DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Black Rhinoceros

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

Summary: The Service proposes that the African black rhinoceros (Diceros bicornis) be listed as an endangered species. A notice of review on this species, published in the Federal Register on August 11, 1977, has elicited information showing that the species has declined rapidly throughout most of its range and may be in danger of extinction. If the black rhinoceros is listed as endangered, the protections afforded by the Endangered Species Act would benefit the species and aid in the prevention of its demise.

Dates: Comments from the public must be received by November 30, 1979.

Address: Submit comments to Director, OES, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Comments and other materials relating to this rulemaking are available for public inspection during normal business hours at the Service’s Office of Endangered Species, Suite 500, 1000 North Glebe Road, Arlington, Virginia 22201.

For further information contact: Mr. Harold J. O’Connor, Acting Associate Director, Federal Assistance, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240 (202/343-4646).

Supplementary information:

Background

On August 11, 1977, the Service published a notice of review in the Federal Register (42 FR 40716-17) announcing that it was conducting a review of the status of the black rhinoceros (Diceros bicornis) and requesting comments from interested parties. The Service has carefully reviewed the public comments and available evidence and now believes that sufficient data are available to propose this species for endangered status. The basis for the opinion is summarized below:

The Endangered Species Act of 1973, 16 U.S.C. 1531 et seq. (Act) defines an endangered species as any species which is in danger of extinction throughout all or a significant portion of its range . . . (16 U.S.C. 1532 (6)) and a threatened species as any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. (16 U.S.C. 1532 (20))

The Act also provides that the Secretary shall by regulation determine a species to be endangered or threatened because of any of the following factors:

1. The present or threatened destruction, modification or curtailment of its habitat or range;

2. Overutilization for commercial, sporting, scientific or educational purposes;

3. Disease or predation;

4. The inadequacy of existing regulatory mechanisms; or

5. Other natural or man-made factors affecting its continued existence.

This authority has been delegated to the Director.

Summary of Factors Affecting the Species

There are currently five species of rhinoceroses occurring in Africa and southeast Asia. All five have long suffered from the effects of human demands. As a result, the Javan and Sumatran rhinos, which 60 years ago were widespread, have been reduced to tiny relic populations; less than 55 Javan rhinos (Rhinoceros sondaicus) remain in western Java plus a few other unconfirmed reports of their existence on mainland Asia, and there are less than 300 Sumatran rhinos (Diceros sumatrensis) in the world. The Indian or greater one-horned rhinoceros (Rhinoceros unicornis) has had its once extensive range reduced to a few populations totalling less than 1200 individuals in small reserves in northeast India and Nepal. All of the above species are officially listed as endangered under the Endangered Species Act of 1973.

The scientific evidence suggests that the African rhinos are now under severe threat. The southern white rhinoceros (Ceratotherium simum simum) was saved from total extinction by drastic measures of translocation in protected reserves. Its density has now recovered to such an extent that individuals can be translocated elsewhere, though the total world population is probably less than 3,000. The northern white rhinoceros (C. simum cottonii) has been whittled away for the last 60 years by legal and illegal hunting and its range reduced to relic populations in the southern Central African Empire, Zaire, Uganda and Sudan. The northern white rhinoceros is listed as an endangered species.

The black rhinoceros (Diceros bicornis), although still the most numerous of the world’s rhinos, now appears dangerously threatened. As long ago as 1963 the Chief Game Warden of Kenya wrote that the black rhinoceros was "one of the species in most danger of extinction". The best biological and commercial evidence suggests that the black rhino has significantly declined since that time.

Although figures as to the exact numbers of black rhinos in the wild are difficult to obtain, comparison of figures obtained over time by similar methods in the same areas give an indication of recent population trends. Extrapolation of these statistics show probable losses in Kenya of up to 95% of the black rhino population in Tsavo National Park, 85% in Amboseli and over 90% in Meru National Park over the last five to eight years. In Amboseli the once famous long-horned population of rhinos has been reduced from an estimate of around 52 in 1970 to 7 resident in 1979. Even in 1970 fears were being expressed that the population had been declining at 12% per year for the previous four years (Western and Sindiyio, 1972). The trend escalated until last year. Only two years ago Meru National Park could have been regarded as the last stronghold of the rhino in northern Kenya but now contains less than twenty specimens (Patrick Hamilton, Pers. comm.).

The Service believes that there are presently fewer than 1,500 black rhinos in Kenya, less than 10% of the number only ten years ago. This compares with an estimate of 6,000 to 8,000 specimens in Kenya’s Tsavo ecological unit alone in 1968.

The trend is also evident in other African nations. In Tanzania probable black rhino declines of 70% in Ngorongoro, 70-80% in Ruaha, 80% in Tarangire and 80-85% in Manyara over the last ten years are suggested by the data. Twenty-five rhinos were killed in Manyara last year alone and probably less than 12 are left alive now, of which perhaps three or four are females capable of reproduction.

Based on the available data, the Service believes that there are perhaps fewer than 15,000 black rhinos remaining in Africa.

A number of factors have contributed to the severe decline in rhino populations in general and black rhino numbers in particular. Perhaps the major reason the species has declined is trade in its parts and products. East African statistics on the legal export of rhino horn from 1950 to 1971 show that 1.50
tons were exported annually. From 1972 to 1976, the statistics show that 4.2 tons of rhino horn were exported legally from East Africa, a tremendous increase when compared with the figures from the earlier period. During the two year period from 1976 to 1977, official North Yemen statistics showed that traders imported an average of 7.6 tons per year of rhino horn. Since the average weight of rhino horn is approximately 3.5 kilos, about 7.7 pounds per animal, over this two year period at least 4,000 rhinos were killed to provide for North Yemen imports alone. These statistics indicate the great number of rhinos that were taken to satisfy world demand for their parts or products.

In 1976, the black rhinoceros was listed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Convention). The Convention limits international trade in parts or products of species listed on Appendix I for nations party to the agreement, and the 1976 listing probably reduced pressure on the black rhinoceros from this source to some extent. However, the evidence indicates that the black rhinoceros has not significantly increased in numbers since the trade restrictions of the Convention went into effect.

The black rhinoceros is also subject to illegal poaching. The price of rhino horn increased from $23 per kilo in 1969 to $112 in 1976, and reportedly has increased substantially since the species was listed on the Convention. The increased value in rhinoceros parts or products has stimulated illegal poaching, which has reportedly become both more widespread and sophisticated. In the past, spears, traps and poisoned arrows were the poachers main weapons. Today the rhinos are generally shot. In some quoted examples the horns are sold to middlemen. At present, there is inadequate information on the transport routes out of East Africa, but some leave by dhows or by aircraft.

The biology of the black rhinoceros also may be contributing to its demise. For a species that exists largely as solitary individuals at a naturally low density, the severe declines cause further problems by reducing the densities of individuals to such an extent that the probabilities of reproduction may also be greatly reduced. In addition, they are easy animals to stalk and those that are left are showing evidence of extreme disturbance in response to the harassment. The potential reproductive rate of the decimated populations may therefore also be lowered and some populations face total extinction without strong measures being taken.

In proposing the black rhinoceros as an endangered species, the Service also relies on the fact that the species was added to Appendix I of the Convention. Recognition of the precarious status of the black rhinoceros by the party nations constitutes evidence that the species is endangered or threatened under the Endangered Species Act.

Effects of the Rulemaking

As noted above, the black rhinoceros is on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Therefore, legal trade in the species is already regulated among nations that adhere to this Convention. Listing of the black rhinoceros as endangered under the Endangered Species Act of 1973 will not only provide an additional prohibition against importation of the species and its parts and products such as hunting trophies into the United States, but will also restrict transportation or sale in interstate or foreign commerce. (16 U.S.C. 1533(d), 1538(a)(1)(C); 50 CFR 17.31(a)). The other prohibitions of Section 7 of the Act will also be applicable.

Under both the Convention and the Act, permits are available in certain instances for scientific and other specified purposes. However, given the present precarious status of the black rhino, the Service believes that the issuance of permits for the importation of any sport hunting trophies, including hardship permits for this purpose, is inconsistent with the conservation of the species and therefore proposes to deny all such applications.

Listing of the black rhinoceros as endangered would also allow the United States to attempt to: (1) make the countries in which the black rhino is resident more aware of the importance of providing strong and immediate protection for the species; (2) make available to scientists of other countries the results of rhino research undertaken under U.S. sponsorship in such forms as to be helpful to them in developing their own research plans; (3) encourage other countries to undertake comprehensive surveys of the status and distribution of this species; (4) encourage African countries to establish additional reserves; (5) encourage reintroductions into areas where black rhinos were once distributed; (6) prohibit U.S. Federal agencies from undertaking any actions which might jeopardize the survival of the species; (7) provide, if requested, U.S. technical expertise for establishing management and recovery programs; and (8) provide funds to assist in the management and recovery of the species.

Public Comments Solicited

The Director intends that the rules finally adopted will be as accurate and effective as possible in conserving the black rhinoceros. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests or any other interested party concerning this proposed rulemaking are solicited. Comments particularly are sought concerning:

(1) Abundance and distribution of the species; and
(2) Population trends.

Final promulgation of regulations to conserve the black rhino will take into consideration comments and any additional information received by the Director and such communications may lead him to adopt final regulations which differ from this proposal.

Environmental Document

An environmental assessment has been prepared in conjunction with this proposal in compliance with Executive Order 12114. The document is on file in the Service's Office of Endangered Species, 1000 North Glebe Road, Arlington, Virginia 22212, and may be examined during regular business hours or can be obtained by mail.

The primary author of this proposed rulemaking is John L. Paradiso, Office of Endangered Species (703-235-2760).

Accordingly, the Service proposes to amend 50 CFR Part 17 by adding the following to the list in §17.11(i), alphabetically under "Mammals."
<table>
<thead>
<tr>
<th>Species</th>
<th>Common name</th>
<th>Scientific name</th>
<th>Population</th>
<th>Known distribution</th>
<th>Status</th>
<th>When listed</th>
<th>Special rule</th>
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<td>Rhinoceros, Black</td>
<td>Diceros bicornis</td>
<td>NA</td>
<td>Sub-Saharan Africa</td>
<td>Entire</td>
<td>E</td>
<td>None</td>
<td></td>
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The Department has determined that this is not a significant rule and does not require the preparation of a regulatory analysis under Executive Order 12044 and 43 CFR 14.

Robert B. Cook,
Deputy Director, Fish and Wildlife Service.

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