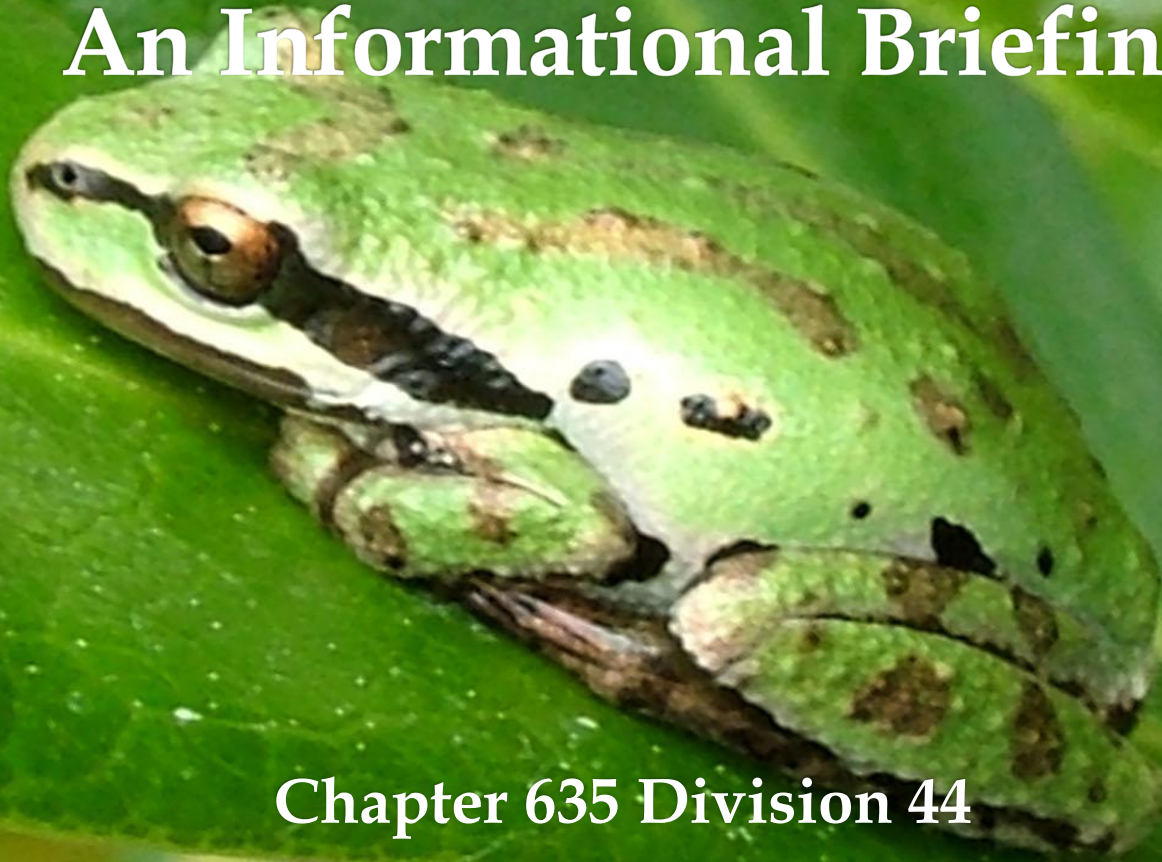


Draft Protected Wildlife, Holding and Propagating Rules: An Informational Briefing



**Chapter 635 Division 44
Oregon Fish and Wildlife Commission
March 18, 2016
Salem, Oregon**

Presentation Outline



Background

Review Process

Overview of Draft Rule Revisions

Public Review

Background



- ❧ Provide clear direction for law enforcement
- ❧ Clear policy and procedures related to protected wildlife, wildlife holding permits & propagation licenses

Division 44 Review



- ❧ 2013 - Interagency Discussions ODFW/ OSP / ODA
- ❧ 2014 /15 - Wildlife Holding Advisory Group
Internal Review
- ❧ January 2016 - Stakeholder Review and Public
Comment
- ❧ March 2016 - Informational Briefing



Draft Rule Revisions



- ❧ Remove classification of “Nongame Non-protected”
- ❧ All free-ranging wildlife are protected:
 - A. Regulated take, permit/license or rule
 1. Wildlife Holding permit
 - Grandfathered animals
 - Nongame species distributed widely, abundant, secure
 2. Propagation License
 3. Department approval – Letter of Authorization

Draft Rule Revisions Grandfathering Provision



- ❧ Black bear
- ❧ Cougar
- ❧ Wolf
- ❧ Bobcat
- ❧ Raccoon
- ❧ Skunk
- ❧ Squirrels
- ❧ Chipmunk



Draft Rule Revisions



❧ Grandfathered animals

- Facilities meeting ODFW Enclosure and Caging Standards (Exhibit 1)

❧ New permits or new acquisitions of captive black bear, cougar, bobcat, wolves, raccoon, and skunk

- Facilities accredited by Association of Zoos and Aquariums (AZA)



Draft Rule Revisions



☞ System for holding nongame wildlife based on science

- Rank and classify species according to their abundance and distribution
- Oregon Biodiversity Information Center (ORBIC)
- NatureServe



ORBIC

State Status Rankings



1 = Critically imperiled, extreme rarity, vulnerable to extinction or extirpation, typically with 5 or fewer occurrences.

2 = Imperiled, rare, vulnerable to extinction (extirpation), 6-20 occurrences.

3 = Rare, uncommon or threatened, not immediately imperiled, 21-100 occurrences.

4 = Not rare and apparently secure, cause for long-term concern, more than 100 occurrences.

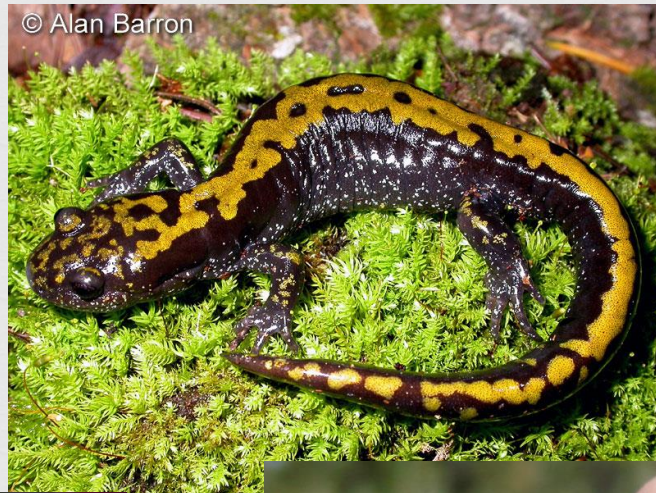
5 = Demonstrably widespread, abundant, and secure.

Wildlife Holding Permit



31 Nongame Species

- Amphibians
- Reptiles
- Small Mammals



Draft Rule Revisions



Revised Exhibit 1

Minimum Enclosure and Caging Standards for Holding Wildlife in Captivity



Draft Rule Revisions



☞ Species allowed under a propagation permit limited to select game bird species



Public Review and Issues Identified



Definition of the term “Hold”



Draft rules prohibit any physical handling
of live wildlife

"Hold" means any form of possession or control of a
live animal, gamete, or hybrid thereof.



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Draft rules prohibit any physical handling
of live wildlife

"Hold" means any form of possession or control of a live animal, gamete, or hybrid thereof.

- ✓ Does not include the observation or casual temporary holding of wildlife in their natural habitat where the animal is not removed from its immediate location

Impacts to citizen science projects



Wildlife Holding Permit would be required for casual holding and photography of wildlife

- ✓ **No permit needed**
- ✓ **Scientific Take Permit rules remain unchanged**



Teachers not able to provide meaningful learning experiences



Draft rules prohibit teachers from bringing wildlife into classroom

- ✓ Free STP for K-12
- ✓ Nature's Classroom



Prohibits holding federal ESA species



Citizens prohibited from holding ESA species and would inhibit conservation efforts

- ✓ Federally Listed Species require a Federal Wildlife Permit



Prohibit release back into the wild



- ✓ Release of wildlife prohibited (ORS 498.052)
- ✓ Disease Concerns
 - ✓ Snake Fungal Disease
 - ✓ Chytrid Fungal Diseases
 - ✓ Ranaviruses
 - ✓ Domestic animal disease
- ✓ Animal Welfare and Fitness



Designation of nongame species permitted for holding



Concern the process to designate protected and permitted species was not science based

- ✓ ORBIC/NatureServe
- ✓ Species demonstrably widespread in distribution, considered abundant, and secure as a population



Amphibians



Northwestern Salamander
Long-toed Salamander
Coastal Giant Salamander
Ensatina
Western Red-backed Salamander
Rough-skinned Newt
Pacific Tree / Chorus Frog
Great Basin Spadefoot

Reptiles



Great Basin Whiptail

Northern and Southern
Alligator Lizard

Western Skink

Northern Sagebrush Lizard

Western Fence Lizard

Common Side-Blotched Lizard

Western Rattlesnake: excluding
Willamette Valley populations

Pacific Gopher Snake

Western Terrestrial Garter Snake

Northwestern Garter Snake

Common Garter Snake



Nongame Mammals



North American Porcupine

Long-tailed Vole

Montane Vole

Ermine

Long-tailed Weasel

Bushy-tailed Woodrat

Deer Mouse

Coast Mole

California Ground Squirrel

Belding's Ground Squirrel

Brush Rabbit

Douglas's Squirrel



Protected status for several snake species



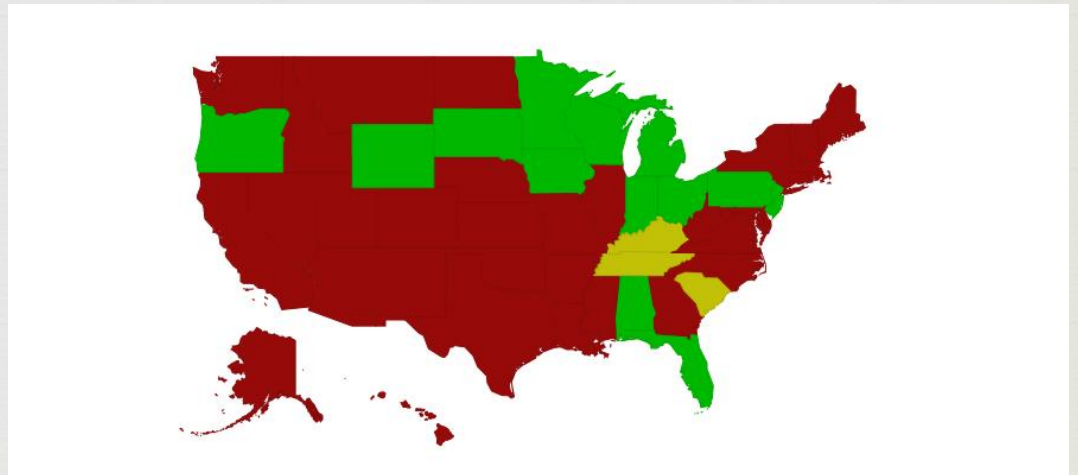
Concern that classification is made with limited or inaccurate information

	State Status
✓ Racer (<i>Coluber constrictor</i>)	S4
✓ Rubber boa (<i>Charina bottae</i>)	S4
✓ Night snake (<i>Hypsiglena chlorophaea</i>)	S3
✓ Striped Whip snake (<i>Coluber taeniatus</i>)	S4
✓ Ring-necked snake (<i>Diadophis punctatus</i>)	S4
✓ Common Kingsnake (<i>Lampropeltis getula</i>)	S4
✓ California Mountain Kingsnake (<i>L. zonata</i>)	S4
✓ Sharptail Snake (<i>Contia tenuis</i>)	S4
✓ Ground Snake (<i>Sonora semiannulata</i>)	S3
✓ Pacific Coast Aquatic Garter Snake (<i>T. atratus</i>)	S4

Holding of skunks and caging requirements



- ⌘ Seizing and banning skunks
- ⌘ Number of skunks held
- ⌘ Caging
- ⌘ Transfer of ownership



Holding of skunks and caging requirements



Seizing and banning skunks



- ✓ Rule does not call for seizing or banning
- ✓ Grandfather all legally held animals
- ✓ New acquisitions or new permits require AZA or by Department approval

Holding of skunks and caging requirements



Number of skunks held should not be limited

- ✓ Department is not promoting additional permits, allowing breeding, or unrestricted number to be held
- ✓ Statute (ORS 498.029) does not allow purchase, sale, exchange
- ✓ > 2 by Department approval



Holding of skunks and caging requirements



Caging allowances should be expanded to include the owners home

- ✓ Residence or home meeting the requirements for adequate caging



Holding of skunks and caging requirements



Provide process for transfer of ownership

- ✓ Animals held on a Wildlife Holding Permit may be transferred to another permit holder with species listed on their permit.



Hybrid wolves and bobcats



Concern with documenting hybrid status of currently held animals

- ✓ Proof of genetic status based on owners records
- ✓ Animals not validated are considered pure-bred



Question/request for rule language to allow use of raccoons for dog training and trials



Question/request for rule language to allow use of raccoons for dog training and trials



Statute prohibits any person to chase, harass, molest, worry, or disturb any wildlife except while engaging in lawful angling for, taking, hunting, or trapping such wildlife (ORS 498.006)

Current rule for care of wildlife held in captivity states must be treated in a humane manner

Plan Forward



- ❧ Revisions from this informational briefing
- ❧ Public review will continue
- ❧ Crossover Table of revisions
- ❧ June Commission Meeting





Issues for Commission to Consider

- ❧ Future opportunity for pet skunk ownership
- ❧ Revise list of nongame species allowed to be held
- ❧ Question/request for rule language to allow use of raccoons held on a Wildlife Holding Permit for dog training and trials (Division 46 - Use of Wildlife in Competitive Hunting Dog Trials and the Training of Hunting Dogs and Raptors)