



THE WILDLIFE SOCIETY

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Council of the District of Columbia
John A. Wilson Building, Suite 5
1350 Pennsylvania Ave NW
Washington, DC 20004

Re: The Wildlife Protection Act

Dear Councilmembers:

The Wildlife Society (TWS) is writing to encourage you to reconsider your support for The Wildlife Protection Act of 2010 (WPA). Introduced to the Committee of the Whole on 29 October, 2010, WPA (Bill 18-498, Amendment in the Nature of a Substitute) sets standards for the handling and treatment of animals by individuals performing wildlife control activities and for the licensing of these individuals. On 5 October, 2010, it received a unanimous favorable vote during the first committee reading and vote. However, TWS is concerned that several provisions in the bill could impede work of wildlife managers in the District of Columbia, thereby adversely affecting wildlife management and conservation.

TWS was founded in 1937 and is a non-profit scientific and educational association of over 9,500 professional wildlife managers and researchers, dedicated to excellence in wildlife stewardship through science and education. Our mission is to represent and serve wildlife professionals--the scientists, technicians, and practitioners actively working to study, manage, and conserve native and desired non-native wildlife and their habitats worldwide.

First, TWS applauds the Council for the prohibition in Section 5 of trading, selling, or bartering any wildlife or parts derived from wildlife.

In Section 2 (Definition), wildlife is defined to “include any free-roaming wild animal” but does not include domestic animals. Thus, this definition fails to provide for the special case of feral animals, such as dogs or cats, which are domesticated species but are often not habituated to humans. Because feral cats in particular present such a contentious issue for wildlife managers, there should be no ambiguity in defining them; to this end, WPA should include an explicit definition and treatment of feral cats. Indeed, in Section 7, there is a reference to Section 3 of the Animal Care and Control Act of 1979, which establishes the policy of trap, neuter, return (TNR) for feral cat populations. TWS vigorously opposes TNR as a management tool for feral cats because this technique has not proven effective in eliminating feral cat populations and does not address the severe threat to wildlife posed by cats in subsidized colonies. For more information on TWS’s stance on management of feral cats, please see the attached Position Statement, *Feral and Free-Ranging Cats*.

In Section 3 (Wildlife Control Service Providers), WPA directs wildlife control service providers to preferentially use nonlethal methods in controlling wildlife. While in some cases nonlethal solutions are certainly suitable, TWS is concerned that by requiring wildlife control professionals to prioritize nonlethal means, this legislation could present an obstacle to using lethal control techniques, often the most effective, humane, and scientifically-sound management of wildlife. Wildlife professionals who have earned a license to practice wildlife control should have the prerogative to choose the best approach to each case, whether it be lethal or nonlethal.

Additionally, in Section 3f, several of the proposed outcomes for live-trapped animals do not seem to be logical or feasible in the Washington, D.C. area. For instance, the first option is to re-release the animal to a “suitable location where nuisance problems are unlikely to occur.” In an urban environment where wild areas tend to occur in small, isolated patches, it is highly unlikely that an animal can be effectively relocated without either placing them in contact other problem areas, or removing them entirely from the local area. Extreme caution must be taken when transferring wildlife, especially rabies vector species, across state lines to wildlife rehabilitators in Maryland or Virginia because of the potential for disease transmission and violation of federal wildlife laws such as the Lacey and Migratory Bird Treaty Acts. Furthermore, Virginia Code section 29.1-521 and regulation 4 VAC15-30-10 prohibits transport, import, export, and release of wildlife into Virginia, so wildlife control agents may not be able to legally transfer sick, injured, or orphaned wildlife to rehabilitators in that state.

In Section 8, Control of Specific Species, the WPA specifies that pigeons, European starlings, and house sparrows cannot be controlled using toxicants. However, these are all invasive, nonnative species. The European starling (*Sturnis vulgaris*) thrives in urban areas and often congregates in flocks of thousands, competing with native species for food and nest sites. Management of these species should be aggressive given their invasive status and include any means necessary that do not impose an undue threat to non-target and native species.

The Wildlife Society is committed to a world where humans and wildlife co-exist. We work to ensure that wildlife and their habitats are conserved through management actions that take into careful consideration relevant scientific information and proven efficacy. As a reference for you as you consider this important piece of legislation, please find attached TWS’s official position statement on Wildlife Damage Management. If you have any further questions or would like more information from TWS, please contact Laura Bies, Director of Government Affairs, at (301) 897-9770 ext. 308, or by email at laura@wildlife.org. Thank you for considering the views of wildlife professionals.

Sincerely,



Thomas J. Ryder, President