

DIVISION 062**WILDLIFE REHABILITATION****635-[044-0200] 062-0000****Purpose of the Wildlife Rehabilitation Permit**

Any person desiring to hold any bird, mammal, amphibian or reptile for the purpose of wildlife rehabilitation shall first obtain a Wildlife Rehabilitation Permit from the Oregon Department of Fish and Wildlife. The permittee may capture, transport, temporarily possess, rehabilitate, and (with permission from the local Department district wildlife biologist) release such wildlife. The permittee may euthanize wildlife that are injured, ill, orphaned, restricted or not authorized ~~[if that wildlife is specified on the permit.]~~ **for holding or release, as specified within the conditions of their permit and these rules.** ~~[The Wildlife Rehabilitation Permit does not allow the possession of wildlife for public display.]~~

Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222, 498.242

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222, 498.242

635-[044-0205]062-0005**Definition of Terms**

- 1) "Assistant" means someone who conducts wildlife rehabilitation activities in a wildlife rehabilitation facility under the direct supervision of the permittee.
- 2) "AZA" means the Association of ~~[American]~~ Zoos and Aquariums ~~[Association]~~.
- 3) "Candidate" means an animal species for which the USFWS has sufficient information on biological vulnerability and threats to support a proposal to list as endangered or threatened.
- 4) "Department" means Oregon Department of Fish and Wildlife.
- 5) **"Direct Supervision" means the oversight and management of the activities of an employee, assistant or volunteer by the permittee occurring primarily onsite and at the facility, but may include periods of indirect oversight of activities conducted independently by the employee or volunteer.**
- 6) "DVM" means Oregon licensed Doctor of Veterinary Medicine.
- 7) "Endangered species" means those species defined in ORS 496.004(6).

- 1 8) "Euthanasia" means to humanely kill an animal as per the American Veterinary Medical
2 Association Guidelines for the Euthanasia of animals: 2013 Edition or 2006 American
3 Association of Zoo Veterinarians - Guidelines for the Euthanasia of Nondomestic Animals.
- 4 9) "Home Care" means the facility used by the subpermittee for the care and feeding of neonate
5 avian species (or other wildlife species as approved in writing by the [d]Department district wildlife
6 biologist) under the guidance and at the request of the permittee.
- 7 10) "Marine mammals" means seals, sea lions, sea otters, and cetaceans (e.g., whales and porpoises).
- 8 11) "Migratory bird" means any bird, whatever its origin and whether or not raised in captivity,
9 which belongs to a species listed in U.S. 50CFR§10.13, including any part, nest, or egg of any such
10 bird. Birds listed under OAR 635-057-0000 are not included.
- 11 12) "NMFS" means National Marine Fisheries Service.
- 12 13) "Non-releasable" means:
- 13 (a) Individual wildlife that cannot be rehabilitated and returned to the wild with a reasonable
14 potential for survival;
- 15 (b) Those species classified as prohibited by OAR 635 Division 056; or
- 16 (c) Those species classified as controlled by OAR 635 Division 56 under rules that do not
17 allow release into the wild (OAR 635-056-0070).
- 18 14) "Permittee" means the person who holds a valid Oregon Wildlife Rehabilitation Permit issued by
19 the Department.
- 20 15) "Public display" means to place or locate wildlife so that it may be viewed or accessed directly
21 by the public.
- 22 16) "Rehabilitation" means the attempted or successful restoration of an injured, sick or immature
23 bird, mammal, amphibian or reptile to a condition whereby it can be returned to the wild.
- 24 17) "Sensitive species" means those wildlife species, subspecies, or populations that are facing one or
25 more threats to their populations, habitat quantity or habitat quality or that are subject to a decline in
26 number of sufficient magnitude such that they may become eligible for listing on the state
27 Threatened and Endangered Species List.
- 28 18) "Subpermittee" means person(s) listed on a wildlife rehabilitation permit as authorized to
29 perform wildlife rehabilitation activities under the supervision (direct or indirect) of a permittee.
30 Subpermittees may include, but are not limited to, veterinarians, falconers, or others assisting the
31 permittee with the rehabilitation of wildlife specifically allowed on the permit.
- 32 19) "Threatened species" means those species defined in ORS 496.004(15).
- 33 20) "USFWS" means U.S. Fish and Wildlife Service.

1 21) For the purpose of these rules, "wildlife" means wild mammals and wild birds, as defined by
2 OAR 635-057-0000, amphibians, reptiles and fish.

3 22) "Wildlife rehabilitation facility" means the primary location where an Oregon licensed wildlife
4 rehabilitator (permittee) conducts rehabilitation.

5 Stat. Auth.: ORS 496 Stats. Implemented: ORS 496

6

7 **635-[044-0210] 062-0010**

8 **Wildlife Rehabilitation Permit Requirements and Conditions**

9 1) A Wildlife Rehabilitation Permit may only be issued to a person who:

10 (a) Resides in Oregon or is a non-resident wildlife rehabilitator whose rehabilitation
11 activities occur in Oregon or whose facility (or facilities) exist within the state;

12 (b) Is at least 18 years of age [~~at the time of the~~] when taking the Oregon Wildlife
13 Rehabilitation examination;

14 (c) [~~Has~~] Submits [~~submitted~~] a completed and accurate written application form provided
15 by the Department;

16 (d) Possesses [~~either a valid Oregon DVM license or~~] a letter from an Oregon licensed DVM
17 agreeing to act as a medical supervisor and consultant to the permittee [~~person~~] if the
18 permittee is not an Oregon licensed DVM;

19 (e) [~~Has~~] Passes [~~d~~] the Oregon wildlife rehabilitation examination administered by the
20 Department with a score of 80 percent or higher on the general section of the test and each
21 relevant section of interest. Any applicant who fails to pass the Oregon Wildlife
22 Rehabilitation examination may retake the examination no earlier than 14 days from the
23 date of prior [~~examination~~] attempt;

24 (f) Is [~~Has been~~] approved by the local Department district wildlife biologist or other [~~local~~]
25 Department representative as meeting a need for rehabilitation services in the area [~~and~~
26 ~~having a good reputation for care of wildlife~~];

27 (g) Has not been convicted of, or admitted to, a violation of a wildlife law (under the
28 Interstate Wildlife Violators Compact), or administrative rule, or permit issued under the
29 Oregon wildlife laws within the previous five years; and

30 (h) Provides a suitable [~~Has a~~] rehabilitation facility, or plan for such facility, approved by
31 the local Department district wildlife biologist or other [~~local~~] Department representative as
32 meeting all requirements of these rules; and

1 (ih) (Upon permit renewal) documents compliance with the Department's Rehabilitation
2 Continuing Education Standards. **Permittees must complete and provide documentation**
3 **of 12 hours of Department approved continuing education every 2 years.**

4 2) Subpermittees may perform wildlife rehabilitation activities under the supervision (direct or
5 indirect) of a permittee [~~licensed wildlife rehabilitator~~] **only if** [subject to the following conditions]:

6 (a) The permittee [~~must~~] inspects the facilities of the subpermittee prior to the subpermittee
7 receiving wildlife;

8 (b) The permittee [~~must~~] provides the subpermittee written [~~information~~] instruction
9 **concerning** caging, food [~~veterinary treatment~~] **and feeding protocols**, veterinary- **directed**
10 treatment and any other assistance the permittee deems necessary for the care of wildlife in
11 the subpermittee's possession. The permittee must provide information concerning such
12 assistance to the Department district wildlife biologist upon request;

13 (c) The subpermittee [~~must~~] follows the written protocol, described in paragraph 2 (b),
14 provided by the permittee and, **if necessary**, approved by the Department **district wildlife**
15 **biologist**;

16 (d) The subpermittee [~~must be~~] is approved by the [~~local~~] Department district wildlife
17 biologist before receiving wildlife. The name, **physical** address, and **current** phone number
18 of the subpermittee must be provided to the Department. **Any changes in subpermittee**
19 **contact information must be provided to the Department with the permittee's semi-**
20 **annual Wildlife Rehabilitation Report (635-062-0305 (2))**;

21 (e) All wildlife [~~must be~~] is admitted through the permittee's licensed facility, the
22 subpermittee [~~must~~] **may** not accept wildlife from any other source;

23 (f) The permittee **is directly** [~~must accept~~] responsible [~~responsibility~~] for the **rehabilitation**
24 activities of the subpermittee **working under their permit**;

25 (g) The subpermittee [~~must~~] resides and conducts wildlife rehabilitation activities within
26 Oregon; **and**

27 (h) The subpermittee [~~shall not~~] **does not** perform wildlife rehabilitation activities at their
28 Home Care facility except for the care and feeding of neonate avian species **unless the**
29 **permittee has prior written approval to hold other wildlife species** [~~for other~~
30 ~~wildlife species as approved.~~] **at the Home Care facility** [~~by~~] **from** the local Department
31 district wildlife biologist

32 3) **Licensed Oregon** veterinarians administering immediate medical care for injured wildlife are not
33 required to have a Wildlife Rehabilitation Permit or submit a semi-annual report. Veterinarians that
34 provide care or hold wildlife longer than 48-hours **must be listed as a subpermittee or** are required

1 to pass the Oregon Wildlife Rehabilitation examination and possess a Wildlife Rehabilitation Permit.

2 The local Department district wildlife biologist may, by written authorization, allow a non-
3 permittee veterinarian to hold animals longer than 48 hours due to extenuating medical
4 circumstances.

5 4) The Department [~~reserves the right to~~] may deny issuance of a Wildlife Rehabilitation Permit,
6 disapprove[a] subpermittee(s) and [~~to~~] impose permit conditions or restrictions (e.g., number of
7 species, types of species, subpermittees, etc.) if the applicant or subpermittee is convicted of, or
8 admits to, a violation of wildlife law (under the Interstate Wildlife Violators Compact), or
9 administrative rule, or an order or permit issued under the Oregon wildlife laws within the previous
10 five years).

11 5) At least one member of a wildlife rehabilitation facility's staff must possess a Wildlife
12 Rehabilitation Permit [~~to provide~~] and that person must provide[s] direct on-site supervision to
13 non-permitted staff and volunteers.

14 6) Wildlife Rehabilitation Permits are issued free of charge and expire no more than two years from
15 date of issue.

16 7) A Wildlife Rehabilitation Permit does not exempt the [~~wildlife rehabilitator~~] permittee from
17 complying with other state, federal, county, and city laws and regulations.

18 8) A Wildlife Rehabilitation Permit does not authorize the practice of veterinary medicine or the
19 treatment of domestic animals.

20 9) Permits must be carried on the person or displayed in a public area in the facility while
21 performing wildlife rehabilitation activities.

22 10) The Department is not liable for any injuries or infections to the public or permittee,
23 subpermittee, or volunteers, or damage caused by wildlife held, captured, or transported [~~under~~
24 ~~the authority~~] as authorized by and due to activities or actions associated with a Wildlife
25 Rehabilitation Permit.

26 [~~11) The Department is not liable for any injuries or damage caused by wildlife to the subpermittees~~
27 ~~or general public capturing and/or transporting wildlife for rehabilitation purposes.]~~

28 11) The Oregon Wildlife Rehabilitation Permit does not allow the possession of wildlife for
29 direct access or display to the public except during release events or as approved in writing by
30 the Department. Indirect electronic viewing of wildlife patients by the public is permissible.
31 Images of wildlife patients may be used for monitoring, advertising, brochures, websites,
32 presentations or trainings. Non-releasable wildlife held for educational purposes may be
33 publically displayed within the conditions of the permittee's federal permit or letter of
34 authorization to hold non-releasable wildlife.

1 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
2 498.052, 498.222, 498.242
3 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
4 498.029, 498.052, 498.222, 498.242

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6 **635-[044-0215] 062-0015**

7 **Federal Rehabilitation Permit**

8 In addition to an Oregon Wildlife Rehabilitation Permit **issued by the Department**, [persons
9 possessing this permit must also obtain a federal permit for species protected by federal law and
10 provide a copy of the current valid federal permit to the Department] **and prior to receiving and**
11 **holding federally protected species, a permittee must** obtain a federal permit for species protected
12 by federal law and provide a [copy of the] current **and** valid copy of the federal permit to the
13 Department **with each renewal application.**

14 Stat. Auth.: ORS 496 Stats.

15 Implemented: ORS 496

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17 **635-[044-0240] 062-0020**

18 **Restricted Species**

19 —I. The following categories of wildlife may not be rehabilitated and released under these rules:

20 —1) Nonnative wildlife classified as prohibited or noncontrolled per the wildlife integrity rules
21 (OAR 635-056-0050 & 0060) or classified as controlled and specifically not allowed to be released
22 in the wild (OAR 635-056-0070) shall not be rehabilitated or released into the wild. If these species
23 [come into the possession of a permitted rehabilitator] **are received by a permittee, the permittee**
24 **must humanely euthanize the nonnative wildlife within 24 hours of receiving the animal.**

25 Nonnative wildlife listed as game animals in OAR 635 Division 045 are not [e]affected by these
26 rules.

27 **2) Imported native wildlife except migratory birds as defined in 635-062-0035 (2).**

28 —2) -3) Marine mammals

29 (a) Unless specifically authorized by the Department and NMFS, **marine mammals shall**
30 **not be rehabilitated;**

31 (b) **Section 109(h)(1) of the Marine Mammal Protection Act authorizes Federal, State,**
32 **or local government officials or employees or designees, including members of the**
33 **Oregon Marine Mammal Stranding Network, to humanely euthanize marine mammals**
34 **in severe distress.**

1 —3) 4) Coyote (*Canis latrans*). Permittees must notify the local Department district wildlife
2 biologist within 24 hours of receiving a coyote into their facility. Coyotes may be housed for up
3 to 48 hours while the Department locates and places the animal in a pre-approved facility or
4 other disposition as determined by the Department.

5 —4) 5) Cougar (*Felis concolor*). [If a permitted rehabilitator is provided with a cougar, the
6 rehabilitator must notify the Department immediately and follow the Department's directions
7 concerning disposal.]

8 -Wildlife rehabilitators must notify the local Department district wildlife biologist immediately
9 upon receipt of a cougar into their facility.

10 (a) Cougar kittens confirmed to be orphaned by the Department will not be
11 rehabilitated for release to the wild due to public safety concerns.

12 (b) All cougars will be immediately transferred to Department veterinary staff at the
13 ODFW Wildlife Health Lab for health and behavior evaluations and placement in a
14 Department-approved Association of Zoos and Aquarium (AZA) accredited facility or
15 other disposition as determined by Department staff.

16 (c) Non-AZA accredited zoos available for holding cougar kittens be approved by the
17 Department veterinarian or division administrator prior to placement.

18
19 635-062-0025

20 Restricted Species with Conditions

21 H. The following native wildlife require Department notification upon receipt by a permittee.
22 Placement, care conditions, and final disposition will be determined by the Department.

23 1) Healthy young-of-the-year animals that are not known to be orphaned should not be
24 captured or removed from the wild.

25 (a) Young-of-the-year wildlife with unknown orphaned status includes those with no
26 accompanying adult nearby and animals collected when the maternal animal is not
27 observed as deceased.

28 (b) All young-of-the-year animals of unknown or questionable orphaned status and
29 taken from the wild should be immediately returned to the place where they were
30 collected if not held longer than 48 hours.

31 (c) Permittees should contact their district biologist for situations involving extenuating
32 circumstances including animals that cannot be returned to the nest or collection site.

33 5) 2) Black bear (*Ursus americanus*). [If a permitted rehabilitator is provided with a black bear,
34 the rehabilitator must notify the Department immediately and follow the Department's directions

1 concerning disposal.] Permittees must notify the local Department district wildlife biologist
2 immediately upon receipt of a black bear into their facility.

3 (a) All black bear will be immediately transferred to Department veterinary staff at the
4 ODFW Wildlife Health Lab for health and behavior evaluations and placement in a
5 Department-approved Association of Zoos and Aquarium (AZA) accredited facility,
6 approved-black bear cub rehabilitation facility, or other disposition as determined by
7 the Department.

8 (b) Non-AZA accredited zoos available for holding black bear cubs will be approved by
9 the Department veterinarian or division administrator and must meet minimum caging
10 specifications and standards for design and construction (Exhibit 1 Caging and
11 Enclosure Standards for the Rehabilitation of Black Bears and Ungulates) and specific
12 requirements for animal handling and monitoring, and animal care prior to placement.

13 (c) Orphaned black bear cubs meeting conditions as candidates for rehabilitation will
14 only be rehabilitated in Department pre-approved facilities designed for orphaned wild
15 black bear cub rehabilitation that meet all Department specifications for caging
16 standards (Exhibit 1 Caging and Enclosure Standards for the Rehabilitation of Black
17 Bears and Ungulates) including specific requirements for animal handling and
18 monitoring, and animal care.

19 (d) Oregon wildlife rehabilitation facilities desiring to rehabilitate black bear cubs
20 require prior Department approval and must meet all minimum caging specifications
21 and standards (Exhibit 1 Caging and Enclosure Standards for the Rehabilitation of
22 Black Bears and Ungulates) including specific requirements for animal handling and
23 monitoring, and animal care prior to placement.

24 ~~6) 3) [If a permitted rehabilitator is provided with a deer (*Odocoileus hemionus* and *O.*
25 *virginianus*), elk (*Cervus elaphus*), pronghorn (*Antilocapra americana*), bighorn sheep (*Ovis*
26 *canadensis*), or mountain goat (*Oreamnos americanus*) and the animal is older than young of
27 the year, the rehabilitator must humanely euthanize the animal unless otherwise authorized in
28 writing by local Department district wildlife biologist. The rehabilitator may rehabilitate young
29 of-the-year deer, elk, pronghorn, bighorn sheep, and mountain goats but only in Department pre-
30 approved facilities and in accordance with Department guidelines. The rehabilitator must notify
31 the local Department district wildlife biologist as soon as possible (no later than 24 hours of
32 admittance of any of these species). These species may be housed for up to 48 hours while in the
33 process of locating and sending the animal to a pre-approved facility.]~~

1 Deer (*Odocoileus hemionus* and *O. virginianus*), elk (*Cervus elaphus*), pronghorn antelope
2 (*Antilocapra americana*), bighorn sheep (*Ovis canadensis*), mountain goat (*Oreamnos*
3 *americanus*) or moose (*Alces alces*) may be rehabilitated under the following conditions:

4 (a) Orphaned deer, elk, pronghorn antelope, bighorn sheep, mountain goat, or moose
5 received by a wildlife rehabilitator and born during the year received may be held and
6 rehabilitated from birth through September 30 of the year received. Orphaned animals
7 must be released to the wild prior to September 30 of the year received to the area of
8 initial collection or an appropriate location determined by the District biologist.

9 Extenuating circumstances for holding orphaned ungulates beyond September 30
10 requires written approval by the local Department district wildlife biologist.

11 (b) Injured or diseased deer, elk, pronghorn antelope, bighorn sheep, mountain goat, or
12 moose received after September 30 of their birth year must be humanely euthanized
13 unless otherwise authorized in writing by the Department district wildlife biologist.

14 (c) Orphaned deer, elk, pronghorn antelope, bighorn sheep, mountain goats, or moose
15 will only be rehabilitated in Department pre-approved facilities designed for orphaned
16 wild ungulate rehabilitation that meet all Department specifications in Exhibit 1 *Caging*
17 *and Enclosure Standards for the Rehabilitation of Black Bears and Ungulates* including
18 pen standards for design and construction, animal handling and monitoring, and
19 animal care.

20 (d) All wildlife rehabilitators must notify the local Department district wildlife biologist
21 within 24 hours of receiving any orphaned deer, elk, pronghorn antelope, bighorn
22 sheep, mountain goats, or moose. Unless held in a Department approved facility,
23 orphaned deer, elk, pronghorn antelope, bighorn sheep, mountain goats, or moose may
24 be held for up to 48 hours while the Department locates and places the animal in a pre-
25 approved facility or other disposition as directed by the Department.

26 7) 4) Raccoons (*Procyon lotor*). Permittees must be pre-approved by the Department to
27 rehabilitate raccoons with the following conditions:

28 (a) Raccoons must be released back to the original location of capture or humanely
29 euthanized, unless otherwise authorized in writing by the local Department district wildlife
30 biologist.

31 (b) Raccoons will only be rehabilitated in Department pre-approved facilities designed
32 for orphaned raccoon kit rehabilitation including requirements for animal handling
33 and monitoring, and animal care.

1 (c) The maximum number of raccoons held by any single facility will be determined by
2 the Department and listed on the permit.

3 (d) Raccoons from multiple locations must be held separately by their respective
4 collection site and identified appropriately to facilitate the return of animals to their site
5 of origin; exceptions require prior written approval by the local Department district
6 wildlife biologist.

7 8) 5) Wolves (*Canis lupus*). Wildlife rehabilitators must notify the local Department district
8 wildlife biologist immediately upon receiving a wolf into their facility.

9 _____ (a) Wolf pups may be housed for up to 48 hours while the Department locates
10 and places the animal in a pre-approved facility or other disposition as directed or
11 determined by Department staff.

12 6) Bobcat (*Lynx rufus*) and Lynx (*Lynx canadensis*). Wildlife rehabilitators must notify the
13 local Department district wildlife biologist immediately upon receiving a bobcat or lynx into
14 their facility.

15 _____ (a) Bobcat or Lynx kittens may be housed for up to 48 hours while the
16 Department locates and places the animal in a pre-approved facility or other disposition
17 as directed or determined by Department staff.

18 7) Other wild native mammals including Fox (*Urocyon cinereoargenteus*, *Vulpes microtis*,
19 *Vulpes vulpes*), Ringtail (*Bassariscus astutus*), American Marten (*Martes americana*), Fisher
20 (*Martes pennant*), Wolverine (*Gulo gulo*), River Otter (*Lutra canadensis*) and all bats (order
21 Chiroptera). Wildlife rehabilitators must notify the local Department district wildlife biologist
22 within 24 hours of receiving these species into their facility.

23 _____ (a) The wild native mammals listed in this sub-section, (635-062-0025 (7)), may be
24 housed for up to 48 hours while the Department locates and places the animal in a pre-
25 approved facility or other disposition as directed or determined by Department staff.

26 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
27 498.052, 498.222, 498.242

28 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
29 498.029, 498.052, 498.222, 498.242

30 [ED. NOTE: Attachment referenced as Exhibit 1 is not included in rule text. [Click here for PDF of](#)
31 [attachment](#)]

1 **635-[044-0245] 062-0030**

2 **Department Notification**

3 1) State and Federal Endangered, Threatened, Candidate or Sensitive species:

4 (a) The holder of a Wildlife Rehabilitation Permit (permittee) must notify the local
5 Department district wildlife biologist within 24 hours of receiving [~~an individual of~~] a state or
6 federally listed endangered, threatened, candidate or sensitive species;

7 (b) The permittee must notify **the** a local Department district wildlife biologist within 24
8 hours of the death of [~~an individual of a~~] **any** state or federally Endangered, Threatened,
9 Candidate or Sensitive species in the permittee's custody or as soon as the permittee
10 determines that an individual **animal** of an Endangered, Threatened, Candidate or Sensitive
11 species is not fit to be released into the wild;

12 (c) A permittee may (at the permittee's discretion) euthanize [~~an individual of an~~] **a state-**
13 **listed** Endangered, Threatened, Candidate or Sensitive species if the permittee determines
14 that the individual is not fit to be released into the wild, but must then report the euthanasia to
15 a local Department **district** wildlife biologist within 24 hours **or the animal may be placed**
16 **in an AZA-accredited facility, educational organization or institution with Department**
17 **approval and letter of authorization as per 635-044-0255 (4). Federally-listed**
18 **threatened or endangered species and bald or golden eagles require USFWS approval**
19 **prior to euthanasia unless USFWS personnel are not available and humane**
20 **considerations warrant prompt euthanasia.**

21 2) Wildlife Crimes. A permittee must notify the Oregon State Police immediately of any wildlife
22 admitted with gunshot wounds or other injuries of a suspicious **or criminal** nature.

23 3) Diseased Wildlife. A permittee must notify the Department veterinarian within 24 hours of
24 [~~admitting~~] **receiving** any wildlife with clinical signs for known or suspected poisoning or infectious
25 disease. Clinical signs involving poisoning or infectious disease may include, but are not limited to,
26 incoordination, ataxia, depression, regurgitation, vomiting, or diarrhea.

27 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
28 498.052, 498.222, 498.242

29 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
30 498.029, 498.052, 498.222, 498.242

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1 **635-[044-0250] 062-0035**

2 **Wildlife Importation for Rehabilitation Purposes**

3 1) **To prevent the importation of sub-clinical stages of infectious disease carried by these taxa of**
4 **wildlife and the importation of non-native invasive species,** no person may transport any mammal,
5 upland game bird, amphibian, reptile, fish, invertebrate, or prohibited or controlled species into
6 Oregon for the purpose of rehabilitation. [This is to prevent the import of sub-clinical stages of
7 infectious disease carried by these taxa of wildlife and the importation of non-native invasive
8 species.]

9 2) Importation of injured wildlife into Oregon for rehabilitation purposes is limited to migratory bird
10 species. Importation of migratory birds into Oregon for rehabilitation requires compliance with the
11 Oregon Department of Agriculture's importation rules.

12 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
13 498.052, 498.222, 498.242

14 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
15 498.029, 498.052, 498.222, 498.242

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17 **635-[044-0255] 062-0040**

18 **Disposition of Wildlife**

19 1) Any wildlife, carcasses, or parts of wildlife from Oregon held under an Oregon Wildlife
20 Rehabilitation Permit remain the property of the State of Oregon (through the Department) and
21 nothing in these rules may be construed as granting any ownership interest to a permittee or any other
22 person. Wildlife held under an Oregon Wildlife Rehabilitation Permit cannot be sold, traded,
23 bartered, transferred, loaned or exchanged unless otherwise authorized in writing by the local
24 Department district wildlife biologist.

25 2) To avoid habituation of rehabilitated animals, permittees, subpermittees, and volunteers must
26 minimize contact between humans and wildlife undergoing rehabilitation, including the following
27 minimum requirements:

28 (a) Human contact must be limited to the rehabilitation facility staff to the extent necessary
29 for adequate rehabilitation care;

30 (b) Wildlife must not be habituated to humans or treated as pets;

31 (c) Wildlife must not be placed in view of the public. However, it is acceptable to make use
32 of a remote video camera **for observation purposes by rehabilitation staff and the public;**

1 (d) Rehabilitation facilities must be located in areas separate from day to day human and
2 domestic animal activity. Outdoor facilities must have visual barriers separating wildlife,
3 humans and domestic animals;

4 (e) No permittee may possess an imprinted or habituated animal. If the permittee causes or
5 comes into possession of an imprinted or habituated animal, the permittee must [either]
6 surrender the animal to the Department for placement in an approved facility or euthanize it,
7 as directed by the local Department district wildlife biologist.

8 3) A permittee must release rehabilitated wildlife:

9 (a) When the wildlife reaches physical maturity and is capable of self-maintenance or has
10 attained adequate recovery from injury or illness;

11 (b) At a time of year appropriate for optimum species survivability;

12 (c) Within suitable habitat close to the point of origin, with prior approval from the local
13 Department district wildlife biologist.

14 **(d) Deer, elk, pronghorn antelope, bighorn sheep, mountain goat, or moose received by**
15 **a wildlife rehabilitator and born during the year received may be held and rehabilitated**
16 **from birth through September 30 of the year received and must be released to the wild**
17 **prior to September 30 of the year received. Extenuating circumstances requiring**
18 **holding of orphaned ungulates beyond September 30 requires written approval by the**
19 **local Department district wildlife biologist.**

20 4) [~~Unless otherwise authorized by the local Department district wildlife biologist~~] A permittee may
21 not hold wildlife for rehabilitation longer than 180 days **unless authorized in writing by the**
22 **Department.** If a permittee or the Department determines that an [~~individual~~] **animal** is incapable of
23 survival in the wild, the permittee must [~~either~~] euthanize the [~~individual~~] **animal** or [~~(if directed by~~
24 ~~the Department)~~] **upon Department direction,** provide the [~~individual~~] **animal** to an AZA-
25 accredited **facility** [~~institution~~] **or other approved** educational organization or institution.

26 5) If a permittee has possession of wildlife that, after medical attention, is unable to feed, move, or
27 stand to conduct normal life support functions to survive in the wild, the permittee must [~~(unless~~
28 ~~otherwise directed)~~] euthanize the [~~wildlife~~] **animal unless given alternative instruction** by the
29 Department.

30 6) A permittee must bury or incinerate any wildlife in [~~its~~] **their** possession that [~~has~~] die[~~d~~] due to
31 poisoning or infectious disease. [~~As to any other wildlife in its possession that dies, the permittee~~
32 ~~must dispose of the wildlife~~]

33 **(a) Wildlife dying of other causes must be disposed of** by burying, incineration, use as food
34 for other rehabilitating wildlife, or [~~if appropriate permits have been obtained~~] retained for

1 educational purposes if appropriate permits or letter of authorization from the local
2 Department district wildlife biologist has been obtained.

3 (b) Any wildlife chemically euthanized must be buried or incinerated to avoid secondary toxicity
4 by scavenging animals.

5 (c) Notwithstanding these restrictions, the local Department district wildlife biologist may
6 approve in writing the disposal of wildlife carcasses to institutions, museums, licensed rendering
7 facilities, or other persons possessing the appropriate permits.

8 (d) A permittee may retain feathers of migratory birds for use in repair of broken wing and tail
9 feathers (imping) or for educational purposes if authorized by the appropriate permit from the
10 USFWS [~~U.S. Fish and Wildlife Service~~].

11 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
12 498.052, 498.222, 498.242

13 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
14 498.029, 498.052, 498.222, 498.242

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16 **635-[044-0280] 062-0045**

17 **Facility Requirements**

18 1) A holder of an Oregon Wildlife Rehabilitation Permit (and any subpermittee) must maintain
19 wildlife held for rehabilitation in a humane manner by:

20 (a) Providing a level of care meeting the Minimum Standards set by The International
21 Wildlife Rehabilitation Council/National Wildlife Rehabilitators Association
22 (IWRC/NWRA) in [2000] **2012 unless different standards are established in Exhibit 1**
23 **Caging and Enclosure Standards for the Rehabilitation of Black Bears and Ungulates**

24 **(635-062-0025)**. This is to prevent distress from captivity, injury, sickness, neglect or
25 disease and be used as guidelines for the care and housing of rehabilitated wildlife which, at
26 the minimum, include but is not limited to the following:

27 (A) Appropriate food for each species and water of sufficient quantity and quality to allow
28 for normal growth, healing, or maintenance of body weight shall be provided;

29 (B) Shelter sufficient to protect from adverse elements, protect from predators, to prevent
30 escape, and injury. Any other requirement particular to the survival of the animal shall also
31 be provided;

32 (C) Sufficient space for exercise necessary for the health, rehabilitation and eventual release
33 of the animal shall be provided;

1 (D) Confinement areas shall be cleaned and kept free from excess food or fecal waste or
2 other contaminants which could affect the health of the animal;

3 (D) Wildlife under rehabilitation will be maintained in a separate enclosure from regular
4 human or domestic animal activity. Outdoor facilities must have visual barriers or adequate
5 distance between wildlife and humans and domestic animals to prevent psychological and
6 physical stress or habituation to care givers;

7 (E) Wildlife may not be restrained with a chain, rope, tape, hobbles or similar holding
8 devices except for jesses used for holding raptors and during procedures required for safe
9 handling.

10 2) The [~~Wildlife Rehabilitation Permit holder~~] permittee may receive from the Department and
11 possess at the wildlife rehabilitation facility dead wildlife for the purpose of feeding wildlife in
12 [~~being rehabilitation~~] **rehabilitation. Deceased wildlife received for purposes of feeding wildlife**
13 **rehabilitation patients may not be used for human consumption.**

14 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
15 498.052, 498.222, 498.242

16 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
17 498.029, 498.052, 498.222, 498.242

18
19 **635-[044-0300] 062-0050**

20 **Facilities Subject to Inspection**

21 Facilities for care of birds, mammals, amphibians, or reptiles by the holder of a Wildlife
22 Rehabilitation Permit or by any subpermittee are subject to inspection by any Department [~~of Fish~~
23 ~~and Wildlife~~] employee or **Oregon** State Police officer.

24 1) Inspection may take place without warrant or notice.

25 -[~~but,~~]2) Unless prompted by emergency or other exigent circumstances, facility inspections will be
26 limited to regular and usual business hours, including weekends.

27 ~~Nothing in these rules is intended to authorize or allow the warrantless search or inspection of a~~
28 ~~wildlife rehabilitation or Home Care facility.~~

29 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
30 498.052, 498.222, 498.242

31 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
32 498.029, 498.052, 498.222, 498.242

1 **635-[044-0305] 062-0055**

2 **Record Keeping and Reporting Requirements**

3 1) The holder of a Wildlife Rehabilitation Permit and any subpermittee must maintain **accurate and**
4 **up-to-date** records [for at least three years] of rehabilitation activities concerning any bird, mammal,
5 amphibian, or reptile **in their care for a minimum of three years following release or other**
6 **disposition of the animal**. Such records must include:

7 (a) Name, **physical** address (**if provided**) and affiliation of person picking up and delivering
8 wildlife for rehabilitation;

9 (b) Wildlife [type] **category (bird, raptor, mammal, etc.)**;

10 (c) Species (common name, genus and species);

11 (d) Age (if known);

12 (e) Gender (if known);

13 (f) [Type] **Description** and extent of injury, sickness or [other] reason **animal is held by**
14 **permittee** [why the species needs rehabilitation];

15 (g) Wildlife Collection location or site of origin;

16 (h) Date [of receipt of] animal **was admitted or received by permittee**;

17 (i) [If transferred to] Subpermittee name **associated with animal case** of subpermittee; and

18 (j) Final disposition (release into wild, euthanized, died, transferred, etc.), **including** date and
19 location with [appropriate] authorizing documents from the local Department district wildlife
20 biologist **for appropriate cases**.

21 2) Each permittee must submit **current** [these] rehabilitation records **of required information in a**
22 **legible document twice per year** [semi-annually], by July 31 and January 31, to the Department [on
23 a form provided by the Department] -].

24 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
25 498.052, 498.222, 498.242

26 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
27 498.029, 498.052, 498.222, 498.242

28
29 **635-[044-0310] 062-0060**

30 **Cancellation or Non-Renewal of Permit**

31 1) If a holder of Wildlife Rehabilitation Permit (or subpermittee) violates any requirement of these
32 Wildlife Rehabilitation Permit rules, the Department may [will] revoke or
33 decline [to renew] the permit **renewal** and any birds, mammals, amphibians and reptiles being held
34 **may be confiscated by law enforcement personnel**.

1 2) If a permittee fails to receive and rehabilitate wildlife for greater than 180 consecutive days, the
2 Department may ~~[will]~~ revoke (or decline to renew) the permit. The Department ~~[will]~~ **may choose**
3 **to not** revoke the permit if the permittee can provide proof of **has completed the requisite 12**
4 **continuing education hours during the preceding 2 year period** ~~[or can document at least 100~~
5 ~~hours of continued work under a licensed wildlife rehabilitator during the 180 day period with no~~
6 ~~eases recorded on their permit records]~~. In addition, the Department will consider extenuating
7 circumstances on a case by case basis if presented to the Department in writing within 10 days
8 following notification of permit revocation. If the Department revokes or declines to renew a permit
9 under this subsection, a permittee who seeks renewal of the permit must comply with all
10 requirements and conditions in 635-0~~[44]~~**62**-0210 including, but not limited to, retaking **and passing**
11 **the ODFW Wildlife Rehabilitation Permit** test and **submitting to** ~~[passing]~~ **a** facility inspection.

12 3) The Department ~~[will]~~ **may** revoke or decline to renew a Wildlife Rehabilitation Permit if the
13 permittee or subpermittee:

14 (a) **fails to report or release wildlife, including species approved on the permit and**
15 **restricted wildlife, as directed by the Department and these rules; or**

16 (b) is convicted of, or admits to a violation of, any wildlife law, or any rule, order or permit
17 issued under the wildlife laws **within 5 years of application.**

18 **4) Upon revocation or non-renewal of a permit, law enforcement personnel will confiscate any**
19 ~~[birds, mammals, amphibians and reptiles being]~~ **wildlife** held.

20 **5) A permittee may appeal revocation or non-renewal of a permit through a contested case hearing.**

21 The request for a contested case hearing on a proposed revocation must be received by the
22 Department within 21 days after service of notice (**or** 90 days for emergency revocations). The
23 request for hearing on a proposed non-renewal must be received by the Department within 60 days of
24 notice. Final Orders in contested case hearings will be issued by the **Department** Director.

25 Stat. Auth.: ORS 183.430, 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
26 498.029, 498.052, 498.222, 498.242

27 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
28 498.029, 498.052, 498.222, 498.242

29

1 **EXHIBIT 1**
2 **(635-062-0025)**

3 ***Caging and Enclosure Standards for the Rehabilitation of Black Bears and Ungulates***

4 **A. Black Bear Cub Rehabilitation Minimum Standards**

5 Black bear cubs-of-the-year will only be rehabilitated in Department approved facilities and can be
6 rehabilitated up to 18 months of age. All bear holding facilities should be off limit to the public and staff
7 working with the bears should be minimized in order to reduce the incidence of unwanted interaction with
8 humans following release. After weaning (10-11wks) feeding should be conducted without association
9 with humans. Observation by video is also recommended as a tool for monitoring during the
10 rehabilitation process

11 Cub caging should include 4 stages and accommodate needs based on age, size and medical needs:

- 12 1. *Cub Nursery.* Cubs < 10 weeks are bottle fed by rehabilitators and then forced to wean at 10
13 weeks. They may continue to receive formula, but are bowl fed. Room size for a cub
14 nursery should be a minimum of 12' x 20' for multiple cubs or 3' wide x 6' long x 3' high for
15 individual cubs.
- 16 2. *Cub Enclosure/ Medical pen.* Cubs \geq 10 weeks of age or in need of medical treatments may be
17 moved to 10' X 10' rooms fitted with guillotine doors controlled from the outside. Cubs are
18 moved over when caretakers clean and provide food. Cubs receive no human contact after 10-11
19 weeks of age and are moved without visual contact of humans.
- 20 3. *Acclimation pen.* As cubs grow in age (> 4 months) and size they should be moved to larger pens
21 with minimum dimensions of 20' wide x 36' long x 16' high pens fitted with climbing structures
22 and other natural enrichment amenities.
- 23 4. *Wild enclosure.* A sizeable area encompassing a minimum of $\frac{1}{2}$ acre with climbing structures,
24 trees, and pools, tubs, or galvanized tanks, or manufactured creek beds. Cubs should be released
25 into wild enclosure once they reach at least 10-12 pounds in weight. Each $\frac{1}{2}$ acre enclosure will
26 hold up to 10 cubs

27 **Fencing (for large outdoor enclosures)**

- 28 • Interior fence must be a minimum of 8' tall of 9 gauge chain link with the top 3' of fence angled
29 inward to discourage escape. Electric fencing is required at the top and bottom of the fencing with
30 a visual barrier enclosing the entire fenced area. Fence will be buried 2' to prevent digging and
31 escape.
- 32 • A second exterior fence located at least 10't from the interior fence is required to prevent outside
33 human contact.
- 34 • All trees within 15' of fencing will be wrapped with tin or sheeting to prevent climbing.

35 **B. Ungulate Rehabilitation Minimum Standards**

1 Only fawns or calves of-the-year will be rehabilitated. Every effort should be made to limit human
2 contact and exposure to people and increase contact with similar ungulate species. As fawns/calves accept
3 bottle-feeding, they should be immediately transitioned to a feeding rack and human contact eliminated.
4 This feeding rack allows bottles to be placed from outside of the enclosure. Peep holes or observation by
5 video is recommended to monitor feeding and signs of disease.

6 Fencing

- 7
- 8 • Fawns less than 2 weeks old are placed in “fawn runs” that are a minimum of 12’ L x 7’ W x 6’ H
9 with 3-4 fawns per pen. These fawns are rack bottle fed until they are 2-3 months of age and are
10 then moved to a larger enclosure which is at least 30’ L x 50’ W x 8’ H made with solid privacy
11 fencing to minimize visual stimulation. An outer electric fence should also be used to discourage
12 predators. Additionally, predator proofing can be accomplished with wire that is attached to the
13 bottom of the fence and comes out about 3 feet to prevent anything large from digging under the
14 fence.
 - 15 • A maximum of 15 fawns may be kept in this enclosure