



MODEL STATE

# HERPETOFAUNA REGULATORY GUIDELINES

Recommended by Partners in  
Amphibian and Reptile Conservation

# Model State Herpetofauna Regulations

## *Recommended by Partners in Amphibian and Reptile Conservation (PARC)*

The objective of this model is to assist wildlife management agencies in creating or modifying their regulations regarding the collection, manipulation, possession and sale of native and non-native herpetofauna; and to promote consistency, when reasonable and feasible, between adjacent states. An agency's decision to selectively adopt parts of, or the entire model, will depend upon its statutory authority, available resources and relevance of the recommendations and stakeholder input.

The conservation of wild native herpetofauna populations, sustainable use of those populations and public safety can be reasonably assured if an agency incorporates the following baseline recommendations:

- Establish the legal presumption that all herpetofauna, and their body parts, are protected from collection unless specifically allowed;
- Promote enforcement of regulations;
- Establish appropriate penalties for violators;
- Establish a licensing or permitting system to manage the personal, commercial and scientific use of herpetofauna;
- Regulate the collection, possession, and sale of native taxa, and venomous, invasive and potentially dangerous non-native taxa (those taxa potentially threatening native species, ecosystems, or human health); and
- Centralize the management and regulatory authority for all aspects of native and non-native herpetofauna into one work unit.

This document elaborates on the recommendations that PARC believes are the most critical to successful herpetofauna management and regulation.

### **Recommendations for regulating the collection of herpetofauna intended for personal use:**

- a. Require the purchase of a standard fishing or small game hunting license for the collection of herpetofauna for personal use (e.g. pets, food, fishing bait, or cultural needs). As an alternative to a fishing or hunting license, consider creating a special herpetofauna license or stamp. This special license or stamp could also assist an agency in managing and monitoring the number of collectors, collection trends, creating a stakeholder contact-list and establish base funding for herpetofauna management.
- b. Identify a list of native and non-native taxa that may be collected from the wild, or for species rich states, a list of taxa that may **not** be collected (i.e. prohibited or restricted taxa). Taxa placed on such a list should be considered on a case-by-case basis and supported by sound scientific data or the best available information. The natural history, rarity, vulnerability and range-wide distribution of each taxa should be evaluated in developing a list.
- c. Establish seasons, daily or yearly collection and possession limits, size limits, safe and humane capture methods and geographical areas open or closed to collection.

- d. Consider allowing juveniles (typically those under the age of 14 or 16 years) to collect some of the most common (open season) taxa for personal use without a permit or license.
- e. Wild collected native taxa should not be sold or bartered, unless regulated by the wildlife management agency.
- f. Specimens held in captivity for any length of time should not be released into the wild. The exception would be specimens temporarily held in the field for photographs or identification.
- g. Live aquatic herpetofauna collected for fishing bait should be used at the body of water where captured, and not transported alive to another body of water. Unused live bait should be humanely euthanized or given to another angler fishing at that site.

### **Recommendations for regulating the collection of herpetofauna intended for commercial sale or use (e.g. biological supply companies, pet dealers, and specialty meat or skin suppliers):**

- a. Develop a special permit and review process to allow for the limited and closely regulated commercial collection of identified taxa. The fee for this permit or license should be proportionally higher than fees



