

KEEPING WILDLIFE WILD

Every spring and early summer, the North Dakota Game and Fish Department makes an effort to remind citizens of the legal and proper way to deal with wildlife, particularly young-of-the-year mammals and birds that appear injured, abandoned or orphaned.

The general message, with few exceptions, is leave the animal alone and let nature take its course. This is not always easy for humans to do, especially when it seems the only way the young bird, fawn, rabbit or other furry critter will survive is with our intervention.

Several problems can develop when humans take animals out of the wild.

First of all, animals can transmit diseases, or cause injury through bites and scratches. Although the risk is rather low that humans would get diseases from contact with wild animals that are alive or dead, there is no risk if you leave the animal alone.

In addition, animals taken into captivity can become exposed to diseases and potentially introduce them into wild populations if released.

Beyond the disease or injury risk, baby animals taken away from their wild environment will not likely ever again be wild if they are released back into the outdoors. Animals learn survival skills the first part of their life, and without those skills, they are likely doomed if they can no longer depend on humans fulfilling their needs.

Typically, once "rescued" wildlife reaches adult size, most people want to rid themselves of the responsibility of continuing to care for the animal. At that point, some people will simply do what is recommended in the first place, which is let the animal go to fend for itself. Others look for a place such as a zoo that will take the animal in, and are surprised to learn that zoos generally have no room for common, resident wildlife species.

Given these possible outcomes, where almost always the animal's best interest is served by leaving it along, it's easy to understand why it's illegal to possess many North Dakota wildlife species.

For individuals, there is no type of permit that allows possession of live game species. You can't, for instance, remove a pronghorn fawn from the wild and raise it as a pet. The same goes for deer fawns, though it is possible to get a permit to raise domesticated deer, as long as the animals come from other certified domestic stock rather than the wild. You also can't take pheasants out of the wild to start your own domestic flock, even from eggs from a nest destroyed by haying equipment.

Elk are another North Dakota wildlife species that can be raised on farms in the same manner as cattle. As with deer, elk farm operators are also not permitted to take animals from the wild and add them to their operations.

Other laws apply to migratory birds like robins, meadowlarks, gulls and a couple hundred other species that are not considered game. You can't legally pick up a flightless young robin and try to raise it to an adult. If you discover a robin with a broken wing, perhaps suffered when flying into a window, you can't legally possess it and try to nurse it back to health.

Red-tailed hawk



CRAIG BIHRLE

Photo collage: North Dakota has a variety of wildlife, and a variety of laws and policies designed to keep wildlife wild. Not all animals, however, are afforded equal protection.

Snapping turtle



CRAIG BIHRLE

While state or federal laws cover human intervention with migratory birds and game animals, many resident nongame animals are not afforded the same protection under state law. For example, you can pick up a painted turtle crossing the road and take it home and put it in an aquarium and keep it as a pet. Generally, state law does not prohibit possession of unregulated resident wildlife.

While people can possess these animals, you cannot sell them or otherwise use them in commercial ventures, or propagate them in a captive setting. This basically means you could trap a male and a female ground squirrel, but you can't sell them, and you can't sell their offspring.

Sharp-tailed grouse



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Whitetail fawn



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A Move to Consolidate

While all of North Dakota's wildlife belongs to everyone and is managed as a public trust, a variety of laws, or lack of laws, provides for some confusing situations at times when personal possession of wildlife is involved. While much of this inconsistency is embedded in state century code that only the legislature can change, the Game and Fish Department does have considerable oversight through governor's proclamation and administrative rule. In an effort to clarify some policies and procedures, the Department is in the early stages of redefining and consolidating its positions related to personal possession of wildlife.

One of the reasons this reevaluation is taking place is because of an increasing number of requests for permits to capture public wildlife and sell them as pets. Another factor is concerns over what to do with animals that are taken or brought in from the wild because of some type of injury or apparent illness.

While the process is still in its early stages, Game and Fish has a policy regarding permits for people who want to care for injured wildlife. The Department will no longer issue permits for wildlife rehabilitation except in those instances where the injured animal is approved for rehabilitation and release by the U.S. Fish and Wildlife Service. However, individuals who currently hold permits will be allowed to maintain them until their permit expires.

In addition, the Department is developing new guidelines for zoos that temporarily take in animals for educational and display purposes. Under this, zoos would not be able to release any animals back into the wild, or transfer them to individuals or other facilities.

The disposition of injured or captive wildlife is sometimes an emotional issue. No one wants to leave an animal whose fate is almost certain death. And yet, in the biological community, wildlife management is focused on populations, not on individual animals.

The Game and Fish Department is trying to follow that philosophy in an effort to keep wildlife wild.

In addition, the Department is also evaluating other relevant laws to determine whether legislative action is warranted to restrict private ownership of all kinds of public wildlife, not just game species and migratory birds.

As this evaluation moves forward, Game and Fish Department officials anticipate strong support for more defined laws. On the other side of this Both Sides issue are those who will feel that further regulations are not necessary.

What do you think? To pass along your comments, send us an email at ndgf@nd.gov; call us at 701-328-6300; or write North Dakota Game and Fish Department, 100 N. Bismarck Expressway, Bismarck, ND 58501.