



# State of the Union: Existing Regulations for Native Herpetofauna, with Attention to Turtles

Priya Nanjappa

Association of Fish & Wildlife Agencies



# Challenges?

- **50 States**
- **50 sets of statutes, policies & regulations**
- **Lack of Capacity and \$\$**

**Enough said ?**





Y' KNOW WHAT'S  
REALLY HARD?  
BEIN' CALLED  
NAMES, LIKE

"NON-GAME"  
OR WORSE:

**BAIT!**



# The Voice of Fish & Wildlife Agencies

*represents*

North America's fish and wildlife agencies

*promotes*

sound management and conservation policy

*speaks*

with a collective voice at the national level



# Our Committees

Contribute their expertise on

**more than 60** committees,  
50 State Fish & Wildlife Agencies &  
subcommittees and working groups...  
the District of Columbia

Agricultural Conservation ▪ Angler/Boater Participation  
Bird Conservation ▪ Climate Change ▪ Education/Outreach/  
Diversity ▪ Energy & Wildlife Policy ▪ Federal & Tribal Relations  
**3 Territorial Fish & Wildlife Agencies**  
Fish & Wildlife Health ▪ Fish & Wildlife Trust Funds ▪ Fisheries/  
Water Resources Policy ▪ Hunting/Shooting Sports Participation  
International Relations ▪ Invasive Species ▪ Law Enforcement

**9 Canadian Provinces & Territories**  
Leadership/Professional Development ▪ Legal ▪ Legislative/  
Federal Budget, Science & Research ▪ Strategic Issues  
Sustainable Wildlife Use ▪ Teaming With Wildlife

Threatened/Endangered Species Policy ▪ Wildlife Resource  
**2 Mexican States**  
Policy ▪ Amphibians & Reptiles ▪ Diversity ▪ Drug Approval  
Biofuels ▪ CEAP ▪ Coal Energy ▪ CRP ▪ CSP

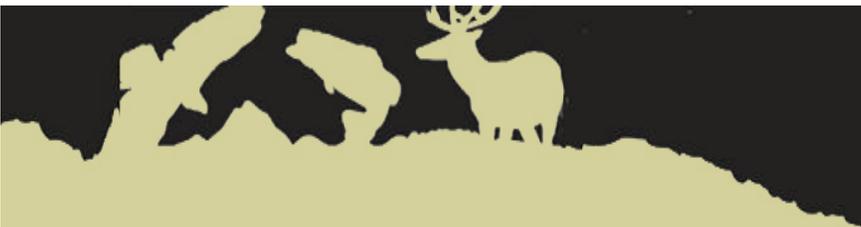
Climate Change/Wildlife Action Plan ▪ Conservation Compliance  
**10 Federal Natural Resources Agencies**  
Education ▪ EQIP ▪ ECA/Climate Change ▪ Federal/State CITES  
Management ▪ Human/Wildlife Conflict ▪ Interstate Wildlife

Violator Compact ▪ Landowner Incentives Program ▪ Lead and  
**4 Regional Fish & Wildlife Associations**  
Fish & Wildlife Health ▪ Conservation Compliance ▪ Marine  
Fisheries ▪ Migratory Shore & Upland Game Bird ▪ Nuclear

Onshore Oil/Gas & Oil/Shale/Tar ▪ Outreach ▪ Partners in Flight/  
Shorebird/Waterbird ▪ Post Drug Approval ▪ Public Access  
Resident Game Bird ▪ Waterfowl ▪ Wildlife Viewing & Nature  
Tourism ▪ WHIP ▪ Wind Power & Transmission Corridors ▪ WRP  
... and more!



Serving nature and you



# Mission



| Protect   | Promote                      | Strengthen                             |
|---|------------------------------|--|
| State, provincial<br>& territorial<br>authority | Sound resource<br>management | Government<br>& private<br>cooperation |

... to **conserve** fish and wildlife and their habitats in the public interest.



## Mission...



“To conserve amphibians, reptiles, and their habitats as integral parts of our ecosystem and culture through proactive and coordinated public/private partnerships.”





MODEL STATE

# HERPETOFAUNA REGULATORY GUIDELINES

Recommended by Partners in  
Amphibian and Reptile Conservation



# *Applying the North American Model to Amphibians and Reptiles*

- November 2009, Atlanta, GA
- Amphibian & Reptile Subcommittee & Law Enforcement Committee
- Assess current status of statutes, policies & regulations in states
- Discuss needs & challenges
- Formulate recommendations
  - **ensure sustainable use**





# State of the Union Draft Report

## **State of the Union: Legal Authority Over the Use of Native Amphibians and Reptiles in the United States**



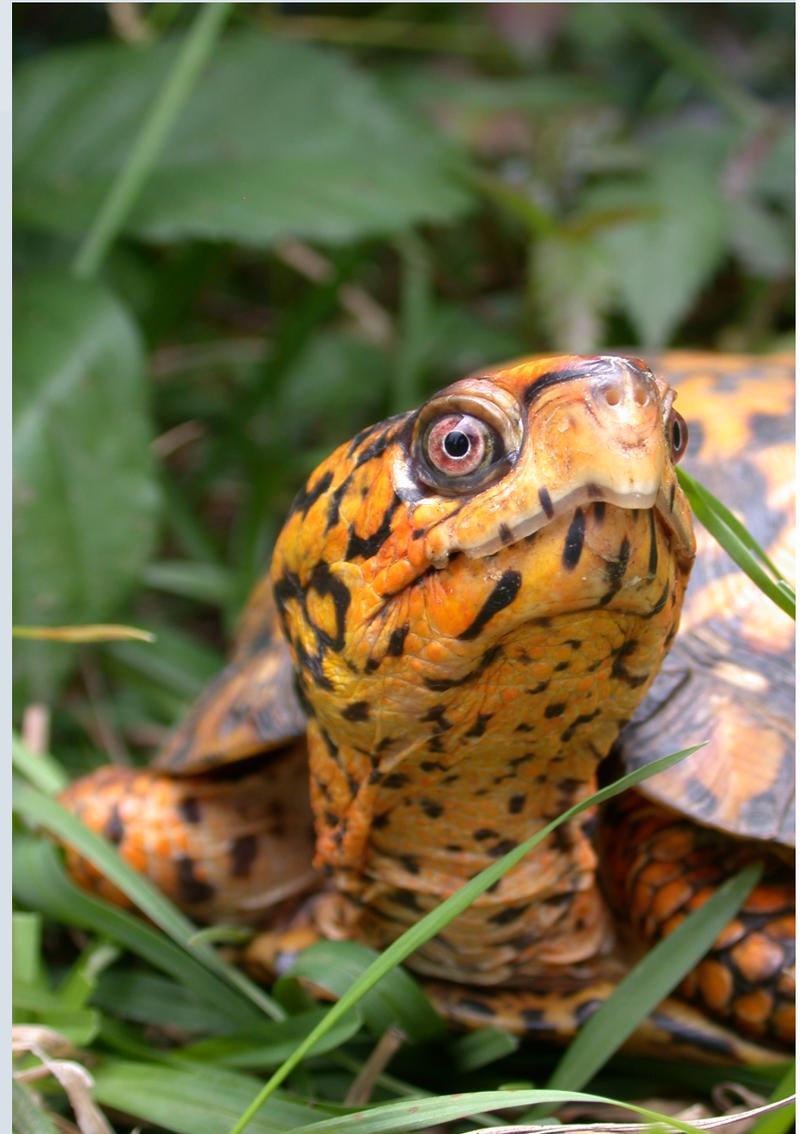
ASSOCIATION of  
FISH & WILDLIFE  
AGENCIES

DRAFT  
Version 1.0  
compiled for November 2009

- Compilation of existing regulations
  - 49 states + DC (excludes Hawaii)
- Draft report: 37 states' responses
  - **50 responses in phase 2 (w/ DC)!**
- New information has been added
  - Species Matrix
  - Legislature vs. Commission for laws
  - disease testing
  - Number of permits issued
- Version 1.01 is **FINAL** pending last formatting and edits

# Information Presented in Report

- **General**
  - Classification, Conservation Status, Regulation Change Process
- **Summary Table**
  - Permit types & costs, Avg. no. permits issued, Associated penalties for violations
- **Commercial, Personal & Scientific Use**
  - Methods of take, limits, seasons, reporting requirements, use of report data & links to applicable code
- **Unusual Uses and Misc.**
  - Races/contests, Disposition of confiscated or 'nuisance' animals, Disease testing requirements
- **Figures Illustrating National Trends**
- **Appendices**
  - Details for commercial & personal collection
  - Species matrix



# Preliminary Findings



- State approaches and regulations vary considerably
- **100%** allow scientific/educational use
  - with restrictions (limits, seasons, etc.)
  - **98%** (49/50) require permit
    - Of those, **94%** (46/49) require reporting

# Preliminary Findings: Commercial Use

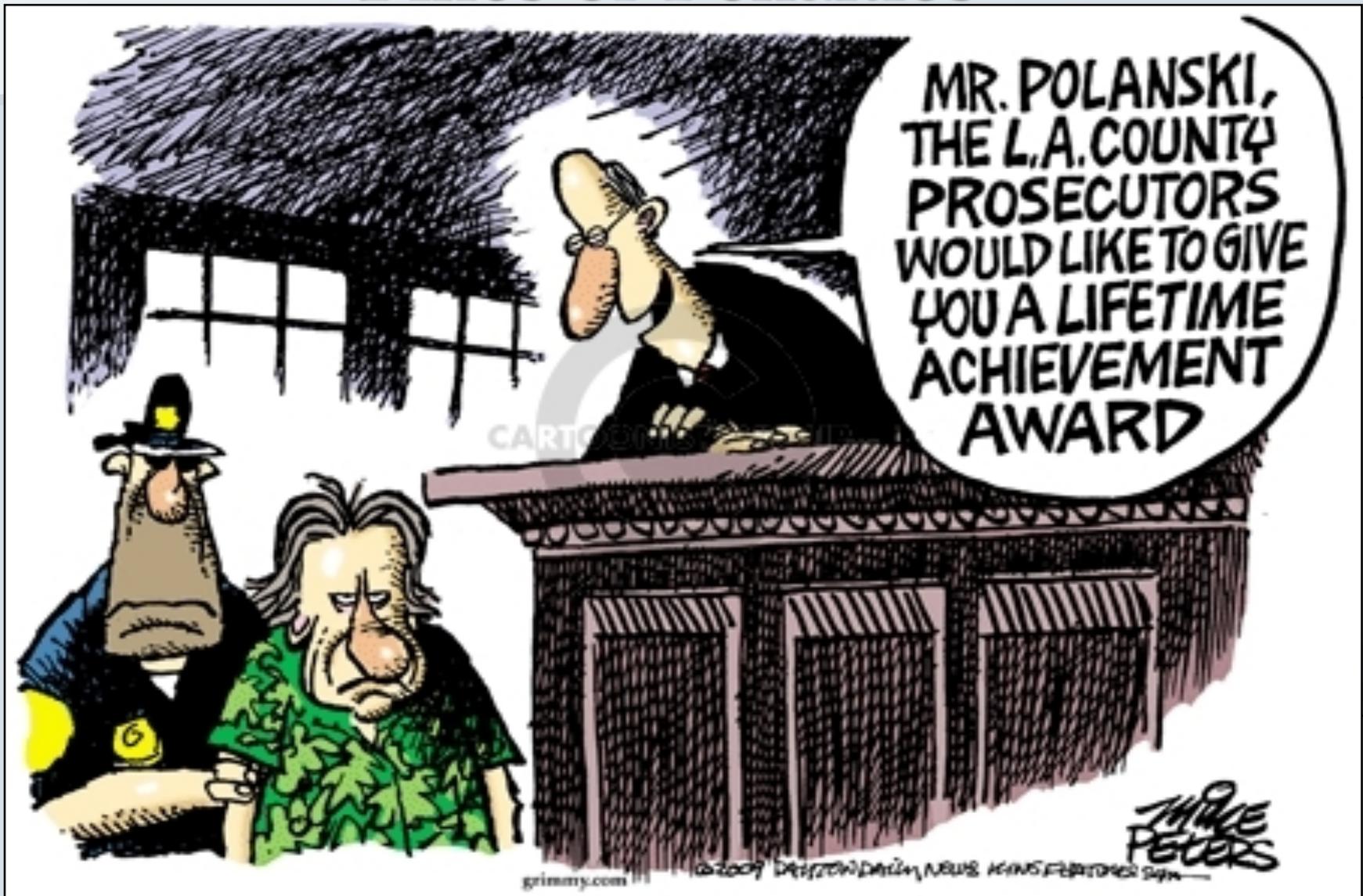
- **84%** (42/50) allow some commercialization
  - **78.6%** (33/42) have reporting requirements
    - **8** states unequivocally prohibit commercialization
- Turtle-specific (unprotected turtles):
  - **67.3%** (33/49) allow some **commercial harvest**
    - **6** states have no limits/exclusions
  - **63.6%** (28/49) allow some **turtle farming**
    - **8** (4) share regulatory authority w/ State Ag Dept
    - **25** states allow some wild augmentation of brood stock

# Preliminary Findings: Personal Use



- **96%** (48/50) allow some personal or hobby collection
  - **58.3%** (28/48) require permit
  - **10** states have reporting requirements
- Turtle-specific (unprotected turtles):
  - **67.3%** (33/49) allow some personal collection of turtles
    - **6** states have no limits/exclusions

# Preliminary Results: Fines or Penalties



# State of the Union Draft Report: POTENTIAL USES

## **State of the Union: Legal Authority Over the Use of Native Amphibians and Reptiles in the United States**



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- **Internal Resource**
  - sensitivity of report data & use
- **Tool for states** to
  - Determine their state's relative status
  - Identify other states' approaches
  - Facilitate communication & collaboration among states to address challenges in regulating herpetofauna use
  - Modify existing regulations as necessary
- **Quick reference** for
  - Law Enforcement, Biologists & Policy-makers
  - Species
    - Neighboring states' policies/protections
    - Endangered, Threatened & SGCN
    - Native vs. non-native
    - Identify which species can be collected

# Preliminary Recommendations



- **Apply the North American Model** to herpetofauna
  - **Regulate commercialization**
  - **Instate reporting requirements** for commercial and personal collection
  - Review/monitor reporting data for sustainable harvest
- **Review and analyze** reporting data from existing permits for commercial harvest
- **Prioritize monitoring, baseline population surveys** for native herpetofauna sensitive to overharvest
- **Propose additional regulations or increased fines** for native herpetofauna sensitive to overharvest
- When laws exist for non-commercialization, **eliminate distinction between captive bred and wild-caught animals**

# NEED for CAPACITY



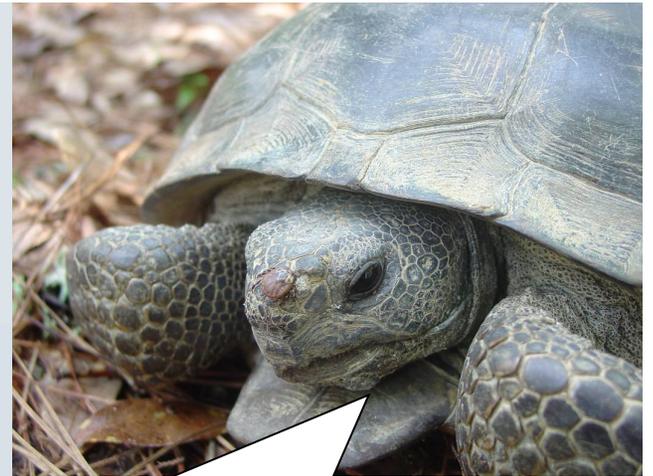
- Only ~1/3 of states have full-time herpetologists
- Law Enforcement staff
  - Large patrol areas
  - May lack herp-specific expertise



# Acknowledgements

- **U.S. Fish & Wildlife Service Competitive State Wildlife Grant** "Amphibian & Reptile Conservation Need"
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  - **California** Department of Fish & Game
  - **Georgia** Department of Natural Resources
  - **Michigan** Department of Natural Resources
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  - **Endorsed:** AL, ID, ME, KY, LA, MT, UT, & WY

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**THANK YOU!!!!!!!!!!!!**



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# Questions?



**Priya Nanjappa**

**Amphibian & Reptile Coordinator**

**[pnanjappa@fishwildlife.org](mailto:pnanjappa@fishwildlife.org)**