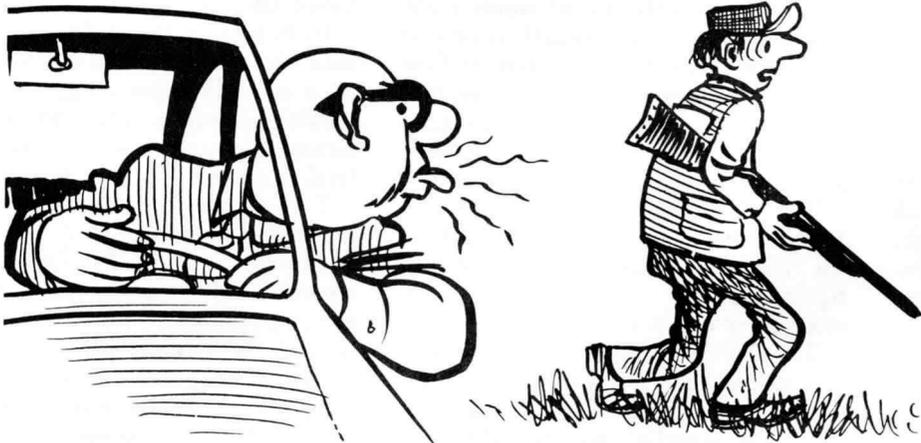
large fall population to low levels by spring.

The eastern Oregon buck ratios remained about at the same levels as last year, or an average of 10 bucks per 100 does. The ten-year average is 16 bucks per 100 does. Biologists would like to see the post-season buck ratio higher for mule deer but the 10 bucks per 100 does is considered adequate for good breeding success. □

# MEENZWELL - THE ENVIRONMENTALIST?



IS IRRITATED BY THE EVER INCREASING NUMBERS OF PEOPLE IN ALL HIS FAVORITE OUTDOOR SPOTS BUT FAILS TO SUPPORT THE POPULATION CONTROL MOVEMENT.



"STOP KILLING OF WILDLIFE," SAYS MEENZWELL, BUT FORGETS THAT CONTROLLED HUNTING IS A FORM OF PREDATION AND THEREFORE A NORMAL PART OF THE INTER-RELATIONSHIP OF ALL LIVING THINGS.



CLAIMS TO UNDERSTAND THAT ALL LIFE IS INTER-RELATED, THEN ABUSES HIS OWN "WEB OF LIFE" BY OVERLOOKING HIS INTERNAL SYSTEMS OF DIGESTION, RESPIRATION, BLOOD, ETC.

WARBACH

# This and That

Compiled by KEN DURBIN

A survey by the Wildlife Management Institute shows that states spend more than \$315 million annually in managing fish and wildlife. According to the report, one year's hunting and fishing license revenues collected from 55 million anglers and hunters account for about 62 percent of the states' total budgets. Federal aid for fish and wildlife amounts to 15 percent, other federal aid 5 percent, agency lands and investments 6 percent, general fund appropriations 4 percent, earmarked taxes and commercial revenues 1 percent, and miscellaneous 7 percent. Most states are hard pressed to fulfill fish and wildlife needs because of limited funds and rising costs.

A booklet, "Backpacking in the National Wilderness", written to help beginners plan a trip, is now available. The booklet suggests food and equipment, gives some good basic information, and lists organizations for further information. The cost is 25 cents from the Public Documents Distribution Center, 5801 Tabor Avenue, Philadelphia, Pennsylvania 19120. Ask for S/N 0100-01282.

From *The Brief*, a publication of the Better Business Bureau of Lubbock, Texas: "An organization calling itself the Animal Protection Institute of America advertised in the *New York Times*, soliciting ten dollar contributions to help eliminate the 'grisly death' through steel traps, etc., that living creatures, especially bears, are subjected to. The organization is located in Sacramento, California. However, the Sacramento Better Business Bureau reports that in a fund-raising drive for the organization, \$167,000 was raised but only \$15,000 or 9 percent went to the purposes of the Institute. The Bureau has pointed out that interesting fact to the copy acceptance department of *The Times*."

Freshwater fish don't really "drink like a fish". They may take in some water with food, but don't actually drink. Saltwater fish do consume water. They live in a medium which is saltier than their body fluids, fluids which may escape by osmosis into the denser water. They offset this loss by drinking sea water; their blood absorbs some of it to maintain its salt content.

Sagebrush has a valuable role in providing food and cover for wildlife and livestock, according to a recent work completed in sagebrush stands. It also acts as a protection from overgrazing of adjacent grass stands by livestock and helps to enrich the soil productivity through action of its roots.

Traditionally, ranchers have thought of sagebrush as a weed and thousands of acres in Idaho have been sprayed and replaced with almost solid stands of crested wheatgrass. Studies in Colorado have shown that spraying of sagebrush also eliminates other desirable broad-leaved types of vegetation like forbs which were found to have more protein value for livestock than the grass.

Studies in the state of Washington also showed that sagebrush remained actively growing by utilizing moisture available far below the level utilized by grass during the late summer and early fall. This continued growth during the height of the summer season provided additional soil enrichment and more than doubled the thickness of the top soil that is actively involved in mineral recycling.

An additional finding showed that elimination of a sagebrush stand also caused the birds which help to reduce the insect populations to leave. This makes the remaining grasslands much more vulnerable to a large-scale infestation.

*Idaho Fish and Game  
Department*

Two awards of \$500 each have been given by the National Wildlife Federation to two men whose information led to convictions for shooting bald eagles.

A Fall Creek, Wisconsin resident was rewarded by the NWF program when he notified officials that he witnessed two men kneeling in a field. He then noted their auto license number and later found a two to three-year-old dead eagle at the same spot in the field. As a result, Robert Small, 39, Portage, Wisconsin, was fined \$109, the maximum allowed under state statutes, and his hunting license was revoked. Small pleaded guilty to a charge of killing a protected bird, but told conservation agents that he thought it was an owl or a hawk. Both hawks and owls are also protected birds in the state.

In the other incident, Lloyd Thynes of Petersburg, Alaska was convicted on two counts of shooting bald eagles, fined \$2,000 and sentenced to 180 days in jail after a witness provided authorities with information about the killings. Half of the fine and two-thirds of the concurrent jail sentences were suspended.

The \$500 awards are the third and fourth to be given under the NWF program. Authorities have asked that the names of the awardees be withheld as it could place the witnesses in some danger.

The NWF continues to offer the reward upon verification that the claimant's information was substantial assistance in obtaining a conviction for shooting a bald eagle. The claimant must request the reward by writing to the National Wildlife Federation within six months after conviction. If more than one bald eagle was shot by the convicted person, \$500 will be awarded for one bird representing the total number shot. □

# A LOOK AT THREE LAWS

Three years, three Decembers, and three new federal laws have come into existence affecting the wildlife resources of the states. On December 15, 1971 the Wild Horse Act came into existence. On December 21, 1972 the Marine Mammal Act became a law and finally, on December 8, 1973 the most recent addition was enacted, this one concerning endangered species.

All three of the laws have preempted what were traditionally states' rights in managing the resident wildlife forms. All three acts were the result of a certain amount of public demand, but from there on the similarity lessens.

The initial law concerning the "wild" horse is still one causing a multitude of problems. Prior to its passage most biologists felt there were no wild horses in Oregon and, depending on your definition of the word, there may still be none. They are not a *native* wild form but, through the enactment of federal legislation, they may be on the verge of threatening the existence of some of our native wild forms.

The wild horse situation had been brewing for years. The fact that few people had ever seen a true wild mustang or that few probably existed made little difference. The emotion of the issue was well demonstrated when the bill appeared in the Senate for action. One senator stated:

"We are dealing with not only the welfare of these animals, but with an important part of our history. Boys and girls in our country grow up with tales of pioneers, Indians and wild horses. This is part of the dream of growing up in America."

The bill passed and on December 15, 1971 the U.S. Bureau of Land Management and the U.S. Forest Service became custodians of free-roaming horses and burros. However,

in their eagerness to protect these animals, the lawmakers did not take into account the biological capabilities of these animals to increase their numbers. On some ranges it is estimated that horse numbers are increasing at a rate of 25 percent annually and these animals may be on a collision course with the native wildlife species found in the same areas. Because of the inflexibility of the law and the emotion involved nationwide, the managing agencies are having a difficult time holding horse numbers down to the carrying capacity of the ranges where they live. Their overpopulation and overuse of the range may end up destroying their own home and that for native wildlife.

Emotion built again during the year following the wild horse bill and congressional members were deluged by letters, telephone calls, and telegrams expressing great concern for marine mammals. Much of the outpouring was prompted by a couple of semi-factual, highly emotional programs shown on national television.

So again the lawmakers went to work and drafted a bill that said in part, "The Congress finds that certain species and population stocks of marine mammals are, or may be, in danger of extinction or depletion as a result of man's activities."

There was some input from professionally trained biologists during the writing of this bill but, again, emotion had more to do with the character of the bill than sound information concerning management. A moratorium was placed on the taking of marine mammals and the U.S. Departments of Interior and Commerce were handed the reins to guide the act which, in some cases, overruled ongoing state programs.

Unlike the Wild Horse Act, however, the Marine Mammal Act allowed for a waiver of the

moratorium if biological information indicated the necessity. In addition, the states could regain control of species in question if they submitted to the federal government a management program meeting the requirements of the act. In essence, the states had the management of resident marine species taken away, but could get it back if they went through the federal government.

Finally, last year the third bill became law. Although the bill again concerned a group of species that elicit strong emotions, the endangered species, cooler heads seem to have prevailed in writing the law. The states still must superimpose the federal machine on their own operations; however, preemption of rights is not quite as immediate.

This act basically establishes guidelines that will declare certain animals as being threatened or endangered in a given state. Through cooperative agreements with the U.S. Department of Interior the state has the option of obtaining funds to assist in the implementation of a management program. However, in the event the state fails to do so in a given length of time, the U.S. Department of Interior will assume management authority.

The evolution of the federal legislation from the impractical complete protection stage to that of an enabling plan for management is a reasonable one and will be of most benefit to the wildlife. However, the fact that any federal legislation was enacted concerning strictly resident wildlife forms is disturbing. As mentioned before, emotion was the culprit and perhaps this is inevitable, but why could the emotion not be directed toward the various state legislatures? State wildlife departments are staffed with competent biologists very capable of developing sound management plans if the desires of the public are known. □



1634 S. W. ALDER STREET  
P. O. BOX 3503  
PORTLAND, OREGON 97208