

**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

**WHEREAS**, the White Mountain Apache Tribe Game and Fish Code regulates the collection of shed antlers on the Reservation, subject to limitations and regulations imposed by the Game and Fish Department; and

**WHEREAS**, the Game and Fish Department has presented to the Tribal Council its proposed regulations for the collection of shed antlers; and

**WHEREAS**, the regulation of shed antler collection is important to ensure that the tribal elk herd is not unduly disrupted by early shed antler collection and that tribal members who look for shed antlers do not begin their activity too soon in the season when roads are often impassable and weather conditions can be dangerous; and

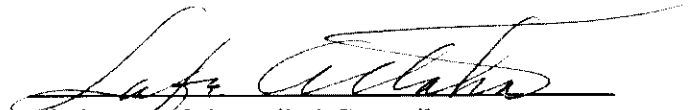
**WHEREAS**, the proposed collection season would run from April 1 until December 31.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the shed antler regulations attached hereto and authorized pursuant to the Tribal Game and Fish Code.

The foregoing resolution was on January 8, 1997 duly adopted by a vote of eight for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (f), (g), (h), (i), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

**RECEIVED**

FT APACHE INDIAN AGES  
WHITERIVER, ARIZONA

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council

## SHED ANTLER REGULATIONS

Spring 1997

### **Introduction:**

In accordance with the White Mountain Apache Tribe Game & Fish Code ( as amended ), authorizes only tribal members to collect, possess and sell shed antlers from elk, mule and white-tailed deer. The Tribal Game & Fish Department is responsible for the enforcement of this and other related regulations and further provide the department with the authority to establish regulations to effectively, monitor, manage, and regulate these activities. Accordingly the Tribal Game & Fish Department proposes the establishment of the following regulations, in compliance with the amended Tribal Game & Fish Code for shed antler harvesting on the Fort Apache Indian Reservation. These regulations will be enforced by the game and fish wardens and all other cooperating enforcement agencies under the jurisdiction of the White Mountain Apache Tribe.

**Regulated Activities:** All and any shed antler harvesting activities on the Fort Apache Indian Reservation, including the selling or buying of antlers.

**Regulations:** Any and all activities which engage in searching for, collecting or the selling of any shed antler are hereby restricted to the following dates only: **April 1 - December 31** of each year. All antler harvest, selling or buying shall be prohibited from **January 1 - March 31** of each year, unless such dates are amended by the Game & Fish Department or the Tribal Council of the White Mountain Apache Tribe.

**Effective Dates:** The effective date of these regulations is January 1, 1997 and will remain in place from **January 1 till March 31** of each year, unless such dates are amended by the Game & Fish Department or the Tribal Council of the White Mountain Apache Tribe.

**Penalties for such activities:** Citations may be issued to individuals, as well as confiscation of any and all shed antlers in possession.

**Regulatory Authority:** Section 5.3 Possession of Animal Parts, A - H. White Mountain Apache Tribe Game and Fish Code, as amended September 8, 1994.

**Justification:** In recent years the interest in the harvest of antlers has increased considerably due to growing demands in the Asian market. The products which are manufactured from antlers are primarily for medicinal purposes. but are also used in various crafts, especially in the United States. The growing demand for shed antlers has produced a ready market for many individuals who annually spend a considerable amount of time and effort searching for and collecting antlers and can result in a lucrative business.

Antlers are generally sold by the pound and can yield as much as \$100 to \$175 per antler. However with more and more individuals searching for shed antlers, competition among individuals has consequently intensified to the point that searching efforts have started progressively earlier in the year. The current situation on the reservation has promoted greater concerns within the Game & Fish Department and relate to various aspects of the shed antler business, which are presently conducted on the reservation.

Over the years, growing numbers of individuals have begun searching efforts as early as January ( Elk normally do not begin shedding antlers until Mid-March ). These early searching efforts are driven by two things; first of all individuals want to get in the field before anyone else does; and secondly, the presence of antler buyers in town acts as an enticement to begin searching for sheds. These early searching efforts have contributed to several problems:

1. Road conditions during this period (January - April) are generally poor. Secondary roads especially are often wet and highly susceptible to rutting and eventually soil erosion. As rutted roads dry out it then becomes necessary to blade these roads in order to get them back into useable condition. This can be problematic in logging units where sales are active and antler gathering conducted. The extremely poor road conditions have often led to antler hunters either breaking down or becoming stuck. In several cases individuals were disoriented while searching for antlers and resulted in having to spend the night in the woods under adverse conditions. These incidences have consequently increased the necessity for search and rescue efforts by Game and Fish Department personnel and other tribal enforcement

agencies. Over the years countless hours have been expended searching for individuals, which in several cases have come close to a loss in life. In several incidences children have also been involved. Nevertheless, the extreme weather conditions which occur during this three month period can pose serious hazards for individuals, therefore regulations such as presented here are established with the safety of tribal members of utmost importance.

2. Another concern which has developed from early season antler hunters has been the harassment and displacement of big game from critical winter ranges. For elk, winters are usually the most critical period of the year. During this time they are generally in poor body condition and therefore expend a considerable amount of energy just to maintain normal body functions. Bulls usually are recuperating from the rut and cows entering the critical third trimester of pregnancy, therefore the first 3 months of the year are extremely vital to their health. Elk normally shed their antlers on the winter ranges and as mentioned earlier, this occurs in mid to late March. Antler hunters who begin searching for shed antlers in January through March are beginning to displace elk from important winter ranges. This has forced elk into areas which provide poor to only marginal habitat conditions. By doing so elk are forced to exist on poor quality forage and are consequently expending more energy to locate adequate foods making them more susceptible to predation, malnutrition and diseases. The displacement of elk has promoted an increase in competition over habitat with deer. Reports which have especially caused concern during this period are reports of harassment of elk. Incidences which are increasing involve individuals who pursue bulls, either on foot and in some cases on horseback, in hopes of causing bulls to knock off their antlers.

3. Other concerns have been raised by some of the cattle associations. I.D. Ranch for instance has reported incidences of vandalism. Many involve the cutting of pasture fences, removal of salt and mineral blocks and in several cases the loss of calves. They have also reported that roads are severely damaged during this period and perhaps most common are unclosed gates.

4. One last concern which has led to the proposed regulations involve increasing poaching of antlered game, especially bull elk. Although the selling of cut antlers or those with skull caps attached is strictly regulated, certain individuals are suspected of illegally killing large bulls and taking only the antlers for

eventual sale. Because bull elk congregate during the winter months and are much more visible, they are highly prone to poaching. The department has over the years received many reports of gunshots during the antler collection season, which leads to the suspicion of illegal take.

5. Several other reservations have reported similar problems associated with the antler market. Mescalero has observed an increase in the amount of poaching of large bulls on their reservation. Consequently they have implemented an antler buying enterprise to manage antler harvest.

The Windriver Reservation in Wyoming also reported growing concerns over antler harvesting. They likewise have observed greater incidences of poaching, as well as the harassment of big game on winter ranges. They have observed considerable impacts to winter ranges due to the amount of vehicular traffic.

The Jicarilla Apache Tribe in New Mexico has implemented a antler buying enterprise due to the increase in poaching activity. Because their Game and Fish Department has the authority to purchase shed antlers, reports of illegal take have been curtailed. Secondly, the sellers are offered a fair market value for antlers.

By establishing these regulations, it is not the intent of the department to eliminate the harvest of shed antlers. They are rather intended for the protection and safety of individuals along with the management and protection of tribal wildlife resources. These regulations are proposed to become effective January 1, 1997 and will remain in place until they are no longer necessary or are amended.