

## Deleterious Exotic Rulemaking Meeting April 22, 2021

### Attendees:

Katy DeVries, ISDA

Debra Lawrence, DVM, ISDA

Lloyd Knight, ISDA

Scott Leibsle, DVM, ISDA

Tricia Hebdon, IDFG

Chanel Tewalt, ISDA

Dallas Burkhalter, ISDA

Pamm Juker, ISDA

Randy Fox

Mike Ferguson

Lloyd Knight welcomed the attendees and introduced the meeting. Dr. Scott Leibsle explained that the goal of the meeting was to remove unnecessary language as well as clarify the language. He said that some areas had suggested changes already, but anyone could request other changes to areas not mandated in statute. Dr. Leibsle stated he would typically have a budget presentation on program costs, Dr. Leibsle explained that the Deleterious Exotic is funded by both general and dedicated funds, including a portion of brand fees, and there is no way to specifically track how much this program costs to implement. He then moved on to a review of the rule.

Section 004 – Updated CFR reference, but no significant difference. Removed AZA document from the Incorporations By Reference as it is no longer in public use or maintained anywhere. Section 010 – Removed all definitions duplicated in statute, and proposed to remove 010.3 “Hybrid” definition. Section 21 – Removed as unnecessary language. Section 22.1 – Removed federal animal health official – USDA has their own regulations that they rely on.

Section 100 – There are two permit types – Possession and Propagation. Zoos are the only facilities that receive propagation permits, everyone else has possession-only permits. ISDA proposed to require anyone wanting to possess a propagation permit must be AZA accredited. Remaining language in this section was struck as unnecessary. Randy Fox asked whether private owners could get propagation permits if they became AZA accredited. Dr. Leibsle said yes.

Section 101 language was simplified/clarified. Section 101.01 (q) - the option of using birth control as a means towards chemical sterilization was removed. The only option for persons with possession permits is to have their animals surgically/permanently sterilized (spay/neuter).

Section 102 extends the timeframe for people who want to take their animals to schools, etc. Dr. Debra Lawrence clarified that this would mostly apply to exhibits from out of state coming in for a limited period of time. Sections 111, 112 - removed as redundant language that is covered in IDAPA 02.04.21 “Rules Governing the Importation of Animals,”. No questions to this point.

Section 121 – The transfer of deleterious animals is clarified to say that the receiver must have their possession permit before receiving an animal.

Section 200 – There is no set of standards for how D&E animals must be confined, and ultimately unnecessary. Section 201 is clarified and simplified to address expectations for confinement areas.

Section 203.2 – Requirement for both a microchip and tattoo is removed. If an animal has a microchip there’s no need for a tattoo, only one type of identification required.

Section 300 – Removed redundant language. The basic requirement is to submit an annual inventory on an approved form that will be posted on ISDA’s website.

Section 310 – Removed redundant language. Covered by IDAPA 02.04.17 “Rules Governing Dead Animal Movement and Disposal,”. No comments or questions to this point.

Section 400 begins the lists of species considered deleterious exotics. Dr. Leibsle discussed why some of these animals are on the list. 401- Mute swans should remain on the list. They are aggressive and non-native to Idaho. Section 402 – includes animals such as dingoes.

Section 403 is removed because species of cervidae permitted to farmed in Idaho are governed by a different rule (IDAPA 02.04.19) which has containment requirements and defines the only allowed cervids. There is not currently anyone in the state permitted to have red deer or sika deer.

Section 404 – The removal of the hybrid definition in section 10.3 is mainly due to animals such as the savannah cat, which is a common animal to own as a pet. The current rule language considers the savannah cat to be a D&E animal because it is a hybrid of a listed D&E animal. By changing the definition of deleterious exotic animal to no longer include ‘hybrids’, Idaho citizens may own a savannah cat without needing to go through the permitting process. ISDA proposed that only AZA permitted facilities can possess a deleterious exotic Felidae. Tiger hybrids was added to the list to cover such animals as a liger. Mike Ferguson asked if all the zoos in the state of Idaho were AZA accredited. Dr. Lawrence said the only two in the state were in Idaho Falls and Boise. There is a zoo in Pocatello that has only native species and they are not AZA accredited. She added that there is a privately-owned serval in the state, as well. Mike Ferguson asked about facilities in northern Idaho and USDA vs AZA licensing, because AZA is not easy to achieve. Dr. Lawrence said there are no facilities up north. Dr. Leibsle said they could look into the difference between USDA and AZA approval processes. He added that the two licenses serve different purposes.

Section 407 – ISDA is proposing to exempt 4 species of primates from D&E permitting. The four primate species are the most popular animals for deleterious exotic permits. The reason is that there are issues with the sterility requirement, as most owners want to get the animals so young that a surgical spay/neuter cannot be performed safely. If these species are exempt from the deleterious exotic rule, the sterility requirement will no longer apply. ISDA proposed that the exempted species are typically small – under five pounds – and don’t pose a threat to human safety. Thus, the proposal is to exempt them. Dr. Lawrence added that another problem with sterilization of these primates includes the difficulty to find a veterinarian willing/able to perform the actual surgery. The owners get them at a young age to form strong bonds, and they are becoming more popular. No comments were offered at this time.

Section 408 – Mouflon are more popular so the proposal is to remove them. There is one producer in the state with these. Tricia Hebdon said that the Idaho Department of Fish and Game (IDFG) has concern about disease and/or genetics from these animals if they get out. Although they look different, they are similar to big horn sheep. A lack of a fencing requirement is concerning to them. No other comments were noted.

Section 410 – Removal of capybara is due to the fact that the local environment is not hospitable to them and removal of prairie dogs is because they are already all over in Idaho. Tricia Hebdon pointed

out that Idaho does not have the prairie dogs listed in this rule (Cynomys) – they are in Montana, Wyoming, Colorado and Utah, but not Idaho. Dr. Leibsle asked if IDFG was requesting they be left in this rule. Tricia said that if these animals were obtained as pets and released they could get a good foothold in the wild.

There were no further proposed changes to this rule. Dr. Leibsle said that any comments could be emailed and submitted for the next three months while the discussions of the rule were ongoing. He demonstrated how to navigate the ISDA website to the current year rulemaking information and said that all documents would be added there. Dr. Leibsle thanked everyone for their participation and Lloyd Knight adjourned the meeting.