WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION

Form #3

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2014 AUG -1 P 2:06

OFFICE WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: West Virginia Department of Agriculture TITLE NUMBER: 61

CITE AUTHORITY: 19-34-1

AMENDMENT TO AN EXISTING RULE: YES ___ NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: ___

TITLE OF RULE BEING AMENDED: ___

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 30

TITLE OF RULE BEING PROPOSED: Dangerous Wild Animal Rule

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Authorized Signature

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Dangerous Wild Animal Rule

Type of Rule: [X] Legislative [ ] Interpretive [ ] Procedural

Agency: West Virginia Department of Agriculture

Address: 1900 Kanawha Boulevard, East
Charleston, WV 25305

Phone Number: 304-558-3200 Email: jodeemartin@wvda.us

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

There will be no additional cost to state government. There is a $10.00 application fee, $150 fee per each mammal, $100 fee per each reptile, other than snakes, $50.00 per each snake, but at this time there is no data or information available to determine the number of animals that are currently owned.

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

Rule Title: Dangerous Wild Animal Rule

Rule Title: Dangerous Wild Animal Rule

3. **Explanation of above estimates (including long-range effect):**
Please include any increase or decrease in fees in your estimated total revenues.

N/A

MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

N/A

Date: August 1, 2014

Signature of Agency Head or Authorized Representative

West Virginia Department of Agriculture
1900 Kanawha Blvd. E., Charleston, WV 25305
304-558-3550

Walt Helmick
Commissioner

Statement of Circumstances

The Dangerous Wild Animal Board has amended this proposed rule due to the numerous public comments received and reviewed. The majority of the comments received were against specific animals including; but not limited to sugar gliders, savannah cats, turtles, hedgehogs, ferrets, geckos, tetra fish, and guinea pigs. There were also numerous comments regarding the pet store industry, and the negative impact the banning of such animals would cause.

The fee structure has also been amended, and a $10.00 application fee added to the rule. After further review of caging standards the board agreed upon referencing the Zoological Association of America (ZAA) Animal Care & Enclosure Standards, 2014, or the most current edition.

The format of the proposed list filed with the Secretary of State's office on July 2, 2014 was simplified for easier understanding. Also, scientific names for animals were used, and exemptions for animals covered under Chapter 19, and Chapter 20 of the West Virginia Code were not listed clearly in the proposed rule. The original list filed for public comment does not appear numbered in the rule. In the amended rule, the list appears numbered to separate the species.

West Virginia Department of Agriculture is an equal opportunity employer.

West Virginia Department of Agriculture
1900 Kanawha Blvd. E., Charleston, WV 25305
304-558-3550

Walt Helmick
Commissioner

Brief Summary of Proposed Rule

Dangerous Wild Animal Rule

Title 61 Series 30

This legislative rule establishes the West Virginia Dangerous Wild Animals list, caging requirements, permit fees, as well as establishes a date for the Dangerous Wild Animal Board to meet annually to determine if animals should be added to the list.

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QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: August 1, 2014

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM:(*Agency Name, Address & Phone No.*) West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

304-558-3200

LEGISLATIVE RULE TITLE: Dangerous Wild Animal Rule

1. Authorizing statute(s) citation 19-34-1

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

   July 2, 2014

   b. What other notice, including advertising, did you give of the hearing?

   c. Date of Public Hearing(s) ***or*** Public Comment Period ended:

   July 2, 2014 - August 1, 2014

   d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

   Attached X No comments received _____

e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

August 1, 2014

f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Jodee Martin/Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
304-558-3200 or 304-558-2203 (fax)
jodeemartin@wvda.us

g. **IF DIFFERENT FROM ITEM 'f'**, please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

b. Date of hearing or comment period:

July 2, 2014 - August 1, 2014

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

August 1, 2014

d. Attach findings and determinations and reasons:

Attached

Title 61

Legislative Rule

Dangerous Wild Animal Rule

Series 30

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2014 AUG -1 P 2:07

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§61-30-1. General.

1.1. Scope. This legislative rule establishes the West Virginia Dangerous Wild Animals list, caging requirements, permit fees, as well as establishes a date for the Dangerous Wild Animal Board to annually review the list of prohibited Dangerous Wild Animals to determine if animals should be added to the list.

1.2. Authority. -- WV Code §19-34-1

1.3. Filing Date. --

1.4. Effective Date. --

§61-30-2. Definitions.

2.1. "Animal Welfare Act" means a law passed by the United States Congress in 1966 in which sets for caging standards to help protect animals from inhumane treatment.

2.2. "Applicant" means any person male or female who requests permission from the Dangerous Wild Animal Board to possess a Dangerous Wild Animal.

2.3. "Cage" means an enclosure of wires, or bars which is used to confine mammals, birds, reptiles, amphibians, or aquatic animals to prevent escape.

2.4. "Caging Requirements" means a cage that meets the necessary requirements to confine mammals, birds, reptiles, amphibians, or aquatic animals to prevent escape.

2.5." Dangerous Wild Animal" means a mammal, bird, reptile, amphibian or aquatic animal, including a hybrid that is dangerous to humans, other animals or the environment due to its inherent nature and capability to do significant harm.

2.6. "Dangerous Wild Animal Board" or "Board" means a board of consisting of the Commissioner of Agriculture, the Secretary of the West Virginia Department of Health and Human Services, and the Director of the West Virginia Division of Natural Resources, or their respective designees, to oversee and regulate dangerous wild animals, as well as issue and revoke permits.

2.7. "Dangerous Wild Animal List" means a list of mammals, birds, reptiles, amphibians, or aquatic animals, including hybrids that are considered dangerous to humans, other animals, or to the environment to their inherent nature and capability to do significant harm.

2.8. "Permit" means approval or permission granted to an applicant by the Dangerous Wild Animal Board to possess a Dangerous Wild Animal in the state of West Virginia.

§61-30-3. Dangerous Wild Animal List.

3.1 The following is a list of dangerous wild animals for which possession is prohibited without a permit issued by the Board. Wildlife species identified in Chapter 20 of the West Virginia Code and Title 58 of the Code of State Rules are regulated by the West Virginia Division of Natural Resources and exempt from the Dangerous Wild Animal Act. Domestic animals, traditional livestock and alternative livestock or agriculture identified in Chapter 19 of the West Virginia Code and Title 61 of the Code of State Rules are regulated by the West Virginia Department of Agriculture and exempt from the Dangerous Wild Animal Act:

~~CLASS~~	~~ORDER~~
~~Amphibia (Amphibians)~~	~~Gymnophonia (Caecilians) All species prohibited~~
	~~Caudata (Salamanders) All species prohibited~~
	~~Anura (Frogs and Toads)~~
	~~Family Pipidate (clawed frogs) All species prohibited~~
	~~Family Hlidae (tree frogs) All species prohibited~~
	~~Family Bufonidae (toads) All species prohibited~~
~~Aves (Birds)~~	~~Family Psittacidae~~
	~~Genus Myiopsitta~~
	~~Myiopsitta monachus (Monk or Quaker parakeet)~~
	~~Family Cuculidae (Cuckoos) All species prohibited~~
	~~Family Alaudidae~~
	~~Genus Aluada~~
	~~Alauda arvensis (Sky lark)~~
	~~Family Pycnonotidae (Fruit thrushes or bulbuls)~~
	~~Genus Pycnonotus~~
	~~Pycnonotus jocosus (Red-whiskered bulbul)~~
	~~Family Turdidae~~
	~~Genus Turdus~~
	~~Turdus merula (European blackbird)~~
	~~Turdus viscivorous (Mistle thrush)~~
	~~Turdus pilaris (Fieldfare)~~
	~~Turdus Philomena (Song thrush)~~
	~~Family Zosteropidae~~
	~~Genus Zosterops (White eyes) All species prohibited~~
	~~Family Ploceidae~~
	~~Genus Ploceus (Weaver birds)~~
	~~Foudia madagascariensis (Madagascar weaver)~~
	~~Genus Quelea~~

~~Quelea quelea (Dioch or Red-billed quelea)~~

~~Family Passeridae~~

~~Genus Passer (Weaver finches) All species prohibited~~

~~Family Icteridae~~

~~Genus Quiscalus (Blackbirds) All species prohibited~~

~~Genus Molothrus (Cowbirds)~~

~~Family Emberizadae~~

~~Genus Emberiza~~

~~Emberiza citronella (Yellowhammer)~~

~~Family Estrildidae~~

~~Genus Padda/Lonchra~~

~~Padda oryzivora/Lonchura oryzivora~~

~~(Java sparrow)~~

~~Lonchura punctulata (Spotted munia)~~

~~Family Sturnidae (Starlings)~~

~~Genus Sturnus~~

~~Sturnus roseus (Pink starling)~~

~~Reptilia (Reptiles)~~

~~Rhyncocephalia (tuataras) All species prohibited~~

~~Crocodilia (crocodiles, caimans, gharials) All species prohibited~~

~~Testudines (turtles) All species prohibited~~

~~(Refer to Title 21 CFR 1240.62(Public Health Services Act) for carapace size restrictions)~~

~~Squamata (snakes and lizards)~~

~~Family Varanidae (monitors)~~

~~Genus Varanus~~

~~Varanus niloticus (Nile monitor)~~

~~Varanus komodoensis (Komodo dragon)~~

~~Family Elapidae (Cobras, mambas, sea snakes, etc.)~~

~~All species prohibited~~

~~Family Viperidae All species prohibited~~

~~Family Colubridae~~

~~Genus Rhabdophis (keelback snakes)~~

~~All species prohibited~~

~~Genus Boiga (cat snakes) All species prohibited~~

~~Genus Thelotornis (twig snakes)~~

~~GenusDispholidus (boomslangs)~~

~~Dispholidus typus (Boomslang)~~

~~Family Atractispididae (mole vipers) All species prohibited~~

~~Family Boidae (Boas)~~

~~Genus Eunectes (anacondas) All species prohibited~~

~~Genus Python (Pythons)~~

~~Python molurus (Burmese (Indian) python)~~

~~Python sebae (North African Rock python)~~
~~Python natalensis (South African Rock python)~~
~~Broghammerus reticulatus/P. reticulatus~~
~~(Reticulated python)~~
~~Genus Morelia~~
~~Morelia amethystine (Amethystine python)~~

~~Malacostraca (Crayfish)~~ ~~Decapoda~~
~~Family Cambaridae~~
~~Genus Orconectes~~
~~Orconectes virilis (Virile crayfish)~~
~~Orconectes rusticus (Rusty crayfish)~~
~~Genus Procambarus~~
~~Procambarus clarkia (Red lobster, Red swamp Crayfish~~

~~Gastropoda (Snails)~~

~~Family Viviparidae~~
~~Genus Bellamya~~
~~Bellamya (Cipangopaludina) chinensis~~
~~(Chinese mystery snail)~~
~~Spiraxidae~~
~~Genus Euglandina~~
~~Euglandina rosea (Rosy wolf snail)~~
~~Family Achatinidae~~
~~Genus Achatina~~
~~Achatina fulica (Giant African land snail)~~
~~Achatina achatina (Giant African land snail)~~
~~Genus Archachatina~~
~~Archachatina marginata (African Giant snail)~~
~~Family Hydrobiidae~~
~~Genus Potamopyrgus~~
~~Potamopyrgus antipodarum~~
~~(New Zealand Mudsnail)~~
~~Family Bithyniidae~~
~~Genus Bithynia~~
~~Bithynia tentaculata (Faucet snail)~~

~~Bivalvia (Bivalves)~~
~~Veneroida (Molluscs)~~
~~Dreissenidae~~
~~Genus Dreissena~~
~~Dreissena polymorpha (Zebra mussel)~~
~~Dreissena rostriformis (Quagga mussel)~~

~~Corbiculidae~~

~~Genus Corbicula~~

~~Corbicula fluminea (Asiatic clam)~~

~~Actinopterygii (Ray-finned fishes)~~

~~Cyprinodontiformes~~

~~Poeciliidae~~

~~Genus Gambusia~~

~~Gambusia affinis (Mosquito fish)~~

~~Tetraodontiformes (trigger, file & puffer~~ fish) ~~All species prohibited~~

~~Perciformes (perch-like fish)~~

~~Gobiidae (Goby family) All species prohibited~~

~~Channidae~~

~~Genus Channa (snakehead fish) All species prohibited~~

~~Cypriniformes (minnow-like fish)~~

~~Cobitidae~~

~~Genus Misgurnus~~

~~Misgurnus anguillicaudatus(oriental weatherfish)~~

~~Characiformes (piranha fish, tiger fish) All species prohibited~~

~~Siluriformes (candiru catfish, walking catfish) All species prohibited~~

~~Mammalia (Mammals)~~

~~Primates — All non-human primates prohibited~~

~~Edentata (sloths, anteaters, armadillos, etc.) All species prohibited~~

~~Didelphimorphia (marsupials or pouched mammals)~~

~~All species prohibited~~

~~Insectivora (shrews, moles, hedgehogs, etc.) All species prohibited~~

~~Dermoptera (gliding lemurs) All species prohibited~~

~~Chiroptera (bats) All species prohibited~~

~~Monotremata (spiny anteaters, platypuses) All species prohibited~~

~~Pholidota (pangolins, scaly anteaters) All species prohibited~~

~~Lagomorpha (pikas, rabbits, hares) All species prohibited~~

~~Rodentia (rodents) All species prohibited, except domesticated golden Hamsters, also known as Syrian hamster(Mesocricetus auratus); domesticated races of rats or mice(white or albino;trained, dancing or spinning, laboratory-reared); and domestic strains of guinea pig (Cavia porcellus).~~

~~Carnivora (carnivores) All species prohibited except domestic dogs (Canis familiaris) and domestic cats (Felis catus). Hybrid crosses~~

~~between two species in Order Carnivora (including domestic species) are also prohibited.~~

~~Tubulidentata (aardvarks) All species prohibited~~

~~Proboscidea (elephants) All species prohibited~~

~~Hyracoidea (hyraxes) All species prohibited~~

~~Sirenia (dugongs, manatees) All species prohibited~~

~~Perissodactyla (horses, tapirs, rhinoceroses, etc.) All species prohibited except those of the family Equidae.~~

~~Artiodactyla (peccaries, giraffes, camels, antelopes, etc.) All species prohibited~~

~~Afrosoricidae (golden moles, tenrecs) All species prohibited~~

~~Diprotodonita (sugar gliders) All species prohibited~~

~~Cingulata (New World armadillos) All species prohibited~~

~~Macroscelidae (elephant shrews) All species prohibited~~

~~Pilosa (3 toed sloths) All species prohibited~~

~~Macroscelidae (elephant shrews) All species prohibited~~

~~Scandentia (tree shrews) All species prohibited~~

~~Soricomorpha (shrews) All species prohibited~~

~~Dasyuromorphia (Tasmanian Devils, numbats, etc.) All species prohibited~~

~~Peramelemorphia (bandicoots, bilbys) All species prohibited~~

~~Erinaceomorphia (African pygmy hedgehogs) All species prohibited~~

~~Microbiotheria (monito del monte) All species prohibited~~

~~Cetacea (whales, dolphins) All species prohibited~~

~~Notoryctemorphia (marsupial moes) All species prohibited~~

~~Paucituberculata (shrew possums) All species prohibited~~

3.1.a. Hyenas;

3.1.b. Gray wolves, excluding hybrids;

3.1.c. Lions;

3.1.d. Tigers;

3.1.e. Jaguars;

3.1.f. Leopards, including clouded leopards, Sunda clouded leopards, and snow leopards; and

3.1.g. All of the following, including hybrids with domestic cats unless otherwise specified:

3.1.g.1. Cheetahs;

3.1.g.2. Lynxes, including Canadian lynxes, Eurasian lynxes, and Iberian lynxes;

3.1.g.3. Cougars, also known as pumas or mountain lions;

3.1.g.4. Caracals; and

3.1.g.5. Servals, excluding hybrids with domestic cats commonly known as savannah cats.

3.1.h. Bears; (native black bear not included per Chapter 20 of the West Virginia Code)

3.1.i. Elephants;

3.1.j. Rhinoceroses;

3.1.k. Hippopotamuses;

3.1.l. Cape buffalo;

3.1.m. African wild dogs;

3.1.n. Komodo dragons;

3.1.o. Alligators;

3.1.p. Crocodiles;

3.1.q. Caimans, excluding dwarf caimans;

3.1.r. Gharials; and

3.1.s. Nonhuman primates excluding:

3.1.s.1. Lemurs;

3.1.s.2. Golden lion, black faced lion, golden-rumped lion, cotton top, emperor, saddlebacked, blackmantled, and Geoffroys tamarins;

3.1.s.3. Southern and northern night monkeys;

3.1.s.4. Dusky titi and masked titi monkeys;

3.1.s.5. Muriquis;

3.1.s.6. Goeldi's monkeys;

3.1.s.7. White-faced, black-bearded, white-nose bearded, and monk sakis;

3.1.s.8. Bald and black uakaris;

3.1.s.9. Black-handed, white-bellied, brown-headed, and black spider monkeys;

3.1.s.10. Common woolly monkeys; and

3.1.s.11. Red, black, and mantled howler monkeys.

3.1.t. All species in the genus Pteropus including the following:

3.1.t.1. Flying foxes;

3.1.t.2. Fruit bats;

3.1.t.3. Mongoose (6 genera);

3.1.t.4. Meerkat;

3.1.t.5. European wild rabbits;

3.1.t.6. European hare;

3.1.t.7. Wild dog, red dog, dhole;

3.1.t.8. Multimammate rat/mouse;

3.1.t.9. Raccoon dog;

3.1.t.10. Brushtail possum;

3.1.t.11. Nutria or coypu; and

3.1.t.12. Gambian pouched rat.

3.1.u. All of the following constricting snakes that may reach six (6) feet or longer:

3.1.u.1. Green anacondas;

3.1.u.2. Yellow anacondas;

3.1.u.3. Reticulated pythons;

3.1.u.4. Indian pythons;

3.1.u.5. Burmese pythons;

3.1.u.6. North African rock pythons;

3.1.u.7. South African rock pythons;

3.1.u.8. Amethystine pythons; and

3.1.u.9. Species of the following families excluding timber rattlesnake and copperhead which are covered under Chapter 20 of the West Virginia Code:

3.1.u.9.a. Atractaspididae;
3.1.u.9.b. Elapidae;
3.1.u.9.c. Viperidae;
3.1.u.9.d. Boomslang snakes;
3.1.u.9.e. Twig snakes; and
3.1.u.9.f. Brown tree snakes.

3.1.v. All of the following birds:
3.1.v.1. Monk or Quaker Parakeet;
3.1.v.2. Skylarks;
3.1.v.3. Fruit thrush, or bulbuls;
3.1.v.4. European blackbird;
3.1.v.5. Mistle thrush;
3.1.v.6. Fieldfares;
3.1.v.7. Song thrush;
3.1.v.8. Madagascar weaver;
3.1.v.9. Dioch or Red-billed quleas;
3.1.v.10. Yellowhammer;
3.1.v.11. Java sparrow;
3.1.v.12. Spotted munia;
3.1.v.13. Pink starling; and
3.1.v.14. All species of the following genera:
3.1.v.a.1. Zosterops;
3.1.v.a.2. Passer; and
3.1.v.a.3. All species in the family Cuculidae (Cuckoos).

3.1.w. All of the following Amphibians:
3.1.w.1. Tiger salamander;
3.1.w.2. African clawed frog;
3.1.w.3. Cuban tree frog; and

3.1.x. All of the following crayfish:
3.1.x.1. Virile crayfish;
3.1.x.2. Rusty crayfish;
3.1.x.3. Red lobster or Red swamp crayfish; and
3.1.x.4. Mitten crab; and

3.1.y. All of the following snails:
3.1.y.1. Chinese mystery snail;
3.1.y.2. New Zealand Mudsnail; and
3.1.y.3. Faucet snail; and

3.1.z. All of the following Mollusks:
3.1.aa.1. Zebra mussel;
3.1.aa.2. Quagga mussel; and
3.1.aa.3. Asiatic clam.

§61-30-4. Caging.

4.1. Animals included on the Dangerous Wild Animal list shall be caged in accordance with ~~USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations~~, Zoological Association of American (ZAA) Animal Care & Enclosure Standards, 2014 Version, or most current edition.

§61-30-5. Fees.

5.1. Applicants shall annually ~~pay $100 for each animal that the Dangerous Wild Animal Board approves the applicant to possess.~~ submit a $10.00 application fee in order to register all dangerous wild animals in possession, and shall also submit the following fees if possessing any of the following:

5.1.a. $150.00 fee per each mammal.

5.1.b. $100.00 fee per each reptile, other than snakes.

5.1.c. $50.00 fee per each snake.

5.2. Fees shall be made payable to the "West Virginia Department of Agriculture."

§61-30-6. Annual Review.

6.1. The Dangerous Wild Animal Board shall meet annually by June 1st to review the list of prohibited Dangerous Wild Animals and submit any updates for legislative review in accordance with West Virginia Code §19-34-1 et seq.

6.2. The Dangerous Wild Animal Board shall meet annually on or by December 1st to review permits in order to issue permits effective for the next calendar year beginning January 1st.

6.2.a. On or by December 1st each year the board shall meet to determine if animals should be added. The Board may meet to address any other issues that pertain to Dangerous Wild Animals.

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Jacqueline M. Trump
294 Bluebird Ln
Harpers Ferry, WV 25425
304 728 3974
JacquiTrump@Yahoo.com
July 11, 2014

Attn: Jodee Martin
West Virginia Department of Agriculture
1900 Kanawha Boulevard East
Charleston, West Virginia 25305

Dear West Virginia Department of Agriculture:

I am a long time animal advocate and I am for protection against abuse and neglect to our animal friends. My family has donated to the Humane Society. However upon seeing the proposed list of animals to be banned, I was absolutely stunned. The list includes huge orders with thousands of species listed under them. Some examples are the Order Characiformes which includes at least 1674 species contained in about 270 genera and the Siluriformes that contains over 2400 *species* in 33 families. Many are very common pets such as the Plecostamus Catfish, the Cardinal and the Neon Tetra.

Even the hated and feared poisonous snakes are important to mankind. I used to be a lab technician and performed dilute Russell Vipers Venom clotting time with venom from a poisonous viper. Our own native rattlesnake provides venom for medical research. The NIH website posts that poisonous snakes are the prized research animals for some scientists searching for better treatments for such disorders as high blood pressure, heart disease, stroke, Alzheimer's disease and cancer. This is just one of the reasons private breeders are so important to West Virginia.

As for turtles as pets it is my belief that they are unfairly singled out for Salmonella. Doing some research I found that the germ is on our food such as chicken, beef, fish and even some vegetables. Recently it was found in peanut butter. It is even found on some surfaces including toothbrushes as well as other pets. The CDC website states that annually from chicken, non-typhoidal Salmonella causes approximately 1.2 million illnesses, 23,000 hospitalizations, 450 deaths, and an estimated-$365 million in direct medical costs in the United States. About 100,000 illnesses per year are attributed to drug-resistant non-typhoidal Salmonella. (from chicken). Cleanliness, education and proper care is the key here, and not taking beloved pets from families. (source http://www.cdc.gov/features/salmonellachicken/).

The pet business is growing and vibrant, and a large part of the US GDP. It would be such a shame to chase out pet stores and breeders to other states and lose all the great benefits they bring to West Virginia.

Sincerely,

Jacqueline M. Trump

Jacqueline M. Trump

July 6, 2014

Jodee Martin - Commissioner
West Virginia Department of Agriculture
1900 Kanawha Blvd. E.
Charleston, WV 25305

Dear Ms. Martin:

I share my home with four Savannah cats, which are considered hybrids under the proposed West Virginia legislation, and I am writing in opposition to their listing in the Dangerous Wild Animals Rule, pending in West Virginia.

This rule proposes a total ban on certain exotic animals, including hybrids thereof. It is overbroad and will ban several extraordinarily popular breeds of cats that are hybrids of domestic and non-domestic species. This bill bans ALL hybrids; there is no distinction between an individual that has a banned parent and those whose closest non-domestic ancestor is a dozen generations back.

At the core of this ban are family pets. They provide comfort and joy to their owners; they play with toys, purr, and cuddle with their humans. They provide an important link between human and nature, and this synergistic partnership has been scientifically shown to be integral to better health in people who own companion animals.

I believe all responsible pet owners in West Virginia should be allowed to choose and to keep their family's companion animal. They should be able to continue to add these companions as well as breed these domestic cats. **There is no credible evidence that these family cats are a danger to humans or to the environment.** They are not responsible for the abundance of animals in shelters – irresponsible pet owners who refuse to spay and neuter their animals are responsible.

I respectfully request that the West Virginia Department of Agriculture specifically reword the list from the current:

Carnivora (carnivores) All species prohibited except domestic dogs (Canis familiaris) and domestic cats (Felis catus). Hybrid crosses

To the following:
Carnivora (carnivores) All species prohibited <u>except</u> domestic dogs (Canis familiaris) and domestic cats (Felis catus or Felis domesticus) and hybrids thereof

There is strong precedent for recognition of the Bengal, Safari, Chausie and Savannah cat breeds as domestic cats. The United States Department of Agriculture (USDA) states in pertinent part
(http://www.aphis.usda.gov/animal_welfare/downloads/manuals/dealer/exemptions.pdf):

> *Hybrid Cross*
> *A hybrid cross is an animal resulting from the crossbreeding of two different species or types of animal. Examples of crosses and the resulting type of animal include:*

< *crosses between domestic animals are considered domestic, e.g., a poodle-cocker spaniel cross*
< *crosses between wild animals are considered wild, e.g., a wolf-coyote cross*
< *crosses between exotic animals are considered exotic, e.g., a lion-tiger cross*
< ***crosses between wild and domestic animals are considered domestic, e.g., a wolf-dog cross***
< *crosses between exotic and domestic animals are considered domestic, e.g., a zebra-donkey cross*

Thank you for consideration of this request.

Sincerely,

Deborah Frierson

Deborah Frierson

American Rabbit Breeders Association, Inc.

Devoted to the Interest of Rabbit Raising for Fancy and Commercial
Parent Body of All Chartered Local and Specialty Clubs
One National Judging and Registration System

July 10, 2014

West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

To Whom It May Concern,

I am writing on behalf of the rabbit breeders located in West Virginian. First we would like to begin by applauding and supporting your efforts to manage the ownership of wild animals. I am writing today only to discuss the wording on a proposed list I was forwarded.

This proposed was only recently filed on July 2nd, and at this time is not listed in the state registry for me to verify. The list forwarded to me includes all lagomorphas as considered "dangerous" animals. However, under the definition of "domestic animal" as listed in the adopted law, the domestic rabbit should be considered exempt. We request a clarification of the statement all lagomorphas are prohibited.

The domestic rabbit, used for pet, show and agriculture, is considered to be a lagomorpha. However it is the only member of the species *Oryctolagus cuniculus.* While there are members of *O. cuniculus* that survive in the wild, their preferred habitat is dry, near sea level with soft, sandy soil—easier for digging and nesting; not areas traditionally found in West Virginia. It is our belief that should a domestic rabbit become loose, the animal could theoretically survive, but most would lack the skills to survive a month loose. Also note that domestic rabbits are a different species, possessing a different number of chromosomes than the native Eastern Cottontail *Sylvilagus floridanus.* Therefore they pose no invasive threat to the beautiful and delicate ecosystems of West Virginia.

Please feel free to call or email me if you have any further questions.

Signed,

Eric Stewart

Cc: File

From the desk of the Executive Director, Eric Stewart
PO Box 5667 □ Bloomington, IL 61702
Phone: 309-664-7500 E-mail: Eric@arba.net Fax: 309-664-0941

To Whom It May Concern:

I am writing to express the high level of concern I have in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

From my understanding, while the intent of this bill is to decrease the probability of possession of exotic animal species which are likely to result in injury and/or death as well as those that may have a negative environmental impact upon accidental or intentional release, I find that the proposed ban list is far too broad in scope and has numerous oversights as to what is considered "dangerous".

Some of the animals listed are reasonably included, such as crocodiles, wolves, big cats, and other animals typically found in zoos and animal sanctuaries in which an ordinary citizen would be unlikely to provide proper care needed for these animals. However, the fact remains that many of the animals listed pose little to no threat to health and safety and are furthermore tropical species that could not survive in the environment of West Virginia should they escape from captivity.

I find that the method of simply banning entire classes, orders, families, and genera to be careless and shows a lapse in both time and effort to form a proper list that would reasonably cover those animals that do pose a threat to health, safety, and the environment.

Some of the notable oversights I have found on this list include but are not limited to:

- ALL clawed frogs
- ALL tree frogs
- ALL toads
- ALL turtles

And more specifically with my focused interest in aquatics:

- **Order Tetraodontiformes** (nearly 400 species)
  ALL trigger, file, and puffer fish
- **Order Perciformes**
  Family Gobiidae (nearly 2,000 species)
  ALL goby fish
- **Order Characiformes** (nearly 2,000 species)
  ALL tetra fish
- **Order Siluriformes** (nearly 3,000 species)
  ALL catfish

Additionally, restrictions include:

- Certain hamsters, mice, and rats
- Rabbits
- Sugar gliders
- African pygmy hedgehogs

Speaking as a hobbyist, not only does this proposed list in it's current form have a strong and unnecessary impact on my fellow reptile and aquarium hobbyists across this great state, but will pose an enormous impact on small, family-owned pet shops. I fear that many of the small businesses that rely on these exotic, but not dangerous, animals highlighted above will be forced out of business with their loss putting a dent into not only the local, but the state economy.

I humbly request that the proposed list be amended and that those in charge of creating and amending this list to please consider the impact they are creating on the people of this great state. Thank you.

Sincerely,

Kasey Cutlip

Kasey Cutlip

To Whom It May Concern:

Upon further examination of the Dangerous Wild Animal Rule, I could not help but notice just how far-fetched some of your listings appear to be. As a keeper of rabbits, I can assure you the neighborhood dogs are far more dangerous than our little lagomorphs. In fact, I personally cannot see how such a law does not infringe upon various personal liberties such as the right to property. I purchased the rabbit and claim ownership of him, he is not the state's property nor is he anyone else's property but my own. I would love to know how this animal is a danger to society and those around him. He sits in his own hutch and bothers no one. I know many other citizens who keep rabbits as well. It seems to me as though this is another greedy measure to get hundreds of dollars of revenue from responsible pet owners. After looking up the news, I could not find any instance in which a rabbit or most other animals listed have harmed anyone at all. Horses are also part of this list, which are not a threat to anyone. I do not see how you would expect anyone to comply with such a law and will personally refuse to do so myself. I will be reporting this proposed law to the Attorney General as well. Please, leave our pets out of your ridiculous intrusion.

Sincerely,

Jordan Gibson

Jordan Gibson
Student

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Sincerely,

Crystal Robinette

Teresa Whitt
1421 Quarrier Street
Charleston, WV 25301
Tel. 304-346-5234
14 July 2014

West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Attention WV Dept. of Agriculture

RE: Proposed Dangerous Wild Animal Rule, Title No. 61, Public Comments

I am writing to you today to protest the inclusion of Myiopsitta monachus (Monk or Quaker parakeet) in the proposed Dangerous Wild Animal Rule, Title 61. I am enclosing information that supports the fact that domesticated hand-fed quakers are not a threat to agriculture or population. In fact, with better information, New Hampshire just in 2011 changed its law to allow the ownership of Quaker parakeets with no restrictions. (see enclosed information.)

Mattie Sue Athan, a respected authority and author on birds, stated in her article "Why are Quaker Parrots Illegal in Some States (quakerparrots.com) "...The Quakers now available in the United States are typically handfed baby birds who have no understanding of finding food except from human hands..." Indeed "Several colonies of feral Quakers that later became established can be traced to whole shipments of savvy wild Quakers that were probably captured together in Argentina and escaped together in the United States..." Today, the Quakers available are handfed babies that were raised domestically in the United States and do not have this flock behavior.

I ask that the West Virginia Department of Agriculture reconsider the inclusion of Myiopsitta monachus (Monk or Quaker parakeet) in the proposed Dangerous Wild Animal Rule, Title 61. Supporting evidence shows that these birds are safe companion pets and are not dangerous or wild but misunderstood.

Sincerely,

Teresa C. Whitt

Enc. 2

HB651 (2011)

Allowing the sale and possession of monk parakeets.

Status: SIGNED BY GOVERNOR (Details)
Length: 59 words.

Revisions of this bill in our system:

2011-06-03
2011-05-12
2011-03-08

	House	Senate
Public hearing:	2011-03-22 10:15:00 LOB 307	2011-05-05 00:00:00
Executive session:	(unscheduled)	(unscheduled)
Floor vote:	2011-03-30 00:00:00	2011-05-11 00:00:00

CHAPTER 116

HB 651 – FINAL VERSION

2011 SESSION

11-1085

08/03

HOUSE BILL *651*

AN ACT allowing the sale and possession of monk parakeets.

SPONSORS: Rep. Notter, Hills 19; Rep. Avard, Hills 20; Rep. Peterson, Hills 19; Rep. Scontsas, Hills 22; Rep. Cox, Merr 6; Rep. Pitre, Straf 3; Rep. Hill, Merr 6

COMMITTEE: Fish and Game and Marine Resources

ANALYSIS

This bill allows for the sale and possession of monk parakeets, also known as quaker parrots.

- -

Explanation: Matter added to current law appears in ***bold italics.***

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

11-1085

08/03

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT allowing the sale and possession of monk parakeets.

Be it Enacted by the Senate and House of Representatives in General Court convened:

116:1 New Section; Monk Parakeets. Amend RSA 437 by inserting after section 17 the following new section:

437:17-a Monk Parakeets. Monk parakeets (Myiopsitta monachus), also known as quaker parrots, may be possessed and sold within the state.

116:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 31, 2011

Effective Date: July 30, 2011

QuakerParrots.com

Quaker Parrot Information Site and Forum

Why are Quaker Parrots Illegal in Some States

ITT Tech - Official Site

Tech-Oriented Degree Programs. Education for the Future.

by Mattie Sue Athan

Many potential Quaker Parrot owners are disappointed to hear that these birds are illegal to keep in some states. This article discusses the issues surrounding these laws and the reasons they were put in place in an honest and straight forward manner.

Question: I've heard that Quakers are against the law in some states. Why?

Answer:

Myopsittia monachus, the Quaker or monk parakeet, is such a successful organism that that the family (genius) evolved no other members; it is the lone species in it's group. It is among the hardiest and most prolific of all parrots, being an opportunistic species whose range has, according to Forshaw, grown with the expansion of agriculture. In their native Argentina, Quaker parakeets reportedly eat 30% of the corn crop.

Because of concern that these birds might become established agricultural pests and that they represent a threat to native species in the local environments, they are illegal to own or to sell in California, Georgia, Kansas, Kentucky, Hawaii, New Jersey, Pennsylvania, Tennessee, and Wyoming. They are legal to own, but illegal to sell or breed in Connecticut. They are legal to own with registration and banding in New York, and legal to own with breeder or seller registration in Virginia. This list was assembled from information provided with great difficulty by Jeff Sofa, Linda Greeson, and Theresa Jordan.

Unlike many of the rules that govern our everyday lives, these are not laws, but rather, they are regulations – rules established and administered in most states by the Wildlife or Agriculture Department. Regulations can change quickly, and written copies of regulations are difficult to obtain. One department in a particular state might give out one piece of information that directly contradicts information from another department in the same state. If you are moving from one state to another, please contact officials in your destination state to determine the current regulations governing Quaker parrot ownership in that state.

We know that Quaker parrots have become established in such diverse parts of the United Sates as Florida, Texas, New York, New Jersey, and Illinois. Occasional pairs have even been spotted in my home state of Colorado. Before 1993, when wild Quaker parrots were being imported into the United States, there was probably legitimate reason for concern. Not only were these birds fully capable of surviving wild, but also they were being transported from place to place in huge numbers.

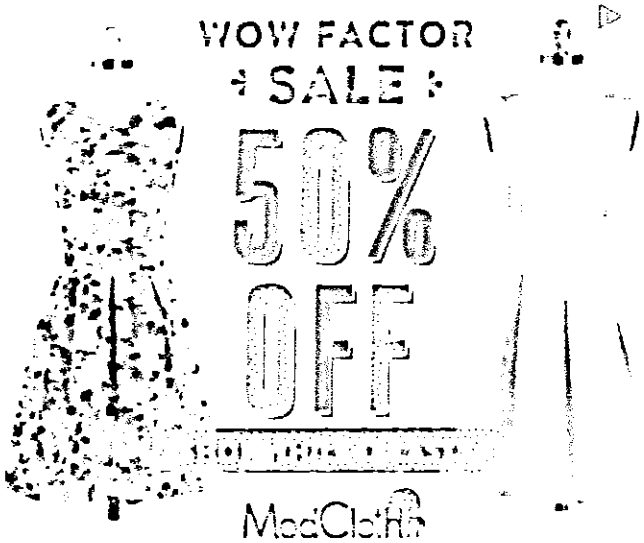
Several colonies of feral Quakers that later became established can be traced to whole

shipments of savvy wild Quakers that were probably captured together in Argentina and escaped together in the United States. Today the numbers of Quakers transported at one time are a small fraction of those huge shipments of imports. Additionally, the Quakers now available in the United States are typically handfed baby birds who have no understanding of finding food except from human hands.

Most handfed baby Quakers are intelligent enough to watch the other birds and figure out how to survive, but if humans are available, that is not usually their choice. As mentioned in the previous question (My Quaker Parrot flew away), escaped handfed Quakers seem to prefer to come to humans within the first 12 hours they are away from home.

Mattie Sue Athan has been a companion parrot behavior consultant since 1978. During that time she has averaged two to three new Quaker clients per week. Her first book, Guide to a Well-Behaved Parrot, is an industry standard. Her second book, Guide to the Quaker Parrot, sold out the first printing in 5 months. She also wrote Guide to the Senegal Parrot and Its Family and Guide to Companion Parrot Behavior.

Email: msathan@aol.com



I'm looking for...

Quaker Parrot Forum
Quaker Parrot FAQ
Quaker Parrot Book

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Sincerely,

Martin, Jodee

From: Martin, Jodee
Sent: Monday, July 14, 2014 11:35 AM
To: 'aandt20@gmail.com'; 'areztip@yahoo.com'; 'raindog9554@hotmail.com'; 'cchsjnrhodes@gmail.com'; 'chaeriste@yahoo.com'; 'lavonnastreight@yahoo.com'; 'hatcher_8820@yahoo.com'; 'rstrieber@escamillaponeck.cpm'; 'eprisekin@yahoo.com'; 'montanisemperliberi76@yahoo.com'; 'chelbym@live.com'; 'bftsplk@frontier.com'; 'Veronica.Sizemore@utas.utc.com'; 'ofriary@gmail.com'; 'aricsatre@yahoo.com'; 'davemartin88@gmail.com'; 'ebeard.40515@gmail.com'; 'kimmail1@yahoo.com'; 'jadeoliver7@gmail.com'; 'pako-3908@fusemail.com'
Cc: Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject: Title 61 Series 30 Dangerous Wild Animal Rule
Attachments: In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx

Please see attached letter. Thank you.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Martin, Jodee

From: ashley rhodes <aandt20@gmail.com>
Sent: Monday, July 14, 2014 11:13 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

ashley rhodes
1023 mudlick rd.
clendenin, WV 25045

July 14, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
ashley rhodes

Martin, Jodee

From: annette reztip <areztip@yahoo.com>
Sent: Saturday, July 12, 2014 2:24 PM
To: Martin, Jodee
Subject: Pets

ATTN: Jodee Martin

That is ridiculous about not being able to have certain types of pets, such as hamsters, turtles, guinea pigs, etc. Especially rabbits. I could see if it was such animals as exotic{tigers, monkeys, etc.} This law should not be approved whatsoever at all.

Annette Pitzer

Martin, Jodee

From: Megan <raindog9554@hotmail.com>
Sent: Saturday, July 12, 2014 2:52 PM
To: Martin, Jodee
Subject: Dangerous wild animal rule

Ms Martin,

I am very saddened to hear of the proposed law to ban certain animals including hamsters, hedgehogs, turtles and tortoises, rabbits and sugar gliders. This list is to far reaching. These are not wild and dangerous, they are pets. Believing that these animals are dangerous shows the ignorance of animals and basic animal behavior the law makers of West Virginia have. If you are concerned about these domesticated pets getting lost or abandoned outside, most would not survive. All you are doing is taking away the pets your citizens love. It is a selfish, cowardly, and ignorant act. On top of that businesses like Critters and Conservation will no longer be able to use there animals to teach children about these animals, nature, and the importance of all life.

By doing this you will be depriving your citizens of the joy of having and learning about these wonderful animals. I hope you will reconsider.

Megan Frank

Martin, Jodee

From: Jadia Rhodes <cchsjnrhodes@gmail.com>
Sent: Saturday, July 12, 2014 7:09 PM
To: Martin, Jodee
Subject: WV Senate Bill 371

I Jadia Nicole Mitchem would like to say that I do not think that any animal should be banned from West Virginia. I have friends and even family that have some of the animals on the list that you made. One of the animals I know that you did not put on there was a Chincilla was not. I do not think that some of the animals should be on the list because some people are trying to save their kind.

Thank you so much,
Jadia Nicole Mitchem

Martin, Jodee

From: Christina Hannigan <chaeriste@yahoo.com>
Sent: Saturday, July 12, 2014 8:40 PM
To: Martin, Jodee
Subject: Re: Title 61 Series 30 Dangerous Wild Animal Rule

Is it true that the law passed regardless of the nationwide outcry against it?

Does the government really believe that an animal that weighs an average of 12 oz and goes into deadly hibernation at temperatures below 70 degrees?

Hedgehogs are not dangerous.

Short-sighted, uneducated, ignorant legislators are dangerous.

Please advise.

Sent from my iPhone

On Jul 10, 2014, at 9:10 AM, "Martin, Jodee" <jodeemartin@wvda.us> wrote:

Please see the attached letter.
<In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx>

Martin, Jodee

From: lavonna streight <lavonnastreight@yahoo.com>
Sent: Saturday, July 12, 2014 10:00 PM
To: Martin, Jodee

I just teceived word that you are proposing to ban rabbits in the context that they are a Dangerous Wild Animal. How can you possibly try to do such a thing. What about the 4H children that raise them for a project. How are they going to abide by the guidelines to do so if you continue to put these on this list. This is completely and utterly hog wash to try to pass this as a Dangerous Wild Animal. It is nothing more than a way to regulate and tax the Voters Yet AGain. You might as well call it a TAX not a fee. How can you even begin to imagine that these mild little creatures are a Dangerous Wild Animal. Who in their wildest dreams decided to put that animal on this list. I am starting a campaign to have people send in emails to this dept inorder to remove several of these animals off this list. There are several animals that are just laughable that they are on a list at all. Who is the Person that put them on this List I really would like to know what person did this so I can NOT VOTE FOR THEM EVER AGAIN. I am bettin he is from Marshall County? let me know who the brain behind banning rabbits is. I want to make sure everybody knows his or her name. I am sure everybody wants to know who this person is. There are several others on this list that have no business being there as well. We would all like to know who wrote up this list and how they came up with said animals. Inquiring Minds in WV.

Martin, Jodee

From: Denise Hatcher <hatcher_8820@yahoo.com>
Sent: Saturday, July 12, 2014 10:54 PM
To: Martin, Jodee
Subject: PROPOSED RULE FILED FOR DANGEROUS WILD ANIMALS ACT, PUBLIC COMMENT PERIOD OPEN UNTIL AUGUST 1, 2014

I think in most cases there is a huge difference in a wild animal and an animal bred to be a family pet. I do find it strange for some animals to even be considered on the list. I have owned purebred lionhead rabbit that had
NEVER harmed anyone in anyway. He was the most docile pet I have ever known. I think this law is ridiculous. Toads? Once again I question that toads are dangerous, possibly germy , but I think germs and diseases can be carried by almost any animal. I also think that there will be other laws passed in the future so that ALL pets will have to be registered and 'taxed'. I personally think it is a way for the government to make more money. Any animal I have ever owned has not been just an animal , but a member of my family and I have strove to make sure they are taken care of , and in cases of small children, I have always kept them away from any pet I think could possibly harm them by the child not knowing how to treat them. Turtles for instance can bite , and carry germs. Why not try to inform the public on how to take care of these certain animals? Advise them to keep turtles in a covered tank that is away from children , and inform owners to always wash their hands thoroughly after handling. I also find the fees very high. We are on a tight budget and that fee would be hard to come up with , as I'm sure it would for other people. I think as long as people are not owning exotic WILD animals - such as Tigers , lions, alligators, etc. - they should be allowed to own whatever pet they choose within reason. The bottom of the list pretty much makes sense. Those animals are considered wild by many more people. The first half of the list should be looked over and questioned as to if these animals should really be considered dangerous or even wild. I ask you and anyone associated with the making of this list and the passing of this act to please reconsider some of the pets on the list. Thank you for taking the time to read my comments.

~Denise Hatcher~

Martin, Jodee

From: richard strieber <rstrieber@escamillaponeck.cpm>
Sent: Sunday, July 13, 2014 12:27 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

richard strieber
700 N. St. Mary's Suite 850
san antonio, TX 78205

July 13, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild. My family often vacations in West Virginia but we will no longer do so if these restrictions pass. Banning such things as small TICA registered cats with diluted wild heritage protects the safety of no one since the cats pose no safety threat. Certainly no more than any house cat . I think also of the proposed ban on Tetras They don't pose a threat , certainly not those commonly maintained in aquariums. Same with frogs, turtles, tortoises, ferrets, sugar gliders, hedgehogs , lizards most snakes, squirrels ,parrots etc, etc. Common sense such as washing hands after handling an animal protects the handler. The proposed list is so overreaching and preposterous that it lacks credibility.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely
Richard Strieber

Sincerely,
richard strieber

Martin, Jodee

From: Elena Prisekin <eprisekin@yahoo.com>
Sent: Friday, July 11, 2014 9:02 PM
To: Martin, Jodee
Subject: alpacas - dangerous?

Hello,

I recently read an article that stated amongst animals such as lions and chimpanzees, alpacas and rabbits have been listed as dangerous in WV. Moreover that it would cost owners 100 per animal if they already have them. First, I'm simply astonished at the idea that alpacas (a prey animal) is right up there with lions (a hunting animal). There seems to be more than meets the eye here, and frankly I think it is the WV government seeking money, to suck off hard working West Virginians. There are a number of alpaca owners in WV, and this is their business. Due to the recession and many recent retirements, there is a glut of alpacas on the market and these people are struggling financially. To rob them (yes, I consider this theft, not earned money.) only destroys the WV economy further.

I have five alpacas and two angora rabbits. I was looking to move to WV in 3 to 5 years due to the more individualistic nature of the people I know there, but if this is the trend I'm seeing, I will not do so. I already live in a state that sucks the individual dry, and will not move to a state that so blatantly looks to destroy actual productive individuals.

peace,

Elena

Martin, Jodee

From: Michelle McAfee <montanisemperliberi76@yahoo.com>
Sent: Friday, July 11, 2014 10:45 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Michelle McAfee
PO Box 719
Hurricane, WV 25526

July 11, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. This proposed list is clearly an attempt by the state to generate revenue, and it is shameful. Montani Semper Liberi means nothing if we have to pay a fee, fine, or buy a license to do so. I urge you to use every ounce of your love for this state and for the freedom it used represent to put a stop to this restriction of our freedom, and any other restriction that is proposed.

Sincerely,
Michelle McAfee

Sincerely,
Michelle McAfee

Martin, Jodee

From: Chelby Mather <chelbym@live.com>
Sent: Saturday, July 12, 2014 12:12 AM
To: Martin, Jodee
Subject: DANGEROUS WILD ANIMALS ACT

Hello,

My name is Chelby Mather I lived in Moundsville, WV for the last 22 years. Courtesy of a very good close friend of mine via Facebook I just learned about this Dangerous Wild Animals Act that law makers are trying to pass. First off my household (my parents and I) have never owned an "Exotic" pet just dogs, cats and pet store fish's. We have had family members that do and still do, along with friends of family that own "Exotic" pets. I've had a cousin who once lived in West Virginia had "pet" raccoons, possums and snakes. Now I say "pets" cause my cousin finds these animals around his house and just leaves them to lived in and out of his house with his two kids. His never had a problem expect for nosy neighbors calling animal control on his Bobcat which had never hurt any of his domestic pets, two kids or neighbors. That being said my close friend who gave light to this banning has: two Fennec foxes, a Dachshund, a cat, a couple rabbits living outside and a lot of sugar gliders who live in their own room in my friends mom's house. I've seen all of this animals, the foxes are happy and playfully especially the female who loves to be petted and their dog loves to hang out with them. They are very will taken care of, better then most animals in town.
Now with that, Here in Moundsville which is just south of Wheeling we might have some "Exotic" animals beside my cousin's (who now lives in Ohio) and my friends family, though I've only heard of a lady out on one of the creeks that owns and raises Wolf-dogs who to my knowledge has never had any problems with them. My parents and I like I stated in the beginning of this email have never owned "Exotic" pets (unless now Gold Fishes are banned animals then yes we owned "Exotic" animals 9 years ago) have had only dogs and cats. I find that this banning of "Exotic" pets is simply ridiculous, totally ridiculous. You law makers are now just opening the door to black market animal sellers who know people with pay under the table for this animals so the law doesn't know about them and people just letting their "Exotic" animals loose in the wild because they can't pay the taxes for them. I have no problem with responsible people owning "Extoic" pets just like responsible domesticated pet owners. I'd rather you law makers pay more attention to the controlling of demesticated pets, making laws to help West Virginians lives easier and keeping illegal alien adults and children out of our state!!! Since where I live the owners just leave their DOMESTICATED cats to run wild, destroy stuff and popping out more babies plus theirs dogs no idea if they are still alive we hear them once a blue moon but never see them. There no sense in getting cages for the cats to take them to the local pound since their owners just go out to get new baby cats, which we and one neighbor have done more then once.
Back to the topic of this ridiculous act wouldn't be just easier to pay more attention to people buying "Exotic" animals and what type. If someone buys a lion, bear (which you do know some bears are native to WV) or a python. Will first the person owning the big cats like lion and tiger should be forced to give up those animals cause seriously that just wrong on the animal. Python's the some unless that person is truly going to keep that snake for life and not be like people down in Florida. I bet if this Act gets passed you'll see a raise in the black market selling of "exotic" animals along with people just letting them loose or hiding them until someone get hurts.
All that is need is for the right type of person to own these animals and for our government to keep track of the types and if the people are taking care of them...oh wait you guys don't do that for domesticated animals why would you ever do that for "exotic" animals. Oh but wait domesticated cats aren't taxed and I have more bite marks for my cat then any other animal but you don't see me throwing her out of our house. **So if you**

should pass this law it SHOULD be you law makers that go to the children who's parents or guardians brought them any of these: hedgehogs, "exotic" fishes, frogs, turtles, rabbits/bunnies/hares, birds and the many other animals on the list that most children ask their parents to get them and tell them that they can't own their precious pet(s) anymore cause their parents or guardians couldn't or wouldn't pay a addition tax on them....cause they weren't domesticated.

thanks for reading my opionion though I could go on about it for months,
Chelby Mather

Martin, Jodee

From: bftsplk@frontier.com
Sent: Saturday, July 12, 2014 12:51 AM
To: Martin, Jodee
Subject: Re: Title 61 Series 30 Dangerous Wild Animal Rule

And you call this an answer??????????????????????????????

On Thursday, July 10, 2014 10:31 AM, "Martin, Jodee" <jodeemartin@wvda.us> wrote:

Please see the attached letter.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Martin, Jodee

From: Sizemore, Veronica UTAS <Veronica.Sizemore@utas.utc.com>
Sent: Saturday, July 12, 2014 8:48 AM
To: Martin, Jodee
Subject: Proposed rule filed for dangerous wild animals act

Mr. Martin,

I have read this proposed rule for wild animals and find it quite offensive. I have owned rabbits, guinea pigs and turtles my whole life, and many other animals. These rules and regulations I feel are taking away more of our rights. If more people were interested in taking care of animals, and children were taught the value and the rewards of caring for these critters there would be less violent crimes and drug abuse. Caring for animals has been one of the most rewarding things I have ever done.

I have three children and they have all been raised with animals of all kinds. They each have developed a love and caring for animals because of it. This dangerous animal list is quite ridiculous and could not have been written by anyone with any experience with these animals. We need to teach our community how to handle and care for animals safely, not make rules and charge people a bunch of money for having them. Lower income people who are sometimes the best at caring for animals will be hurt the most, and of course their children will suffer from this rule also.

I am totally against these rules, if there is anything I can do to help prevent this rule from going into effect please let me know. I strongly feel this will do way more harm than good, not only to people, but to the animals as well.

Sincerely,

Veronica Sizemore – Production Planning Specialist II – Sensors & Integrated Systems
UTC AEROSPACE SYSTEMS
225 Stringtown Rd., Union, WV 24983 U.S.A. Tel: +1 304-772-3893 Fax: +1 304-772-5249
Veronica.sizemore@utas.utc.com **www.utcaerospacesystems.com**
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Martin, Jodee

From: Olivia New <ofriary@gmail.com>
Sent: Saturday, July 12, 2014 9:18 AM
To: Martin, Jodee
Subject: Dangerous animal list

Ms. Martin,

I was rather shocked when I read the full list of animals posted for comment. Many people in this area keep pet rabbits and turtles without any problems. I understand that turtles (as well as other birds and reptiles) can be a risk for salmonella, but that is easily mitigated by washing your hands after handling the animals in question. I honestly have no idea why ALL rabbits would be in the list. I also question the inclusion of camels. A family in rural Wayne County owns camels that haven't had or caused any safety issues.

You should really consider paring down the list to animals that are actually dangerous.

Olivia Friary
Sent from my iPhone

Martin, Jodee

From: Aric Satre <aricsatre@yahoo.com>
Sent: Saturday, July 12, 2014 9:55 AM
To: Martin, Jodee
Subject: Dangerous Wild Animals Act

In respect:

I would like to send you a little message on why I disagree with the Dangerous Wild Animals Act. I believe that the government tries to get into every little part of our lives which is annoying. I do not see why the government is going to come up with a list of "dangerous animals" and on the list have animals that are NOT dangerous. I used to own domestic rabbits. I had about five for five years. I NEVER got bit, scratched or hurt by any of them, and if I would have been bitten, it would have not caused any harm. In my opinion, this is just a way to get money from our pets which is wrong. I was planning on getting more rabbits in about a couple years. I think I will move if West Virginia is going to come up with idiotic laws.

Sincerely:

Aric
Republican
St. Albans, West Virginia

Martin, Jodee

From: Dave Martin <davemartin88@gmail.com>
Sent: Friday, July 11, 2014 5:40 PM
To: Martin, Jodee
Subject: Alpacas on Wild and Dangerous List

Have seen news stories indicating that alpacas are being included on a Wild and Dangerous animal list that is being compiled. Surely this is nonsense and a mistake, alpacas are NOT dangerous animals. Please tell me what needs to be done to help remove alpacas from this list.

David Martin
Romney, WV
Hidden Bend Retreat
304 822 3701

Martin, Jodee

From: Eric Beard <ebeard.40515@gmail.com>
Sent: Sunday, July 13, 2014 2:02 PM
To: Martin, Jodee
Subject: Really?

Am I correct in reading the "dangerous wild animals" law that I now need a permit for domestic rabbits? Are they really a threat to the environment or people?

Eric Beard

Martin, Jodee

From: kim Lincicome <kimmail1@yahoo.com>
Sent: Sunday, July 13, 2014 7:15 PM
To: Martin, Jodee
Subject: DANGEROUS WILD ANIMALS ACT

I understand the need for the wild animal act. But some of the animals on the list are a little ridiculous. It will hurt the small businesses that sell these animals, such as rabbits, rats. I also see some species of fish on the list. If a person has a fish at home in a tank, how is it dangerous? And this is farm land. People own horses. It looks as if the state is just trying to make a quick buck with their "permits"and all that is going to do is cause hardship for the people who are struggling to make a living as it is. What you will have is the people who cant afford the permits turning the rabbits or other animals that were once in a cage loose. Then we will all be in trouble. Rethink your list please.

Thank you.
Kim Lincicome

Martin, Jodee

From: Jade <jadeoliver7@gmail.com>
Sent: Sunday, July 13, 2014 9:04 PM
To: Martin, Jodee
Subject: Unjust

To ban such animals cattle ,goats sheep, horses is the most ridiculous thing I have ever heard of .why would you take these animals and then have to import them here ?then you have to pay more money too.

Sent from my iPhone

Martin, Jodee

From: Pat Osborne <pako-3908@fusemail.com>
Sent: Monday, July 14, 2014 5:22 AM
To: Martin, Jodee
Subject: Damgerous animals? HB 4393

Importance: High

West Virginia's list of dangerous animals includes many NON-dangerous animals but leaves out the most dangerous---man.

Whoever built this list of "dangerous" animals simply opened a zoology textbook to copy the genus/species names. Your list makes no exemption for domestic *rabbits!* What nonsense!

Many of the reptiles/amphibians are far less dangerous than domestic dogs and even some domestic cats---how silly!

Your list includes many nonnative animals that, as an exceptionally poor state, WV would never be allowed to have, for instance, many Australian/New Zealand species! How poorly thought out! Did WV run out of mountain tops to destroy?

This "law," HB 4393, is solely to gain more funds for WV. If these funds truly benefited WV wildlife more power to you; but, you know the funds will not be of such benefit.

Yet another reason to avoid WV when traveling!

P.S. Your bill has at least one striking spelling error. For shame, WV, for shame!!!
--
Pat Osborne
62002

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Martin, Jodee

From:	Martin, Jodee
Sent:	Thursday, July 10, 2014 10:31 AM
To:	'service@aveslockandkey.com'; 'pattydc@live.com'; 'belgianharesrule@aol.com'; 'terrysands@frontier.com'; 'foopower.pw@gmail.com'; 'rthisphotography@aol.com'; 'sirenarobinson@rocketmail.com'; 'bftsplk@frontier.com'; 'whilsbos@mix.wvu.edu'; 'reggiewhite61@yahoo.com'; '666sharpielove@gmail.com'; 'paswhite40@gmail.com'; 'ryofenrir@gmail.com'; 'slkdelsol@aol.com'; 'jcconfere@gmail.com'; 'i.got.a.crush23 @gmail.com'; 'higginbotham291@icloud.com'; 'lowedava@outlook.com'; 'kelley.animallover1978@gmail.com'; 'mirandahudnall@ymail.com'; 'robinchrisflowers@yahoo.com'; 'atvgirl94@yahoo.com'; 'jmariie33@gmail.com'; 'hotrodsis@aol.com'; 'CNathan.Spencer@camc.org'; 'dthall3@gmail.com'; 'sue61'; 'sazonmiguel7@gmail.com'; 'ChanTat78@outlook.com'; 'kristiord80@gmail.com'; 'jamesch222@gmail.com'; 'vicster45@aol.com'
Cc:	Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject:	Title 61 Series 30 Dangerous Wild Animal Rule
Attachments:	In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx

Please see the attached letter.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Martin, Jodee

From: Ave's Lock And Key <service@aveslockandkey.com>
Sent: Saturday, July 05, 2014 11:47 AM
To: Martin, Jodee
Subject: wild animal list

Good Morning Jodee,

I just finished reading the revised draft of the "dangerous animal list"

I cannot help but wonder how you people come to decide on the conclusion of some of these things..

To suddenly outlaw someone's pet, something someone cares for and takes care of, is vile..

For example, all turtles? So the painted turtles that my friend bought from a pet store 2 years ago must either be gotten rid of (to prevent a possible fine) or apply for a $100 permit each? For a turtle that costs $30 at the store? And said turtle must then carry $300,000 of liability (each, I assume)? And they have to call law enforcement if the turtle gets loose?

Or my hedgehog, the woman I got her from breeds and rescues them.. so for every hedgehog that she has saved from malnutrition and a worse existence, she will be forced to either kill each one of them, get them outside of the state (but not in PA since they are illegal there too for some cockamamie reasons) or pay a $100 fee for EACH and then not be able to find them suitable homes since she wouldn't be allowed to sell, give, or transfer them to someone else once the law comes into effect.

Which on that note, myself and a few other pet owners I know that have animals that will now be listed in this 'black list' will absolutely and completely refuse to comply with absurd laws like this.. People in general will not abide by laws that that do not make sense, especially when law enforcement does not have the right to go house to house looking for all turtles, or toads or frogs, or sugar gliders, marsupials, et-cetera, et-cetera..

So what does that mean? That means people will purchase from out of state, people will purchase animals that they want from other sources, and since they will be outlawed, the stores won't carry things like turtle food and other special dietary things to take care of those animals properly, and in turn those animals will become ill and live a lower level of existence as there will not be any vets in the area that practice on those types of animals.

While I understand and agree that some animals do not really make sense to be out here, I do not agree with some of the choices (I.E. the hedgehogs and sugar gliders), and some of the laziness attributed to banning an entire group of animals (I.E. toads, frogs and turtles). I believe that this list needs to be reviewed and whittled down to a point that tackles the problems you may have with some of your problems, not a broad sweep like this that affects many caring and loving pet owners who take care and responsibility of their animals..

In the end, when I play that scenario out, the only two entities your new law will hurt is the pet stores that are selling these animals (that are in a better condition of health than if they were sold illegally on a 'black market') and that are also selling the supplementary dietary needs as well as other needs specific to that animal, and the other entity is the animals themselves.. the animals that will be dishomed or abandoned or even flat out killed (some more brutally than others) just in an attempt to prevent legal repercussions from your new law that outlawed their favorite pet..

There is also a good chance that by outlawing such a broad range of animals, many people may take the easiest and laziest route and just dump these animals out in the wild, and then the law that you support will cause extensively more damage to the indigenous species by mass introduction of these other animals at a much faster rate than was ever previously experienced..

One final thought in closing, how are people expected to pay exorbitant insurance premiums on $300,000 of liability to own a turtle, when you are only required to have $20,000 of liability to drive 5 tons of steel down the road head-on with other vehicles passing less than 2 feet away at equal speeds or passing pedestrians at lethal velocities?

I hope to see further revisions on these laws before they are sent to a vote, especially in light that WV has thus far had some of the most relaxed laws of the middle eastern seaboard, and even with that fact we have effectively been a 'self governing' state.. the people understand most of the laws, and attempt to abide by them by choice, and I would hate to see that structure start crumbling under these last few years of proposed laws that make little to no sense..

I seriously hope that you heed these words of wisdom, as I hear a lot of murmuring in the community from my clients and friends.. this is my first time reading this list for myself and I frankly find it quite worrying at the amount of animals on the chopping block.

Thank you for your time and attention to my concerns,
-Averil

Martin, Jodee

From: ϱϱPatty DC <pattydc@live.com>
Sent: Saturday, July 05, 2014 8:25 AM
To: Martin, Jodee
Subject: Dangerous Wild Animal Act

Hello,

I have lived here in WV for a few years now and love it. However, I am concerned about this Act or proposed laws coming into effect. What concerns me most is the article says ALL non-human primates. That includes a marmoset that weights in right at one pound (16 oz) or less as an adult. People have kept these animals as pets for generations. Although not domesticated, they have been bred in captivity for many generations. They have never been in the wild and don't know anything about living in the wild or at the zoo. People that have these tiny babies, love them just as their child. Most have them because they either cant have children or children are already grown and out of the house.

I've never heard of anyone being killed from a marmoset. And if a person is a responsible animal owner, then they have enough intelligence to know to keep their baby at home and not take it out in public. To keep their animals vet checked and make sure that it has all of its needs met.

I totally understand the bigger cats, larger primates (chimps. Javas etc) , reptiles etc. being banned or needing a permit. But I don't understand the sugar gliders, hedgehogs, marmosets being placed in this. I have many friends that have these small exotics and take very good care of them. Some have had these animals for over 10 yrs. What are they suppose to do if this goes through? Its almost impossible to get $300,000 in insurance with a $250 deductible! The $100 a year permit fee isn't a big deal. But what are the stipulations on even getting a permit? What happens to the animals until you can get a permit? And will any permits even be issued? As there are other states that this has went through and had hundreds of people apply for permits but not a single permit has yet been issued. Many have told me they will move from WV to another state that permits them to keep their babies if this goes through.

What has happened to people having rights and freedoms? The people that spend the kind of money they do on their exotics are not happy about this at all. Especially the ones that have these tiny exotics that they are just suppose to have put down or try to find another state to give their baby that they have had for many years to someone else! How many cases have their been in WV of people killed or attacked by a marmoset, lemur or tiny primate? A hedgehog or sugar glider? How many have been attacked by pit bulls??? Killed by pit bulls? I love all animals, but I don't feel that its fair to try to say that we can only have dogs and cats as pets. The Dangerous Wild Animal List should be modified if possible, such as the bigger cats (Lions, Tigers, Panthers etc.) Primates such as Chimps, Gorillas, Javas and Macaques. Etc. But allow the smaller ones that are no threat to the public. Plus why should people have to get a permits for a tiny exotic such as a sugar glider, hedgehog or marmoset or all the other tiny exotics included, but yet people with the larger, more dangerous breeds of dogs not have to??

Please reconsider this, or many will be moving out of state. When is this suppose to be going into effect??? What about grandfathering in the ones that already have exotics?

Thank you,

Patty

Martin, Jodee

From: belgianharesrule@aol.com
Sent: Monday, July 07, 2014 3:58 PM
To: Martin, Jodee
Subject: Dangerous Wild Animals Act, House Bill 4393

July 7, 2014

ATTN: Jodee Martin / WV Dept. of Agriculture
From: Susan L Wistrand / Louisiana ARBA Member

I am writing to you as a member of the American Rabbit Breeders Association. (ARBA) Currently you are requesting feedback in regards to the Dangerous Wild Animals Act, House Bill 4393.

Although I am not a resident of the state of West Virginia, this bill could have far reaching ramifications that could serve as precedence for other states.

ARBA is our national organization that governs its members/rabbit breeders to a higher level. There is a Standard of Perfection set by ARBA that breeders rely on for their specific breed. Pedigrees are placed on those animals to be shown and/or bred. Years and years of guarded genetics are flowing through the blood of these animals.

The proposed $100 fee per animal would be cost prohibitive for breeders to operate in your state. The family outing of going to rabbit shows would be lost, as well as the knowledge that would be passed on to their children. Without their rabbits, scholarships through ARBA, local clubs and 4-H would no longer be available to their children either.

Many breeders in West Virginia have already expressed an interest in moving to another more rabbit friendly state. Should other states incorporate this law, where would any of us go?

I strongly encourage the West Virginia Department of Agriculture to rethink their position of having rabbits on the Dangerous Wild Animals Act, House Bill 4393. It simply doesn't make sense for the rabbit and certainly not for the citizens of your state.

Respectfully yours,
Susan L Wistrand

Martin, Jodee

From: terrysands@frontier.com
Sent: Monday, July 07, 2014 4:12 PM
To: Martin, Jodee
Subject: animal ban

Why the over reach? If the incident at Zanesville was the impetus for this policy why are we including animals on this list that have no impact on physical public safety? Is a rabbit a dangerous animal? Is a catfish a dangerous animal? Please modify this list to only include animals that are truly dangerous.
Terry Sands
New Martinsville, WV

Martin, Jodee

From: Pam <foopower.pw@gmail.com>
Sent: Monday, July 07, 2014 10:49 PM
To: Martin, Jodee
Subject: Dangerous Animals List

Seriously? Bunny rabbits ? Does the state need money so badly? I haven't heard of a fatal rabbit attack in WV , ever !!! This list seems more directed at normal pet owners rather than elephant and camel owners. Seems it's just another way for WV residents to be controlled through their wallets. I am notifying all of the legislators that came up with this list exactly what I think of it , especially when I actually voted for one of them. Their time would be better spent investigating the corporations in this state that are destroying our water and other resources. Pass some laws about that.

Thank You

Pamela Wilson

Sent from my iPad

Martin, Jodee

From: Julie Royce <rthisphotography@aol.com>
Sent: Monday, July 07, 2014 4:40 PM
To: Martin, Jodee
Subject: Banned Wild Animals

Hello!

I just got to read the new list of proposed "banned wild animals" and although I understand the need to restrict the right to own certain animals as pets, I must say this list seems pretty ridiculous. Hamsters, guinea pigs, rabbits, tetra fish, etc? I mean come on! These animals are neither dangerous nor invasive when kept as domesticated pets. We are not talking about a wild rabbit population which could become a nuisance; we are talking about a domesticated rabbit which if it did get loose, would die within days because it has no idea how to survive in the wild! You want to know what an invasive species in WV is??? CATS!!!!! There are stray cats invading every city and town in WV and yet you propose no ban on, or permit required to own, these animals! Why is that??? And as for dangerous animals, I know of no guinea pig or tetra fish that could hold a candle to a doberman or pit bull, yet people are free to own those as well.

I'm sorry to say I see this list more as a way for the state to extort money from its citizens by requiring a $100 fee for every harmless animal they want to bring into their family.
If you really want to control invasive and dangerous animals, take a good long look at this list and get serious, please. Otherwise, expect the people of WV to know full well that you are just looking for more ways to steal our money, and be advised that we will remember this at the polls next election day.

Thanks for your time, (and hopefully your revision of this list!)

Julie Royce
Grafton. WV

Martin, Jodee

From: Sirena Robinson <sirenarobinson@rocketmail.com>
Sent: Monday, July 07, 2014 4:19 PM
To: Martin, Jodee
Subject: Proposed West Virginia Regulations

Ms. Martin,

My name is Sirena Robinson. I own, along with my husband, High Caliber Bengals, a small cattery located in Southeast Ohio about 90 minutes from Charleston. I've seen a lot of chatter about the proposed rules in WV and after reading them, feel that I need to comment on the section with which I have some experience, which is the hybrid cats.

We have owned Bengals for a while and have never known them to be anything other than loving family pets. We are active on the show circuit and travel with our animals at least one weekend a month and sometimes several weekends in a row. At any show, our cats are picked up and handled by up to 20 different judges and exposed to hundreds, sometimes thousands, of strangers, many of whom ask to see, pet, and hold the cats. Not one of my animals has ever scratched or bitten a judge or a spectator.

I also have a 2 year old daughter. She picks the girls up(our male is too large for her to lift) and carts them around like they're her toys. She's never been scratched or bitten. In fact, when she travels with us to the shows, which is way more often than not, our kitten Mirage sleeps in her portable crib with her.

To give a little history, Bengals were originally developed by Jean Mill in the 1960s. They have been recognized as a domestic cat breed by The International Cat Association for many years and are the world's most popular breed of cat. They are social, active, friendly, and curious, but they are not wild. These cats have been domestically produced for nearly 50 years. The vast majority of blood lines do not have any of the Asian Leopard cats in the pedigree for 10, 20, 50 generations. It is a small handful of breeders who develop new lines and this is done with great care and integrity.

Before banning an entire breed, or multiple breeds as this would also affect breeds such as the Savannah, I would encourage you to speak to breeders, meet the animals, attend a show and see them. I'm positive that your viewpoint will change. For reference, here is a link to our website. If you'd like, I'm happy to submit pictures of my animals interacting with people or to even bring some down to meet those deciding on whether or not to implement this proposed rule change.

highcaliberbengals.com

Thank you,

Sirena Robinson

Martin, Jodee

From: terrysands@frontier.com
Sent: Monday, July 07, 2014 4:12 PM
To: Martin, Jodee
Subject: animal ban

Why the over reach? If the incident at Zanesville was the impetus for this policy why are we including animals on this list that have no impact on physical public safety? Is a rabbit a dangerous animal? Is a catfish a dangerous animal? Please modify this list to only include animals that are truly dangerous.
Terry Sands
New Martinsville, WV

Martin, Jodee

From: WILLIAMS, JENNIFER A MSgt USAF AETC 338 TRS/VECA <jennifer.williams.46@us.af.mil>
Sent: Monday, July 07, 2014 5:01 PM
To: Martin, Jodee
Subject: Dangerous Wild Animals Act, House Bill 4393

ATTN: Jodee Martin / WV Dept of Agriculture
From: Jennifer A Williams / Mississippi ARBA Member

I am writing to you as a member of the American Rabbit Breeders Association (ARBA) and a future citizen of the state of West Virginia. My husband is currently a citizen of the state of West Virginia. We are both active duty military planning to retire there.

Currently you are requesting feedback in regards to the Dangerous Wild Animals Act, House Bill 4393. I have some serious concerns about the verbiage of this act. The way it is currently written, many common pets will be treated as dangerous animals. Are you aware that rabbits will fall under the same regulations as tigers? All species of lagomorphs (rabbits and hares) are included. As someone that is concerned about the welfare of animals, I am deeply disturbed by this.

I raise rabbits humanely, with no antibiotics or hormones for both personal consumption and show. I am currently working on improving the rarest breed of rabbit in the United States (according to the Livestock Conservancy), the Blanc De Hotot. I also have Grand Champion Rex rabbits. As written, the law will require me to pay $100 per rabbit per year. I currently have 50 rabbits in my rabbitry. Bettering a breed takes generations and a great deal of space and rabbits. I hope to one day have room and money for a set up that allows me to humanely raise even more rabbits. You can see where I may reconsider retiring to West Virginia.

ARBA is our national organization that governs its members/rabbit breeders to a higher level. There is a Standard of Perfection set by ARBA that breeders rely on for their specific breed. Pedigrees are placed on those animals to be shown and/or bred. Years and years of guarded genetics are flowing through the blood of these animals.

The proposed $100 fee per animal would be cost prohibitive for breeders to operate in your state. The family outing of going to rabbit shows would be lost, as well as the knowledge that would be passed on to their children. Without their rabbits, scholarships through ARBA, local clubs and 4-H would no longer be available to their children either.

There is a stipulation for "alternative livestock." However, there is no other mention of alternative livestock in the code mentioned or any other WV Code. This particular exemption is meaningless without a definition. If rabbits are excluded as livestock, there is no reason to include them as "dangerous" animals at all.

Additionally, I can see absolutely no reason for the domestic rabbit (Oryctolagus cuniculus) to be classified as dangerous. The closest I can come to guessing is the common misconception that domestic rabbits can breed with the wild population. Wild rabbits in the US come from 3 different genera. Each of these is chromosomally incompatible with Oryctolagus cuniculus. Oryctolagus cuniculus originated in Europe. The misconception started with populations of domestic rabbits in Europe were able to breed with the wild rabbits of the same species.

Many breeders in West Virginia have already expressed an interest in moving to another more rabbit friendly state. Should other states incorporate this law, where would any of us go?

I strongly encourage the West Virginia Department of Agriculture to rethink their position of having rabbits on the Dangerous Wild Animals Act, House Bill 4393. It simply doesn't make sense for the rabbit and certainly not for the citizens of your state.

Respectfully yours,
Jennifer Anne Williams, MSgt, US Air Force

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Martin, Jodee

From:	Martin, Jodee
Sent:	Friday, July 11, 2014 11:41 AM
To:	'finlayvickie@yahoo.com'; 'anthony.dobies@gmail.com'; 'samamimaelulu@gmail.com'; 'rory.at.humanity@gmail.com'; 'jillianmford@gmail.com'; 'todd_downey2000 @yahoo.com'; 'tjgibbs05@hotmail.com'; 'joannae@frontier.com'; 'jjmmllr@aol.com'; 'theboehs@gmail.com'; 'grartrip@gmail.com'
Cc:	Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject:	Title 61 Series 30 Dangerous Wild Animal Rule
Attachments:	In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx

Please see attached letter.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Martin, Jodee

From: Vickie Finlay <finlayvickie@yahoo.com>
Sent: Friday, July 11, 2014 10:22 AM
To: Martin, Jodee
Subject: dangerous animals list

The purpose of the dangerous animals list is to prevent people from owning truly dangerous animals like tigers, lions, bears, alligators. The list your agency came up with proves the adage: "Too many cooks spoil the stew". Bunny rabbits and turtles?? No wonder people make fun of West Virginians. This is patently ridiculous. Back to the drawing board, people. You need to get a clue, and a better list. Or was it your idea to come up with a way to extort more money from the people of WV? Either way, this list needs to be pared down to the essentials. I am embarrassed to be a West Virginian right now. Please fix this.

sincerely
Vickie Finlay
418 New York St.
Huntington, WV 25704

Martin, Jodee

From: Tony Dobies <anthony.dobies@gmail.com>
Sent: Friday, July 11, 2014 9:35 AM
To: Martin, Jodee
Subject: comment re: dangerous and wild animal list

Dear Jodee,

I am absolutely appalled that certain animals (like turtles for example) are on this list. This is absolutely the wrong decision if it is put into place. To say that a domestic rabbit is different than a domestic turtle or other species of animal is a bit dismissive of those animal owners.

I hope that you will look very closely at your definition of what a "dangerous" and "wild" animal truly is as you make your decision, because this just isn't a well-thought decision up to this point.

I know of multiple owners of these "dangerous" and "wild" animals, and these are all average pets - no different than a dog or cat. There must be changes to not punish these owners for having a pet that has no true burden to our society.

Tony Dobies
Morgantown, WV resident

Martin, Jodee

From: Samantha Lucas <samamimaelulu@gmail.com>
Sent: Friday, July 11, 2014 10:20 AM
To: Martin, Jodee
Subject: WV animal 'ban'

This email is to inform you that the list of animals that will be banned in WV is ridiculous. It shows that you and the other people that wrote the list have no understanding what a wild , or dangerous animal is. Lion = wild and dangerous . Sugar glider = not wild and dangerous. Just to be sure you understand I will continue with comparisons a preschooler can understand.
Bear = wild and dangerous , Hedgehog = not wild and dangerous
Cobra = wild and dangerous , tree frog = not wild and dangerous
Shark = wild and dangerous , rabbit = not wild and dangerous

Now if you are thinking to yourself that none of my animal comparisons make sense, there is a reason for that. It's because your list doesn't make sense.
I have also seen that many have stated it is a health issue for people to own certain animals. It is also a health issue in WV to drink the tap water, but no one seems to care about that. This 'law' and list is not about public health , or the safety of animals. How long until you put certain dog breeds on the list, because I am sure it is coming. It is all about money. There is no concern about the financial damage that will be done to pet stores that sell many of the "banned" animals . As long as your department gets $100 per animal, that's all that matters . You really should go back over this list , do some research on the animals that you ignorantly put on it, and remove them . You are wasting time money and effort on something that is ridiculous and stupid. I urge you to reconsider .

Martin, Jodee

From: Rory Spencer <rory.at.humanity@gmail.com>
Sent: Thursday, July 10, 2014 2:54 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Rory Spencer
4609 Elmhurst Drive
San Jose, CA 95129

July 10, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

Although I may not live in West Virginia, I would like to express my concerns with the Dangerous Wild Animal Board, and with the list of animals that the board has compiled and plans on banning in your state. I am an avid aquarium keeper, and the board's proposed ban on many species of the class Actinopterygii, ray finned fish, would devastate the hobby in your state, and set a dangerous precedent that may be followed in other states. Some of the numerous species in danger of being banned are neon tetras, puffer fish, and corydoras catfish, all of which are essential to the hobby. Nearly every fish on that list poses absolutely no threat to humans as well, as most are small and peaceful, specifically the reason they are kept in aquariums in the first place. Almost every species on that list is native to tropical waters, either from Asia or South America, and would quickly die if released into the cold rivers and lakes of the United States.

If these animals are banned, it will make owning an aquarium impossible in your state, and may incite others states, such as my own, to consider equally damaging laws. Simply looking at the needs of these fish will show that they pose no threat to West Virginia, or any other state, and I would like to ask that this list is reviewed and revised.

Sincerely,
Rory Spencer

Martin, Jodee

From: Jillian Ford <jillianmford@gmail.com>
Sent: Thursday, July 10, 2014 2:54 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Jillian Ford
5646 Greenbush Avenue
Valley Glen, CA 91401

July 10, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

PS You might have noticed I am from California, a state with remarkably comprehensive wildlife laws. I suggest you examine my state's successful policies as you reform this proposed law.

Sincerely,
Rev. Jillian M. Ford

Martin, Jodee

From: todd downey <todd_downey2000@yahoo.com>
Sent: Thursday, July 10, 2014 4:23 PM
To: Martin, Jodee

I hope this helps you understand.that majority of the exotics you want to ban can not survive winters here in WV.That is why a lot of the people that have a lot of money invested in not just the animals.but also the caging,thermostats,heating,and whatever else is needed for a particular animal to stay healthy.Majority of the animals that you have on the list are completely harmless and docile.I know from experience with what I have.I'm not writing this to rant and rave.I'm writing in hopes you will take in consideration what people have invested in the animals and pets they love.and that it will put a lot of small pet shops out of business and a lot of west Virginians to be unemployed.I love my pets dearly.I get and provide what ever is needed to keep them healthy and safe.As do a lot of other pet owners.So with that being said.i would like to you to take into consideration all of what I have said.and hope it helps in your decision of not banning a lot of the animals on that list.Because all my pets(kids) are healthy and fed well.and I don't want to lose them.I don't have children.so my pets are my children.and I am more responsible with and take care and provide for them better then some parents actually do with their human children.So I would like to thank you for your time and to consider everything I have mentioned.

Martin, Jodee

From: john gibbs <tjgibbs05@hotmail.com>
Sent: Thursday, July 10, 2014 6:57 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

john gibbs
1900 inspiration ln
river oaks, TX 76114

July 10, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

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Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
john gibbs

Martin, Jodee

From: Joanna Evans <joannae@frontier.com>
Sent: Thursday, July 10, 2014 5:49 PM
To: Martin, Jodee
Subject: Wild animals?

Sent from my iPad
Hello my daughters and I raise and show Holland Lop rabbits. I have heard that they may be banned. I guess I am curious to know why rabbits would be banned. Many people in my area raise rabbits for food. A meat rabbit is far from dangerous. My daughters are both in 4-H and FFA and rabbits are a big part of their lives and many others. Holland Lop rabbits are known for their sweet disposition and average around 3-4lbs at adult weight. Please reconsider this ban.
Thank you

Martin, Jodee

From: jjmmllr@aol.com
Sent: Thursday, July 10, 2014 5:17 PM
To: Martin, Jodee

Please take house rabbits off of your list. Thanks.

Martin, Jodee

From: Barb Boeh <theboehs@gmail.com>
Sent: Thursday, July 10, 2014 2:20 PM
To: Martin, Jodee
Subject: DWA: Non-human primates

State governments are just limiting peoples' rights for their pursuit of happiness. Most exotic pet owners are very conscientious.

We had a spider monkey for 29 years that never hurt a soul. We were aware that she was not like a dog or a cat and we did not get her to replace a child. We have children and grandchildren.

For anyone to say she was a DWA or a threat to society, would be wrong. People are just brainwashed and parrot what other people say. They have no idea of what it's really like to interact with a nonhuman primate. I'm not talking apes here, but monkeys. The Capuchin monkeys are the ones the Helping Hands organization uses for their helpers. Spider monkeys are even more intelligent than that.

Yes, they are very much like us. And some of us really like to have that interaction with an intelligent animal. For you to try to take that right away from us is wrong. Regulate if you must, but do not tell us we cannot have the pet of our choice.

Also many people try to convince the majority of the population that these "wild" animals belong back in the wild. They don't know what they're talking about. These animals are bred in the United States by accredited USDA institutions and they are sold for the pet trade. But not only for that - but for laboratories. Nobody likes that idea either.

So come on people! Dogs and cats were once wild too. The only way to get domesticated animals is To tame them and train them. There are a lot of people that do a really good having exotics. There are some people that are not.

Think about this: there are thousands of people that should not have children, they turn into brats, delinquents, they take guns into schools they other kids, and usually but no one is trying to ban procreation.

I'm just basically tired of stupidity. Legislation that is made that can't be reversed. Legislation that is made because people are getting their pockets lined to listen PETA and the HSUS.

This is wrong. No one has enough money to educate the population against brainwashing by government that doesn't know what they're talking about. So sad for us.

Sent from my iPhone - Barb

Martin, Jodee

From: Glenna Artrip <grartrip@gmail.com>
Sent: Thursday, July 10, 2014 2:25 PM
To: Martin, Jodee
Subject: Exotic pets statement

This is a positive move to protect citizens in WV from dangerous animals. The fee will at least prompt thinking before making an impulse purchase.

My concerns are the animal list is too broad & includes animals farmed for food as well as 4h and fair projects, And animals which are native to West Virginia. Exotic rabbits are rabbits, if loose, their offspring return to native form in a generation, if they have any offspring. WV has hawks, owls, and cats that catch slow rabbits.. Designer dogs are the same, they are dogs, probably half the dogs in shelters to be adopted are designer dogs, dogs have little discrimination when mating. All aquarium fish do not live long out of water, if their tank is not maintained, or released into water ways. Bass, catfish, bluegills are voracious eaters. Eagles, kingfishers, cranes, raccoons, weasels all consume fish.

Why legislate what is a self curing problem? Focus on the problematic animals, and add additional un identified animals as time passes. The children in WV need to experience animals to appreciate animal conservation & husbandry as adults. Catching turtles, crayfish, frogs & fish are part of growing up in WV. Learning responsibility & how animals interact, what happens if an aquarium is neglected, bunnies get cold, the consequences of neglect. The grief process is learned by many by loss of beloved pets as children, makes better parents, empathic friends. It is difficult now to get children away from TV, Xbox, iPad, cell phones, and computers to interact with others, adults, or the environment. They tend to live in their heads. Animals are a part of becoming productive human beings who understand the world, the life cycle, intertwined deep in their being. They evolve as mature, caring adults, responsible adults, with a respect for life. Google knowledge is superficial and fleeting.
Thank you for considering the un intended consequences of depriving WV children an opportunity to reach their full human potential.

Glenna Artrip

PS. When I was 4 years old, (now in my 60's) I learned the meaning of sacrifice, grief, and priorities. My father lost his job. I had to choose the order my dyed Easter chicks were killed for dinner, and participate in the process of turning pets into food. Later, my beloved pet rabbit (probably an earlier Easter's surprise) met the same fate, I hurt, cried, grieved, but consented. Life is not always pleasant, or fair. This is part of what drove me to get a higher education, with multiple majors. I knew deep in my being, I wanted to always be employed and make enough money to take care of myself and those I love, I was never unemployed more than a few weeks, started saving seriously for retirement in my 20's. My father was not cruel as he might be labeled today, but a powerful practical teacher.

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Martin, Jodee

From:	Martin, Jodee
Sent:	Thursday, July 10, 2014 11:16 AM
To:	'jefferdj@aol.com'; 'mitch.whiskers@gmail.com'; 'dk_farrell@me.com'; 'sfinewood66@yahoo.com'; 'ferretfarm@frontiernet.net'; 'oerabbits@gmail.com'; 'readercolin@gmail.com'; 'Jeremy.henderson1986@Gmail.com'
Cc:	Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject:	Title 61 Series 30 Dangerous Wild Animal Rule
Attachments:	In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx

Please see the attached letter.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Martin, Jodee

From: jefferdj@aol.com
Sent: Wednesday, July 09, 2014 9:42 PM
To: Martin, Jodee
Subject: Sugar gliders

I really must check myself to make sure I'm not dreaming this. Is it true our state is going to waste its time persecuting the poor little sugargliders?
America was a nation fought for and won by those who valued personal freedoms and the government being a very small, although necessary entity.
Issues like this are a mockery of the idea of America and are just another example of the "make government bigger" initiative.

Pretty soon we'll have to walk around with an American handbook just to remind ourselves what we can and cannot do,own, read, say, believe, print, etc.

They tell me this is the address to email to complain about these dumb considerations. So I'm exercising my right to tell them how I feel (while I still have that right).

One of these things just doesn't belong.... Elephants, Lions, Tigers, Bears, Panthers, Bobcats, Cougar, and.....sugar gliders.

Give me strength.

Jeff Jones
1665 Sunnyside Road
West Union, WV 26456
(304) 873-2747

Sent from my U.S. Cellular Android device

Martin, Jodee

From: Tracy McAlpine <mitch.whiskers@gmail.com>
Sent: Wednesday, July 09, 2014 11:51 PM
To: Martin, Jodee
Subject: Proposed List of Dangerous Animals

According to the proposed list all carnivores except domestic dogs and domestic cats fall under Dangerous Wild Animals. As an owner of carnivorous ferrets that are neither dangerous nor wild, I respectfully request that they not be classified as dangerous wild animals.

Thank you for your consideration –
Tracy

Martin, Jodee

From: David Farrell <dk_farrell@me.com>
Sent: Thursday, July 10, 2014 2:49 AM
To: Martin, Jodee
Subject: wild animal list

I am curious as to why Sugar Gliders are on the list as dangerous? I have never known of one of them to attack. I have friends who have them and have never had an issue with them being violent in any way.

It is my opinion that Sugar gliders should be removed from the list.

Thank you, David Farrell

Sent from my iPad

Martin, Jodee

From: Spencer Finewood <sfinewood66@yahoo.com>
Sent: Thursday, July 10, 2014 3:51 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Spencer Finewood
64 Reddick Lane
Rochester, NY 14624

July 10, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Spencer Finewood

Martin, Jodee

From: Brenda <ferretfarm@frontiernet.net>
Sent: Thursday, July 10, 2014 4:17 AM
To: Martin, Jodee
Subject: West Virginia Department of Agriculture title number 61

In the interest of the domesticated ferret the category of Carnivora (carnivores') is going to be included in your list of dangerous animals. They are no more dangerous than a pet cat and less so as a dog. If Dogs run loose they can survive and become a pack. Ferrets have no homing skills and do not survive in the wild they do not know how to fend for themselves.

The history of the ferret's domestication is uncertain, like that of most other domestic animals, but it is likely that ferrets have been domesticated for at least **2,500 years**.

Including what many consider the 3rd most popular pet in the country as a dangerous pet I believe is unacceptable. I have been director of this rescue for 20 yrs.

Brenda Johnson
Shelter Director
www.ferretfarm.org
https://www.facebook.com/LakeroadFerretFarm

Martin, Jodee

From: Brandie Read <oerabbits@gmail.com>
Sent: Wednesday, July 09, 2014 9:06 PM
To: Martin, Jodee
Subject: PROPOSED RULE FILED FOR DANGEROUS WILD ANIMALS ACT, PUBLIC COMMENT PERIOD OPEN UNTIL AUGUST 1, 2014

Although I am not a member of your state, I feel deeply compelled to voice my concerns in regards to the proposed Dangerous Animal Act.

I feel your State has not fully considered the ramifications of their actions in listing some of the species on this list as dangerous. The proposed restriction of some species on your list seem both ludicrous as well as senseless. Lets take the **Iagamorph** (Rabbit) for instance. Has the State and Department of Agriculture considered the true value of this particular animal as livestock in the food chain and other industries? The **Iagamorph** is both a small and economical source of a very healthy, lean protein.... *In no way is a **rabbit** dangerous if responsibly housed and cared for.* **Rabbits, Cavy, Rats, Mice...** are invaluable in the medical and cosmetic industries etc. Not that I am advocating the use of animals as lab rats, but it is a necessity to ensure the safety in human and animal products alike.

There are many problems with such restrictions being enacted into law, by your state. Often other states are quick to follow suite, with out considering the full ramifications of such actions. Has the state or the Dept. of Ag. considered the ramifications on the already struggling farmers and livestock producers? Small scale farms fill a necessary niche in the food chain, medical industry... but this will end if the legislation in place makes it to difficult or costly to comply. There is no reason to penalize the majority of responsible owners for a few indiscriminate owners. The indiscriminate individuals your state hopes to control with these restrictions, are the same individuals who will circumvent the laws for their own edification.

In short some of the valuable livestock listed in the proposed Dangerous Animal list, are both valuable and necessary as livestock and in the medical fields. Your proposed laws should be reconsidered!!!

Thank you for your time and consideration.

Brandie Read, WA.

--

Martin, Jodee

From: Colin Somersall <readercolin@gmail.com>
Sent: Thursday, July 10, 2014 10:52 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Colin Somersall
9200 Gold Dust Ct
Laurel, MD 20723

July 10, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. As an aquarium hobbiest, it is especially confusing why there is a ban on saltwater fish. Do we need to protect the majestic oceans of West Virginia? If so, kindly show me which ocean West Virginia borders. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
Colin Somersall

Martin, Jodee

From: Jeremy Henderson <Jeremy.henderson1986@Gmail.com>
Sent: Thursday, July 10, 2014 10:02 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Jeremy Henderson
99 wades run road
Morgantown, WV 26501

July 10, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,

NAME

P.S. seriously, I am very much in favor of protecting our native flora and fauna but you must use some common sense. This type of broad, over reaching legislation is a prime example of the dysfunction our government has become trapped in. Please do some actual research about the types of harmless animals you are trying to outlaw, most of which are unable to live in our climate outside of a meticulously maintained artificial setting.

Sincerely,
Jeremy Henderson

Martin, Jodee

From: Suzanne Madenis <suzy@jonesnaturalchews.com>
Sent: Tuesday, July 08, 2014 4:01 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Suzanne Madenis
4960 28th Ave.
Rockford, IL 61109

July 8, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

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Sincerely,
NAME

Sincerely,
Suzanne Madenis

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3.

I have a master's degree in biology which I obtained in the herpetology lab at Marshall University. Reptiles and amphibians have been my passion since I was a small child and I have gone to great lengths to educate myself on them. For this reason, I feel qualified to state without any hesitation that the proposed legislation in its current form is poorly advised. Entire taxonomic orders would be prohibited without any valid justification if the current list is utilized. While some of the species listed could truly be considered potential threats, many more are not.

I do not know how the current list was assembled, but it is certainly not well thought out. Some exotic species which are absolutely unattainable to the public such as the "komodo dragon" (*Varanus komodoensis*), which is an endangered CITES Appendix 1 species, are listed. While the protected status of this species renders its listing a moot point, it certainly is a dangerous species that would otherwise deserve inclusion. However, at the opposite end of the spectrum, all members of the order Hylidae are listed. This would designate every single species of tree frog as a "dangerous" animal. For decades there have been no restrictions on captive tree frogs in West Virginia and yet we still have no populations of invasive species nor could they be considered a threat to human health by any reasonable person.

The aforementioned examples were chosen because of my familiarity with herpetofauna, but even outside my area of expertise I recognize numerous unwarranted additions to this list such as many saltwater fish that would not survive if released to our waterways. As a formally educated biologist, the last thing I want is for invasive species to gain a foothold in West Virginia and negatively impact our native fauna. As a responsible adult, I absolutely want to minimize any risk to our citizens from an escaped animal that could truly be dangerous. However, constructing such a vastly over-reaching list is not a solution to either potential problem.

As you may well know, bears, big cats, and other truly dangerous animals escaped a facility in Ohio in 2011, representing a worst case scenario for those concerned about such issues. Ohio acted swiftly to pass new legislation in an effort to prevent something like that from reoccurring, yet their dangerous animal list is far more focused than the currently proposed list for West Virginia. If it is too much of a burden to properly research and justify which animals will be listed in West Virginia, I urge you to simply adopt Ohio's list. In my opinion, it is strict, but not to the point of being unreasonable and certainly not as needlessly inclusive as the current draft of WV's list. It can be viewed at the following URL:
http://www.legislature.state.oh.us/BillText129/129_SB_310_RH_Y.pdf

As I stated previously, I have been interested in reptiles and amphibians my entire life, to the point that I pursued a graduate degree at a university in West Virginia in order to study them. I now work for the West Virginia Department of Environmental Protection as well. I am a native West Virginian and I have devoted myself to trying to make the state a better place as much as I am capable of doing so. To that end, I feel compelled to voice my dissatisfaction with this legislation in its current form. I myself have kept a variety of reptiles and amphibians for more than 20 years. That is what prompted my initial fascination with them and lead me to pursue my education and career. I have gone out of my way to give live animal presentations at schools and to invite others to my home in an effort to educate others on these largely misunderstood animals and ignite the interest of children in the natural sciences. While I don't currently own a single animal that is on the list, I am extremely concerned that in the process of updating the list annually, someone will decide to prohibit one or all of the many harmless reptiles I keep. Based on the faulty or absent rationale applied to some animals that are already on the list, I am not inclined to trust the decision making authorities to be practical in this matter.

I, and many others I'm sure, would welcome an opportunity to provide specific input and make this legislation better, although I understand it may not be feasible to locate qualified authorities on every group of animals. I am not opposed to regulating dangerous animals in captivity. However, as someone who has been employed as a regulator for five years, I want to make sure such regulations are justifiable and enforceable. The wholesale prohibition of so many harmless species which are already widely established in the pet trade is neither justifiable nor enforceable from a practical standpoint. For that reason, I would once again implore you to consider Ohio's list as a template. I believe this would be the simplest solution which would allow for the mutual satisfaction of people on each side of this issue. In the process of adding additional species, please gain insight from qualified individuals in order to assess whether or not their listing is truly warranted. In removing citizens' abilities to keep some of these species, you may also be depriving children of the opportunities to gain firsthand experience that can lead to a lifelong interest, even a career, in biology.

Sincerely,

Kevin Saunders

Dear, Commissioner Walt Helmick, 7-8-2014

This article was in The Greenbrier Valley Ranger paper on Sunday 7-6-2014.

This Bill 4393 could cause hardship on many West Virginia farmers if passed.

Sincerely,

Ruth Surgeon
HC 75 Box 6A3
Alderson WV 24910

Phone 304-445-7856

Bill Prohibits Individuals From Owning Wild Animals

By Robin Zimmerman

West Virginia House Bill 4393, which prohibits the private possession of dangerous wild animals, passed and creates a Dangerous Wild Animal Board, whose members will determine what animals to include under the law.

The International Fund For Animal Welfare (IFAW), the Association of Zoos and Aquariums and the Human Society have expressed support for the bill, explaining that West Virginia is one of only six states with little to no laws on the keeping of dangerous wild animals.

Since 1990, there have been nearly 1,300 dangerous incidents involving captive big cats, bears, primates and large constrictor snakes nationwide, resulting in 41 human deaths (including eight children) and nearly 700 injuries, according to a report from IFAW.

Support has grown for the bill, but so has opposition – mainly for the types of animals described as "dangerous."

Currently, the list of potentially banned animals in West Virginia include frogs and toads, rabbits, hamsters, guinea pigs, salt water fish, horses, swine, cattle, goats and sheep. Any individual who currently owns animals on the list will be required to obtain a permit to be "grandfathered" in to keep the animals, and pay a fee of up to $100 for each animal.

Governor Earl Ray Tomblin vetoed the bill last year, stating the bill would put a financial hardship on the state – similar legislation in Ohio in 2012 led to the construction of a $2.9 million temporary-housing facility for animals that could no longer be kept due to the newly-implemented law.

However, the bill was passed by committees in the House and the Senate during the 2014 session of the West Virginia Legislature and has now raised concerns for pet owners, farmers and owners of pet stores. Those against certain aspects of the bill, including the list of animals the bill could include and the fees owners could be required to pay, have rallied together on Facebook and other websites (such as the United States Association of Reptile Keepers) asking individuals to contact Tomblin with their concerns, arguing that the bill poses a threat to all pet owners and pet stores.

HB 4393 can be viewed online at www.legis.state.wv.us.

Martin, Jodee

From: Jacqui Trump <jacquitrump@yahoo.com>
Sent: Thursday, July 10, 2014 2:06 PM
To: Martin, Jodee
Subject: WV Dangerous Wild Animal Rule

cc
Dear Ms. Martin,
We are sending a copy of a letter we sent to Governor Tomblin cc, sorry we didn't know how to cc at the time. However, we think it makes many great points and is a good letter.

The Honorable Earl Ray Tomblin,
In 2012, you vetoed the Exotic Animal Act[1] because the bill was "broader than necessary" to regulate the possession and maintenance of exotic animals. You also raised concerns about funding for the "administrative requirements placed upon the Division of Natural Resources and the appropriate county authorities."[2] Your veto letter to the Secretary of State specifically stated that West Virginia "must take steps in a more focused and fiscally responsible manner."
When you signed the 2014 Dangerous Wild Animal Act,[3] it's reasonable to assume that you expected that it would be implemented in a "focused and fiscally responsible manner." However, the Dangerous Wild Animal Board (DWAB) has proposed an almost 5-page list (single spaced and small type font) of dangerous wild animals (DWA). Most of the line items on this 5-page list are not individual animal species, but rather entire scientific categories of animals (orders and families), each such category often containing hundreds and sometimes thousands of animal species. For example, an order of listed fish (Order Characiformes) includes about 2000 species of fish (including common fish in the pet trade). By listing the Order Testudines, the DWAB has included approximately 300 species of turtles and tortoises. Turtles are long-lived and have been maintained as family pets for decades, with owners being known to have provided specifically for their turtles upon their death. By listing the Family Hylidae, the DWAB has included approximately 800 species of tree frogs. There are literally tens of thousands of animals on the proposed list.
It seems extraordinarily doubtful that the DWAB has researched all of the listed species individually in the short time available, or that there is scientific proof that each of the species within a listed order or family is "dangerous to humans, other animals or the environment due to its inherent nature and capability to do significant harm." It is also thoughtless and unreasonable for the DWAB to shift the burden upon the citizens of West Virginia to individually prove which species do not qualify as a DWA. Moreover, the DWAB has failed to provide any justification for listing entire scientific categories of animals or even the few specifically listed animals. Are citizens supposed to guess what justifications the DWAB has relied upon in making its list? Do you seriously believe the claim that it will cost the State of West Virginia nothing to implement the list of tens of thousands of animals proposed by the DWAB? Given the exponentially larger list of animals on this list than what occurred in Ohio, this boondoggle will quickly cost West Virginia many times more than the documented $4 million already incurred in Ohio
The proposed rule is neither focused, nor fiscally responsible. The proposed rule cannot possibly be what was intended by you or the legislature when HB 4393 was enacted. I respectfully request that you intercede in this matter and insist that the proposed rule be withdrawn until the DWAB can properly prepare a proposed rule.
Turtles, snakes, fish and many other animals currently listed by the DWAB as DWAs are family pets just like cats and dogs. These animals are often treated like members of one's family almost like

children. The haste and massive scientific categories used to add thousands of different pets and potential pets to the proposed DWA list leaves me feeling that the government of the State of West Virginia has a total disregard for the happiness, health and well-being of my family. I trust you will take my concerns seriously and withdraw the proposed rule. This matter is important enough to me that it will control who I vote for in the next election.

Sincerely, Jacqueline M. and George D. Trump

We would like to add that pet owners play a huge part in conservation and protection of rare and threatened species, including Herpetoculture or captive breeding. Some animals are virtually only found in captivity any more since their habitats are gone.

Also, we feel that turtles are unfairly singled out for salmonella, since it is found in the food we eat such as poultry, beef and other meats as well as many surfaces including toothbrushes. Some of the breeds carry very little salmonella. It is not native to the turtle but is caused by poor handling. Education and cleanliness are the key factors here.

From CDC website.

Salmonella and Chicken: What You Should Know and What You Can Do

Annually, non-typhoidal *Salmonella* causes approximately 1.2 million illnesses, 23,000 hospitalizations, 450 deaths, and an estimated-$365 million in direct medical costs in the United States.[4]

- About 100,000 illnesses per year are attributed to drug-resistant non-typhoidal *Salmonella*.[4] (from chicken)

Thank you for your time and service to our great state.

Jacqueline M. Trump, George D. Trump
294 Bluebird Ln
Harpers Ferry, WV 25425

July 7, 2014

Abigail Campbell
533 20th Street
Dunbar, WV 25064

West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Mr. Helmick,

This letter is regarding the proposed Dangerous Wild Animal Rule, Title 61 Series 30 that was recently filed with the Secretary of State. As an animal lover, I agree that it is cruel to keep large animals confined and treated as pets, such as large cats and bears. I believe however the list of animals you have proposed as prohibited goes above and beyond the scope of the original intent of this law, with many of the animals posing no danger or threat to humans or the environment. The rules you have proposed will make West Virginia's laws on animal ownership the harshest in the country, even harsher than California.

I will highlight some of the areas of the rule that are most concerning to me.

- **Rodentia (rodents) All species prohibited, except domesticated golden Hamsters, also known as Syrian hamster (Mesocricetus auratus); domesticated races of rates or mice (white or albino; trained, dancing or spinning, laboratory-reared); and domestic strains of guinea pig (Cavia porcellus)**

  Chinchillas are rodents and are legal to own in all 50 states. Chinchillas are excellent pets and pose literally no threat to humans or the environment. They are a caged animal, and even if escape could not survive in the elements. Even California states under CAL. CODE REGS. Tit. 14 §671 : e. Domesticated races of chinchillas of the species *Chinchilla laniger* not restricted.

- **Insectivora (shrews, moles, hedgehogs, ect) All species prohibited**

  Currently only two US States (California and Georgia) outlaw these animals. Hedgehogs are completely docile animals and are often sold in pet stores, similar to a guinea pig. They are a popular pet around the county and pose no threat to humans or the environment in any way.

- **Diprotodonita (sugar gliders) All species prohibited**

  Sugar gliders, extremely playful pets weighing around 4 ounces full-grown, are sold in a variety of locations around the state. They are very popular in West Virginia specifically. They are currently only illegal to own in California, Alaska, and Hawaii. They pose no danger to humans or the environment.

- **Testudines (turtles) All species prohibited**

  The Humane Society of the United States and the Centers for Disease Control (CDC) outline the dangers of contracting Salmonella from turtles, thus I see how some could cause a danger for humans, especially if the public is uninformed. Many people have aquatic turtles however which pose no danger if cared for properly. California law specifically outlaws: (B) Family Chelyridae - Snapping Turtles All species. To outlaw all turtles seems a stretch of what the law intended here.

- **Carnivora (carnivores) All species prohibited except domestic dogs (Canis Familiaris) and domestic cats (Felis catus)**

  So many different subspecies fall under this category it is very unfair to link them all together and prohibit everything. Ferrets for example are popular pets sold in pet stores throughout the state and fall into this category. They pose no immediate danger to humans or the environment. Fennec foxes would also be banned via this rule. These animals weigh around 4 pounds full-grown and pose no threat as well. It is suggested that instead of prohibiting everything en mass, to list just the subspecies that are banned in this category.

The above list is only a few of my concerns with the proposed rule of the Dangerous Wild Animals law enacted by the legislature. I would appreciate it if at least some of the above suggestions were taken into consideration would deciding this, as it will greatly affect many law abiding people living throughout West Virginia.

Thank you,

Abigail Campbell

Abigail Campbell

Rachael Johnson
63 Raccoon Lane
Gerrardstown, WV 25420
July 3, 2014

West Virginia Department of Agriculture
Attn: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

I am writing you in reference to the Dangerous Wild Animals Rule. This bill is up for comments and feeds back I wish you for you to be informed of the consequences of your action. By passing this bill you aren't helping West Virginia Wildlife. You are harming it now and for generations to come, because you are stealing an educational experience from the youth of our state that cannot be replaced.

The purpose of this bill is to guard wild life and citizens of West Virginia. What it's really doing is taking away an opportunity for learning and understanding that with this bill, I would not have had. I was only six years old when my parents got me my first tree frog, Amber. Amber was what got me interested in our environment from a young age and as a result I still do all that I can to lead an eco-friendly life. Without her, I do not think I would have developed my deep appreciation for our local wild life. I can't watch you stand by and steal that chance from generations to come. Today I have two red-eared sliders. It is because of them I learned the proper way to help a turtle across the road and how to keep my state turtle friendly. How is teaching me to raise awareness hurting my home?

This bill won't protect West Virginia Wild Life. It will only punish responsible pet owners and take away a shot at learning from West Virginia youth, because of the mistakes of a few who already ignore laws. Don't punish majority for the minority.

Sincerely,

Rachael Johnson

July 8, 2014

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

RE: House Bill 4393 – Dangerous and Wild Animal List

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3.

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (***exotic, not dangerous***) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Very truly yours,

Sandra E. Cooper

Sandra E. Cooper
1153 Brook Road
South Charleston, WV 25309
304-561-8885 (talk or text)

Sharon L Casto

241 Prospect Avenue

Charles Town, WV 25414

post1@frontiernet.net

This is in regards to the proposed rule 61-30 The Dangerous Wild Animal Act. No way. Most of the animals listed are not dangerous and most haven't been wild in over one hundred years, some even longer. Most of the large parrots are captive breed so that any diseases they might introduce into farm animals have been eliminated, breeders must follow guide lines, vaccinate and band them with id numbers before selling them. The smaller parrots and parakeets have been in captivity since the late eighteen hundreds. Conures have been raised as pets by Europeans for over one hundred fifty years. They pose no threat to people ,livestock or crops. The Federal Dept. of Agriculture did a study on feral Quakers Parakeets and found they posed no threat to crops. How are they dangerous? These creatures come from regulated breeders. Macaws? There are several large flocks of feral Macaws in California which is an agricultural state and they have done no harm to crops nor displaced native birds. Not dangerous.

A dangerous animal is one that can and will harm either people or their pets. I can understand listing all big cats, wolves, coyotes and wolf/dog hybrids or coyote/dog hybrids. I can see listing all large constrictors and all tropical venomous snakes. I can see listing all bears and all primates and monkeys. These animals not only need people who have studied and learned how to care for them safely, they must also be able to house and feed them the proper diet and in the right amounts. These animals have and will kill. They are not being bad, it is what they do and were meant to do. Not all animals can be pets. I understand this and think in some ways this little law is a step in the right direction but common sense must rule.

Pocket pets such as guinea pigs, hamsters, sugar gliders, hedgehogs are not dangerous. These animals are often the first pets most people will own. These little guys teach small children how to care for and love another living creature. It is with them that they learn to respect life. For many it is the first step to being allowed to have a puppy. I do not see how you can list them as dangerous. This law is not written well, or correctly.

As for aquarium fish, I mean really? They are dangerous? I have never heard of any one being torn to pieces by a school of neon tetras. None of the fish sold in pet stores today can survive in the rivers, streams, or lake of West Virginia for even one week in summer. The water is just too cold. Any that would survive would never make it through even a mild winter. How are they dangerous? I know of so many people who own aquariums. This hobby is how they deal with stress, it is soothing to them, everything from watching the fish swim to taking care of the tank and filters helps them remain calm in a world going insane. So many elderly people can no longer have a dog but they can have a parrot or parakeet. These cheerful birds keep them company, make them laugh at their antics and even talk back to them. Are these people just suppose to hand their pets/friends over to some shelter if they can find one just because of a poorly written, poorly thought out law that the people in this state did not vote on nor requested. I don't doubt that your intentions are good but the outcome for both pets and people will be a hellish nightmare of broken hearts and come election time they will remember.

This state needs all the businesses we can get. Pet stores bring in revenue to their towns and to the state and this law will shut them down. You must rewrite the list, not listing whole species, not ignoring those creatures that have been breed in captivity and have been kept as pets for generations. Restrict truly dangerous animals, those that are and always will be wild animals, big cats, bears, wolves, coyotes, large boas and constrictors, alligators, crocs, these are dangerous animals. Parrots, Parakeets, tropical fish, hedgehogs, guinea pigs, come on. More common sense and realize that people need pets. It has been proven pets are good for us mentally, emotionally, and even spiritually.

Thank You

Sharon L Casto

Martin, Jodee

From: Dorothy Hurley <hurley411@aol.com>
Sent: Tuesday, July 08, 2014 2:10 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Dorothy Hurley
PO Box 1835
Hedgesville, WV 25427

July 8, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Dorothy Hurley

Jaime Shillingburg
680 Platt Mountain Lane
Inwood, WV, 25428

July 4, 2014

Jodee Martin
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

I am writing to you concerning the proposed Dangerous Wild Animal Rule, Title 61, Series 30. I have reviewed the list of the and definition of "Dangerous Wild Animal". I will admit, that some of the animals on the proposed list are in fact dangerous. However, I see a number of animals that I can't conceive of as being dangerous.

I would personally like to discuss the African Pygmy Hedgehog. As these beautiful creatures are native to Africa, they do require a warm climate to survive in. When a hedgehog gets too cold, 70-72 degrees is the lowest recommended temperature for them, they will attempt to hibernate. When this happens, their body shuts down, and they generally do not recover. Needless to say, they could not survive our winters.

They are not a threat to people, other animals, or the environment. I beg you to please review the animals on the list, and reconsider.

Sincerely,

Jaime Shillingburg

The International Cat Association, Inc.
306 E Jackson - Harlingen, Texas 78550
(+1) (956) 428-8046

July 7, 2014

Walt Helmick - Commissioner
West Virginia Department of Agriculture
1900 Kanawha Blvd. E.
Charleston, WV 25305
304-558-3550

Dear Commissioner. Helmick;

In my role as President of The International Cat Association (TICA), I am writing in opposition to the proposed rule change regarding Dangerous Wild Animals currently pending in West Virginia. I ask that you also oppose this rule change.

The International Cat Association (TICA) established in 1979, is the largest genetic domestic cat registry in the world. TICA's emphasis on actual genetics makes it the leader in establishing procedures for documentation and development of new genetic combinations/ breeds of cats.

This bill proposes a total ban on certain exotic animals, including hybrids thereof. It is overbroad and will ban several extraordinarily popular breeds of cats that are hybrids of domestic and non-domestic species.

The International Cat Association (TICA), the largest genetic registry of cats in the world, recognizes several hybrid-derived breeds. The Bengal (a hybrid of the Asian Leopard Cat (*Prionailurus bengalensis)* and domestic cats) is the **most** exhibited breed in TICA, comprising about 1/3 of all entries

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To the following:
Carnivora (carnivores) All species prohibited <u>except</u> domestic dogs (Canis familiaris) and domestic cats (Felis catus or Felis domesticus) and hybrids thereof

There is strong precedent for recognition of the Bengal, Toyger, Serengetti, Safari, Chausie and Savannah cat breeds as domestic cats. The United States Department of Agriculture (USDA) states in pertinent part:

Hybrid Cross
A hybrid cross is an animal resulting from the crossbreeding of two different species or types of animal. Examples of crosses and the resulting type of animal include:
< crosses between domestic animals are considered domestic, e.g., a poodle-cocker spaniel cross
< crosses between wild animals are considered wild, e.g., a wolf-coyote cross
< crosses between exotic animals are considered exotic, e.g., a lion-tiger cross
< crosses between wild and domestic animals are considered domestic, e.g., a wolf-dog cross
< crosses between exotic and domestic animals are considered domestic, e.g., a zebra-donkey cross

(http://www.aphis.usda.gov/animal_welfare/downloads/manuals/dealer/exemptions.pdf)

Thank you for consideration of this request.

Sincerely,

Vickie Fisher, President
The International Cat Association

West Virginia Department of Agriculture
1900 Kanawha Boulevard
Charleston, West Virginia 25305

July 6, 2014

George D. Trump
294 Bluebird Ln
Harpers Ferry, West Virginia 25425

Dear Sir

The Dangerous Wild Animal Act has caused me and many other people across the state grave concern. With all due respect, I feel this bill is far over reaching.

I can understand the concern for the abundance of Burmese Pythons that have populated the everglades of Florida. However, the keeping and captive breeding of harmless reptiles hurts no one.

1. Captive breeding produces healthier reptiles than those in the wild
2. Captive breeding assures the continuation of species that are endangered in the wild
3. People who purchase a captive bred reptile put less strain on the wild population.

For many people breeding reptiles is an occupation or provides a supplemental income. Certain chain pet stores in West Virginia will surely suffer from the consequences of this bill.

The aquarium trade, both fresh and salt

water have really been hit hard. As a small example, a person cannot keep a small catfish in his or her aquarium for, ie. algae control. I respectfully ask: why after decades of aquarium keeping it has been determined that a small catfish is now a problem.

Although I am less familiar with the keeping of birds and small animals of the staple pet shop variety, I totally support the people who work responsibly with them.

I would like to close by saying; many highly professional people have taken a sincere interest in the herpetcultural and aquatic hobby and have contributed their knowledge to these fields.

I truly thank you for your time by reading my concerns about this bill.

Sincerely,

George D. Trump

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

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Jewell Plumley, DVM
Chair

The International Cat Association, Inc.
306 E Jackson - Harlingen, Texas 78550
(+1) (956) 428-8046

July 7, 2014

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Jewell Plumley, DVM
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Martin, Jodee

From: Suzanne Madenis <suzy@jonesnaturalchews.com>
Sent: Tuesday, July 08, 2014 4:01 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Suzanne Madenis
4960 28th Ave.
Rockford, IL 61109

July 8, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

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Sincerely,
NAME

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Suzanne Madenis

Dangerous Wild Animal Board

Charleston, West Virginia

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Jewell Plumley, DVM
Chair

July 8, 2014

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

RE: House Bill 4393 – Dangerous and Wild Animal List

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3.

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (***exotic, not dangerous***) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Very truly yours,

Sandra E. Cooper

Sandra E. Cooper
1153 Brook Road
South Charleston, WV 25309
304-561-8885 (talk or text)

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

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Chair

Sharon L Casto

241 Prospect Avenue

Charles Town, WV 25414

post1@frontiernet.net

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Sharon L Casto

Dangerous Wild Animal Board

Charleston, West Vi ginia

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Chair

July 7, 2014

Abigail Campbell
533 20th Street
Dunbar, WV 25064

West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Mr. Helmick,

This letter is regarding the proposed Dangerous Wild Animal Rule, Title 61 Series 30 that was recently filed with the Secretary of State. As an animal lover, I agree that it is cruel to keep large animals confined and treated as pets, such as large cats and bears. I believe however the list of animals you have proposed as prohibited goes above and beyond the scope of the original intent of this law, with many of the animals posing no danger or threat to humans or the environment. The rules you have proposed will make West Virginia's laws on animal ownership the harshest in the country, even harsher than California.

I will highlight some of the areas of the rule that are most concerning to me.

- **Rodentia (rodents) All species prohibited, except domesticated golden Hamsters, also known as Syrian hamster (Mesocricetus auratus); domesticated races of rates or mice (white or albino; trained, dancing or spinning, laboratory-reared); and domestic strains of guinea pig (Cavia porcellus)**

  Chinchillas are rodents and are legal to own in all 50 states. Chinchillas are excellent pets and pose literally no threat to humans or the environment. They are a caged animal, and even if escape could not survive in the elements. Even California states under CAL. CODE REGS. Tit. 14 §671 : e. Domesticated races of chinchillas of the species *Chinchilla laniger* not restricted.

- **Insectivora (shrews, moles, hedgehogs, ect) All species prohibited**

  Currently only two US States (California and Georgia) outlaw these animals. Hedgehogs are completely docile animals and are often sold in pet stores, similar to a guinea pig. They are a popular pet around the county and pose no threat to humans or the environment in any way.

- **Diprotodonita (sugar gliders) All species prohibited**

  Sugar gliders, extremely playful pets weighing around 4 ounces full-grown, are sold in a variety of locations around the state. They are very popular in West Virginia specifically. They are currently only illegal to own in California, Alaska, and Hawaii. They pose no danger to humans or the environment.

- **Testudines (turtles) All species prohibited**

  The Humane Society of the United States and the Centers for Disease Control (CDC) outline the dangers of contracting Salmonella from turtles, thus I see how some could cause a danger for humans, especially if the public is uninformed. Many people have aquatic turtles however which pose no danger if cared for properly. California law specifically outlaws: (B) Family Chelyridae - Snapping Turtles All species. To outlaw all turtles seems a stretch of what the law intended here.

- **Carnivora (carnivores) All species prohibited except domestic dogs (Canis Familiaris) and domestic cats (Felis catus)**

  So many different subspecies fall under this category it is very unfair to link them all together and prohibit everything. Ferrets for example are popular pets sold in pet stores throughout the state and fall into this category. They pose no immediate danger to humans or the environment. Fennec foxes would also be banned via this rule. These animals weigh around 4 pounds full-grown and pose no threat as well. It is suggested that instead of prohibiting everything en mass, to list just the subspecies that are banned in this category.

The above list is only a few of my concerns with the proposed rule of the Dangerous Wild Animals law enacted by the legislature. I would appreciate it if at least some of the above suggestions were taken into consideration would deciding this, as it will greatly affect many law abiding people living throughout West Virginia.

Thank you,

Abigail Campbell

Abigail Campbell

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Rachael Johnson
63 Raccoon Lane
Gerrardstown, WV 25420
July 3, 2014

West Virginia Department of Agriculture
Attn: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

I am writing you in reference to the Dangerous Wild Animals Rule. This bill is up for comments and feeds back I wish you for you to be informed of the consequences of your action. By passing this bill you aren't helping West Virginia Wildlife. You are harming it now and for generations to come, because you are stealing an educational experience from the youth of our state that cannot be replaced.

The purpose of this bill is to guard wild life and citizens of West Virginia. What it's really doing is taking away an opportunity for learning and understanding that with this bill, I would not have had. I was only six years old when my parents got me my first tree frog, Amber. Amber was what got me interested in our environment from a young age and as a result I still do all that I can to lead an eco-friendly life. Without her, I do not think I would have developed my deep appreciation for our local wild life. I can't watch you stand by and steal that chance from generations to come. Today I have two red-eared sliders. It is because of them I learned the proper way to help a turtle across the road and how to keep my state turtle friendly. How is teaching me to raise awareness hurting my home?

This bill won't protect West Virginia Wild Life. It will only punish responsible pet owners and take away a shot at learning from West Virginia youth, because of the mistakes of a few who already ignore laws. Don't punish majority for the minority.

Sincerely,

Rachael Johnson

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

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Jewell Plumley, DVM
Chair

West Virginia Department of Agriculture
1900 Kanawha Boulevard
Charleston, West Virginia 25305

July 6, 2014

George D. Trump
294 Bluebird Ln.
Harpers Ferry, West Virginia 25425

Dear Sir

The Dangerous Wild Animal Act has caused me and many other people across the state grave concern. With all due respect, I feel this bill is far over reaching.

I can understand the concern for the abundance of Burmese Pythons that have populated the everglades of Florida. However, the keeping and captive breeding of harmless reptiles hurts no one.

1. Captive breeding produces healthier reptiles than those in the wild
2. Captive breeding insures the continuation of species that are endangered in the wild
3. People who purchase a captive bred reptile put less strain on the wild population.

For many people breeding reptiles is an occupation or provides a supplemental income. Certain chain pet stores in West Virginia will surely suffer from the consequences of this bill.

The aquarium trade, both fresh and salt

(OVER)

water have really been hit hard. As a small example, a person cannot keep a small catfish in his or her aquarium for, ie. algae control. I respectfully ask: why after decades of aquarium keeping it has been determined that a small catfish is now a problem.

Although I am less familiar with the keeping of birds and small animals of the staple pet shop variety, I totally support the people who work responsibly with them.

I would like to close by saying: many highly professional people have taken a sincere interest in the herpetocultural and aquatic hobby and have contributed their knowledge to these fields.

I truly thank you for your time by reading my concerns about this bill.

Sincerely,

George D. Trump

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3.

I have a master's degree in biology which I obtained in the herpetology lab at Marshall University. Reptiles and amphibians have been my passion since I was a small child and I have gone to great lengths to educate myself on them. For this reason, I feel qualified to state without any hesitation that the proposed legislation in its current form is poorly advised. Entire taxonomic orders would be prohibited without any valid justification if the current list is utilized. While some of the species listed could truly be considered potential threats, many more are not.

I do not know how the current list was assembled, but it is certainly not well thought out. Some exotic species which are absolutely unattainable to the public such as the "komodo dragon" (*Varanus komodoensis*), which is an endangered CITES Appendix 1 species, are listed. While the protected status of this species renders its listing a moot point, it certainly is a dangerous species that would otherwise deserve inclusion. However, at the opposite end of the spectrum, all members of the order Hylidae are listed. This would designate every single species of tree frog as a "dangerous" animal. For decades there have been no restrictions on captive tree frogs in West Virginia and yet we still have no populations of invasive species nor could they be considered a threat to human health by any reasonable person.

The aforementioned examples were chosen because of my familiarity with herpetofauna, but even outside my area of expertise I recognize numerous unwarranted additions to this list such as many saltwater fish that would not survive if released to our waterways. As a formally educated biologist, the last thing I want is for invasive species to gain a foothold in West Virginia and negatively impact our native fauna. As a responsible adult, I absolutely want to minimize any risk to our citizens from an escaped animal that could truly be dangerous. However, constructing such a vastly over-reaching list is not a solution to either potential problem.

As you may well know, bears, big cats, and other truly dangerous animals escaped a facility in Ohio in 2011, representing a worst case scenario for those concerned about such issues. Ohio acted swiftly to pass new legislation in an effort to prevent something like that from reoccurring, yet their dangerous animal list is far more focused than the currently proposed list for West Virginia. If it is too much of a burden to properly research and justify which animals will be listed in West Virginia, I urge you to simply adopt Ohio's list. In my opinion, it is strict, but not to the point of being unreasonable and certainly not as needlessly inclusive as the current draft of WV's list. It can be viewed at the following URL:
http://www.legislature.state.oh.us/BillText129/129_SB_310_RH_Y.pdf

As I stated previously, I have been interested in reptiles and amphibians my entire life, to the point that I pursued a graduate degree at a university in West Virginia in order to study them. I now work for the West Virginia Department of Environmental Protection as well. I am a native West Virginian and I have devoted myself to trying to make the state a better place as much as I am capable of doing so. To that end, I feel compelled to voice my dissatisfaction with this legislation in its current form. I myself have kept a variety of reptiles and amphibians for more than 20 years. That is what prompted my initial fascination with them and lead me to pursue my education and career. I have gone out of my way to give live animal presentations at schools and to invite others to my home in an effort to educate others on these largely misunderstood animals and ignite the interest of children in the natural sciences. While I don't currently own a single animal that is on the list, I am extremely concerned that in the process of updating the list annually, someone will decide to prohibit one or all of the many harmless reptiles I keep. Based on the faulty or absent rationale applied to some animals that are already on the list, I am not inclined to trust the decision making authorities to be practical in this matter.

I, and many others I'm sure, would welcome an opportunity to provide specific input and make this legislation better, although I understand it may not be feasible to locate qualified authorities on every group of animals. I am not opposed to regulating dangerous animals in captivity. However, as someone who has been employed as a regulator for five years, I want to make sure such regulations are justifiable and enforceable. The wholesale prohibition of so many harmless species which are already widely established in the pet trade is neither justifiable nor enforceable from a practical standpoint. For that reason, I would once again implore you to consider Ohio's list as a template. I believe this would be the simplest solution which would allow for the mutual satisfaction of people on each side of this issue. In the process of adding additional species, please gain insight from qualified individuals in order to assess whether or not their listing is truly warranted. In removing citizens' abilities to keep some of these species, you may also be depriving children of the opportunities to gain firsthand experience that can lead to a lifelong interest, even a career, in biology.

Sincerely,

Kevin Saunders

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Dear, Commissioner Walt Helmick, 7-8-2014

This article was in The Greenbrier Valley Ranger paper on Sunday 7-6-2014.

This Bill 4393 could cause hardship on many West Virginia farmers if passed.

Sincerely,

Ruth Singleton
HC 75 Box 6A3
Alderson WV 24910

Phone 304-445-7856

Bill Prohibits Individuals From Owning Wild Animals

By Robin Zimmerman

West Virginia House Bill 4393, which prohibits the private possession of dangerous wild animals, passed and creates a Dangerous Wild Animal Board, whose members will determine what animals to include under the law.

The International Fund For Animal Welfare (IFAW), the Association of Zoos and Aquariums and the Human Society have expressed support for the bill, explaining that West Virginia is one of only six states with little to no laws on the keeping of dangerous wild animals.

Since 1990, there have been nearly 1,300 dangerous incidents involving captive big cats, bears, primates and large constrictor snakes nationwide, resulting in 41 human deaths (including eight children) and nearly 700 injuries, according to a report from IFAW.

Support has grown for the bill, but so has opposition – mainly for the types of animals described as "dangerous."

Currently, the list of potentially banned animals in West Virginia include frogs and toads, rabbits, hamsters, guinea pigs, salt water fish, horses, swine, cattle, goats and sheep. Any individual who currently owns animals on the list will be required to obtain a permit to be "grandfathered" in to keep the animals, and pay a fee of up to $100 for each animal.

Governor Earl Ray Tomblin vetoed the bill last year, stating the bill would put a financial hardship on the state – similar legislation in Ohio in 2012 led to the construction of a $2.9 million temporary-housing facility for animals that could no longer be kept due to the newly-implemented law.

However, the bill was passed by committees in the House and the Senate during the 2014 session of the West Virginia Legislature and has now raised concerns for pet owners, farmers and owners of pet stores. Those against certain aspects of the bill, including the list of animals the bill could include and the fees owners could be required to pay, have rallied together on Facebook and other websites (such as the United States Association of Reptile Keepers) asking individuals to contact Tomblin with their concerns, arguing that the bill poses a threat to all pet owners and pet stores.

HB 4393 can be viewed online at www.legis.state.wv.us.

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Martin, Jodee

From: Martin, Jodee
Sent: Thursday, July 10, 2014 10:10 AM
To: 'jamee.stover@gmail.com'; 'betsywhitlock1@gmail.com'; 'ljackson513@gmail.com'; 'kacihelene@aol.com'; 'chazzmj@gmail.com'; 'iluvskippy2003@yahoo.com'; 'womansoldier@yahoo.com'; 'kpattontax@yahoo.com'; 'jcooper@wvsos.com'; 'rlevans@lightlynx.net'; 'samloveskristen@gmail.com'; 'ctniab@aol.com'; 'susansworldofpets01@yahoo.com'; 'info_eden125@ymail.com'; 'cheyennesummersanders@gmail.com'; 'paige511@gmail.com'; 'jennifer.williams.46@us.af.mil'; 'ashbo7181@gmail.com'; 'ksm91002@yahoo.com'; 'blueinc27@gmail.com'; 'sandymorganandrew@yahoo.com'; 'currytommy36@yahoo.com'; 'billythehusker@gmail.com'; 'darkmagicstars@yahoo.com'; 'esso38@me.com'; 'bstan95@hotmail.com'; 'rmcarroll1@gmail.com'; 'rwckdc@dishmail.net'; 'ocean.tina@aol.com'; 'mcleve41@msn.com'; 'mimishaver@ymail.com'; 'bboehke@gmail.com'; 'brittellis80@yahoo.com'; 'caitysee@gmail.com'; 'boehkemj@ab.edu'; 'chaeriste@yahoo.com'; 'nherrod@m-fproducts.com'; 'hr_hayes@hotmail.com'; 'venusbankhead@yahoo.com'; 'slituchy@yahoo.com'; 'krajewskim1@gmail.com'; 'choocheee1971@gmail.com'; 'nemi32000@yahoo.com'; 'triplewillys@gmail.com'; 'shelliemcintyre@gmail.com'; 'bpowell@bitmapped.net'; 'jennelfculler@yahoo.com'; 'farrahmachado@frontier.com'; 'candace127@gmail.com'; 'vicster45@aol.com'; 'polly@dodrillheating.com'; 'garthbeck_esq@msn.com'; 'jbkingry@gmail.com'; 'Barbara.D.Sargent@wv.gov'; 'rachieebaby@gmail.com'; 'dianapalmbeach@gmail.com'; 'paulettelashley@yahoo.com'; 'dshores1949@hotmail.com'; 'pixbycindy@yahoo.com'; 'sylviafelitsky@gmail.com'; 'wiz1269@gmail.com'; 'dark_goddess_2007@yahoo.com'
Cc: Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject: Title 61 Series 30 Dangerous Wild Animal Rule
Attachments: In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx

Please see the attached letter.

Martin, Jodee

From: Jamee Stover <jamee.stover@gmail.com>
Sent: Wednesday, July 09, 2014 2:49 PM
To: Martin, Jodee
Subject: Dangerous and Wild Animals List

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

The intent of HB 4393 was to, as quoted from the bill, "(1) To prevent the introduction or spread of disease or parasites harmful to humans, domestic livestock and poultry, wildlife and captive wild animals; (2) To ensure the physical safety of humans; (3) To prevent the escape or release of an animal injurious to or competitive with agricultural, horticultural, forestry, wildlife and other natural resources; and (4) To prevent the mistreatment of permitted dangerous wild animals."

While the intent to decrease instances of injury, disease, and death as well as the environmental cost of escaped, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous" and "wild".

Some animals listed have been reasonably listed, such as crocodiles, elephants, giraffes, zebras, big cats (such as lions and tigers), bears, and primates. These animals can pose a threat to humans, could be harmful if released, and could very well be mistreated by someone without proper training and knowledge to care for them. Despite this, many other animals on the list have been listed without second thought, and I will be addressing each class separately:

Class	**Animals to be banned**
Amphibia (Amphibians)	• ALL salamanders, newts, axolotls, etc • ALL clawed frogs • ALL tree frogs • ALL toads
Reptilia (Reptiles)	• ALL turtles, tortoises, and terrapins
Tetradontiformes, Perciformes, Characiformes, Siluriformes (many kinds of fish)	• ALL triggerfish, filefish, pufferfish • ALL gobies • ALL tetras • ALL plecos, corydoras
Mammalia (Mammals)	• ALL hedgehogs • ALL rabbits

	• ALL hamsters, *except Syrian* • ALL rats, *except white, albino, or laboratory-raised* • ALL ferrets • ALL hybrid dogs and cats, such as savannah and bengal cats • ALL sugar gliders

Amphibia:

It seems that a big "justification" for the banning of nearly every amphibian is because of potential diseases they can carry and for the toxins some can secrete. The diseases these animals can carry, such as Salmonella, are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure, and if they come in contact with a surface in your household, wipe it off with a disinfecting wipe and you're done. As for the toxins, they aren't harmful to humans unless ingested. You would literally have to lick one of these animals for the toxins to have any effect, and even when doing such most of the toxins would only make you a little sick. As for being invasive, many of the amphibians in the pet trade would not be able to live in West Virginia, such as tropical tree frogs, tropical toads, clawed frogs, fire bellied newts, axolotls, and more. Native amphibian species are already regulated by the WV DNR, so you don't have to worry about them showing up in local pet stores. Many amphibians are extremely popular in the pet trade, and to outright ban all of them would have a dire impact on pet stores. There are also many West Virginians who responsibly breed amphibians from their home that would have to loose their small business.

Reptilia:

The justification for the outright banning of all turtles, tortoises, and terrapins, is that they can carry diseases harmful to humans such as salmonella. Like amphibians, it is very easy to combat disease in turtles. Wash your hands, wash the surfaces they touch. It's as simple as that. There are many other animals that can carry salmonella that aren't banned, like chickens and ducks. You can even catch salmonella from contaminated meat. Turtles have been in the pet trade for many, many years and they're a very popular pet. With the banning of all turtles and tortoises, children and adults alike are going to have to give up their favorite pet. This will also have a dire impact on pet stores, as many sales come from turtles and tortoises, and say goodbye to local breeders that make a living from responsibly breeding these animals.

Tetradontiformes, Perciformes, Characiformes, Siluriformes:

For some clarification, this banning includes every single pet tetra in the aquarium hobby (and includes well over 2000 fish), all plecos, all algae eaters, all corydora catfish, all triggerfish, all filefish, all pufferfish, and all gobies. The justification for the banning of thousands upon thousands of popular pet fish is that they can posses toxins harmful to humans and they can be invasive. Both of these justifications are outright absurd. Fish such as pufferfish contain toxins when *ingested,* and to do so would mean to cook and eat their livers. This practice is traditionally done in Asian countries, and is done after years and years of special training to prepare the liver so it is not harmful to humans. I have never in my life heard of anyone, especially not someone in West

Virginia, walking into a pet store, paying 40+ dollars for a pet pufferfish, then cooking and eating it. Same goes for triggerfish and file fish. It is absurd to ban an entire order of pet fish based upon some strange assumption that people actually commonly eat them. As for invasiveness, none of these fish pose a threat of invading West Virginian waters. Not only are many of them saltwater fish, which West Virginia has none of, the rest are tropical fish that couldn't survive in the cold waters of WV. This insane outright banning of nearly every commonly kept fish in the pet trade will force pet stores out of business across the state, especially local stores. I thought West Virginia was "Open for Business?" I understand if you are trying to ban piranhas, tiger fish, and candiru catfish, but each species should be banned individually instead of banning entire orders and families.

Mammalia:

The justification for banning many of the most popular mammals in the pet trade is for the "welfare of the animal", for public safety, and because they can be a menace to wildlife or local agriculture. While hedgehogs and sugar gliders are fairly new to the pet trade, they pose practically no threat to public safety. While it is said they can carry rabies, most pet mammals can carry rabies and people own them without second thought. It is extremely hard to find a case of a hedgehog with rabies, especially one with rabies in West Virginia. Sugar gliders are thought to not be able to carry rabies because of their low body temperature. Even if a sugar glider contracted rabies they wouldn't be able to spread it, as they are so small that they would quickly die from the disease. As for the rest of the banned species, such as hamsters, rats, ferrets, and rabbits, it's really hard for me to understand the justification behind banning them. All of these animals have been in the pet trade for many many years, especially hamsters and rabbits, and are all considered domestic. You don't see wild packs of them running around in West Virginia or anywhere in the United States. If these animals could be let loose and live in the wild, where are the packs of wild black bear hamsters in West Virginia? Where are the wild breeding populations of domestic lionhead rabbits? Have you seen any ferrets running around in the woods? Why aren't there spotted dumbo rats running around the city? The answer is simple: they're domestic, have been in the pet trade for years, and can't survive long enough in the wild to breed and populate. Domestication causes the animal to display traits that aren't like their wild relative. Since these animals are domestic, they've lived in captivity their entire lives, as well as their ancestors. Because of this, many wouldn't know how to find food in the wild, and would quickly be killed and eaten by predators because of their unnatural colors, patterns, and fur styles. If these animals are kept in the ban, just about every pet store in the state will have to be shut down because they'll have practically nothing to sell. How are parents going to feel when they have to tell their child that they have to give up their precious pet rabbit, ferret, hamster, or even rat?

Pet Store Impact:

The pet trade is a massive income for the state and it generates millions of dollars for the state. With all of these animals banned, pet stores will not have enough income to be kept running. Pet stores across the state will be forced to be shut down, forcing not only small business owners but corporations out of business or out of the state. I thought West Virginia was "Open for Business"?

In conclusion, the current dangerous animals list is insane and needs to be narrowed down to a species-by-species basis instead of outright banning entire orders. This will cause millions upon millions of pets to be surrendered over to the state, which will leave these animals in the state's care. The state will have to use citizen's tax dollars to care for the pets they surrendered. Similar legislation in Ohio led to a $2,900,000 temporary-housing facility for animals that could not be kept by "responsible owners". This law will cost West Virginia millions of dollars more to implement than the money raised from permits. Animals that don't have a place to be put will have to be euthanized. The state of West Virginia potentially could be responsible for the deaths of thousands of animals. This list will force hundreds of small business owners out of business by forcing pet stores across the state to close. Children will have to be told that they can no longer have their beloved pet, or be called a felon by the state and given hundreds of dollars in fines or imprisonment. There is a simple solution to all of this insanity – narrow the list down instead of banning entire orders.

Sincerely,

Jamee Stover

1245 West Virginia Avenue

Dunbar, WV 25064

Martin, Jodee

From: betsy whitlock <betsywhitlock1@gmail.com>
Sent: Wednesday, July 09, 2014 2:55 PM
To: Martin, Jodee
Subject: Proposed Dangerous Animal Rules.

Dear Ms. Martin,

I am writing not as a WV resident but as a cat breeder who has and continues to do business in your state.

The proposed ordinance would make Bengal (Asian Leopard Cat X Domestic Cat hybrid) Savannah (Serval X Domestic Cat Hybrid) Chausie (African wildcat X Domestic Cat hybrid) and Safari Cat (Geoffroy's Cat X Domestic hybrid illegal in your state. All of these breeds are considered to by domestic by USF&G. They are registered with The International Cat Association, have been living peacefully with familys for years. They are commonly shown in Cat Shows across the Nation. They are no threat to the public and are no more dangerous than any domestic cat.

Should West Virginia choose to ban these breeds the State will loss revenue from Cat Shows and Exhibitions which bring pets with their owners from all across the country to compete just like dog shows.

Further should the ban be put in place how will officials differentiate between these breeds and breeds like Egyptian Mau, Ocicat, Serengeti cats which are not hybridized at all.

In short the idea that first a domestic wild hybrid is in anyway more of a treat that a simple domestic cats is absurd. It will be impossible to tell which cats are hybrids and which are simply spotted fully domestic breeds. Finally the cost to the tax payers of your State will come to far exceed any revenue generated by licensing.

--

Stan and Betsy Whitlock
Belle Hollow Farms and Exotics
www.bellehollow.net
828-524-6943
Keller Williams Realty
www.homes-franklinnc.com
828-524-0100

Martin, Jodee

From: Laura J. Roberts <ljackson513@gmail.com>
Sent: Wednesday, July 09, 2014 11:26 AM
To: Martin, Jodee
Subject: Comments Regarding Dangerous Wild Animals

Please be advised that the proposed legislation regarding dangerous wild animals is utterly ridiculous.

Yes, we should absolutely prohibit the ownership of primates and dangerous carnivores, as well as animals known to introduce disease.

But can we please use some *common sense*? Outlaw rabbits and gerbils and turtles? Has anyone in the history of America ever outlawed bunny rabbits? I cannot imagine what possessed lawmakers to include pet-store pets on this list.

This would be laughable if it weren't so stupid. I could go on for paragraphs about this, but know that I and my family find this piece of proposed legislation to be the most ridiculous thing we've come across in quite a while.

Thank you.
The Roberts Family
Wheeling, WV

Martin, Jodee

From: Kaci <kacihelene@aol.com>
Sent: Wednesday, July 09, 2014 12:00 PM
To: Martin, Jodee
Subject: wild animal list

I don't understand why turtles would be on the list. I think the breeds would need to be clarified. I have had Billie since I was twelve years-old. He went through middle school, high school, college, grad school, marriage, child birth and divorce with me. Honestly, he is the best pet (I prefer to call him a family member) a person could have. He is 23 years-old now. I never knew as a little girl that I would still have my turtle as a woman in her mid-thirties...but it is truly fantastic that I do! Not only did Billie see me grow up, but now he is seeing my son grow up as well!

Sent from my Motorola Android powered by nTelos

Martin, Jodee

From: Chazz McJizz <chazzmj@gmail.com>
Sent: Wednesday, July 09, 2014 12:13 PM
To: Martin, Jodee
Subject: dangerous animals

So with this list...

Are you going to go to all the pet stores and round up all the gerbils and uthinize them? Or are you going to make the pet store owners drop $100 on their stock of animals for sale on the list. Pet shops don't make that much money in the first place, so I think you will be putting people out of business.

Do you really believe every family in the state that has a pet gerbil, mouse, snake or whatever is going to voluntarily hand over $100 dollars for a permit for an animal they have owned prior to this proposed law?

So essentially, if this law/list passes, potentially thousands of law-abiding citizens would become law-breakers over night if they don't comply and go buy a $100 permit for a $10 gerbil. Brilliant.

And what about those that will just decide to turn the animals loose in the woods behind their houses, rather than pay the fee for the permit? Now you have thousands of invasisve species loose int he wild, whereas before the law, they were at least contained by their owners.

I understand not wanting to have people with grizzly bears in their back yard as pets that could literally eat their neighbors children, and I think realistic citizens would be for that. But I would venture to guess that there are more dog attacks in the state each year from pitbulls and rotweilers than there are bear attacks. Pitbulls are more dangerous than gerbils. Are you going to go after pitbull owners?

And of course, I should also mention all the non-native species of plants that are sold from greenhouses and garden centers in stores like Home Depot and Lowes. How can you make the determination legally that some plants are acceptable and some are not?

Are you going to confiscate all those non-native plants? Are those purveyors going to have to shell out $100 for each plant that they are trying to sell for $20? Are little old ladies going to have to shell out $100 bucks to keep their shrubs in their yard, or is 80-year-old grandma going to have to risk a heart attack by pulling out shrubs from her front yeard in order to follow this new law, should it take effect?

In short, I do not think this is a very well thought out proposal. I think it is a typical, "Let's just get something - anything - on the books" effort by uninformed legislators so they can go back to their communities and pound their chests an tell everyone how hard they have been working to protect us all from gerbils, whales, roses and field mice.

Thanks.

Chazz

Martin, Jodee

From: Valerie <iluvskippy2003@yahoo.com>
Sent: Wednesday, July 09, 2014 9:19 AM
To: Martin, Jodee
Subject: WV Dangerous Animals

To Our WV State Government,

I am writing in regards to WV's list of dangerous animals. I was shocked to see the list of animals that WV feels would be dangerous to humans or our land. It feels like another tactic to gain more dollars from taxpayers. Zanesville OH incident of escaped animals is a prime example that we need a law to protect humans from wild animals being kept as pets. I understand how a lion, tiger, primates can be dangerous, but a rabbit, Quaker and hamster?!? This goes too far WV! Does WV not have anything better to do with their time?! We live in a poor state, this will require manpower and funds our state doesn't have to waste. I currently own a Quaker Parrot which you have included on your list as dangerous. The list of animals you have created WV has become the laughing stock of the country on pet forums and other social networks. My Quaker proves no danger to me, my family members, the public that enters my home and she is not a danger to the WV environment! My adult sons could inflict a worse bite than my quaker, does that mean I will have to cage them next? She has NO access to the outdoors, so how does that endanger the environment? Until she develops the ability to eat coal I don't see her as being a danger or a threat to anything. Our state has never had an issue with wild Quakers destroying crops, to this day I have never seen a single wild Quaker in my life. That has no bearing on having one caged in my home. I will NOT pay for a state permit to keep her, I will NOT have the state tell me how to cage her in my private home, I will NOT tolerate the state publicly posting my name and address due to owning a dangerous animal, I will never permit the state into my private home to inspect the housing of my Quaker. You quote that caging helps protect the animal from inhumane treatment. Caging an animal 24/7 IS inhumane! If this law passes, I will move out of the state of WV. This is an idiotic law! Please do your research before you pass laws that are senseless! What are you going to do, shoot and kill every little baby rabbit you find hopping through a field? Remember this newest ridiculous law when you wanted voted back into office.

Martin, Jodee

From: Plumley, Jewell
Sent: Monday, July 07, 2014 11:30 AM
To: Martin, Jodee
Subject: FW: Domestic Rabbits on the Dangerous Wild Animals list?

Jewell G. Plumley, DVM
State Veterinarian/ Director Animal Health
WVDA - Moorefield Field Office
60B Moorefield Industrial Park Rd.
Moorefield, WV 26836
Office: (304) 538-2397, Ext. 6945
Fax: (304) 538-8133
Cell: (304) 257-8973
jplumley@wvda.us

From: Antolini, Butch
Sent: Monday, July 07, 2014 11:13 AM
To: Plumley, Jewell
Subject: FW: Domestic Rabbits on the Dangerous Wild Animals list?

From: Wendy Ramsburg <womansoldier@yahoo.com>
Reply-To: Wendy Ramsburg <womansoldier@yahoo.com>
Date: Sunday, July 6, 2014 11:43 AM
To: Butch Antolini <bantolini@wvda.us>
Subject: Domestic Rabbits on the Dangerous Wild Animals list?

Dear Mr. Antolini

I read the list of animals in the proposed "prohibited Dangerous Wild Animals" (Title 61 Legislative Rule Dangerous Wild Animals Rule Series 30) and notice that rabbits are included under Mammalia: Lagomorpha - all species prohibited. How does this affect the owners of Domestic Rabbits? (If domestic mice, hamsters, guinea pigs etc, are exempted; can an exemption be made for owners / breeders of Domestic Rabbits?)

Thank you for your time and consideration.

Wendy Ramsburg

Martin, Jodee

From: Kari Patton <kpattontax@yahoo.com>
Sent: Monday, July 07, 2014 12:44 PM
To: Martin, Jodee
Subject: PROPOSED DANGEROUR ANIMAL LIST

I am a pet owner and concerned citizen of WV. My family also owns one of the largest pet stores in WV. We have been selling pets to responsible pet owners for over 20 years now. I have reviewed the list of what you all are calling dangerous pets, and I have to say I understand why a lot of them are on there. However I have to voice my opinion about several that I do not believe need to be on there. Tortoises for one, there are several species of exotic tortoises that we have sold over the years, and in no way are these harmful to people or invasive in nature. Most species of tortoises that we sell in the Pet industry are from Tropical regions and could not live here if they were in the wild in WV. I can see including Native to the US species, but not ALL tortoises. On the fish part of the list, I understand that Puffers and Triggers are mildly toxic, but they are not dangerous as far as being deadly. Also again there is nowhere in WV that these fish could live in the wild as they either come from Saltwater or Tropical environments, so there is no threat as to being invasive or coming in contact with humans in nature. Aquarium keepers who purchase these fish are told that they are toxic and it is and should be their choice to keep them as pets. Weather Loaches are a peaceful not threatening species of aquarium fish that are loved my many aquarium enthusiast.

Also I have a question under the canine section of the list it says that hybrid crosses of any species even domestic breeds are prohibited, does that mean that my grandmothers Cockapoo would be illegal for her to keep? If so I think that this is a little on the excessive side and needs to be reconsidered.

I guess all in all my biggest problem with this list is that I understand banning large exotic truly dangerous animals because most people really don't have the appropriate means to keep them, but telling people that they can't have a little frog, or certain species of fish is a little much. Stick to what truly is a DANGEROUS animal,

These are the animals that I don't agree with being on the list and I ask that you do further research on them before including them on a more permanent list. Thank you for your time and consideration.

Kari Patton
Princeton WV

Martin, Jodee

From: Judy Cooper <JCooper@wvsos.com>
Sent: Wednesday, July 02, 2014 4:06 PM
To: Martin, Jodee
Subject: RE: "The Rule"!

The reason I asked that question is the following references in your rule:

2.1. Animal Welfare Act
4.1.1. USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations

These are referenced in your rule and appear to be the basis of some of your approval/disapproval. If this is the case, we need a copy.

From: Martin, Jodee [mailto:jodeemartin@wvda.us]
Sent: Wednesday, July 02, 2014 3:59 PM
To: Judy Cooper
Cc: Ferro, Chris; Plumley, Jewell
Subject: RE: "The Rule"!

Judy –

This rule is not based on a federal regulation it is request from HB 4393 "The Dangerous Wild Animal Act" which the Governor signed this past session. In this bill there was created the Dangerous Wild Animal Board, and the Governor appointed Commissioner of Agriculture as Chair, DHHR Secretary Karen Bowling as Vice Chair, and Director of DNR Frank Jezoiro as Secretary.

The bill listed specifically what the board needed to establish in the rule. Included in that was the list of dangerous wild animals, and establish minimum caging requirements. The board was under a very tight time constraint to write this rule, and the list was the biggest task, and took a sub-committee of experts from all three agencies a whole day to draft a list for the board to vote on. The board is currently in the process of working on the application, application process as well as other issues addressed in the bill. I hope this answers all your questions

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

From: Judy Cooper [mailto:JCooper@wvsos.com]
Sent: Wednesday, July 02, 2014 1:12 PM
To: Martin, Jodee
Subject: "The Rule"!

I have been reviewing the "Dangerous Animal Rule", and we have several questions?

- Am I correct that the application is based on a Federal Regulation/Law? If this is true, you must file both with us and LRMRC a copy of that document(s)
- How does a person go about submitting an application to house a dangerous animal?
- How long do you have to review and approve the application?
- What is the criteria for approval/denial of an applicant?
- Where does the applicant send the application?
- How do know that the applicant has the proper caging? Are you going to inspect it?

Do not consider the first question is not submitted as a comment on the rule, but all of the other questions should be considered as a comment. I admit I know nothing about this subject, but I do know the frustrations a person experiences when he/she wants to do everything correctly, but correctness isn't spelled out to the point a person could follow.

Judy Cooper, Manager
Administrative Law Division
West Virginia Secretary of State's Office
1900 Kanawha Boulevard E
Building 1, Suite 157K
Charleston, WV 25305
304-558-6000
Fax: 304-558-0900
www.wvsos.com

Martin, Jodee

From: rlevans rlevans <rlevans@lightlynx.net>
Sent: Tuesday, July 08, 2014 10:35 PM
To: Martin, Jodee
Subject: Dangerous Wild Animals List

I want to complain strongly about the very existence of this entire act, but barring that, the very least to complain about the ridiculous inclusion of common pets among the list of dangerous, exotic animals.

I was completely surprised to see on the list such common animals as:
toads, salamanders, clawed and tree frogs, turtles, hedgehogs, sugar gliders, and all types of rodents besides golden hamsters, and domestic rats, mice and guinea pigs.
What about all the other types of hamsters besides golden? What about gerbils? I was most shocked by the inclusion of rabbits and hares. Something so common and ordinary as a pet rabbit?! More clarification is needed to inform the public as to what pets are and are not on this list.
This act goes far beyond what is necessary to protect us from wild and dangerous animals.
In my opinion, if you can go to almost any pet store and find an animal, it shouldn't be on this list.
Having no law, would be better than having a bad law such as this one.

Sincerely, Richard Evans, Varney, WV.

Martin, Jodee

From: Kristen Adkins <samloveskristen@gmail.com>
Sent: Tuesday, July 08, 2014 9:49 PM
To: Martin, Jodee
Cc: Jaime Ward; Angela Rakes; Kristen Adkins; Jessica Farrish; Amanda Hendrick Keffer
Subject: Bengals, Sheep, Frogs: OH MY.....

Why are these animals - common house pets or farm animals - on a list entitled "Dangerous & Wild"?

I own a Bengal and he is sweet, kind, and gentle. He's never even clawed at any of my children. He cost A LOT of money as well. For me to pay a $100 each year to keep him, sounds like a money making scheme!

I want it to be known that my family opposes this nonsense! What can I do to change it?

Thank you,
Kristen Adkins

--
Kristen loves Sam!!

Martin, Jodee

From: ctniab@aol.com
Sent: Tuesday, July 08, 2014 6:37 PM
To: Martin, Jodee
Subject: Proposed List of Dangerous Wild Animals

July 8, 2014

Jodee Martin – Commissioner
West Virginia Dept. of Agriculture
1900 Kanawha Blvd. E
Charleston, WV 25305

Dear Ms. Martin

First off please let me say, please remove the Hybrid Cats and their non domestic parents from the proposed list regarding the Dangerous Wild Animals Rule pending in West Virginia. This would include but not limited to the Serval and Savannah, the Jungle Cat and Chaussie and other mentioned cat breeds.

For every negative statement there are for these breeds there are several good statements that replaces them. Unfortunately people tend to dwell on the negative aspects instead of the positive ones when it comes to anything in their life. Maybe that is what we are programmed to do – a good example - when you are watching the news – it's always everything bad. I am asking you please to be the exception to the rule.

I own a F3 Savannah and a F2 Jungle Cat Hybrid (Chaussie). I have owned many cats in my lifetime, and these two are by the far most ultimate loving cat(s) I have ever had the privilege to own. These are not just my pets – they are my kids, my family – they are everything to me. After reading the proposed list I didn't know whether to get mad or cry. This is such an injustice to the breeds and the people that own and breed them. People have a tendency to stereotype everything. Well if this one did that – all of them will – this is the farthest thing from the truth. Have you ever watched the TV Show – Cats from Hell? There are more domesticated cats that are more dangerous than these mentioned breeds. There are more domesticated dogs that are more dangerous than these mentioned breeds. These mentioned breeds – are not dangerous wild animals, they are actually just very intelligent animals. I have heard many absurd statements that they will attack people, will eat our dogs and etc.; these statements are from people that obviously have no idea of what they are talking about.

My intent for this letter was to keep my personal feelings out of it, but I realize that when you are talking about your family – that isn't always easy to do. Please do not let other groups/people's negativity influence your decision especially when this proposed list creates undue stress and worry for people that actually own these pets, sleep with these pets, play with these pets – do everything possible with these pets – please listen to us and remove them from the proposed list.

The people supporting these cats/breeds have come together to help undue a pending injustice. I can testify personally and many others as well, that these are our family members, who deserve to continue to survive without restrictions and rules. They bring so much happiness to their owners, our elderly, and our children – everyone who has the pleasure to experience these wonderful animals. People save their money to be able to buy these breeds, which means the majority of people take responsibility for these breeds. There are very few of these breeds that are relinquished to shelters and the so called Big Cat Rescues (which have their own controversies and agendas) because there are so many people, who love these breeds that would take care of them in a heartbeat.

Please look at this video just to get a glimpse of what would be taken away by such an unfair proposed list.
http://www.youtube.com/watch?v=sayvhB-FquM&sns=em

This video is just a few out of thousands of photos of just the Savannahs, it doesn't even give you a glimpse of the love shown by the non domestic parents such as the Servals, Jungle Cats, Bengals and etc. All of the hybrids and non domestic parents deserve to thrive.

Please open your mind and heart and do what's right.

Thank you

Lori Theobald

Martin, Jodee

From: Susan Boechringer <susansworldofpets01@yahoo.com>
Sent: Tuesday, July 08, 2014 2:40 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Susan Boechringer
Box 355 ,RR2
Lewisburg, WV 24901

July 8, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Susan Boechringer

Martin, Jodee

From: Gillispie, Sandi
Sent: Tuesday, July 08, 2014 2:51 PM
To: Martin, Jodee
Subject: FW: DANGEROUS WILD ANIMALS ACT

Sandra Gillispie, CPA
CFO/Director Administrative Services
(304) 558-5416
sgillispie@wvda.us

From: BJ-Kate Adkins [mailto:info_eden125@ymail.com]
Sent: Tuesday, July 08, 2014 11:46 AM
To: Gillispie, Sandi
Subject: DANGEROUS WILD ANIMALS ACT

Hi. I e-mailed Jodee Martin with this question but have yet to receive a reply. Several rabbit breeders who keep rabbits for meat production are concerned about the proposed list. Does this list include domesticated rabbits? It list lagomorpha, all species prohibited. Please clarify. Thank you.
Kate

Let's preserve the wonderful things God has made! Genesis 1:25

Martin, Jodee

From: cheyenne sanders <cheyennesummersanders@gmail.com>
Sent: Tuesday, July 08, 2014 1:44 PM
To: Martin, Jodee
Subject: Public Comment

My name is Cheyenne Sanders, and I am a 17 year old resident of WV concerned about the ban. I have extreme anxiety, to the point that it is disabling. My animals are my life, I have a collection of small mammals that will be banned according to your standards making them dangerous? My animals comfort me when nothing is right in the world. If they are not hurting me in fact they help me, how could you make a claim that they will hurt everyone else? Living on a limited income there is no way we could pay the yearly fee or carry any type of insurance. So basically my animals will just have to be discarded like trash? after all they have done to make me smile. I oppose HB4393 and so should you!

Thank You,
Cheyenne S. Sanders
1002 Eastwood drive lot 1
Fairmont WV, 26554

Martin, Jodee

From: Paige H <paige511@gmail.com>
Sent: Tuesday, July 08, 2014 1:07 PM
To: Martin, Jodee
Subject: Comment on Dangerous Wild Animals rule

Jodee Martin
West Virginia Department of Agriculture
1900 Kanawha Blvd. E.
Charleston, WV 25305
304-558-3550

Dear Ms. Martin;

In my role as Legislative Coordinator for the Mid Atlantic Region, which includes West Virginia, of The International Cat Association (TICA), I am writing in opposition to the proposed list regarding the Dangerous Wild Animals Rule, pending in West Virginia.

The International Cat Association (TICA) established in 1979, is the largest genetic domestic cat registry in the world. TICA's emphasis on actual genetics makes it the leader in establishing procedures for documentation and development of new genetic combinations/ breeds of cats.

This rule proposes a total ban on certain exotic animals, including hybrids thereof. It is overbroad and will ban several extraordinarily popular breeds of cats that are hybrids of domestic and non-domestic species.

The International Cat Association (TICA), the largest genetic registry of cats in the world, recognizes several hybrid-derived breeds. The Bengal (a hybrid of the Asian Leopard Cat (*Prionailurus bengalensis)* and domestic cats) is the **most** exhibited breed in TICA, comprising about 1/3 of all entries to cat shows in any given year. There is also the Savannah (a hybrid of Servals (*Leptailurus serval)*), the Chausie (a hybrid of the Jungle cat (F*elis chaus*), and the Safari (a hybrid of Geoffroy's Cats (*Leopardus geoffroyi*)). Because this bill bans ALL hybrids, there is no distinction from an individual that has a banned parent, and those whose closest non-domestic ancestor is a dozen generations back.

As a responsible owner of TICA registered cats, I take great care to ensure my pets are housed and cared for properly. Most importantly, my pets are beloved members of my family. I believe all RESPONSIBLE pet owners in West Virginia should be allowed to keep their pets as they have done successfully for many years without incident. In addition, they should be able to continue to add these pets as well as breed these domestic cats.

I strongly request the West Virginia Department of Agriculture specifically reword the list from the current:

Carnivora (carnivores) All species prohibited except domestic dogs
(Canis familiaris) and domestic cats (Felis catus). Hybrid crosses

To the following:
Carnivora (carnivores) All species prohibited <u>except</u> domestic dogs (Canis familiaris) and domestic cats (Felis catus or Felis domesticus) and hybrids thereof

There is strong precedent for recognition of the Bengal, Safari, Chausie and Savannah cat breeds as domestic cats. The United States Department of Agriculture (USDA) states in pertinent part:

Hybrid Cross
A hybrid cross is an animal resulting from the crossbreeding of two different species or types of animal. Examples of crosses and the resulting type of animal include:
< crosses between domestic animals are considered domestic, e.g., a poodle-cocker spaniel cross
< crosses between wild animals are considered wild, e.g., a wolf-coyote cross
< crosses between exotic animals are considered exotic, e.g., a lion-tiger cross
< crosses between wild and domestic animals are considered domestic, e.g., a wolf-dog cross
< crosses between exotic and domestic animals are considered domestic, e.g., a zebra-donkey cross

(http://www.aphis.usda.gov/animal_welfare/downloads/manuals/dealer/exemptions.pdf)

In addition, here is a wonderful video depicting exactly how domestic the savannah cat really is: http://youtu.be/sayvhB-FquM

Thank you for consideration of this request.

Sincerely,
Paige Hiemier

Paige Hiemier
Legislative coordinator, TICA Mid Atlantic Region
The International Cat Association

Martin, Jodee

From: WILLIAMS, JENNIFER A MSgt USAF AETC 338 TRS/VECA <jennifer.williams.46@us.af.mil>
Sent: Monday, July 07, 2014 5:01 PM
To: Martin, Jodee
Subject: Dangerous Wild Animals Act, House Bill 4393

ATTN: Jodee Martin / WV Dept of Agriculture
From: Jennifer A Williams / Mississippi ARBA Member

I am writing to you as a member of the American Rabbit Breeders Association (ARBA) and a future citizen of the state of West Virginia. My husband is currently a citizen of the state of West Virginia. We are both active duty military planning to retire there.

Currently you are requesting feedback in regards to the Dangerous Wild Animals Act, House Bill 4393. I have some serious concerns about the verbiage of this act. The way it is currently written, many common pets will be treated as dangerous animals. Are you aware that rabbits will fall under the same regulations as tigers? All species of lagomorphs (rabbits and hares) are included. As someone that is concerned about the welfare of animals, I am deeply disturbed by this.

I raise rabbits humanely, with no antibiotics or hormones for both personal consumption and show. I am currently working on improving the rarest breed of rabbit in the United States (according to the Livestock Conservancy), the Blanc De Hotot. I also have Grand Champion Rex rabbits. As written, the law will require me to pay $100 per rabbit per year. I currently have 50 rabbits in my rabbitry. Bettering a breed takes generations and a great deal of space and rabbits. I hope to one day have room and money for a set up that allows me to humanely raise even more rabbits. You can see where I may reconsider retiring to West Virginia.

ARBA is our national organization that governs its members/rabbit breeders to a higher level. There is a Standard of Perfection set by ARBA that breeders rely on for their specific breed. Pedigrees are placed on those animals to be shown and/or bred. Years and years of guarded genetics are flowing through the blood of these animals.

The proposed $100 fee per animal would be cost prohibitive for breeders to operate in your state. The family outing of going to rabbit shows would be lost, as well as the knowledge that would be passed on to their children. Without their rabbits, scholarships through ARBA, local clubs and 4-H would no longer be available to their children either.

There is a stipulation for "alternative livestock." However, there is no other mention of alternative livestock in the code mentioned or any other WV Code. This particular exemption is meaningless without a definition. If rabbits are excluded as livestock, there is no reason to include them as "dangerous" animals at all.

Additionally, I can see absolutely no reason for the domestic rabbit (Oryctolagus cuniculus) to be classified as dangerous. The closest I can come to guessing is the common misconception that domestic rabbits can breed with the wild population. Wild rabbits in the US come from 3 different genera. Each of these is chromosomally incompatible with Oryctolagus cuniculus. Oryctolagus cuniculus originated in Europe. The misconception started with populations of domestic rabbits in Europe were able to breed with the wild rabbits of the same species.

Many breeders in West Virginia have already expressed an interest in moving to another more rabbit friendly state. Should other states incorporate this law, where would any of us go?

I strongly encourage the West Virginia Department of Agriculture to rethink their position of having rabbits on the Dangerous Wild Animals Act, House Bill 4393. It simply doesn't make sense for the rabbit and certainly not for the citizens of your state.

Respectfully yours,
Jennifer Anne Williams, MSgt, US Air Force

Martin, Jodee

From: Ashley Bolles <ashbo7181@gmail.com>
Sent: Thursday, July 03, 2014 1:41 AM
To: Martin, Jodee
Subject: Savannahs & Hybrids

To whom it may concern,

I wanted to take a moment to write to you about the possibility that Savannah cats, along with other hybrids may be banned in WV. The same ban is being proposed to Florida and California as well. While I am not a resident of any of these states at the moment, my husband is military & it is a real possibility that we may be stationed in any one of these states. Our back up plan, if stationed in a no hybrid state was to have my MIL keep him until we get back into a safe place for him. But, she lives in Florida, so if the ban is passed there we'll have to come up with an alternate plan.

My family & I have a two and a half year old, F4 Savannah named Kovu. We did extensive research on two years about the breed. We wanted to be 1000% prepared that this was the right decision to make for the animal and for our family.

The second I saw Kovu's little face I was in love. I knew he was the one. He has been nothing but joy in our lives from day one. We love him like a member of our family. What prompted my husband to finally say yes to getting a cat was the fact that I had endometriosis and would not be able to have more children. Due to excruciating pain, I ended up needing a hysterectomy at the age of 25. Surprisingly, Kovu has been an amazing therapeutic cat. Prior to my surgery, on days that were unbearably painful, Kovu would lay in bed next to me, purring away. He knew I was in pain, and all he wanted to do was be my companion.

Our seven year old son, Elijah, has ADHD & severe anxiety issues. Kovu has been a great therapeutic source for him as well. If we had to go to a place where Savannahs are illegal, I think it would be detrimental to all the progress we've made with Elijah. He insists on calling Kovu his "fur brother". Kovu sleeps in Elijah's bed every night & is often by the door waiting for him when he comes home from school. He is very careful not to use his claws when playing, especially with Elijah.

There are a lot of bad things associated with hybrid cats. I can tell you first hand, they are usually false. The bad potty habits, the "wild" being too strong, that they are "dangerous", that they are not good pets.. none of that is true for Kovu or for the hundreds of others that I know that own and breed Savannahs and/or Bengals. Another myth is that they don't get along with other animals. We fostered a 2 year old domestic short hair, named Sarabi, last summer & she & Kovu were best friends.

In my honest opinion, its all in the way they are raised. There is NOTHING that Kovu would do that would make me want to give him up. If there were a problem of any sort I'd do whatever we could to fix it. What ever training, vet costs, ect. Its worth it.

Sadly some of these amazing cats fall victim to irresponsible owners and breeders. I just don't think a "ban" is the way to go. I think making it a law that all pets (hybrid or not) should HAVE to be spayed or neutered. That should someone want to breed, they need to get a special licence, and that they have to make sure that the buyer knows 1000% what they are getting into with the breed. And contracts. Contracts are a must! We signed one with Kovu's breeder, that if we should not be able to keep him for whatever reason, that we would notify them first and they would buy him back. There are also other things in the contract such as if he is outside it must be in an inclosure or with a harness and leash. He must get vet check ups twice a year. He must be neutered within the first year. We would have to pay a fee if we bred him (he's an f4 & infertile, but we neutered him anyway). We also cannot declaw him. He must be kept on a high quality diet.

Nutrition is very important to me anyway, so even if it weren't in the contract he'd still be getting spoiled rotten with foods that most people would refuse to pay that much for. ;)

So, before you make a ban that could potentially make families lose their furry family remembers, just remember that the majority are not "wild", they are not bad, they are not dangerous. That maybe the issue doesn't lie with the breed, but with the wrong people getting ahold of them & the wrong people breeding them. Dont' make the good ones suffer because of the select few bad apples.

I'm going to leave you with photos of Elijah, my husband, myself, and Kovu. I could go on forever and share thousands of pictures with you, but I think this letter is long enough & hopefully I got my point across.

Have a good day & thank you for your time.

Ashley
Proud Savannah cat owner :)

Martin, Jodee

From: BJ-Kate Adkins <info_eden125@ymail.com>
Sent: Monday, July 07, 2014 2:41 PM
To: Martin, Jodee
Subject: PROPOSED RULE FILED FOR DANGEROUS WILD ANIMALS ACT

Ms. Martin,
I have a question about the proposed rule. Is the lagomorpha on the list is referring to wild rabbits only, not domesticated? It's causing a lot of confusion among rabbit breeders. If it doesn't apply to domesticated rabbits, they need to be listed, as are the domesticated dogs, cats, cavies, etc. If it does apply to domesticated rabbits, my comment is that it's ludicrous. Domesticated rabbits bred for meat are a source of income and sustainability. Rabbit meat is the most nutritious and economically produced meat one can produce.

Please explain this section of the rule. Thank you.
Kate

Martin, Jodee

From: Kevin S.Moss <ksm91002@yahoo.com>
Sent: Sunday, July 06, 2014 9:20 AM
To: Martin, Jodee
Subject: Animal Ban

I have owned fish for over 38 of my 51 years,it would be a tragedy to ban the fish I've seen on the list.Please reconsider the fish you have on this list,all it's going to do is cause more problems.The fish I own are harmless and would die quickly if released into the wild.Thank You.

Sent from Kevin S.Moss
Cell:304-437-2193

Martin, Jodee

From: Luke Williams <blueinc27@gmail.com>
Sent: Sunday, July 06, 2014 4:09 AM
To: Martin, Jodee
Subject: Wild and Dangerous Animals

Hello, my name is Luke Williams. I am a West Virginia voter living in Huntington.

The recently released proposed list of wild and dangerous animals contains bans on some of the most commonly kept animals on the market. I personally keep a ferret (Mustela putorius furo), which is part of the order Carnivora, all of which save dogs and cats are prohibited under the current draft. These animals have been domesticated for thousands of years and are less dangerous even than a house cat.

Additionally, as a former heptology enthusiast, it pains me to see all turtles, frogs, toads, and salamanders labelled as wild and dangerous animals. At the very least, reptiles and amphibians common in the pet trade such as red-eared sliders (Trachemys scripta elegans) and pacman frogs (genus Ceratophrys) that pose no threat to mankind and are regularly bred in captivity (and thus, mankind poses no threat to them) should be removed from the list.

Thank you for your time,
Luke
304-807-7800

Martin, Jodee

From: Sandra Cooper <sandymorganandrew@yahoo.com>
Sent: Monday, July 07, 2014 3:21 PM
To: Martin, Jodee
Subject: Dangerous Wild Animal Rule #30

I am writing to say I am concerned about the proposed Rule #30 concerning Dangerous Wild Animals.

My main concern is that if this passes (as written), people who currently own these animals may decide to just "let them go" instead of applying for a $100 permit which would be very detrimental to our neighborhoods and environment. Also, if a person owns an animal on this list and does not apply for a permit, who will know? For instance, someone has a sugar glider and does not apply for the permit. Who would know?

I know several people who currently own animals on this list and are very responsible pet owners. I understand the dangers of some of these animals (but not all). For example, I'm not sure why "all species" of turtles are prohibited and "all species" of rabbits & hares prohibited. Some of these animals are native to West Virginia and can teach the people and children of the State about the wonderful things we have here and how to be responsible pet owners.

Thank you for your time.

Sandy Cooper
304-561-8885

1153 Brook Road
South Charleston, WV 25309

Martin, Jodee

From: Tom Curry <currytommy36@yahoo.com>
Sent: Wednesday, July 02, 2014 12:09 PM
To: Martin, Jodee

Hey I seen the post about the whole animals thing and pet stores and even pet owners are at risk well gotta tell you I own more than 1 of those animals our house our land they bother nobody and a heads up NOONE is coming on MY land and touching any of these animals if they do well to put it this way by the time I get done I will own more than 6 acres

Martin, Jodee

From: Billy Comer <billythehusker@gmail.com>
Sent: Monday, July 07, 2014 2:06 PM
To: Martin, Jodee
Subject: Dangerous Wild Animals Act

I respect what is being done here but I have one concern. I have a 15 year old Quaker Parakeet or Monk Parakeet....there is no need for this bird to be on this list. People let their dogs and cats run wild in this state....as evidenced by the numerous amounts of these poor creatures getting killed on our roads.

Bird owners do not let their birds fly freely and you never see where a bird has attacked a child playing in the streets like you do with some of the dog breeds.

Please remove the Quaker from this list. Unlike other states the Quaker does not live in the wild of cities in WV where it could be a nuisance and cause issues.

Thank you.

Martin, Jodee

From: Martin, Jodee
Sent: Monday, July 07, 2014 10:12 AM
To: 'WV USARC'
Subject: RE: Proposed Regulation re Dangerous Wild Animal Act

Yes, you may send your comments via my email address below. Thank you.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

From: WV USARC [mailto:wvusarc@gmail.com]
Sent: Thursday, July 03, 2014 9:59 AM
To: Martin, Jodee
Subject: Proposed Regulation re Dangerous Wild Animal Act

Can you please confirm that you will be accepting official comments on the proposed rule via your email address?
Thank you

Martin, Jodee

From: WV USARC <wvusarc@gmail.com>
Sent: Thursday, July 03, 2014 9:59 AM
To: Martin, Jodee
Subject: Proposed Regulation re Dangerous Wild Animal Act

Can you please confirm that you will be accepting official comments on the proposed rule via your email address?
Thank you

Martin, Jodee

From: mel b <darkmagicstars@yahoo.com>
Sent: Friday, July 04, 2014 2:08 PM
To: Martin, Jodee
Subject: dangerous animal bill

dear sir or madam
this is just really insane...honestly how do hamsters and guinea pigs pose a threat? that's like saying cats and dogs should be banned because they can possibly bite someone. and to include livestock what are you thinking? your only hurting the farmers of this fine state and i personally think they already pay enough!!! somethings i can agree with like the snakes those pose a threat to the eco system in this area when they get loose or people just turn them loose.. you all need to go back in and revise this if you plan to even try to pass it because its not only going to hurt the economy and alot of businesses and people, not to mention a lot of people will move out of this state myself included. some of the stuff you have on there poses no threat at all fish really? now Asian carp is one thing but a tetra??? honestly? someone forgot to use their brain the day they put this together... and can you explain exactly to me how livestock which provide us with food is a threat and dangerous? out side of a it being a animal and animals of any sort can be dangerous including cats and dogs, heck while you are at it might as well ban any form of pets in the state which seems what your trying to do here so you might as well add cats and dogs to the list while your at it.in actuality we pose more of a threat to the live stock than they do to us. and parakeets? i had parakeets growing up they are no threat at all. now the quakers can be somewhat ill tempered at times but are no real threat.. i can understand trying to pass a dangerous animal bill but alot of the stuff on there is widely considered not dangerous!!! and i noticed you only had constrictors on the snake list.. what about people that keep poisons snakes and spiders as a pet? you seemed to have missed those and those really are dangerous!!!! do not pass this bill!!!

Martin, Jodee

From: Samuel Oelschlager <esso38@me.com>
Sent: Friday, July 04, 2014 3:27 PM
To: Martin, Jodee
Subject: wild animal list

Pleeeze do not let this become another bill "picked to death" by stupidity!! The bill clearly states DANGEROUS animals! WV needs this bill!!! Having worked in animal rescue and control for many years, keeping dangerous exotics as pets is bad news for both the animals, and those who deal with them! We have no problem banning native wildlife as pets..Let's do the smart thing, for a change and protect the folks in this state.. I doubt that an alpaca or hamster will ever be a threat, but having a leopard or bear as a neighbor is not an asset to the community. Take a lesson from Florida, owners have released dangerous reptiles that have become a problem, and have over run the Everglades, becoming a threat to native species. Can WV become the model for a common sense on this list or another political band aid to try to please everyone??
Priscilla Oelschlager. .....Marshall County

Martin, Jodee

From: beth standish <bstan95@hotmail.com>
Sent: Friday, July 04, 2014 7:57 PM
To: Martin, Jodee
Subject: Sugar Gliders

Please do not ban Sugar Gliders. They make wonderful pets. They are sweet and cuddly and make people smile.
Thank you for your consideration in this matter.

Sent from Windows Mail

Martin, Jodee

From: Robert Carroll <rmcarroll1@gmail.com>
Sent: Friday, July 04, 2014 8:08 PM
To: Martin, Jodee
Subject: Sugar gliders

Please remove sugar gliders from the dangerous animals list.

Sent from my iPhone

Martin, Jodee

From: RODGER CHANNELL <rwckdc@dishmail.net>
Sent: Thursday, July 03, 2014 7:02 PM
To: Martin, Jodee
Subject: 60-31

I agree some animals should not be kept. but when you start including farm animals and birds and tropical fish you are going to far and will get no support from the public. Rodger Channell rwckdc@dishmail.net it would also be nice to go to the dept. of ag web site and be to read the proposal

Martin, Jodee

From: ocean.tina <ocean.tina@aol.com>
Sent: Thursday, July 03, 2014 8:07 PM
To: Martin, Jodee
Subject: Dangerous Animal Ban

I believe that sugar gliders should be removed from the ban. Gliders are not a harm to people or to wild life.Gliders are unable to survive in cold temperatures therefore they are unable to live in the wild here due to the unpredictable weather in the fall and winter.It would also be hard for them to survive in the wild do to the storms we have.If they fell from a tree into water there is a high likelihood that they would drown due to their fur retaining water.

Gliders are basically a fruit, vegetables, and worms mammal. They also eat moths, and other small creatures like crickets.They typically won't eat other wild life unless their food supply has diminished.

Sugar gliders are not a harm to people. The only thing they can do is bite you which before they bite they crab which is a defense they have which tells you to back off. Sugar gliders also do not carry diseases like most common pets.That is why sugar gliders don't require vaccinations.

Thank you for your time

Sent from Samsung Mobile

Martin, Jodee

From: Michael Cleveland <mcleve41@msn.com>
Sent: Thursday, July 03, 2014 6:22 PM
To: Helmick, Walt; Gillispie, Sandi; Plumley, Jewell; Antolini, Butch; Southern, Beth; Davidson, Buddy; Ferro, Chris; Teets, Mike; Tabb, Bob; Adkins, Jonathan; Smith, Jean; Pitts, Robert; Ewing, Eric; Johnson, Herma; Martin, Jodee
Cc: Michael Cleveland
Subject: Board of Dangerous and Wild Animals - Proposed Rule

To whom it may concern:

While I applaud your intention of averting incidents of human injury and/or death caused by "dangerous" animals as well as preventing the environmental costs associated with the escape of non-native/invasive species by introducing strict legislation regarding the keeping and selling of such animals, the list put forward by the Board of Dangerous and Wild Animals is far too broad and restrictive.

It makes sense to ensure nobody is needlessly attacked by a lion on their walk around the park, and to avoid rivers being hopelessly overrun by snakeheads like what's happened in the Potomac in Maryland/Virginia. Adding crocodilians to the list? Great move. The various large mammals included all make excellent sense. Most of the birds? Great. They can be massively invasive and outcompete native species for nesting cavities. However, there are many species/families/orders included in the list that have no business being there.

Here is a list of some of the most glaring oversights along with some information describing why they should not be listed.

Amphibians

You've chosen to restrict the ownership of ALL salamander species. I have to assume that this is to avoid escaped non-native species becoming invasive and/or altering the genetics of native populations through interbreeding. The only species in the pet trade that could possibly pose a risk here would be the western tiger salamander. Their breeding biology alone, coupled with the countless hundreds of thousands that would have to be released in order for them to ever present an environmental concern should preclude them from this list. While ownership/collection of all native species of salamander is already covered by existing state law, this new list will impact both amphibian hobbyists/collectors, as well as pet retailers throughout the state.

A similar issue is your addition of the entire family *Hylidae* (which is carelessly misspelled in the official documentation). Again, ownership/collection of any species is already covered by existing state law. Tree frogs available and popular in the pet trade are nearly all tropical/subtropical species that could never thrive in any of the various climates of our state. Those that can handle the temperature, being tree frogs, have extremely specific breeding behaviors and habitat requirements and will never pose a risk to any native flora/fauna if by some remote chance they were released into the wild in overwhelming numbers.

The family *Bufonidae*, which includes toads, has made the list. I have to assume this is to ensure we don't turn out like Australia and have an uncontrollable population of *Bufo marinus* on our hands. Marine (or cane) toads are not a popular species among hobbyists, and again, wouldn't survive our climate. Other species that ARE popular in the hobby, such as bumblebee toads, are also tropical species and would not endure our winters.

The family *Pipidae* (again misspelled Pipidate) comprises a number of popular aquarium frogs. The clawed frogs, dwarf frogs, and Surinam toad. All species require far warmer climates than those of our state. Completely harmless in captivity, unable to survive in the wild. I must ask, why would these even be included?

and west nile virus. While it is true that they can become invasive because of their adaptability and breeding behavior, they have never been proven to have any impact on the native fisheries of our area. I worked closely with the Western Region Fisheries Department of the MD DNR for a few years and I can never remember having a conversation about how important it was to try to get a handle on a massive outbreak of mosquito fish.

Weather / Dojo loaches were included. They ARE a cool/cold water fish, so it is a fish that could easily live in our water bodies. They are small, have a very small mouth, and are mostly detritivores. Useless to be on the list.

Like I said, there are plenty of things that make sense. The various invasive snails and bivalves, most of the mammals, birds, invasive crayfish etc. I think those were great calls, and applaud your concern with the environment and the protection of our native wildlife. I am very concerned however with how far-reaching and comprehensive this list is when it comes to some of the items listed above. Not only will it affect hundreds of thousands of responsible hobbyists in the state, but it will also affect the financial livelihood of mom n' pop pet stores.

This is all coming from a reptile and aquarium hobbyist. I do own snakes and lizards, none of which would be affected by this list. I owned a snakehead about 13 years ago, before that giant problem became a reality. Mine lived a long life and died, never being released into the wild. I have multiple fresh and saltwater aquariums. As it stands, in one of my 55 gallon tanks alone, I have 50 tetras. I would be required to pay $100 per year, per animal in accordance with the law. That's $5,000 per year for having a school of fish that are smaller than a nickel that could never live in the wild anywhere in the country except for Florida and maybe the Southwest.

I work at PetCo. We currently have in stock 250 neon tetras, 150 glo-lights, around 100 glo-fish, a few dozen phantoms, a few dozen skirt tetras, serpaes, Columbian red and blues, Buenos aires tetras, congo tetras, banded pencilfish, red-eye tetras, blind cave tetras, silver dollars, red hook silver dollars, banded leporinus ets. We sell THOUSANDS of dollars worth of these fish WEEKLY. We go through about 200 neon tetras per week at $2.49 a piece. If we couldn't sell them anymore, who cares, we still make $5,000,000 per year. But what about small, local stores whose money is entirely tied up in the livestock they have on hand. They would be screwed!!

Thank you for your deep consideration of the facts presented to you,

Mike Cleveland
mcleve41@msn.com
301-639-6074
Morgantown, WV

Martin, Jodee

From: Janie Shaver <mimishaver@ymail.com>
Sent: Thursday, July 03, 2014 5:53 PM
To: Martin, Jodee
Subject: Bengal cat not dangerous
Attachments: image.jpeg; ATT00001.txt

Jodee

My daughter owns a bengal cat it is a kitty cat

I don't know who told the department of agriculture that a bengal cat is dangerous

It is no more dangerous than a Persian cat Siamese cat or calico cat

Here is a picture of my daughters cat

Martin, Jodee

From: Brandy Boehke <bboehke@gmail.com>
Sent: Thursday, July 03, 2014 3:50 PM
To: Martin, Jodee
Subject: Dangerous Wild Animal Rule

I am Simon Boehke from Clarksburg WV. I'm nine years old, and I want to be a Herpetologist.

I understand you made a list of dangerous wild animals. Most of the animals you have listed dangerous do not make that much sense to me. I agree that constrictors are dangerous, and I do not agree with you when you say all species of turtle are dangerous. To me the only two turtles in the world that are dangerous are the Snapping Turtle and Alligator Snapping Turtle. Turtles do carry disease but that can be prevented by washing your hands after handling a turtle, which is a good idea after handling any animal.

I do not agree that salamanders are dangerous. They all have the potential to bite but, that does not mean they are truly dangerous. The only salamander I know that bites is the Mudpuppy. Salamanders make a poison, like every other amphibian (when feels threatened). You can prevent getting sick by, like I said, by washing your hands after handling a salamander.

All animals have the potential to be dangerous. You can lower the risk of being badly injured by using some common sense. For example, if you see a highly venomous snake, stay away from it, if you see an animal that looks aggressive, do not wave you hand in it's face, unless you know it is harmless.

That's all I have to say.
Sincerely,

Simon

Martin, Jodee

From: brittellis80@yahoo.com
Sent: Thursday, July 03, 2014 3:39 PM
To: Martin, Jodee
Subject: wild animal list

Sugar gliders should not be on your list. I have seen so many kids families have them as pets. The kids love them and have learned a lot from having them. You will be breaking a lot of kids hearts doing this. It would be like saying no cats or dogs. I have never seen a sugar glider act crazy. Many have even made babies. I think this will be cruel. Thank u.

Sent from Yahoo Mail on Android

Martin, Jodee

From: Caity See <caitysee@gmail.com>
Sent: Thursday, July 03, 2014 3:28 PM
To: Martin, Jodee
Subject: Dangerous Wild Animal Rule

Good Afternoon,

I hope that this is an acceptable way to submit my comments on this rule, submission was a bit vague where I found the contact information.

I do understand that a rule of this nature is necessary, however I am opposed to some of the proposed banned species. Particularly the following:

Diprotodonita (Sugar Gliders)
Erinaceomorphia (African Pygmy Hedgehogs)
Felis Catus (Hybrid crosses)
Lagoporphia (Hares)

While some of the wording is non descriptive , and it could be a non issue such as with Hares. it worries me that these animals which are common pets are on the list. I understand the potential issue of hybrid cats. At a glance the possibilities of different hybrids seems dangerous, but the reality is that most hybrid cats from reputable breeders are harmless and good pets.

I do not feel that it is the state's best interest to have these animals banned.

Thank you for your time in this matter,

Caity See

Martin, Jodee

From: Michael Boehke <boehkemj@ab.edu>
Sent: Thursday, July 03, 2014 2:37 PM
To: Martin, Jodee
Subject: Dangerous Wild Animal Rule

Dear WV Representatives,

I am writing today to express my concern regarding the proposed list of Dangerous Wild Animals.

My greatest concern about this list comes in the form of a decrease in excitement for education. My son is 9 years old and inspires to be a herpetologist, someone who studies reptiles and amphibians. We often find small reptiles and amphibians in our community that he will catch. He will then research via the internet to learn about the animal's diet, habitat, disposition, etc. Next we create a habitat that allows him to observe the animal. After a brief observation period we return the animal back to where we found it.

His excitement for herpetology and the research he has completed has given him a great wealth of knowledge regarding various species in WV. Furthermore, he has learned that there are dates when one can and can not catch certain animals (such as turtles) and that turtles can be housed for 30 days before it needs to be released. My fear is that this ruling will cause him to not be able to observe animal behaviors.

Finally, I think the term "Dangerous" needs to be addressed. I understand the danger of possessing a primate, but where is the danger in possessing sugar gliders, salamanders, or a number of other animals listed. If it is that they can carry salmonella then I think the DNR should focus not on banning the possession of the animals but on proper handling and hygiene associated with the animal.

Thank you for your time.

Michael Boehke
Voter and resident of Harrison County

--

Michael Boehke, ABD, ATC
Chair, School of Athletic Training
Associate Professor of Athletic Training
Alderson Broaddus University
101 College Hill Drive
Philippi, WV 26416

Martin, Jodee

From:	Christina Hannigan <chaeriste@yahoo.com>
Sent:	Thursday, July 03, 2014 3:23 PM
To:	Martin, Jodee; Frances Price
Subject:	Proposed Dangerous animal list for WV
Attachments:	Lunabelle.jpg; Fergus Tube.jpg; Petunia.jpg; Iowa.jpg; Tumbleweed_0026.jpg

Good afternoon.

While I do not reside in your state, I feel compelled to comment on the proposed dangerous animal list filed by the West Virginia legislature on July 2, 2014.

So many of the animals on that list are not dangerous. I am addressing, specifically, African Pygmy Hedgehogs.
APH are not indigenous to the US. They are bred here as pets and cannot survive in the 'wild'. They have very specific temperature needs. They are wonderful pets. I am a Hedgehog Welfare Society approved rescue station in Chicago, IL and just since the beginning of 2014 I have rescued and re-homed four hedgehogs.

Please take a close look at the list you are about to pass, as this will negatively and heartbreakingly impact so many guardians of pets that have no impact on the flora and fauna of your state.

Look at the faces in the attached pictures. These are hedgehogs that have resided or currently reside in my home: Lunabelle, Fergus, Petunia, Iowa and Tumbleweed.

Do they look dangerous to you?

Please ... please reconsider your actions, for the consequences will be dire.

Thank you for your time and consideration.

Christina M. Hannigan

Martin, Jodee

From: Nathan Herrod <nherrod@m-fproducts.com>
Sent: Thursday, July 03, 2014 12:50 PM
To: Martin, Jodee
Subject: removing Suger gliders from endangered species

if i can buy one in ohio pet store why are we protecting them?
remove them now
nathan herrod 1214 hamill ave clarksburg, wv

Martin, Jodee

From: Heather Hayes <hr_hayes@hotmail.com>
Sent: Thursday, July 03, 2014 1:43 PM
To: Martin, Jodee
Subject: Dangerous animal act

While I understand certain animals being on this list (venomous snakes and bears for example) I do not understand
why it is a problem to own a rabbit hampster or neon tetra. The list I am seeing is found here https://www.facebook.com/photo.php?fbid=10152588809378417&set=p.10152588809378417&type=1&theater and may not be accurate.....BUT I would like to voice my opinion in case it is. Why the heck are cows, sheep, horses, goats, hampsters, mice, rabbits, neon tetras, and such on this list??? This is crazy!! I mean yeah I get it if you own a tiger you SHOULD have to have a special permit so that its housing and such are inspected for publis safety (sturdy enough tiger wont get out) and to make sure the animal is being properly cared for and has enough space and the right food.....but arent tree frogs native to the area??? I would be very interested to see a REAL list of what they are trying to ban. I have looked at the bill and it said the WVDA will create a list INCLUDING BUT NOT LIMITED TO.....and it named some animals.....so are these the only animals they are trying to ban?? The ones in the bill?? Or is there more due to the "not limited to" statement? I appreciate your help.

Heather Hayes

Martin, Jodee

From: Venus Farlow <venusbankhead@yahoo.com>
Sent: Thursday, July 03, 2014 11:25 AM
To: Martin, Jodee
Subject: Legislation to ban animals

I'm not sure who put this list together, but there are animals that should not be here. One can own a zebra but not a toad? This does not make sense. Please review the list of animals and remove the ones that truly are not a threat. Sugar gliders, toads, turtles, salamanders, parakeet???? Honestly, how many deaths are a result of having one of these animals as a pet?

Thank you for your time and attention.
Sincerely,
Venus Farlow

Martin, Jodee

From: Scott Lituchy <slituchy@yahoo.com>
Sent: Thursday, July 03, 2014 11:28 AM
To: Martin, Jodee
Subject: dangerous animals list

Elephants and tigers belong on the dangerous animals list, as do many others.

Harmless little pets, like box turtles, should not be on the list.

Scott Lituchy
200 Maple Ave.
Morgantown, WV 26501

Martin, Jodee

From: Megan Krajewski <krajewskim1@gmail.com>
Sent: Thursday, July 03, 2014 11:58 AM
To: Martin, Jodee
Subject: Banned Animal List

I am in strong opposition to banning sugar gliders and hedgehogs. These are sweet, loving creatures, who cause no harm if they escape. Additionally, captive bred turtles and toads ought not be banned. I firmly agree that these creatures ought not be taken from their natural environments and used as "pets", but placing a ban on captive bred animals and those already in loving homes seems like more of a ploy to tax owners into giving up their animals than anything else. If the committee still feels strongly about these animals, then make those who already own these particular creatures exempt from the law and start the permits and the insurance req. for all new animals purchases. Sugar gliders, especially can become very attached to their owners and having to be removed because a family can't afford the insurance or permit fees is ludicrous. And what will happen to these creatures already in the state if no one wants them anymore because of the legislation? Will hoardes of animals be kept illegally, or sold online to who knows what kind of owners, or surrendered to animal control, or worse yet, be turned out into the wild?? What are 100 sugar gliders or hedgehogs going to do to our ecosystem when released? And you know as well as I do that there are at least that many owned by people stupid enough to release their animals into the wild if this ban is passed. Please think of ALL the angles before you make this decision.

Thank you,
Megan Krajewski
Harrison County, WV

Martin, Jodee

From: Brad Chucci <choocheee1971@gmail.com>
Sent: Thursday, July 03, 2014 11:19 AM
To: Martin, Jodee
Subject: sugar gliders, dangerous animal list

I am sending this email to respectfully ask that you take the sugar gliders off of your dangerous animal list.

Martin, Jodee

From: Eddie <nemi32000@yahoo.com>
Sent: Thursday, July 03, 2014 11:14 AM
To: Martin, Jodee
Subject: Wild Animal Act

I oppose these regulations. Please find another way to stop people from abusing these animals with roadside attractions or from damaging the ecosystem. I know many people who care for their pets as much as someone cares for their children. It isn't fair to punish everyone for a few people who don't care. I feel it's equivalent to banning everyone from driving because some people drink and drive.

Martin, Jodee

From: Shawna Wilson <triplewillys@gmail.com>
Sent: Thursday, July 03, 2014 10:42 AM
To: Martin, Jodee
Subject: Sugar gliders

I am still in shock that this wonder little creature is on the dangerous animal list!!! I know several children who have these adorable animals and they really really should not be on this list!!!!! Crazy!!! So I am putting in my two cents worth!!

Thanks for your time!!!

Shawn Wilson

Sent from my iPhone

Martin, Jodee

From: Brian Powell <bpowell@bitmapped.net>
Sent: Thursday, July 03, 2014 10:46 AM
To: Martin, Jodee
Subject: wild animal list

Ms. Martin,

I urge the Department of Agriculture to remove turtles from its listed of banned wild animals, or in the very least, to significantly narrow the scope of the prohibition to exclude species commonly kept as pets such as box turtles. The original impetus of the legislation banning wild animals was to regulate animals whose release would posed a significant risk to the general public, such as what happened in Zanesville, Ohio. I am hard pressed to think of how a small turtle could pose a similar risk.

Brian M. Powell
3292 University Ave Apt 603, Morgantown, WV 26505
bpowell@bitmapped.net

Martin, Jodee

From: Jenn Culler <jennelfculler@yahoo.com>
Sent: Thursday, July 03, 2014 10:36 AM
To: Martin, Jodee
Subject: Dangerous Wild Anima Rule Comments

July 3, 2014

West Virginia Department of Agriculture
Attn: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

To the Department of Agriculture:

I am writing to request that felines that are a hybrid of a domestic and exotic cat (notably Bengals, Chausies and Savannahs) not be included in the list of dangerous animals on the Dangerous Wild Animal Rule: Title 61 Series 30. The USDA considers them **domestic** and the State of West Virginia should do as well.

These cats are neither large, nor aggressive. TICA (The International Cat Association) uses such words as sociable, good-natured, affectionate and loyal to describe these breeds. They are often displayed at cat shows along with other pure-breed cats such as Maine Coons (who, incidentally, are larger on average than these hybrids), Siamese and American Shorthairs.

While I strongly advocate that large exotic cats such as tigers and lions should not be privately owned, these small house cats are simply very attractive pets and nothing more. Rarely do they exceed 30lbs (and even those over 20 are not terribly common) and they have affable, dog-like personalities that give their human families wonderful interaction (such as playing fetch) and affection. Realistically, I think that the option of having a pet that looks wild, but is well-socialized and exceptionally family-friendly, may even prevent some individuals from trying to own the smaller breeds of exotic cat (such as a caracal or serval).

While I am of the opinion that any of these small hybrid felines should be accepted as a domestic pet, I will point out that on October 1, 2006, the State of Maryland revised its own Wild Animal polices and it allows hybrids provided that they are under 30lbs. The cats are also legal (and unrestricted) in Pennsylvania, Virginia, Ohio and Kentucky.

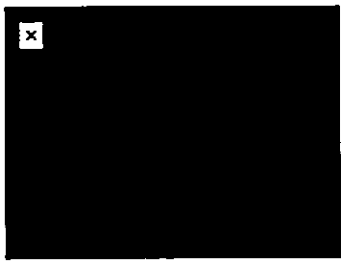
"The Pennsylvania Game Commission has determined that we have no prohibitions on the possession of the Savannah, Bengal, Chausie and Safari and we would consider them domestic
breeds." **http://www.hybridlaw.com/index_test.php?state=PA**

Ohio has no ban on hybrids of small exotic cats (or even the small exotic cats themselves). http://www.hybridlaw.com/index_test.php?state=OH

Kentucky has no laws at all concerning hybrids. And the information for Maryland is below:

MARYLAND:
b) A person may not import into the State, offer for sale, trade, barter, possess, breed, or exchange a live:
(3) member of the cat family other than the domestic cat;
(4) hybrid of a member of the cat family and a domestic cat if the hybrid weighs over 30 pounds;
(5) member of the dog family other than the domestic dog;
(6) hybrid of a member of the dog family and a domestic dog;

Please watch the video at the following link as it can provide a good perspective on the actual size and demeanor of these wonderful pets as they interact with their families.
Savannah Cats and Friends



Savannah Cats and Friends

View on www.youtube.com Preview by Yahoo

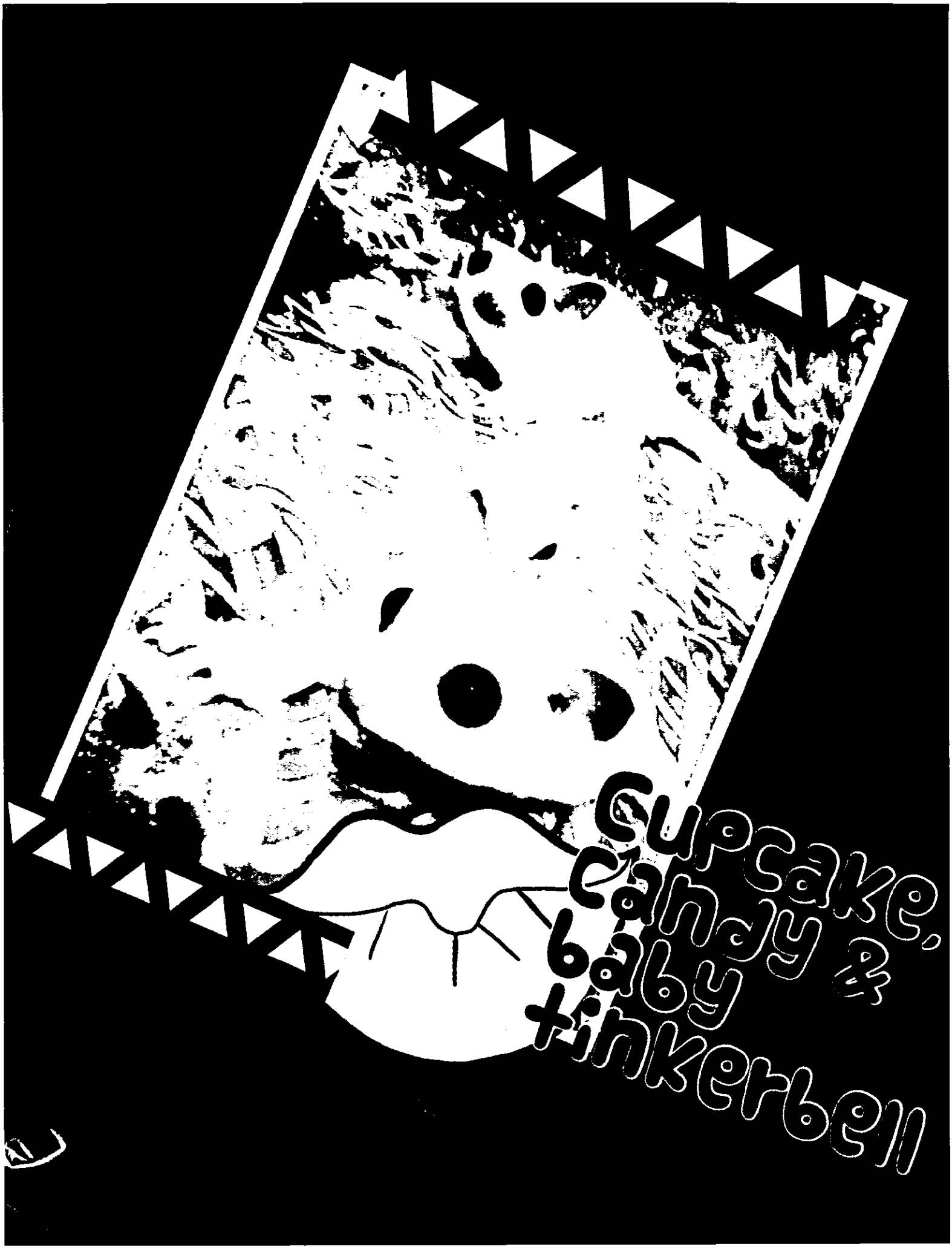
More information on the breeds can be found here:
Chausie: http://www.tica.org/public/breeds/cu/intro.php
Bengal: http://www.tica.org/public/breeds/bg/intro.php
Savannah: http://www.tica.org/public/breeds/sv/intro.php

I am a Savannah owner of 7 years and have a 23lb Savannah who is possibly the most affectionate animal I have ever met. I also have two rescue domestic cats as well, one of which is 6.5lbs and deaf. If she even looks at the Savannah funny, he (despite being 3 times her size) slinks out of the room and finds somewhere else to nap. I hardly consider that behavior worthy of being listed as a dangerous animal.

Please consider these breeds domestic, or allowable as hybrids, in any future legislation.

Thank you for your time.

Jenn Culler
Hedgesville, WV


cupcake,
candy &
baby
tinkerbell

Martin, Jodee

From: Farrah <farrahmachado@frontier.com>
Sent: Thursday, July 03, 2014 10:18 AM
To: Martin, Jodee
Subject: Wv pet ban list

I'm asking with all due respect, that the ban list be reviewed. Sugar gliders are not necessary to be banned. Thank you.

Farrah Machado

Sent from my iPhone

Martin, Jodee

From: Candace Nelson <candace127@gmail.com>
Sent: Thursday, July 03, 2014 10:26 AM
To: Martin, Jodee
Subject: Dangerous animal list

HI Jodee,

I have a comment for the dangerous animal list. I have a turtle, Franklin, who I've had for five years. He's a Russian Tortoise and is a vegetarian. So, he literally wouldn't hurt a fly. He is about the size of my fist is more scared of people than people are of him.

Turtles are very solitary, shy creatures. They are not dangerous (with the exception of snapping turtles, of course). But a wide sweeping rule that all turtles should be banned is ludicrous. Anybody who knows anything about turtles knows that common box turtles and small tortoises are very shy and reserved. They like to be alone and don't hurt people. To put him on a banned list is not only hearbreaking but also an unintelligible decision indicating the overarching rule is not actually ruling out the dangerous animals but instead if casting a wide net. And that's unfair.

Candace

Candace Nelson
Senior Writer
University Relations/News
West Virginia University
425 Marina Tower/48 Donley St.
Morgantown, WV 26505-6688
Candace.Nelson@mail.wvu.edu
Office: 304.293.8031

Candace Nelson
Candace Lately
http://candacelately.blogspot.com/

Martin, Jodee

From: Vicki Boggess <vicster45@aol.com>
Sent: Thursday, July 03, 2014 9:58 AM
To: Martin, Jodee
Subject: Sugar gliders

My name is Vicki Boggess,414 Circle Drive, Hurricane,WV. I like so many other people are very upset about sugar gliders being banned in WV.These are very harmless animals and carry no fleas,worms,or other diseases. Have you ever held a newborn glider baby? They are so cute and sweet! I have a total of nine babies that are housed in four cages and are very well taken of and very spoiled. I would be so upset to have to find them another home- and I cannot afford $300,000 ins. Or $100 per pet. Please take into consideration what is best for the gliders to be in loving homes? Or rehomed to someone in another state. I am sending some pics also.thanks for letting me have a comment!

Martin, Jodee

From: Polly <polly@dodrillheating.com>
Sent: Thursday, July 03, 2014 10:01 AM
To: Martin, Jodee
Subject: wild animal list

MY GRANDSONS SUGAR GLIDER WAS BORN RIGHT HERE IN WEST VIRGINIA, SO HE IS A WEST VIRGINIA NATIVE. AND SHOULD BE EXCEMPT FROM YOUR BANNED ANIMAL LIST....
THANK YOU

Polly Searls
304-389-8294
2567 COTTNER AVE HURRICANE
WV 25526

Martin, Jodee

From: Garth Beck <garthbeck_esq@msn.com>
Sent: Thursday, July 03, 2014 9:37 AM
To: Martin, Jodee
Subject: Banned List

Would you be so kind as to explain to me why sugar gliders are still included on the banned list? I hardly see the danger of these animals.

Martin, Jodee

From: Barry Kingry <jbkingry@gmail.com>
Sent: Wednesday, July 02, 2014 8:15 PM
To: Martin, Jodee
Subject: Attention Wild and Dangerous Animal Rule

Hello,

I would like to request that the animals in my household be added to the exceptions list of the Wild and Dangerous Animal Ban. These would be a betta fish, a dwarf hamster, a crested gecko, and three leopard geckos. All of the animals listed in this request, to my knowledge, have been sold for years in the state without posing any significant risk to human health or causing adverse effects on our ecosystem (this includes the insects used to feed some of the animals). I believe this would disqualify them as being classified as dangerous. Additionally, these animals were bought at pet stores, which obtained them from breeders, and they have never been exposed to the outdoors. They would also not likely last long in the wilderness here, as they are not adapted for coping with our environment (some examples are listed below) and have absolutely no concept of what predators are or how to avoid them.

Betta fish do not handle sudden temperature changes well, such as are common during spring and fall in this area. I believe the water temperature, even in the summer is cold enough to kill these fish (56 to 65 degrees F according to http://www.bettatalk.com/water.htm).

Temperatures below freezing, such as we experience at least a few times each winter, can kill hamsters. http://www.humanesociety.org/animals/hamsters/tips/hamster_housing.html

The remaining links show our extreme low and high temps will kill babies of the lizards and prevent their feeder insects from being able to breed (or kill them as well). So, even if adults were to somehow manage to make it in the wild, the threat would not extend beyond the escaped animals, as they could not continue the species. The only exception being feeder crickets, which are already native to the area.

Leopard geckos: Prolonged exposure to temperatures below 74° and above 95° will kill the developing embryos (http://www.herpcenter.com/leopard-gecko-care/temperature-effects-leopard-gecko-incubation.html).

Crested geckos: At temperatures of 85 degrees or warmer, crested geckos will become stressed, which could lead to illness or death (http://www.crestedgeckolab.com/services.php).

Dubia roaches – feeder insect:
http://gotdubiaroaches.com/care-guide/

Crickets – feeder insect: Pet stores sell common house crickets which are pretty much native everywhere on the eastern half of the country (http://entnemdept.ufl.edu/creatures/misc/crickets/adomest.html). The only difference is, like the reptiles, they are captive bred (this helps keep them sanitary and properly fed for optimal nutrition for the lizards).

The only feeder insect I use which I could not find an exact temperature for killing was the Phoenix Worm. However, given that the range for daytime temperature for delivery has to be within 35 to 85 degrees F (http://www.phoenixworm.com/servlet/the-template/policy/Page), I would assume anything much beyond this range would kill them as well. The seasons producing temperatures above and below this range is nothing

unusual for the state.

Again, I would like to mention that I have never heard of any of these animals causing health risks or threatening the local ecosystem, and they are not wild or dangerous. I therefore repeat my request for you to consider placing them on the list of exceptions.

Thank you for your time and consideration,
Johnathan (Barry) Kingry

Martin, Jodee

From: Sargent, Barbara D <Barbara.D.Sargent@wv.gov>
Sent: Monday, July 07, 2014 9:57 AM
To: Martin, Jodee
Subject: Dangerous Wild Animal Act

Hi Jodee—

I saw your name as the person to send comments too regarding the DWA list, so I have a question for you. I am starting to get calls from folks asking how to get their permits for the animals they now have. Who is the contact for that?

Thanks!

Barb

Barbara Sargent
WVDNR – Wildlife Resources Section
Wildlife Diversity Unit
PO Box 67 – Ward Road
Elkins, WV 26241
304/637-0245 (voice)
304/637-0250 (fax)
www.wvdnr.gov

"This wasn't just plain terrible, this was fancy terrible. This was terrible with raisins in it."
-- Dorothy Parker

Martin, Jodee

From: Rachel Elizabeth <rachieebaby@gmail.com>
Sent: Friday, July 04, 2014 11:08 AM
To: Martin, Jodee
Subject: wild animal list

This has to be the most ridiculous list I've seen yet. Hamsters except a Syrian hamster are dangerous? That's funny seeming how they sale them everyday at petsmart. Rabbits? sugar gliders? do you know how many people own those. How could they possibly be dangerous? Take a look on Facebook yardsale I bet you see at least ten for sale. Turtles? Hedgehogs? Lmao. This list needs ALOT. Of work and hopefully the legislature sees that. No one is going to give up their animals that are no threat to anyone because you simply say you think they are.

Martin, Jodee

From: Diana Mazzella <dianapalmbeach@gmail.com>
Sent: Thursday, July 03, 2014 10:02 PM
To: Martin, Jodee
Subject: Public comment on animal list

Dear Jodee,

I'm writing to comment on the proposed changes to the dangerous and wild animal list.

Having grown up near the Florida Everglades and now living near Morgantown, I'm sensitive to the need to regulate the type of animals that live in this state.

I do have some concerns about how the proposal as written could inadvertently affect residents in my area. Specifically, I feel that the complete prohibition of all turtles is unreasonable.

Working in a college town, I'm surrounded by people who don't have a lot of space. Students may take a hamster or a pet turtle to live with them when bringing a cat or a dog is not possible. This small bit of companionship seems helpful to them when life is being lived on a smaller scale. I understand the need to prevent invasive species from proliferating, but it seems unlikely that small and safe breeds of turtles will cause widespread harm or indeed any harm at all.

Also, I feel the department could be more clear on certain species that are not traditional animals of the area but are becoming so, such as the Alpaca. I've been excited to see the success some are having in raising the animals for their hair. From reading Charleston media, there seems to be repeated confusion about whether Alpaca are included in this list as they are not traditional herd animals and the purpose of this list is in part meant to control invasive species.

Lastly, I find the line on lagomorphs confusing. How would the department differentiate between wild and domesticated rabbits? The line seems blurry. I wouldn't want ownership of domesticated rabbits to be affected as they are also treasured pets and are often used in schools and 4-H clubs.

Thank you,

Diana Mazzella
Maidsville, WV

Martin, Jodee

From: Paulette Lashley <paulettelashley@yahoo.com>
Sent: Friday, July 04, 2014 6:58 AM
To: Martin, Jodee
Subject: Dangerous Animal List

I am writing to express my deep concern over the proposed rule concerning Dangerous Animals. MANY of the animals on the list are not dangerous at all, and are in fact domestic or livestock. I feel this is a very reactive response to a situation, and the list needs to be GREATLY reduced. In particular, rabbits, hares, Quaker parrots, toads and frogs (really?), hamsters, hedgehogs and the hybrid cat /dog. I fear that certain breeds of cats, such as the Bengal which are considered domestic) would be effected. The current wording actually prohibits mixed breed dogs and cats, if read correctly. I am not sure who originated this list, but I feel that common sense should prevail. This is an absolutely ridiculous over reaction to an admittedly dangerous situation of an individual keeping an alligator. Please accept this letter as a very STRONG disapproval of the current list.
Thank you,
Paulette Lashley
Jefferson Co., WV

Martin, Jodee

From: d s <dshores1949@hotmail.com>
Sent: Friday, July 04, 2014 10:15 AM
To: Martin, Jodee
Subject: Exotic animals

Please do not include Sugar Gliders on the list of exotic animals to be banned from sales in the US. They are not endangered or dangerous animals.
Thank You.

Martin, Jodee

From: Cindy Lowther <pixbycindy@yahoo.com>
Sent: Wednesday, July 02, 2014 3:22 PM
To: Martin, Jodee
Subject: Dangerous Animal List
Attachments: 1459918_10200123043599228_108604887_n.jpg

Hello Jodee,

I spoke with you earlier with questions regarding the new law/rules. I appreciate all the information you shared with me and found a lot of information on the page. I have several friends who have domestic cats that actually fall into this category of the hybrid, my cats breed is considered a domestic however it technically falls in that hybrid great area. I didn't see any information about whether current pet owners would be grandfathered in or if the pets were prohibited as long as we had a permit? It was kind of vague and I realize it probably will be til all is finalized. My question is can we email comments for the proposed rules? and what would be the best email to do this. In todays world I know more would be interested in sending an email or posting online vs. the old fashioned mail way ;) I appreciate your time earlier and sorry I got so emotional. My husband and I are a childless couple so our cats are truly like our children, so I get a bit emotional. Thanks again!
Attached is a photo of them loving some sun and each others company ;)

Cindy Lowther

Martin, Jodee

From: Sylvia Felitsky <sylviafelitsky@gmail.com>
Sent: Wednesday, July 02, 2014 6:23 PM
To: Martin, Jodee
Subject: Please do not ban guinea pigs. Please. My daughter and I love our guinea pig very much. He's part of our family as well as our fish. I think this is silly my fish or guinea pigs never hurt anyone and we shouldn't be held accountable for car less people...

♡Wife&Mother♡Sylvia Felitsky♡

Martin, Jodee

From: Frank <wiz1269@gmail.com>
Sent: Wednesday, July 02, 2014 6:28 PM
To: Martin, Jodee
Subject: Please do not ban the animals on the list going around. We love our animals very much. We should not be held accountable for other people's careless actions. Not all the animals on that list are bad or effect our environment. This is sad and ridiculous...

Martin, Jodee

From: Johnson, Herma
Sent: Saturday, July 05, 2014 3:07 PM
To: Ferro, Chris; Plumley, Jewell; Martin, Jodee
Subject: Fwd: House Bill 4393 Title 61: 61-30-03

FYI

Herma Johnson, Director
Regulatory and Environmental Affairs Division
West Virginia Department of Agriculture
1900 Kanawha Blvd, E
Charleston, WV. 25305
Office. 304-558-2227
Cell: 304-382-6263
Fax. 304-558-3594
hjohnson@ag.state.wv.us

Begin forwarded message:

From: sarah dangerfield <dark_goddess_2007@yahoo.com>
Date: July 5, 2014 at 12:58:14 PM EDT
To: "hjohnson@wvda.us" <hjohnson@wvda.us>
Subject: House Bill 4393 Title 61: 61-30-03
Reply-To: sarah dangerfield <dark_goddess_2007@yahoo.com>

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:

Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Sincerely,

Sarah Dangerfield

Martin, Jodee

From: Martin, Jodee
Sent: Tuesday, July 15, 2014 4:21 PM
To: 'kmorgan@baileywyant.com'; 'aibrean10@gmail.com'; 'BIRDLOVER195@AOL.COM'; 'mckinneyrus@yahoo.com'; 'scbell.dancer@gmail.com'; 'info@workingcanines.com'; 'umhm_sure2010@yahoo.com'; 'srhptomey@yahoo.com'; 'Jessica.A.Harris@wv.gov'; 'meb69gmm@aol.com'; 'dmbynaker@comcast.net'; 'bneal3@yahoo.com'; 'dbcrn@hotmail.com'; 'nblpa@comcast.net'; 'carlottandtia12@aim.com'; 'lookin4u_25801@yahoo.com'; 'Marie.Parker@newellco.com'; 'theedle@hotmail.com'; 'websterspllbnd@aol.com'; 'michellewhanger@yahoo.com'; 'elaine@kismetacres.com'; 'fht3339@yahoo.com'; 'one2jmc@suddenlink.net'; 'Karen.Yarnell@fairmontstate.edu'; 'bkbledsoe@yahoo.com'
Cc: Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject: Title 61 Series 30 Dangerous Wild Animal Rule
Attachments: In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx

Please see attached letter.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Dangerous Wild Animal Board

Charleston, West Virginia

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Martin, Jodee

From: Maria Lanham <MLanham@ettrustfund.org>
Sent: Thursday, July 10, 2014 4:38 PM
To: Martin, Jodee
Subject: Dangerous Wild Animal Rule

I spoke with Jewell Plumley Tuesday, July 8th, and she said that you would be able to assist me. I left a voicemail but have not heard back. I would like to inquire if the personal liability on my home owners insurance through Erie Insurance which is $300,000.00 with no deductible would suffice for the Dangerous Wild Animal Bill. The Erie Insurance agent said that the personal liability would cover my pets but I would like confirmation from you.

I would also like to know where the pets that I cannot afford the license fee would need to be taken. The animal shelter said that they would not accept any wild animals. My work number is below and my cell is (304)382-6281.

Thank you,

Maria Lanham
Accounts Manager
Employer Teamsters 175 & 505
6810 MacCorkle Avenue SE
Charleston, WV
(304)925-4181
(304)925-4188 fax

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The local pet stores I shop at provide care sheets when you purchase an animal. There is no excuse to not cage and provide for an animal properly. This applies to all animals. There are people that are jerks and do not care for them, like those who fight dogs. We cannot ban all dogs to protect the few that are abused. This is where our existing laws go after the people who are jerks.

It would also help to have a better definition of what is considered domestic and therefor what the ban does not include. I have heard both ways on ferrets and rabbits even though they are listed on the ban. If they are domesticated then why are they included as a dangerous wild animal on the banned listing?

When looking up the definition it could be applied to many of the animals on the banned list. Below is what is on Wikipedia, http://en.wikipedia.org/wiki/Domestication#Animals, about domestication.

> **Domestication** (from Latin *domesticus*: "of the home") is the process whereby a population of living organisms is changed at the genetic level, through generations of selective breeding, to accentuate traits that ultimately benefit the interests of humans.[1] A usual by-product of domestication is the creation of a dependency in the domesticated organisms, so that they lose their ability to live in the wild.[2] This differs from taming in that a change in the phenotypical expression and genotype of the animal occurs, whereas *taming* is simply an environmental socialization/behavioral trait; the process by which animals become accustomed to human presence. In the Convention on Biological Diversity, a domesticated species is defined as a "species in which the evolutionary process has been influenced by humans to meet their needs."[3] Therefore, a defining characteristic of domestication is artificial selection by humans. Humans have brought these populations under their control and care for a wide range of reasons: to produce food or valuable commodities (such as wool, cotton, or silk) and for types of work (such as transportation, protection, warfare), scientific research, or simply to enjoy as companions or ornaments.
>
> Animals domesticated for home companionship are usually called *pets*, while those domesticated for food or work are called *livestock* or *farm animals*

Please consider each animal as an individual and do not ban animals by the order, family, or genus. Protect us from the truly dangerous wild animals and let the responsible WV citizens keep the ability to choose a safe exotic pet. WV needs local business to thrive. We do not need to force our local pet stores to close their doors.

Thank you,

Maria Lanham
1721 ½ Claire Street
Charleston, WV 25302

Cell: 304-382-6281
Work: 304-925-4181

Martin, Jodee

From: James and Kelly Morgan <kmorgan@baileywyant.com>
Sent: Tuesday, July 15, 2014 10:01 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

James and Kelly Morgan
66 stone ridge
hurricane, WV 25526

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
James and Kelly Morgan

Martin, Jodee

From: April Wolfe <aibrean10@gmail.com>
Sent: Tuesday, July 15, 2014 10:30 AM
To: Martin, Jodee
Subject: Dangerous Animal List - Response

I'm not sure why the hedgehog is on the list of banned exotic animals. It has been my experience that they pose no threat to the natural habitat nor human health. Any animal has the potential to transmit illness to humans, just like humans can spread contagious diseases to other humans. Hedgehogs are not known to carry any diseases dangerous to humans. However, like any domestic or exotic pet, people should always wash their hands after handling or petting. They do best in 70-80 degree temperatures. The optimal temperature is 75 degrees, therefore, if loose outside, the hedgehog would not survive long enough to be detrimental to the states natural wildlife or flora. In temperatures causing internal organs to shut down, respiratory problems, or sudden death. I'm concerned with what will happen to those hedgehogs and other animals on the list if banned. Where will they go? What if their owners can't afford the licensing or the insurance? And, I'll close with hedgehogs are amazing pets. Some people may not get the point of owning one, but they are easy to care for and bring so much joy and happiness to their owners' lives.

Sincerely,
April D. Wolfe
Ripley, WV

Martin, Jodee

From: DEBRA LABUZ <BIRDLOVER195@AOL.COM>
Sent: Tuesday, July 15, 2014 11:01 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

DEBRA LABUZ
2792 OLD ELKINS RD
BUCKHANNON, WV 26201

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
DEBRA LABUZ

Martin, Jodee

From: Debra Mckinney <mckinneyrus@yahoo.com>
Sent: Tuesday, July 15, 2014 1:59 PM
To: Martin, Jodee
Subject: Story from WVPR

How can u take some little child's pet that they have been around all there life? That will crush there lil heart

Martin, Jodee

From: Sierra Bell <scbell.dancer@gmail.com>
Sent: Tuesday, July 15, 2014 1:12 PM
To: Martin, Jodee
Subject: Dangerous Wild Animals Act

Hello! How are you doing today? I would like to speak about the Dangerous Wild Animals list. I have researched and looked at the animals on the list. Every animal can be a threat to the public, but trees, cars, houses can be a threat too. Houses burn down all the time. People crash cars all the time. Trees fall on people all the time, but we cannot ban them. Can we? I agree that common people should not be able to own lions, tigers, bear, gorillas, chimpanzees, and so forth, but a sugar glider is no harm to anyone.

The most a sugar glider will do is scare someone, because they crab, which sounds like a electric pencil sharpener, or bite. On a website I seen that sugar gliders are banned, because the department is afraid of abandonment. Even if someone did abandon a sugar glider, they would not survive nor thrive through a West Virginia winter. They are native to Australia. The sugar glider's body temperature is to low to contract rabies. Most people neuter their sugar gliders. It is impossible for sugar gliders to breed with squirrels. If you have done research on sugar gliders, they are closely related to the opossum, even though they resemble a flying squirrel. If a sugar glider carries any parasite, it would be the same as any other normal household pet.

Martin, Jodee

From: Sierra Bell <scbell.dancer@gmail.com>
Sent: Tuesday, July 15, 2014 1:27 PM
To: Martin, Jodee
Subject: Re: Dangerous Wild Animals Act

Sorry, I accidentally sent that message early. As for livestock, people rely on livestock for their livelihood! Agriculture helps circulate the economy. I would like to know and understand the ban on horses. Is it banning zebras, or is it banning all horses? The rough list has been made into scientific names, so the common people cannot understand what animals are on the list. I am fairly educated on scientific names, and I had to research what 80% of them were. Ferrets, hedgehogs, and turtles have been pets in WV for a long time. Why are they such an issue now? People do not agree with this list, but people will not take the time to express their opinions. They do not know to email the department instead of call. Thank you for your time, and I hope this enlightened you to what West Virginia citizens are feeling.

-Sierra Lanham

On Tue, Jul 15, 2014 at 1:11 PM, Sierra Bell <scbell.dancer@gmail.com> wrote:

Hello! How are you doing today? I would like to speak about the Dangerous Wild Animals list. I have researched and looked at the animals on the list. Every animal can be a threat to the public, but trees, cars, houses can be a threat too. Houses burn down all the time. People crash cars all the time. Trees fall on people all the time, but we cannot ban them. Can we? I agree that common people should not be able to own lions, tigers, bear, gorillas, chimpanzees, and so forth, but a sugar glider is no harm to anyone.

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Martin, Jodee

From: Sheryl Marshall <info@workingcanines.com>
Sent: Tuesday, July 15, 2014 1:22 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Sheryl Marshall
po box 67
Kenna, WV 25248

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. It also includes hybrid cats, which are shown in show halls worldwide.. they are domestic! They should not be included on the list at all.

The inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish? Seriously??

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

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Sincerely,
NAME

Thank you for your consideration and attention, Sheryl Marshall

Martin, Jodee

From: Garth Beck <garthbeck_esq@msn.com>
Sent: Tuesday, July 15, 2014 1:09 PM
To: Martin, Jodee
Subject: Dangerous Animals

"What's really important is for us to know where these animals are located and, if there is a release that happens, just like in Zanesville, that we will actually know what is released, what is out there," Plumley said.

Prove to me this isn't just one more example of the State trying to raise taxes through a back door method. If this is truly about protecting the public and the environment from dangerous animals, remove SUGAR GLIDERS from the list. I will give my two away before I will ever be able to afford a $100/per animal permit and $300K of liability insurance.

Sincerely,

Garth W. Beck, Esq.
219 Ryder Avenue
Clarksburg, WV 26301

Martin, Jodee

From: lara johnson <umhm_sure2010@yahoo.com>
Sent: Tuesday, July 15, 2014 11:41 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

lara johnson
63 left fork rd
alkol, WV 25501

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
lara johnson

Responded to on 7/11/14 J. Martin

Martin, Jodee

From: Barb and Dan Boeh <theboehs@gmail.com>
Sent: Tuesday, July 15, 2014 11:37 AM
To: Martin, Jodee; finlayvickie@yahoo.com; anthony.dobies@gmail.com; samamimaelulu@gmail.com; rory.at.humanity@gmail.com; jillianmford@gmail.com; todd_downey2000@yahoo.com; tjgibbs05@hotmail.com; joannae@frontier.com; jjmmllr@aol.com; grartrip@gmail.com
Cc: Plumley, Jewell; emily.j.fleming@wv.gov; nancy.j.sullivan@wv.gov; Paul.R.Johansen@wv.gov; jerry.b.jenkins@wv.gov
Subject: RE: Title 61 Series 30 Dangerous Wild Animal Rule

Thank you for your form letter.
I am sorry my original letter was full of typos. I was so flustered with the things I have been reading I decided to send it via my cell phone's auto text feature, and I didn't get everything corrected before hitting SEND.

These laws that are sweeping the country are trampling all over our human rights. Not to mention robbing pets of love, medical care, and the companionship they have become dependent on. There is no way anyone can convince me that our primate pet would have been better off in the wild to worry about being hunted by predator, finding food, and never having any medical attention. Plus she would have never even "seen" the wild, as she was born in the US to be offered as a pet and thankfully not a lab animal.

The sanctuaries that everyone seems to admire, are the worst places in the world for this type of animal that has been raised in a home environment. You cannot displace these animals and believe they would be better off. Most will die of stress or grief, or be attacked by the other animals. HSUS and PETA are the biggest fraudulent organizations coming down the pike. They are money hungry agencies that line the pockets of their executives and pay off politicians to do their bidding. I am sick of all this legislation being passed without votes, and the people passing it not educating themselves on the competence of exotic owners that have devoted our lives to the animals we possess.

Why doesn't anyone see that our freedom to pursue happiness is at risk every time these laws are passed? I am just fed up with stupidity, whether it is in your state, our state, or anywhere else. I know you can't fix stupid, but you all have to educate yourselves. Look past the money and these big organizations that are elaborating on lies and half-truths. These animals are born right here in the US in fully USDA accredited facilities and are not captured from the wild. They do not harbor strange diseases!!

How many times are there real tragedies that involve the public? And when something happens, the news media is the first to blow it up to monumental status even if it is just a scratch just to get ratings. Look beneath the surface and you will find ridiculous law suits and statements that just reflect more ignorance. Think about our rights, and then think about the animal rights as well. I am sure they would rather be fed, and warm, and safe, and enriched no matter where they are. Sure, there are bad exotic owners and that is why there should be some oversight, so animals aren't abused. But no one thinks twice about a dog or a cat. They can bite and scratch, inflict pain, and suffer at the hands of the wrong owners too. Exotics cost a lot, and most people that own them have money. We aren't going to frivolously spend the money on special pets if we are going to abuse them. We spend tons on the animals, add to the economy and boost the veterinary business where ever we are.

There are a lot of people who breed children that bully, kill, and spread diseases. We don't legislate against procreation. Plus, with all the craziness in this world, money spent on all this legislation and confusing legal procedures is ridiculous. To top it off, we are losing sight of all the small rights that are being taken away from us every day while U.S. citizens just accept them like sheep being herded from one side of the pen to the other. We can't buy big drinks, we can't smoke in our own homes, fast food restaurants can't serve certain foods, business owners are told what is allowed in their own establishments, school cafeterias are forced to serve food that just gets thrown away, we cannot pursue the happiness of having pets of our choice, and legitimate breeders (tax paying businesses and employers) are being put out of business as if we don't have enough unemployment in this country

Very soon, the working population will no longer be able to support all the people who want the government to support them. Isn't THAT problem more pressing to government than "who owns what animal" and "how can we stop people from loving the animals of their choice"?

More importantly, how much influence do citizens really want government to have in their lives? It amazes me how many freedoms can be taken away every day and no one says "Hey! Wait a minute!" Every morning we are waking up with less and less freedoms. Legislators love the phrase "There ought to be a law", because now they look around and say, "Well, I have the power, let me see who will pay me to make this a law". And so it goes. Politicians play God, get the government agencies to do their bidding, get paid by lobbyists to along the way, and citizens never know what happened. Then to reverse something that causes all kinds of citizens hardships from the legislation, groups have to form and p[ay large sums of money to get attorneys and lobbyists to turn things back to give people their freedoms back. And sometimes that is virtually impossible. Politicians are ruining this country, and we cannot stop the train. Now states are trying to turn law-abiding citizens and businesses into criminals if they don't comply with these ridiculous new laws that no one even needs.

Wake up government! You are in our lives TOO MUCH!

Barbara Boeh

From: Martin, Jodee [mailto:jodeemartin@wvda.us]
Sent: Friday, July 11, 2014 11:41 AM
To: finlayvickie@yahoo.com; anthony.dobies@gmail.com; samamimaelulu@gmail.com; rory.at.humanity@gmail.com; jillianmford@gmail.com; todd_downey2000@yahoo.com; tjgibbs05@hotmail.com; joannae@frontier.com; jjmmllr@aol.com; theboehs@gmail.com; grartrip@gmail.com
Cc: Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject: Title 61 Series 30 Dangerous Wild Animal Rule

Please see attached letter.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Martin, Jodee

From: srhptomey@yahoo.com
Sent: Monday, July 14, 2014 4:17 PM
To: Martin, Jodee
Subject: Dangerous animal list

Hello

I am writing because I have concerns over the list of dangerous animals.

There are a number of animals on the list that are by no means dangerous and are commonly kept at pets. Also, some of the wording is confusing.

What exactly are domesticated hamsters and guneia pigs? There are a wide range of small animals that have "pockets", turtles are common in yard ponds and not dangerous, some of the fish listed live in salt water (we dont have that in this area, not all "boas" are large snakes and cant cause harm to the environment or humans (they cant survive in wv climate), are you considering pythons and boas the same species? Where is the proof that quaker parrots are a danger to agriculture or humans?

I agree anacondas, tigers, wolves can be dangerous BUT if quaker parrots, turtles and hedgehogs were a threat dont you think WV would be inundated with wild populations and many people would be harmed by now?

What about rescues who are devoted to helping these animals? How will they be effected? MANY of these animals are HARMLESS popular pets.

Why dont you go after breeders and unscrupulous pet stores. Make them have cage and care requirements. Set care standards dont take them out of loving and much needed homes.

What is the permit process going to be? I am the owner of 2 very sweet quakers that I have had for years. They have a massive cage, are well cared for and are part of my family. It is not fair to call them dangerous. Where is the proof? There is none.

Sent from Yahoo Mail on Android

Martin, Jodee

From: Harris, Jessica A <Jessica.A.Harris@wv.gov>
Sent: Monday, July 14, 2014 4:51 PM
To: Martin, Jodee
Subject: Sugar Gliders
Attachments: 20140423_222234.jpg; sugar.jpg

Hello,

These are my sugar gliders Sugar and Doug "The Thug". I actually got them because I have so many allergies and can't have pets like cats and dogs. They don't have sharp teeth or big claws, so their only line of defense is a funny little noise they'll attempt to intimidate you with. I take them to the veterinarian for checks ups and have a big cage even though there's only two. My five year old nephew loves to play with them and has done so without incident.

Sugar and Doug "The Thug" form a bond with you by smell. It's how they learn their family. I'm so worried they would be taken away because they've formed a bond to my family. Also, if this bill would pass, I'd be afraid of how I would get food for them if pet stores had to cease selling their food due to lack of demand. I hope the West Virginia Legislature put sugar gliders under review because I've never been harmed nor ill because of my ownership. They're were actually a great alternative for my allergies even though to be honest....I'd love to have a dog. Lol

Thank you,
Jessica

Sent via the Samsung Galaxy S™ III, an AT&T 4G LTE smartphone

PCL XL error

Subsystem:	KERNEL
Error:	IllegalTag
Operator:	0x32
Position:	62

Martin, Jodee

From: Gregory & Martha McDaniel <meb69gmm@aol.com>
Sent: Monday, July 14, 2014 7:49 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Gregory & Martha McDaniel
408 11th. street
Dunbar, WV 25064

July 14, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Gregory & Martha McDaniel

Martin, Jodee

From: Dawn Rodgers <dmbynaker@comcast.net>
Sent: Monday, July 14, 2014 7:58 PM
To: Martin, Jodee
Subject: Dangerous Animal Act.

To whom it may concern,

I am an advocate of the Dangerous Animal Act but upon viewing the proposed list I am highly shocked at some of the animals that are banned or require a license to own. Most of all RABBITS! I have had 2-3 house rabbits of various breeds for several years. They pose no risk to the public and are spayed or neutered. They are a loving part of my family and live indoors with us. My young son loves his bunny friends and plays with them. I am not appreciative of being forced to pay $200 a year to own my current two rabbits.

What is the plan for all the poor 4H / FFA children who raise rabbits and show them at the fair? It is educational for them to raise a small animal and they learn responsibility. By having rabbits on this otherwise good list would be a huge travesty for the children. West Virginia has agricultural pride. Rabbits are on most farms across our great state. Some farmers raise rabbits to make a living. PLEASE take domesticated rabbits off of the dangerous animal act. PLEASE. For me, for the children, for West Virginia.

Thank you for your time.
Dawn Rodgers

Martin, Jodee

From: Bruce Neal <bneal3@yahoo.com>
Sent: Monday, July 14, 2014 9:19 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Bruce Neal
309 Shawnee Circle
Charleston, WV 25304

July 14, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?And we will run Pet-smart and others like that out of West Virginia. Is that what we need in WEst Virginia?

Sincerely,
Bruce Neal

Sincerely,
Bruce Neal

Martin, Jodee

From: Douglas Cooke <dbcrn@hotmail.com>
Sent: Monday, July 14, 2014 9:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Douglas Cooke
PO Box 442
Wellsburg, WV 26070

July 14, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
Douglas Cooke

Martin, Jodee

From: NORINE LERCZAK <nblpa@comcast.net>
Sent: Monday, July 14, 2014 10:00 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

NORINE LERCZAK
PO BOX 537
WELLSBURG, WV 26070

July 14, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
NORINE LERCZAK

Martin, Jodee

From: carlottalovesyou:3 <carlottandtia12@aim.com>
Sent: Monday, July 14, 2014 11:09 PM
To: Martin, Jodee
Attachments: Screenshot_2014-07-14-23-04-33.png

This can't be true. If it is, than you guys are all fucking up. Like seriously. Banding all those animals? Do you not realize how many people will be losing loving family pets? This up coming bill is a fucking outrage. Get your dam heads screwed in, because this bill will cause a lot of problems for everyone. A lot of shit will go down if that bill is passed. So before anyone passes that bill. How about you think about how you would feel if you had one of those creatures as a pet, and someone wanted to take it from you. Wouldn't like it very well would you?

Martin, Jodee

From: Rick Campbell <lookin4u_25801@yahoo.com>
Sent: Tuesday, July 15, 2014 7:30 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Rick Campbell
PO Box 1
Beckley, WV 25802-0001

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

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Sincerely,
NAME

Sincerely,
Rick Campbell

Martin, Jodee

From: Parker, Marie RCP <Marie.Parker@newellco.com>
Sent: Tuesday, July 15, 2014 7:57 AM
To: Martin, Jodee
Subject: WV Dangerous Animal Law

Hello-

I am torn over this law, because I see benefits and cons. I am a small animal rescuer, every day I see rabbits dumped, by people who do not want them after Easter. Regulating the sales and the breeding of small animals, would reduce the number of unwanted animals. However, I know the nature of the beast, if this law passes people will dump all their small or exotic animals, or worse a lot of the 38 meat farms in this state will do a mass killing of their rabbits. I am not being dramatic, this happens every day. I have seen breeders gas entire herds of their rabbits, when they want out of the business. I am a small rescue, the vet care for rabbits and spay and neuter costs is overwhelming. One dumped pregnant female rabbit, can cost over $1500 in spay and neuter funds for the mother and up to 10 off spring. The animal rescue establishments in this state will have an epidemic on their hands that will result in astronomical costs, from not only rabbits, guinea pigs, rodents, reptiles.

Marie Gretta Parker
Repack/Returns Department-Lead
Yard Management
(540) 542-8915 (phone)
(540) 303-4576 (cell)
(540) 542-8995 (fax)

Martin, Jodee

From: Thea Johnson <theedle@hotmail.com>
Sent: Tuesday, July 15, 2014 8:10 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Thea Johnson
1316 Virginia St E
Charleston, WV 25301

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Thea Johnson

Martin, Jodee

From: Websterspllbnd <websterspllbnd@aol.com>
Sent: Monday, July 14, 2014 2:35 PM
To: Martin, Jodee
Subject: Opinion on Dangerous Animal Bill

Dear Jodee Martin,

After reading the notice of what animals are considered banned from West Virginia, I feel I should express my opinion on this matter by saying how utterly ridiculous this bill is. The fact that they're wanting to ban simple livestock such as: horses, cattle, swine, goats; and sheep and domestic common house pets such as: hamsters, guinea pigs, rabbits; and fish is completely idiotic. How are future generations going to know what it's like to show compassion and care towards animals, if they are unable to own any of these loving creatures? And to think about the farmers? Farmers living out in the country that own so many livestock, are probably going to suffer in business now because of this stupid bill. And to think of the people who compete with horses? As a huge animal lover and a student starting in Veterinary Tech, I believe that it is completely unethical and unfair to these animals. All animals no matter what kind, breed, shape, and size deserve love and care from us humans, so we simply can't just let them loose into the streets or abandon them. Think about it, that thought alone, could cause casualities. Wonder if a horse or cow were to wonder into the street somewhere, and somebody could potentially hit one of these animals by mistake. It would not only hurt the animal but that person as well. I refuse to agree to an idea where it involves to them to having to be put down, plus way too many people would be upset by that idea in the first place. Honestly, I believe it to be un-American for this bill to be passed because for over thousands of years, people and animals have lived alongside one another where the animal could be safe and loved by the human they were owned by. Small creatures, such as hamsters, help teach young children about the responsibility of owning an animal and teaches to love animals. Farmers need cows, pigs, and other animals to make a living and some of them even cherish the animals they have. I believe that this bill is completely useless and that no one should have to pay any $100 fee for just being able to keep an animal, such as the ones as the ones listed on the bill, that makes them happy.

Sincerely, Danielle Webster

Martin, Jodee

From: Michelle Whanger <michellewhanger@yahoo.com>
Sent: Monday, July 14, 2014 2:02 PM
To: Martin, Jodee
Subject: Dangerous Animal Bill

I can understand that the state is pressed to protect the environment for obvious reason. However, a bill like this is way too extreme. If someone sets their pet hamster outside, its more than likely going to be killed by a bird or cat before it could cause significant damage to the environment. How could you possible be comfortable with ripping away children away from their beloved pets, or making a parent shell out $100 just to have a pet hamster. I ask they you at least look the rodent section over more carefully. However, if this bill is true please release how we are to go about getting these permits and where at.

Bailey Whanger

Martin, Jodee

From: Elaine Lawson <elaine@kismetacres.com>
Sent: Monday, July 14, 2014 2:16 PM
To: Martin, Jodee
Subject: FW: Comment Period: Adding Alpacas to List Compiled by WV Legislators - Dangerous & Wild Animal

From: Elaine Lawson [mailto:elaine@kismetacres.com]
Sent: Monday, July 14, 2014 2:02 PM
To: 'jodeemartin@wvda.us.'
Subject: Comment Period: Adding Alpacas to List Compiled by WV Legislators - Dangerous & Wild Animal

As stated in a news article on this subject, comments are to be sent to the U.S. Department of Agriculture, Attn: Jodee Martin, prior to considering placing the livestock, Alpaca, on a Dangerous & Wild Animal list. The Alpaca is an environmentally friendly, family friendly livestock.

Comment: In the 2008 Farm Bill, passed by the Federal Government, it designated/classified ALPACAS as domestic livestock. The alpacas have been domesticated for more than 5,000 years. They are one of nature's favorite farm animals, and they are sensitive to their environment in every respect. They have many physical attributes which allow them to be so environmentally friendly.

- The alpaca's feet are padded and they leave almost no mark on the terrain as they graze on native grasses.
- The alpaca is a modified ruminant with a 3-compartment stomach. It converts grass and hay to energy very efficiently, thus eating less.
- The alpaca does not usually eat or destroy trees, preferring tender grasses, which it does not pull out by the roots, like horses.
- The South American Indians use alpaca poop for fuel, and gardeners find the alpaca's rich fertilizer perfect for growing fruits and vegetables.
- A herd of alpacas consolidates it's feces in one or two spots in the pasture, thereby controlling the spread of parasites.
- An alpaca produces enough fleece each year to create several soft, warm sweaters, or other wearable goods, for its owners comfort.

The alpaca is significantly easier to handle than most other livestock, which makes it easier on "seniors" to have these great animals. They are smaller and therefore less intimidating than horses or cattle, and do not challenge fences the way goats do, and they are hardy and easy keepers. Our alpacas are certainly "user-friendly" livestock, which helps explain both their attractiveness as a livestock investment and their reputation for being huggable. Shorn yearly in the Spring, alpaca fiber is stronger, lighter, warmer, and more resilient than wool. Finer grades of alpaca fiber are believed to be hypo-allergenic, meaning they do not irritate your skin as sheep's wool sometimes does. Unlike sheep's wool, alpaca fiber contains no lanolin and is there ready to spin after only nominal cleaning of the fleece. Prized for its unique, silky feel and superb "handle", alpaca fiber is highly sought after by both cottage industry artists (hand spinners, knitters, weavers, etc.), as well as the commercial fashion industry.

Alpacas are a very quiet livestock—as many as 6 to 8 per acre is an acceptable number according to agriculture, livestock, and alpaca resources. Alpaca farming is great in West Virginia, as the hilly terrain is similar to their native country in South America, and their "fur coats" do well in cooler climates.

We have been raising alpacas since 2006. We enjoy these sweet, kind livestock and the luscious fleece they produce, which is similar to cashmere. We are active in the alpaca community and the show circuit, and our animals have won many ribbons. Our whole family can get involved, especially at local events such as festivals and craft shows. We have beautiful yarn and other products made from our own alpacas that we sell online and at local events.

We sincerely hope this is a big misunderstanding and that the Commissioner of Agriculture and the WV Legislature will review these and other comments and assure the WV alpaca farmers that these domestic livestock should be categorized with sheep, goats, horses, cattle.

Please feel free to contact us. Our home number is 304-856-3664. Our website is www.kismetacres.com

Thank you for your time,

Elaine and David Lawson
Kismet Acres Farm
P.O. Box 292
6 Choke Cherry Lane
Capon Bridge, WV 26711-0292

This will also be sent to the mailing address as listed, Charleston, WV.

Martin, Jodee

From: Floyd Taylor <fht3339@yahoo.com>
Sent: Monday, July 14, 2014 1:15 PM
To: Martin, Jodee
Subject: http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=25971&Format=PDF

Ms Martin,
You are kidding about this legislation - right?

Turtles, frogs, snails etc considered 'dangerous' animals?
Really, how do you consider those birds dangerous? They might be invasive species, but **dangerous** to what and whom?
Tortoises and turtles?
Are these animals carrying pandemic diseases to the people of this country? Maybe invasive if allowed into the wild, but dangerous??????

Are you in need of money? You are going to charge people to keep tortoises, turtles and other animals being kept by people as pets? And first they have to get your approval???

I am sure you consider this letter stupid, but there are others who will send in very informed and well research articles questioning your judgment on categorizing these animals as 'dangerous'.

I think this legislation needs to be tabled and reconsidered.
Sincerely
Ms Virg Taylor
--

Martin, Jodee

From: one2jmc@suddenlink.net
Sent: Monday, July 14, 2014 12:38 PM
To: Martin, Jodee
Subject: invasive species public comment period

I agree with all the species currently listed requiring a permit. Although, it may be a burden on a few pet owners and relatively few pet store operators inaction will cost the tax payers millions. The national, state and local governments, i.e., the tax payers are already paying millions annually to combat invasive species. Not to mention the harm to native species.

I dare say sport fishing brings in more money to the state and local economy than the pet store industry. I ask are law makers to not be tempted to remove any species from the list.

thank you,

John P. McEldowney
6920 Heritage Way
Charleston, WV 25312

Martin, Jodee

From: Yarnell, Karen <Karen.Yarnell@fairmontstate.edu>
Sent: Friday, July 11, 2014 1:11 PM
To: Martin, Jodee
Subject: PROPOSED DANGEROUS WILD ANIMALS RULE

Concerning the Dangerous Wild Animals Rule, Title 61 Series 30, I propose that the following animals commonly found in pet stores be included as exemptions to the act.

Gerbils, Siberian hamsters, rabbits, turtles, and newts.

There are many questions about the list, for example:
Are pot-bellied pigs and miniature goats allowed as pets (Artiodactyls)
Are wild horses allowed, for example zebras (in the family Equidae)

Karen Yarnell
Biology Lab Manager
Fairmont State University

Martin, Jodee

From: belgianharesrule@aol.com
Sent: Friday, July 11, 2014 11:12 AM
To: Martin, Jodee
Subject: Re: Title 61 Series 30 Dangerous Wild Animal Rule

Jodee Martin:

My greatest concern with this bill, is that it has enough teeth to allow Animal Activist Groups (AAG), i.e. PETA, Humane Society and the House Rabbit Society, to file suit against the West Virginia Department of Agriculture that it is not effectively enforcing this law. If they wanted to seize a breeding operation or if a disgruntled neighbor were to force the issue, it could be done.

I guess the most important question is, "How did rabbits get on this list to begin with?". We have been raising rabbits for over 30 years and I have never had one of my rabbits pose as a "dangerous animal". At our American Rabbit Breeders Assoc. National Convention in November, out of the 30,000 rabbits that will be there, I doubt there would be a "dangerous animal" there.

As rabbit breeders, we are respectfully requesting the removal of rabbits from the list. Giving zealot and fanatical groups the right to destroy the joy of us raising top quality animals is unfair and at most a severe liability to the WVDA.

Respectfully yours,
Susan L .Wistrand

-----Original Message-----
From: Martin, Jodee <jodeemartin@wvda.us>
To: service <service@aveslockandkey.com>; pattydc <pattydc@live.com>; belgianharesrule <belgianharesrule@aol.com>; terrysands <terrysands@frontier.com>; foopower.pw <foopower.pw@gmail.com>; rthisphotography <rthisphotography@aol.com>; sirenarobinson <sirenarobinson@rocketmail.com>; bftsplk <bftsplk@frontier.com>; whilsbos <whilsbos@mix.wvu.edu>; reggiewhite61 <reggiewhite61@yahoo.com>; 666sharpielove <666sharpielove@gmail.com>; paswhite40 <paswhite40@gmail.com>; ryofenrir <ryofenrir@gmail.com>; slkdelsol <slkdelsol@aol.com>; jcconfere <jcconfere@gmail.com>; i.got.a.crush23 <i.got.a.crush23@gmail.com>; higginbotham291 <higginbotham291@icloud.com>; lowedava <lowedava@outlook.com>; kelley.animallover1978 <kelley.animallover1978@gmail.com>; mirandahudnall <mirandahudnall@ymail.com>; robinchrisflowers <robinchrisflowers@yahoo.com>; atvgirl94 <atvgirl94@yahoo.com>; jmariie33 <jmariie33@gmail.com>; hotrodsis <hotrodsis@aol.com>; CNathan.Spencer <CNathan.Spencer@camc.org>; dthall3 <dthall3@gmail.com>; sue61 <26325@yahoo.com>; sazonmiguel7 <sazonmiguel7@gmail.com>; ChanTat78 <ChanTat78@outlook.com>; kristiord80 <kristiord80@gmail.com>; jamesch222 <jamesch222@gmail.com>; vicster45 <vicster45@aol.com>
Cc: Plumley, Jewell <jplumley@wvda.us>; 'emily.j.fleming@wv.gov' <emily.j.fleming@wv.gov>; 'nancy.j.sullivan@wv.gov' <nancy.j.sullivan@wv.gov>; 'Paul.R.Johansen@wv.gov' <Paul.R.Johansen@wv.gov>; 'jerry.b.jenkins@wv.gov' <jerry.b.jenkins@wv.gov>
Sent: Thu, Jul 10, 2014 9:31 am
Subject: Title 61 Series 30 Dangerous Wild Animal Rule

Please see the attached letter.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Martin, Jodee

From: Brandon <bkbledsoe@yahoo.com>
Sent: Tuesday, July 15, 2014 3:54 PM
To: Martin, Jodee
Subject: Regarding the purposed ban on "Dangerous Wild Animal Rule"

I recently found out about the legislation that is being attempted to pass about "Dangrous Animals" and a fee to keep them. I currently own a Quaker Parrot (Myiopsitta monachus), which is set to be banned. I was wondering if you have any evidence supporting that they are being destructive here in West Virginia? I believe states ignorantly ban such animals because they lack understanding or because other states have banned them as well. I have not heard of any indications that ferral quakers are building nests disruping power or damaging crops. I have had my parrot for 15 years, and I will have him for as long as he lives. I believe this is unfair unless proof is provided that they are a dangerous animal.

Also, even though I do not own any turtles, I see there is a blanket ban on those as well. Do you really think non-native species that aren't used to hibernating would actually survive a winter here?

And hedgehogs, really? I wasn't aware that there was an horrible problem with african pigmy hedgehog infestations in West virginia.

Do you have an expert (zoologist or otherwise) that is helping with this legistlation, or is someone just looking at pictures and other state's laws and making determinations? I'm infuriated by this legislation, at least parts of it. Some animals I do see as being dangerous. For some odd reason, domestic dogs are allowed. How many dog attacks are there a year versus exotic "dangerous hedgehog" attacks?

Brandon K. Bledsoe
6710 1/2 Merricks Creek Road
Huntington WV, 25702

Martin, Jodee

From: Martin, Jodee
Sent: Friday, July 18, 2014 10:18 AM
To: 'krissie5602@gmail.com'; 'michele8604@gmail.com'; 'tim.posten@aol.com'; 'brooke.austin01@gmail.com'; 'wvparrotlover@gmail.com'; 'Monkeejnke@suddenlink.net'; 'momsark40@aol.com'; 'haalrj@aol.com'; 'bablondie2@gmail.com'; 'kandjmarketing@aol.com'; 'Carrismommy@yahoo.com'; 'kirbysk9s@yahoo.com'; 'my3kidsjjk@gmail.com'; 'treehousefc@hotmail.com'; 'goodtimeridge@gmail.com'; 'deborah.weaver@marquette.edu'; 'pauleytann@zoominternet.net'; 'nnau019@hotmail.com'; 'sasha.terry1992@yahoo.com'; 'Bueangel2034@yahoo.com'; 'kathy55mcknight@gmail.com'; 'dejayxb@ymail.com'; 'glasmage@outlook.com'; 'teki0382@gmail.com'; 'bluefyre-angel@hotmail.com'; 'debbiemcghee23@yahoo.com'; 'bartoncreekllamas@earthlink.net'; 'rtwhittington@hotmail.com'; 'katieeagleee@yahoo.com'; 'kmriffle@yahoo.com'; 'spicione9459@aol.com'; 'hadaharley@comcast.net'; 'specialtypets1@gmail.com'; 'showstoppertammy@yahoo.com'; 'maplewoodwv@aol.com'; 'hossgoodrich@yahoo.com'; 'debibatton@yahoo.com'; 'pedalcarcrazy@yahoo.com'
Cc: Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject: Title 61 Series 30 "Dangerous Wild Animal Rule"
Attachments: In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx

Please see attached.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Martin, Jodee

From: Antolini, Butch
Sent: Thursday, July 17, 2014 1:17 PM
To: Martin, Jodee
Subject: FW: dangerous animals proposal

On 7/17/14 12:46 PM, "radiata_5@fuse.net" <radiata_5@fuse.net> wrote:

>I am a retired park naturalist and degreed biologist in Ohio. I
>recently became aware of your proposed dangerous animal act. It makes
>no sense at all. Sure you can get diseases from animals, as well as
>from unwashed lettuce, other people, and raw chicken. However, you
>have to trust that people will have a little intelligence about the
>whole thing. You are basically treating West Virginians like children
>in trying to protect them from something that is a minor potential
>problem. You need to consult folks who are knowledgeable about which
>species are immediately dangerous (large primates, bears, large cats,
>venomous snakes, etc.) and forget about the rest. The proposal makes
>West Virginia look bad to the rest of the states. From a practical
>perspective, you will also find out that an awfully large percentage of
>your population would be keeping "dangerous" animals if the current
>proposal passes. It also would have a significant financial effect on the pet market.
>Best wishes,
>Al Winstel
>Cincinnati, OH
>
>
>
>

Martin, Jodee

From: Krissie w <krissie5602@gmail.com>
Sent: Thursday, July 17, 2014 3:15 PM
To: Martin, Jodee
Subject: HB4393
Attachments: serval1.txt; IMG_6865506640758.jpeg; IMG_6696890042333.jpeg; IMG_6678381380725.jpeg; IMG_6666198393907.jpeg; IMG_35510565375152.jpeg; IMG_35368997954421.jpeg; IMG_35101915779364.jpeg; IMG_35097908567230.jpeg; IMG_34967632396135.jpeg; IMG_34928502618129.jpeg; IMG_34923115469276.jpeg; IMG_34916073652352.jpeg; IMG_34904139365534.jpeg; IMG_34880088006012.jpeg; IMG_34854415614043.jpeg; IMG_34739050940858.jpeg; IMG_34704787269881.jpeg; IMG_29593183919478.jpeg; IMG_29589205691198.jpeg; IMG_20651211594462-1.jpg; IMG_52645754163847-1.jpg; IMG_26461421434420.jpeg; IMG_26430714591827.jpeg; IMG_26421970985425.jpeg; IMG_26397000419237.jpeg; IMG_26277121259126.jpeg; IMG_52839420502055.jpeg; IMG_52650938589730.jpeg; IMG_52637938789058.jpeg; IMG_52631389899998.jpeg; IMG_52620886574585.jpeg; IMG_52608368925163.jpeg; IMG_52600265095322.jpeg; IMG_52517833550042.jpeg; IMG_52493941194947.jpeg; IMG_52450011299495.jpeg; IMG_52408250115032.jpeg; IMG_52359963890987.jpeg; IMG_52351465583334.jpeg; IMG_52340350690734.jpeg; IMG_52330980985269.jpeg; IMG_52322245361470.jpeg; IMG_52312248205797.jpeg; IMG_52264279119929.jpeg; IMG_52256937621026.jpeg; IMG_52251626295559.jpeg; IMG_20630411835251.jpeg; IMG_1661349510632.jpeg; IMG_1649570441106.jpeg; IMG_1643697306837.jpeg; IMG_1627563731010.jpeg; IMG_1621202690805.jpeg; received_m_mid_1405603093893_b3f3faeba753341001_0.jpeg; 20140621_035154-1.jpg; 20140715_000544.jpg; 20140609_200759-1.jpg; aviary_1405066104392.jpg; aviary_1404429116726.jpg

Below you will see images of pet servals, along with an attachment of information on them. I hope with the informatiom provided you will see that they are not a danger. Thank you for your time.
Cristy Berry

Jaime L. Ward
HC 85 Box 503
Jumping Branch, WV 25969
(304)466-3983

Jodee Martin - Commissioner
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
304-558-3550

July 16, 2014

Dangerous Wild Animal Board,

This letter is in response to the Dangerous Wild Animal list that was filed on July 2, 2014. More specifically, I would like to address the section concerning domestic and hybrid canines and felines. Your list states the following: Carnivora (carnivores) All species prohibited except domestic dogs (Canis Familiaris) and domestic cats (Felis catus). Hybrid crosses between two species in Order Carnivora (including domestic species) are also prohibited.

I personally have been blessed with bengal cats as a part of my family. I have had bengals for several years and am completely head over heals in love with this breed.

While I fully agree with some of the animals on this list, such as elephants, bandicoots and whales to name a few, I HIGHLY disagree that bengals should be one of them. Bengals have been members of families in West Virginia for many years without a single incident. I feel that it is important to discuss and define the bengal.

By definition, according to The International Cat Association, a bengal is a domestic breed that was DERIVED from a hybrid cross between the Asian Leopard Cat and a domestic cat. (An Asian leopard cat is a small cat between 6-10 lbs. that is found in several areas of the world, predominately Asia.) TICA also states, "Today's domestic Bengal cat comes only from breeding Bengals to other Bengals and requires no specialized care." Many bengals, mine included, would have to trace back multiple generations to reach an actual Asian Leopard cat. They are as domesticated as a Siamese or a Himalayan.

The USDA defines hybrids of domestic cats with wild/exotic cats (Bengal, Savannah, Chausie…) as DOMESTICS.

http://www.aphis.usda.gov/animal_welfare/downloads/manuals/dealer/exemptions.pdf

"crosses between wild and domestic animals are considered domestic, e.g., a wolf-dog cross crosses between exotic and domestic animals are considered domestic, e.g., a zebra-donkey cross"

http://www.aphis.usda.gov/animal_welfare/downloads/manuals/eig/2.1_eig.pdf

"Hybrid cross an animal resulting from the crossbreeding between two different species or types of animals. Crosses between wild animal species, such as lions and tigers, are considered to be wild animals. Crosses between wild animal species and domestic animals, such as dogs and wolves or buffalo and domestic cattle, are considered to be domestic animals."

http://www.aphis.usda.gov/animal_welfare/downloads/awr/9cfr1.1.txt

"Hybrid cross means an animal resulting from the crossbreeding between two different species or types of animals. Crosses between wild animal species, such as lions and tigers, are considered to be wild animals. Crosses between wild animal species and domestic animals, such as dogs and wolves or buffalo and domestic cattle, are considered to be domestic animals."

Once again, according to this definition, bengals are domestic animals.

According to Chris Kaelin, the lead Geneticist at Stanford University who has been researching Bengals as a part of a larger study on the agouti gene, the average Bengal cat has 2-3% Asian Leopard cat genes in its genetic makeup.

According to Rickey Tome, lead Wildlife Inspector for the US Fish and Wildlife Service at the San Francisco (Burlingame) Office, a Bengal exported out of the the country without a CITES permit is to be classified Felis Catus. With 97-98% of its genetic makeup coming from Felis Catus, the Felis Catus classification is the only logical classification

Speaking on behalf of families who have a bengal as part of their lives, bengals make wonderful family pets. They bonding well with members of the family including children, dogs and other cats. Bengals are active and playful and have the personality and intelligence of many dogs. They shed very little to none and are wonderful options for people with allergies. Bengals can be very active family companions, they will harness train if desired and travel well. For many, including my family, bengals are a perfect fit!

It is my understanding that this committee was originally intentioned to form a list that would identify and regulate animals that pose threat to humans, other animals or local ecosystems. Bengals do none of these things and should be permitted.

This section of the Dangerous Wild Animal list needs to be altered. I am respectfully requesting that the wording be changed to include the acceptance of the domestic hybrid breeds.

Thank you for your consideration in this matter.

Sincerely,

Jaime Ward

p.s.
For clarification purposes, bengals are a small breed of house cat ranging between 6 and 15 pounds and have absolutely, 100%, NO relation to a bengal tiger.

Martin, Jodee

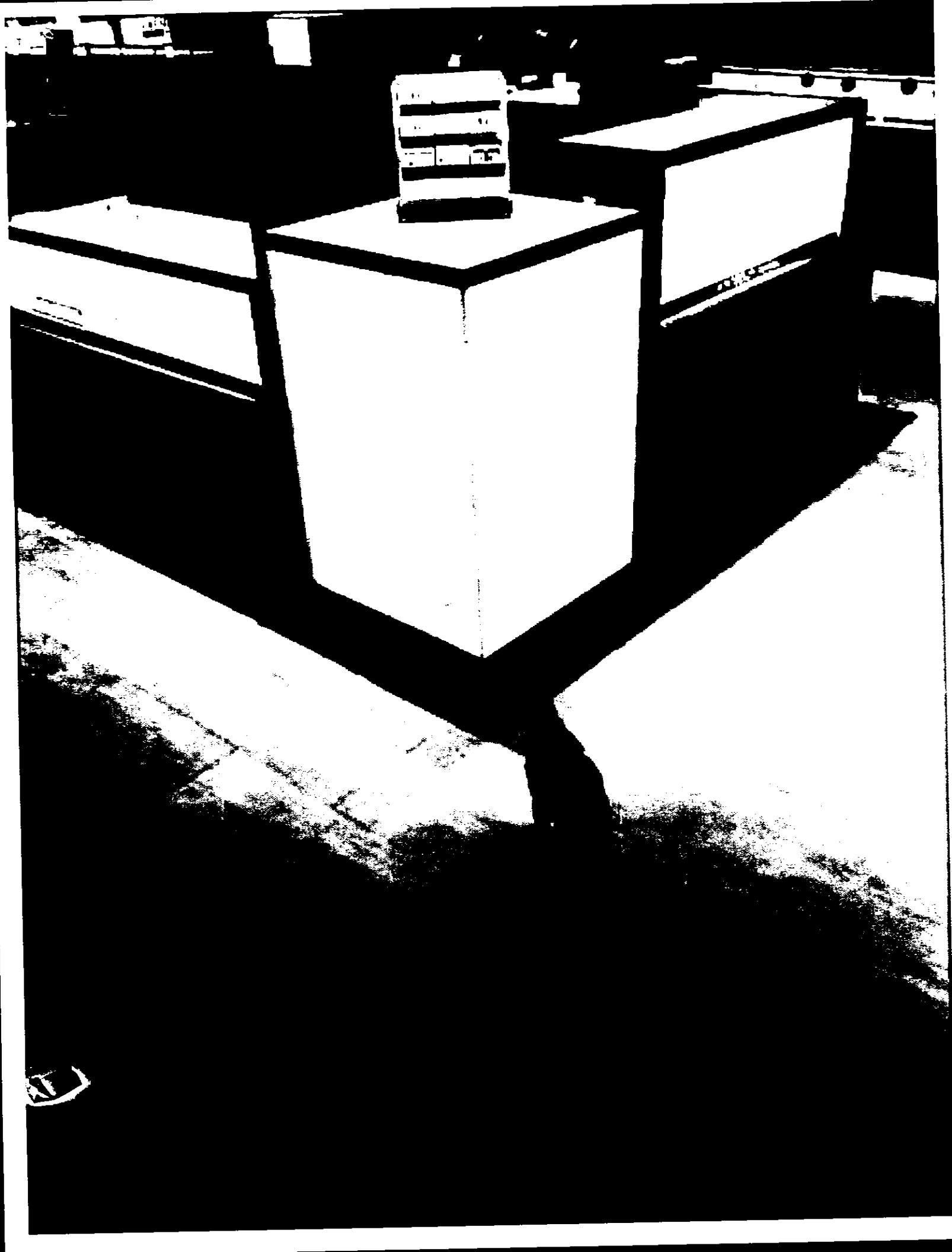
From: Michele My Bell <michele8604@gmail.com>
Sent: Thursday, July 17, 2014 11:06 AM
To: Martin, Jodee
Subject: Save our Savannahs!
Attachments: 2014-06-09 17.54.18.jpg; 2014-06-21 11.49.49.jpg; 1908381_10152533175089469_6479939699752280229_n.jpg

Good morning to whom it may concern:

I wanted to express my opinion and concern about the new legislation regarding banning Savannahs in West Virginia. I live in Texas and have an f5 SBT male named Thor (pics attached) and he is great! I had a domestic cat previously named Mickey who was a lot less tame and more aggressive. Thor is the nicest, easiest, sweetest cat ive ever seen. I think because they are smarter than regular cats they aren't as aggressive because they understand whats going on around them, they have a conscious. I take Thor in public all the time, there is a lot going on around him, but he is on a leash, kids will run up to him and scream, and all he does is sit down and let them pet him. He is great, and Im glad Texas is still about freedom. These aren't pitbulls, you dont hear about Savannah cat attacks recorded like dogs. Please see and hang out with a Savannah before you think about changing the law. Thank you!

Sincerely,

Michele Delon (Savannah owner)



Martin, Jodee

From: Tim Posten <tim.posten@aol.com>
Sent: Thursday, July 17, 2014 9:31 AM
To: Martin, Jodee
Subject: Dangerous Animal Bill

Bill Comments

This will kill all the small pet stores.
The "List" is insane.
Horses, cattle, goats, toads dangerous????
How can this possibly be enforced?
Please provide me with some reason behind this thinking.
Messing with animal lovers will be political suicide.
As usual this a way to extract more money from our struggling citizens.

Timothy B. Posten

Martin, Jodee

From: Brooke Austin <brooke.austin01@gmail.com>
Sent: Thursday, July 17, 2014 9:07 AM
To: Martin, Jodee
Subject: Vote no on HB 4393

Dear West Virginia Legislator,

As a responsible pet owner, I oppose HB 4393, the "Dangerous Wild Animal Act.". This bill will punish responsible reptile and exotic animal keepers and is overreaching legislation. Some of the proposed reptile species are commonly kept as pets and many citizens will be affected. This is unconstitutional and far overreaching legislation.

Pet snakes do not pose a public safety threat. There has never been a death from a constrictor snake in West Virginia. They are housed indoors and there has never been a member of the general public killed by a constricting snake species. Only 10 deaths from large snakes are documented since 1990 in the entire United States. At least one of these cases is noted as fraudulent.

Similar legislation in Ohio led to a $2,900,000 temporary-housing facility for animals that could not be kept by responsible owners. The permit fees associated with this act will not cover even a small percentage of the millions of dollars that West Virginia will spend to implement these regulations.

Education before legislation is of utmost importance, especially when impacting the lives of so many pet owners. For example, many constrictor snake species at 6′ in length weigh less than ten pounds and pose threats to only feeder rodents. That is hardly a "dangerous wild animal." Even larger snakes pose no threat as they are housed inside and in secure housing. Please listen to your constituents and get the full truth about reptiles as pets.

These species are also not a threat to the environment. They cannot establish themselves in West Virginia as the climate is not acceptable. Extreme southern Florida is the only environment in the continental U.S. that allows a minuscule number of exotic species to barely survive in the wild. The Burmese python population has been in southern Florida since 1991 and has not moved north. This population is not the result of released pets, but occurred after a research facility was destroyed by Hurricane Andrew.

An estimated 30,000 residents in West Virginia responsibly own reptiles and other pets that you are classifying "dangerous species". This legislation does not protect the citizens of West Virginia but it does punish them.

This type of legislation is pushed by anti-pet groups posing as animal welfare organizations. Animal cruelty should certainly be addressed, but banning and over-regulating pet ownership are not effective means to handle this concern. It's a shame that the great state of West Virginia would allow special interest groups to influence public policy and not protect the freedoms of its citizens. If this bill passes, the anti-pet groups won't be there to assist during the aftermath.

Please consider your constituents and their freedoms. Pet ownership is a matter of personal responsibility and not government action. I implore you to vote "No" on HB 4393.

Sincerely,

Brooke Austin

Martin, Jodee

From: Beth Thaxton <wvparrotlover@gmail.com>
Sent: Wednesday, July 16, 2014 6:25 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Beth Thaxton
157 Taylor Road
Dunbar, WV 25064

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Beth Thaxton

Martin, Jodee

From: Marcy Lilly <hlrinc@yahoo.com>
Sent: Wednesday, July 16, 2014 6:35 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Marcy Lilly
894 Youngs Monument Rd
Birch River, WV 26610

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Marcy Lilly

Martin, Jodee

From: Kara Armstrong <Monkeejnke@suddenlink.net>
Sent: Wednesday, July 16, 2014 6:45 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Kara Armstrong
1106 Willow Drive
South Charleston, WV 25309

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment."
With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all.
What screening process was used to select these animals?
What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal.
Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership.
Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly.
We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added."
What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense.
In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful."
Will it also become known as the state that declared rabbits, sugar gliders, and turtles dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Kara Armstrong

Martin, Jodee

From: Debbi White <momsark40@aol.com>
Sent: Wednesday, July 16, 2014 6:55 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Debbi White
1121 John Brown Farm Road
Harpers Ferry, WV 25425

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
Debbi White

Martin, Jodee

From: Robin Haaland <haalrj@aol.com>
Sent: Wednesday, July 16, 2014 7:35 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Robin Haaland
1973 Oakridge Drive
Charleston, WV 25311

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

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Sincerely,
NAME

Sincerely,
Robin Haaland

Martin, Jodee

From: Beth McDaniel <bablondie2@gmail.com>
Sent: Wednesday, July 16, 2014 7:45 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Beth McDaniel
P.O. Box 561
Nitro, WV 25143

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
Beth McDaniel

Martin, Jodee

From: kelly gries <kandjmarketing@aol.com>
Sent: Wednesday, July 16, 2014 7:55 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

kelly gries
24 birch st
richwood, WV 26261

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
kelly gries

Martin, Jodee

From: Christa Marcum <Carrismommy@yahoo.com>
Sent: Wednesday, July 16, 2014 8:25 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Christa Marcum
236 Grandview Gardens
Kenova, WV 25530

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
Christa Marcum

Martin, Jodee

From: Diana Kirby <kirbysk9s@yahoo.com>
Sent: Wednesday, July 16, 2014 8:25 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Diana Kirby
10547 Exchange Rd
Exchange, WV 26619

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Diana Kirby

Martin, Jodee

From: betty mccorkle <my3kidsjjk@gmail.com>
Sent: Wednesday, July 16, 2014 8:25 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

betty mccorkle
55 kenna drive
south charleston, WV 25309

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

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Sincerely,
NAME

Sincerely,
betty mccorkle

Martin, Jodee

From: cheryl hunter <treehousefc@hotmail.com>
Sent: Wednesday, July 16, 2014 9:56 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

cheryl hunter
146 norton place
princeton, WV 24740

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
cheryl hunter

Martin, Jodee

From: Cheri Seiler <goodtimeridge@gmail.com>
Sent: Wednesday, July 16, 2014 11:02 AM
To: Martin, Jodee
Subject: Fwd: PROPOSED Dangerous Wild Animal Rule

I would like to address the Proposed Dangerous Wild Animal Rule.

I spoke with you on the phone and you stated Alpaca's and Lama's are not going to be included in the list of animals being considered for this Bill. On page 6 of the proposed bill you have listed ARTIODACTYLE "All species prohibited". Alpacas are domesticated and they fall under the Order of Ariodactyla. (See below) So, if the bill states all species prohibited then that will include alpaca's and lama's.

Is it possible to change the wording to "All species prohibited – except Alpaca and lama.

West Virginia has a growing alpaca industry. I personally use the fiber to spin, weave, have made into yarn and sell. We use the manure, after composting, to fertilize our fields, some of the animals are consumed for meat. Our local vet went to school and took additional classes on alpaca care and if alpacas were to leave the state it would impact him as well.

Right now this proposed bill is hurting everyone in WV. No one in the state wants to purchase alpacas from current farms because they are afraid the animals will be banned or they will have to pay a permit fee to have them.

I currently have approximately 130 alpaca on my farm, I purchase 4000 bales of hay from a local farm, I purchase 2 tons of grain from the local Southern States every 6-8 weeks. I am currently the largest alpaca farm in WV and really hope that this can be resolved ASAP.

I know the Alpaca Owners Association has been in contact with you as have several other smaller farms.

Please let me know if there is anything we can do to change this before it becomes law. I would like any changes to this bill e-mailed to me if possible so I can post it to the WV Alpaca Owners website.

Alpaca
Conservation status
Domesticated
Scientific classification
Kingdom: Animalia
Phylum: Chordata
Class: Mammalia
Order: Artiodactyla
Family: Camelidae
Genus: Vicugna
Species: V. pacos

Binomial name

Vicugna pacos
(Linnaeus, 1758)

Sincerely,

Cheri

Cheri Seiler
Good Time Ridge Farm
3354 North River Road
Augusta, WV 26704
703-932-5562 Cell
304-496-9946 Farm
Goodtimeridgefarm.com
goodtimeridge@gmail.com

Martin, Jodee

From: Weaver, Deborah <deborah.weaver@marquette.edu>
Sent: Wednesday, July 16, 2014 11:42 AM
To: Martin, Jodee
Subject: HB 4393

Dear Ms. Martin,

I'm president of the Hedgehog Welfare Society. We're a rescue and education group dedicated to African Pygmy Hedgehogs. I'm writing to voice my disappointment (and surprise) that the West Virginia government has passed bill HB 4393. As I read parts of the bill, the wording was "animals dangerous to humans, other animals, or the environment due to its inherent nature and capability to do significant harm."

How can big cats, primates, venomous/constrictor snakes, alligators be lumped together with hedgehogs, sugar gliders, hamsters and rabbits? Seriously? Has anyone ever been mauled by a rabbit? (Now I will admit that their munching of every flower head in my garden this spring was more than a wee bit vexing.) In regards to the hedgehogs, the weather isn't optimal for them to survive in nature in West Virginia (which is the case for most areas of the United States).

With regard to obtaining a license, it would seem that $100.00 per year per household would be reasonable. $100.00 per animal per year would seem like a money making opportunity for the government of West Virginia, nothing more.

To learn more about hedgehogs I invite you to look at our web site: www.hedgehogwelfare.org

Sincerely,

Deborah Weaver, President
Hedgehog Welfare Society

Martin, Jodee

From: pauleytann@zoominternet.net
Sent: Wednesday, July 16, 2014 12:10 PM
To: Martin, Jodee
Subject: Proposed List of Banned Animals

Jodee;

This e-mail is in regard to some of the animals that are still on the list to be banned and unlawful to own without a permit.

1. Meriones Unquiculatus (Gerbils).

The list bans all gerbils as pets. Gerbils have been domesticated in the US since 1964 and are generations far removed from their relatives in the wild of China and the Middle East. In fact, pet gerbils do not even resemble their kin in the wild as they have breed as Agout, Gray agout, Polar Fox, Argente, Lilac, Dove, Nutmeg etc. They pose no more threat to humans or the environment than mice, rats and hamsters that will be allow to be kept as pets. In fact, which is more of a threat a Pit Bull or a 1oz gerbil to a person. I have read of nothing stating that gerbils have any kind of threat in the US.

2. Diprotodon (Sugar Gliders)

They are on the list because they are prone to abandonment. Then what about putting ALL DOGS AND CATS the ban list? As we all know, the animals are full of 1000,s of these animals that have been abandoned. In fact, why not children and old folks too, They are abandoned a lot also.

Responsible individuals that owe a sugar glider as a pet are being punished for the irresponsible morons. Also, this will cause more of them to be abandoned, as individuals will not want to pay the fee of $100.00 and go through the process of attaining a permit.

I could go on and on, but I believe you have got my point. The List needs to seriously revised. Perhaps, someone such as Jack Hanna of the Columbus Zoo in Ohio needs to be spoken too. And yes, I do believe their are creatures that should not be owned as a family pet and the list does cover these. But really, Gerbils.

Thank you for taking the time to read my comments and I do hope they will be taken into consideration.

Teresa A. Pauley

Martin, Jodee

From: pauleytann@zoominternet.net
Sent: Wednesday, July 16, 2014 12:18 PM
To: Martin, Jodee
Subject: Fwd: Proposed List of Banned Animals

From: pauleytann@zoominternet.net
To: jodeemartin@wvda.us
Sent: Wednesday, July 16, 2014 12:09:52 PM
Subject: Proposed List of Banned Animals

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Thank you for taking the time to read my comments and I do hope they will be taken into consideration.

Teresa A. Pauley

Martin, Jodee

From: Nathan Nau <nnau019@hotmail.com>
Sent: Wednesday, July 16, 2014 1:40 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Nathan Nau
524 15th st
huntington, WV 25701

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
Nathan Nau

Martin, Jodee

From: Sasha Terry <sasha.terry1992@yahoo.com>
Sent: Wednesday, July 16, 2014 1:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Sasha Terry
130 flat creek
Alkol, WV 25501

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
NAME

Sincerely,
Sasha Terry

Martin, Jodee

From: rebecca runion <Bueangel2034@yahoo.com>
Sent: Wednesday, July 16, 2014 1:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

rebecca runion
566 glory rd
newton, WV 25266

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
NAME

Sincerely,
rebecca runion

Martin, Jodee

From: Kathy McKnight <kathy55mcknight@gmail.com>
Sent: Wednesday, July 16, 2014 1:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Kathy McKnight
2756 Daniels Ave
South Charleston, WV 25303

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
NAME

Sincerely,
Kathy McKnight

Martin, Jodee

From: ben bolyard <dejayxb@ymail.com>
Sent: Wednesday, July 16, 2014 1:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

ben bolyard
40 jeffreys street
belington, WV 26250

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
NAME

Sincerely,
ben bolyard

Martin, Jodee

From: Harold Gilliam <glasmage@outlook.com>
Sent: Wednesday, July 16, 2014 1:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Harold Gilliam
18 Williams Ave
Richwood, WV 26261

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

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Sincerely,
NAME

Sincerely,
Harold Gilliam

Martin, Jodee

From: tehra anderson <teki0382@gmail.com>
Sent: Wednesday, July 16, 2014 1:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

tehra anderson
41 west main street
richwood, WV 26261

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
tehra anderson

Martin, Jodee

From: Angela Derriso <bluefyre-angel@hotmail.com>
Sent: Wednesday, July 16, 2014 1:57 PM
To: Martin, Jodee
Subject: Regarding PROPOSED RULE FILED FOR DANGEROUS WILD ANIMALS ACT

I wanted to speak out about this legislation as a responsible keeper of exotic animals. I own a parrot, and two small turtles. I am a non-resident of West Virginia, but I feel I must comment on this matter for the future of my own pets.

Let me be very clear, I agree that large carnivores, apes, monkeys, and venomous reptiles should not be pets at all. I have no issue with those restrictions, but I do have issue with the banning of smaller manageable species commonly kept.

Many of these animals will pose no threat to human safety if responsibly cared for. And they are fairly easy to provide the enclosures, food, and vet care they need on regular basis. The key to maintaining responsible pet ownership of both domestic and exotic is education. Many of us who keep turtles, birds, or other small exotics often share our knowledge and experience keeping them with other people. This actually deters people who don't want to put forth the effort it takes to care for an animal with unique needs, and for others it becomes a journey of getting to know the animals and taking on a valuable lifelong commitment.

There is a risk posed by banning many of these species, one being that some people will set them free in the wild because they fear legal actions. The second risk is introducing pathogens the previously captive animals carry to non-immune wildlife.

Most of us who care for these animals strongly condemn releasing a captive animal for these reasons, and for the well being of the animal itself. Many would die not knowing how to survive in the wild.

A much larger issue I've come to know through my own adopted animals, is the number of homeless exotics who need good homes just like many cats and dogs. They have nowhere to go if banned, and they've done nothing wrong to deserve where they've ended up. Many rescues are educating the public on proper care, and find these animals good responsible homes. I myself have become one of them.
Some animals, especially in the case of turtles and tortoises, are deformed by congenital defects, or improper enclosure and could not survive in the wild long. They must remain in the care of someone willing to provide what they need over a lifetime, or even for the few short years they may have.

Many animals such as birds, and some mammals, could never return to the wild because they've not been taught to survive by their parents. They would die out there.

I must also ask, what happens to the animals who are already here? Do they get euthanized if an owner cannot pay the fines/ permit fees?

So to those of us who made these animals a part of our lives through rescuing them, a legislation like this seems very unfair. We all have a responsibility to protect that which we have brought to our shores. Exotic animals were brought upon non-native shores long before I was ever born, and while we may wish that scenario had been thought out, it wasn't. Since these animals are here and now, it should be made into a

fairer situation. Those who care for them with dedication should be allowed to continue to do so. Those who abuse them, or release them into a region that they don't belong should be punished.

These laws have far reaching consequences on us all, and they will end up punishing those of us who are responsible with our beloved pets. Yes, I'm in another state, but I needed to speak out because I care.

I know reptiles, birds, and other exotic animals aren't for everyone, but they have a right to be cared for by those who love them like family. They do not deserve a death penalty, or to be confiscated from owners who've cared for them deeply.

I hope you will take my words under consideration. I appreciated it if you do.

~ Angela Derriso

Florida Resident

Martin, Jodee

From: Debbie McGhee <debbiemcghee23@yahoo.com>
Sent: Wednesday, July 16, 2014 6:11 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Debbie McGhee
131 Everette Lane
Dunbar, WV 25064

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Debbie McGhee

Martin, Jodee

From: Karen Conyngham <bartoncreekllamas@earthlink.net>
Sent: Thursday, July 17, 2014 8:00 AM
To: Martin, Jodee
Subject: Comment on Proposed Rule for Dangerous Wild Animals Act
Attachments: WVA wild dangerous animal act comments letter.pdf; Camelid whitepaper.pdf

Dear Ms. Martin,

Attached please find 2 .pdf documents containing a short cover letter and brief comments on the proposed list of "Dangerous Wild Animals".

Thank you.

Karen Conyngham
bartoncreekllamas@earthlink.net

7403 Newhall Lane
Austin, TX 78746-4115

July 16, 2014

West Virginia Department of Agriculture
Attn: Jodee Martin
1900 Kanawha Blvd, East
Charleston, WV 25305

Dear Ms. Martin,

This is Karen Conyngham of Austin, TX. I represent the Intl. Lama Registry on the board of directors of the U.S. Animal Health Association and have been a llama owner for 20 years. I recently became aware of the proposed rule for the Dangerous Wild Animals Act which contains a list of species to be covered.

I have attached a very short overview of the history of llamas and alpacas in the US. If it would be helpful to the committee, I can provide the full text of any of the references listed.

Neither llamas or alpacas (also known as camelids) are dangerous, nor are they "wild" as they have always existed only as domestic livestock. Please note that llamas and alpacas are included in the WVDA list of species for farms registered under the WV Animal Identification/Traceability Program on the Premise/Farm Identification form posted on the agency's web site, along with all other livestock species. No wild or dangerous animals appear on that list. The form defines a premises as "... the location where livestock resides..." which indicates that the Dept. of Agriculture does know that camelids are properly included with all other domestic livestock species.

The office of the West Virginia state veterinarian lists Camelids as their own category under Importation Requirements 2014. Those short requirements are fully in line with the requirements of other states for the entry of llamas and alpacas.

Both llamas and alpacas are handled by young people. 4-H and association sanctioned shows around the US include classes for youth participants as young as 6 years old or under. Indeed the State Fair of W. Virginia includes the Sub-junior youth class category for ages 6 and younger. If camelids were dangerous or wild, there certainly would not be such a 4-H program for youth and the state would not include them as an exhibit at the state fair. Camelids are not aggressive. They are very easy to handle and train and are very intelligent, learning commands after just a few repetitions. The vast majority of youth train their own llamas and alpacas. I have included several photos of some of our Texas youth with their llamas.

Please do NOT include llamas and alpacas in the list of species to be covered under the Dangerous Wild Animals Act. They do NOT pose a threat to humans in any way.

Thank you for your consideration of these comments.

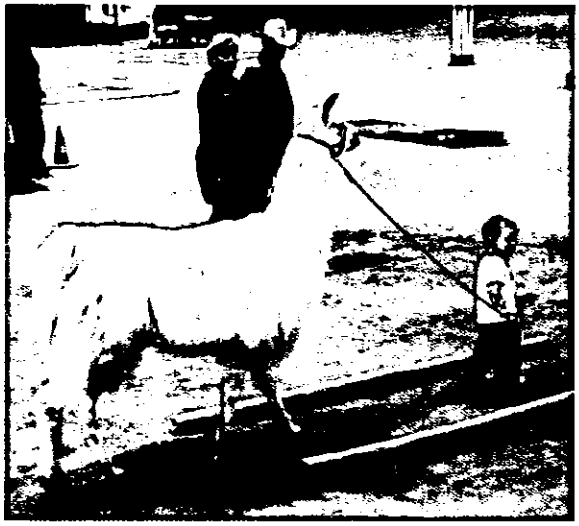
Sincerely,

Karen Conyngham

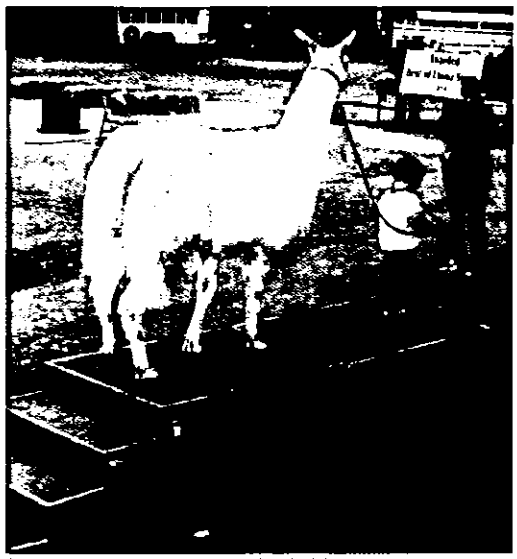
Youth and Llamas

Bryson-16 months old-leads llama thru obstacle with guidance from mom. Llama watching carefully.

Bryson at 2 1/2 does the obstacles with no help.



Peyton at 2 1/2 leads llama thru obstacles with no help. Llama is 10 yrs old and main stud at their ranch.



Peyton and llama cross the bridge.

Priscilla, 6 yrs old, crosses bridge with her llama.

California gal and her alpaca ready for a parade.

Camelid Basics and Background

Taxonomy:

Mammalia
- Artiodactyla
  - Ruminantia
    - Tylopoda (Camelids)
      - Old World: Camelus (dromedary & bactrian camels)
      - New World (South American Camelids):
        - Llama – *Lama glama*
        - Alpaca – *Lama pacos*
        - Guanaco – *Lama guanicoe*
        - Vicuna – *Vicugna vicugna* (Peruvian & Argentine sub-species)

Camelids diverged from the evolutionary pathway about 40-50 million years ago. From the fossil record, it is clear that early ancestors of the present day South American Camelids lived in what is now North America. These included *Camelops*, *Paleolama* and *Hemiauchenia*. They migrated to what is now South America perhaps 3 million years ago as climatic conditions pushed them further to the south via emerging continental bridges.

Llamas and alpacas exist **ONLY** as domestic species (domestication at approx. 6 - 7,000 years ago in S. America by the Inca per archaeological evidence). Guanacos and vicunas are the native species. Llamas and alpacas are not "exotic" or wild – they have always been domestic livestock.

Llamas returned to North America in the 19th century as zoo animals with limited importation from S. America. The N. American llama herd began in 1972 when Dick and Kay Patterson purchased multiple foundation breeding pairs from Roland Lindemann's Catskill Game Farm in New York state. The Pattersons moved to Oregon in 1973 and were instrumental in establishing the llama registry (now known as the Intl. Lama Registry) and bred and marketed llamas throughout N. America.

Alpacas were predominantly imported from Peru. In 1843, Peru passed legislation prohibiting the export of alpacas – a ban which lasted until the 1984 when Peru, Chile and Bolivia negotiated protocols to export some animals to the US and a few other countries. These imported alpacas, in addition to a few from zoo collections, formed the basis of the current US alpaca herd. Imports lasted until 1998 when the Alpaca Registry, Inc. closed their registry to imported animals to preserve the value of the US bloodlines.

Lifespan of South American camelids is 15-25 years. Crossbreeding does produce fertile hybrid offspring.

Uses:

Fiber from both species is used by handspinners and weavers; both animals can be shorn annually, depending on heat index (temperature + humidity) of the local environment. Alpaca owners in N. America are working toward establishing a commercial fiber market.

Alpacas are used primarily for fiber production, breeding stock, show animals (including 4-H) and as companions.

Llamas are used primarily as companions, for breeding stock, showing, 4-H project animals, fiber, pack stock, guardian animals for other livestock, in animal-assisted therapy, and for cart pulling. The Delta Society has a therapy certification program specifically for llamas. Both llamas and alpacas make school and nursing home visits when invited.

West Virginia alpaca and llama census (as of 7/12/2014):

Alpaca Registry, Inc.	1,870 registered alpacas; 92 herd codes (owners)
Intl. Lama Registry	827 registered llamas; 196 owners

Please do **not** include llamas and alpacas in the proposed list of restricted animals. Camelids pose no threat to public health, safety and well-being in any way. They enrich the lives of their owners and provide joy and beauty to the public who meet them at events.

References:

Fowler ME 1997. Evolutionary history and differences between camelids and ruminants. Journal of Camel Practice and Research; v.4, #2, pp 99-105

Fowler, ME. 1998 Medicine & Surgery of S. American Camelids; 2nd ed. Ames: Iowa State Univ. Press

Kurten, B.; Anderson, E. 1980. Family Camelidae – Camels and Llamas. In: Pleistocene Mammals of North America; New York: Columbia Univ. Press; pp 301-9

Wheeler, J. 2003. Evolution and origin of the domestic camelids. ILReport; v.8, #2; pp 10-19

Wheeler, J.C. 1995. Evolution and present situation of the South American Camelidae. Biological Jnl. of the Linnean Society; v. 54; pp 271-95

Resources:

Mid-Atlantic Alpaca Assoc. (MAPACA) http://www.mapaca.org/index.html

Llamas and Alpacas of the Mid-Atlantic States http://www.lamasonline.org/

Greater Appalachian Llama and Alpaca Association http://www.galaonline.org

The Alpaca Registry Inc. http://www.alpacaregistry.com/

Intl. Lama Registry http://www.lamaregistry.com

The Intl. Camelid Institute https://www.icinfo.org/

Compiled by:
Karen Conyngham, ILR Representative to the US Animal Health Assoc. Board of Directors
7403 Newhall Lane
Austin, TX 78746-4115
(512) 328-8715
Email: bartoncreekllamas@earthlink.net

Martin, Jodee

From: Randy Whittington <rtwhittington@hotmail.com>
Sent: Tuesday, July 15, 2014 6:31 PM
To: Martin, Jodee
Subject: Leave traditional animals alone!
Attachments: image.png

I am a little confused on this. If I read correctly this bill will ban all animals listed here. That means that farmers who own any type of cattle, horses, goats, sheep, etc. will have to get rid of them or pay a fine. I am sorry to burst anyone's bubble, but do you actually believe that the average farmer has the ability to pay these fines? No they don't. This is an outrage. I agree that animals from other parts of the world that are brought here for pets should be banned, like reptiles, insects, rodents, etc. that are not indigenous to West Virginia. But the animals listed here include farm animals. What are the farmers to do for money. You people making these decisions are doing nothing but hurting the economy. Ban the exotics if you want but leave the traditional farm animals alone!

Randy Whittington

Martin, Jodee

From: katie eagle <katieeagleee@yahoo.com>
Sent: Tuesday, July 15, 2014 6:50 PM
To: Martin, Jodee
Subject: Banned Animals in WV.

Hello, I am currently taking Agriscience at Carver Career Center and all of our animals on your list are what we take care of in that class. That would leave us with nothing. This is not fair to us students nor the animals.

Martin, Jodee

From: mary C riffle <kmriffle@yahoo.com>
Sent: Tuesday, July 15, 2014 7:04 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

mary C riffle
78 gans ave
westover, WV 26501

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
mary C riffle

Martin, Jodee

From: Spici Ross <spicione9459@aol.com>
Sent: Tuesday, July 15, 2014 7:27 PM
To: Martin, Jodee
Subject: Animal Ban

I am e-mailing a complaint about the proposed ban of certain animals. Please add my name to the list! Thanks.
Patti Ross
304-776-2554

Martin, Jodee

From: Deborah Owens <hadaharley@comcast.net>
Sent: Tuesday, July 15, 2014 10:14 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Deborah Owens
11832 Charleston Rd.
Red House, WV 25168

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

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Sincerely,
NAME

Sincerely,
Deborah Owens

Martin, Jodee

From: Phillip Johnson <specialtypets1@gmail.com>
Sent: Tuesday, July 15, 2014 10:34 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Phillip Johnson
222 Ken Lake Estates
Winfield, WV 25213

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included? Especially marine gobies which have no possible way to be invasive to our state.

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, sugar gliders, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Another concern I have is what will happen after this law is enacted and people begin to dump animals into our forrests and streams. In order to keep from paying extreme liability insurance fees and burdensome unneccessary taxation dusguised as a permit.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
Phillip Johnson

Martin, Jodee

From: Tammy Robinson <showstoppertammy@yahoo.com>
Sent: Tuesday, July 15, 2014 11:09 PM
To: Martin, Jodee
Subject: Bill on exotic animals

If this bill is passed! I'm leaving this sorry ass state! I will pack up my stuff and load our 2 horses and LEAVE and never look back! My husband works for Krogers and can transfer to Ohio, Virginia, Kentucky to another store. I will sell my home and make me a new one in some other state! I am a professional dog groomer. Simply put.... I can get a job anywhere, anytime...any state! Just wanted to let you know what my families plans are if this bill is passed. I was born and raised here. I enjoy owning and showing my horse. It's my passion. I work my ass off to be able to do this. The same with my daughter, she shows and owns a horse too. These are our rights, we will do what ever necessary to keep them.

Sent from my iPhone

Martin, Jodee

From: maplewoodwv@aol.com <marmosetmomwv@aol.com>
Sent: Tuesday, July 15, 2014 11:09 PM
To: jodeemartin@wvda.us.
Subject: Dangerous and Wild Animal Act

Hello,

With all due respect I would like to address WV Dangerous Wild Animal Act. I have read over the first draft of animals on the banned list and it is very sad. I do understand the concerns of owning and/or possessing wild and dangerous animals. I also feel that if can eat me it really should not be kept as a pet. I do respect that point of view. However, I am very concerned and have a lot to lose if the list of what is considered wild and dangerous includes smaller primates, 3 of which I own, (2 callitrichids & 1 aotus). I fear that this will all pass by and I need to bring it to your attention that I along with many other residents own smaller primates in West Virginia. I know this because I have an Internet business for 10+ years educating and offering everything to do with these little primates. I have customers from all over the state as well as the country and know that this ban, if small primates are included, will break my heart and others while also putting me out of business. You may take a look at my site and see for yourself what I am referring to. www.marmosetmom.com
I beg you PLEASE to consider excluding smaller primates such as ours from this ban. These are my children and I can not see my life without my kids!!!!! Even if you were to grand-father them in that would still prohibit us from bringing another small primate into our homes in the future. As well as place the burden of large insurance and permit/license fees on us. I am a retired veterinary technician and a very responsible pet owner. My little ones are spayed/neutered and I provide for all of the special needs of these and help others across the country with those needs as well. These wonderful little creatures are no danger to anyone. Even if they would bite it is no more then like a cockatiel or hamster bite. Being in the veterinarian field for many years I can tell you that most bites come from dogs and cats. A dog or cat will run after a person to bite them but these small primates run away in fear. As far as the thought of banning them because they are prone to abandonment, I can not imagine anyone would spend $2000 on a pet and then just turn it loose or abandon it.
In conclusion, I would like to thank anyone that voted against this ban and beg you if you feel there is a need to have this in place, to consider exempting, the wonderful small creatures that we love and cherish as our pets. After all our state logo is
"WILD AND WONDERFUL WEST VIRGINIA" I have always been so proud of that logo.

Thank you for your time,
Sincerely, Rhonda Kelly

www.MarmosetMom.Com
For all your Primate needs.
FACE GOD FIRST IN ALL WE DO,
BE A BLESSING TO PEOPLE,
TRUST GOD TO MEET OUR NEEDS,
STRIVE FOR EXCELLENCE.

Martin, Jodee

From: Tammy Yoak <hossgoodrich@yahoo.com>
Sent: Tuesday, July 15, 2014 11:55 PM
To: Martin, Jodee

Are y'all crazy about taking pets away from the people of WV? What in the world would you do to them? Kill them! Well we ain't going to go along with it!!!
Now this won't work... Y'all are messing with the wrong kind of people! We live here and some live off their animals for food, like hogs and cattle and chickens....
I think y'all need to work on our road problems of our state! Good Lord! Think about what you are doing!!!!
I have lived her all my life and this is just crazy!!!!

Martin, Jodee

From: Debi Batton <debibatton@yahoo.com>
Sent: Wednesday, July 16, 2014 4:55 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Debi Batton
PO Box 326
Grantsville, WV 26147

July 16, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
Debi Batton

Martin, Jodee

From: Anthony Shook <pedalcarcrazy@yahoo.com>
Sent: Tuesday, July 15, 2014 5:23 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Anthony Shook
2137 Keller's Ridge Road
Petersburg, WV 26847

July 15, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Anthony Shook

Dangerous Wild Animal Board

I believe the following animals should be removed from the Animal Ban List:

1. All species of Characteformes fish beside Tiger Fish and Piranha.
All other species of this order do not pose any threat to public and are tropical and cannot establish in W.V. Water ways. Can the board show statistics of how these fish have injured people or become invasive.
2. All marine species of goldfish should not be on the list as they cannot live in W.V. water ways and are not dangerous to people. Can the board show statistics of injuries to people or invasiveness of these animals.
3. All puffer fish and triggerfish should be taken off this list as they cannot be invasive to West Virginia. The threat to humans is very minute as ingestion of these fish is the only way they can harm humans. People can die from many other causes such as drinking bleach but we do not outlaw bleach.
4. All species of reptiles that do not cause direct harm to humans or the environment should be excluded from this list. If they are only on the list →

because of symonella. There are numerous other ways people can catch symonella. Safety precautions can be posted to make sure people know how to handle these animals. Symonella can be easily avoided if people use precautions when handling these animals.

5. I propose we adopt the Ohio List at this time and add to the list if needed. The list can always be added to so why be in such a hurry to add orders of mammals. Banned animals should be listed as species instead of orders.

6. Hedgehogs, sugar gliders, and rodents should be taken off this list as they have been kept as pets for numerous years and are domesticated same with ferrets. These are indoor animals and would be very unlikely to be exposed to rabies. If they did come in contact with rabies they are very small and would die before transmitting the disease to humans. Could the board please show statistics were humans have been killed by these animals.

7. If Mosquito fish are considered invasive and should be banned then why does the DNR release them into state water ways?

8. I agree with all dangerous primates but believe small primates should be exempted from the list ie; Marmosets, Cappucines, etc.

9. There are numerous dog breeds that are much more dangerous to humans. Could the board please show statistics of how many WestVirginians have been injured or killed by marmosets monkeys.

9. The is no insurance company in this state that will issue a policy on banned animals. So where will people get insurance?

Thank you

Phillip Johnson
Specialty Pets L.L.C.
304-421-5008
222 Ken Lake Estates
Winfield WV 25213

Dangerous Wild Animal Board

Charleston, West Virginia

July 10, 2014

Thank you for your recent comments concerning the proposed Dangerous Wild Animal Rule. The West Virginia Division of Natural Resources, the West Virginia Department of Health and Human Resources, and the West Virginia Department of Agriculture is currently reviewing all written comments and will be taking them into consideration prior to the second filing of this proposed rule.

After the second filing, the proposed rule will be considered by the Legislative Rule Making Review Committee. Again, thank you for your interest and input into this important process.

Jewell Plumley, DVM
Chair

Martin, Jodee

From:	Martin, Jodee
Sent:	Friday, July 18, 2014 11:18 AM
To:	'djwedwards@hotmail.com'; 'rachellhopkins@gmail.com'
Cc:	Plumley, Jewell; 'emily.j.fleming@wv.gov'; 'nancy.j.sullivan@wv.gov'; 'Paul.R.Johansen@wv.gov'; 'jerry.b.jenkins@wv.gov'
Subject:	Title 61 Series 30 "Dangerous Wild Animal Rule"
Attachments:	In Response to Title 61 Series 30 Dangerous Wild Animal Rule.docx

Please see attached.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Martin, Jodee

From: DJ EDWARDS <djwedwards@hotmail.com>
Sent: Friday, July 18, 2014 10:43 AM
To: Martin, Jodee
Subject: re WV exotic pet ban

The proposed list of animals to ban is outrageous. Some of the animals listed do not belong. Since when were the common rabbit, gerbil, guinea pig harmful to humans or the environment? I specifically don't want a ban placed on my son's ball python. She has never known a day outside a home, is less that 5 feet long, is not venomous, & poses NO threat to humans or the environment. I can understand HUGE snakes that can endanger a human by crushing them, but a snake will only grow to a size comparable to their cage. My son's snake is near 20 years old & will not grow outside her cage.

Please limit the scope of this list to animals that propose a TRUE nature that will endanger humans & the environment.

Sincerely,
Debra Edwards
Webster County, WV

Martin, Jodee

From: Rachel Hopkins <rachellhopkins@gmail.com>
Sent: Friday, July 18, 2014 9:43 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Rachel Hopkins
91 Herkimer Way
Hedgesville, WV 25427

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Rachel Hopkins

Martin, Jodee

From: Boyd, Karla <Karla.Boyd@wellpoint.com>
Sent: Thursday, July 24, 2014 11:11 AM
To: Martin, Jodee
Subject: dangerous animals list

I'd like to comment on the proposed dangerous animals listing. My daughter and I own a hedgehog which I've been told is included as a dangerous animal on the initial listing. I'd like to say that my family and I believe that a hedgehog should not be included on the listing. Our hedgehog, Holly, is one of the most playful and loving creatures that I have ever owned. She wouldn't bite or harm anyone. We love her as part of the family but fear that we would not be able to afford the fee to keep her if the bill passes and hedgehogs are still on the list. Please consider removing hedgehogs from the listing on the bill. Thank you very much.

Karla S. Boyd
NGS Audit and Reimbursement III
National Government Services, Inc.
Charleston, WV
Phone: (304)343-4209

karla.boyd@wellpoint.com

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Blog : Ohio Exotic Animal Law UPDATE (New Snake Cage Standards)

Posted by dangles at 6/21/2014 2:10:12 PM

Hello all,

It's been a while but I've been hard at work behind the scenes working on an amendment to the Exotic Animal Law over the past year plus.

A little bit of a back story...
When the law was initially passed, those wishing to obtain a permit to keep/breed restricted snakes were required to abide by caging standards developed by the ZAA. Initially these standards were benign and not worth even mentioning (we all met them already). However after the law was passed, the ZAA quietly changed their standards to an absurd degree - so much so that nobody would stand a chance of ever satisfying them. I was not made aware of this until some months after the fact. I immediately reached out to my contact in Senator Balderson's office. To make a very long story very short, I drew up some recommendations for a "fix" after which he put me in contact with Governor Kasich's office and the Ag department. We hammered out an amendment that would remove the ZAA reference altogether and codify cage standards directly in the law. This way nobody could mess

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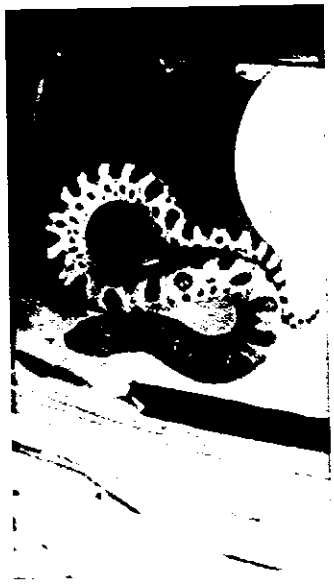
Our Newest Animals!
MS14-3

Bertopia

Conda



JohnR

Vida

with them behind the scenes. There were still a few tweaks I wanted to make but was not able to due to push-back from the Ag department. However, this is what we came up with:

(C) A person that has been issued a restricted snake possession or restricted snake propagation permit under this chapter shall comply with the requirements regarding the care and housing of those snakes established in standards adopted by the zoological association of America and in effect on September 5, 2012 all of the following regarding the housing of those snakes:

(1) An enclosure shall be provided with an environment or devices that allow for temperature regulation necessary to ensure the well-being of the snakes. The environment or devices shall be noninjurious and may include hot rocks, artificial lights, natural sunlight, and heat strips.

(2) An enclosure shall be provided with noninjurious substrate such as newspaper, processed wood shavings, rocks, sand, indoor-outdoor carpet, or other equivalent material. The substrate shall be disposed of or sanitized at intervals sufficient to ensure the health of the snakes.

(3) An enclosure shall be constructed in a manner that offers enough space and complexity to allow free movement and access to varying thermal gradients as follows:

(a) If a snake is a restricted snake specified in division (L)(2), (3), or (4) of section 935.01 of the Revised Code and lives in a primarily terrestrial habitat, all of the following apply:

(i) The perimeter of the enclosure shall be not less than the length of the snake.

EmeraldCityCresties
128407 Registered animals!
NEW!! See The Rest of the new Arrivals!

Thanks!!!

Thanks to everyone who helped test the new features. If you find any problems, please Let Me Know.

Todays Birthdays

bradlangdon , Dann , Crestielovely , Radpythons , ahunt037 , marcos , dmpayton , zing , PygmyChamMan , cosmiccresteds , jeffroe334 , TheThespian , geckobabies , Mitsumike , chasing , mikemike2 , Forrester86 , TheBeastMaster86 , valadezreptiles , Kevin , bully , RedneckReptiles , RPMSNAKES , Juan Grande , DIABOLICEXOTICS13 , ThaMystic , infinityreptiles , DamSire , palmersheim , aquamanx , 07carlos , alyssadb , Mrmaarky , Aztec Boa , ReptiMike , Steven Mcdonald

(ii) The height of the enclosure shall be not less than five inches.

(iii) For each additional snake permanently housed in an enclosure, the perimeter of the enclosure shall be increased by ten per cent of the perimeter of an enclosure that permanently houses only one snake.

(b) If a snake is a restricted snake specified in division (L)(2), (3), or (4) of section 935.01 of the Revised Code and lives in a primarily arboreal habitat, all of the following apply:

(i) The perimeter of the enclosure shall not be less than the length of the snake.

(ii) The height of the enclosure shall be not less than twelve inches.

(iii) For each additional snake permanently housed in an enclosure, the perimeter of the enclosure shall be increased by ten per cent of the perimeter of an enclosure that permanently houses only one snake.

(c) If the snake is a restricted snake specified in division (L)(1) of section 935.01 of the Revised Code, all of the following apply:

(i) The length of the enclosure shall not be less than forty per cent of the length of the snake.

(ii) The width of the enclosure shall not be less than two feet.

(iii) The height of the enclosure shall be not less than twelve inches.
(iv) For each additional snake permanently housed in an enclosure, the length of the enclosure shall be increased by ten per cent of the length of an enclosure that permanently houses only one snake.

(4) An enclosure shall be constructed of material that securely and effectively contains the snakes. The material used to construct the enclosure may include plastic, tempered or laminated glass, wood, or other equivalent material. The enclosure shall have surfaces that are nonporous and that can be thoroughly and repeatedly cleaned and disinfected.

(5) The door or lid of an enclosure shall have a secure latch or lock

attached to the exterior of the enclosure that when latched or locked prevents a snake from leaving the enclosure.

(the entire law can be found here)

This amendment was signed into law this past week! I realize there are still major issues with the law but this was one that immediately and without exception would have barred ANYBODY from qualifying for a permit.
I will continue to work on other changes that need made and hopefully have more news for you in the future.
-Chris

Comments: **View Oldest First**

Sonja K.,

Posted At: 6/21/2014 7:59:02 PM

Thank you for all your time and work on this.

Nicole,

Posted At: 6/21/2014 9:34:21 PM

Yeah, thank you very much! I live in Ohio as well, these all sound pretty reasonable. ☺

Posted At: 6/22/2014 8:14:07 AM

Niki ,

For you for the work you've done 😀

Posted At: 6/25/2014 10:41:33 AM

Bravo!

Killgore,

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Martin, Jodee

From: Jamie Jeffries <jamiejeffries27@yahoo.com>
Sent: Wednesday, July 23, 2014 3:47 PM
To: Martin, Jodee
Subject: Animal list

Hello, are Alpacas on the list ? Or were they removed?
Thank you
Sent from Huawei Mobile

Martin, Jodee

From: ibkoontz@frontier.com
Sent: Wednesday, July 23, 2014 4:49 PM
To: Martin, Jodee
Subject: Law on exotic animals

I would like to put in my two cents about the animal law. Expecially the hybrid cats. These are just pussy cats with a degree. I have had the bangles and they are just a tame pussy cat.

Please don't just group all these small pets together in one law without checking out what you are putting in the law. We love our pets and don't want to have to go without food ourself to keep them.

Ina Koontz
1131 Middle Fork Road
Kenna, WV 25248

Thank you for reading this letter.

FREE Animations for your email Click Here!

Martin, Jodee

From: michaels226@frontier.com
Sent: Wednesday, July 23, 2014 5:37 PM
To: Martin, Jodee
Subject: animal list for HB 4393

I am writing in opposition to adding any snakes to the "Dangerous Wild Animals" list at all for the following reasons.

1. Captive reptile attacks and fatalities are a miniscule fraction compared to dog attacks in the US and around the world. In the entire US, less than one person is killed every year due to ALL captive reptiles, not just snakes. To proclaim they are an imminent danger to people is patently false.

2. In the state of WV, the only fatalities from snakes have been from venomous rattle snakes used in religious ceremonies. Under HB 4393 and the WV Constitution, this law cannot infringe on religion and would then have no effect at all.

3. All of the snakes that would be banned in WV under this law will harm research and development of much needed medications for many fatal diseases including but not limited to heart disease related to enlarged hearts, blood pressure related diseases, stroke, aneurysms, mental disorders, diabetes, liver disease and others. All medical research facilities purchase the snakes used in research from private breeders, many of which reside in WV. This will harm the economy in WV as well as the effort to finding cures for many ailments.

4. None of the exotic constrictor snakes can establish populations in WV due to the extremes in weather and climate. Any escaped specimens will perish the first day it gets above 98 degrees or below 50 degrees. They do not present a danger to people as these animals tend to shy away from people rather than attack them. As for harming wildlife, a full grown constrictor snake may eat 10 to 12 meals a YEAR. To call them damaging to the environment is false especially compared to the common domesticated house cat which can eat 10 to 12 meals in a couple of days.

5. The permit and insurance requirement will take money away from the care and health of these animals. Which instead of helping the animals, will make the likely hood of neglect much higher. These fees and demands cannot be made without accepting responsibility that it may cause harm to the animals. Animal abuse and neglect is something none of us want.

6. Exotic pets over all contribute significantly to the economy of WV. By outlawing just a few species of animals, many support industries inside the state will suffer or be forced to close their doors. This will result in a massive economic loss for the state. Reptiles in general require temperature and humidity that must be created artificially in captivity, along with food, bedding materials, and other products that are required.

7. There are many private people and business owners in WV that own exotic pets. In conferring with many of these people, they agree with me that should this list be made law, they will relocate themselves and where applicable, their businesses to other states that respect the rights of pet owners. This will further damage the economy of WV that could result in the loss of millions of dollars annually in revenue. Our state is under siege economically now because of the anti-coal initiatives

being pushed by the Federal Government. WV cannot withstand further economic depression through poorly thought out laws on subjects like this one.

In closing, the list being created is being done so without thought to the many unintended consequences for both the animals and people. This list is being made without the myriad of facts and information needed to make a proper decision and this list is a foolhardy attempt at regulating something that simply should not be restricted nor requires regulation. Given the lack of harm to people and the environment caused by the snakes and reptiles in question, I would ask that they be removed from the list at least until such time that all animals with a history of much greater harm to both the environment and people are addressed by this law. Domestic dogs, cats and many livestock animals have done much more harm and to single out animals that cannot survive in WV in the wild nor have been a cause of significant injury or death is irresponsible and questionable at best.

Given the numerous times this list has been revised, I would encourage a 30 day extension of the comment period for the benefit of the DWAB and the citizens of the state. To do otherwise would be unfair and a lapse of good relations between the Government and the people.

I will also make myself available by phone or in person should any member of the DWAB or the WV Legislature wishes to contact me concerning snakes for factual information and discussion.

Thank you for your time and consideration,

Michael Meador
113 Hawick Road
Inwood, WV 25428
304-229-6479

Martin, Jodee

From: Darlene Koontz <dkool74@hotmail.com>
Sent: Wednesday, July 23, 2014 6:32 PM
To: Martin, Jodee
Subject: animals

Excuse me if I read this wrong> On the snakes, they have to be kept in a cage??????? well look what is happening in Florida with the pythons.
I think these types (anacondas also) should be be against the law entirely, I know WV has poisonous snakes, but I do not see the need for anyone to have this kind of a predator. Also WV brought coyotes here to try to stop auto accidents with deer. Coyotes, are nothing but varmints, and they do not kill deer to fix that little problem, and I think it is a shame that whoever brought them here did not do their homework. If these people want to live with these man killers (snakes,)then maybe they need to move wherever these things are hatched. By the way, we have spent the past 20 years in the state of Nevada, where the coyotes destroy a lot especially, small house hold pets.

Thank You

Darlene Koontz

Martin, Jodee

From: Reanna Phillips <reannaphillips@gmail.com>
Sent: Wednesday, July 23, 2014 6:32 PM
To: Martin, Jodee
Subject: Comments Regarding the Proposed "Dangerous Animal List"

Dear Sir or Madam:

It is my understanding that parakeets have not been removed from the current "dangerous animals list".

While I understand the motivations of the WVDNR and WVDA, I would like to bring - to the committee's attention - four points:

1. Parakeets cannot survive in cold weather. They are easily susceptible to cold temperatures. Therefore, their survival during cold seasons is a small chance, and the chance of reproduction is minimal.

2. Parakeets are not capable of withstanding extreme heart. Their survival during warm seasons is small and their reproduction is minimal.

3. Parakeets require a specific diet. From my research, parakeets tend to eat a variety of seed which is not easily available within the WV ecosystem. However, they are susceptible to poisoning from basic plants. From this information, I assume their survival and reproduction is minimal. Plus, the possible destruction to the ecosystem is small compared to other bird species.

4. Parakeets easily become ill. The simplest of "colds" or "bugs" can result in death. Again, their survival and reproduction is minimal.

For your review, here is a link which simplifies the care-taking of a parakeet or "budgie".
http://www.mspca.org/programs/pet-owner-resources/pet-owner-guides/bird-care-adoption/bird-care-guide-parakeets.pdf

As a native West Virginian, I appreciate the efforts of your office and those who have come together to hash these things out.

I hope that you take my points into consideration.

Sincerely,
Reanna M. Phillips

Martin, Jodee

From: Patty <pattycanter@yahoo.com>
Sent: Wednesday, July 23, 2014 6:59 PM
To: Martin, Jodee
Subject: Marmoset monkey

Hi there, I just wanted to ask if marmoset monkeys are going to be banned or exempt on this list. I totally understand and support the large dangerous primates. However, the marmoset is kept by many and has been for many generations, weighing in at about a pound full grown, we don't see them as a dangerous at all. They get very attached to their human family and the humans very attached to this tiny little primate which to many of us isn't just a pet, but family.

Please don't ban these babies the people that have these as pets take very good care of them. There is no way this tiny monkey could survive in our climate here if it got out in the open.
Please let us keep our babies

Thank you,
Patty

From my Android phone on T-Mobile. The first nationwide 4G network.

Martin, Jodee

From: James Ward <jamesdward24@gmail.com>
Sent: Wednesday, July 23, 2014 8:28 PM
To: Martin, Jodee
Subject: In response to large constrictors on the Dangerous Wild Animal Act

Mr. Martin,

Large exotic constrictors pose no direct threat to native ecosystems in West Virginia. There are many reasons for this. Most ecological niche and climate models that predict the potential invasive characteristics of these animals are invalid because these models cannot accurately depict biotic factors such as an ecosystems species richness and its biodiversity specific to that region. Many studies conducted on invasive organisms show a direct link between species richness and biodiversity. The higher these are, the less likely invasion will occur. West Virginia's climate alone indicates that these large constrictors could not survive the temperature and possible precipitation in the state. Other studies show that the potential for a species to invade is related to the natural and anthropogenic stressors straining an environment leaving an opportunity for an invasive to fill a niche. Unless many of West Virginia's ecosystems are declining then invasion from exotics pose little threat especially those that have specific requirements for their survival such as thermoregulation. The horses found throughout the United States were introduced here by the Spanish a long time ago. While research has shown that at some point in North American Natural History horses did flourish. The fact that they became extinct indicates that the ecosystems where they were once native has adapted to life without their presence. So I'd be willing to say that the potential for a domesticated horse to become an indirect invasive is pretty high considering they are flourishing elsewhere in similar environments conducive to our native ecosystems. So logically, horses and pig populations that become feral pose more threat than an exotic large constrictor. Running already established feral horses, cats, and pigs through Ecological Niche Modeling Programs would easily prove this hypothesis. Furthermore, while large constrictors do pose a threat to human life. All things pose this threat from horses to dogs. So basing a decision just on the injurious aspects for regulating these animals is biased. Life is life no matter how many humans get hurt from "Wild" animals or "domesticated" animals. Recent studies on the Agta tribe in the *Python reticulatus* native range indicate an intricate relationship between large constrictors and humans. The study also suggests that most of the attacks on this tribe are because of human error. An example would be hunting for food and running up on the snake. This is evidence to suggest that these animals don't view humans as potential prey. I really appreciate your time and if you have any questions; please don't hesitate to send me an email.

Thanks you so much for your time,
James Ward

Martin, Jodee

From: Christine Atwell <armadillo1919@hotmail.com>
Sent: Wednesday, July 23, 2014 9:40 PM
To: Martin, Jodee
Subject: comment on dangerous wild animal act-snakes

Dear Jodee Martin,

I went to *http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=25971&Format=PDF*
and looked at the list of snakes on the Dangerous Wild Animal Act. I didn't see Agkistrodon contortrix (copperhead) or rattlesnakes on it. I think these venomous snakes should be on the list because they have hurt and even killed people.

The only reason I can think of as to why these snakes aren't on the list is perhaps that some Christians play with venomous snakes in church. Perhaps you can have a religious exemption for them or make it illegal for everyone, including them. I have received reports of Christians getting bit and dying from venomous snakes in church.

Another snake not on the list is agkistrodon piscivorus (water moccasin). This should be illegal to be kept as a pet snake because it is poisonous.

I think all snakes that are not native to West Virginia should be prohibited from being kept as pets because sometimes owners intentionally let snakes out in the wild or the snakes escape. When animals get introduced to a new area, they sometimes kill off other species or somehow wreck havoc.

Please take my comments into consideration.

Christine Atwell
PO Box 572
Alderson, WV 24910

Martin, Jodee

From: Melissa Kowalski <melissa@crittersandconservation.com>
Sent: Wednesday, July 23, 2014 11:26 PM
To: Martin, Jodee
Subject: Dangerous Animals List

Dear Jodee Martin,
I understand the list is already being changed. That's great. But my question is this, according to a news source channel 13 (http://www.wowktv.com/story/26094651/controversial-list-of-dangerous-animals-revised-clarified-at-meeting-in-south-charleston-wv)

"The subcommittee that met Wednesday will present their proposed revisions to the entire board July 30 at 1 p.m. at the West Virginia Department of Agriculture complex in Guthrie."

How will the subcommittee present their proposed revisions 24 hours before the comment period closes? Is this statement from channel 13 accurate?

Thanks,
Melissa Kowalski
PS I will be submitting my comments soon.

Martin, Jodee

From: todd downey <todd_downey2000@yahoo.com>
Sent: Thursday, July 24, 2014 12:54 AM
To: Martin, Jodee

I don't see why any of the animals are being put on the list. Reptiles including snakes(Red tail boas) cannot harm the environment. First of all they could not survive the winter her in West Virginia. Another thing is that it is one of rights that you are trying to take away for us as citizens to choose what pet want. And it is a descrimination against us exotic pet owners. When what is harmful to the environment and harms or kills the citizens and animals is the the chemical leaks and spills.what happened to Freedom Of Choice.We have the freedom to choose who we want for president,governor,legislators,etc.. But now we as citizens of West Virginia and responsible exotic pet owners are are having to fight to to keep one of our rights besides all the pet shops also. A lot of the pet shops may even go out of business or let a lot of employees go because of the cut back on animal sales. Which will raise the unemployment status of the state. Red Tail Boas,Ball Pythons,among various types of lizards and snakes are a lot of income for these pet stores.How would you feel if one of your rights was taken away or you had to fight to keep it? Or you find out there is going to be cutbacks and you may lose your job? So I am here to ask you to remove and keep off the list, red tail boas,carpet pythons,Dumerils boa,ball pythons,rainbow boas and various lizards(bearded dragons,iguanas,leopard geckos,savannah monitors,tegus,) and spiders(tarantulas).I am here to say I am respectfully totally against this banning bill and a strike against one of our rights and descrimation against us. Thank you.

Martin, Jodee

From: RODGER CHANNELL <rwckdc@dishmail.net>
Sent: Tuesday, July 22, 2014 12:21 PM
To: Martin, Jodee
Subject: exotic animal law

I would like to have a copy of the new proposal. Iread the Ohio law last weekend and it is a lot better than the WV propasl that I saw
Thanks I would really like a reply

Martin, Jodee

From: Custer, Koren
Sent: Tuesday, July 22, 2014 2:43 PM
To: Martin, Jodee
Subject: FW: WEST VIRGINIA PROPOSES TO BAN LARGE NUMBER OF AQUATIC SPECIES + MORE
Attachments: WVA Wildlife List.pdf

Here are the comments that Rob passed on to me.

--

Koren Moore Custer, DVM, MPH
Assistant State Veterinarian, Assistant Director – Animal Health Division
West Virginia Department of Agriculture (Guthrie Complex)
kcuster@wvda.us
Office: 304-558-2214, ext. 4635
Cell: 304-380-8162

From: Nichols, Rob
Sent: Tuesday, July 22, 2014 11:46 AM
To: Custer, Koren
Subject: FW: WEST VIRGINIA PROPOSES TO BAN LARGE NUMBER OF AQUATIC SPECIES + MORE

From: Zajicek, Paul [mailto:Paul.Zajicek@freshfromflorida.com]
Sent: Wednesday, July 16, 2014 10:02 AM
To: Nichols, Rob
Cc: Sapp, Portia
Subject: FW: WEST VIRGINIA PROPOSES TO BAN LARGE NUMBER OF AQUATIC SPECIES + MORE

Rob:

I have looked at the proposed list and have a few quick observations.

The order Siluriformes is proposed as "all species prohibited." There is a host of native catfish that are included, ie the family Ictaluridae that includes bullheads, madtoms, channel catfish, and blue catfish, as well as plecos that are popular with aquarium hobbyists for cleaning up algae. Similarly, all species of the order Characiformes are included as prohibited. This large order includes quite a number of freshwater tropical fish such as tetras, pacu, silver dollar, hatchetfish, pencilfish and others. And all species in the marine Tetradontiformes that includes several triggerfish that are kept by marine aquarists.

I am wondering whether there is some other interpretation of this rule. And/or what can we do to provide information to West Virginia to convince ya'll to focus on species that pose significant risk?

Thank you,
Paul

Paul W. Zajicek
Environmental Administrator

Division of Aquaculture
Florida Department of Agriculture and Consumer Services

(850) 617-7600
(850) 617-7601 Fax
Paul.Zajicek@FreshFromFlorida.com

600 South Calhoun Street, Suite 217
Tallahassee, Florida 32399-1300

www.freshfromflorida.com

Please note that Florida has a broad public records law (Chapter 119, Florida Statutes). Most written communication to or from state employees are public records obtainable by the public upon request. Emails sent to me at this email address may be considered public and will only be withheld from disclosure if deemed confidential pursuant to the laws of the State of Florida.

PIJAC AQUATIC COMMITTEE ALERT

WEST VIRGINIA PROPOSES TO BAN LARGE NUMBER OF AQUATIC SPECIES + MORE
WRITTEN COMMENTS DUE AUGUST 1, 2014

THE ISSUE:

West Virginia's Department of Natural Resources published on July 2, 2014 a proposed list of animals that would be banned due to their being "Dangerous Animals" in response to the State's Dangerous Wild Animal Act. The new Act defines "**Dangerous Wild Animal**" to mean to any mammal, bird, reptile, amphibian or aquatic animal (including hybrids) that is "**dangerous to humans, other animals, or the environment due to its inherent nature and capability to do significant harm.**"

NOTE: The proposed listing includes not only a handful of individual species, but also a number of entire Orders or Genera.

While this alert focuses on banning aquatic organisms (e.g. Tetras, Catfish, Gobies), West Virginia also proposes to ban number of important mammals, birds, reptiles, amphibians, etc. — **Java Rice Sparrows, Monk/Quaker parakeets, Tree Frogs, Bulbuls, Boas, Snails, !!!!**

Possession Permits: A annual permit to possess a listed species may be granted by by the Dangerous Wild Animal Board.

Permit Cost: Section 61-30-5 imposes a **$100 permit fee for each animal** the Board approves an applicant to posses.

Caging Requirements: To obtain a permit the applicant would have to comply with the "caging" requirement. A "cage" is defined in **Section 61-30-2.3** as "an enclosure of wires, or bars which is used to confine mammals, birds, reptiles, amphibians, or aquatic animals to prevent escape. **Section 61-30-4** also requires that caging must be in accordance with USDA Animal Welfare Act Regulations (interesting since AWA regs do not apply to birds, cold blooded animals, or aquatics!)

Proposed AQUATICS ban [PIJAC NOTE: Commissioner's office confirmed via telephone on July 15 that when refers to "All species prohibited" it includes an entire Order such as *Siluriformes* (catfish.) The proposed listing is not limited to walking catfish or the Candiru]

NOTE: A number of the aquatics are currently listed as "injurious" under the Federal Lacey Act.

1. **Actinopterygii** (Ray-finned fishes)
   - Cyprinodontiformes
     - Poeciliidae
       - Genus Gambusia
         - Gambusia affinis (Mosquito fish)

2. **Tetraodontiformes** (trigger, file & puffer fish) All species prohibited [PIJAC NOTE: includes10 families, 360 species]
   - Perciformes (perch-like fish)
     - Gobiidae (Goby family) All species prohibited. [PIJAC NOTE: 2,000 plus species and 200 genera]
     - Channidae
       - Genus Channa (snakehead fish) All species prohibited
     - Cypriniformes (minnow like fish)
       - Cobitidae
         - Genus Misgumus

Misgumus anguillicaudatus (oriental weather fish) Pond loach

Characiformes (piranha fish, tiger fish) All species prohibited [PIJAC NOTE: 18 families, 2000 plus species. Primary species designated by the name "tigerfish" are African and belong to the family *Alestidae*]

Siluriformes (Candiru catfish, walking catfish) All species prohibited. [PIJAC NOTE: Diverse group with 1 in 4 freshwater fish classified as catfish making up approximately 2,855 species.

3. **Malacostraca** (Crayfish)

Decapoda

Family Cambaridae

Genus Orconectes

Orconectes virilis (Virile crayfish)

Orconectes rusticus (Rusty crayfish)

Genus Procambarus

Procambarus clarkia (Red lobster, Red swamp Crayfish)

4. **Amphibia** (Amphibians)

Gymnophonia (Caecilians) All species prohibited. [PIJAC NOTE: *Gymnophionia* proper spelling.]

Caudata (Salamanders) All species prohibited [PIJAC NOTE: 655+ species of salamanders and newts.]

Anura (Frogs and Toads)

Family Pipidate (clawed frogs) All species prohibited. [PIJAC NOTE: *Pipidae* is proper spelling. Includes 33 species in 4 genera]

Family Hlidae (tree frogs) All species prohibited. [PIJAC NOTE: *Hylidae* proper spelling. Included 949 species in 50 genera]

Family Bufonidae (toads) All species prohibited [PIJAC NOTE: 590 species in 50 genera]

5. **Bivalvia** (Bivalves)

Veneroids (Moluses)

Dreissenidae

Genus Dreissena

Dreissena polymorpha (Zebra mussel)

Dreissena rostriformis (Quagga mussel)

Corbiculidae

Genus Corbicula

Corbicula fluminea (Asiatic clam)

THE IMPACT:

If the proposed list is adopted, numerous species in the ornamental fish industry as well as number of non-aquatic species comely possessed as pets will become illegal despite the fact they are not "dangerous wildlife"

under any stretch of one's imagination!

The Notice fails to include any information at all the process relied upon to publish the list other than a 3 person board met. No information has been proffered as to the underlying methodologies, risk screening, or risk assessment models used to create the wholesale listing on literally hundreds if not thousands of species. Adoption of a list of banned species should be science-based supported by disclosure of the process for justifying the listing of each species. Wholesale bans by entire Orders of Genus requires far more disclosure than revealed when the State published it proposed dans. Fundamental due process requires a far greater revelation as to the State's methodology.

The Permit Fees are simply exorbitant. The caging requirement for most aquatics somewhat amusing!

RECOMMENDED ACTION:

Your Aquatics Committee urges all recipients of this alert to:

- **Review the entire list** as published in the Attachment,

- **Email PIJAC a list of species** you are concerned about and where possible any data (numbers of specimens by species in trade, dollars involved, etc). All data will be aggregated by Marshall Meyers so no proprietary information is identified by persons sending such data.
- **Forward this Alert** to your customers/suppliers with special emphasis on alerting West Virginians.
- **Alert others that you know would be impacted** by banning numerous non-aquatics such as **Gerbils, Ferrets, Chinchillas, Rabbits, Turtles, Java Rice Sparrow, etc.**
- **Send PIJAC copies of any studies** you are aware of showing which species not "dangerous.
- **Points to consider when writing your comments:**

    - No science-based criteria or process appears to have been used to create the list
    - Science-based risk screening or assessments need to be conducted incorporating climate matching, evidence/history of harm, biology not simple conjecture
    - Listing by entire Orders results in inclusion of hundreds, if not thousands of species, for which no evidence for vast majority of species as being harmful such as many Gobies, Tetras, catfishes, etc.
    - Includes many species common in the pet trade without anuy evidence of harm to humans, other animals or the enivorinment
    - Many species (list species where you can) are not adaptable to West Virginia's environment
    - Call for creation of a working group with representatives from various industry organizations to work towards a black list of species following a science-based review to demonstrate that a listed species is in fact "harmful" to humans, other animals or the environment.
    - Include any references to science-based literature supporting your position

- **Submit your written comments no later than August 1, 2014 via mail to:**

    West Virginia Department of Agriculture
    1900 Kanawha Boulevard East
    Charlestown, WV 25305

- **For more information visit PIJAC's website:** http://www.pijac.org/pet-alerts/will-west-virginia-bureaucrats-outlaw-gerbils-rabbits-and-turtles; http://www.petsnotthreats.org/;
- **Please forward alert to aquarium societies and other hobby groups**
- **Please forward copy of your comments to PIJAC.**

If you have any questions, contact Marshall Meyers via email at mmeyers@meyersalterman.com or call 202-256-6726.

Martin, Jodee

From: Veitia, Marie <veitia@marshall.edu>
Sent: Tuesday, July 22, 2014 2:44 PM
To: Martin, Jodee
Subject: Bengal cats are loving and gentle

Dear Ms. Martin:

I am writing with respect to the "Dangerous Wild Animals" list and specifically with regard to Bengal cats. While it is certainly true that the Bengal cat that many of us know and love is descended (fourth generation) from the Asian Leopard Cat (mated to a domestic cat), to say that they are dangerous could not be farther from the truth. As the very happy owner of three Bengal cats, I can assure you with complete confidence that they are 100% domesticated and not remotely dangerous. My Bengals have been around all ages from children to adults and have never, ever, even thought about causing harm. I believe that one reason they are so popular is because of their unique temperament and dog-like behavior. For example, they will greet you at the door and go with you just about anywhere that you go in your home simply because they want to be near you. They love to socialize and play. My daughter's Bengal even walks on a leash!! They are hilarious to watch because they are always in to something. They have brought more joy and laughter into my home than I can even describe. They also live quite happily with a 75 pound dog. I can't tell you how many times I have heard, "I don't really like cats but I like these cats" from my friends when they visit.

I would also venture to say that most of us who have the distinct pleasure of owning a Bengal, keep them indoors. You don't pay upwards of $1500 or more for a cat and let it roam the neighborhood. Responsible breeders such as the one from whom I purchased my Bengals also make sure that they are spayed or neutered when you take ownership (unless you are buying what would be a very expensive cat for breeding). This, combined with keeping them in your home, virtually eliminates the possibility of overpopulation and suffering among cats without homes. I think there is also the mistaken perception that Bengal cats are large (or at least larger than the average house cat) or that the Asian Leopard cat from whom they descended is large. I suppose the name Asian Leopard cat could inspire thoughts of danger because unknowingly you might associate them with the Big Cats of Africa and the like. The Asian Leopard cat is a small cat weighing about 10-15 pounds at maturity. My Bengals weigh about 10-11 pounds fully grown. In other words, they look just like a regular cat because they ARE just regular cats with a fancy paint job.

I bring these things to your attention to ask you to please do what you can to honor this incredible species of cat by making sure that it gets treated the same way as any other cat. That is, that we speak with one voice in saying that these are simply cats, unique yes but dangerous never. I have certainly had what regular house cats that were mean. I am thinking of a particular Siamese cat I had that would lie in wait for anyone to come by so he could bite your ankle!! About the worst thing my Bengals have done is tear up toilet paper leaving shreds for me to have to clean up.

I do respect what you and the Department of Agriculture are trying to do in protecting us but please consider thoughtfully before branding these incredible Bengals with the title of dangerous. I would love to be present to speak in person at one of your meetings but my work hours prevent that. I am happy to address any additional questions you have about these animals. Thank you for your consideration of this important issue.

Respectfully,

Marie Veitia
Huntington, WV
304-617-2465
Veitia@marshall.edu

Martin, Jodee

From: Ron Lanham <lanhamron@gmail.com>
Sent: Wednesday, July 23, 2014 12:58 AM
To: Martin, Jodee
Subject: Comment for Dangerous Wild Animal list

On March 21, 2014 the State of West Virginia granted power to a select group of individuals to determine what constitutes a "Dangerous Wild Animal" as addressed by HB4393. The original wording of this bill stated that the purpose for such bill was to protect the citizens of West Virginia from dangerous and invasive wild animals. While there can be no argument that some species should be restricted from just anyone owning them such as lions and tigers etc. The list that the DWA board originally put together quickly began to draw fire for being too inclusive and over reaching. In fact the list produced and made public has many oversights and exaggerations which were used to justify the "danger" from entire orders of animals such as the entire order of Characiformes which includes piranha, pacu, tiger fish and yes such harmless aquarium fish as tetra, silver dollars, and hatchet fish just to name a few of the nearly 2000 species that would face unjustified and unwarranted banishment. Being in the pet industry I have had the opportunity to work with many species that are being considered as "Dangerous Wild Animals" by the board and I am more than qualified to speak on why or why not they should be listed as such.

Last week due to public concern the DWA board voted to throw out the original list which was far too overreaching, and agreed to adopt Ohio's list of "Dangerous Wild Animals" with an amendment to revise the list to include some of the animals on the previous version. After having several conversations with board members it has become clear that some understand that the ban would affect pets and the pet industry and that a more balanced list is needed instead of blanket bans of entire "orders". However after hearing that some groups still think that some of the animals from the previous list, particularly fish and snakes over 6 feet must be affected by the new list, it is a good idea for me to address some serious concerns that could affect both common West Virginia pet owners and pet retailers alike. First the notion to add in "snakes over 6 feet" as stated in the original bill is not a mandate, it was a polite suggestion according to the bills wording. Nearly every snake in the pet trade achieves a length of over 6 feet. If the board cannot change the wording of the bill, which I believe it cannot, then it should simply list only snakes which pose a clear and present danger regardless of size.

The reptile industry in this state is a booming franchise, in other states the trade pulls in millions in supplies and animals. The animals sold are not dangerous wild animals and have been selectively captive bred for years to insure a docile nature and to create new color morphs and patterns. These snakes are the reptile versions of pedigree dogs and cats and are just as tame if not tamer. Most of these snakes do not belong on such a list and I will address this in more detail later in my comment.

I will begin with fish. The most recognizable tetra in the world is the neon tetra and it is without a doubt the number one selling tropical fish in most pet stores. These little fish requires a tropical water temperature in the mid to upper seventies with a slightly acidic Ph of near 6.5 to 7 in order to thrive. They achieve an average size of about 1.2" and breeding these little fish is not easy. The neon tetra is imported from Hong Kong, Singapore

and Thailand. "During a single month, an average of 1.8 million neon tetras with an estimated value of $175,000 are imported into the United States for the aquarium trade."(1). There is no evidence that any tetra has ever been considered an invasive threat to the state of West Virginia.

The problem here according to the original justifications made by the DWAB is that the board was seeking to ban the "Order Characiformes (piranha fish, tiger fish)
All species..." the reason?

"Justification

These species present health (toxin) and safety risks to humans or have invasive abilities that threaten native fish populations. "

Fact: There is no evidence that tetras present any such threat to West Virginia citizens or the environment. If the board wishes to restrict ownership of Piranha and Tiger fish then please select only those particular species. It must be noted that there are several species belonging to the genus *Hydrocynus* of the family Alestidae which are referred to as "tigerfish." When people hear the word tiger fish, the image that likely comes to mind is that of the Goliath Tiger fish made famous by The Animal Planet series "River Monsters" Season 2 episode 1 March 28, 2010. This fish can grow very large and is a serious predator best suited for expert aquarists and institutions. It is related to tetras, silver dollars and the like only by the scientific classification of its ORDER there are absolutely no further shared characteristics which justify the entire order be banned.

Some of the better known aquarium trade fish that fall under Characiformes are:

Leporinus, all species of tetra, pencil fish, hatchet fish, fresh water barracuda, headstanders, distichodus, hatchet fish, payara, piranha, silver dollar, and African tiger fish. Of these the only ones that could present a threat would be piranha and pacu. Consideration of piranha and pacu as well as African tiger fish would be acceptable by most in the pet trade as they are not a "staple item" such as the other fish listed above.

Most tetra are very low priced. The average price paid for a neon tetra is between $.99 and about $2.00. They are a schooling fish and with proper lighting they seem to light up, thus the name. Most other tetra species are schooling fish and most aquarists buy them in large numbers. If the current list were to become law hundreds of thousands of WV aquarium owners would become responsible for both the physical tracking or marking of each fish plus a fee of $100 per fish, no one in their right mind will pay $100 a year to own a $2.00 fish and no serious hobbyists will kill their prize collections based on such an unjustifiable ruling. In this situation it is clear that the average hobbyist is far more versed in the care and requirements of the animals in question than anyone the DWA board has referenced to make such justifications for inclusion.

Characiformes is not the only peaceful and abundant aquarium fish targeted. The next ORDER that needs addressed is that of: "Order Siluriformes (Candiru catfish, walking catfish) all species "

Again the DWA board has provided a blanket solution to address problems with only a few members of the order. Also it has included a fish, the Candiru-Acú, that is to my knowledge not in the pet trade nor available to ordinary hobbyists and one that was most notably made famous by Animal Planet's "River Monsters" Season 1 episode 6 May 10, 2009. I seriously doubt the board would get much resistance from any serious aquarium hobbyists from banning the Candiru as most who are aware of it know of its particular danger. Instead of banning all catfish, again just like the tetra, there are many species of small aquatic variety that cannot live in the streams of West Virginia and that pose absolutely no real threat to anyone. If the board wishes to ban the Candiru then it should state so in the manner as follows:

"Candiru Catfish (family Trichomycteridae, all species)". That is enough to satisfy the majority of aquarium hobbyists in this state.

Of interesting note the invasive problem with the walking catfish (*Clarius batrachus*) may have had an origin which should serve as a reminder to the DWA board. According to "http://www.columbia.edu/itc/cerc/danoff-burg/invasion_bio/inv_spp_summ/Clarius_batrachus.html"

The invasion started from frightened innocent citizens who did not want to become criminals.

"*Florida:* In the early 1960's, the walking catfish was imported to Florida from Thailand for the aquarium trade. The first introductions apparently happened in the mid 60's when adult fish, imported to be brood stock, escaped from Penagra Aquarium in Broward County and/or from a truck transporting brood fish between Dade and Broward counties. In 1967, the state of Florida banned the importation and possession of walking catfish. However, this led to another release of the fish into the wild. Fish farmers in Tampa Bay who possessed the fish purposefully released them so that they would not be found in violation of the new law. "

Again banning the walking catfish will not cause any harm to the pet industry in West Virginia. Much like the Candiru, it is not imported into the trade.

Next on the fish list is from the Genus Misgurnus the
Oriental weather fish (Misgurnus anguillicaudatus)

The Dojo or "weather fish" is a peaceful community fish. It does best in schools of three or more and is used as snail control by hobbyists. The dojo has been listed as invasive by many states but California seems to be where the problem began. Although the fish can tolerate lower temperatures, pH of natural streams and rivers would likely render it incapable of colonization. In fact the fish has been readily available in the pet trade since at least 1930, if it is a threat to West Virginia it should have been discovered here by now.

Aside from the harmless tetras, silver dollars, hatchet fish and catfish, the DWA board has stated that West Virginia aquarium hobbyists must be protected from marine fish such as:

"Order Tetraodontiformes (trigger fish, file fish, puffer fish)
All species"

The justification for these species is as follows:

"These species present health (toxin) and safety risks to humans or have invasive abilities that threaten native fish populations."

The fish that would be affected that are in the aquarium hobby such as the trigger, file and puffer are fairly expensive additions. Average price of these fish is between thirty dollars to thousands of dollars depending on species and rarity.

The "toxin" referred to in the justification above is **Tetrodotoxin** this is indeed a powerful neurotoxin and is the only justification for inclusion but it is only present inside the animal and can only be transferred by ingestion, it cannot be transmitted by skin contact or bites. In other words the animal or the organs containing neurotoxin must be eaten, usually raw. There are no hobbyists that would ever buy such an expensive fish for their aquarium and eat it.

Order Perciformes
Family Gobiidae (Goby family)
All species

There are over three thousand species in the family Gobiidae, though there may be some reports of invasive gobies invading the great lakes region, these are not the same gobies in the aquarium trade and absolutely none of the invaders are true marine gobies in fact there is only one invasive species of goby, (the round goby). Marine gobies cannot tolerate freshwater. In fact marine organisms will die when exposed to freshwater. The oceans of the world and marine aquariums alike have a salinity or specific gravity (SG) of 1.024. It is a common practice to treat marine fish with fresh water baths or hypo-salinity dips to kill off marine parasites. The fish can tolerate a SG of about 1.010 for a very short time but the weaker life forms such as marine parasites will die much faster when exposed to the fresher water. Unless the host fish is returned to a normal salt content quickly usually within about 15 min depending on size of fish, the animal will succumb to osmotic shock and die. It should be noted that even in coastal states these marine hobby fish are not banned.

If the board wishes to ban members of the family Gobiidae they must understand that this family includes both harmless marine as well as the true intended targets the freshwater (brackish) variety. Brackish and Marine are not the same thing. The specific gravity of brackish water is anything from 1.005-1.019, saltwater or "marine" is typically 1.020 to 1.025. True saltwater tanks or (marine tanks) are maintained at a constant temperature between 78 and 82 degrees F, even if a marine fish were capable of surviving in freshwater it would quickly die due to temperature shock. In short marine gobies cannot survive in freshwater tanks or streams much less the temperature conditions of WV waterways.

I respectfully ask that the board narrow down this family and focus only on fish species that present a clear and present danger to West Virginia streams. The only truly invasive species of goby that I can find is, The **round goby** (*Neogobius melanostomus*) this is the goby that has proven invasive to the Great Lakes region. This is also not a goby that is available in the pet trade in fact it was introduced in to the lakes by ship ballasts. The round goby is considered invasive and should be listed as such. Instead of a blanket ban on nearly 3000 harmless species of the family Gobiidae the board should list by name only the **round goby** (*Neogobius melanostomus*) and no others.

There is clear justification to include some aquatic species such as Zebra mussels, Quagga mussels, and Asiatic clams. They are invasive and can cause serious issues to underwater structures, vessels and intake pipes. They are also not present in the pet trade.

According to the USGS there are several species of fish and invertebrates that do present a threat to the ecology of West Virginia and should be included on a ban list, however most are already in the state and again are not pet quality or in the pet trade. Most of the truly invasive species of fish in West Virginian waterways are from to bait fish. According to the USGS here are the fish the board should be concerned about as truly invasive: http://pubs.usgs.gov/circ/circ1204/major_findings2.htm

Margined Madtom, Telescope shiner, Least brook lamprey

Mottled sculpin, Bluebreast darter, River carpsucker

\Blacknose dace, Longnosed dace

Some fish such as (Esox lucius) The Northern Pike have actually been stocked into WV waterways and have become established in several areas.
http://nas.er.usgs.gov/queries/CollectionInfo.aspx?SpeciesID=676&State=WV

A full list of aquatic species considered invasive by the USGS can be found here:
http://nas.er.usgs.gov/queries/SpeciesList.aspx?Group=&Sortby=1&state=WV

Note that under "collection info" you will find the species collection status. (unknown), (established) or (failed).

Class Reptilia (Reptiles)
Order Tuatara (Rhyncocephala) (Not common in the pet trade presents little impact)
All species
Order Crocodilia (Crocodiles, caimans, gharials) (Not common in pet trade presents little impact)
All species

Order Testudines (Turtles) (Already governed under federal laws.) Turtles with a carapace of over 4" are legal to sell and many citizens keep them as pets.

Justification
Turtles are restricted because they present the threat of disease to humans and introducing disease in to the natural environment and for the welfare of the animals.

Turtles present no more of a disease risk than an undercooked egg. Turtles are not difficult to care for and this falls under proper animal husbandry techniques which should not be the jurisdiction of this board but rather state and national hobbyists who are actively keeping and breeding these animals. There are already laws governing mistreatment and abuse of animals, this is not the purpose of the "Dangerous Wild Animal" legislation.

Order Squamata (snakes and lizards)
Family Varanidae (monitors)(Larger species still manageable by experienced herp keepers, there have been zero fatalities in WV in regards to this species, Retail impact is modest.)
Nile monitor (Varanus niloticus)

Komodo dragon (Varanus komodoensis)(Komodo dragons are CITES 1 animals, protected under international law, the only specimens available are for institutions and zoos and are quite expensive.

Family Elapidae (Cobras, mambas, sea snakes, etc.)
All species
Family Viperidae
All species except timber rattlesnake (Crotalus horridus) and copperhead (Agkistron contortix) which are covered by Chapter 20.
Family Colubridae
Genus Rhabdophis (keelback snakes)
All species
Genus Boiga (cat snakes) All species

Venomous snakes are not available in the pet trade and are recommended for seriously experienced herp keepers and institutions. However there is no difference in the danger presented by any of these venomous animals and the legal to own copper head and timber rattlers native to the state.

The next area I will address is the snake section that the board believes they must address, however by wording of the law, these were polite suggestions provided to the board not actual rules. As such the animals here are not mandatory to inclusion with the ban protocol. Of particular concern to state hobbyists and pet retailers is section (E) ..." E) Constrictor snakes greater than six feet"...

The list may include, but not be limited to:

(A) Bears;

(B) Big cats;

(C) Canids;

(D) Primates;

(E) Constrictor snakes greater than six feet, and venomous snakes; and

(F) Alligators and caimans;

(3) Enforce the permit requirements and set the fees for permits;

(4) Issue, renew, revoke and maintain records for dangerous wild animal permits;

(5) Annually review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list; and

(6) Address any other issues required by this article.

First there is no reason the board should use length to judge a snake as dangerous or not. Second nearly every snake in the pet trade has been line bred and has been selectively bred to reduce aggression and change appearance. Pet retailers and hobbyists typically do not import any wild snakes as the cost for permits and shipping are far too expensive. The snakes in the local trade are all captive bred, pet quality animals and are far less dangerous than many other more recognized domestic animals such as dogs, cats, or even horses.

It is not logical to ban harmless hobby snakes over six feet or require owners to get permits, and exorbitant insurance fees when WV law also states that citizens may possess truly dangerous and deadly snakes such as copper heads and timber rattlers all of which easily can achieve lengths of over six feet and can be quiet deadly. The most commonly kept snakes in the pet trade are in the families of Boaidea, Pythonidae, and Colubridae I will include a list of common snakes in the pet trade which should in no way be considered anymore injurious than a dog, cat or guinea pig:

Genus boa: These along with other tropical species such as Pythonidae must maintain an average year round temperature between 80-85 degrees Fahrenheit and cannot tolerate the low temperatures of West Virginia winters and will die unless they are properly cared for. The argument for inclusion as invasive simply will not work in WV.

BCC - 8 - 12 feet max, wider body, (beginners)

BCI - (boa constrictor imperator) 6-9 feet, small body (beginners)

Emerald tree boa - 4 -6 feet (intermediate)

Amazon tree boa - about 8 feet (intermediate)

Kenyan sand boa - 1.5 - 3 feet (beginners)

Rubber boa- 2 feet (beginners)

Rosy boa - 2-3 feet (beginners)

calabar boa- 2 feet (beginners)

Viper boa - 3 - 3.5 feet (beginners)

Solomon Island ground boa - 3 feet (beginners)

Halmahera Island ground boa - 3 feet (beginners)

Indian sand boa - 2.5- 3 feet (beginners)

Saharan Sand boa 2.5 - 3 feet (beginners)

Russian sand boa- 1.5 - 3 feet (beginners)

Black Russian sand boa 1.5 - 3 feet

Tar Tar sand boa - 2 feet (beginners)

Javelin Sand boa- 2 feet (beginners)

Spotted sand boa - 2 feet (beginners)

Turkish sand boa - 2 feet (beginners)

Rough scaled sand boa - 2.5 - 3 feet

Smooth scaled sand boa - 2.5 feet (beginners)

Rainbow (all three types) boa - 4- 7 feet (intermediate)

Annulated tree boa 5-6 feet (intermediate)

Black tailed boa - 7 feet (intermediate)

Clouded boa - 8-10 feet (intermediate)

Cay caulker boa 4-9 feet (beginner)

Pearl island boa- 3.5 feet (beginner)

Hog island boa - 4 feet

dumerils boa - 5-7 feet (beginners)

Madagascar tree boa - 6- 7 feet (beginner)

Malagasy ground boa 8 feet (beginner)

Corn snakes (not the native variety, captive bred morphs) (beginner) 6-7 feet (beginners)

Common king snake – 6ft (beginners)

Ball python – 4-6 ft (beginners)

Hog nose – 2 ft (beginners)

Milk snake – 4 ft (beginners)

Gopher/bull snake 9 ft (beginners)

Grey banded king snake - 3-4 ft (beginners)

Mountain king snake – 5 ft (beginners)

This list only contains some of the better known snakes that may show up in the pet trade, there are more, it is meant to demonstrate why bans based on size and or genus are bad ideas and are simply wrong and unfair to those who own these animals as pets and or those who try to make a living breeding and selling them. I have had the opportunity to speak at several schools about reptiles including snakes and have discovered that most students are fascinated by them. There has always been a misconception about snakes being evil or dangerous; this comes only from human imagination and not hard science. When we are dealing with pet snakes in the trade we are not dealing with "wild" animals or F1 as they are called, we are dealing with pets that have been raised and cared for by humans. Contrary to popular belief they are very intelligent and just as inquisitive as a dog or cat. They seem to know their owners; they know when it's time to feed and they know how to get their owners attention if they require food or water. They are not cold blooded killing machines, they are pets.

The next group of animals again was very broad as amphibians, frogs, toads, salamanders etc are not all the same and thus should not be treated as such. Frogs make up a great part of the retail pet industry. The common misconception that "poison dart frogs" are poisonous is not true. In the wild, these brightly colored little frogs derive their poison from eating certain mites but in captivity they are fed entirely new diets mostly wingless fruit flies this renders them completely harmless. There is no chance of a captive raised dart frog in the pet trade to be poisonous. This frog is only guilty based on its original common name and should not be labeled dangerous, injurious etc all.

Salamanders are very popular with hobbyists in particular axolotl are the new old favorite. Once these medium sized salamanders from Mexico were abundant in the pet trade, but pollution and over collection soon drove them to near extinction. Today thanks to the efforts of hobbyists all over the nation captive raised axolotls are preserving a dying species and selective breeding has resulted in many amazing morphs. This is a very popular species and not likely to be just thrown away, they can live in cooler water but it is likely that native species and pH conditions would quickly kill any captive raised animal released into the wild. It should be noted that this species has been in the pet trade for decades and there are no wild colonies established or reported in WV. The argument that they can carry diseases that can affect native ecosystems is invalid as well because we are not dealing with wild caught species as they are nearly extinct and thanks to dedicated hobbyists there has been no need for collection in years.

Next in the pet trade would be the Quaker parrot. Although it may be invasive in large colonial numbers it requires safety in numbers to build its massive homes. It would require many of these animals to be released at once to become established in the state. This is a very popular bird in the trade and it is likely that since its introduction into the hobby in the 1960s that many have escaped, there is no evidence of any Quaker parrot colonies in West Virginia and the price of this bird ($250-$500) makes it highly unlikely anyone would purchase it and release it.

The original listing of all rodents was also far too broad. There is no evidence to suggest that a mouse or rat color has anything to do with its "wild" nature. In fact many pet rats are sold and they make one of the best pets. Pet rats are bred for color and variety, they are highly intelligent, they enjoy companionship with humans and they enjoy playing games with humans. They are not wild or injurious and as far as invasive goes, rats are already in WV. There is no logic in these animals being placed on such a list other than to quietly attack snake owners who rely on live feeder mice and rats, which are not always white. They can be many shades of colors and interestingly some snakes prefer only white or black mice or rats and will eat no other color.

There are many included harmless mammals such as hedge hogs, even certain breeds of hamsters and chinchilla. The original justification for these was "for the welfare of the animal." However if caging requirements and proper animal husbandry techniques are met there is no real reason to include these pets on such a list. There are many owners of small mammals all over the state and they spend exorbitant amounts of money on care for these animals just as dog and cat owners do. To label every owner of a sugar glider or hedge hog as incompetent of the care requirements of these animals is prejudiced and wrong.

One of the more delicate inclusions on the list was that of the Pygmy African Hedgehog, an animal that has been in the pet trade for decades. We were told that they were included due to their ability to transmit rabies and

that there was no vaccine for them. In fact however the "wild" African Pygmy Hedgehog can introduce zoonotic agents, these are diseases that are transferable from animal to human much like H5N1. However the key word here is "wild". According to the CDC, "The importation of these pets from Africa to the United States has been prohibited since 1991 (Title 9 Code of Federal Regulations Section 93.701) due to their potential to carry foot-and-mouth disease, a foreign animal disease of serious economic concern to the livestock industry (6). In the United States, persons who sell hedgehogs are required to have a U.S. Department of Agriculture (USDA) license (http://www.nal.usda.gov/awic/newsletters/v9n1/9n1aphis.htm"

(6)Centers for Disease Control. African pygmy hedgehog-associated salmonellosis—Washington, 1994. MMWR Morb Mortal Wkly Rep. 1995;44:462–3.PubMed

The hedge hogs in the trade today are no longer imported from the wild and the risk of any such transmittable disease is highly unlikely. There are salmonella risks but much like any other salmonella risk this comes down to proper animal husbandry and personal hygiene. There have also been cases of rabies, and ringworm transmitted from hedgehogs but these are rare events and not everyday occurrences. According to the CDC H5N1 (bird flu) was only found in birds until 1997 when it made a leap from birds to pigs then on to humans. There is more than enough evidence to show that swine are intermediate hosts for such viruses and can spread far more devastating diseases than any of the so called pocket pets considered for inclusion. However swine are protected as they are "domestic farm animals" and are essential to commerce.

Next are marsupials of which sugar gliders are the most popular in the pet trade now and there are many different morphs of these designer pets. They are not dangerous or invasive. Gliders have a very low body temperature that makes them uniquely immune to most common disease such as rabies and as such do not require immunization.

"...**Q. Do sugar gliders need immunization (shots)?**
A. No. Sugar gliders are not required or recommended for immunization shots at this time. The lower body temperature keeps the glider safe from many illnesses that would other wise affect placental mammals. One example is rabies. If a sugar glider came into contact with rabies the glider could not get or spread the disease. Sugar gliders are marsupials, as such their body temperature is lower than that of placental mammals... "

http://www.petsugargliders.com/sgcommon.php

The listing of sugar gliders seems to be based only on preconceived notions of some who believe that others should not possess these animals as there is no evidence of danger to the environment or other humans. The same can be said about lesser known pet marsupials such as the short tail opossums, these small opossums are just as gentle as sugar gliders, have minimal caging requirements and like gliders are not capable of incubating rabies.

As for the primates smaller species of monkey are not a threat and as long as caging requirements and proper animal husbandry are employed there is no reason to ban such amazing creatures. These animals are not from the wild they are bred in captivity today and as such many find homes with caring families who treat them as one of their own children. Is this the proper place for them? That's not for me or you to say. This is my own personal opinion and I know it is not shared by some, I can say that their current homes in the wild are under threat and it is my opinion that those guilty of the displacement and or possible extinction of species should find

ways to preserve those species for future generations this applies to all of the animals that West Virginia citizens keep as pets.

Pets are not just dogs or cats, they are not just furry, and they come in all shapes and sizes. Pets have been with man as companions since he invited the first wild wolf into his camp and changed it from what it was to what it is now. Laws like the one you are working on may seem to have a good intent but by banning these pets, what future path will you set West Virginia on? It will be a crime to interact with these pets, transport them, to let others touch them. It will be a crime to show them and to work with them. But it will only be a crime that will affect the honest. Those who have no regard to the law will still get what they want just as they do today and having an underground of potentially truly dangerous animals is far more disturbing to me than someone owning the pets which the board has considered banning or restricting from hard working law abiding citizens of this state.

These are animals that do not deserve to be included on any list of dangerous, injurious, or invasive wild life. As I have stated animals in the pet trade are now captive raised and are in constant human contact from day one, they are not wild, they are domestic. As per the rules in this bill nearly all of the pet trade animals must fall under exemption and should not be included.

There are animals that should be included on such a list and that may be considered dangerous or wild in nature but I am not familiar with them first hand and I cannot comment on them as such.

Notably these are:

Tigers, Lions, Jaguars, Leopards, Cheetahs, Pumas, Jaguarundi, Eurasian Lynx, Bobcats, Ocelots, Wild cats, Jungle Cats, Bears, Coyote, Wolf, Jackals, Wild dogs, Bush dogs, Bornean Orangutan, Gorillas, Chimpanzee, and Bonobos

Fish from the Genus Clarias (all 60 species of these fish poses the ability to travel over land from one body of freshwater to another. These fish are also predatory and could potentially destroy aquatic ecosystems if released.)

Fish from the Family Trichomycteridae (This family consists of parasitic catfish species that feed off the blood of other fish and in some rare instances humans. They have the potential for ecological damage if released. Invasiveness is unlikely due to climate but no data could be found to prove or disprove.)

Fish from the Genus Pygocentrus (This genus includes species of piranha that could potentially be harmful to humans if released in mass. Invasiveness is unlikely due to climate.)

Fish from the Genus Hydrocynus (This genus contains all five species of African tiger fish which have the potential to be harmful to humans and the environment. Invasiveness is unlikely due to environment.)

Fish from the Family Cannidae (This family includes all species of snakehead fish which have proven to be highly invasive due to their status as top predators, prolific breeder and the ability to travel over land.)

It is my hope that members of the Dangerous Wild Animal Board respectfully read and enter my comment into the records and use these suggestions to help create a more fair and balanced list of "Dangerous Wild Animals" instead of labeling West Virginia citizens' common pets as threats. It is my suggestion that the board familiarize itself with the true nature and purpose of this bill that they are charged to write the rules for.

ARTICLE 34. DANGEROUS WILD ANIMALS ACT.

§19-34-1. Findings and purpose.

The possession of dangerous wild animals presents serious public health and safety concerns and shall be regulated for the following reasons:

(1) To prevent the introduction or spread of disease or parasites harmful to humans, domestic livestock and poultry, wildlife and captive wild animals;

(2) To ensure the physical safety of humans;

(3) To prevent the escape or release of an animal injurious to or competitive with agricultural, horticultural, forestry, wildlife and other natural resources; and

(4) To prevent the mistreatment of permitted dangerous wild animals.

Again most of the animals that were previously listed before adoption of the Ohio list were pets not "Dangerous Wild Animals." The board should also address problems presented by the honest citizens who cannot pay hundreds of dollars in insurance and permit fees who can find nowhere to take their surrendered animals and who cannot by law dispose of them themselves. The state cannot simply label these compliant citizens as mandatory criminals. This is illogical and wrong and not within the intent of the law. There is much work to do and West Virginia must not be seen as the most aggressive state when it comes to these types of laws. These laws endanger educational opportunity, hamper private research and they impinge on honest pet owners. These laws are pushed by anti-pet groups who believe they are acting for the "welfare" of the animals, however they are not. Pet owners know what their pets need. Pet owners and keepers in West Virginia support a nearly one billion dollar annual industry and laws such as this can easily bankrupt shops, put people out of work and destroy families for no other purpose than because someone thinks they know more than the true hobbyists who have devoted their lives to understanding their pets.

Sincerely,

Ron Lanham

1721 ½ Claire Street

Charleston, WV

25302

Martin, Jodee

From: Anna Tucker <Artucker4@gmail.com>
Sent: Friday, July 18, 2014 2:45 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Anna Tucker
35 Westridge Dr
Berkeley Springs, WV 25411

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Anna Tucker

Martin, Jodee

From: Bill Cunningham <billcun@suddenlink.net>
Sent: Friday, July 18, 2014 3:11 PM
To: Martin, Jodee
Subject: Proposed rule csr §61-30

M(r)s. Martin,

I read in our local paper that the propsed list was being dumped and they are going to create a new list. If that is so when will this new list be available and I would like to comment by email. Is that allowed or will I need to use US Mail?

W Cunningham

Martin, Jodee

From: Amber Guthrie <amgguthrie@gmail.com>
Sent: Friday, July 18, 2014 3:58 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Amber Guthrie
10027 Winners LN NW
Frostburg, MD 21532

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Amber Guthrie

Martin, Jodee

From: Ginny Blankenship <blank274@gmail.com>
Sent: Friday, July 18, 2014 4:07 PM
To: Martin, Jodee
Subject: WV HB 4393

I am writing to you about my concerns pertaining to the Dangerous Wild Animals Act, otherwise known as WV HB 4393. While I believe we have a responsibility to protect our indigenous animal population, I feel that the list of proposed animals is over the top and entirely to restrictive for WV pet owners.

The restriction of animals that have traditionally been childhood pets, such as turtles, frogs, toads, hamsters and rabbits seems extreme to me. These are animals that have been kept as pets for many years with little to no impact on our indigenous animals or the pet owners. They are almost a right of passage for children. To deny WV residents that experience makes no sense to me.

I am also concerned about how the ban on some of these animals might affect a persons livelihood or supplemental food sources. There are many in WV that raise animals that would be on the banned list as a source of income or food. Animals such as hares, rabbits, members of the Artiodactyla species (llamas which are raised for their fur and animals such as the domestic pig, the sheep, goat and cattle). It seems extreme to me to ban entire order of animals.

My final concern is the provision related to hybrid dogs and cats. As a former owner of a wolf hybrid I can attest that they are no more dangerous than any other breed of dog. The problem, if any, with any dog that has a potential to be aggressive is rarely with the breed and more with the owner. To punish responsible, loving owners of these animals for the horrible actions of irresponsible owners is unfounded. Rather, it makes more sense to implement a procedure in which owners of an animal that is found to be vicious should be prevented from owning animals. When we become a government that restricts the liberties of the majority based upon the actions of a few then I believe we are forgetting the reason we founded this country! Please carefully consider any actions that you take.

Sincerely,
Ginny Blankenship

Martin, Jodee

From: Tina Washington <tinarenee1024@yahoo.com>
Sent: Friday, July 18, 2014 4:39 PM
To: Martin, Jodee
Subject: Animal Band List in WV

PLEASE TAKE ALL PRIMATES OFF OF THIS LIST!!! ANIMALS BECOME FAMILY MEMBERS!!!!!!! THESE ANIMALS ON THE LIST ARE MOST OF THESE PEOPLES CHILDREN!!!! DONT TAKE THEIR BABIES!!!

-tinaa; renee <3

Martin, Jodee

From: Tina Washington <tinarenee1024@yahoo.com>
Sent: Friday, July 18, 2014 4:39 PM
To: Martin, Jodee
Subject: BAND ANIMAL LIST OF WV

PLEASE REMOVE PRIMATES FROM THE LIST!!!!

-tinaa; renee <3

Martin, Jodee

From: Tina Washington <tinarenee1024@yahoo.com>
Sent: Friday, July 18, 2014 4:41 PM
To: Martin, Jodee
Subject: BAND ANIMAL LIST OF WV

THESE ANIMALS ARE FAMILY MEMBERS!!!!! PLEASE REMOVE PRIMATES OFF OF THE L;IST!!!!!!

-tinaa; renee <3

Martin, Jodee

From: Larra Scaggs <ls9598@yahoo.com>
Sent: Friday, July 18, 2014 4:56 PM
To: Martin, Jodee
Subject: Danderous Wild Animal List

Jodee Martin - Commissioner
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
304-558-3550
July 18, 2014
Dangerous Wild Animal Board, This email is in response to the Dangerous Wild Animal list that was filed on July 2, 2014. More specifically, I would like to address the section concerning domestic and hybrid canines and felines. Your list states the following: Carnivora (carnivores) All species prohibited except domestic dogs (Canis Familiaris) and domestic cats (Felis catus). Hybrid crosses between two species in Order Carnivora (including domestic species) are also prohibited.

I personally have been blessed with a bengal cat as a part of my family. My three children are his best friend and we want to purchase another Bengal cat, because we love the breed so well!

While I fully agree with some of the animals on this list, I disagree that bengals should be one of them. Bengals have been members of families in West Virginia for many years without a single incident.

According to The International Cat Association, a bengal is a domestic breed that was DERIVED from a hybrid cross between the Asian Leopard Cat and a domestic cat. (An Asian leopard cat is a small cat between 6-10 lbs. that is found in several areas of the world, predominately Asia.) TICA also states, "Today's domestic Bengal cat comes only from breeding Bengals to other Bengals and requires no specialized care." Many bengals, mine included, would have to trace back multiple generations to reach an actual Asian Leopard cat. They are as domesticated as a Siamese or a Himalayan. The **USDA defines hybrids of domestic cats with wild/exotic cats (Bengal, Savannah, Chausie...) as DOMESTICS.**

Bengals make wonderful family pets. They bond well with members of the family including children, dogs and other cats. Bengals are active and playful and have the personality and intelligence of many dogs. They shed very little to none and are wonderful options for people with allergies.
It is my understanding that this committee was originally intentioned to form a list that would identify and regulate animals that pose threat to humans, other animals or local ecosystems. Bengals do none of these things and should be permitted.

This section of the Dangerous Wild Animal list needs to be altered. I am respectfully requesting that the wording be changed to include the acceptance of the domestic hybrid breeds.
Thank you for your consideration in this matter.

Thank you for your time,

Martin, Jodee

From: Thea Johnson <thea.d.johnson@gmail.com>
Sent: Friday, July 18, 2014 5:06 PM
To: Martin, Jodee
Subject: Dangerous Wild Animals List

West Virginia Department of Agriculture

Attn: Jodee Martin

I strongly support any legislation that protects the safety and well-being of people, pets, and wildlife in the state of West Virginia, but I am concerned about the proposed list of Dangerous Wild Animals to be banned in this state. Many of the animals included pose no threat to public safety or the environment and are commonly kept by responsible pet owners across the state. I am asking you to review this list carefully and remove those animals that are not dangerous.

As a responsible pet owner, I specifically oppose placing sugar gliders on the list of Dangerous Wild Animals. Sugar gliders are not at all dangerous. They carry no known infectious diseases that threaten the lives of the people caring for them. They are also not a threat to the environment. They are a sub-tropical species which would be unable to survive in our state's winter climate if released into the wild.

Banning sugar gliders as pets is also not the most effective approach to addressing concerns about animal welfare. Issues related to animal abuse, neglect, and abandonment of unwanted pets, should certainly be addressed; however, a law banning pet ownership outright will not prevent mistreatment. It will only penalize responsible, law abiding pet owners and perhaps encourage irresponsible pet owners to be even less responsible. For example, those who choose to keep these animals illegally might not seek appropriate veterinary care in an effort to avoid being reported. This ban will not improve the welfare of the animals currently kept in this state, but it will impose unnecessary legal restrictions and financial penalties on those who already do the right things.

Before adopting my sugar gliders, I did my research. I investigated state and local laws and read about the demands of caring for them appropriately. I made a commitment to care for them in a safe and healthy environment. I would very much like to continue to give them a "forever home" as I had originally intended. I am concerned that the registration fees, insurance fees, and any other costs associated with this law will be a burden for pet owners like me who have multiple animals. The accumulated fees will be an excessive financial penalty for responsible pet owners, and could force some owners to consider abandoning their pets. I hope that you will consider this and the potential for other unintended negative consequences when finalizing these new policies.

Sugar gliders are currently illegal in California, Hawaii, Alaska and Pennsylvania. Georgia and Massachusetts have now legalized sugar gliders as pets, and legislation has been in the works in Pennsylvania to take sugar gliders off the list of banned animals. I hope that the state of West Virginia will also reconsider this ban. Instead, I would ask for legislation that encourages responsible and accountable pet ownership.

Thank you for your consideration.

Sincerely,

Thea Johnson

1316 Virginia St E

Apt 202

Charleston, WV 25301

Martin, Jodee

From: Heather Hively <heatherhivley@gmail.com>
Sent: Friday, July 18, 2014 6:00 PM
To: Martin, Jodee

Please leave all monkeys fish guinea pigs an all that is listed off the list

Martin, Jodee

From: Jeffrey Hovis <jshovis@hotmail.com>
Sent: Friday, July 18, 2014 6:52 PM
To: Martin, Jodee
Subject: Dangerous Animal List

Hello,

I recently read an article on the Dangerous Animal List and read through the list. While I agree many of the animals on the list should probably be there, there are several on the list that probably should not. Why in the world are rabbits, turtles and other animals that one can buy in a pet store on the list? We have friends that have had turtles for years. The turtles have never attacked anyone or caused bodily injury.

Just my comments,

Jeff Hovis

Martin, Jodee

From: Taylor <taylormcdowell8@gmail.com>
Sent: Friday, July 18, 2014 7:49 PM
To: Martin, Jodee
Subject: Please don't ban primates

There are way more dog attacks than primate attacks in the entire world!
You can make regulations to keep the primates safe, happy and healthy but please don't ban primates in West Virginia

Sent from my iPhone

Martin, Jodee

From: Maplewoodwv <maplewoodwv@aol.com>
Sent: Friday, July 18, 2014 7:51 PM
To: Martin, Jodee
Subject: Dangerous Animal Ban

Hello Ms. Martin,

I would like to voice my opinion on the dangerous and wild animal ban.
There is a lot of animals on this list that I feel it is not fair to ban. After all of the years that we here in WV have shared our lives with them now they are to be taken away or banned from ownership. I believe that if some of these little creatures where banned then some people would actually abandon them because they could not afford the permit fees and insurance costs. That would really be sad and terrible for the animal.
Lions, tigers, bears, alligators, pythons, gorillas, chimps, orangutans I can understand, But the smaller pets like ferrets, hamsters, rabbits, monkeys, fish. It totally unfair and cruel.
Please reconsider them when you and your committee make up the final list.
Thank you for your consideration,
Emma Gibson

Martin, Jodee

From: Marmoset Mom.Com <monkeymomwv@aol.com>
Sent: Friday, July 18, 2014 7:59 PM
To: Martin, Jodee
Subject: Animal rule

Hello Jodee Martin,

I am a long time monkey mom here is WV. I am unable to have children and my 2 little guys have brought that dream to life for me and my husband. Please do NOT take our right to be non human primate parents away. We would be totally heartbroken and could not live without our boys. PLEASE reconsider the ban on all primates and only add the larger dangerous ones. We are begging you and your associates.

Sincerely, Ben & Terri Hawkins

Martin, Jodee

From: Beverly Justice <catladybev@yahoo.com>
Sent: Friday, July 18, 2014 10:02 PM
To: Martin, Jodee
Subject: Primate Ban

I live in Ohio but I am disgusted that West Virginia legislators are running rampant over citizens' rights. Do you realize that marmosets--a very popular pet in many states--are about the size of a small squirrel and weigh less than a pound? They are also primates. Please do not confuse these harmless little animals with baboons and chimps. That would be similar to banning house cats because tigers are dangerous! If you check the records, I am certain that you will find NO complaints of marmosets or tamarins having ever mauled anyone. Speak to owners of these wonderful creatures and watch Youtube videos of these tame pets cuddling with their human companions. It seems each day state and federal governments are taking more and more rights away from citizens for no valid reasons. Now we must be dictated to as to what pets we may have. At least take the time to LEARN about the animals before you ban them!
Beverly Justice
Cambridge, Ohio

Martin, Jodee

From: Richard Moats <metrzan69@aol.com>
Sent: Friday, July 18, 2014 10:08 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Richard Moats
80 Green Acres Drive
Morgantown, WV 26501

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Richard Moats

Martin, Jodee

From: Dennis Swartz <dswartz121671@gmail.com>
Sent: Saturday, July 19, 2014 1:06 AM
To: Martin, Jodee
Subject: Animal rights

Plz exclude primates. Have a lot of friends and family that have these animals and they are a member of the family. We love them and they bring us so much more. Thank you !

Martin, Jodee

From: DJ EDWARDS <djwedwards@hotmail.com>
Sent: Friday, July 18, 2014 10:43 AM
To: Martin, Jodee
Subject: re WV exotic pet ban

The proposed list of animals to ban is outrageous. Some of the animals listed do not belong. Since when were the common rabbit, gerbil, guinea pig harmful to humans or the environment? I specifically don't want a ban placed on my son's ball python. She has never known a day outside a home, is less that 5 feet long, is not venomous, & poses NO threat to humans or the environment. I can understand HUGE snakes that can endanger a human by crushing them, but a snake will only grow to a size comparable to their cage. My son's snake is near 20 years old & will not grow outside her cage.

Please limit the scope of this list to animals that propose a TRUE nature that will endanger humans & the environment.

Sincerely,
Debra Edwards
Webster County, WV

Martin, Jodee

From: ♡♡Patty DC <pattydc@live.com>
Sent: Friday, July 18, 2014 12:24 PM
To: Martin, Jodee
Subject: Dangerous Wild Animal Act

Hi there,

Just wanted to send another letter concerning this list. My concern is the non human primates, according to this list it includes ALL. I totally understand the larger monkeys as they could be very dangerous. What about these small monkeys, like the tiny marmoset which weighs in a whopping 1 pound full grow that many West Virginians consider their babies, family! I totally agree with the larger, dangerous exotic animals, but these small ones that people have had for years that consider them family that's a different story.

Please consider changing the list and let people have these tiny monkeys here in the state. People that have these babies are not going to set them free, if they cant keep them, believe me, these people are going to make sure that their babies go to another good home. Plus here in WV there is no way possible for these tiny primates to survive in our climate or with all the predators here if they were set free.

Please take this in consideration as I personally know of many people that have these tiny babies and give them only the best. They are very well taken care of and loved. And cause no threat to anyone. Please don't take that right away from us.

Thank you,

Patty

Martin, Jodee

From: Robert Haddy <radfxrob@gmail.com>
Sent: Friday, July 18, 2014 12:34 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Robert Haddy
803 Litz Drive
Charleston, WV 25311

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Robert Haddy

Martin, Jodee

From: Brian Wilson <w.brian72@yahoo.com>
Sent: Friday, July 18, 2014 1:04 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Brian Wilson
214 Howard St
Mannington, WV 26582

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

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Sincerely,
NAME

Sincerely,
Brian Wilson

Martin, Jodee

From: Candice Pennington <cmbpennington@gmail.com>
Sent: Friday, July 18, 2014 1:04 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Candice Pennington
107 Faurview Oaks
Berkeley Springs, WV 25411

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Candice Pennington

Martin, Jodee

From: Sierra Bell <scbell.dancer@gmail.com>
Sent: Saturday, July 19, 2014 4:13 AM
To: Martin, Jodee
Subject: Re: Dangerous Wild Animals Act

Turtles are wild animals in West Virginia, so citizens could contract salmonella regardless of turtles being a pet or not. What is the point of banning turtles or tortoises? Tortoises wouldn't be a threat to the environment if let loose, because they are a reptile, to thrive in captivity they require a heating lamp. The temperature should be in the ninties at all times. Salmonella is food poisoning. Turtles carry it in their feces. It can be contracted if the turtle has feces on their shell, and we touch it. The bacteria is eliminated if washed off immediately.

Thank you again,
Sierra Lanham

On Tuesday, July 15, 2014, Sierra Bell <scbell.dancer@gmail.com> wrote:
Sorry, I accidentally sent that message early. As for livestock, people rely on livestock for their livelihood! Agriculture helps circulate the economy. I would like to know and understand the ban on horses. Is it banning zebras, or is it banning all horses? The rough list has been made into scientific names, so the common people cannot understand what animals are on the list. I am fairly educated on scientific names, and I had to research what 80% of them were. Ferrets, hedgehogs, and turtles have been pets in WV for a long time. Why are they such an issue now? People do not agree with this list, but people will not take the time to express their opinions. They do not know to email the department instead of call. Thank you for your time, and I hope this enlightened you to what West Virginia citizens are feeling.

-Sierra Lanham

On Tue, Jul 15, 2014 at 1:11 PM, Sierra Bell <scbell.dancer@gmail.com> wrote:
Hello! How are you doing today? I would like to speak about the Dangerous Wild Animals list. I have researched and looked at the animals on the list. Every animal can be a threat to the public, but trees, cars, houses can be a threat too. Houses burn down all the time. People crash cars all the time. Trees fall on people all the time, but we cannot ban them. Can we? I agree that common people should not be able to own lions, tigers, bear, gorillas, chimpanzees, and so forth, but a sugar glider is no harm to anyone.
The most a sugar glider will do is scare someone, because they crab, which sounds like a electric pencil sharpener, or bite. On a website I seen that sugar gliders are banned, because the department is afraid of abandonment. Even if someone did abandon a sugar glider, they would not survive nor thrive through a West Virginia winter. They are native to Australia. The sugar glider's body temperature is to low to contract rabies. Most people neuter their sugar gliders. It is impossible for sugar gliders to breed with squirrels. If you have done research on sugar gliders, they are closely related to the opossum, even though they resemble a flying squirrel. If a sugar glider carries any parasite, it would be the same as any other normal household pet.

Martin, Jodee

From: Carl Thompson <wvtomcat65@gmail.com>
Sent: Saturday, July 19, 2014 3:47 PM
To: Martin, Jodee
Subject: exotic animals

I see by the article in the Wheeling Intelligencer, 07/18/2014 newspaper, that the West Virginia exotic animal "law" is just a copy of the law in Ohio? I do agree the list is not bad, but for the taxpayer to pay a salary to persons to just copy a law from another state is just being lazy and again, shows how state paid employees only do as little as possible and like many private companies employees , do not put out much and wonder why the company is broke, and /or the government agency is not being productive and earning what is being paid them. We all know political jobs holders do not earn their pay, IE Congress, and others on local levels.

Why can't those persons be original and work at an original list for West Virginia? It is a good idea to study other state's ideas and laws and then make one for the State of West Virginia, that is thought of and decided upon as original to West Virginia. In college, if one copied others work and used it as their own, it is called plagiarism, and one could be expelled for doing so. Lets earn your little pay check and do some original thinking and not just copy another State's list. Thank you, Carl
R. Thompson, Sr, Brooke County West Virginia

Martin, Jodee

From: jennifer ozzbourne <jenozzbourne@hotmail.com>
Sent: Saturday, July 19, 2014 3:00 AM
To: Martin, Jodee
Subject: Public comment HB4393

My name is Jennifer Ozzbourne, and I first would like to thank you for the time it takes you to read my comment, and would also like to applaud you for tossing out the original list!
Before I begin, I would like for you to know who I am, and where I stand.

first and foremost I am a WV business owner, my business name is Ozzbourne Reptiles, and I breed exotic reptiles for a supplemental income as I am on disability. I would like to mention that none of my animals was on the original list, or the Ohio rules list. I have been keeping and breeding reptiles for years, and have exceptional experience with all types of reptiles including venomous. I understand that keeping reptiles and amphibians is a non traditional hobby, and most people fear what the do not understand. I am an active founding member of WV USARC. It is the duty of WV USARC to cooperate, educate and reach out to those in our state. The description of WV USARC is as follows:

The WV Chapter of USARC is a conservation organization supporting efforts to save reptile and amphibian species in the State of West Virginia and worldwide

Company Overview

The WV Chapter of USARC is a conservation organization supporting efforts to save reptile and amphibian species in the State of West Virginia and throughout the world. We promote the captive breeding of reptile and amphibian species to bring awareness of and knowledge about these amazing species to the citizens of our great state; to encourage support for conservation endeavors in our state and across the world; to enhance efforts to protect reptile and amphibians populations and their diverse habitats; to inspire youth to pursue educational opportunities and careers in science fields; to function as part of the "Invisible Ark," saving species from extinction; to reveal the yet undiscovered techniques for the successful captive breeding of reptiles and amphibians; to disseminate information about appropriate safety measures related to captive and wild reptiles and amphibians; and, to eliminate pressure on native populations of reptiles and amphibians occurring from collection of native species. WV USARC is a state chapter of the currently being formed USARC. USARC is an entity being formed as a 501(c)(3) organization to be the nonprofit entity that houses state chapters for certain conservation aspects of USARK.

General Information www.usark.org/2014-blog/west-virginia-dwa/

Our page can be viewed at https://www.facebook.com/pages/WV-Chapter-of-USARC/747291521995383?ref=br_tf

Now I would like to make some suggestions that I hope you will take into consideration. with the Ohio law I understand that it will affect some of the larger constrictors. Here is what I am going to suggest. it would not be fair to punish or penalize the entire state for a few bad keepers, so my suggestion to you is to microchip anything over 12 feet (also microchip venomous, caiman, crocs, and gharials). Then the owner would be penalized for any unseen incident not everyone else. Actually by doing so would benefit the state. It would take a lot of fear out of citizens knowing these animals will now have to be kept responcibly. The DNR would set up a micro chipping system, the owner would purchase the micro

chipping kit from the DNR for a fee, the owner can then place the chip in themselves or for an *additional fee paid to the DNR (or division of choice), could have it done by an appointed person (I would gladly volunteer my time to chip the animals). Micro chipping does not harm the animal, nor does it affect breeding. Basically what it would be doing is making an individual responsible for his or her pet. That is the key to this issue is ,responsibility and education!

Second I would like to address venomous reptiles. Those animals are not for everyone, but should they be banned? absolutely not! It should be ones preference as to what animals that they share their home with. So here is where I am going to give you my idea and offer my help in executing it. Anyone that is even thinking of keeping a venomous reptile should possess the education to do so. Using a florida law I thought maybe a venomous class could be taken. Again a profit for the state. The class could be 200hrs at 1$ per hour=$200 to be used as the state sees fit. the class will consist of housing venomous reptiles, emergencys and such. Once the course is complete the student would be allowed to possess venomous snakes, but would need to pay you a keepers fee of 100$ per year (not per animal) to keep their certificate active. *The animals would need micro chipped as well prior to the keeper recieveing their certificate. I would be willing to volunteer my time to execute a solid educational plan such as the keepers course.

In closing there are so many right answers to this, but restricting or banning is not the answer. I hope you have taken in consideration what I have said. If you have any further questions or anything at all I can assist with please contact me via email, mail, or phone

Again ThankYou!

Jennifer Ozzbourne

1002 Eastwood Dr Lot#1

Fairmont WV, 26554

jenozzbourne@Hotmail.com

ozzbourne_reptiles@Hotmail.com

304-363-0662

Sent from Windows Mail

Martin, Jodee

From: Gail Dick <gail@critterconnection.cc>
Sent: Monday, July 21, 2014 6:01 AM
To: Martin, Jodee
Subject: PROPOSED RULE FILED FOR DANGEROUS WILD ANIMALS ACT

To Whom It May Concern,

I am writing to you from the perspective of an experienced exotic animal owner, breeder, and educator.

First, I encourage you to consider that the *owners* of the animals are as dangerous as the animals themselves. The proposed list of "dangerous wild animals" poses very, very little risk to the general public. One stands a much greater risk of being in an auto/deer involved accident than being harmed by any of the animals on the list. It is without saying that owners and caretakers of large carnivores, non-human primates, and certain reptile species are putting themselves in danger. The owners and/or caretakers have freely chosen to take that risk just as they would with playing sports, driving, riding a motorcycle, horseback riding, etc.

Please also consider the large scope of the law and the resources it would require to enforce the law. There are not enough resources available. Create a law that stands a chance of some form of success. Take into consideration just how difficult it would be to regulate clawed frogs, tree frogs, and toads. How will you locate owners of these amphibians? How will you even get the word out that they are regulated? Many children have these amphibians as pets and suddenly they are "illegal" and they are breaking the law. What will the children do with their "illegal" pets? I know for a fact that almost all of them will be kept hidden or turned loose to avoid the law. Instead of trying to enforce a large ban on reptiles and amphibians, narrow down the regulations to what is poisonous, venomous, or of a certain size as other states have done. Trying to regulate the owners in this one narrow scope of animals will be a daunting task. There is no way of knowing who owns what animals until *after* there is a problem.

I urge you to consider using your valuable resources to educate the public and offer rehoming solutions for people who cannot adequately care for their pets. Another suggestion is to mimic USDA licensing requirements and require small permit fees for breeders to collect and turn in as many states require for native species. A license fee that is considered reasonable is more likely to be collected than one that people choose to hide from or ignore. Working with the USDA to enforce current legislation will save time, resources, and address the root of the problems at the breeder level.

Sincerely,

Gail Dick

Owner, Millermeade Farm's Critter Connection
419-485-3690
www.critterconnection.cc

Martin, Jodee

From:	Zoological Association of America <info@zaa.org>
Sent:	Monday, July 21, 2014 11:01 AM
To:	Martin, Jodee
Subject:	Comments Re. Proposed Rule 61-30 - Dangerous Animal List
Attachments:	ZAA_WV_61-30_Dangerous_Animal_List_2014-07-21.pdf

Dear Ms. Martin,

Attached are ZAA's comments regarding proposed rules 61-30.

Please respond that you have received our email.

Regards,

Kristi de Spain
Executive Administrator
Zoological Association of America
PO Box 511275
Punta Gorda, FL 33951
(941) 621-2021
fax (941) 621-6571
www.zaa.org
info@zaa.org

ZAA Conference - November 10-13, 2014 - Pensacola Beach, Florida

ZAA

ZOOLOGICAL ASSOCIATION OF AMERICA

http://www.zaa.org

July 21, 2014

West Virginia Department of Agriculture
attn: Jodee Martin
1900 Kanawha Blvd East
Charleston, WV 25305

Re: Title 61, Series 30 - Proposed Dangerous Animal List

To: Dangerous Wild Animal Board

The Zoological Association of America (ZAA) is a professional trade organization that supports responsible animal management and safety and provides zoological accreditation for its members.

OVERVIEW of ZAA

ZAA is a 501c3 professional trade association formed in 2005 to promote responsible ownership, management, conservation, and propagation of animals in both privately funded and publicly funded facilities through professional standards in husbandry, animal care, safety and ethics. World renowned animal expert, and former host of "Mutual of Omaha's Wild Kingdom," Jim Fowler, serves as ZAA Ambassador and Advisor to the Board. It is the second largest zoological accreditation organization in the United States, and has been recognized in precedent by numerous state legislatures as a professional trade association.

ZAA counts among its members Six Flags Theme Parks. They are a 1.1 billion dollar private corporation that is considered the global leader in theme parks. Other institutions accredited by ZAA include the Montgomery Zoo, the Ft. Worth Zoo, the Metro Richmond Zoo, and many others.

ZAA accredited member facilities were exempted in the landmark Dangerous Wild Animal legislation passed in Ohio in 2012, and have been recognized by many states across the country including Kansas, Nevada, Nebraska, Connecticut, Ohio, Arizona and Illinois. **Our written standards were used as requirements of the permitting provision in Ohio**; as well as the 'baseline' for discussions by the dangerous animal work group in the State of Virginia in 2012.

OUR COMMENTS ON THE PROPOSED RULE

Breeders and exhibitors in West Virginia will be adversely affected by the proposed Dangerous Animal List. Implementation of the proposed Dangerous Animal list will adversely affect *in situ* conservation programs, education through exhibition, as well as support for captive research projects and efforts to maintain genetic diversity with captive populations. Captive breeding of animals done responsibly in the United States ensures genetic diversity for the future of each species.

Many of the species listed on the proposed Dangerous Animal List should not be on the list at all. Including these species on the West Virginia list is contrary to the lists currently in use by other states, including Ohio and Virginia and Florida. Adopting ZAA's list of Class I animals, with the inclusion of venomous reptiles, would be more than adequate to act as West Virginia's Dangerous Animal List.

ZAA's recommendation for the dangerous animal list:

> Chimpanzees (genus *Pan*), Gorillas (genus *Gorilla*), Gibbons (genus *Hylobates),* Drills and mandrills (genus *Mandrillus*), Orangutans (genus *Pongo*), Baboons (genus *Papio*), Siamangs (genus *Symphalangus*), Gelada baboons (genus *Theropithecus*), Snow leopards (*Panthera uncia*), Leopards (*Panthera pardus*), Jaguars (*Panthera onca*), Tigers (*Panthera tigris*), Lions (*Panthera leo*), Cougars, panthers (*Puma concolor*), Bears (family Ursidae), Rhinoceros (family Rhinocerotidae), Elephants (family Elephantidae), Hippopotamuses (family Hippopotamidae), Cape buffalos (*Syncerus caffer caffer*), Crocodiles (except dwarf and Congo) (family Crocodylidae), Gavials (family Gavialidae), Black caimans (*Melanosuchus niger*), Komodo dragons (*Varanus komodoensis*), Venomous reptiles, Cetacea, Orca *(Orcinus orca),* Pinnipeds, Walrus *(Odobenus rosmarus),* Northern Elephant Seal *(Mirounga angustirostris),* Leopard Seals *(Hydrurga leptonyx),* Eared Seals *(Otaridae),* Polar bear (Ursus maritimus)

The USDA Animal Welfare Regulations only regulates mammals and, therefore, does not have regulations for birds, reptiles, etc. ZAA recommends that West Virginia require the reptiles included on the Dangerous Wild Animal list be caged in accordance with the care and housing of reptiles as established in the ZAA's Animal Care and Enclosure Standards. The State of Ohio's Code requires that "A person that has been issued a restricted snake possession or restricted snake propagation permit under this chapter shall comply with the requirements regarding the care and housing of those snakes established in standards adopted by the Zoological Association of America and in effect on September 5, 2012".

We also recommend adding 4.1.2 to 61-30-4 – the care and housing of reptiles established in the Animal Care and Enclosure Standards adopted by the Zoological Association of America.

In addition, we hope you will include in your rule an overall exemption for ZAA accredited facilities to the permitting provisions of the Code of West Virginia §19-34-8.

Sincerely,

Peter J. Brewer DVM

Peter J. Brewer, DVM
Chairman
ZAA

Enclosure: ZAA reptile standards

ZAA

ZOOLOGICAL ASSOCIATION
OF AMERICA

Animal Care & Enclosure Standards

2014 Version

www.zaa.org

Most updated version surpasses all previous versions

ZAA Animal Care & Enclosure Standards (9 June 2014)
Pages 33-40 - Reptile & Amphibian section

Reptiles & Amphibians

In addition to requirements of this section, enclosures shall be provided with an environment that allows for temperature regulation necessary to insure the well-being of the species. The environment or devices shall be non-injurious. Each enclosure shall be provided with a non-injurious substrate that is species appropriate. Such substrate shall be disposed of or sanitized at intervals sufficient to insure the health of the animal(s). Each enclosure shall be equipped with a shelter(s) large enough to accommodate all the animals in the enclosure simultaneously.

1. Reptiles
    a. Snakes
        i. The following species are considered to be "large constrictors:"
            1. Large constrictors:
            2. Indian or Burmese python (python molurus)
            3. Northern African Rock python (python sebae)
            4. Southern African Rock Python (python natalensis)
            5. Reticulated Python (python reticulatus)
            6. Boa constrictor (Constricor constrictor)
            7. Green anaconda (Eunectes murinus)
            8. Bolivian Anaconda (Eunectes beniensis)
            9. De Schauensee's Anaconda (Eunectes deschauenseei)
        ii. Enclosures for large constrictors shall be constructed of a variety of materials, all or any of which must securely, effectively, and safely contain the animal.
            1. Exhibit front or viewing area must use laminated glass, acrylic, or double paned glass (where the glass on the viewer's side is laminated or tempered).
                a. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.
            2. The minimum size of the exhibit shall be based upon the length of the longest specimen in the enclosure and shall allow for the thorough cleaning of the container or exhibit by staff.
                a. For up to two specimens, an enclosure having a perimeter 25% greater than the length of the longest specimen; the width of the enclosure shall not be less than 20% of the length of the longest specimen.
                b. For each additional specimen, increase the perimeter by 25%.
            3. The minimum height shall be 6.5 feet tall.
            4. Environmental enriching furniture such as varied substrates, logs, and rocks should be available. All species should have access to a water tub or pool large enough for complete submersion.
        iii. Enclosure sizes for all snakes (other than large constrictors) shall be based upon the length of the longest specimen in the enclosure.

1. For up to two specimens, an enclosure having a perimeter at least as great as the length of the longest specimen; the width of the enclosure shall not be less than 20% of the length of the longest specimen. For each additional specimen, increase perimeter by 10%.

b. Lizards

i. The following species are considered to be "large lizards:"

1. Crocodilians
2. Varanus subspecies of monitors (3 species)
3. Komodo dragon (varanus komodoensis)
4. Crocodile monitor Varanus salvadorii
5. Water monitor Varanus salvator
6. Nile Monitor Varanus niloticus

ii. Enclosures for large lizards shall be built of reinforced brick or steel walls, with top and doors of steel or half-inch (½") or thicker plywood on a 2"x4" (wooden stud) or better framework.

1. Exhibit front or viewing area must use laminated glass, acrylic, or double paned glass (where the glass on the viewer's side is laminated or tempered).
   a. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.
2. The minimum size of the exhibit shall be based upon the length of the longest specimen in the enclosure and shall allow for the thorough cleaning of the container or exhibit by staff.
   a. Lizards 25 to 36 inches in length
      i. For one or two lizards an enclosure 36 inches by 12 inches, 16 inches high. For each additional lizard, increase enclosure size by 10 inches or 25 percent in length and width.
   b. Lizards 37 inches to 6 feet in length
      i. For one or two lizards, an enclosure 6 feet by 3 feet, 4 feet high. For each additional lizard, increase the enclosure by 25 percent of the original floor area.
   c. Lizards over 6 feet in length
      i. For one or two lizards, an enclosure 9 feet by 6 feet, 4.5 feet high. For each additional lizard, increase the enclosure by 25 percent of original floor area.
3. Environmental enriching furniture such as varied substrates, logs, and rocks should be available. All species should have access to a water tub or pool large enough for complete submersion.
4. Enclosures should allow for all the normal activities of the species (e.g. swimming, climbing, burrowing, running, hiding, and, especially, sunning).
5. This environment should also be sufficiently environmentally enriched to exceed the minimum husbandry requirements for sustained long life and reproduction, if desired, of the species.

iii. Enclosures for all other lizards should be an environment large enough to allow for all the normal activities of the species (e.g. swimming, climbing, burrowing, running, hiding, and, especially, sunning).

1. This environment should also be sufficiently environmentally enriched to exceed the minimum husbandry requirements for sustained long life and reproduction, if desired, of the species.
2. When more than one animal occupies the same unit, additional space and environmental enrichments should be added in a direct ratio to the number of individuals, their ages, sexes, and needs demand.

c. Turtles (other than tortoises and box turtles)

i. In addition to requirements of this section, each enclosure shall have a pool of water that will allow for the immersion of the largest turtle. For all turtles with soft carapaces, a non-abrasive pool bottom is required.

ii. Enclosure sizes for all turtles shall be based upon the size of the largest specimen in the enclosure.

1. For one or two turtles, an enclosure with an area at least five times the shell length, by two times the shell width of the largest turtle. The pool area shall equal no less than two times the shell width, by two times the shell length of the largest turtle. A dry resting area equal to the size of the shell of the largest turtle shall be provided. For each additional specimen, increase resting and pool area by 25 percent of the original floor area.

d. Tortoises and box turtles

i. Enclosure sizes for all tortoises and box turtles shall be based upon the size of the largest specimen in the enclosures.

1. For one or two tortoises or box turtles, an enclosure with a floor area 10 times the shell size of the largest specimen in the enclosure. For additional specimens, the floor area available for movement shall be twice the floor area covered by the combined body mass of all animals in the enclosure.

e. Crocodilians

i. For one animal, an enclosure of sufficient size to permit moving and turning both on a dry area and in a pool of water, the water being of sufficient depth to permit submersion. For additional animals, the combined area covered by all their bodies shall not exceed 50 percent of enclosure area.

2. Amphibians

a. Aquatic amphibians shall be kept in water filled tanks or aquaria. Semi-aquatic and terrestrial amphibians shall be kept in enclosures, tanks or aquaria with a water area and a dry area that shall permit moving and turning. Both the dry area and the water area shall provide room to accommodate all animals in the enclosure simultaneously.

VI. Possession, Exhibition and Caging Venomous Reptiles:

Venomous reptiles shall be kept enclosed in cases, pits, or enclosures of the following specifications:

1. Enclosure may be constructed of a variety of materials, all or any of which must securely, effectively, and safely contain the animal. Enclosures and doors to enclosures shall be sealed.
    a. Enclosures shall be securely locked with two separate locking mechanisms to lessen unauthorized intrusion, keeper error, or lock failure, through one of two methods:
        i. The immediate door to the enclosure shall have two separate latches, clamps, slide bolts, or similar, each with its own key-required lock.
        ii. The immediate door to the enclosure shall have at least one latch, clamp, slide bolt, or similar, with at least one having its own key-required lock, and the access door or gate to the service area shall have its own key-required lock.
    b. Enclosures which include glass (such as for viewing) must use safety or laminated glass, acrylic or double-paned glass (where as glass on the viewer's side is laminated or tempered).
        i. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.

2. A room may contain venomous reptiles in enclosures that are not locked provided that such a room is locked with two separate key-required locking mechanisms to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, and is constructed and maintained as to be escape-proof.

3. Outdoor open-topped enclosures
    a. For venomous reptiles native to the United States:
        i. The floors of outdoor enclosures shall be of concrete or masonry construction at least two inches in thickness. Sides shall be of similar construction, at least eight inches in thickness, or strength equivalent, and extend no less than four feet above the highest accessible point of the enclosure. Outdoor enclosures need not have concrete or masonry flooring if the enclosure meets the following additional specifications:
            1. The enclosure shall have concrete or masonry walls, at least eight inches in thickness, or strength equivalent.
            2. The enclosure shall have footers made of concrete, or strength equivalent, extending not less than three feet below the grade level.
            3. The corners of enclosure shall be designed or guarded to prevent the escape of reptiles by climbing.
            4. All landscaping of the enclosure shall be arranged to insure that vegetation or other structures do not allow for the escape of reptiles.
        ii. Entrance doors shall be kept securely locked on all outdoor enclosures to prevent escape and unauthorized intrusion and the enclosure shall be

equipped with barriers to prevent visitors from falling into enclosures that are constructed below ground level or viewing level.

b. For venomous reptile species not native to the United States:
    i. In addition to the requirements for venomous reptiles native to the United States, all outdoor enclosures shall be topped with close-meshed wire or an equivalent barrier to provide additional security.

c. All outdoor, open top enclosures shall have two separate key-required locking mechanisms to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, and is constructed and maintained as to be escape-proof.

4. Transportation
    a. Venomous reptiles may be transported only in the following fashion:
        i. They shall be placed in a stout, closely woven cloth sack, tied or otherwise secured and, then, double bagged in the same fashion.
        ii. This sack shall then be placed in a container which shall be of strong material, such as solid plywood sheets, metal or thick plastic containers constructed to withstand crushing and physical abuse.
            1. Air holes should be less than 1/3 the diameter of the smallest reptile contained within and shall be screened inside with quarter inch (¼") or smaller wire.
            2. Boxes containing venomous snakes or lizards shall be prominently labeled "DANGER Venomous Reptiles."

5. Facilities housing, owning, or otherwise maintaining venomous reptiles shall have proper "snake bite" protocols in place.
    a. Sufficient protocols must cover every venomous species in the collection, take in to account multiple specimens of the same species, and deal with situations that may include multiple victims or multiple bites to one victim.
    b. Sufficient protocols should be consulted through a medical doctor and collaborate with at least one local hospital that offers emergency services.
    c. A sufficient protocol shall be properly implemented by following three steps:
        i. Training: all staff authorized to work with (both directly and indirectly) venomous specimens, as well as at least one other person, shall be fully trained on the protocol.
        ii. Written: the protocol must be written down and included as part of the required duties of all staff authorized to work with (both directly and indirectly) venomous specimens and prominently posted in the room or area containing the venomous specimens.
        iii. Supervision: the owner or manager must ensure adherence to the protocol through supervision or other appropriate means, to include enforcement.

6. All enclosure access points, containers, sacks, and any other containment for venomous specimens shall have venomous labels in place.

7. Specimens considered to be in an "off public display" situation must be maintained in manners consistent with the above standards.

VII. Exceptions to Standard Caging Requirements for Captive Wildlife.

Wildlife may be temporarily housed in enclosures smaller than the sizes set forth above only under the following circumstances:

1. For transport and for performing and non-performing animals as approved by ZAA.

2. Wildlife being held for sale by those persons properly licensed or for veterinary care or quarantine may be temporarily housed in smaller enclosures for a period not to exceed 60 days. With written notification to ZAA, this period may be extended in circumstances where a licensed veterinarian has certified that a longer holding period is medically necessary in the interests of the health, safety and welfare of the subject animals or the public. Medical records concerning all animals for which an extension of the 60-day period is obtained shall be maintained at the facility and shall be made available for inspection, upon request, by ZAA. The caging or enclosure of all wildlife temporarily held under this section shall not be smaller than that required for the caged animal to stand up, lie down, and turn around without touching the sides of the enclosure or another animal. All wildlife thus housed shall be permanently marked or their enclosures shall be permanently marked, so as to be traceable to written records indicating the date the wildlife was placed in temporary holding. Such records shall be maintained and made available for inspection by ZAA.

3. The standard caging requirements shall not apply to facilities possessing ratites (ostriches, rheas, emus, and cassowaries) for propagation purposes only and not for public exhibition.

4. Newborn and juvenile mammals may be temporarily kept in enclosures below the standard caging requirements and are exempted from the land requirements and structural strength requirements as follows:
    a. Newborn mammals may be kept in incubation and rearing facilities. Nursing young may be maintained with their parents with no increase in required enclosure size for the adult animal for up to twelve weeks, provided that documentation is available to show the age of the young. Such time may be extended with a veterinarian's statement, showing that such size enclosure is required for the continued health and welfare of the animals until a certain date.
    b. Juvenile mammals may be kept in enclosures that do not meet or exceed the size specification in subsection (2) of this section provided that:
        i. Written documentation is available to verify the age of the animal.
        ii. The animal is marked or otherwise identifiable.
        iii. The animal shall be provided space for exercise on a daily basis.
        iv. Enclosures that meet the standard caging requirements shall be provided for Class I and Class II carnivores when they reach 25 pounds or six months of age, whichever comes first. Class III carnivores shall be provided enclosures that meet the standard caging requirements at six months of age. Class I, II, and III primates shall be provided enclosures that meet standard caging requirements at twelve (12) months of age.

5. Hatchling/fledgling birds and newborn reptiles and amphibians may be held in enclosures that allow for normal postural movements and social adjustments that ensure the health and sanitary needs of the animals.

6. Birds held temporarily for exhibit only and not for sale, may be kept in show enclosures, provided that, such birds have sufficient space for perching without touching the sides, top, or bottom of the enclosure and the health and sanitary needs of the birds are met. Water shall be available in the show enclosures at all times.

7. Reptiles and amphibians held temporarily for herptile shows, expositions, and exhibits may be kept in enclosures that allow for normal postural movements and social adjustments and that ensure the health and sanitary needs of the animals.

8. Enclosures for mobility impaired animals shall meet standard caging requirements, unless it can be demonstrated that such enclosure, or its required accessories, are detrimental to the health or welfare of the animal. In such cases, written documentation by a veterinarian confirming the need for such exemption shall be maintained by the permittee and made available to ZAA upon request.

9. Mammals held temporarily for shows, expositions, and exhibits may be kept in enclosures that allow for normal postural movements and social adjustments and that ensure the health and sanitary needs of the animals.

Martin, Jodee

From: Center for Sustainable Resources <sustainableresources@hotmail.com>
Sent: Monday, July 21, 2014 11:22 AM
To: Martin, Jodee
Subject: Dangerous species list

Fred Hays , Fish Farmer, 7-18-14

Comments regarding "dangerous animal rules"

Upon review of this legislation I am dumbfounded to discover that it is not about dangerous animals but any animal the DNR or their eco maniacs does not like for one reason or another. It seems anything that was not here in 1645 is fair game to be considered dangerous so this could easily include apple trees and trout.

As for the listing there are aquatic species that are widely distributed and naturalized in the region. Gambusia minnows are found in most farm ponds in WV and are completely benign yet useful for as their name indicates they eat mosquito larvae. Does this mean that anyone with a fish pond in WV is now breaking the law? The same can be said of many crayfish species that have been distributed or found their way here on their own. This is all very dangerous and a consideration can be made that those who did this may be the real danger. The next thing would be that they want to destroy private property to destroy what lives there because they have put it on a list. This is more fitting as an issue in today's politics rather than having anything to do with managing resources.

As for the rule itself, it is highly inappropriate and counterproductive to use that as a way to tell people what they can have or not have based on ill perceived information. There are many species that are not of origin to the region that have added to pour biodiversity become useful species in the eco system.

Fred Hays

Martin, Jodee

From: Blackwaterreptiles <Blackwaterreptiles@Hotmail.com>
Sent: Monday, July 21, 2014 1:52 PM
To: Martin, Jodee
Subject: Dangerous animals

Hello Jodeemartin
I would like to voice my dis approval with including any constricting snakes in this bill. I would like to point out that they cannot survive in the wild here. BECAUSE they are tropical...cannot become invasive. ..as for as the so called danger goes...they are statistically far less dangerous than common pets..compare over 300 deaths from dogs since 1978 and over 100 deaths per year from horse and live stock related activities to approximately 17 deaths related to constrictors since 1978. So why am I being subject to pay 100$ per animal that is far less dangerous than the allowed animals. I feel that as a minority of people who enjoy snakes like my self and others like me are being taken advantage of for our love of snakes. WHY dont the other domestic DANGEROUS animal owners have to pay 100$ animal..they harm SIGNIFICANTLY more people a year than snakes.And if dog and horse people get to risk the dangers associated with their hobby why can't snake owners? I would also like to say I am not against dogs and live stock..but when you apply the rationale for this bill to them..they fit the description much better. .West Virginia does not have a DANGEROUS animal problem. So why are law makers trying to make criminals out of good people. I would also like to say that the state of illinois has passed a bill removing reptiles including constrictors from their DANGEROUS animal bill. Sincerely Aaron Crawford. 2392 savary drive Charleston west Virginia 25387

Sent from my Samsung Galaxy S®III

Martin, Jodee

From: Twylia <gthemi221@frontiernet.net>
Sent: Tuesday, July 22, 2014 9:22 AM
To: Martin, Jodee
Subject: Dangerous Wild Animal Act

Being a farmer of 50 cattle this would hurt us greatly in the Greenbrier Valley; all of our neighbors have several acres along with us, and I find this bill 4393 that passed not thought out carefully for the farmers. Snakes...yes

Mrs. Twylia Suttle
HC 40 Box 129A
Lewisburg, WV 24901

Martin, Jodee

From: Lauren Beichner <msbeichner@gmail.com>
Sent: Friday, July 18, 2014 9:03 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Lauren Beichner
PO Box 42
Berkeley Springs, WV 25411

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Lauren Beichner

Martin, Jodee

From: Green, Megan E <Megan.E.Green@wv.gov>
Sent: Friday, July 18, 2014 8:19 AM
To: Martin, Jodee
Subject: HB 4393

Good Morning Jodee!

And happy Friday! I read the article regarding HB 4393 in the Charleston Gazette this morning, and of course the journalism on this bill is proving to remain quite vague— "among other animals." I was simply wondering if you wouldn't mind providing a copy of the entire list of prohibited dangerous animals? The phrase "among other animals," is a great way to increase public anxiety in the face of this new bill. As an owner of atypical pets, I am passionate about this topic. However, I like to commend the WVDA on this bill, as it is not simply about prohibition –

§19-34-6. Permit applications, requirements, issuance and revocation

(b) *Permit requirements and restrictions.* -- The application shall state, and the person shall acknowledge his or her understanding, that:

(4) He or she has not been convicted for an offense involving the abuse or neglect of any animal;

The bill adequately provides protection and compassion for the animals as well, and I think that this portion of the bill has been undersold to the public.

Thanks,

Megan Green
Tax Audit Clerk – FTA Unit
Tax Account Administration Division
West Virginia State Tax Department
(304) 558-8625
Megan.E.Green@wv.gov

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Martin, Jodee

From: Aaryn Wietz <aarynw@frontier.com>
Sent: Friday, July 18, 2014 8:03 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Aaryn Wietz
4 Rustling Leaf Place
Kearneysville, WV 25430

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
Aaryn Wietz

Martin, Jodee

From: Rose Jones <crowejoneshamrick@yahoo.com>
Sent: Friday, July 18, 2014 1:30 AM
To: Martin, Jodee
Subject: Exotic animals

I want to voice my opinion on this proposed bill. I agree that animals such as lions, tigers , bears and other large wild animals should be on this list. However animals such as rabbits, goats, horses and cattle should not. These animals are shown at the state fair if you put them on the list it will have a negative impact on the greenbrier county economy. For many people seeing these animals is the highlight of their fair experience. This would also put a hardship on farmers who use these animals for milk, and food which would negatively effect the state's economy. These animals provide companionship as well as providing milk, and services such as keeping brush trimmed for their owners. Please do not make it impossible for people to enjoy the wonderful company of these animals.

Sent from Yahoo Mail on Android

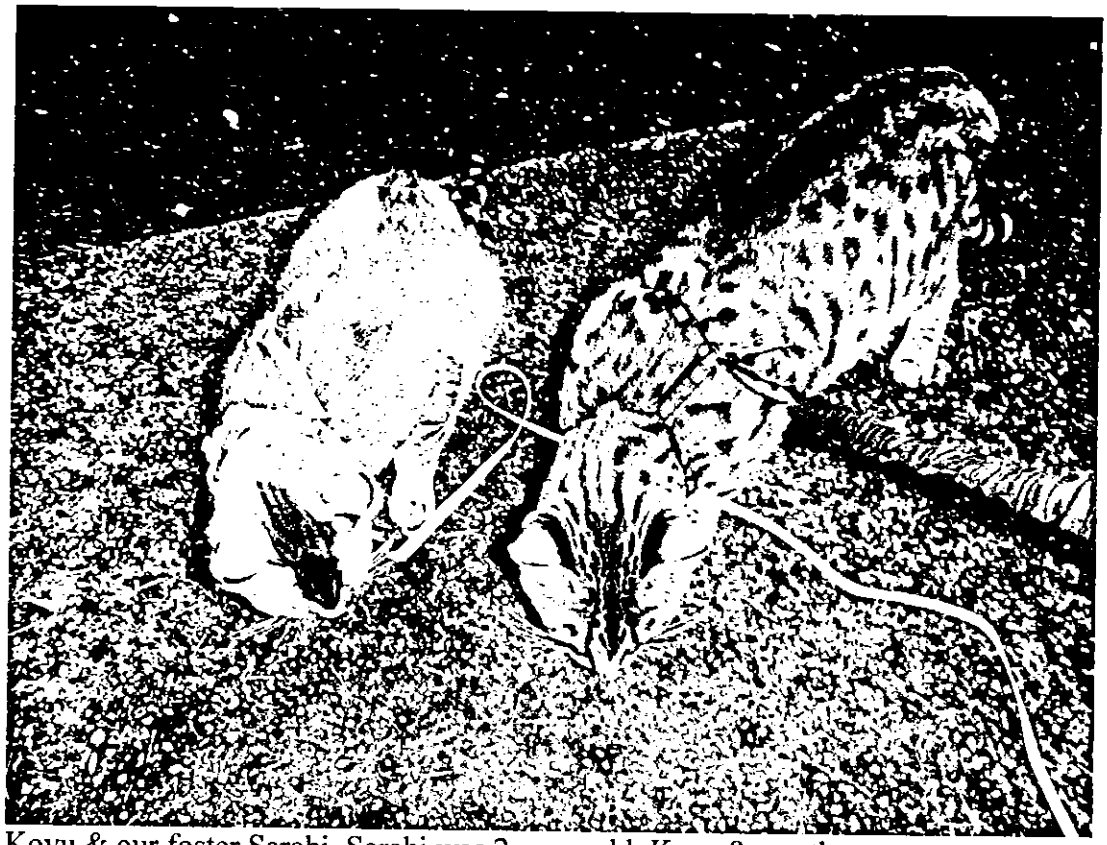
Kovu & myself.

In this photo I was sick. Kovu stayed next to me in my bed, purring away all day and all night. The door was open & he had free reign of the house, but he chose to stay with me. f

He also likes to give kisses and lick my hair.

He loves sleeping curled up next to Elijah!

And last but not least, he won over my dad. He's not a cat person but he said that kovu is the best, well behaved cat he's ever seen. :)


Kovu & our foster Sarabi. Sarabi was 2 years old, Kovu 8 months.

Savannahs are dangerous & should not be around children since they are wild and unpredictable. Having worked as a vet tech assistant, I can tell by a cat's body language how they are feeling. If I see that Elijah is being too rough & Kovu is getting agitated, I tell Elijah he needs to back off a bit & let Kovu have some alone time. Kovu will then come to him when he is ready to play again.

He is absolutely not a threat to anyone or anything. Elijah has severe anxiety & Kovu has been more therapeutic for him than any therapist or medication that we have used since getting his diagnosis. I strongly believe that if Kovu were not in our home that Elijah would regress greatly. When we are on vacation he can't even sleep & often cries because he isn't used to sleeping without Kovu snuggled up by his feet.

I hope that you will think long and hard about this ban and what it will mean. I am afraid that if passed thousands of cats who have amazing homes & loving families will be euthanized.

Thank you for taking the time to read this.

Ashley Bolles
Concerned Savannah mom

In this photo, Elijah as sick. Kovu stayed with him all night & all the next day.

Martin, Jodee

From: Ashey Bolles <jamminwithash@gmail.com>
Sent: Friday, July 18, 2014 1:52 AM
To: Martin, Jodee
Subject: Proposed ban on hybrid cats

To Whom It May Concern,

I was given this email address & was told that I could send my comments on the proposed ban on "hybrids". I'm writing to tell you that I am against such ban.

The reason I am so passionate about this is because I am owned by a F4 Savannah. He was born on 11/11/11 and he came to live with us in February of 2012 at 12 weeks old. Kovu is now two years old and a permanent member of this family. We had researched the breed for nearly three years before deciding that the Savannah was right for our family. As soon as I saw Kovu's little face I knew he was the one for us. And boy was I right. I honestly couldn't have picked a better match for us. I just want to point out some things that some Big Cat Rescue has given false information about.

- Kovu has been litter trained since day one in our house. Even as a kitten he never had any accidents and has always used the box with no problems. People who are backing this ban claim that Savannahs have horrible litter habits. Any cat can have litter problems. It is NOT a breed trait to have bad litter habits.

-Kovu has a diet of raw rabbit, canned Pride by Instinct Rockstar Rabbit, and Blue Buffalo Wilderness Wild. While raw isn't a necessity, it is just what -I- think is best. It is very beneficial to ANY cat or dog. People who are backing this ban claim that Savannahs HAVE to have a raw diet and whole prey. Again, this is false information. Savannahs can eat any kind of cat food, but like I said, its my personal opinion that if you are going to have the responsibility of an animal, you need to feed it the best that there is since they obviously don't get a choice. But thats a whole different argument.

- Kovu has been around other animals & has done perfectly fine. I do a lot of fostering for a local cat rescue. I've fostered several cats and one dog. Honestly, Kovu didn't care for the dog, but had we introduced him to dogs when he first arrived I have no doubt that he would have adjusted and been fine. We had one foster for several months & she & Kovu became very close. (I have enclosed a picture of the two of them) People who support this ban claim that Savannahs do not get along with other animals. Again, obviously false. If there is a Savannah that doesn't like other animals, its not because it is a Savannah trait. It is just that one cat's personal preference and personality.

-Kovu has his claws. I would never declaw him & luckily he hasn't given me a reason to want to. We have several scratching posts/towers/toys and I trim his nails regularly. He has never scratched us, nor has he bit us. He is always very careful when playing not to be too rough, especially with our (now) 7 year old son, Elijah. The people who support this ban claim that Savannahs are wild. Kovu has shown no aggression since he has been in our home.

-As I said in my last point, I have a 7 year old son, Elijah. He & Kovu bonded very quickly and are best buds. Kovu sleeps in Elijah's bed every night. If I thought he was dangerous, I would not have got him to begin with, much less let him sleep in Elijah's bed every night, as I am a very protective mother. The boys play together, Elijah takes him on daily walks (his dad or myself supervising), he is responsible for giving him food and water & will occasionally help with the litter box. They play all the time. The people backing this ban have said that

Martin, Jodee

From: Cassandrew Kelly <noemail@gmail.com>
Sent: Friday, July 18, 2014 2:12 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Cassandrew Kelly
PO Box 724
Fairmont, WV 26555

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

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West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Cassandrew Kelly

Martin, Jodee

From: Heather Lorigan <hlorigan@gmail.com>
Sent: Friday, July 18, 2014 7:43 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Heather Lorigan
331B S Washington St
Berkeley Springs, WV 25411

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
Heather

Sincerely,
Heather Lorigan

Martin, Jodee

From: Stephanie Blizzard <sjblizzard@gmail.com>
Sent: Friday, July 18, 2014 1:32 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Stephanie Blizzard
Lowell Street
Fairmont, WV 26554

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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As a college student with up coming loans, I can say that I can not afford to pay 100 dollars per fish in my aquarium, or for other animals that I own. I find this to be discouraging to pet owners who are responsible owners and research the animals that they want to care for.

I feel that including many reptiles and fish and small mammals is unfair to people to who can not own a cat or dog due to allergies.People love cats and dogs but are not able to have any due to this medical issue and have taken that love towards other pets that they can love just as much such as rabbits which can be litter trained and kept as an indoor animal, other small mammals, or reptiles that pose no threat to the environment or handler such as turtles, tortoises, geckos et cetera. I do not feel these animals should be on the list at all. I feel that this list made does not represent an ideal of safety. I also feel that it does not reflect the views and wishes of the citizens of this state, and should be revised wholeheartedly.

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

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Sincerely,
NAME

Sincerely,
Stephanie Blizzard

Martin, Jodee

From: Rayana Keefer <Rayanaball@live.com>
Sent: Friday, July 18, 2014 12:12 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Rayana Keefer
11125 sylvan drive
Mercersburg, PA 17236

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
Rayana Keefer

Martin, Jodee

From: Neil Heard <Neilheard@yahoo.com>
Sent: Friday, July 18, 2014 12:02 AM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Neil Heard
4228 Martinsburg Rd
Berkeley Springs, WV 25411

July 18, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
Neil Heard

Martin, Jodee

From: Jeff Hankey <jeffhankey@gmail.com>
Sent: Thursday, July 17, 2014 11:52 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Jeff Hankey
565 Johnson Mill Road
Berkeley Springs, WV 25411

July 17, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
Jeff Hankey

Sincerely,
Jeff Hankey

Martin, Jodee

From: Josie McInturff <Riverridgesavannahs@yahoo.com>
Sent: Thursday, July 17, 2014 7:11 PM
To: Martin, Jodee
Subject: Hybrid kitties

Dear Ms. Martin,
I am writing to express my opinion on the 'Dangerous Animals List' that includes my beloved Savannah kittens.

Originally, Savannahs evolved from breeding a domestic cat with a Serval. Now, they are considered to be domestic cats and are shown throughout the world in sanctioned domestic cat shows. The International Cat Association recognizes Savannahs as domestic cats. I will forward the letter from the President of TICA to the Ohio committee. Savannahs were exempted from the Ohio law.

Many falsehoods and myths surround the Savannah, most pervasively is that they weigh 30 + pounds. Adult Servals don't even weigh that much. Our Savannahs weigh less than a Maine Coon cat. Another myth is that they cannot be vaccinated against rabies. All of my Savannahs have been vaccinated and a test is now available at the University of Kansas that demonstrates efficacy of the vaccines.

Many people in West Virginia are happy Savannah owners. We have never had a cat go into any type of rescue operation, nor returned to us due to behavioral issues. Many of our kittens belong to children, including one who serves (unofficially) as a therapy cat for an autistic child.

Please remove hybrid cats - Savannahs - from the Dangerous Animal List. They are just cats.

Thank you very much!

Josie McInturff
River Ridge Farm
Pipestem, WV 25979
304-466-1831

Martin, Jodee

From: William Riblett <rickpkb@hotmail.com>
Sent: Thursday, July 17, 2014 7:04 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

William Riblett
P.O. Box 306
Millwood, WV 25262

July 17, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

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Sincerely,
NAME

Sincerely,
William Riblett

Martin, Jodee

From: lisa akers <lisa.akers1@aol.com>
Sent: Thursday, July 17, 2014 5:24 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

lisa akers
1348 college ave.
bluefield, WV 24701

July 17, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
NAME

Sincerely,
lisa akers

Martin, Jodee

From: Karin Gateless <kgateless@gmail.com>
Sent: Thursday, July 17, 2014 5:24 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Karin Gateless
6663 Corley Rd
Flatwoods, WV 26621

July 17, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
NAME

Sincerely,
Karin Gateless

Martin, Jodee

From: john berry <krissie5602@gmail.com>
Sent: Thursday, July 17, 2014 5:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

john berry
751 mozart rd
wheeling, WV 26003

July 17, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
NAME

Sincerely,
john berry

Martin, Jodee

From: Paula Gates <pscgates@aol.com>
Sent: Thursday, July 17, 2014 5:50 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Paula Gates
153 Venice Way
Shepherdstown, WV 25443

July 17, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

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Sincerely,
NAME

Sincerely, and hoping that you will not kill the love of animals children need, Paula Gates

Martin, Jodee

From: Kitti French <kitkai2001@yahoo.com>
Sent: Thursday, July 17, 2014 6:00 PM
To: Martin, Jodee
Subject: Comment regarding Dangerous Wild Animal List

Kitti French
5206 Hammons DR
Cross Lanes, WV 25313

July 17, 2014

Dear Jodee Martin,

Commissioner Walt Helmick
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Commissioner Helmick:

I am writing today to express my concerns with the proposed Dangerous Wild Animal list currently under consideration. While I support efforts to restrict ownership of truly dangerous, wild animals like lions and tigers and bears, I was disappointed to see just what kinds of animals the Board considers dangerous and wild.

The list includes dozens of animal families and orders, including hundreds of species that are commonly kept as pets here in West Virginia and across the country. This listing was meant to restrict the possession of animals that are "dangerous to humans, other animals or the environment." With that in mind, the inclusion of animals like gerbils, sugar gliders, tree frogs, monk parakeets, salamanders and neon tetras as "dangerous" and "wild" makes no sense at all. What screening process was used to select these animals? What scientific basis was used to select the species included?

To add insult to injury, the proposed rule would require current pet owners to obtain a permit issued by the Board at a cost of $100 per animal. Does the Board really intend to charge someone who purchases freshwater aquarium fish for $2 each an additional $100 per fish?

In many cases, risks posed by less dangerous animals on this list can be all but eliminated with safe handling, education and responsible pet ownership. Hedgehogs, ferrets and even constrictor snakes are permitted to be kept as pets across the country because there are communities of responsible breeders and owners who work together to ensure that these animals are treated properly. We hope that West Virginia will align itself with the reasonable approaches adopted by other states on this issue.

Finally, it would appear that the rule allows for an annual meeting of the Board "to determine if animals should be added." What is the process to remove animals from the list once added? If there isn't one, it's even more important that the Board get the list right before it becomes law.

For all of these reasons, I encourage you to review the proposed Dangerous Wild Animal list with a critical eye and a healthy dose of common sense. In seeking to protect West Virginians, this list actually harms many current pet owners.

West Virginia is proud to be known as "Wild and Wonderful." Will it also become known as the state that declared rabbits dangerous, wild animals?

Sincerely,
NAME

Sincerely,
Kitti French

Martin, Jodee

From: ANDREA MARQUEZ <andrea_marquez@msn.com>
Sent: Thursday, July 17, 2014 6:32 PM
To: Martin, Jodee
Subject: PROPOSED RULE FILED FOR DANGEROUS WILD ANIMALS ACT

Dear Sirs and Madams:

I am writing in reference to the above stated proposal. I find it rather surprising that lawmakers could consider something so ridiculous and potentially devastating to their constituents. Do you realize that it would make pet frogs and salamanders dangerous? Additionally each one would require a $100 permit? Haven't you all had children? They love reptiles! They are incredibly fragile and must be replaced all the time. This ridiculous law would either make me an outlaw or broke. I would imagine you were intending to protect people from exotic animals, in which case you need a rewrite.

Sincerely,
Andrea Marquez

Mr. Martin

Re: WV House Bill 4393
Wild Animal Act

I find this bill perplexing. Family pets are wild animals?

If you'd included or ~~restrict~~ restricted to pit bulls and pythons, I'd see a valid purpose. I think this Bill is insulting to common sense.

What were they thinking? I'm assuming they had good intentions but please vets or cancel this Bill!

What a bunch of nonsense!

Beverly Pauley
P.O. Box 803
Alderson, WV 24910

Dear Mr. Martin,

I've been reading in papers about the list of dangerous animals. I've never heard such crap. I can understand tigers, alligators, lions, ~~sak~~ snakes, etc. but animals in pet shops, NO. I go over in Martinsburg and hold birds, turtles, lizards, sugar gliders. In fact, I own 3 parrots - they wouldn't hurt a flea. They turn out the way you raise them. Mine are tame. I love all my animals.

All this is going to do is make pet stores go out of business. A lot of animals in paper aren't dangerous to people. Just a bunch of crap. I guess people has to cry about something to keep them happy.

Thanks
Nancy Fritts

Teresa Whitt
1421 Quarrier Street
Charleston, WV 25301
Tel. 304-346-5234
23 July 2014

JUL 24 2014

West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Attention WV Dept. of Agriculture:

RE: Additional information and comments/ Proposed Dangerous Wild Animal Rule, Title No. 61, Public Comments

I am enclosing information that supports my earlier letter of comment in protest of the inclusion of Myiopsitta monachus (Monk or Quaker parakeet.) in the proposed Dangerous Wild Animal Rule, Title No. 61.

The enclosed e-mail is from New Hampshire Representative Jeanine Notter about Quaker Parakeets. She was the sponsor of New Hampshire Bill HB651 of 2011 that changed State law to allow the ownership of Quaker parakeets with no restrictions. I have previously sent a copy of the bill to you. In her e-mail, Ms. Notter states that "When we held the hearings for HB 651...we learned that Quaker parrots cannot survive in the wild on their own."

I ask that the West Virginia Department of Agriculture rescind the inclusion of Myiopsitta monachus (Monk or Quaker parakeet) in the proposed Dangerous Wild Animal Rule, Title 61. The enclosed information supports the fact that these birds are safe companion pets.

Sincerely,

Teresa C. Whitt

Teresa C. Whitt

Enc. 1

Sharon L Casto

241 Prospect Avenue

Charles Town, WV 25414

Dear Jodee Martin,

Well, here we are again. This is concerning the Wild and Dangerous Animal Act. I am glad your department is reconsidering the list of animals. I feel strongly you should have made it easier to review the Ohio version which you stated was what you were going to model the new list on. I finally found it. Okay, made more sense than what you were trying to push through. Still, I must again state, leave the tropical fish, all parrots, parakeets, finches, and canary birds alone. They pose no threat to the state. The tropical fish will die if released into ponds, lakes or streams. The Federal bureua of Agriculture did two studies that proved Quaker Parakeets were not a threat to agriculture. In fact feral parrots are not a threat to native bird species. In fact Conures where a native species found as far north as Chicago until the late Eighteen hundreds when they were hunted to extinction. The so called Pocket Pets, hamsters, hedgehogs, etc. are often a child's first pet and teaches them compassion, responsibility, and opens their minds to the natural world around them and their place in it. Those lessons can't be taught in school. I agree no one needs a tiger in their backyard. Any law concerning exotic wild animals should first and foremost protect the animal. What you are trying to do is basically outlaw most pets. Welcome to West Virginia, NO PETS ALLOWED will be our new state motto.

As for reptiles, those poor creatures need protection. I am fine with banning all large constrictors. Any snake who as an adult will be over two foot long should be banned. I might also add, they should not be fed live food. That is animal cruelty and sick. Most zoos feed dead rats and mice or what looks like a processed meat log. More work for the owner but humane.

As for all primates and monkeys, well let's face it they are too much like us, far to dangerous to be called pets. Look tighten up the list, but also use common sense. You must make allowances for those who run legitimate wild life sanctuaries. Please don't put undue burdens on those who are cleaning up the mess made by morons. Keep your list simple, written in plain English such as stating no lions, tigers, bears, elephants, bobcats, wolves, wolf hybrids, cat hybrids, moose, zebras, cape buffalo, and so on. Simple easy to read, easy to understand. If someone wants a license to own one of these animals, they must pass a test to prove they know what they are doing. I mean how much food does this animal need to stay healthy, how much space and I mean acres not feet. They need to be inspected to make sure they have the proper fencing, pools of clean water if the animal requires it etc. Is there a Vet who can tend the animal if it gets sick. Simple, common sense is all I ask.

So in conclusion, ban or regulate the ownership of lions, tigers and bears and leave parrots, parakeets, hedgehogs etc. alone. I might also add, your time limit for response is a disgrace. What is your hurry? There has been no mass demand for this law in this state. Also publish your new list in ALL West Virginian newspapers and allow us, the people, the voters, of this state at least two months to respond to your list. Our response should carry more weight than your panel of so called experts.

Thank you

Sharon L Casto

Jaime L. Ward
HC 85 Box 503
Jumping Branch, WV 25969
(304)466-3983

Jodee Martin - Commissioner
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
304-558-3550

July 16, 2014

Dangerous Wild Animal Board,

This letter is in response to the Dangerous Wild Animal list that was filed on July 2, 2014. More specifically, I would like to address the section concerning domestic and hybrid canines and felines. Your list states the following: Carnivora (carnivores) All species prohibited except domestic dogs (Canis Familiaris) and domestic cats (Felis catus). Hybrid crosses between two species in Order Carnivora (including domestic species) are also prohibited.

I personally have been blessed with bengal cats as a part of my family. I have had bengals for several years and am completely head over heels in love with this breed.

While I fully agree with some of the animals on this list, such as elephants, bandicoots and whales to name a few, I HIGHLY disagree that bengals should be one of them. Bengals have been members of families in West Virginia for many years without a single incident. I feel that it is important to discuss and define the bengal.

By definition, according to The International Cat Association, a bengal is a domestic breed that was DERIVED from a hybrid cross between the Asian Leopard Cat and a domestic cat. (An Asian leopard cat is a small cat between 6-10 lbs. that is found in several areas of the world, predominately Asia.) TICA also states, "Today's domestic Bengal cat comes only from breeding Bengals to other Bengals and requires no specialized care." Many bengals, mine included, would have to trace back multiple generations to reach an actual Asian Leopard cat. They are as domesticated as a Siamese or a Himalayan.

The USDA defines hybrids of domestic cats with wild/exotic cats (Bengal, Savannah, Chausie...) as DOMESTICS.

http://www.aphis.usda.gov/animal_welfare/downloads/manuals/dealer/exemptions.pdf

"crosses between wild and domestic animals are considered domestic, e.g., a wolf-dog cross crosses between exotic and domestic animals are considered domestic, e.g., a zebra-donkey cross"

http://www.aphis.usda.gov/animal_welfare/downloads/awr/9cfr1.1.txt

"Hybrid cross means an animal resulting from the crossbreeding between two different species or types of animals. Crosses between wild animal species, such as lions and tigers, are considered to be wild animals. Crosses between wild animal species and domestic animals, such as dogs and wolves or buffalo and domestic cattle, are considered to be domestic animals."

Once again, according to this definition, bengals are domestic animals.

According to Chris Kaelin, the lead Geneticist at Stanford University who has been researching Bengals as a part of a larger study on the agouti gene, the average Bengal cat has 2-3% Asian Leopard cat genes in its genetic makeup.

According to Rickey Tome, lead Wildlife Inspector for the US Fish and Wildlife Service at the San Francisco (Burlingame) Office, a Bengal exported out of the the country without a CITES permit is to be classified Felis Catus. With 97-98% of its genetic makeup coming from Felis Catus, the Felis Catus classification is the only logical classification.

Speaking on behalf of families who have a bengal as part of their lives, bengals make wonderful family pets. They bonding well with members of the family including children, dogs and other cats. Bengals are active and playful and have the personality and intelligence of many dogs. They shed very little to none and are wonderful options for people with allergies. Bengals can be very active family companions, they will harness train if desired and travel well. For many, including my family, bengals are a perfect fit!

It is my understanding that this committee was originally intentioned to form a list that would identify and regulate animals that pose threat to humans, other animals or local ecosystems. Bengals are no a threat to any of the above and should be permitted.

This section of the Dangerous Wild Animal list needs to be altered. I am respectfully requesting that the wording be changed to include the acceptance of the domestic hybrid breeds.

Thank you for your consideration in this matter.

Sincerely,

Jaime Ward

Jaime Ward

p.s.
For clarification purposes, bengals are a small breed of house cat ranging between 6 and 15 pounds and have absolutely, 100%, NO relation to a bengal tiger.

JUL 18 2014

7/17/14

To When It May Concern:

I think alot of the animals on your list isn't dangerous at all. You need to look at that. Also you don't want people to turn loose these helpless animals after being in captivity, they Couldn't survive. I am going to say you're crazy putting all these animals on here. Things that need to be listed is the very dangerous ones Snakes that get larger than 2 ft long, bears, alligators or any wildlife that can harm people. That is what needs to be on the list. Animals are like family to me they're babies.

Thanks,

Stephanie McKinney
Stephanie A. McKinney
208 Robbie Lane
Elkview, WV 25071
304-965-7452

WV Dept. of Agriculture
1900 Kanawha Blvd East
Charleston, WV 25303

WV Dept. of Agriculture
Attn: Jodee Martin
1900 Kanawha Blvd. East
Charleston, WV
25305

Dear Madam:

A recent newspaper article on the subject of the proposed exotic wildlife ban in our state indicated that your department had not received many letters in support of such a ban. I am writing to let you know that many West Virginians, including myself, would very much like to see this dangerous and inhumane trade curtailed in our state.

As we saw in the Zanesville, Ohio, tragedy, private individuals are simply not equipped to humanely house and care for potentially dangerous wild animals such as great cats, bears, and primates. When these animals behave like what they are—wild creatures—humans can end up hurt or killed. Moreover, there is simply nowhere for these animals to go once their owners no longer wish to care for them. Zoos and animal shelters cannot accept them, and the few reputable exotic animal sanctuaries in the US are filled to bursting.

I urge you to pass a law in West Virginia prohibiting the possession of dangerous exotic wildlife.

Sincerely,
Lindsay Spaar
106 Atkinson Ave.
Wheeling, WV 26003

UF | UNIVERSITY of FLORIDA

Institute of Food and Agricultural Sciences
School of Forest Resources and Conservation
Program in Fisheries & Aquatic Sciences
Tropical Aquaculture Laboratory

1408 24th Street SE
Ruskin, FL 33570
813-671-5230
813-671-5234 FAX

JUL 21 2014

18 July 2014

West Virginia Department of Agriculture
1900 Kanawha Boulevard East
Charlestown, WV 25305

To Whom it May Concern,

I have reviewed the proposed rule prohibiting certain non-native invertebrates and vertebrates in West Virginia (i.e., Dangerous Wild Animals Rule Title 61 Schedule 30). I have a number of specific comments below but it is clear that many fish species included on this proposed list are of little or no environmental or economic threat to native species and aquatic ecosystems of West Virginia. The orders Characiformes and Siluriformes and the family Gobiidae are among the largest groups of fishes; the fish list would literally prohibit several thousand fish species.

My research, extension, and teaching programs at the University of Florida focus on the ecology and management of non-native aquatic animals, especially freshwater fishes. A major focus of these programs is the development, testing, and implementation of risk assessment methods to inform management of non-native species and to reduce the negative effects of invasive species. Risk-based approaches are increasingly and effectively used nationally and internationally to address this important issue. Risk assessments incorporate the two elements of risk of non-native species, the probability of establishment and the consequences (potential impacts) if establishment occurs. Of particular importance is the fact that risk-based approaches distinguish between the majority of non-native species that have relatively little impact (i.e., those species unlikely to establish or unlikely to cause noticeable impacts if they do establish) from the minority of truly invasive species (i.e., those that establish and become problematic).

My primary expertise is with fishes so I will confine my specific comments to this taxonomic group.

The list is quite confusing as to what classification level is actually prohibited when multiple, often higher-order classification levels are included followed by (presumably) sample species and then the statement "all species prohibited." Does this mean for example that only candiru catfishes and walking catfish are to be prohibited or that all siluriform fishes are to be prohibited? If it is indeed the latter, the coverage is extremely broad for the three orders in particular. It is highly unusual to list all species of a taxonomic order on a prohibited list. Fish orders are typically so large and varied in species composition that it is unlikely that all species would be of high invasiveness risk.

Temperature and salinity are two major factors influencing fish distribution and limiting the ability of non-native species to establish. The climate of West Virginia, particularly the cold winters, precludes the survival and establishment of fishes of tropical origin. Aquatic systems in the region are freshwater and

therefore unsuitable for marine species. These factors reduce the ecological risk of such species to very low levels. Many of the taxonomic groups proposed for listing are tropical, marine, or both (see below).

Fishes of the order Tetraodontiformes pose little or no threat to West Virginia. Only a handful of species of puffer fish (Tetraodontidae) are capable of surviving in freshwater environments such as would be encountered in West Virginia. Nearly all of these "freshwater" puffer fish (and generally all in trade) are actually euryhaline and require salt water to reproduce (e.g., Watson et al. 2009. *Marine Genomics* 2:143-146). These fishes are moreover of tropical origin. Triggerfishes (Balistidae) and filefishes (Monacanthidae) are restricted to marine habitats.

The family Gobiidae is one of the largest fish families with in excess of 1,600 species (perhaps over 2,000). Most species live in marine or brackish waters and are tropical or subtropical in origin and thus of no risk to West Virginia's native species or ecosystems. A few species of Ponto-Caspian origin, primarily of the genera *Neogobius* and *Proterorhinus*, have proven to be invasive in the United States and similar ecosystems in Europe. It seems reasonable to focus on the potential risks of these temperate-climate species for West Virginia but to continue to allow trade and use of the vast majority of gobies.

Characiformes contains in addition to the specifically mentioned piranhas and tiger fishes, 12 families of fishes primarily native to tropical and subtropical regions of Central and South America and Africa. The largest family, Characidae has over 1,000 species including many of the familiar tetras kept by aquarium hobbyists. The vast majority of the species, included those specifically mentioned, would be unable to survive the cold temperatures of winter throughout the state and even summertime temperatures at high elevations. Piranhas and to a lesser extent tiger fishes are frequently the subject of concern not for their propensity to establish and cause impacts but because of their ability to bite and harm humans. Members of this order actually have very little history of successful invasion and establishment in the United States (or most world regions) and little evidence of impacts (Hill, unpublished data; part of the draft final report for a contract funded through the Florida Department of Agriculture and Consumer Services). A recent published risk screen of Black Tetra *Gymnocorymbus ternetzi*, a popular aquarium species and one of the more cold-tolerant tetras, resulted in a low risk rating for the conterminous United States (Hill et al. 2014. *Transactions of the American Fisheries Society* 143:817-829). My M.S. student, Larry Lawson recently graduated and evaluated the invasiveness risk of several characins in trade for Florida using the Fish Invasiveness Screening Kit (FISK; Lawson et al. 2013. *Risk Analysis* 33:1414-1431; Lawson. 2014. M.S. Thesis. University of Florida). The results were low or low-medium risk; results for West Virginia would indicate lower risk because the climate match would be less than for Florida. Few if any characiform fishes would be of high invasiveness risk to West Virginia.

Siluriformes is a massive group of fishes containing 33 families, several of which have 100-200+ species. The largest family, Loricariidae approaches 900 species. Members of this order span the tropics and temperate regions primarily in freshwaters with some brackish and marine species. Numerous species are in trade. Most species in trade are tropical in origin and therefore generally unable to establish in West Virginia. Walking Catfish *Clarias batrachus* is listed federally as an injurious species so this listing would be consistent with federal regulation though this species or other walking catfishes of the family Clariidae represent little threat outside of warm regions. Like piranhas, candiru catfishes are of low risk of establishment but concern is primarily driven by perceived human health threats. Some temperate catfishes, primarily larger-bodied predatory species, have established and caused impacts outside of their native range and might be of concern for West Virginia (e.g., Wels Catfish *Siluris glanis*). Risk of

establishment and impacts is low for West Virginia for the vast majority of siluriform fishes. Management directed at potentially invasive catfishes rather than the bulk of the species which are of low risk should be an effective risk mitigator.

In summary, most of the fishes considered for listing on the West Virginia prohibited list seem to be low risk species for the region. As a scientist with extensive state, national, and international risk assessment experience I conclude that this proposed rule uses an excessively wide net to capture a few or in many cases no species of actual invasiveness risk to West Virginia. The application of appropriate risk-based tools would greatly benefit the listing process.

I am happy to discuss these comments with you or others if I can provide additional information or assist in any way.

Sincerely,

Jeffrey E. Hill, Ph.D.
Associate Professor and Extension Specialist, Non-Native Fishes

jeffhill@ufl.edu
Phone x118

To Whom it May Concern: JUL 17 2014 July 14, 2014

Comment Period: Adding Alpacas to List Compiled by WV Legislators - Dangerous & Wild Animal

As stated in a news article on this subject, comments are to be sent to the U.S. Department of Agriculture, Attn: Jodee Martin, prior to considering placing the livestock, Alpaca, on a Dangerous & Wild Animal list. The Alpaca is an environmentally friendly, family friendly livestock.

Comment: In the 2008 Farm Bill, passed by the Federal Government, it designated/classified ALPACAS as domestic livestock. The alpacas have been domesticated for more than 5,000 years. They are one of nature's favorite farm animals, and they are sensitive to their environment in every respect. They have many physical attributes which allow them to be so environmentally friendly.

- The alpaca's feet are padded and they leave almost no mark on the terrain as they graze on native grasses.
- The alpaca is a modified ruminant with a 3-compartment stomach. It converts grass and hay to energy very efficiently, thus eating less.
- The alpaca does not usually eat or destroy trees, preferring tender grasses, which it does not pull out by the roots, like horses.
- The South American Indians use alpaca poop for fuel, and gardeners find the alpaca's rich fertilizer perfect for growing fruits and vegetables.
- A herd of alpacas consolidates it's feces in one or two spots in the pasture, thereby controlling the spread of parasites.
- An alpaca produces enough fleece each year to create several soft, warm sweaters, or other wearable goods, for its owners comfort.

The alpaca is significantly easier to handle than most other livestock, which makes it easier on "seniors" to have these great animals. They are smaller and therefore less intimidating than horses or cattle, and do not challenge fences the way goats do, and they are hardy and easy keepers. Our alpacas are certainly "user-friendly" livestock, which helps explain both their attractiveness as a livestock investment and their reputation for being huggable. Shorn yearly in the Spring, alpaca fiber is stronger, lighter, warmer, and more resilient than wool. Finer grades of alpaca fiber are believed to be hypo-allergenic, meaning they do not irritate your skin as sheep's wool sometimes does. Unlike sheep's wool, alpaca fiber contains no lanolin and is there ready to spin after only nominal cleaning of the fleece. Prized for its unique, silky feel and superb "handle", alpaca fiber is highly sought after by both cottage industry artists (hand spinners, knitters, weavers, etc.), as well as the commercial fashion industry.

Alpacas are a very quiet livestock—as many as 6 to 8 per acre is an acceptable number according to agriculture, livestock, and alpaca resources. Alpaca farming is great in West Virginia, as the hilly terrain is similar to their native country in South America, and their "fur coats" do well in cooler climates.

We have been raising alpacas since 2006. We enjoy these sweet, kind livestock and the luscious fleece they produce, which is similar to cashmere. We are active in the alpaca community and the show circuit, and our animals have won many ribbons. Our whole family can get involved, especially at local events such as festivals and craft shows. We have beautiful yarn and other products made from our own alpacas that we sell online and at local events.

We sincerely hope this is a big misunderstanding and that the Commissioner of Agriculture and the WV Legislature will review these and other comments and assure the WV alpaca farmers that these domestic livestock should be categorized with sheep, goats, horses, cattle. It would be a terrible financial hardship and heartbreak for many of us if these wonderful farm animals were misrepresented.

Please feel free to contact us. Our home number is 304-856-3664. Our website is www.kismetacres.com

Thank you for your time,
Elaine Lawson

Elaine and David Lawson
Kismet Acres Farm
P.O. Box 292
6 Choke Cherry Lane
Capon Bridge, WV 26711-0292

This will also be sent to the mailing address as listed, Charleston, WV.

West Virginia Department of Agriculture JUL 17 2014
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you regarding the proposed "Dangerous and Wild Animal List" for House Bill 4393 Title 61:61-30-3.

While the intent to decrease instances of injury and death, as well as the environmental impact of escaped, invasive species is indeed worthy of attention in order to protect the people of the State of West Virginia, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be considered "dangerous" or "wild".

Some of the animals listed may reasonably assumed to be "wild" such as crocodiles, elephants and many other animals one would find in a zoo (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are not only not "wild" they would not survive in our environment where they not kept in captivity.

I am most specifically very much concerned with your listing for Carnivora (carnivores) which casts a broad net as it states, "*Carnivora (carnivores) All species prohibited except domestic dogs (Canis familiaris) and domestic cats (Felis catus), Hybrid crosses between two species in Order Carnivora (including domestic species) are also prohibited.*"

This category would assumedly cover the domestic ferret (*Musela putorius furo*) which is not a wild animal. Evidence suggests that ferrets were domesticated by humans as early as 63 BCE. If the domestic ferret escapes outdoors, it rarely survives more than a few days (www.ferret.org/read/faq.html). Additionally, pet stores – both local stores and national chains – only sell ferrets that have been spayed or neutered.

Please amend the proposed list and consider the impact you are creating on the people of this great state.

Sincerely,

Christina L. Matlick
Morgantown, WV

56 Davis Br. Rd.
Prichard, W.Va.
July 22, 2014

W.Va. Dept. of Agriculture
1900 Kanawha Blvd. East
Charleston, W.Va.
Attn: Jodee Martin

Dear Ms. Martin,

I can understand the state's concern about truly dangerous animals, but as the owner of four pet turtles, I do not consider them dangerous.

I have had pet turtles for over forty years with no problems. The turtles I have now are red-eared sliders and were given to me by people who no longer wanted them as pets. I was a teacher for thirty years

and had turtles in my classroom. Common sense rules kept everyone safe. I think there should be a fair assessment of dangers. As for salmonella, it is on and in chicken eggs. The Komodo dragon's mouth is teeming with salmonella germs (and they, the Komodo dragons, grow to be huge and dangerous). Chimps have been known to bite off people's faces and other body parts. Some snakes can kill and they have germs on them. Even cats and dogs carry diseases.

Pet stores do not sell baby turtles. What are the statistics on children becoming ill from pet turtles?

Please fairly assess

the danger of each animal on your list. My caring for pet turtles is like a hobby to me. They are gentle and enjoyable to care for. It would indeed be a great financial hardship to pay $400.00 just to keep them.

I trust great wisdom will go into the final list of dangerous animals that you publish.

Thank you very much.

Sincerely,

Frances J. Kern

Frances Kern
56 Davis Branch Road
Prichard, WV 25555

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing you in regard to the Dangerous and Wild Animal List for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous and wild".

Some of the wild animals listed are reasonable listed such as crocodiles, elephants, and many animals that you would normally find only in zoos. The fact remains that many of the animals listed are topical species that could not survive in our environment were they not kept in captivity.

Other species on the list are not dangerous, such as the inclusion of all species of the order Lagomorpha. This would include all species of meat and fur rabbits as well as rabbits that people keep as pets. These are not wild animals and have been domesticated for hundreds of years. Each summer at county fairs across the state, meat rabbits are included as part of livestock shows and sales. Additionally the USDA even addresses the sale of rabbit meat in their regulations.

This ban would have a significant economic impact on a number of small farms and rabbitries that breed and sell rabbits to hobbyist, 4H members and for meat and fur.

Please amend the proposed list by removing rabbits from it, and consider the impact you are creating on the people of our great state. Thank you.

Sincerely:

Jill McAllister
104 Adams Rd
Barboursville, WV 25504

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing you in regard to the Dangerous and Wild Animal List for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous and wild".

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This ban would have a significant economic impact on a number of small farms and rabbitries that breed and sell rabbits to hobbyist, 4H members and for meat and fur.

Please amend the proposed list by removing rabbits from it, and consider the impact you are creating on the people of our great state. Thank you.

Sincerely:

Mary Ann Hale
156 Jefferson Park Drive
Huntington, WV 25705

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing you in regard to the Dangerous and Wild Animal List for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous and wild".

Some of the wild animals listed are reasonable listed such as crocodiles, elephants, and many animals that you would normally find only in zoos. The fact remains that many of the animals listed are topical species that could not survive in our environment were they not kept in captivity.

Other species on the list are not dangerous, such as the inclusion of all species of the order Lagomorpha. This would include all species of meat and fur rabbits as well as rabbits that people keep as pets. These are not wild animals and have been domesticated for hundreds of years. Each summer at county fairs across the state, meat rabbits are included as part of livestock shows and sales. Additionally the USDA even addresses the sale of rabbit meat in their regulations.

This ban would have a significant economic impact on a number of small farms and rabbitries that breed and sell rabbits to hobbyist, 4H members and for meat and fur.

Please amend the proposed list by removing rabbits from it, and consider the impact you are creating on the people of our great state. Thank you.

Sincerely:

Hannah Scarbro

414 Spencer Avenue
Barboursville, WV 25504

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing you in regard to the Dangerous and Wild Animal List for House Bill 4393 Title 61: 61-30-3

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Sincerely:

Michelle Hale
864 Aztec Drive
Martinsburg, WV
25405

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing you in regard to the Dangerous and Wild Animal List for House Bill 4393 Title 61: 61-30-3

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Sincerely:

Tucker Zeppe
110 Thoroughbred Way
Milton, WV

1014 Woodbine Road
Craigsville, WV 26205-8688
Primary Phone: 304.890.6681
e-mail:nperry06@gmail.com

Nathanial Perry

July 24, 2014

West Virginia Department of Agriculture
Attn: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Ms. Martin,

I am writing in regards to the recent filing of the proposed legislative action titled "Dangerous Wild Animal Rule" on July 2nd, 2014. After reviewing this proposal, I have several concerns.

I will first address the proposed list of "Dangerous Wild Animals" as presented in §61-30-3. One can appreciate the need and scope of the West Virginia Department of Agriculture (WVDoA) in limiting and restricting the type of animals permitted to be kept as pets. Respecting a multitude of environmental concerns, including but not limited to upsetting the local ecosystem by introducing foreign wildlife, introduction of foreign illnesses by way of parasites, fungi, etc., as well as the physical dangers of keeping animals not well suited to be kept as a 'pet', a reasonable person could conclude the proposed list is excessive.
I can certainly agree that certain animals appearing on the list would be considered "dangerous" by most individuals (*ex. Elephants, giraffes, rhinoceroses*) and the WVDoA has a reasonable responsibility to restrict the possession and captivity of these animals. I do, however, believe the scope of "Dangerous Wildlife" too restrictive and should be reconsidered (*ex. All species of rabbits*).
Protecting the ecosystem of our state, as well as the safety of the population at large is obviously of great concern. Taking a common sense approach to regulation is a sensible solution to what could easily escalate into a large public concern. Restricting wildlife that otherwise resides in our backyards (*ex. Turtles, lizards, frogs, salamanders, and snails*) does not appear to be common sense but extremely restrictive. It seems more prudent to restrict the release of foreign elements into the wild (*ex. Exotic birds, snakes, etc.*) than to restrict the possession of relatively harmless indigenous wildlife.

As a West Virginia native, and an Eagle Scout, I can remember having a number of what would be considered "Dangerous Wild Animals" should this proposed legislation become law as pets. Some of these animals became lifelong companions, others temporary residents. Having these pets facilitated a great deal of learning. As this proposed legislature stands, many people will be denied the right to have these "dangerous animals" and those that do will be forced to pay a fee to continue to do so. An example that resonates in my mind is the wall of aquariums in the nature lodge at Dilley's Mill in Pocahontas County, known to most as the Buckskin Scout Reservation. Every year hundreds of young minds travel there to learn about nature, among many other life skills. If the Boy Scouts must request, much less maintain, permits for every animal deemed "dangerous" by this proposed legislation that is kept in the nature lodge temporarily during the 5 weeks of camp, they would have to pay hundreds of dollars per year to the WVDoA just to facilitate learning about lizards, frogs, snails, and maybe a snake.

1014 Woodbine Road
Craigsville, WV 26205-8688
Primary Phone: 304.890.6681
e-mail:nperry06@gmail.com

Nathanial Perry

These animals are all indigenous to the area, are never harmed, and returned to the capture point at the end of each week of camp. Where is the danger? This is simply one example.

This will segue to my next concern, the price and frequency of permitting. I certainly understand the rationale for charging a fee for the registration of a justifiable "Dangerous Wild Animal". The management, registration, and issuance of this will cost the WVDoA man-power as well as funds in the form of issuance of the physical permit itself. Recovering the cost of permit issuance is necessary to maintain a balanced budget. I, however, firmly object to charging $100.00 to register every animal listed. Several alternatives come to mind, but I don't feel the WVDoA or any other agency should necessarily profit from the issuance of the permits. As the current proposed legislation stands, every child with a "dangerous" frog, turtle, or lizard in their bedroom will be required to pay to the state $100.00 to keep their pet plus state regulated captivity guidelines. This is not only unfair, it's plain ridiculous.

As has been stated, I don't personally believe a majority of these indigenous animals should be listed as "Dangerous Wild Animals". I do, however, believe the animals that remain on this list should be licensed fairly, and a grandfather clause should be implemented where individuals whom already possess these pets have a period of time where they can obtain the permit free of charge. Forcing a registration or licensing fee based from new legislation on residents of the state whom may have owned these animals for years is entirely unfair, and should not be permitted.

Another concern with licensing is the ambiguity surrounding the licensing clause. The proposed legislation does not stipulate the duration of time a license or permit is valid (*ex. Life of animal permitted, one year, etc.*). This obviously must be corrected in the final version of the legislation. If the WVDoA is granted the freedom to allow permits to expire yearly, the cost of owning one of the animals on this list could become extremely expensive much less if an individual owns multiple animals.

Yet another concern with licensing is accountability of funds. The current legislation contains no guidelines for receipt and use of license funds. The legislature that reaches final passage should require stipulations as to where and how the funds received from permitting will be accounted for and utilized. A large portion of the funds should be earmarked for public education or similar "hands on" activities designed to enhance the knowledge of the public at large about the animals labeled "Dangerous" including why they are classified in this manner.

Expounding further on the licensing requirement would be the determining factor of cost. One could easily conclude that certain animals are inherently 'more dangerous' than others. And certain animals require more discretion as to care, safekeeping, and upkeep. The WVDoA should take these items into consideration when charging for a permit. Under the proposed legislation, both an elephant and a rabbit are considered "Dangerous Wild Animals". As a common individual can easily deduce the requirements to keep a rabbit would be significantly less than the elephant. Therefore I propose that the cost of licensing a rabbit be substantially less than that of an elephant. A reasonable minimum and maximum charge should be established (*ex. Rabbit = $10.00, Elephant = $100.00*).

A secondary concern is the timeliness of permitting. The proposed legislation stipulates the board will meet per annum to review the permitting and licensing. With the extremely large scope of wildlife included, once per year seems to be an unrealistic time frame for permitting. A minimum requirement of quarterly would be requested with a provision that if an excess of a certain number of applications are received within the quarter they would be reviewed upon reaching that threshold. Within the current legislation there is no grace period, filing period, or appeal process for denied applications.

1014 Woodbine Road
Craigsville, WV 26205-8688
Primary Phone: 304.890.6681
e-mail:nperry06@gmail.com

Nathanial Perry

There is also no clarification as to whether an application must be filed prior to obtaining a "Dangerous Wild Animal", which could include something as simple as a rabbit, turtle, or lizard. I believe more consideration needs to be extended to these provisions.

A third concern this legislation brings to attention removes me from the agricultural and into the business realm. With each animal listed in this proposed legislation, within reason, we reduce the type of allowable pets residents are permitted to have. There is a specific job market for these consumers. Supplying cages, feed, lamps, and other survival necessities brings tax revenue to the state, and sales dollars brings large and small businesses into West Virginia. Veterinarians take care of these animals, prescribing medications and supplying other health necessities. Essentially making these pets illegal will reduce sales, potentially forcing small business owners to close their businesses and discouraging larger businesses from locating within the state. This affects commerce, unemployment, and the local economy as a whole. Enforcing this legislature as written could negatively affect West Virginia's economy far worse than a vast majority of the "Dangerous Wild Animals" ever could.

In closing, I urge you to closely examine and reconsider this legislative proposal. Give more thought to the rural, wonderful, and exotic culture that this legislature would serve to greatly diminish. Regulate the necessary, and allow the remainder to be enjoyed by residents and tourists unencumbered.

Respectfully,

Nathanial Perry

CC: Dana Lynch (D – Webster, 44)

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing you in regard to the Dangerous and Wild Animal List for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous and wild".

Some of the wild animals listed are reasonable listed such as crocodiles, elephants, and many animals that you would normally find only in zoos. The fact remains that many of the animals listed are topical species that could not survive in our environment were they not kept in captivity.

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Please amend the proposed list by removing rabbits from it, and consider the impact you are creating on the people of our great state. Thank you.

Sincerely:

Jack R Flowhouse
992 Samuels Ave
Barboursville, WV 25504

Martin, Jodee

From:	Jessica Yoak <bogfrog@outlook.com>
Sent:	Friday, July 25, 2014 8:54 PM
To:	Martin, Jodee
Subject:	Petition Signatures - Dangerous and Wild Animal List
Attachments:	House Bill 4393 Petition Signatures.pdf; House Bill 4393 Petition Comments.pdf

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

Please see the attached list of over 550 petition signatures and the attached comments from the petition.

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:

Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Amend the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3
Petition Signatures

#	Name	City	State	Zip Code	Country	Signed On
1	Jessica Yoak	Pleasant Valley	West Virginia	26554	United States	07/05/14
2	Erik Yoak	Fairmont	West Virginia	26554	United States	07/05/14
3	Michael Cleveland	Morgantown	West Virginia	26505	United States	07/05/14
4	kayla marie	Monroe Township	New Jersey	8094	United States	07/05/14
5	Patrick Montgomery	LINN	West Virginia	26384	United States	07/05/14
6	Cynthia Jones	Maysville	North Carolina	28555	United States	07/05/14
7	Autumn B	USA	West Virginia	26261	United States	07/05/14
8	Beth Ann Adams	Elkins	West Virginia	26241	United States	07/05/14
9	Amy Lowther	Clarksburg	West Virginia	26301	United States	07/05/14
10	adam carpenter	Philippi	West Virginia	26416	United States	07/05/14
11	Jacques Katzoff	Hermosa Beach	California	90254	United States	07/05/14
12	Christopher Paz	Compton	California	90220	United States	07/05/14
13	Melissa Trott	London	England	SW19 6JG	United Kingdom	07/05/14
14	Erandi Young	Paso Robles	California	93446	United States	07/05/14
15	Abril Herrera			64750	Mexico	07/05/14
16	Tess Arriola	Redondo Beach	California	90278	United States	07/05/14
17	Irene Broßeit	Herford	Oregon	32052	United States	07/05/14
18	karina tarpinian	glendale	California	91206	United States	07/05/14
19	Mark Bastian	Helston	England	TR12 6RA	United Kingdom	07/05/14
20	paula eaton	St. Ann	Missouri	63074	United States	07/05/14
21	Suzan Toma	Sittard		6137 PV	Netherlands	07/05/14
22	Jamie Miller	Fairmont	West Virginia	26554	United States	07/05/14
23	Shanna Ewing	Nitro	West Virginia	25143	United States	07/05/14
24	Kim Rayburn	Winfield	West Virginia	25213	United States	07/05/14
25	Denise Chapman	Milton	West Virginia	25541	United States	07/05/14
26	marlanna trent	Huntington	West Virginia	25701	United States	07/05/14

27	Savannah Jordan	St Albans	West Virginia	25177	United States	07/05/14
28	Jennifer Johnston	Nitro	West Virginia	25143	United States	07/05/14
29	Johnathan Kingry	Dunbar	West Virginia	25064	United States	07/05/14
30	desy wolf			85100	Italy	07/05/14
31	Jonathan Tinney	Nitro	West Virginia	25143	United States	07/05/14
32	zachary bailey	Charleston	West Virginia	25320	United States	07/05/14
33	Brynn Goff	Cross Lanes	West Virginia	2531	United States	07/05/14
34	Dalton McVey	Cross Lanes	West Virginia	25313	United States	07/05/14
35	jessica larch	CHARLESTON	West Virginia	25312	United States	07/05/14
36	Julian tolley	charleston	West Virginia	25312	United States	07/05/14
37	charles king	cross lanes	West Virginia	25313	United States	07/05/14
38	Mitchell Balaban	Charleston	West Virginia	25313	United States	07/05/14
39	Tara Kerwood	St. Albans	West Virginia	25177	United States	07/05/14
40	Matt Bradley	Charleston	West Virginia	25304	United States	07/05/14
41	jesse lopez	morgantown	West Virginia	26508	United States	07/05/14
42	Brandon Dale	Princeton	West Virginia	24739	United States	07/05/14
43	Melissa Smith	Elkview	West Virginia	25071	United States	07/05/14
44	Kelly Morgan	Hurricane	West Virginia	25526	United States	07/05/14
45	Jacqueline Trump	Harpers Ferry	West Virginia	25425	United States	07/05/14
46	jen wells	Fairmont	West Virginia	26554	United States	07/05/14
47	Charity Terry	Woodstock	Georgia	30189	United States	07/05/14
48	DEBRA LABUZ	BUCKHANNON	West Virginia	26201	United States	07/05/14
49	Kaitlyn McDaniel	Charleston	West Virginia	25302	United States	07/05/14
50	Carla Riggs	Fairmont	West Virginia	26554	United States	07/05/14
51	Brittany Ellis	Fairmont	West Virginia	26554	United States	07/05/14
52	Kandace Dillard	Saint albans	West Virginia	25177	United States	07/05/14
53	Jay Myers	Fairmont	West Virginia	26554	United States	07/05/14
54	Amy Cowger	Fairmont	West Virginia	26554	United States	07/05/14
55	Sarah Dangerfield	Oak Hill	West Virginia	25901	United States	07/05/14
56	Stephen Ash	Clarksburg	West Virginia	26301	United States	07/05/14
57	Abigail Rice	St. Albans	West Virginia	25177	United States	07/05/14
58	Crystal Woodrum	Yawkey	West Virginia	25523	United States	07/05/14

59	Taylor Rakosky	Fairmont	West Virginia	26554	United States	07/05/14
60	manuela wolter	st-cruiz		50309	Costa Rica	07/05/14
61	Brandon Mathess	Fairmont	West Virginia	26554	United States	07/05/14
62	Crystal Rakosky	Fairmont	West Virginia	26554	United States	07/05/14
63	Maureen Bennett	Fairmont	West Virginia	26554	United States	07/05/14
64	Beth Yost	Anchorage	Alaska	99504	United States	07/05/14
65	RiAnnon Ash	Clarksburg	West Virginia	26301	United States	07/05/14
66	Michael Ables	weston	West Virginia	26452	United States	07/05/14
67	hale davis	walker	West Virginia	26180	United States	07/05/14
68	Rebecca Weekley	Fairmont	West Virginia	26554	United States	07/05/14
69	JOHN RICHARD YOUNG	East Norriton Township	Norristown	19401-1531	United States	07/05/14
70	Franklin Bryan	amherst	Massachusetts	1002	United States	07/05/14
71	Debbie Mcvey	Charleston	West Virginia	25313	United States	07/05/14
72	Sarah Baker	Barboursville	West Virginia	25504	United States	07/05/14
73	Daniel Clark	Dunbar	West Virginia	25064	United States	07/06/14
74	Melissa Toler-Cain	monongah	West Virginia	26554	United States	07/06/14
75	Vicki Boggess	Hurricane	West Virginia	25526	United States	07/06/14
76	Melody Mullins	Amma	West Virginia	25005	United States	07/06/14
77	Jonathan Cole	Hueytown	Alabama	35023	United States	07/06/14
78	goldie radcliff	weston	West Virginia	26452	United States	07/06/14
79	Christal Gibson	Alum Bridge	West Virginia	26321	United States	07/06/14
80	cristy berry	Wheeling	West Virginia	26003	United States	07/06/14
81	Tiffan Stuart	Wallace	West Virginia	26448	United States	07/06/14
82	Latasha urbina	buckhannon	West Virginia	26201	United States	07/06/14
83	Courtney Wheatley	Horner	West Virginia	26372	United States	07/06/14
84	sally metz	Weston	West Virginia	26452	United States	07/06/14
85	Mike Moore	Weston	West Virginia	26452	United States	07/06/14
86	Shannon Painter	Charleston	West Virginia	25311	United States	07/06/14
87	Laura Winans	Camden	West Virginia	26338	United States	07/06/14
88	Diane Hayes	Huntington	West Virginia	25705	United States	07/06/14
89	britny bland	Davisville	West Virginia	26142	United States	07/06/14
90	Bryson Saul	Scott Depot	West Virginia	25560	United States	07/06/14

91	Ashley Justice	Rainelle	West Virginia	25962	United States	07/06/14
92	animal lover	cumbria	England	CA14 3DL	United Kingdom	07/06/14
93	Betty Pumphrey	Weston	West Virginia	26452	United States	07/06/14
94	Sandra Kesling	Jane Lew	West Virginia	26378	United States	07/06/14
95	Christopher Nall	Slatyfork	West Virginia	26291	United States	07/06/14
96	Mari Moore	Weston	West Virginia	26452	United States	07/06/14
97	joe strauss	peterstown	West Virginia	24963	United States	07/06/14
98	dawn shackleford	linn	West Virginia	26384	United States	07/06/14
99	Carole Russelle	Portland	Oregon	97229	United States	07/06/14
100	tiffany bachman	Volga	West Virginia	26238	United States	07/06/14
101	Gloria J Conrad	Weston	West Virginia	26452	United States	07/06/14
102	Linda Hamilton	Fairmont	West Virginia	26554	United States	07/06/14
103	James Brown	Fairmont	West Virginia	26554	United States	07/06/14
104	Daniel Sunderland	McConnell	West Virginia	25646	United States	07/07/14
105	Nicole hamm	chandler	Arizona	85224	United States	07/07/14
106	Sheri Helmer	AJ	Arizona	85119	United States	07/07/14
107	amanda orourke	Farwell	Michigan	48622	United States	07/07/14
108	Glidergals Sugargliders	Cranston	Rhode Island	2905	United States	07/07/14
109	Tamanna Sikora	Plano	Texas	75025	United States	07/07/14
110	Emmy Wilkins	Rock Island	Illinois	61201	United States	07/07/14
111	michelle shackelford	Weston	West Virginia	26452	United States	07/07/14
112	Tina Zelker	Barboursville	West Virginia	25504	United States	07/07/14
113	laci kerridge	Ellenville	New York	12428	United States	07/07/14
114	peggy ables	Ikerswa	West Virginia	26447	United States	07/07/14
115	Trey Miller	Sandyville	West Virginia	25275	United States	07/07/14
116	Ronda Lokken	Minneapolis	Minnesota	55421	United States	07/07/14
117	Lindsay Watt	Fairhaven	Massachusetts	2719	United States	07/07/14
118	Gary Batchelder	Zephyrhills	Florida	33541	United States	07/07/14
119	Elizabeth Beckner	Princeton	West Virginia	24739	United States	07/07/14
120	Courtney Cruey	Bland	Virginia	24315	United States	07/07/14
121	Sherry Foster	Hinton	West Virginia	25951	United States	07/07/14
122	nellie cooper	hinton	West Virginia	25951	United States	07/07/14

123	Jessica Davis	Talcott	West Virginia	24981	United States	07/07/14
124	Courtney Hubbard	Fredericksburg	Virginia	22401	United States	07/07/14
125	Meghan Trinity	las vegas	Nevada	89128	United States	07/07/14
126	Nancy Welch-Manuel	Moxee	Washington	98936	United States	07/07/14
127	Trins Finch	Walton	New York	13856	United States	07/07/14
128	nancy glazar	detroit	Michigan	48205	United States	07/07/14
129	lara johnson	alkol	West Virginia	25501	United States	07/07/14
130	Adriana Lopez	Homestead	Florida	33031	United States	07/07/14
131	Valerie Elswick	Seth	West Virginia	25181	United States	07/07/14
132	Beth Miller	Gig Harbor	Washington	98329	United States	07/07/14
133	lori tyree	Beckley	West Virginia	25801	United States	07/07/14
134	Ashley Knight	Fairmont	West Virginia	26554	United States	07/07/14
135	Kayla Tossone	Fairmont	West Virginia	26554	United States	07/07/14
136	Wooldridge Sheneika	Roanoke	Virginia	24014	United States	07/07/14
137	Jennifer Gimble	Fredericksburg	Virginia	22406	United States	07/07/14
138	Lindy Eden	Tiskilwa	Illinois	61368	United States	07/07/14
139	Ashley Lester	Daniels	West Virginia	25832	United States	07/07/14
140	Leanne Deel	Pound	Virginia	24279	United States	07/07/14
141	Markie Robinson	Brunswick	New York	12180	United States	07/07/14
142	Lisa Salazar	Foster City	California	94404	United States	07/07/14
143	lydia santiago	jackson	New Jersey	8527	United States	07/07/14
144	Rachel Nichols	Wimauma	Florida	33598	United States	07/07/14
145	Andrea Sites	Durbin	West Virginia	26264	United States	07/07/14
146	Hailee carroll	ZEPHYRHILLS	Florida	33541	United States	07/07/14
147	Kathy S Woody	Buckhannon	West Virginia	26201	United States	07/07/14
148	Karl Burnside	Buckhannon	West Virginia	26201	United States	07/07/14
149	Brittany Donaldson	Morgantown	West Virginia	26508	United States	07/07/14
150	Rick Krumrine	Biglerville	Pennsylvania	17307	United States	07/07/14
151	Brittany Wiseman	Sissonville	West Virginia	25320	United States	07/07/14
152	Crystal Stevenson	Granville	West Virginia	26534	United States	07/07/14
153	Angela Rakes	Ghent	West Virginia	25843	United States	07/07/14
154	K Dahle	Clear Lake	Minnesota	55319	United States	07/07/14

155	jennifer sizemore	nimitz	West Virginia	25978	United States	07/07/14
156	Kristen Adkins	Oak Hill	West Virginia	25901	United States	07/07/14
157	Mary Callahan	Bruceton Mills	West Virginia	26525	United States	07/07/14
158	Angel Snyder	Bradley	West Virginia	25818	United States	07/07/14
159	Deborah Taylor	Bluefield	West Virginia	24701	United States	07/07/14
160	Sheryl Koontz	Kenna	West Virginia	25248	United States	07/07/14
161	Susan Kearns	Sutton	West Virginia	26601	United States	07/07/14
162	Susan Richmond	Hinton	West Virginia	25951	United States	07/07/14
163	Stephanie Williams	White Oak	West Virginia	25989	United States	07/07/14
164	Amy Grantham	Poe	West Virginia	26651	United States	07/07/14
165	Steph Robb	Grande Prairie		T8W	Canada	07/07/14
166	Linda Dunion	Alloa	Scotland	Fk101NF	United Kingdom	07/07/14
167	Janice Terna	Hudson	Florida	34667	United States	07/07/14
168	William Brynteson	Clearwater	Minnesota	55320	United States	07/07/14
169	CAROLE JULIEN			20137	France	07/07/14
170	Doc Robinson	Fort Wayne	Indiana	46816	United States	07/07/14
171	Wayne Peterson	Philadelphia	Pennsylvania	19141	United States	07/07/14
172	Scott McEwan	Opp	Alabama	36467	United States	07/07/14
173	Eddie Cline	Welch	West Virginia	24801	United States	07/07/14
174	Kelly Sheppard	Windsor	California	95492	United States	07/07/14
175	Beth McHenry	Parksley	Virginia	23421	United States	07/07/14
176	Susan Timewell-Jeffs	Toronto		M4C 4W1	Canada	07/07/14
177	SuAnna Glover	Lexington	North Carolina	27295	United States	07/07/14
178	Samantha Vincent	Bowling Green	Kentucky	42103	United States	07/07/14
179	Terri Bradshaw	St. Albans	West Virginia	25177	United States	07/07/14
180	Susan Saunders	Louisville	Kentucky	40241	United States	07/07/14
181	Shelly Drozd	Bondurant	Iowa	50035	United States	07/07/14
182	Priscilla SouthLynn	Cave Spring	Georgia	30080	United States	07/07/14
183	Amanda Ballengee	Nimitz	West Virginia	25978	United States	07/07/14
184	Johanna McInturff	Pipestem	West Virginia	25979	United States	07/07/14
185	Mia Addison	Athens	West Virginia	24712	United States	07/07/14
186	paula lopez	Monticello	New York	12701	United States	07/07/14

187	ralph sprouse	Salem	West Virginia	26426	United States	07/07/14
188	Leslie Burchfield	Rio Dell	California	95562	United States	07/07/14
189	Charlie Gipson	Arvada	Colorado	80005	United States	07/07/14
190	Cindy Hornstein	DeLand	Florida	32724	United States	07/07/14
191	Shawn Lyon	Orlando	Florida	32810	United States	07/07/14
192	Carol Cochran	Kansas City	Missouri	64138	United States	07/07/14
193	Tamara Lilly	Nimitz	West Virginia	25978	United States	07/07/14
194	Sarah Musnicky	Redondo Beach	California	90278	United States	07/07/14
195	Larra Winter	Charleston	West Virginia	25309	United States	07/07/14
196	Debra Thomas	South Bend	Indiana	46637	United States	07/07/14
197	Karen Pennington	Union Bridge	Maryland	21791	United States	07/08/14
198	Erin Campbell	Beckley	West Virginia	25801	United States	07/08/14
199	Linda Fox-Wasson	Salem	Oregon	97317	United States	07/08/14
200	Lois Harvey	Nimitz	West Virginia	25978	United States	07/08/14
201	Corey Leef	Smoot	West Virginia	24931	United States	07/08/14
202	narce sidener	cullom	Illinois	60929	United States	07/08/14
203	Alicia Morgan	Fairmont	West Virginia	26554	United States	07/08/14
204	Ginny High	Huntington	West Virginia	25705	United States	07/08/14
205	Shawn Grantham	Summersville	West Virginia	26651	United States	07/08/14
206	Melanie Burrer	Beckley	West Virginia	25801	United States	07/08/14
207	Laura Meadows	Rainelle	West Virginia	25962	United States	07/08/14
208	Kat Canto	Redding	California	96003	United States	07/08/14
209	Lynne Kawaminami	Gardena	California	90247	United States	07/08/14
210	Tammy Mabbitt Escue	Barboursville	West Virginia	25504	United States	07/08/14
211	Jamee Stover	Dunbar	West Virginia	25064	United States	07/08/14
212	Nikki Painter	Shady Spring	West Virginia	25918	United States	07/08/14
213	Rachel Beasley	Stanton	Kentucky	40380	United States	07/08/14
214	Sarah Alexander	Deltaville	Virginia	23043	United States	07/08/14
215	Bob Gilbert	Tempe	Arizona	85283	United States	07/08/14
216	Kim Kelley	Kingwood	West Virginia	26537	United States	07/08/14
217	Christine Stankovic	Toronto		M1M 2M5	Canada	07/08/14
218	Lora Blevins	Forest Hill	West Virginia	24935	United States	07/08/14

219	beth cooper	nimitz	West Virginia	25978	United States	07/08/14
220	Sofia Kirk	Jacksonville	Florida	32223	United States	07/08/14
221	jérôme demonsablon			61550	France	07/08/14
222	Tracy Marks	Coral Springs	Florida	33065	United States	07/08/14
223	Dawn Drnek	Ravenna	Ohio	44266	United States	07/08/14
224	Kristin Hulzinga	Hamilton		L0R 2H6	Canada	07/08/14
225	Harpreet Sangha	Kitchener		n2g 0a8	Canada	07/08/14
226	Helen Phoenix	Liverpool	England	L11 7BS	United Kingdom	07/08/14
227	Aundrea Marchionna	farmington hills	Michigan	48334	United States	07/08/14
228	andrea martin	daniels	West Virginia	25832	United States	07/08/14
229	Jason Walls	Charleston	West Virginia	25303	United States	07/08/14
230	Harley Williard	Liberty	West Virginia	25124	United States	07/08/14
231	Kayla Nida	Charleston	West Virginia	25304	United States	07/08/14
232	Tim Jones	Newton	West Virginia	25266	United States	07/08/14
233	Natalie Fedotov	Bayonne	New Jersey	7002	United States	07/08/14
234	Kaleigh Braughton	Grove City	Ohio	43123	United States	07/08/14
235	Diane Kofri	toronto		m4k 1n1	Canada	07/08/14
236	Jordan Beach	Huntington	West Virginia	25701	United States	07/08/14
237	Alexis Brown	Huntington	West Virginia	25701	United States	07/08/14
238	Nancy Harjo	Basile	Louisiana	70515	United States	07/08/14
239	annieloveswolves cawley	St. Joseph	Missouri	64503	United States	07/08/14
240	Jennifer Hall	Greeneville	Tennessee	37745	United States	07/08/14
241	Nina page	Charleston	West Virginia	25313	United States	07/09/14
242	Lauren Kozen	Boynton Beach	Florida	33472	United States	07/09/14
243	Teresa Stephenson	Belva	West Virginia	26656	United States	07/09/14
244	Jenna Gurvey	Glenview	Illinois	60026	United States	07/09/14
245	Amy Carr	Slanesville	West Virginia	25444	United States	07/09/14
246	Aaron Allen	Parkersburg	West Virginia	26104	United States	07/09/14
247	Leah Allen	Parkersburg	West Virginia	26104	United States	07/09/14
248	Leah Kendall	Vienna	West Virginia	26105	United States	07/09/14
249	Brenda Kendall	Vienna	West Virginia	26105	United States	07/09/14
250	Tina Kendall	Mineral Wells	West Virginia	26150	United States	07/09/14

251	Samantha Gibson	Cutler	Ohio	45724	United States	07/09/14
252	Melissa Hinton	St. Albans	West Virginia	25177	United States	07/09/14
253	scotty shorter	princeton	West Virginia	24740	United States	07/09/14
254	Mary Tomblin	Charleston	West Virginia	25311	United States	07/09/14
255	Carolyn Golden	Buckhannon	West Virginia	26201	United States	07/09/14
256	Joanna Von Bruton	Mill Creek	West Virginia	26280	United States	07/09/14
257	gerald troyer	St. Albans	West Virginia	25177	United States	07/09/14
258	De Zustergroepen	Tisselt	Nebraska	2830	United States	07/09/14
259	Edna Marks	Parkersburg	West Virginia	26101	United States	07/09/14
260	Kaylan Hunt	Grant Town	West Virginia	26574	United States	07/10/14
261	Christina Melton	Elkview	West Virginia	25071	United States	07/10/14
262	Stormy Moneymaker	Hampton	Virginia	23664-1106	United States	07/10/14
263	Marsha Stanek	Oregon	Wisconsin	53575	United States	07/10/14
264	nikki toney	stalbans	West Virginia	25177	United States	07/10/14
265	Brian friend	Oakland	Maryland	21550	United States	07/10/14
266	Debra Ann Velie	Poughkeepsie	New York	12601	United States	07/10/14
267	Phillip Johnson	Winfield	West Virginia	25213	United States	07/10/14
268	Frank Deeter	Nitro	West Virginia	25143	United States	07/10/14
269	Sami Signorino	Kokomo	Indiana	46902	United States	07/10/14
270	Sue Savage	St Louis	Missouri	63109	United States	07/10/14
271	Danielle Boudet	Morris	New York	13808	United States	07/10/14
272	SHERRIE JENKINS	BLUEFIELD	West Virginia	24701	United States	07/10/14
273	Nancy Greenlee	Cope	South Carolina	29038	United States	07/10/14
274	Jessica Clarke	Richmond	Virginia	23235	United States	07/10/14
275	Joy Lamb	Welch	West Virginia	24801	United States	07/10/14
276	Missy Omar	Daniels	West Virginia	25832	United States	07/10/14
277	Ella Hash	Bluefield	West Virginia	24701	United States	07/10/14
278	Norman Loving	Pineville	West Virginia	24874	United States	07/10/14
279	Keisha Davis	Bluefield	West Virginia	24701	United States	07/10/14
280	Kimberly Watson	Barboursville	West Virginia	25504	United States	07/10/14
281	William Zweyer	Kingwood	West Virginia	26537	United States	07/10/14
282	Katie Watson	Barboursville	West Virginia	25504	United States	07/10/14

283	Destiny Justice	Princeton	West Virginia	24740	United States	07/10/14
284	Austin Mullins	Huntington	West Virginia	25705	United States	07/10/14
285	kathy Duckworth	kingwood	West Virginia	26537	United States	07/10/14
286	Corey Dorsey	Barboursville	West Virginia	25504	United States	07/10/14
287	Kierstin Custer	Milton	West Virginia	25541	United States	07/10/14
288	Michelle Burchette	Princeton	West Virginia	24739	United States	07/10/14
289	Karen Grubb	Fairmont	West Virginia	26554	United States	07/10/14
290	Mary Kuhn	Barboursville	West Virginia	25504	United States	07/10/14
291	Amy Thayer	Charleston	West Virginia	25311	United States	07/10/14
292	Jade Chandler	charleston	West Virginia	25304	United States	07/10/14
293	Jason Robinson	CHARLESTON	West Virginia	25314	United States	07/10/14
294	Cecilio Cruz	Victoria	Texas	77901	United States	07/10/14
295	Kris Vaughn	Rixford	Pennsylvania	16745	United States	07/10/14
296	Jacob Van Natter	Harts	West Virginia	25524	United States	07/10/14
297	Myrande Thayer	Clendenin	West Virginia	25045	United States	07/10/14
298	Kimberly Garton	Alpine	California	91901	United States	07/10/14
299	Michael Dussault	Charleston	West Virginia	25311	United States	07/10/14
300	Victoria Adkins	Charleston	West Virginia	25302	United States	07/10/14
301	Sheri Hicks	Charleston	West Virginia	25304	United States	07/10/14
302	melissa heater	fairmont	West Virginia	26554	United States	07/10/14
303	Robert Berg	Charleston	West Virginia	25314	United States	07/10/14
304	Kari Mckenzie	Salamanca	New York	14779	United States	07/10/14
305	Nancy Pennington	Charleston	West Virginia	25314	United States	07/10/14
306	Laura Church	Jacksboro	Texas	76458	United States	07/11/14
307	Christopher Hicks	Charleston	West Virginia	25304	United States	07/11/14
308	Matthew Coffindaffer	Charleston	West Virginia	25302	United States	07/11/14
309	Daniel Rhodes	charleston	West Virginia	25301	United States	07/11/14
310	Todd Romesburg	Fairmont	West Virginia	26554	United States	07/11/14
311	Corey Adkins	Lesage	West Virginia	25537	United States	07/11/14
312	Amy Summers	Dunbar	West Virginia	25064	United States	07/11/14
313	Brandi Massey	Athens	West Virginia	24712	United States	07/11/14
314	Jarrod Lusk	Rock	West Virginia	24747	United States	07/11/14

315	mac Wayne	Charleston	West Virginia	25304	United States	07/11/14
316	Benjamin Grady	Saint Albans	West Virginia	25177	United States	07/11/14
317	Crystal Handschumacher	Charleston	West Virginia	25311	United States	07/11/14
318	Tyler DeMart	Olean	New York	14760	United States	07/11/14
319	Gower Cox	Charleston	West Virginia	25304	United States	07/11/14
320	Kara Cobun	Morgantown	West Virginia	26505	United States	07/11/14
321	Kirsten Reneau	Grafton	West Virginia	2354	United States	07/11/14
322	Nicole Allamon	Morgantown	West Virginia	26507	United States	07/11/14
323	Carrie Bates	Morgantown	West Virginia	26508	United States	07/11/14
324	Melinda Hatfield	Brenton	West Virginia	24818	United States	07/11/14
325	Andrew Kapaldo	Morgantown	West Virginia	26501	United States	07/11/14
326	Kiersten White	Kingwood	West Virginia	26537	United States	07/11/14
327	William McVicar	morgantown	West Virginia	26505	United States	07/11/14
328	Kris Haldeman	Everett	Washington	98203	United States	07/11/14
329	Jamie Cotton	St. Albans	West Virginia	25177	United States	07/11/14
330	Lisa Posey	Walkersville	West Virginia	26447	United States	07/11/14
331	Timothy Arthur	Huntington	West Virginia	25701	United States	07/11/14
332	Ariana Kincaid	Charleston	West Virginia	25314	United States	07/11/14
333	Michael Boehke	Clarksburg	West Virginia	26301	United States	07/12/14
334	Brandy Boehke	Clarksburg	West Virginia	26301	United States	07/12/14
335	Susie Chartrand	Matoaka	West Virginia	24736	United States	07/12/14
336	Lori Mezzano	BRUCETON MILLS	West Virginia	26525	United States	07/12/14
337	Alexa Schuler	Hanford	California	93230	United States	07/12/14
338	Corinna Blugel	Morgantown	West Virginia	26508	United States	07/12/14
339	Penny Swift	Punta Gorda	Florida	33950	United States	07/12/14
340	Loretta Lattea	Weston	West Virginia	26452	United States	07/12/14
341	Lynn Johnson	South Charleston	West Virginia	25303	United States	07/12/14
342	Edward Laurson	Denver	Colorado	80235	United States	07/12/14
343	Janis Bowen	McKinney	Texas	75071	United States	07/13/14
344	Joel Finley	Ogdensburg	New York	13669	United States	07/13/14
345	Carrie Altice	Mount Hope	West Virginia	25880	United States	07/13/14
346	Angela Duncan	Logan	West Virginia	25601	United States	07/13/14

347	Carmel Johnson	Omar	West Virginia	25638	United States	07/13/14
348	Melissa Hollar	Danese	West Virginia	25831	United States	07/13/14
349	Andrea Dillon	Daniels	West Virginia	25832	United States	07/13/14
350	Lynn Reed	Nimitz	West Virginia	25978	United States	07/13/14
351	William Reed	Nimitz	West Virginia	25978	United States	07/13/14
352	amy plumley	prosperity	West Virginia	25909	United States	07/13/14
353	Cab Wolford	Gilbert	West Virginia	25621	United States	07/13/14
354	Peggy Muschera Backus	Mount Gay-Shamrock	West Virginia	25637	United States	07/13/14
355	Elizabeth Walker	Beckley	West Virginia	25801	United States	07/13/14
356	Ron Cochran	Swanton	Ohio	43558	United States	07/13/14
357	Erica Sims	Georgetown	Kentucky	40324	United States	07/13/14
358	Hannah Stanford	Beckley	West Virginia	25801	United States	07/13/14
359	Debbie Johnson	Hurricane	West Virginia	25526	United States	07/13/14
360	James Cochran	Hinton	West Virginia	25951	United States	07/13/14
361	Stacey Conrad	Talcott	West Virginia	24981	United States	07/13/14
362	Della Allen	Crab Orchard	West Virginia	25827	United States	07/13/14
363	Michelle Garnes	Liberty	West Virginia	25124	United States	07/13/14
364	Carrie Petry	Ghent	West Virginia	25843	United States	07/13/14
365	Morgan Cox	Nitro	West Virginia	25143	United States	07/13/14
366	amy allen	Flat Top	West Virginia	25841	United States	07/13/14
367	MacKenzie KC	sebright		L0K1W0	Canada	07/13/14
368	Nancy Gill	Camp Creek	West Virginia	25841	United States	07/13/14
369	Elizabeth Turbyfill	Johnson City	Tennessee	37601	United States	07/13/14
370	Jacqueline Torres	Satellite Beach	Florida	32937	United States	07/13/14
371	Jo Milnes	Buckinghamshire	England	mk18 5ah	United Kingdom	07/13/14
372	Miia Gråsten	Oxie			Sweden	07/13/14
373	Briony Duke	Basildon	England	SS16 5QW	United Kingdom	07/13/14
374	Jennifer Allen	Annan	Scotland	DG12 6ND	United Kingdom	07/13/14
375	Catalina Burks	Kings Lynn	England	Pe32 2nn	United Kingdom	07/13/14
376	Adam Garton	Charleston	West Virginia	25387	United States	07/13/14
377	evan merrick	chlchester	England	cm9 8aa	United Kingdom	07/13/14
378	Moriah Peyinghaus	Columbia	South Carolina	29210	United States	07/13/14

379	Angela Workman	Lynco	West Virginia	24857	United States	07/13/14
380	elizabeth stonebraker	oceana	West Virginia	24870	United States	07/14/14
381	Hope Amsdilll	Hinton	West Virginia	25951	United States	07/14/14
382	joseph whitley	Norwich	England	NR3 1DJ	United Kingdom	07/14/14
383	Kris cooper	Coalton	West Virginia	26257	United States	07/14/14
384	Donna Cooper	Coalton	West Virginia	26257	United States	07/14/14
385	Macie Cooper	Morgantown	West Virginia	26508	United States	07/14/14
386	Amber Toler	Oceana	West Virginia	24870	United States	07/14/14
387	Kevin Shreve	Elkins	West Virginia	26241	United States	07/14/14
388	Bryan Wells	Chapmanville	West Virginia	25508	United States	07/14/14
389	Mandie Haught	Matheny	West Virginia	24860	United States	07/14/14
390	Janie Price	Matheny	West Virginia	24860	United States	07/14/14
391	Brian Lowe	Superior	Wisconsin	54880	United States	07/14/14
392	Melissa Graham	Forest Hill	West Virginia	24935	United States	07/14/14
393	C Hobbs	Southampton	England	So317dj	United Kingdom	07/14/14
394	Aled Jones	Merthyr Tydfil	Wales	CF47 8SU	United Kingdom	07/14/14
395	Brittany Mandeville	Crawley	West Virginia	24931	United States	07/14/14
396	Brian Gallaher	Morgantown	West Virginia	26508	United States	07/14/14
397	Patty Canter	Buckhannon	West Virginia	26201	United States	07/14/14
398	Diane Nott	Elyria	Ohio	44035	United States	07/14/14
399	Brandi Mackey	Bradford	Pennsylvania	16701	United States	07/14/14
400	Emily Phillips	Princeton	Indiana	47670	United States	07/14/14
401	Nicole Brown	Mallory	West Virginia	25634	United States	07/14/14
402	Cheyenne Hake	Holts Summit	Missouri	65043	United States	07/14/14
403	briana collins	North Ridgeville	Ohio	44039	United States	07/14/14
404	Dick Grayson	canoga park	California	91304	United States	07/14/14
405	Kirsten Koel	Fort Collins	Colorado	80526	United States	07/14/14
406	Ri Lee	TORRANCE	California	90503	United States	07/14/14
407	Dawn Gatewood	BATTLE CREEK	Michigan	49014	United States	07/14/14
408	Jessica Figart	Skiatook	Oklahoma	74070	United States	07/14/14
409	cindy coated	Hickory	North Carolina	28602	United States	07/14/14
410	Teresa Stillson	Fruitport	Michigan	49415	United States	07/14/14

411	Sarah Sasi	Boca Raton	Florida	33428	United States	07/14/14
412	karen whiddon	macon	Georgia	31204	United States	07/14/14
413	Danielle Heissenberg	Port St. Lucie	Florida	34983	United States	07/14/14
414	Elizabeth Holder	Mebane	North Carolina	27302	United States	07/14/14
415	Kirsty Griffith	San Antonio	Texas	78258	United States	07/14/14
416	Lori Brandt	Vista	California	92084	United States	07/14/14
417	Leandra Melton	Lehigh Acres	Florida	33973	United States	07/14/14
418	jennifer wickware	Oklahoma City	Oklahoma	73139	United States	07/14/14
419	Michelle Carpenter	Buckhannon	West Virginia	26201	United States	07/14/14
420	Ginny Buttray	Linesville	Pennsylvania	16424	United States	07/14/14
421	Lacey Sudduth	Springfield	Illinois	62703	United States	07/15/14
422	Corey Hardman	Huntington	West Virginia	25701	United States	07/15/14
423	Melissa Nutter	Parkersburg	West Virginia	26101	United States	07/15/14
424	Kurt Beckelman	Broken Arrow	Oklahoma	74014	United States	07/15/14
425	lawrence slagle	oxford	North Carolina	27565	United States	07/15/14
426	Terrie Teague	Marked Tree	Arkansas	72365	United States	07/15/14
427	Tracy McCartney	Philippi	West Virginia	26416	United States	07/15/14
428	Beth Wietor	Grand Rapids	Michigan	49506	United States	07/15/14
429	Monica Timothy	Hauppauge	New York	11788	United States	07/15/14
430	Ashley Vizenor	Chino	California	91710	United States	07/15/14
431	Michelle Donlick	Wagener	South Carolina	29164	United States	07/15/14
432	Cynthia McFaul	Seabrook	South Carolina	29940	United States	07/15/14
433	Whitney Davis	Hurricane	West Virginia	25525	United States	07/15/14
434	Amy Miller	Greenup	Kentucky	41144	United States	07/15/14
435	Mark Sheneman	Thompson	Connecticut	6255	United States	07/15/14
436	Lori Reed	Ridgeville	South Carolina	29472	United States	07/15/14
437	Kay k.henline	Roanoke	West Virginia	26447	United States	07/15/14
438	Carol Koltz	Golden	Colorado	80403	United States	07/15/14
439	Brad Boucher	Pontiac	Michigan	48341	United States	07/15/14
440	Daliya Mameza	Pontiac	Michigan	48341	United States	07/15/14
441	Kathy Woody	Buckhannon	West Virginia	26201	United States	07/15/14
442	Heather Parke	Buckhannon	West Virginia	26201	United States	07/15/14

443	Shay Woody	Buckhannon	West Virginia	26201	United States	07/15/14
444	Kimberly Hamner	Buckhannon	West Virginia	26201	United States	07/15/14
445	Autumn Harlow	Buckhannon	West Virginia	26201	United States	07/15/14
446	tabitha hamner-phillips	Buckhannon	West Virginia	26201	United States	07/15/14
447	Angela Howes	Lumberport	West Virginia	26386	United States	07/15/14
448	Christina Ball	Winfield	West Virginia	25213	United States	07/15/14
449	Stephanie Weidman	Clairton	Pennsylvania	15025	United States	07/15/14
450	James DeViese	Oak Hill	West Virginia	25901	United States	07/15/14
451	Elaine Serafini	L'Ile-Cadieux		J7V8P3	Canada	07/15/14
452	Lauren Miller	Coto de Caza	California	92679	United States	07/15/14
453	Kristine Alessio	El Cajon	California	92021	United States	07/15/14
454	LINDA HAMJSTEAD	MIAMI	Florida	331332	United States	07/15/14
455	Denise Hardman	Buckhannon	West Virginia	26201	United States	07/15/14
456	Lysa Stark	Fountain Valley	California	92708	United States	07/15/14
457	Emily Marshall	Longview	Texas	75602	United States	07/15/14
458	Stormi May	Williamston	South Carolina	29697	United States	07/15/14
459	Ashley Bolles	Lakewood	Washington	98499	United States	07/15/14
460	Jennifer Luker	Winchester	California	92596	United States	07/15/14
461	Tammy Fleming	Columbia	Missouri	65203	United States	07/15/14
462	Angela Dabo	ft myers	Florida	33901	United States	07/15/14
463	Shannon Blea	Santa Fe	New Mexico	87505	United States	07/15/14
464	Heatherjo Blake	Mount Nebo	West Virginia	26679	United States	07/15/14
465	Nancy Boudreau	Montréal		J7T 3H9	Canada	07/15/14
466	Coleen Gladstone	Valley Center	California	92082	United States	07/15/14
467	kami hamons	Rainelle	West Virginia	25962	United States	07/15/14
468	Richard Tramblay	Carpentersville	Illinois	60110	United States	07/15/14
469	Erica Bradley	Mabscott	West Virginia	25871	United States	07/15/14
470	Michael Wilson	Surprise	Arizona	85374	United States	07/15/14
471	Jeremy Ray	Charleston	West Virginia	25311	United States	07/16/14
472	Karen Boudreau	Vaudreuil-Dorion		J7V0L3	Canada	07/16/14
473	Jessica Seabolt	St. Albans	West Virginia	25177	United States	07/16/14
474	Lynda Bootle	Summerville	South Carolina	29483	United States	07/16/14

475	Christine Kinder	Hometown	West Virginia	25109	United States	07/16/14
476	William Davis	Huntington	West Virginia	25703	United States	07/16/14
477	John Violette	Ottawa		k1k 1k4	Canada	07/16/14
478	Candice Holliday	BECKLEY	West Virginia	25801	United States	07/16/14
479	Michaela Lessler	Scottsdale	Arizona	85255	United States	07/16/14
480	laura raforth	rochester	New York	14624	United States	07/16/14
481	shannon ross	Los Angeles	California	90731	United States	07/16/14
482	Alan Lambert	Gibsonburg	Ohio	43431	United States	07/16/14
483	Rachel Vallejo	palmdale	California	93551	United States	07/16/14
484	Rachel Albert	Denver	Colorado	80231	United States	07/16/14
485	Katherines Sanders	Haiku	Hawaii	96779	United States	07/16/14
486	Romteenf Borhani	Sherman Oaks	California	91411	United States	07/16/14
487	Peter Mulshine	Phillipsburg	New Jersey	8865	United States	07/16/14
488	Melissa Jimenez	San Lorenzo	California	94580	United States	07/16/14
489	H Stoll	Spring Creek	Nevada	89815	United States	07/16/14
490	Nathalie vejar	pc	Florida	33948	United States	07/16/14
491	Samantha McConnell	London	England	E174NE	United Kingdom	07/16/14
492	Sally Morales	Novato	California	94949	United States	07/16/14
493	Valentina Vilos	Wichita	Kansas	67205	United States	07/16/14
494	Annalee Osborn	Birmingham	Alabama	35242	United States	07/16/14
495	Daniel Nyman	Carmichael	California	95608	United States	07/16/14
496	Terrin Cappello	Simi Valley	California	93065	United States	07/16/14
497	Ginger Lamb	Burbank	California	91504	United States	07/16/14
498	Jesse Wolfe	college station	Texas	77840	United States	07/16/14
499	Roisin Shanahan	Hollis	New York	11423	United States	07/16/14
500	mahshid shahbaz	Tehran	Alabama		United States	07/16/14
501	Jesse Farrell	Newton Centre	Massachusetts	2459	United States	07/16/14
502	melanie acas	Chino	California	91708	United States	07/16/14
503	Chris Rasmussen	Woodbridge	Virginia	22193	United States	07/16/14
504	Georgia Avaritt	Chandler	Arizona	85225	United States	07/16/14
505	Candy LeBlanc	Placerville	California	95667	United States	07/16/14
506	Bobbie D. Flowers	New York	New York	10011	United States	07/16/14

507	undine donagi	ludowici	Georgia	31316	United States	07/16/14
508	charlotte hamilton	sandiego	California	375839	United States	07/16/14
509	s k	Suwanee	Georgia	30024	United States	07/16/14
510	BETTY MPOYZOYDI	TSESSALONIKI	Idaho	54634	United States	07/16/14
511	William Wells	Los Angeles	California	90035	United States	07/16/14
512	Abdulah Mohamed				Indonesia	07/16/14
513	Cinamon Hofman	Superior	Wisconsin	54880	United States	07/16/14
514	Aranym Costa Pisante	Curitiba	Puerto Rico	80540060	United States	07/16/14
515	sara smith	Alderson	West Virginia	24910	United States	07/16/14
516	stanley b dingess	Elkview	West Virginia	25071	United States	07/16/14
517	Roger Miller II	Milwaukee	Wisconsin	53007	United States	07/16/14
518	Mary Slate	Mesa	Arizona	85203	United States	07/16/14
519	Lori Bennett	Fayetteville	West Virginia	25840	United States	07/16/14
520	Kathy Stone	Torrance	California	90505	United States	07/16/14
521	Rhonda Paulson	Salem	Oregon	97317	United States	07/16/14
522	shawn cooper	Coalton	West Virginia	26257	United States	07/16/14
523	Lorraine Stevens	Alexandria	Virginia	22306	United States	07/17/14
524	George Ayers	Fort Mitchell	Kentucky	41017	United States	07/17/14
525	Susan Adkins	Huntington	West Virginia	25704	United States	07/17/14
526	Cassie Hughes	Spencer	Tennessee	38585	United States	07/17/14
527	James Rice	Ballground	Georgia	30107	United States	07/17/14
528	Dana Craig	Norwood	Massachusetts	2062	United States	07/17/14
529	cunha laura	simcoe		l1j 6s6	Canada	07/18/14
530	Joyce Sidell	Greenup	Kentucky	41144	United States	07/18/14
531	Megan Blazer	Crown City	Ohio	45623	United States	07/19/14
532	Ivona Semenkova	Providence			Canada	07/19/14
533	Kayle Blaszczak	Eastlake	Ohio	44095	United States	07/19/14
534	Callie Hodges	Garden City	Missouri	64747	United States	07/19/14
535	Marsha adams	Lehigh Acres	Florida	33974	United States	07/19/14
536	Crystal Underwood	Roanoke	Virginia	24014	United States	07/19/14
537	Andrea Lloyd	Martinsburg	West Virginia	22624	United States	07/19/14
538	Evelyn Lake	Proctorville	Ohio	45669	United States	07/19/14

539	Connie Small	Vincennes	Indiana	47591	United States	07/19/14
540	cierra sales	Ravenswood	West Virginia	26164	United States	07/19/14
541	Emily Morton	San Marcos	Texas	78666	United States	07/19/14
542	Siara Needham	Bay City	Texas	77414	United States	07/19/14
543	Jazmine Maddox	Virginia Beach	Virginia	23453	United States	07/19/14
544	Stephanie Gratton	Goshen	Indiana	46528	United States	07/19/14
545	Sherrie Matthews	Phoenix	Arizona	85041	United States	07/19/14
546	Amanda Cortez	Portland	Texas	78374	United States	07/19/14
547	mark simons	ellenville	New York	12428	United States	07/19/14
548	Samantha Fixmer	Cincinnati	Ohio	45238	United States	07/19/14
549	Angelica Tuttle	Spencer	Virginia	24165	United States	07/19/14
550	Amber Minter-Owsiany	Hartwell	Georgia	30643	United States	07/19/14
551	Kelby criswell	valrico	Florida	33525	United States	07/20/14
552	Yvonne Savaikis	Meriden	Connecticut	6450	United States	07/20/14
553	Carrie miller	La Vergne	Tennessee	37086	United States	07/20/14
554	Jonalle snay	Fort Wayne	Indiana	46819	United States	07/20/14
555	Kareen W	Goshen	Indiana	46526	United States	07/20/14
556	Tracy Kukkonen	Cambridge	Massachusetts	2139	United States	07/20/14
557	Kay K	norfolk	Virginia	23503	United States	07/20/14
558	Elizabeth Scott	Winfield	West Virginia	25213-9666	United States	07/20/14
559	Jazy V.	Kerrville	Texas	78028	United States	07/20/14
560	Kristen Veit	Portland	Texas	78374	United States	07/20/14
561	Ian yarber	Fayetteville	West Virginia	25840	United States	07/20/14
562	Autumn Shepherds	Jumping Branch	West Virginia	25969	United States	07/20/14
563	billie ray	bluff city	Tennessee	37618	United States	07/20/14
564	cindy brown	davin	West Virginia	25617	United States	07/20/14
565	jack brown	davin	West Virginia	25617	United States	07/20/14
566	ashton brown	davin	West Virginia	25617	United States	07/20/14
567	Emily Chattin	davin	West Virginia	25617	United States	07/20/14
568	renea brown	davin	West Virginia	25617	United States	07/20/14
569	Adam Cooper	Milwaukee	Wisconsin	53215	United States	07/20/14
570	Mariah Carney	San Marcos	Texas	78666	United States	07/21/14

571	Pamela Zingler	Huntington Beach	California	92648	United States	07/21/14
572	Patricia Long	St Helens	Oregon	97051	United States	07/21/14
573	Pat W	Itasca	Illinois	60143	United States	07/21/14
574	Jeanette Boyce	Sutton	West Virginia	26601	United States	07/22/14
575	Valeri Sprouse	Glenville	West Virginia	26351	United States	07/22/14
576	mark williams	gallipolis ferry	West Virginia	25515	United States	07/22/14
577	Laura Lee Slusher	Speedwell	Tennessee	37870	United States	07/23/14
578	Stephanie Aloisi	Moore	South Carolina	29369	United States	07/23/14
579	Richard Martinez	Apache Junction	Arizona	85120	United States	07/23/14
580	Phillip Buff	Seattle	Washington	98102	United States	07/23/14
581	jamie Vaughan	Atkinson	Nebraska	68713	United States	07/23/14
582	dawn berry	Lambertville	Michigan	48144	United States	07/23/14
583	Marla Benoit	Patterson	Louisiana	70392	United States	07/23/14
584	Joshua Ambrose	Covington	Virginia	24426	United States	07/23/14
585	Rebecca Gomez	Columbia	Tennessee	38401-7742	United States	07/23/14
586	jamie jeffries	Gay	West Virginia	25244	United States	07/23/14
587	Tina Gosnell	Delray	West Virginia	26714	United States	07/23/14
588	georgeann stangle	Keedysville	Maryland	21756	United States	07/23/14
589	Sara Douglass	Auburn	New York	13021	United States	07/23/14
590	Leona Moore	Clarksville	Tennessee	37042	United States	07/23/14
591	LESLEY Lankford	Lindside	West Virginia	24951	United States	07/23/14
592	kelly kerns	Paw Paw	West Virginia	25434	United States	07/23/14
593	barbara perego	chesapeake	Ohio	45619	United States	07/23/14
594	Nicole Wells	Evansville	Indiana	47710	United States	07/24/14
595	Pam Boland	Grovetown	Georgia	30813	United States	07/24/14
596	edie derman	marlton	New Jersey	8053	United States	07/24/14

change.org

Recipient: West Virginia Department of Agriculture and West Virginia Department of Agriculture

Letter: Greetings,

Amend the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Martin, Jodee

From: Joshua White <c3camaro1984@yahoo.com>
Sent: Friday, July 25, 2014 10:50 PM
To: Martin, Jodee
Subject: Restricted Pet List

I have been watching and paying attention to your list and I am inquiring about wolf hybrids. I had one that recently died. My neighbor poised him. I want another buddy. They make any other pet obsolete. They are extremely smart and just like pit bulls or any other animal its all on how you raised them. My wolf hybrid didn't know a stranger. He loved people and he was NOT aggressive or a danger to the public, the environment, or any infrastructure. Even if wolf hybrids do get banned, I will either move out of state and get one and not pay my WV taxes or I will get one anyways and not register it. If it is not banned or if I can get a permit to own them, let the registration begin. Let me know. Thanks.

Sent from Yahoo Mail on Android

Martin, Jodee

From: mandy lee <lilmandylee@gmail.com>
Sent: Saturday, July 26, 2014 12:58 AM
To: Martin, Jodee
Subject: WV HB 4394 inquirey

If, hypothetically, I wanted to buy an artic or fennec fox, would i still be legally allowed to do this? Until when? What would make it legal to own as of now, and bring from the breeders in Indiana? What would I need to do or pay and what are the requirements? It would be a house animal, bought as a kit and litter trained. Who would I need to contact about this? Thank you for reading and providing any information you can.
Mandy

Martin, Jodee

From: Patty DC <pattycanter@yahoo.com>
Sent: Saturday, July 26, 2014 6:19 AM
To: Martin, Jodee
Subject: Common Marmoset Monkey

Hi there,

I haven't wrote before as I don't usually use a computer, so I'm using a friends computer and email to send this. I'm very concerned along with many of us because the common marmoset monkey hasn't been made exempt when there are several other species of monkeys which are much bigger than the marmoset has been made exempt. This little monkey weighs about 16oz as an adult and becomes very attached to their humans, that's why so many people have them and adore them. They are tiny and are no harm to anyone!! There are many of us here in WV that have these small primates and they are family to us. They are well cared for as they aren't what you would call a cheap pet to get initially anyway. People that have these small primates are not about to let them go outside unleashed, much less let them go or not give them the best they can.

Please reconsider this and allow us here in WV to continue to have out tiny primates. I noticed that the tamerians are on the list but not the marmoset. The marmoset is much more common as a family member, I don't like to call them pets because they are family.

Its really nerve racking because those of us that have the marmoset will not know if they are going to be allowed or not until its too late to do anything about it. Please, PLEASE don't ban the common marmoset!

David

Martin, Jodee

From: Valerie <iluvskippy2003@yahoo.com>
Sent: Saturday, July 26, 2014 11:07 AM
To: Martin, Jodee
Subject: Dangerous Animals

Rather than ban Quaker Parrots and list them as dangerous, why not mandate them to have clipped wings which is what Ohio mandates? This way, if they should escape they are easily caught rather than ending up loose in the wild. Please prove to us, the public, pics of damaged crops or problem nests that WV has experienced, there can't be many IF any at all. OMalley needs to educate himself or herself before passing laws on an animal that person knows nothing about. Another suggestion would be to involve an avian vet such as Dr. Mohan in Reynoldsburg Ohio that also helped pass the wing clipping law rather than a complete ban in their state. This is such a ridiculous law, does WV have nothing better to do with their time? You want a better state? Try cleaning the illegal drugs out of the state which is a far more serious problem! Banning pets from our homes? There is controversy as to whether Quakers really do much environmental damage which shows WV is not doing their homework.

Martin, Jodee

From: Patty DC <pattycanter@yahoo.com>
Sent: Sunday, July 27, 2014 3:39 PM
To: Martin, Jodee
Subject: Common Marmoset

Hi again, Just wanted to ask that you will please consider the common marmoset monkey to be made exempt from the proposed ban here in WV. This monkey is tiny, weighing only a pound when full grown. They are very loving and loyal family members to those of us that have them. And we take very good care of our babies. There are already several monkeys that have been put on the exempt list that are much larger and much stronger than the common marmoset. The worse thing a marmoset is going to do is kill a mealworm or grasshopper! but it would much rather just eat its mixed gum powder and fruits and veggies. Please don't take this right away from us. There are several of us that have had these babies for over 10 or 15 yrs. and they are family. We keep them leashed at all times. Please allow us to keep the privilege of having our marmoset babies.

Thanks
Patty

Martin, Jodee

From: James Cowie <cowieplmb@yahoo.com>
Sent: Wednesday, July 23, 2014 2:06 PM
To: Martin, Jodee
Subject: Banned animals bill

Hello, my name is Susan Cowie my husband and I currently own 4 cats a Siamese, Siberian, and 2 Savannahs (which are hybrid cats). Our hybrids act no different than our 2 other cats other than the fact they can jump a lot higher and they love to play in water. Actually they are very loving, affectionate, loyal, they are more like dogs than cats. They are around children and strangers all the time, to them there are no strangers.

I did a lot of research before we purchased our cats because we have children around the house quite often. Of all the articles I read not one stated that Savannahs were dangerous and there was nothing that stated that anyone has ever been attacked by a Savannahs. They are great pets for families. I have however read many articles that stated domestic dogs have attacked adults and children and even killed them.

We feel that they should not be on the banned animals list the are not a danger to anyone. If we felt in anyway they were dangerous animals we would not even own them.

Also there are no chance of our cats if they would get out to mate with any domestic cats. Savannahs are sterile until the 5th generation. Ours are 2nd generation.

If we had to get a permit to keep our cats that would be fine, but the idea of caging them is not right. Like I said they are no different than our other cats so why would you cage a house cat.

We invite you to come to our home and interact with our cats. You would then see they are not a threat. Also Holly Hummel at Select exotics where we purchased our cats could answer any questions you may have. Her email is selectexotics@savannahcatbreed.com

Martin, Jodee

From: nrgwildlife <nrgwildlife@gmail.com>
Sent: Thursday, July 24, 2014 2:30 PM
To: Martin, Jodee
Subject: Dangerous Animals Act

My concern with the wild "dangerous"animals legislation is that it is dealing with a percieved problem that may happen while ignoring a problem that is happening on a daily basis. If this legislation is to protect the public , why is pitbulls and other dangerous dog breeds not mentioned on the list? Lowell Bowden 70 y.o. Monroe co 2009 , Brandon Coleman 25y.o. Monongalia co 2006 , Arianna Fleeman 2y.o.Cabell co 2005, Jack Redin 2y.o. Pleasants co 2012 and a 3day old infant Aug 2009 Hardy co. These are all deaths in WV caused by pitbulls ,two more attacks recently in bluefield wv and 2 more children killed last weekend ,one Ohio ,one Florida.Since 1/01/2014 there have been 23 deaths , of those 14 were children.Also the number of maulings , hospitalizations and other dogs and pets maimed and killed is astronomical.The only other animals that would compare with the danger level of pitbulls would be the large carnivores and bears, but with them being required to be kept in secure enclosures by USDA regulations , even minimises that danger as compared to dangerous and aggressive dog breeds that most of their victims are children.It makes no sense to NOT have these "dangerous"animals on the list ,,,, Please lets protect the innocent children. I am not really sure what the criteria is for deeming an animal dangerous but if this is about public protection wouldn't it be best to start with the animals already killing and maiming?

Thank you

Jeff Cox

Sent on the new Sprint Network

Martin, Jodee

From: Maureen <momofarrell@gmail.com>
Sent: Thursday, July 24, 2014 4:30 PM
To: Martin, Jodee
Subject: Comment on dangerous animal list

I think many of the animals on this list should be rethought, however the one that strikes me as most important is the prohibition of domestic canine hybrids (specifically "wolf dogs", no longer referred to as hybrids as they can reproduce). There are an overwhelming number of high and low content wolf dogs in WV and while I think they are not good pets, the prohibition of these animals will greatly affect the lives of those already owned. They are social creatures who bond very strongly with their human companions, and often have a hard time finding new homes.Forcing individuals to give up these animals will cause most of them to be euthanized, as the majority of shelters will not keep them. Perhaps the law should have a content limit, for example, wolf dogs under 1/4 wolf are allowed, while those over are not. Thank you for your consideration

Sent from my iPhone

Martin, Jodee

From: Karin Gateless <kgateless@gmail.com>
Sent: Thursday, July 24, 2014 5:04 PM
To: Martin, Jodee
Subject: Re: Title 61 Series 30 Dangerous Wild Animal Rule

Just seems to me that the money in our state would be better spent on educating our children rather than fining pet bunnies. I mean really dogs bite people, cats scratch and horses buck, cows kick. Get real. Serious dangerous wildlife such as lions, poisonous snakes, yes should be regulated and controled. Wish our legislators had a lick of common sense.

KGateless

On Thu, Jul 24, 2014 at 3:44 PM, Martin, Jodee <jodeemartin@wvda.us> wrote:

Please see attached.

Jodee Martin

Executive Assistant

West Virginia Department of Agriculture

1900 Kanawha Boulevard, East

Charleston, WV 25305

jodeemartin@wvda.us

304-558-3200 X1325

Martin, Jodee

From: Jordan Pauley <666sharpielove@gmail.com>
Sent: Friday, July 25, 2014 7:11 AM
To: Martin, Jodee
Subject: Dangerous animal list

I keep wondering why we are basing this list from some crazy man who let his home zoo go in 2011. That was a once in a lifetime thing and it didn't even happen in West Virginia. And why is it that West Virginia leaders decided to wait almost 4 years to do something about it? Trust me I'm not all for this banning of animals but truthfully it's crazy it took almost 4 years to make a change. I own exotic pets, nothing like a croc or chimp but I can't see what harm they can do. Yeah if some genius let them go maybe but they should be the ones getting arrested and paying fines, not the pet owners that keep their exotic pets till they live out their natural life span. Why punish people who love their pets and keep them in good health and safe? And why is this new ban more related around tax then actual dangerous animals? I mean can you sit there and off the top of your head tell me how many people have been attacked by crocs and chimps in the past 5 years in West Virginia. I don't think you could name two cases. Because people who own these animals know the risk their taking by adopting these creatures and take every precaution around this fierce but loving beasts. I think this ban should be void and people should just have a permit to own really exotic pets such as chimps and crocs and someone should check on the animals once every year. It just seems so much easier on everyone and every animal. I mean this is America, we're suppose to be free, right? Why not at least give people the freedom to own what they want? Yes I know the risk of owning these dangerous animals but if the person knows that, who adopts the creature, then they should be able to own it.

Martin, Jodee

From: Debbie Pauley <debbie.pauley@gmail.com>
Sent: Friday, July 25, 2014 9:54 AM
To: Martin, Jodee
Subject: Hybrid cat facts

http://www.catster.com/lifestyle/bengal-savannah-chausie-hybrid-derived-domestic-cat-breeds-behavior-ban-california

Sent from my iPhone
Debbie Pauley

Ask a
Behaviorist

Martin, Jodee

From: Debbie Pauley <debbie.pauley@gmail.com>
Sent: Friday, July 25, 2014 10:00 AM
To: Martin, Jodee
Subject: Savannah Cats

I want to share my Savannah story. I'm involved in animal rescue and fostering and as a result of 6 out of 7 of my foster puppies dying, my niece decided I needed a mood lifter. She wanted a SV since she was a kid and was going to pick out a kitten from a breeder. Being the sucker I am, I fell in love with a little silver male F3 Savannah. I didn't know much about the breed but wanted him.

Sent from my iPhone

Martin, Jodee

From: Marmoset Mom.Com <monkeymomwv@aol.com>
Sent: Friday, July 25, 2014 11:45 AM
To: Martin, Jodee
Subject: Important

This form letter really does not help. I am very concerned about my monkeys and want to keep them from making the list of dangerous animals. Can you please tell me what has been discussed about primates? We have marmosets and they are not dangerous to anyone or the environment. Please consider specifically keeping marmoset, tamarin, aotus and capuchins off the Wild animal rule list. Thank you.

-----Original Message-----
From: Martin, Jodee <jodeemartin@wvda.us>
To: Karla.Boyd <Karla.Boyd@wellpoint.com>; Jamie Jeffries <jamiejeffries27@yahoo.com>; ibkoontz <ibkoontz@frontier.com>; michaels226 <michaels226@frontier.com>; dkool74 <dkool74@hotmail.com>; reannaphillips <reannaphillips@gmail.com>; pattycanter <pattycanter@yahoo.com>; jamesdward24 <jamesdward24@gmail.com>; armadillo1919 <armadillo1919@hotmail.com>; melissa <melissa@crittersandconservation.com>; Paul.Zajicek <Paul.Zajicek@freshfromflorida.com>; veitia <veitia@marshall.edu>; lanhamron <lanhamron@gmail.com>; Artucker4 <Artucker4@gmail.com>; bilcun <bilcun@suddenlink.net>; amgguthrie <amgguthrie@gmail.com>; blank274 <blank274@gmail.com>; tinarenee1024 <tinarenee1024@yahoo.com>; ls9598 <ls9598@yahoo.com>; thea.d.johnson <thea.d.johnson@gmail.com>; heatherhivley <heatherhivley@gmail.com>; jshovis <jshovis@hotmail.com>; taylormcdowell8 <taylormcdowell8@gmail.com>; maplewoodwv <maplewoodwv@aol.com>; monkeymomwv <monkeymomwv@aol.com>; catladyvev <catladyvev@yahoo.com>; metrzan69 <metrzan69@aol.com>; dswartz121671 <dswartz121671@gmail.com>; djedwards <djedwards@hotmail.com>; radfxrob <radfxrob@gmail.com>; w.brian72 <w.brian72@yahoo.com>; cmbpennington <cmbpennington@gmail.com>; wvtomcat65 <wvtomcat65@gmail.com>; jenozzbourne <jenozzbourne@hotmail.com>; gail <gail@critterconnection.cc>; info <info@zaa.org>; sustainableresources <sustainableresources@hotmail.com>; Blackwaterreptiles <Blackwaterreptiles@Hotmail.com>; gthemi221 <gthemi221@frontiernet.net>
Cc: Plumley, Jewell <jplumley@wvda.us>; 'emily.j.fleming@wv.gov' <emily.j.fleming@wv.gov>; 'nancy.j.sullivan@wv.gov' <nancy.j.sullivan@wv.gov>; 'Paul.R.Johansen@wv.gov' <Paul.R.Johansen@wv.gov>; 'jerry.b.jenkins@wv.gov' <jerry.b.jenkins@wv.gov>
Sent: Thu, Jul 24, 2014 3:10 pm
Subject: Title 61 Series 30 Dangerous Wild Animal Rule

Please see attached.

Jodee Martin
Executive Assistant
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
jodeemartin@wvda.us
304-558-3200 X1325

Martin, Jodee

From: maplewoodwv@aol.com <marmosetmomwv@aol.com>
Sent: Friday, July 25, 2014 11:58 AM
To: Martin, Jodee; Plumley, Jewell
Subject: Letter

This is the same letter you have sent to many other people. It does not address the questions or concerns of the people with monkeys. We are very worried about our monkeys and want to keep them off the list of dangerous and wild animals. We have read everything we can get our hands on but it only says ALL primates will be banned. Please tell us what is being discussed about primates? Our primates are not dangerous to people or the environment. We here in WV own marmosets, tamarins, owl monkeys, capuchins, and macques. No one that we know of has Chimps or Gorillas. Please address our concerns before it is too late!!!!
Thank you.

www.MarmosetMom.Com
For all your Primate needs.
FACE GOD FIRST IN ALL WE DO,
BE A BLESSING TO PEOPLE,
TRUST GOD TO MEET OUR NEEDS,
STRIVE FOR EXCELLENCE.

Martin, Jodee

From: Willie Meadows <willie.meadows.31@facebook.com>
Sent: Monday, July 28, 2014 3:29 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Willie Meadows <willie.meadows.31@facebook.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
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- Reptiles: 5%
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- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Willie Meadows
833 South Park Rd
Charleston, WV 25304

Martin, Jodee

From: kelli Snyder <kkimmel@gmail.com>
Sent: Monday, July 28, 2014 3:31 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: kelli Snyder <kkimmel@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

kelli Snyder
kkimmel@gmail.com
huntington, WV 25705
3045211986

Martin, Jodee

From: cha0sdream@hotmail.com
Sent: Monday, July 28, 2014 4:00 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: cha0sdream@hotmail.com <cha0sdream@hotmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

cha0sdream@hotmail.com
2000 1/2 wilson st.
dunbar, WV 25064
3049518388

Martin, Jodee

From: DawnMarie Luengene <onyxilluzion@gmail.com>
Sent: Monday, July 28, 2014 4:50 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: DawnMarie Luengene <onyxilluzion@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

DawnMarie Luengene
35 Riheldaffer Ave #1
S. Charleston, WV 25303

Martin, Jodee

From: Cecilio V. Cruz <demented_gamer@hotmail.com>
Sent: Monday, July 28, 2014 7:40 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Cecilio V. Cruz <demented_gamer@hotmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Cecilio V. Cruz
71012k Fillmore Avenue
Victoria, TX 77901

Martin, Jodee

From: Daniel Barker <dannie8884@yahoo.com>
Sent: Monday, July 28, 2014 6:30 PM
To: Martin, Jodee
Subject: Regarding the Dangerous Wild Animals Ban

Dear Ms. Jodee Martin or to Whom it May Concern,

My name is Daniel Barker and I am a 25 year old college student that works at a convenience store and lives at the poverty level, like most people in this state.

I am writing to you today regarding the 'Dangerous' Wild Animals Ban and the nonsensical list since proposed by supposed experts in the field as well as politicians.

I keep and breed many of the exotic amphibians on the list and have done so since I was 8 years old. I have never once been threatened by these harmless creatures, nor have they placed others or the environment in harm's way.

I also work with many native amphibian species at West Virginia State University. Often times I am requested to bring my amphibians around to local elementary schools for educational outreach. I am a responsible pet owner.

If the animals I own are still included on the final list when/if it is approved, I will be facing at least $1000 in permit costs as well as $100,000 insurance policies on each innocuous amphibian. This is way more than I can afford with my meager earnings.

This law will also prohibit me from breeding and selling captives to earn extra income. Local and even chain pet stores will go bankrupt and close if they are unable to sell popular banned animals, from as exotic as my red-eyed tree frogs, to as mediocre as a neon tetra.

I breed a few critically endangered (legal and captive-bred) and threatened species. Captive-breeding programs are essential to the future of these delicate creatures, whose habitats in the wild are swiftly being degraded and destroyed.

By banning these animals, you are creating more problems than you will know how to deal with. What happens when you force responsible pet owners to get $100 permits that they can't afford? I'm telling you now many will either kill or dump their beloved pets in the wild, then there really will be ecological disaster threatening native wildlife!

Please make some serious adjustments to this list, which is the laughing stock of the entire state. I think everyone can agree nobody should own tigers, anacondas, elephants, etc. but don't threaten people who keep sensible pets just because of a few 'what if's?' that can easily be applied to dogs (pit bulls anyone?) and cats as well.

Stop turning responsible pet owners and breeders into outlaws and hurting our local economy! The Charleston Area Reptile Expo just started up this year and now half the animals will no longer be available if this list goes into effect! Is it really worth it to hurt an already unstable and weak economy because of events that happened in *Ohio* and a few stray alligators dumped in our rivers?

Sincerely,

Daniel W. Barker

P.S. If you really wanted to protect the environment, you would ban invasive plants and insects. They actually cause problems with local flora and fauna. Also, you might try stopping mountain removal mining and allowing companies to dispose of chemicals in our drinking water.

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

___Michael Welker_____

_____

_____

[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Ocotillo Herps & Inverts <sales@ohi2007.com>
Sent: Monday, July 28, 2014 8:11 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Dear Sirs,

Please find my comment attached.

Thanks,

Mike
OHI
El Paso, TX
www.facebook.com/OHI2007/

This email is free from viruses and malware because avast! Antivirus protection is active.

Martin, Jodee

From: Robin Jakobson <robinjakobson@comcast.net>
Sent: Monday, July 28, 2014 8:39 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

See attachment for comment on DWA Act: Proposed Rule 61-30.

Robin Jakobson

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

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[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

Melissa Robin Jakobson

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[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: April Greenlees <greenleesac@gmail.com>
Sent: Monday, July 28, 2014 8:47 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: April Greenlees <greenleesac@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

April Greenlees
2950 1c Auburn rd
Huntington, WV 25704
3046174489

Martin, Jodee

From: Quinn C. <quinndelyn@gmail.com>
Sent: Monday, July 28, 2014 8:47 PM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

See attachment

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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Martin, Jodee

From: Shawnee Moran <shawnee.moran@gmail.com>
Sent: Monday, July 28, 2014 9:43 PM
To: Martin, Jodee
Subject: Public Comment for the Dangerous Wild Animal Act

Jodee Martin,

My name is Shawnee Moran, and I am writing to voice my concern about a portion of House Bill 4393, also known as the Dangerous Wild Animal Act—I would like for ferrets to be removed from the list.

I think ferrets should be exempt from the list for several reasons, including the fact that other exotic animals such as hedgehogs and sugar gliders have been removed from the list.

In a previous article in the Charleston Daily Mail, Capitol Bureau Chief Dave Boucher wrote that sugar gliders are considered exotic pets and are banned in several different states. The same is true with ferrets.

"Other animals on the list—or questions about animal exemptions—are causing considerable concern. As the list reads, rabbits, turtles, ferrets, alpacas, chinchillas, some types of hamsters and several types of popular fish are being banned," he wrote in an article July 14, 2014.

However, if sugar gliders, animals similar to ferrets in size and temperament, can be removed from the list, then surely ferrets would have the same consideration.

I have three ferrets of my own and I love them more than anyone could imagine. Ferrets make gentle, loving pets and are in no such way dangerous. Throughout my lifetime I have been around several ferrets and I have yet to see a vicious animal.

If ferrets are not removed from the list and there is a fee to keep my pets I will find a way to pay it. However, I urge you to consider making it a one-time only fee for domestic animals.

A one-time only fee for animals grandfathered into the bill seems reasonable for domestic animals, especially my ferrets that will never leave my parents' house. (We keep our ferrets in a cage in our house where we let them out of an evening to roam and play in the living room—they will never come in contact with members outside of my immediate family, posing no threat to them or outside wildlife.)

Whatever happens with the bill I would greatly appreciate it if the bill would specify whether or not ferrets will remain on the list.

I appreciate your time and patience, and thank you for listening to my concern.

Best,

Shawnee Moran

304-290-7854

1614 Franklin Ave, Apt D

Charleston, WV

25311

Martin, Jodee

From: Cctbspencer@aol.com
Sent: Monday, July 28, 2014 10:38 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment On DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Please see attachment.

Thank you,
Chris Spencer

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

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Chris Spencer

PO Box 114

Dewey, OK 74029-0114

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Martin, Jodee

From: Cctbspencer@aol.com
Sent: Monday, July 28, 2014 10:48 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment On DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Please see the attachment.

Thank you,

Chris Spencer
PO Box 114
Dewey, OK 74029-0114
918-534-6127

Martin, Jodee

From: todd downey <todd_downey2000@yahoo.com>
Sent: Monday, July 28, 2014 10:49 PM
To: Martin, Jodee
Subject: "Comment on DWA Act: Proposed Rule 61-30"

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1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.xi[2] Pet owners have been defrauded by the rule submitted.

xi[1] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

Martin, Jodee

From: James Tintle <coldbloodedpublishing@gmail.com>
Sent: Monday, July 28, 2014 11:46 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Please see attachment

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

Regards,

James R Tintle

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[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Krissie w <krissie5602@gmail.com>
Sent: Tuesday, July 29, 2014 2:12 AM
To: Martin, Jodee
Subject: HB4393
Attachments: serval1.txt; IMG_6865506640758.jpeg; IMG_6696890042333.jpeg; IMG_6678381380725.jpeg; IMG_6666198393907.jpeg; IMG_35510565375152.jpeg; IMG_35368997954421.jpeg; IMG_35101915779364.jpeg; IMG_35097908567230.jpeg; IMG_34967632396135.jpeg; IMG_34928502618129.jpeg; IMG_34923115469276.jpeg; IMG_34916073652352.jpeg; IMG_34904139365534.jpeg; IMG_34880088006012.jpeg; IMG_34854415614043.jpeg; IMG_34739050940858.jpeg; IMG_34704787269881.jpeg; IMG_29593183919478.jpeg; IMG_29589205691198.jpeg; IMG_20651211594462-1.jpg; IMG_52645754163847-1.jpg; IMG_26461421434420.jpeg; IMG_26430714591827.jpeg; IMG_26421970985425.jpeg; IMG_26397000419237.jpeg; IMG_26277121259126.jpeg; IMG_52839420502055.jpeg; IMG_52650938589730.jpeg; IMG_52637938789058.jpeg; IMG_52631389899998.jpeg; IMG_52620886574585.jpeg; IMG_52608368925163.jpeg; IMG_52600265095322.jpeg; IMG_52517833550042.jpeg; IMG_52493941194947.jpeg; IMG_52450011299495.jpeg; IMG_52408250115032.jpeg; IMG_52359963890987.jpeg; IMG_52351465583334.jpeg; IMG_52340350690734.jpeg; IMG_52330980985269.jpeg; IMG_52322245361470.jpeg; IMG_52312248205797.jpeg; IMG_52264279119929.jpeg; IMG_52256937621026.jpeg; IMG_52251626295559.jpeg; IMG_20630411835251.jpeg; IMG_1661349510632.jpeg; IMG_1649570441106.jpeg; IMG_1643697306837.jpeg; IMG_1627563731010.jpeg; IMG_1621202690805.jpeg; received_m_mid_1405603093893_b3f3faeba753341001_0.jpeg; 20140621_035154-1.jpg; 20140715_000544.jpg; 20140609_200759-1.jpg; aviary_1405066104392.jpg; aviary_1404429116726.jpg

Below you will see images of pet servals, along with an attachment of information on them. I hope with the information provided you will see that they are not a danger. Thank you for your time.
Cristy Berry

---------- Forwarded message ----------
From: "Krissie w" <krissie5602@gmail.com>
Date: Jul 17, 2014 3:14 PM
Subject: HB4393
To: <jodeemartin@wvda.us>
Cc:

Below you will see images of pet servals, along with an attachment of information on them. I hope with the informatiom provided you will see that they are not a danger. Thank you for your time.
Cristy Berry

Martin, Jodee

From: Ashley Justice <ashley_justice@ymail.com>
Sent: Tuesday, July 29, 2014 7:13 AM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Ashley Justice <ashley_justice@ymail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Ashley Justice
Po box 204
Danese, WV 25831

Martin, Jodee

From: Buddy Young <boabud@gmail.com>
Sent: Tuesday, July 29, 2014 9:33 AM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Buddy Young <boabud@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Buddy Young
200 RailRoad Ave
Beckley, WV 25801
3042555595

Martin, Jodee

From: Michael Davis <Wvpmedic@gmail.com>
Sent: Tuesday, July 29, 2014 8:39 AM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Michael Davis <Wvpmedic@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

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Sincerely,

Michael Davis
166 Carr Lane
Princeton, WV 24739
3045757542

Martin, Jodee

From: Brittany Stackpole <lil_stackpole08@yahoo.com>
Sent: Monday, July 28, 2014 10:51 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Brittany Stackpole <lil_stackpole08@yahoo.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Brittany Stackpole
lil_stackpole08@yahoo.com
Buckhannon, WV 26201

Martin, Jodee

From: David P. Tackett <debndave@frontier.com>
Sent: Monday, July 28, 2014 7:49 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: David P. Tackett <debndave@frontier.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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Sincerely,

David P. Tackett
56 Carr st
Clay, WV 25043
1 (304) 587-7984

Martin, Jodee

From: Sasha <saucylewis@yahoo.com>
Sent: Tuesday, July 29, 2014 7:22 AM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Sasha <saucylewis@yahoo.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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Sincerely,

Sasha
270 east pine street
Davisville, WV 26142

Martin, Jodee

From: Michael Dussault <md4025@gmail.com>
Sent: Monday, July 28, 2014 9:52 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Michael Dussault <md4025@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Michael Dussault
26 Wolverine Drive
Charleston, WV 25311
304-205-5445

Martin, Jodee

From: Gothard, Robin on behalf of Helmick, Walt
Sent: Tuesday, July 29, 2014 10:13 AM
To: Martin, Jodee
Subject: FW: proposal 61-30

From: Crystal Dickneite [mailto:cdickneite@gmail.com]
Sent: Tuesday, July 29, 2014 10:06 AM
To: Helmick, Walt
Subject: proposal 61-30

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos, internal inconsistencies, and provisions that violate the underlying law. Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs. In addition, not only has the DWA Board refused to provide any financial information required on the "Fiscal Note for Proposed Rules," but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government." By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law. Since Ohio has already spent at least $4 million over a couple years to administer its DWA list, which includes only a small fraction of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided. Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

> The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
>
> The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.

The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.

Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate. Pet owners have been defrauded by the rule submitted.

The DWA Board failed to remedy omissions and inadequate provisions timely.

Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

_____Crystal Dickneite_____

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West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

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Reptilia (Reptiles)	ALL turtles, tortoises, and terrapins	Like above you can avoid salmonella by washing your hands after interacting with your pet or their enclosures. Turtles are very common pets and have been for many, many years. To outright ban every turtle, tortoise, and tarrapin would cause responsible pet owners to lose their beloved pet.
Tetradontiformes, Perciformes, Characiformes, Siluriformes (many kinds of fish)	ALL triggerfish, filefish, and pufferfish ALL gobies ALL tetras, including the very popular neon tetra ALL plecos, corydoras	This banning of entire orders means the banning of literally thousands of commonly kept aquarium fish. The majority of these fish pose no threat of invading West Virginian waters. Saltwater fish, including the saltwater gobies, have no chance of invading the freshwater lakes and rivers of WV. Tropical fish couldn't survive in the cold waters of WV. The toxins some of these fish contain, like pufferfish, would only effect someone if ingested. It is unheard of for someone to buy a pufferfish from a pet store to take it home and eat it.
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Children will have to be told that they can no longer have their beloved pet, or be called a felon by the state and given hundreds of dollars in fines or face imprisonment. Millions of pets will have to be surrendered to the state. The state will have to use citizen's tax dollars to either care for the pets they surrender or to euthanize them. Similar legislation in Ohio led to a $2.9 million dollar temporary-housing facility for animals that could not be kept by "responsible owners". This law will cost West Virginia more to implement than the money raised from the $100.00 permits. The state of West Virginia potentially could be responsible for the deaths of thousands of pet exotic animals.

The pet trade generates millions of dollars for the state. With all of these animals banned, pet stores will not have enough income to be kept running. Pet stores across the state will be forced to be shut down, forcing not only small business owners but corporations out of business or out of the state. I thought West Virginia was "Open for Business"? In conclusion, I feel that the list needs to consider individual species and not ban animals by the order, family, or genus. This way it will only be banning animals that shouldn't be owned by the general public, but will allow responsible pet owners to keep their beloved pets and allow pet stores to stay running across the state.

Sincerely,

Ryan Morgan
IRonton, OH

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Jerry W Collins
So Chas WV
25309

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Rose Collins
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ST. ALBANS, WV

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Sincerely,

Milton, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Devin Black
WAYNE, WV
25570

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Tracy Behnke
Tornado, WV 25202

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Kasey Martin Finley Huntington W.V.

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Clara Thompson
Harts, W.Va

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

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Sincerely,

Tim Lapple

milton wv

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Hurricane, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Brandon Gravely

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Alexis Farrell

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Koby Jarrelle

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Savanna Ryder

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3. I feel that many animals on the list have been listed unreasonably. Some animals have been reasonably listed, such as crocodiles, elephants, giraffes, zebras, big cats (such as lions and tigers), bears, and primates. These animals can pose a threat to humans, could be harmful if released, and could very well be mistreated by someone without proper training and knowledge to care for them. Despite this, many other animals on the list have been listed without second thought and do not pose a threat to the WV environment or citizens.

Class	Animals to be banned	Why they should not be banned
Amphiba (Amphibians)	ALL salamanders, newts, axolotls, etc. ALL clawed frogs ALL tree frogs ALL toads	Salmonella and other diseases amphibians can possibly carry are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure. Salmonella is not a new thing in the animal world, and pet owners have had to deal with it for a long time. To be affected by their toxins you would literally have to lick or eat the animal. Many amphibians kept in captivity would not be able to live in West Virginia, as most non-native species couldn't survive in West Virginia's climate. Native amphibians are regulated by the WV DNR.
Reptilia (Reptiles)	ALL turtles, tortoises, and terrapins	Like above you can avoid salmonella by washing your hands after interacting with your pet or their enclosures. Turtles are very common pets and have been for many, many years. To outright ban every turtle, tortoise, and tarrapin would cause responsible pet owners to lose their beloved pet.
Tetradontiformes, Perciformes, Characiformes, Siluriformes (many kinds of fish)	ALL triggerfish, filefish, and pufferfish ALL gobies ALL tetras, including the very popular neon tetra ALL plecos, corydoras	This banning of entire orders means the banning of literally thousands of commonly kept aquarium fish. The majority of these fish pose no threat of invading West Virginian waters. Saltwater fish, including the saltwater gobies, have no chance of invading the freshwater lakes and rivers of WV. Tropical fish couldn't survive in the cold waters of WV. The toxins some of these fish contain, like pufferfish, would only effect someone if ingested. It is unheard of for someone to buy a pufferfish from a pet store to take it home and eat it.
Mammalia (Mammals)	ALL hedgehogs ALL rabbits ALL hamsters, *except Syrian* ALL rats, *except white, albino, or laboratory-raised* ALL ferrets ALL hybrid dogs and cats, such as savannah and bengal cats ALL sugar gliders	The banning of these animals will be banning some of the most popular pets in the entire pet trade. While hedgehogs may be fairly new to the pet trade, they pose no threat to public safety. While it is said they can carry rabies, most pet mammals can carry rabies and people own them without second thought. According to the CDC, there has only been one recorded case of a hedgehog with rabies- and it was in the wild in Budapest. There have been no recorded cases of pet African hedgehogs contracting rabies. Sugar Gliders also do not pose a public safety threat. Gliders do not need any type of vaccinations, as they cannot get rabies and are no more dangerous to own than a cat or a dog as far as parasites. These species are not a threat to the environment. They cannot establish themselves in West Virginia as the climate is not acceptable. As for the rest of the banned species, such as hamsters, rats, ferrets, and rabbits, these animals have been in the pet trade for many many years. If the worry is invasiveness, where are the wild packs of hamsters, ferrets, fancy rats, and rabbits running around?

Children will have to be told that they can no longer have their beloved pet, or be called a felon by the state and given hundreds of dollars in fines or face imprisonment. Millions of pets will have to be surrendered to the state. The state will have to use citizen's tax dollars to either care for the pets they surrender or to euthanize them. Similar legislation in Ohio led to a $2.9 million dollar temporary-housing facility for animals that could not be kept by "responsible owners". This law will cost West Virginia more to implement than the money raised from the $100.00 permits. The state of West Virginia potentially could be responsible for the deaths of thousands of pet exotic animals.

The pet trade generates millions of dollars for the state. With all of these animals banned, pet stores will not have enough income to be kept running. Pet stores across the state will be forced to be shut down, forcing not only small business owners but corporations out of business or out of the state. I thought West Virginia was "Open for Business"? In conclusion, I feel that the list needs to consider individual species and not ban animals by the order, family, or genus. This way it will only be banning animals that shouldn't be owned by the general public, but will allow responsible pet owners to keep their beloved pets and allow pet stores to stay running across the state.

Sincerely, Christy Black
Milton, W.Va.

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,
Chelsie Black
Milton, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Chris Moore Milton WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Samantha Moore Milton WV. 25541

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Danielle Moore Milton W.Va. 25541

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Debra Kurth, Milton, WV 25541

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Joe Klein

Glenwood Rt 1, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Ashley Moore Milton WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Ona WV.

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Earl Mollette
Kenova WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Gretta Gillispie Ona

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Kendra
@Alexander

ona WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Justin Dan Milton W.V.

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Matthew Black Milton WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Hurricane, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Johnny McGuire WAYNE WV.

only GATORS, LIONS & TIGERS BE REAL

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Rachael Klein
Glenwood, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Joyce Meadows
Milton WVa 25541

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Sue Meade Grayson, Kentucky 41143

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Class	**Animals to be banned**	**Why they should not be banned**
Amphiba (Amphibians)	ALL salamanders, newts, axolotls, etc. ALL clawed frogs ALL tree frogs ALL toads	Salmonella and other diseases amphibians can possibly carry are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure. Salmonella is not a new thing in the animal world, and pet owners have had to deal with it for a long time. To be affected by their toxins you would literally have to lick or eat the animal. Many amphibians kept in captivity would not be able to live in West Virginia, as most non-native species couldn't survive in West Virginia's climate. Native amphibians are regulated by the WV DNR.
Reptilia (Reptiles)	ALL turtles, tortoises, and terrapins	Like above you can avoid salmonella by washing your hands after interacting with your pet or their enclosures. Turtles are very common pets and have been for many, many years. To outright ban every turtle, tortoise, and tarrapin would cause responsible pet owners to lose their beloved pet.
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Children will have to be told that they can no longer have their beloved pet, or be called a felon by the state and given hundreds of dollars in fines or face imprisonment. Millions of pets will have to be surrendered to the state. The state will have to use citizen's tax dollars to either care for the pets they surrender or to euthanize them. Similar legislation in Ohio led to a $2.9 million dollar temporary-housing facility for animals that could not be kept by "responsible owners". This law will cost West Virginia more to implement than the money raised from the $100.00 permits. The state of West Virginia potentially could be responsible for the deaths of thousands of pet exotic animals.

The pet trade generates millions of dollars for the state. With all of these animals banned, pet stores will not have enough income to be kept running. Pet stores across the state will be forced to be shut down, forcing not only small business owners but corporations out of business or out of the state. I thought West Virginia was "Open for Business"? In conclusion, I feel that the list needs to consider individual species and not ban animals by the order, family, or genus. This way it will only be banning animals that shouldn't be owned by the general public, but will allow responsible pet owners to keep their beloved pets and allow pet stores to stay running across the state.

Sincerely,

Miranda Fisher

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Tom Legg

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Jessica Jarrell

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Charleston WV

West Virginia Department of Agriculture
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Kolton Sargent

Charleston

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Danelle McLoud

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Kyle McCallister

Huntington, WV
25701

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

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Sincerely,

Alma Young Grayson, Kentucky 41143

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Mr. Philip Ball Grayson, Kentucky 41143

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Elbeth Eaves
Branchland WV 25506

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Tiffany Paynter

Huntington, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Zachary Elkins Alum Creek WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

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Sincerely,

Alisha Pesimer Ona WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Brenda Fleshman

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Annica Massey
Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Carter Massey
Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Milton, WVa

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Class	**Animals to be banned**	**Why they should not be banned**
Amphiba (Amphibians)	ALL salamanders, newts, axolotls, etc. ALL clawed frogs ALL tree frogs ALL toads	Salmonella and other diseases amphibians can possibly carry are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure. Salmonella is not a new thing in the animal world, and pet owners have had to deal with it for a long time. To be affected by their toxins you would literally have to lick or eat the animal. Many amphibians kept in captivity would not be able to live in West Virginia, as most non-native species couldn't survive in West Virginia's climate. Native amphibians are regulated by the WV DNR.
Reptilia (Reptiles)	ALL turtles, tortoises, and terrapins	Like above you can avoid salmonella by washing your hands after interacting with your pet or their enclosures. Turtles are very common pets and have been for many, many years. To outright ban every turtle, tortoise, and tarrapin would cause responsible pet owners to lose their beloved pet.
Tetradontiformes, Perciformes, Characiformes, Siluriformes (many kinds of fish)	ALL triggerfish, filefish, and pufferfish ALL gobies ALL tetras, including the very popular neon tetra ALL plecos, corydoras	This banning of entire orders means the banning of literally thousands of commonly kept aquarium fish. The majority of these fish pose no threat of invading West Virginian waters. Saltwater fish, including the saltwater gobies, have no chance of invading the freshwater lakes and rivers of WV. Tropical fish couldn't survive in the cold waters of WV. The toxins some of these fish contain, like pufferfish, would only effect someone if ingested. It is unheard of for someone to buy a pufferfish from a pet store to take it home and eat it.
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Children will have to be told that they can no longer have their beloved pet, or be called a felon by the state and given hundreds of dollars in fines or face imprisonment. Millions of pets will have to be surrendered to the state. The state will have to use citizen's tax dollars to either care for the pets they surrender or to euthanize them. Similar legislation in Ohio led to a $2.9 million dollar temporary-housing facility for animals that could not be kept by "responsible owners". This law will cost West Virginia more to implement than the money raised from the $100.00 permits. The state of West Virginia potentially could be responsible for the deaths of thousands of pet exotic animals.

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Sincerely,

Mike Hill Milton WVa

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Billie Jo Tyree Milton WVa

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Whitlee Clagg Milton WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely, Tammy Fuchs

Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Callie Braxton

Charleston West Va

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Willie Boles Ashland Ky

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Melissa Hill Chesapeake, OH 45619

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Wayne Brock Barbourville, Ky

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely, Sonda Patrick
Coal Grove Ohio

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sandra Mayes
Dotson WV. 25503

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Melanie Jacobi-Thiem
Jechenbach Germany

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Proctorville OH.

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Chris Sarver

Brooksville, Ohio

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Anthony Sneyer

Rectorville, Ohio

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Amanda Massey
Charleston WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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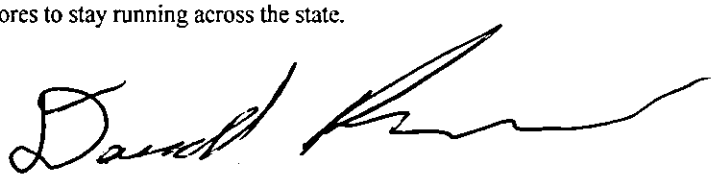

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Charleston, WV 25305

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Class	**Animals to be banned**	**Why they should not be banned**
Amphiba (Amphibians)	ALL salamanders, newts, axolotls, etc. ALL clawed frogs ALL tree frogs ALL toads	Salmonella and other diseases amphibians can possibly carry are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure. Salmonella is not a new thing in the animal world, and pet owners have had to deal with it for a long time. To be affected by their toxins you would literally have to lick or eat the animal. Many amphibians kept in captivity would not be able to live in West Virginia, as most non-native species couldn't survive in West Virginia's climate. Native amphibians are regulated by the WV DNR.
Reptilia (Reptiles)	ALL turtles, tortoises, and terrapins	Like above you can avoid salmonella by washing your hands after interacting with your pet or their enclosures. Turtles are very common pets and have been for many, many years. To outright ban every turtle, tortoise, and tarrapin would cause responsible pet owners to lose their beloved pet.
Tetradontiformes, Perciformes, Characiformes, Siluriformes (many kinds of fish)	ALL triggerfish, filefish, and pufferfish ALL gobies ALL tetras, including the very popular neon tetra ALL plecos, corydoras	This banning of entire orders means the banning of literally thousands of commonly kept aquarium fish. The majority of these fish pose no threat of invading West Virginian waters. Saltwater fish, including the saltwater gobies, have no chance of invading the freshwater lakes and rivers of WV. Tropical fish couldn't survive in the cold waters of WV. The toxins some of these fish contain, like pufferfish, would only effect someone if ingested. It is unheard of for someone to buy a pufferfish from a pet store to take it home and eat it.
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Sincerely, Bob Shuffler Barboursville WV

West Virginia Department of Agriculture
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Sincerely, MICHAEL SHAFFER

BARBOURSVILLE
WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Michael Scagga Chesapeake OH

West Virginia Department of Agriculture
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Sincerely, Jillia Norris Milton, WV

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Steve [illegible] Poca, WV 25159

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Sincerely,

Sod WV 25564

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3. I feel that many animals on the list have been listed unreasonably. Some animals have been reasonably listed, such as crocodiles, elephants, giraffes, zebras, big cats (such as lions and tigers), bears, and primates. These animals can pose a threat to humans, could be harmful if released, and could very well be mistreated by someone without proper training and knowledge to care for them. Despite this, many other animals on the list have been listed without second thought and do not pose a threat to the WV environment or citizens.

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Sincerely, Cathy D Hatfield Milton WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Cheryl Wallace

Scott Repot

ZAA

ZOOLOGICAL ASSOCIATION
OF AMERICA

Animal Care & Enclosure Standards

2014 Version

www.zaa.org

Most updated version surpasses all previous versions

ZAA Animal Care & Enclosure Standards (9 June 2014)
Pages 33-40 - Reptile & Amphibian section

Reptiles & Amphibians

In addition to requirements of this section, enclosures shall be provided with an environment that allows for temperature regulation necessary to insure the well-being of the species. The environment or devices shall be non-injurious. Each enclosure shall be provided with a non-injurious substrate that is species appropriate. Such substrate shall be disposed of or sanitized at intervals sufficient to insure the health of the animal(s). Each enclosure shall be equipped with a shelter(s) large enough to accommodate all the animals in the enclosure simultaneously.

1. Reptiles
    a. Snakes
        i. The following species are considered to be "large constrictors:"
            1. Large constrictors:
            2. Indian or Burmese python (python molurus)
            3. Northern African Rock python (python sebae)
            4. Southern African Rock Python (python natalensis)
            5. Reticulated Python (python reticulatus)
            6. Boa constrictor (Constricor constrictor)
            7. Green anaconda (Eunectes murinus)
            8. Bolivian Anaconda (Eunectes beniensis)
            9. De Schauensee's Anaconda (Eunectes deschauenseei)
        ii. Enclosures for large constrictors shall be constructed of a variety of materials, all or any of which must securely, effectively, and safely contain the animal.
            1. Exhibit front or viewing area must use laminated glass, acrylic, or double paned glass (where the glass on the viewer's side is laminated or tempered).
                a. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.
            2. The minimum size of the exhibit shall be based upon the length of the longest specimen in the enclosure and shall allow for the thorough cleaning of the container or exhibit by staff.
                a. For up to two specimens, an enclosure having a perimeter 25% greater than the length of the longest specimen; the width of the enclosure shall not be less than 20% of the length of the longest specimen.
                b. For each additional specimen, increase the perimeter by 25%.
            3. The minimum height shall be 6.5 feet tall.
            4. Environmental enriching furniture such as varied substrates, logs, and rocks should be available. All species should have access to a water tub or pool large enough for complete submersion.
        iii. Enclosure sizes for all snakes (other than large constrictors) shall be based upon the length of the longest specimen in the enclosure.

1. For up to two specimens, an enclosure having a perimeter at least as great as the length of the longest specimen; the width of the enclosure shall not be less than 20% of the length of the longest specimen. For each additional specimen, increase perimeter by 10%.

b. Lizards
   i. The following species are considered to be "large lizards:"
      1. Crocodilians
      2. Varanus subspecies of monitors (3 species)
      3. Komodo dragon (varanus komodoensis)
      4. Crocodile monitor Varanus salvadorii
      5. Water monitor Varanus salvator
      6. Nile Monitor Varanus niloticus
   ii. Enclosures for large lizards shall be built of reinforced brick or steel walls, with top and doors of steel or half-inch (½") or thicker plywood on a 2"x4" (wooden stud) or better framework.
      1. Exhibit front or viewing area must use laminated glass, acrylic, or double paned glass (where the glass on the viewer's side is laminated or tempered).
         a. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.
      2. The minimum size of the exhibit shall be based upon the length of the longest specimen in the enclosure and shall allow for the thorough cleaning of the container or exhibit by staff.
         a. Lizards 25 to 36 inches in length
            i. For one or two lizards an enclosure 36 inches by 12 inches, 16 inches high. For each additional lizard, increase enclosure size by 10 inches or 25 percent in length and width.
         b. Lizards 37 inches to 6 feet in length
            i. For one or two lizards, an enclosure 6 feet by 3 feet, 4 feet high. For each additional lizard, increase the enclosure by 25 percent of the original floor area.
         c. Lizards over 6 feet in length
            i. For one or two lizards, an enclosure 9 feet by 6 feet, 4.5 feet high. For each additional lizard, increase the enclosure by 25 percent of original floor area.
      3. Environmental enriching furniture such as varied substrates, logs, and rocks should be available. All species should have access to a water tub or pool large enough for complete submersion.
      4. Enclosures should allow for all the normal activities of the species (e.g. swimming, climbing, burrowing, running, hiding, and, especially, sunning).
      5. This environment should also be sufficiently environmentally enriched to exceed the minimum husbandry requirements for sustained long life and reproduction, if desired, of the species.

iii. Enclosures for all other lizards should be an environment large enough to allow for all the normal activities of the species (e.g. swimming, climbing, burrowing, running, hiding, and, especially, sunning).

1. This environment should also be sufficiently environmentally enriched to exceed the minimum husbandry requirements for sustained long life and reproduction, if desired, of the species.
2. When more than one animal occupies the same unit, additional space and environmental enrichments should be added in a direct ratio to the number of individuals, their ages, sexes, and needs demand.

c. Turtles (other than tortoises and box turtles)

i. In addition to requirements of this section, each enclosure shall have a pool of water that will allow for the immersion of the largest turtle. For all turtles with soft carapaces, a non-abrasive pool bottom is required.

ii. Enclosure sizes for all turtles shall be based upon the size of the largest specimen in the enclosure.

1. For one or two turtles, an enclosure with an area at least five times the shell length, by two times the shell width of the largest turtle. The pool area shall equal no less than two times the shell width, by two times the shell length of the largest turtle. A dry resting area equal to the size of the shell of the largest turtle shall be provided. For each additional specimen, increase resting and pool area by 25 percent of the original floor area.

d. Tortoises and box turtles

i. Enclosure sizes for all tortoises and box turtles shall be based upon the size of the largest specimen in the enclosures.

1. For one or two tortoises or box turtles, an enclosure with a floor area 10 times the shell size of the largest specimen in the enclosure. For additional specimens, the floor area available for movement shall be twice the floor area covered by the combined body mass of all animals in the enclosure.

e. Crocodilians

i. For one animal, an enclosure of sufficient size to permit moving and turning both on a dry area and in a pool of water, the water being of sufficient depth to permit submersion. For additional animals, the combined area covered by all their bodies shall not exceed 50 percent of enclosure area.

2. Amphibians

a. Aquatic amphibians shall be kept in water filled tanks or aquaria. Semi-aquatic and terrestrial amphibians shall be kept in enclosures, tanks or aquaria with a water area and a dry area that shall permit moving and turning. Both the dry area and the water area shall provide room to accommodate all animals in the enclosure simultaneously.

VI. Possession, Exhibition and Caging Venomous Reptiles:

Venomous reptiles shall be kept enclosed in cases, pits, or enclosures of the following specifications:

1. Enclosure may be constructed of a variety of materials, all or any of which must securely, effectively, and safely contain the animal. Enclosures and doors to enclosures shall be sealed.
    a. Enclosures shall be securely locked with two separate locking mechanisms to lessen unauthorized intrusion, keeper error, or lock failure, through one of two methods:
        i. The immediate door to the enclosure shall have two separate latches, clamps, slide bolts, or similar, each with its own key-required lock.
        ii. The immediate door to the enclosure shall have at least one latch, clamp, slide bolt, or similar, with at least one having its own key-required lock, and the access door or gate to the service area shall have its own key-required lock.
    b. Enclosures which include glass (such as for viewing) must use safety or laminated glass, acrylic or double-paned glass (where as glass on the viewer's side is laminated or tempered).
        i. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.

2. A room may contain venomous reptiles in enclosures that are not locked provided that such a room is locked with two separate key-required locking mechanisms to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, and is constructed and maintained as to be escape-proof.

3. Outdoor open-topped enclosures
    a. For venomous reptiles native to the United States:
        i. The floors of outdoor enclosures shall be of concrete or masonry construction at least two inches in thickness. Sides shall be of similar construction, at least eight inches in thickness, or strength equivalent, and extend no less than four feet above the highest accessible point of the enclosure. Outdoor enclosures need not have concrete or masonry flooring if the enclosure meets the following additional specifications:
            1. The enclosure shall have concrete or masonry walls, at least eight inches in thickness, or strength equivalent.
            2. The enclosure shall have footers made of concrete, or strength equivalent, extending not less than three feet below the grade level.
            3. The corners of enclosure shall be designed or guarded to prevent the escape of reptiles by climbing.
            4. All landscaping of the enclosure shall be arranged to insure that vegetation or other structures do not allow for the escape of reptiles.
        ii. Entrance doors shall be kept securely locked on all outdoor enclosures to prevent escape and unauthorized intrusion and the enclosure shall be

equipped with barriers to prevent visitors from falling into enclosures that are constructed below ground level or viewing level.

b. For venomous reptile species not native to the United States:
    i. In addition to the requirements for venomous reptiles native to the United States, all outdoor enclosures shall be topped with close-meshed wire or an equivalent barrier to provide additional security.

c. All outdoor, open top enclosures shall have two separate key-required locking mechanisms to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, and is constructed and maintained as to be escape-proof.

4. Transportation
    a. Venomous reptiles may be transported only in the following fashion:
        i. They shall be placed in a stout, closely woven cloth sack, tied or otherwise secured and, then, double bagged in the same fashion.
        ii. This sack shall then be placed in a container which shall be of strong material, such as solid plywood sheets, metal or thick plastic containers constructed to withstand crushing and physical abuse.
            1. Air holes should be less than 1/3 the diameter of the smallest reptile contained within and shall be screened inside with quarter inch (¼") or smaller wire.
            2. Boxes containing venomous snakes or lizards shall be prominently labeled "DANGER Venomous Reptiles."

5. Facilities housing, owning, or otherwise maintaining venomous reptiles shall have proper "snake bite" protocols in place.
    a. Sufficient protocols must cover every venomous species in the collection, take in to account multiple specimens of the same species, and deal with situations that may include multiple victims or multiple bites to one victim.
    b. Sufficient protocols should be consulted through a medical doctor and collaborate with at least one local hospital that offers emergency services.
    c. A sufficient protocol shall be properly implemented by following three steps:
        i. Training: all staff authorized to work with (both directly and indirectly) venomous specimens, as well as at least one other person, shall be fully trained on the protocol.
        ii. Written: the protocol must be written down and included as part of the required duties of all staff authorized to work with (both directly and indirectly) venomous specimens and prominently posted in the room or area containing the venomous specimens.
        iii. Supervision: the owner or manager must ensure adherence to the protocol through supervision or other appropriate means, to include enforcement.

6. All enclosure access points, containers, sacks, and any other containment for venomous specimens shall have venomous labels in place.

7. Specimens considered to be in an "off public display" situation must be maintained in manners consistent with the above standards.

VII. Exceptions to Standard Caging Requirements for Captive Wildlife.

Wildlife may be temporarily housed in enclosures smaller than the sizes set forth above only under the following circumstances:

1. For transport and for performing and non-performing animals as approved by ZAA.

2. Wildlife being held for sale by those persons properly licensed or for veterinary care or quarantine may be temporarily housed in smaller enclosures for a period not to exceed 60 days. With written notification to ZAA, this period may be extended in circumstances where a licensed veterinarian has certified that a longer holding period is medically necessary in the interests of the health, safety and welfare of the subject animals or the public. Medical records concerning all animals for which an extension of the 60-day period is obtained shall be maintained at the facility and shall be made available for inspection, upon request, by ZAA. The caging or enclosure of all wildlife temporarily held under this section shall not be smaller than that required for the caged animal to stand up, lie down, and turn around without touching the sides of the enclosure or another animal. All wildlife thus housed shall be permanently marked or their enclosures shall be permanently marked, so as to be traceable to written records indicating the date the wildlife was placed in temporary holding. Such records shall be maintained and made available for inspection by ZAA.

3. The standard caging requirements shall not apply to facilities possessing ratites (ostriches, rheas, emus, and cassowaries) for propagation purposes only and not for public exhibition.

4. Newborn and juvenile mammals may be temporarily kept in enclosures below the standard caging requirements and are exempted from the land requirements and structural strength requirements as follows:
    a. Newborn mammals may be kept in incubation and rearing facilities. Nursing young may be maintained with their parents with no increase in required enclosure size for the adult animal for up to twelve weeks, provided that documentation is available to show the age of the young. Such time may be extended with a veterinarian's statement, showing that such size enclosure is required for the continued health and welfare of the animals until a certain date.
    b. Juvenile mammals may be kept in enclosures that do not meet or exceed the size specification in subsection (2) of this section provided that:
        i. Written documentation is available to verify the age of the animal.
        ii. The animal is marked or otherwise identifiable.
        iii. The animal shall be provided space for exercise on a daily basis.
        iv. Enclosures that meet the standard caging requirements shall be provided for Class I and Class II carnivores when they reach 25 pounds or six months of age, whichever comes first. Class III carnivores shall be provided enclosures that meet the standard caging requirements at six months of age. Class I, II, and III primates shall be provided enclosures that meet standard caging requirements at twelve (12) months of age.

5. Hatchling/fledgling birds and newborn reptiles and amphibians may be held in enclosures that allow for normal postural movements and social adjustments that ensure the health and sanitary needs of the animals.

6. Birds held temporarily for exhibit only and not for sale, may be kept in show enclosures, provided that, such birds have sufficient space for perching without touching the sides, top, or bottom of the enclosure and the health and sanitary needs of the birds are met. Water shall be available in the show enclosures at all times.

7. Reptiles and amphibians held temporarily for herptile shows, expositions, and exhibits may be kept in enclosures that allow for normal postural movements and social adjustments and that ensure the health and sanitary needs of the animals.

8. Enclosures for mobility impaired animals shall meet standard caging requirements, unless it can be demonstrated that such enclosure, or its required accessories, are detrimental to the health or welfare of the animal. In such cases, written documentation by a veterinarian confirming the need for such exemption shall be maintained by the permittee and made available to ZAA upon request.

9. Mammals held temporarily for shows, expositions, and exhibits may be kept in enclosures that allow for normal postural movements and social adjustments and that ensure the health and sanitary needs of the animals.

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

- ALL clawed frogs
- ALL tree frogs
- ALL toads
- ALL turtles
- ALL trigger and puffer fish
- Over 2,000 species of gobies
- ALL tetra fish

Restrictions include:

- Certain hamsters, mice, and rats
- Rabbits
- Sugar gliders
- African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

REC'D
WVDA ASD JUL 28 2014

Amend the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3
Petition Signatures

#	Name	City	State	Zip Code	Country	Signed On
1	Jessica Yoak	Pleasant Valley	West Virginia	26554	United States	07/05/14
2	Erik Yoak	Fairmont	West Virginia	26554	United States	07/05/14
3	Michael Cleveland	Morgantown	West Virginia	26505	United States	07/05/14
4	kayla marie	Monroe Township	New Jersey	8094	United States	07/05/14
5	Patrick Montgomery	LINN	West Virginia	26384	United States	07/05/14
6	Cynthia Jones	Maysville	North Carolina	28555	United States	07/05/14
7	Autumn B	USA	West Virginia	26261	United States	07/05/14
8	Beth Ann Adams	Elkins	West Virginia	26241	United States	07/05/14
9	Amy Lowther	Clarksburg	West Virginia	26301	United States	07/05/14
10	adam carpenter	Philippi	West Virginia	26416	United States	07/05/14
11	Jacques Katzoff	Hermosa Beach	California	90254	United States	07/05/14
12	Christopher Paz	Compton	California	90220	United States	07/05/14
13	Melissa Trott	London	England	SW19 6JG	United Kingdom	07/05/14
14	Erandi Young	Paso Robles	California	93446	United States	07/05/14
15	Abril Herrera			64750	Mexico	07/05/14
16	Tess Arriola	Redondo Beach	California	90278	United States	07/05/14
17	Irene Broßeit	Herford	Oregon	32052	United States	07/05/14
18	karina tarpinian	glendale	California	91206	United States	07/05/14
19	Mark Bastian	Helston	England	TR12 6RA	United Kingdom	07/05/14
20	paula eaton	St. Ann	Missouri	63074	United States	07/05/14
21	Suzan Toma	Sittard		6137 PV	Netherlands	07/05/14
22	Jamie Miller	Fairmont	West Virginia	26554	United States	07/05/14
23	Shanna Ewing	Nitro	West Virginia	25143	United States	07/05/14
24	Kim Rayburn	Winfield	West Virginia	25213	United States	07/05/14
25	Denise Chapman	Milton	West Virginia	25541	United States	07/05/14
26	marlanna trent	Huntington	West Virginia	25701	United States	07/05/14

27	Savannah Jordan	St Albans	West Virginia	25177	United States	07/05/14
28	Jennifer Johnston	Nitro	West Virginia	25143	United States	07/05/14
29	Johnathan Kingry	Dunbar	West Virginia	25064	United States	07/05/14
30	desy wolf			85100	Italy	07/05/14
31	Jonathan Tinney	Nitro	West Virginia	25143	United States	07/05/14
32	zachary bailey	Charleston	West Virginia	25320	United States	07/05/14
33	Brynn Goff	Cross Lanes	West Virginia	2531	United States	07/05/14
34	Dalton McVey	Cross Lanes	West Virginia	25313	United States	07/05/14
35	jessica larch	CHARLESTON	West Virginia	25312	United States	07/05/14
36	Julian tolley	charleston	West Virginia	25312	United States	07/05/14
37	charles king	cross lanes	West Virginia	25313	United States	07/05/14
38	Mitchell Balaban	Charleston	West Virginia	25313	United States	07/05/14
39	Tara Kerwood	St. Albans	West Virginia	25177	United States	07/05/14
40	Matt Bradley	Charleston	West Virginia	25304	United States	07/05/14
41	jesse lopez	morgantown	West Virginia	26508	United States	07/05/14
42	Brandon Dale	Princeton	West Virginia	24739	United States	07/05/14
43	Melissa Smith	Elkview	West Virginia	25071	United States	07/05/14
44	Kelly Morgan	Hurricane	West Virginia	25526	United States	07/05/14
45	Jacqueline Trump	Harpers Ferry	West Virginia	25425	United States	07/05/14
46	jen wells	Fairmont	West Virginia	26554	United States	07/05/14
47	Charity Terry	Woodstock	Georgia	30189	United States	07/05/14
48	DEBRA LABUZ	BUCKHANNON	West Virginia	26201	United States	07/05/14
49	Kaitlyn McDaniel	Charleston	West Virginia	25302	United States	07/05/14
50	Carla Riggs	Fairmont	West Virginia	26554	United States	07/05/14
51	Brittany Ellis	Fairmont	West Virginia	26554	United States	07/05/14
52	Kandace Dillard	Saint albans	West Virginia	25177	United States	07/05/14
53	Jay Myers	Fairmont	West Virginia	26554	United States	07/05/14
54	Amy Cowger	Fairmont	West Virginia	26554	United States	07/05/14
55	Sarah Dangerfield	Oak Hill	West Virginia	25901	United States	07/05/14
56	Stephen Ash	Clarksburg	West Virginia	26301	United States	07/05/14
57	Abigail Rice	St. Albans	West Virginia	25177	United States	07/05/14
58	Crystal Woodrum	Yawkey	West Virginia	25523	United States	07/05/14

59	Taylor Rakosky	Fairmont	West Virginia	26554	United States	07/05/14
60	manuela wolter	st-cruiz		50309	Costa Rica	07/05/14
61	Brandon Mathess	Fairmont	West Virginia	26554	United States	07/05/14
62	Crystal Rakosky	Fairmont	West Virginia	26554	United States	07/05/14
63	Maureen Bennett	Fairmont	West Virginia	26554	United States	07/05/14
64	Beth Yost	Anchorage	Alaska	99504	United States	07/05/14
65	RiAnnon Ash	Clarksburg	West Virginia	26301	United States	07/05/14
66	Michael Ables	weston	West Virginia	26452	United States	07/05/14
67	hale davis	walker	West Virginia	26180	United States	07/05/14
68	Rebecca Weekley	Fairmont	West Virginia	26554	United States	07/05/14
69	JOHN RICHARD YOUNG	East Norriton Township	Norristown	19401-1531	United States	07/05/14
70	Franklin Bryan	amherst	Massachusetts	1002	United States	07/05/14
71	Debbie Mcvey	Charleston	West Virginia	25313	United States	07/05/14
72	Sarah Baker	Barboursville	West Virginia	25504	United States	07/05/14
73	Daniel Clark	Dunbar	West Virginia	25064	United States	07/06/14
74	Melissa Toler-Cain	monongah	West Virginia	26554	United States	07/06/14
75	Vicki Boggess	Hurricane	West Virginia	25526	United States	07/06/14
76	Melody Mullins	Amma	West Virginia	25005	United States	07/06/14
77	Jonathan Cole	Hueytown	Alabama	35023	United States	07/06/14
78	goldie radcliff	weston	West Virginia	26452	United States	07/06/14
79	Christal Gibson	Alum Bridge	West Virginia	26321	United States	07/06/14
80	cristy berry	Wheeling	West Virginia	26003	United States	07/06/14
81	Tiffan Stuart	Wallace	West Virginia	26448	United States	07/06/14
82	Latasha urbina	buckhannon	West Virginia	26201	United States	07/06/14
83	Courtney Wheatley	Horner	West Virginia	26372	United States	07/06/14
84	sally metz	Weston	West Virginia	26452	United States	07/06/14
85	Mike Moore	Weston	West Virginia	26452	United States	07/06/14
86	Shannon Painter	Charleston	West Virginia	25311	United States	07/06/14
87	Laura Winans	Camden	West Virginia	26338	United States	07/06/14
88	Diane Hayes	Huntington	West Virginia	25705	United States	07/06/14
89	britny bland	Davisville	West Virginia	26142	United States	07/06/14
90	Bryson Saul	Scott Depot	West Virginia	25560	United States	07/06/14

91	Ashley Justice	Rainelle	West Virginia	25962	United States	07/06/14
92	animal lover	cumbria	England	CA14 3DL	United Kingdom	07/06/14
93	Betty Pumphrey	Weston	West Virginia	26452	United States	07/06/14
94	Sandra Kesling	Jane Lew	West Virginia	26378	United States	07/06/14
95	Christopher Nall	Slatyfork	West Virginia	26291	United States	07/06/14
96	Mari Moore	Weston	West Virginia	26452	United States	07/06/14
97	joe strauss	peterstown	West Virginia	24963	United States	07/06/14
98	dawn shackleford	linn	West Virginia	26384	United States	07/06/14
99	Carole Russelle	Portland	Oregon	97229	United States	07/06/14
100	tiffany bachman	Volga	West Virginia	26238	United States	07/06/14
101	Gloria J Conrad	Weston	West Virginia	26452	United States	07/06/14
102	Linda Hamilton	Fairmont	West Virginia	26554	United States	07/06/14
103	James Brown	Fairmont	West Virginia	26554	United States	07/06/14
104	Daniel Sunderland	McConnell	West Virginia	25646	United States	07/07/14
105	Nicole hamm	chandler	Arizona	85224	United States	07/07/14
106	Sheri Helmer	AJ	Arizona	85119	United States	07/07/14
107	amanda orourke	Farwell	Michigan	48622	United States	07/07/14
108	Glidergals Sugargliders	Cranston	Rhode Island	2905	United States	07/07/14
109	Tamanna Sikora	Plano	Texas	75025	United States	07/07/14
110	Emmy Wilkins	Rock Island	Illinois	61201	United States	07/07/14
111	michelle shackelford	Weston	West Virginia	26452	United States	07/07/14
112	Tina Zelker	Barboursville	West Virginia	25504	United States	07/07/14
113	laci kerridge	Ellenville	New York	12428	United States	07/07/14
114	peggy ables	Ikerswa	West Virginia	26447	United States	07/07/14
115	Trey Miller	Sandyville	West Virginia	25275	United States	07/07/14
116	Ronda Lokken	Minneapolis	Minnesota	55421	United States	07/07/14
117	Lindsay Watt	Fairhaven	Massachusetts	2719	United States	07/07/14
118	Gary Batchelder	Zephyrhills	Florida	33541	United States	07/07/14
119	Elizabeth Beckner	Princeton	West Virginia	24739	United States	07/07/14
120	Courtney Cruey	Bland	Virginia	24315	United States	07/07/14
121	Sherry Foster	Hinton	West Virginia	25951	United States	07/07/14
122	nellie cooper	hinton	West Virginia	25951	United States	07/07/14

123	Jessica Davis	Talcott	West Virginia	24981	United States	07/07/14
124	Courtney Hubbard	Fredericksburg	Virginia	22401	United States	07/07/14
125	Meghan Trinity	las vegas	Nevada	89128	United States	07/07/14
126	Nancy Welch-Manuel	Moxee	Washington	98936	United States	07/07/14
127	Trins Finch	Walton	New York	13856	United States	07/07/14
128	nancy glazar	detroit	Michigan	48205	United States	07/07/14
129	lara johnson	alkol	West Virginia	25501	United States	07/07/14
130	Adriana Lopez	Homestead	Florida	33031	United States	07/07/14
131	Valerie Elswick	Seth	West Virginia	25181	United States	07/07/14
132	Beth Miller	Gig Harbor	Washington	98329	United States	07/07/14
133	lori tyree	Beckley	West Virginia	25801	United States	07/07/14
134	Ashley Knight	Fairmont	West Virginia	26554	United States	07/07/14
135	Kayla Tossone	Fairmont	West Virginia	26554	United States	07/07/14
136	Wooldridge Sheneika	Roanoke	Virginia	24014	United States	07/07/14
137	Jennifer Gimble	Fredericksburg	Virginia	22406	United States	07/07/14
138	Lindy Eden	Tiskilwa	Illinois	61368	United States	07/07/14
139	Ashley Lester	Daniels	West Virginia	25832	United States	07/07/14
140	Leanne Deel	Pound	Virginia	24279	United States	07/07/14
141	Markie Robinson	Brunswick	New York	12180	United States	07/07/14
142	Lisa Salazar	Foster City	California	94404	United States	07/07/14
143	lydia santiago	jackson	New Jersey	8527	United States	07/07/14
144	Rachel Nichols	Wimauma	Florida	33598	United States	07/07/14
145	Andrea Sites	Durbin	West Virginia	26264	United States	07/07/14
146	Hailee carroll	ZEPHYRHILLS	Florida	33541	United States	07/07/14
147	Kathy S Woody	Buckhannon	West Virginia	26201	United States	07/07/14
148	Karl Burnside	Buckhannon	West Virginia	26201	United States	07/07/14
149	Brittany Donaldson	Morgantown	West Virginia	26508	United States	07/07/14
150	Rick Krumrine	Biglerville	Pennsylvania	17307	United States	07/07/14
151	Brittany Wiseman	Sissonville	West Virginia	25320	United States	07/07/14
152	Crystal Stevenson	Granville	West Virginia	26534	United States	07/07/14
153	Angela Rakes	Ghent	West Virginia	25843	United States	07/07/14
154	K Dahle	Clear Lake	Minnesota	55319	United States	07/07/14

155	jennifer sizemore	nimitz	West Virginia	25978	United States	07/07/14
156	Kristen Adkins	Oak Hill	West Virginia	25901	United States	07/07/14
157	Mary Callahan	Bruceton Mills	West Virginia	26525	United States	07/07/14
158	Angel Snyder	Bradley	West Virginia	25818	United States	07/07/14
159	Deborah Taylor	Bluefield	West Virginia	24701	United States	07/07/14
160	Sheryl Koontz	Kenna	West Virginia	25248	United States	07/07/14
161	Susan Kearns	Sutton	West Virginia	26601	United States	07/07/14
162	Susan Richmond	Hinton	West Virginia	25951	United States	07/07/14
163	Stephanie Williams	White Oak	West Virginia	25989	United States	07/07/14
164	Amy Grantham	Poe	West Virginia	26651	United States	07/07/14
165	Steph Robb	Grande Prairie		T8W	Canada	07/07/14
166	Linda Dunion	Alloa	Scotland	Fk101NF	United Kingdom	07/07/14
167	Janice Terna	Hudson	Florida	34667	United States	07/07/14
168	William Brynteson	Clearwater	Minnesota	55320	United States	07/07/14
169	CAROLE JULIEN			20137	France	07/07/14
170	Doc Robinson	Fort Wayne	Indiana	46816	United States	07/07/14
171	Wayne Peterson	Philadelphia	Pennsylvania	19141	United States	07/07/14
172	Scott McEwan	Opp	Alabama	36467	United States	07/07/14
173	Eddie Cline	Welch	West Virginia	24801	United States	07/07/14
174	Kelly Sheppard	Windsor	California	95492	United States	07/07/14
175	Beth McHenry	Parksley	Virginia	23421	United States	07/07/14
176	Susan Timewell-Jeffs	Toronto		M4C 4W1	Canada	07/07/14
177	SuAnna Glover	Lexington	North Carolina	27295	United States	07/07/14
178	Samantha Vincent	Bowling Green	Kentucky	42103	United States	07/07/14
179	Terri Bradshaw	St. Albans	West Virginia	25177	United States	07/07/14
180	Susan Saunders	Louisville	Kentucky	40241	United States	07/07/14
181	Shelly Drozd	Bondurant	Iowa	50035	United States	07/07/14
182	Priscilla SouthLynn	Cave Spring	Georgia	30080	United States	07/07/14
183	Amanda Ballengee	Nimitz	West Virginia	25978	United States	07/07/14
184	Johanna McInturff	Pipestem	West Virginia	25979	United States	07/07/14
185	Mia Addison	Athens	West Virginia	24712	United States	07/07/14
186	paula lopez	Monticello	New York	12701	United States	07/07/14

187	ralph sprouse	Salem	West Virginia	26426	United States	07/07/14
188	Leslie Burchfield	Rio Dell	California	95562	United States	07/07/14
189	Charlie Gipson	Arvada	Colorado	80005	United States	07/07/14
190	Cindy Hornstein	DeLand	Florida	32724	United States	07/07/14
191	Shawn Lyon	Orlando	Florida	32810	United States	07/07/14
192	Carol Cochran	Kansas City	Missouri	64138	United States	07/07/14
193	Tamara Lilly	Nimitz	West Virginia	25978	United States	07/07/14
194	Sarah Musnicky	Redondo Beach	California	90278	United States	07/07/14
195	Larra Winter	Charleston	West Virginia	25309	United States	07/07/14
196	Debra Thomas	South Bend	Indiana	46637	United States	07/07/14
197	Karen Pennington	Union Bridge	Maryland	21791	United States	07/08/14
198	Erin Campbell	Beckley	West Virginia	25801	United States	07/08/14
199	Linda Fox-Wasson	Salem	Oregon	97317	United States	07/08/14
200	Lois Harvey	Nimitz	West Virginia	25978	United States	07/08/14
201	Corey Leef	Smoot	West Virginia	24931	United States	07/08/14
202	narce sidener	cullom	Illinois	60929	United States	07/08/14
203	Alicia Morgan	Fairmont	West Virginia	26554	United States	07/08/14
204	Ginny High	Huntington	West Virginia	25705	United States	07/08/14
205	Shawn Grantham	Summersville	West Virginia	26651	United States	07/08/14
206	Melanie Burrer	Beckley	West Virginia	25801	United States	07/08/14
207	Laura Meadows	Rainelle	West Virginia	25962	United States	07/08/14
208	Kat Canto	Redding	California	96003	United States	07/08/14
209	Lynne Kawaminami	Gardena	California	90247	United States	07/08/14
210	Tammy Mabbitt Escue	Barboursville	West Virginia	25504	United States	07/08/14
211	Jamee Stover	Dunbar	West Virginia	25064	United States	07/08/14
212	Nikki Painter	Shady Spring	West Virginia	25918	United States	07/08/14
213	Rachel Beasley	Stanton	Kentucky	40380	United States	07/08/14
214	Sarah Alexander	Deltaville	Virginia	23043	United States	07/08/14
215	Bob Gilbert	Tempe	Arizona	85283	United States	07/08/14
216	Kim Kelley	Kingwood	West Virginia	26537	United States	07/08/14
217	Christine Stankovic	Toronto		M1M 2M5	Canada	07/08/14
218	Lora Blevins	Forest Hill	West Virginia	24935	United States	07/08/14

219	beth cooper	nimitz	West Virginia	25978	United States	07/08/14
220	Sofia Kirk	Jacksonville	Florida	32223	United States	07/08/14
221	jérôme demonsablon			61550	France	07/08/14
222	Tracy Marks	Coral Springs	Florida	33065	United States	07/08/14
223	Dawn Drnek	Ravenna	Ohio	44266	United States	07/08/14
224	Kristin Hulzinga	Hamilton		L0R 2H6	Canada	07/08/14
225	Harpreet Sangha	Kitchener		n2g 0a8	Canada	07/08/14
226	Helen Phoenix	Liverpool	England	L11 7BS	United Kingdom	07/08/14
227	Aundrea Marchionna	farmington hills	Michigan	48334	United States	07/08/14
228	andrea martin	daniels	West Virginia	25832	United States	07/08/14
229	Jason Walls	Charleston	West Virginia	25303	United States	07/08/14
230	Harley Williard	Liberty	West Virginia	25124	United States	07/08/14
231	Kayla Nida	Charleston	West Virginia	25304	United States	07/08/14
232	Tim Jones	Newton	West Virginia	25266	United States	07/08/14
233	Natalie Fedotov	Bayonne	New Jersey	7002	United States	07/08/14
234	Kaleigh Braughton	Grove City	Ohio	43123	United States	07/08/14
235	Diane Kofri	toronto		m4k 1n1	Canada	07/08/14
236	Jordan Beach	Huntington	West Virginia	25701	United States	07/08/14
237	Alexis Brown	Huntington	West Virginia	25701	United States	07/08/14
238	Nancy Harjo	Basile	Louisiana	70515	United States	07/08/14
239	annieloveswolves cawley	St. Joseph	Missouri	64503	United States	07/08/14
240	Jennifer Hall	Greeneville	Tennessee	37745	United States	07/08/14
241	Nina page	Charleston	West Virginia	25313	United States	07/09/14
242	Lauren Kozen	Boynton Beach	Florida	33472	United States	07/09/14
243	Teresa Stephenson	Belva	West Virginia	26656	United States	07/09/14
244	Jenna Gurvey	Glenview	Illinois	60026	United States	07/09/14
245	Amy Carr	Slanesville	West Virginia	25444	United States	07/09/14
246	Aaron Allen	Parkersburg	West Virginia	26104	United States	07/09/14
247	Leah Allen	Parkersburg	West Virginia	26104	United States	07/09/14
248	Leah Kendall	Vienna	West Virginia	26105	United States	07/09/14
249	Brenda Kendall	Vienna	West Virginia	26105	United States	07/09/14
250	Tina Kendall	Mineral Wells	West Virginia	26150	United States	07/09/14

251	Samantha Gibson	Cutler	Ohio	45724	United States	07/09/14
252	Melissa Hinton	St. Albans	West Virginia	25177	United States	07/09/14
253	scotty shorter	princeton	West Virginia	24740	United States	07/09/14
254	Mary Tomblin	Charleston	West Virginia	25311	United States	07/09/14
255	Carolyn Golden	Buckhannon	West Virginia	26201	United States	07/09/14
256	Joanna Von Bruton	Mill Creek	West Virginia	26280	United States	07/09/14
257	gerald troyer	St. Albans	West Virginia	25177	United States	07/09/14
258	De Zustergroepen	Tisselt	Nebraska	2830	United States	07/09/14
259	Edna Marks	Parkersburg	West Virginia	26101	United States	07/09/14
260	Kaylan Hunt	Grant Town	West Virginia	26574	United States	07/10/14
261	Christina Melton	Elkview	West Virginia	25071	United States	07/10/14
262	Stormy Moneymaker	Hampton	Virginia	23664-1106	United States	07/10/14
263	Marsha Stanek	Oregon	Wisconsin	53575	United States	07/10/14
264	nikki toney	stalbans	West Virginia	25177	United States	07/10/14
265	Brian friend	Oakland	Maryland	21550	United States	07/10/14
266	Debra Ann Velie	Poughkeepsie	New York	12601	United States	07/10/14
267	Phillip Johnson	Winfield	West Virginia	25213	United States	07/10/14
268	Frank Deeter	Nitro	West Virginia	25143	United States	07/10/14
269	Sami Signorino	Kokomo	Indiana	46902	United States	07/10/14
270	Sue Savage	St Louis	Missouri	63109	United States	07/10/14
271	Danielle Boudet	Morris	New York	13808	United States	07/10/14
272	SHERRIE JENKINS	BLUEFIELD	West Virginia	24701	United States	07/10/14
273	Nancy Greenlee	Cope	South Carolina	29038	United States	07/10/14
274	Jessica Clarke	Richmond	Virginia	23235	United States	07/10/14
275	Joy Lamb	Welch	West Virginia	24801	United States	07/10/14
276	Missy Omar	Daniels	West Virginia	25832	United States	07/10/14
277	Ella Hash	Bluefield	West Virginia	24701	United States	07/10/14
278	Norman Loving	Pineville	West Virginia	24874	United States	07/10/14
279	Keisha Davis	Bluefield	West Virginia	24701	United States	07/10/14
280	Kimberly Watson	Barboursville	West Virginia	25504	United States	07/10/14
281	William Zweyer	Kingwood	West Virginia	26537	United States	07/10/14
282	Katie Watson	Barboursville	West Virginia	25504	United States	07/10/14

283	Destiny Justice	Princeton	West Virginia	24740	United States	07/10/14
284	Austin Mullins	Huntington	West Virginia	25705	United States	07/10/14
285	kathy Duckworth	kingwood	West Virginia	26537	United States	07/10/14
286	Corey Dorsey	Barboursville	West Virginia	25504	United States	07/10/14
287	Kierstin Custer	Milton	West Virginia	25541	United States	07/10/14
288	Michelle Burchette	Princeton	West Virginia	24739	United States	07/10/14
289	Karen Grubb	Fairmont	West Virginia	26554	United States	07/10/14
290	Mary Kuhn	Barboursville	West Virginia	25504	United States	07/10/14
291	Amy Thayer	Charleston	West Virginia	25311	United States	07/10/14
292	Jade Chandler	charleston	West Virginia	25304	United States	07/10/14
293	Jason Robinson	CHARLESTON	West Virginia	25314	United States	07/10/14
294	Cecilio Cruz	Victoria	Texas	77901	United States	07/10/14
295	Kris Vaughn	Rixford	Pennsylvania	16745	United States	07/10/14
296	Jacob Van Natter	Harts	West Virginia	25524	United States	07/10/14
297	Myrande Thayer	Clendenin	West Virginia	25045	United States	07/10/14
298	Kimberly Garton	Alpine	California	91901	United States	07/10/14
299	Michael Dussault	Charleston	West Virginia	25311	United States	07/10/14
300	Victoria Adkins	Charleston	West Virginia	25302	United States	07/10/14
301	Sheri Hicks	Charleston	West Virginia	25304	United States	07/10/14
302	melissa heater	fairmont	West Virginia	26554	United States	07/10/14
303	Robert Berg	Charleston	West Virginia	25314	United States	07/10/14
304	Kari Mckenzie	Salamanca	New York	14779	United States	07/10/14
305	Nancy Pennington	Charleston	West Virginia	25314	United States	07/10/14
306	Laura Church	Jacksboro	Texas	76458	United States	07/11/14
307	Christopher Hicks	Charleston	West Virginia	25304	United States	07/11/14
308	Matthew Coffindaffer	Charleston	West Virginia	25302	United States	07/11/14
309	Daniel Rhodes	charleston	West Virginia	25301	United States	07/11/14
310	Todd Romesburg	Fairmont	West Virginia	26554	United States	07/11/14
311	Corey Adkins	Lesage	West Virginia	25537	United States	07/11/14
312	Amy Summers	Dunbar	West Virginia	25064	United States	07/11/14
313	Brandi Massey	Athens	West Virginia	24712	United States	07/11/14
314	Jarrod Lusk	Rock	West Virginia	24747	United States	07/11/14

315	mac Wayne	Charleston	West Virginia	25304	United States	07/11/14
316	Benjamin Grady	Saint Albans	West Virginia	25177	United States	07/11/14
317	Crystal Handschumacher	Charleston	West Virginia	25311	United States	07/11/14
318	Tyler DeMart	Olean	New York	14760	United States	07/11/14
319	Gower Cox	Charleston	West Virginia	25304	United States	07/11/14
320	Kara Cobun	Morgantown	West Virginia	26505	United States	07/11/14
321	Kirsten Reneau	Grafton	West Virginia	2354	United States	07/11/14
322	Nicole Allamon	Morgantown	West Virginia	26507	United States	07/11/14
323	Carrie Bates	Morgantown	West Virginia	26508	United States	07/11/14
324	Melinda Hatfield	Brenton	West Virginia	24818	United States	07/11/14
325	Andrew Kapaldo	Morgantown	West Virginia	26501	United States	07/11/14
326	Kiersten White	Kingwood	West Virginia	26537	United States	07/11/14
327	William McVicar	morgantown	West Virginia	26505	United States	07/11/14
328	Kris Haldeman	Everett	Washington	98203	United States	07/11/14
329	Jamie Cotton	St. Albans	West Virginia	25177	United States	07/11/14
330	Lisa Posey	Walkersville	West Virginia	26447	United States	07/11/14
331	Timothy Arthur	Huntington	West Virginia	25701	United States	07/11/14
332	Ariana Kincaid	Charleston	West Virginia	25314	United States	07/11/14
333	Michael Boehke	Clarksburg	West Virginia	26301	United States	07/12/14
334	Brandy Boehke	Clarksburg	West Virginia	26301	United States	07/12/14
335	Susie Chartrand	Matoaka	West Virginia	24736	United States	07/12/14
336	Lori Mezzano	BRUCETON MILLS	West Virginia	26525	United States	07/12/14
337	Alexa Schuler	Hanford	California	93230	United States	07/12/14
338	Corinna Blugel	Morgantown	West Virginia	26508	United States	07/12/14
339	Penny Swift	Punta Gorda	Florida	33950	United States	07/12/14
340	Loretta Lattea	Weston	West Virginia	26452	United States	07/12/14
341	Lynn Johnson	South Charleston	West Virginia	25303	United States	07/12/14
342	Edward Laurson	Denver	Colorado	80235	United States	07/12/14
343	Janis Bowen	McKinney	Texas	75071	United States	07/13/14
344	Joel Finley	Ogdensburg	New York	13669	United States	07/13/14
345	Carrie Altice	Mount Hope	West Virginia	25880	United States	07/13/14
346	Angela Duncan	Logan	West Virginia	25601	United States	07/13/14

347	Carmel Johnson	Omar	West Virginia	25638	United States	07/13/14
348	Melissa Hollar	Danese	West Virginia	25831	United States	07/13/14
349	Andrea Dillon	Daniels	West Virginia	25832	United States	07/13/14
350	Lynn Reed	Nimitz	West Virginia	25978	United States	07/13/14
351	William Reed	Nimitz	West Virginia	25978	United States	07/13/14
352	amy plumley	prosperity	West Virginia	25909	United States	07/13/14
353	Cab Wolford	Gilbert	West Virginia	25621	United States	07/13/14
354	Peggy Muschera Backus	Mount Gay-Shamrock	West Virginia	25637	United States	07/13/14
355	Elizabeth Walker	Beckley	West Virginia	25801	United States	07/13/14
356	Ron Cochran	Swanton	Ohio	43558	United States	07/13/14
357	Erica Sims	Georgetown	Kentucky	40324	United States	07/13/14
358	Hannah Stanford	Beckley	West Virginia	25801	United States	07/13/14
359	Debbie Johnson	Hurricane	West Virginia	25526	United States	07/13/14
360	James Cochran	Hinton	West Virginia	25951	United States	07/13/14
361	Stacey Conrad	Talcott	West Virginia	24981	United States	07/13/14
362	Della Allen	Crab Orchard	West Virginia	25827	United States	07/13/14
363	Michelle Garnes	Liberty	West Virginia	25124	United States	07/13/14
364	Carrie Petry	Ghent	West Virginia	25843	United States	07/13/14
365	Morgan Cox	Nitro	West Virginia	25143	United States	07/13/14
366	amy allen	Flat Top	West Virginia	25841	United States	07/13/14
367	MacKenzie KC	sebright		L0K1W0	Canada	07/13/14
368	Nancy Gill	Camp Creek	West Virginia	25841	United States	07/13/14
369	Elizabeth Turbyfill	Johnson City	Tennessee	37601	United States	07/13/14
370	Jacqueline Torres	Satellite Beach	Florida	32937	United States	07/13/14
371	Jo Milnes	Buckinghamshire	England	mk18 5ah	United Kingdom	07/13/14
372	Miia Gråsten	Oxie			Sweden	07/13/14
373	Briony Duke	Basildon	England	SS16 5QW	United Kingdom	07/13/14
374	Jennifer Allen	Annan	Scotland	DG12 6ND	United Kingdom	07/13/14
375	Catalina Burks	Kings Lynn	England	Pe32 2nn	United Kingdom	07/13/14
376	Adam Garton	Charleston	West Virginia	25387	United States	07/13/14
377	evan merrick	chlchester	England	cm9 8aa	United Kingdom	07/13/14
378	Moriah Peyinghaus	Columbia	South Carolina	29210	United States	07/13/14

379	Angela Workman	Lynco	West Virginia	24857	United States	07/13/14
380	elizabeth stonebraker	oceana	West Virginia	24870	United States	07/14/14
381	Hope Amsdilll	Hinton	West Virginia	25951	United States	07/14/14
382	joseph whitley	Norwich	England	NR3 1DJ	United Kingdom	07/14/14
383	Kris cooper	Coalton	West Virginia	26257	United States	07/14/14
384	Donna Cooper	Coalton	West Virginia	26257	United States	07/14/14
385	Macie Cooper	Morgantown	West Virginia	26508	United States	07/14/14
386	Amber Toler	Oceana	West Virginia	24870	United States	07/14/14
387	Kevin Shreve	Elkins	West Virginia	26241	United States	07/14/14
388	Bryan Wells	Chapmanville	West Virginia	25508	United States	07/14/14
389	Mandie Haught	Matheny	West Virginia	24860	United States	07/14/14
390	Janie Price	Matheny	West Virginia	24860	United States	07/14/14
391	Brian Lowe	Superior	Wisconsin	54880	United States	07/14/14
392	Melissa Graham	Forest Hill	West Virginia	24935	United States	07/14/14
393	C Hobbs	Southampton	England	So317dj	United Kingdom	07/14/14
394	Aled Jones	Merthyr Tydfil	Wales	CF47 8SU	United Kingdom	07/14/14
395	Brittany Mandeville	Crawley	West Virginia	24931	United States	07/14/14
396	Brian Gallaher	Morgantown	West Virginia	26508	United States	07/14/14
397	Patty Canter	Buckhannon	West Virginia	26201	United States	07/14/14
398	Diane Nott	Elyria	Ohio	44035	United States	07/14/14
399	Brandi Mackey	Bradford	Pennsylvania	16701	United States	07/14/14
400	Emily Phillips	Princeton	Indiana	47670	United States	07/14/14
401	Nicole Brown	Mallory	West Virginia	25634	United States	07/14/14
402	Cheyenne Hake	Holts Summit	Missouri	65043	United States	07/14/14
403	briana collins	North Ridgeville	Ohio	44039	United States	07/14/14
404	Dick Grayson	canoga park	California	91304	United States	07/14/14
405	Kirsten Koel	Fort Collins	Colorado	80526	United States	07/14/14
406	Ri Lee	TORRANCE	California	90503	United States	07/14/14
407	Dawn Gatewood	BATTLE CREEK	Michigan	49014	United States	07/14/14
408	Jessica Figart	Skiatook	Oklahoma	74070	United States	07/14/14
409	cindy coated	Hickory	North Carolina	28602	United States	07/14/14
410	Teresa Stillson	Fruitport	Michigan	49415	United States	07/14/14

411	Sarah Sasi	Boca Raton	Florida	33428	United States	07/14/14
412	karen whiddon	macon	Georgia	31204	United States	07/14/14
413	Danielle Heissenberg	Port St. Lucie	Florida	34983	United States	07/14/14
414	Elizabeth Holder	Mebane	North Carolina	27302	United States	07/14/14
415	Kirsty Griffith	San Antonio	Texas	78258	United States	07/14/14
416	Lori Brandt	Vista	California	92084	United States	07/14/14
417	Leandra Melton	Lehigh Acres	Florida	33973	United States	07/14/14
418	jennifer wickware	Oklahoma City	Oklahoma	73139	United States	07/14/14
419	Michelle Carpenter	Buckhannon	West Virginia	26201	United States	07/14/14
420	Ginny Buttray	Linesville	Pennsylvania	16424	United States	07/14/14
421	Lacey Sudduth	Springfield	Illinois	62703	United States	07/15/14
422	Corey Hardman	Huntington	West Virginia	25701	United States	07/15/14
423	Melissa Nutter	Parkersburg	West Virginia	26101	United States	07/15/14
424	Kurt Beckelman	Broken Arrow	Oklahoma	74014	United States	07/15/14
425	lawrence slagle	oxford	North Carolina	27565	United States	07/15/14
426	Terrie Teague	Marked Tree	Arkansas	72365	United States	07/15/14
427	Tracy McCartney	Philippi	West Virginia	26416	United States	07/15/14
428	Beth Wietor	Grand Rapids	Michigan	49506	United States	07/15/14
429	Monica Timothy	Hauppauge	New York	11788	United States	07/15/14
430	Ashley Vizenor	Chino	California	91710	United States	07/15/14
431	Michelle Donlick	Wagener	South Carolina	29164	United States	07/15/14
432	Cynthia McFaul	Seabrook	South Carolina	29940	United States	07/15/14
433	Whitney Davis	Hurricane	West Virginia	25525	United States	07/15/14
434	Amy Miller	Greenup	Kentucky	41144	United States	07/15/14
435	Mark Sheneman	Thompson	Connecticut	6255	United States	07/15/14
436	Lori Reed	Ridgeville	South Carolina	29472	United States	07/15/14
437	Kay k.henline	Roanoke	West Virginia	26447	United States	07/15/14
438	Carol Koltz	Golden	Colorado	80403	United States	07/15/14
439	Brad Boucher	Pontiac	Michigan	48341	United States	07/15/14
440	Daliya Mameza	Pontiac	Michigan	48341	United States	07/15/14
441	Kathy Woody	Buckhannon	West Virginia	26201	United States	07/15/14
442	Heather Parke	Buckhannon	West Virginia	26201	United States	07/15/14

443	Shay Woody	Buckhannon	West Virginia	26201	United States	07/15/14
444	Kimberly Hamner	Buckhannon	West Virginia	26201	United States	07/15/14
445	Autumn Harlow	Buckhannon	West Virginia	26201	United States	07/15/14
446	tabitha hamner-phillips	Buckhannon	West Virginia	26201	United States	07/15/14
447	Angela Howes	Lumberport	West Virginia	26386	United States	07/15/14
448	Christina Ball	Winfield	West Virginia	25213	United States	07/15/14
449	Stephanie Weidman	Clairton	Pennsylvania	15025	United States	07/15/14
450	James DeViese	Oak Hill	West Virginia	25901	United States	07/15/14
451	Elaine Serafini	L'Ile-Cadieux		J7V8P3	Canada	07/15/14
452	Lauren Miller	Coto de Caza	California	92679	United States	07/15/14
453	Kristine Alessio	El Cajon	California	92021	United States	07/15/14
454	LINDA HAMJSTEAD	MIAMI	Florida	331332	United States	07/15/14
455	Denise Hardman	Buckhannon	West Virginia	26201	United States	07/15/14
456	Lysa Stark	Fountain Valley	California	92708	United States	07/15/14
457	Emily Marshall	Longview	Texas	75602	United States	07/15/14
458	Stormi May	Williamston	South Carolina	29697	United States	07/15/14
459	Ashley Bolles	Lakewood	Washington	98499	United States	07/15/14
460	Jennifer Luker	Winchester	California	92596	United States	07/15/14
461	Tammy Fleming	Columbia	Missouri	65203	United States	07/15/14
462	Angela Dabo	ft myers	Florida	33901	United States	07/15/14
463	Shannon Blea	Santa Fe	New Mexico	87505	United States	07/15/14
464	Heatherjo Blake	Mount Nebo	West Virginia	26679	United States	07/15/14
465	Nancy Boudreau	Montréal		J7T 3H9	Canada	07/15/14
466	Coleen Gladstone	Valley Center	California	92082	United States	07/15/14
467	kami hamons	Rainelle	West Virginia	25962	United States	07/15/14
468	Richard Tramblay	Carpentersville	Illinois	60110	United States	07/15/14
469	Erica Bradley	Mabscott	West Virginia	25871	United States	07/15/14
470	Michael Wilson	Surprise	Arizona	85374	United States	07/15/14
471	Jeremy Ray	Charleston	West Virginia	25311	United States	07/16/14
472	Karen Boudreau	Vaudreuil-Dorion		J7V0L3	Canada	07/16/14
473	Jessica Seabolt	St. Albans	West Virginia	25177	United States	07/16/14
474	Lynda Bootle	Summerville	South Carolina	29483	United States	07/16/14

475	Christine Kinder	Hometown	West Virginia	25109	United States	07/16/14
476	William Davis	Huntington	West Virginia	25703	United States	07/16/14
477	John Violette	Ottawa		k1k 1k4	Canada	07/16/14
478	Candice Holliday	BECKLEY	West Virginia	25801	United States	07/16/14
479	Michaela Lessler	Scottsdale	Arizona	85255	United States	07/16/14
480	laura raforth	rochester	New York	14624	United States	07/16/14
481	shannon ross	Los Angeles	California	90731	United States	07/16/14
482	Alan Lambert	Gibsonburg	Ohio	43431	United States	07/16/14
483	Rachel Vallejo	palmdale	California	93551	United States	07/16/14
484	Rachel Albert	Denver	Colorado	80231	United States	07/16/14
485	Katherines Sanders	Haiku	Hawaii	96779	United States	07/16/14
486	Romteenf Borhani	Sherman Oaks	California	91411	United States	07/16/14
487	Peter Mulshine	Phillipsburg	New Jersey	8865	United States	07/16/14
488	Melissa Jimenez	San Lorenzo	California	94580	United States	07/16/14
489	H Stoll	Spring Creek	Nevada	89815	United States	07/16/14
490	Nathalie vejar	pc	Florida	33948	United States	07/16/14
491	Samantha McConnell	London	England	E174NE	United Kingdom	07/16/14
492	Sally Morales	Novato	California	94949	United States	07/16/14
493	Valentina Vilos	Wichita	Kansas	67205	United States	07/16/14
494	Annalee Osborn	Birmingham	Alabama	35242	United States	07/16/14
495	Daniel Nyman	Carmichael	California	95608	United States	07/16/14
496	Terrin Cappello	Simi Valley	California	93065	United States	07/16/14
497	Ginger Lamb	Burbank	California	91504	United States	07/16/14
498	Jesse Wolfe	college station	Texas	77840	United States	07/16/14
499	Roisin Shanahan	Hollis	New York	11423	United States	07/16/14
500	mahshid shahbaz	Tehran	Alabama		United States	07/16/14
501	Jesse Farrell	Newton Centre	Massachusetts	2459	United States	07/16/14
502	melanie acas	Chino	California	91708	United States	07/16/14
503	Chris Rasmussen	Woodbridge	Virginia	22193	United States	07/16/14
504	Georgia Avaritt	Chandler	Arizona	85225	United States	07/16/14
505	Candy LeBlanc	Placerville	California	95667	United States	07/16/14
506	Bobbie D. Flowers	New York	New York	10011	United States	07/16/14

507	undine donagi	ludowici	Georgia	31316	United States	07/16/14
508	charlotte hamilton	sandiego	California	375839	United States	07/16/14
509	s k	Suwanee	Georgia	30024	United States	07/16/14
510	BETTY MPOYZOYDI	TSESSALONIKI	Idaho	54634	United States	07/16/14
511	William Wells	Los Angeles	California	90035	United States	07/16/14
512	Abdulah Mohamed				Indonesia	07/16/14
513	Cinamon Hofman	Superior	Wisconsin	54880	United States	07/16/14
514	Aranym Costa Pisante	Curitiba	Puerto Rico	80540060	United States	07/16/14
515	sara smith	Alderson	West Virginia	24910	United States	07/16/14
516	stanley b dingess	Elkview	West Virginia	25071	United States	07/16/14
517	Roger Miller II	Milwaukee	Wisconsin	53007	United States	07/16/14
518	Mary Slate	Mesa	Arizona	85203	United States	07/16/14
519	Lori Bennett	Fayetteville	West Virginia	25840	United States	07/16/14
520	Kathy Stone	Torrance	California	90505	United States	07/16/14
521	Rhonda Paulson	Salem	Oregon	97317	United States	07/16/14
522	shawn cooper	Coalton	West Virginia	26257	United States	07/16/14
523	Lorraine Stevens	Alexandria	Virginia	22306	United States	07/17/14
524	George Ayers	Fort Mitchell	Kentucky	41017	United States	07/17/14
525	Susan Adkins	Huntington	West Virginia	25704	United States	07/17/14
526	Cassie Hughes	Spencer	Tennessee	38585	United States	07/17/14
527	James Rice	Ballground	Georgia	30107	United States	07/17/14
528	Dana Craig	Norwood	Massachusetts	2062	United States	07/17/14
529	cunha laura	simcoe		l1j 6s6	Canada	07/18/14
530	Joyce Sidell	Greenup	Kentucky	41144	United States	07/18/14
531	Megan Blazer	Crown City	Ohio	45623	United States	07/19/14
532	Ivona Semenkova	Providence			Canada	07/19/14
533	Kayle Blaszczak	Eastlake	Ohio	44095	United States	07/19/14
534	Callie Hodges	Garden City	Missouri	64747	United States	07/19/14
535	Marsha adams	Lehigh Acres	Florida	33974	United States	07/19/14
536	Crystal Underwood	Roanoke	Virginia	24014	United States	07/19/14
537	Andrea Lloyd	Martinsburg	West Virginia	22624	United States	07/19/14
538	Evelyn Lake	Proctorville	Ohio	45669	United States	07/19/14

539	Connie Small	Vincennes	Indiana	47591	United States	07/19/14
540	cierra sales	Ravenswood	West Virginia	26164	United States	07/19/14
541	Emily Morton	San Marcos	Texas	78666	United States	07/19/14
542	Siara Needham	Bay City	Texas	77414	United States	07/19/14
543	Jazmine Maddox	Virginia Beach	Virginia	23453	United States	07/19/14
544	Stephanie Gratton	Goshen	Indiana	46528	United States	07/19/14
545	Sherrie Matthews	Phoenix	Arizona	85041	United States	07/19/14
546	Amanda Cortez	Portland	Texas	78374	United States	07/19/14
547	mark simons	ellenville	New York	12428	United States	07/19/14
548	Samantha Fixmer	Cincinnati	Ohio	45238	United States	07/19/14
549	Angelica Tuttle	Spencer	Virginia	24165	United States	07/19/14
550	Amber Minter-Owsiany	Hartwell	Georgia	30643	United States	07/19/14
551	Kelby criswell	valrico	Florida	33525	United States	07/20/14
552	Yvonne Savaikis	Meriden	Connecticut	6450	United States	07/20/14
553	Carrie miller	La Vergne	Tennessee	37086	United States	07/20/14
554	Jonalle snay	Fort Wayne	Indiana	46819	United States	07/20/14
555	Kareen W	Goshen	Indiana	46526	United States	07/20/14
556	Tracy Kukkonen	Cambridge	Massachusetts	2139	United States	07/20/14
557	Kay K	norfolk	Virginia	23503	United States	07/20/14
558	Elizabeth Scott	Winfield	West Virginia	25213-9666	United States	07/20/14
559	Jazy V.	Kerrville	Texas	78028	United States	07/20/14
560	Kristen Veit	Portland	Texas	78374	United States	07/20/14
561	Ian yarber	Fayetteville	West Virginia	25840	United States	07/20/14
562	Autumn Shepherds	Jumping Branch	West Virginia	25969	United States	07/20/14
563	billie ray	bluff city	Tennessee	37618	United States	07/20/14
564	cindy brown	davin	West Virginia	25617	United States	07/20/14
565	jack brown	davin	West Virginia	25617	United States	07/20/14
566	ashton brown	davin	West Virginia	25617	United States	07/20/14
567	Emily Chattin	davin	West Virginia	25617	United States	07/20/14
568	renea brown	davin	West Virginia	25617	United States	07/20/14
569	Adam Cooper	Milwaukee	Wisconsin	53215	United States	07/20/14
570	Mariah Carney	San Marcos	Texas	78666	United States	07/21/14

571	Pamela Zingler	Huntington Beach	California	92648	United States	07/21/14
572	Patricia Long	St Helens	Oregon	97051	United States	07/21/14
573	Pat W	Itasca	Illinois	60143	United States	07/21/14
574	Jeanette Boyce	Sutton	West Virginia	26601	United States	07/22/14
575	Valeri Sprouse	Glenville	West Virginia	26351	United States	07/22/14
576	mark williams	gallipolis ferry	West Virginia	25515	United States	07/22/14
577	Laura Lee Slusher	Speedwell	Tennessee	37870	United States	07/23/14
578	Stephanie Aloisi	Moore	South Carolina	29369	United States	07/23/14
579	Richard Martinez	Apache Junction	Arizona	85120	United States	07/23/14
580	Phillip Buff	Seattle	Washington	98102	United States	07/23/14
581	jamie Vaughan	Atkinson	Nebraska	68713	United States	07/23/14
582	dawn berry	Lambertville	Michigan	48144	United States	07/23/14
583	Marla Benoit	Patterson	Louisiana	70392	United States	07/23/14
584	Joshua Ambrose	Covington	Virginia	24426	United States	07/23/14
585	Rebecca Gomez	Columbia	Tennessee	38401-7742	United States	07/23/14
586	jamie jeffries	Gay	West Virginia	25244	United States	07/23/14
587	Tina Gosnell	Delray	West Virginia	26714	United States	07/23/14
588	georgeann stangle	Keedysville	Maryland	21756	United States	07/23/14
589	Sara Douglass	Auburn	New York	13021	United States	07/23/14
590	Leona Moore	Clarksville	Tennessee	37042	United States	07/23/14
591	LESLEY Lankford	Lindside	West Virginia	24951	United States	07/23/14
592	kelly kerns	Paw Paw	West Virginia	25434	United States	07/23/14
593	barbara perego	chesapeake	Ohio	45619	United States	07/23/14
594	Nicole Wells	Evansville	Indiana	47710	United States	07/24/14
595	Pam Boland	Grovetown	Georgia	30813	United States	07/24/14
596	edie derman	marlton	New Jersey	8053	United States	07/24/14

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Sandra R. Snodgrass V.T.

Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Kathryn J. Bauman Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Scott A. Smalley Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Natasha Dawson Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Cindy Newhouse Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Amphiba (Amphibians)	ALL salamanders, newts, axolotls, etc. ALL clawed frogs ALL tree frogs ALL toads	Salmonella and other diseases amphibians can possibly carry are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure. Salmonella is not a new thing in the animal world, and pet owners have had to deal with it for a long time. To be affected by their toxins you would literally have to lick or eat the animal. Many amphibians kept in captivity would not be able to live in West Virginia, as most non-native species couldn't survive in West Virginia's climate. Native amphibians are regulated by the WV DNR.
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Sincerely, 7/17/14 Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

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West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Susan Smalley Dunbar, WV

West Virginia Department of Agriculture
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Sincerely,

Rachel L. Elswick, RVT Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Ashley M. Mes, RVT, Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Danielle R Cole VT

Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Rachel Carey

Dunbar, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Patricia Baker Newton, WV 7-16-14

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Newton, WV

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1900 Kanawha Blvd, East
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Sincerely,

Christopher P. [illegible]

Dunbar, West Virginia

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

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Sincerely,

Angelica

Charleston

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Christina L. Harper
Cedar Grove, WV 25086

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,
Melissa Wicker
St. Albans

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Erin Pitt

Charleston
25303

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Mary Helen Beafore
Wtrg wv

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Kay Mann
St. Albans, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

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ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
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Sincerely,

Patti Ross

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Morgan Ross

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Charles Fenell

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Sincerely,

Drema Taylor, I Love my Animals
I have sugar glider's, prarie dog's
They would die in the wild, they are
not wild, dangerous, They all Love me,

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Kimberly A. Spurlock

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Comments

Name	Location	Date	Comment
Patrick Montgomery	LINN, WV	2014-07-05	I've been an owner of several of the pets listed, and I believe they've been wrongly labeled a 'danger'.
Erandi Herrera	SML, Mexico	2014-07-05	cause we are in their habitat, we are the ones we need to change and be aware that they live there firts
Kim Rayburn	Winfield, WV	2014-07-05	I feel that the exotic and dangerous animal list is wrong. I understand banning alligators, bears, poisonous snakes and the like, but tropical fish is absolutely ridiculous. Not to mention some of the other animals on the list.
marlanna trent	Huntington, WV	2014-07-05	Really a frog!!!
Brynn Goff	Cross Lanes, WV	2014-07-05	I currently have 3 bunnies and an African Pygmy Hedgehog. They arent dangerous, in fact they are cute and very loving!
charles king	cross lanes, WV	2014-07-05	I keep aquariums and the loss of tetras, such as neons, cardinals, and serpae would be detrimental to my tanks. These small fish are harmless to humans and other animals and cannot survive in WV waters.
Matt Bradley	Charleston, WV	2014-07-05	This is one of the least informed, uneducated lists I have ever saw created. This atrocity is an insult to both people and the animals themselves. There is no data nor logic supporting the claims of "dangerous" for the vast majority of these creatures other than, "let us find something else to make money off of."
Jay Myers	Fairmont, WV	2014-07-05	This is completely ridiculous and just another money grab by the state. A bunny rabbit is dangerous? Someones been watching too much Monty Python and the Holy Grail!!!
Stephen Ash	Clarksburg, WV	2014-07-05	This is one of the most ridiculous things I have ever seen. Sure, outlaw a manatee, but turtles and gerbils? Whoever is on this board needs to be removed ASAP.
RiAnnon Ash	Clarksburg, WV	2014-07-05	It is crazy, many of the animals on the list are not a invasive nor dangerous. Gerbils, hamsters, rabbits.....making money on many children's first pets.
Melissa Toler-Cain	monongah, WV	2014-07-06	They are part of our world!!!!!!!!!!
Vicki Boggess	Hurricane, WV	2014-07-06	Please do not ban sugargliders
Christal Gibson	Alum Bridge, WV	2014-07-06	Personally think this bill needs to be rethought, just ridiculous.
Mike Moore	Weston, WV	2014-07-06	animals are not dangerous but some of them are friendly.
Goldie Radcliff	weston, WV	2014-07-06	I THINK THE LIST IS BULL BECAUSE SOME OF THOSE ANIMALS ARE NOT DANGEROUS IT IS JUST HOW PEOPLE RAISE THEM , I THINK WE SHOULD BE ALOUD TO HAVE SUGAR GLIDERS ,HEDGE HOGS AND ANIMALS SUCH AS THAT ,IF WE ARE THE ONES THAT PAID FOR THEM AND TAKE CARE OF THEM AND THEY ARE CAGED PROPERLY THEN THERE SHOULD'NT BE A PROBLEM WITH OWNING THEM
Mari Moore	Weston, WV	2014-07-06	Because I love my animals and I take good care of them. Plus they r not hurting no one. Plus I live in America I should be able to live free.
joe strauss	peterstown, WV	2014-07-06	poorly written, politically motivated, no definitions of rulemaking authority, we will join lawsuit against commissioner on public and in private suits
tiffany bachman	Volga, WV	2014-07-06	I think this is ridiculous we have owed pets on this list for decades!!!! As long as the PET is taken care of it should be legal
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Leah Hickman	Parkersbrurg, WV	2014-07-09	Because this list has lots of animals on it that are NOT dangerous in anyway shape or form! It also includes several farm animals that people depend on in order to survive! It's rediculous and just another way for the fat cats to get fatter, and further cushion their pockets!

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Melissa Hinton	St. Albans, WV	2014-07-09	This is an unreasonable list. There are plenty of animals that are harmless that are getting added to this list. It is the government overstepping their boundaries again. And I believe that it is just another way to tax, or fine, people. And to try to control our private lives.
Scotty Shorter	Princeton, WV	2014-07-09	i have owed salt water tanks in past and puffer fish and trigger fish were part of my tank....plus i have done much business with the 3 local pet shops in the area and this law will unemploy many people.
Joanna Von Bruton	Mill Creek, WV	2014-07-09	My father has raised and sold rabbits for years. This would be a huge problem for him if he had to pay $100 each to own them! They are not dangerous at all, nor would they be invasive since rabbits already exist in the wild in WV.
gerald troyer	St. Albans, WV	2014-07-09	not all animals are dangerous
brian friend	oakland, MD	2014-07-10	The pet store industry is very important to me and I think that this would greatly affect it in a negative way.
SHERRIE JENKINS	BLUEFIELD, WV	2014-07-10	I own some of these animals and you should have seen my kids faces when I told them and here them beg me to pay so they would not have to get rid of their "babies".
Joy Lamb	Welch, WV	2014-07-10	People should be able to have the kind of pet they want, as long as they keep track of it, and don't let it hurt others.
Kimberly Watson	Barboursville, WV	2014-07-10	My daughter & many other children raise rabbits as a 4H project. I can assure you the rabbits are not dangerous .
Katie Watson	Barboursville, WV	2014-07-10	I raise rabbits as a 4-H project and have for the last nine years and will no longer be able to if this bill is passed. I can say with one hundred percent certainty that rabbits are not dangerous.
C. J. Hicks	Chaeleston, WV	2014-07-11	I believe that if a person is responsible, and understands the needs of some said animals, and can help educate about them, then they should be able to keep those animals safe and taken care of.
Gower Cox	Charleston, WV	2014-07-11	Because this bill is just ridiculous. Every kid should be able to have a pet they caught like a frog or turtle. Then you got fish? Rabbits? Sugar Gliders? Hedgehogs? Really? There are more important things to worry about then someone having a pet. But no, you just want to add on to more things that take our FREEDOM away here in America. Now we can't own pets.
Kara Cobun	Morgantown, WV	2014-07-11	As a keeper of aquariums, this Bill could be very detrimental both to my own tanks and the stores that I rely on to make purchases for my tanks. While the Bill has potential to do good for many animals that currently suffer in backyard "zoos", revision is needed to lessen the scope of the individual species that fall under the ban.
Mike B	Clarksburg, WV	2014-07-12	My 9 year old son has learned a great deal about reptiles and amphibians through catching, observing, researching, and finally releasing (where they were caught) such small animals as toads, frogs, salamanders, and newts. To require someone to pay a fee (or tax) on ownership would seriously decrease his and other inquisitive kids learning and growth.
Brandy Boehke	Clarksburg, WV	2014-07-12	Many of the animals on this list, including salamanders, frogs, and turtles, are in no way dangerous to humans or other animals. Proper hand washing would eliminate any health hazards. The inclusion of these animals on the list would negatively affect the many hobbyists who enjoy owning and observing these animals. The intention behind the list is good, but many of these animals do not belong on a list containing zoo animals.

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lynn johnson	Charleston, WV	2014-07-12	the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity. This is just CRAZY!!!
Carrie Altice	Mount Hope, WV	2014-07-13	This bill is absolutely ridiculous. As a working, tax-paying citizen who owns pets I find this intrusive and offensive.
Lynn Reed	Nimitz, WV	2014-07-13	There are animals on this list that should not be!
William Reed	Nimitz, WV	2014-07-13	Animals on the list that are not dangerous!!
Elizabeth Turbyfill	Hampton, TN	2014-07-13	I cannot support the restriction of freedoms.
Jo Milnes	Buckinghamshire, United Kingdom	2014-07-13	This is not realistic! This will harm business put people out of work and have a devastating effect on peoples lives.
evan merrick	chichester, United Kingdom	2014-07-13	everyone desoves the right to keep these animals not all animals are dangerose they are just like humans but in a diffrent form and by putting a ban on them is how people think will stop deaths more people are killed in cars every year then animals so why dont we band cars I think you see my piont everyone can look after any animal safly and make sure it has a good long happy life there is no need to ban serton animals as pets
Moriah Peyinghaus	Columbia, SC	2014-07-13	I am a reptile owner, responsible hobby gerbil breeder/owner.
Brian Lowe	Superior, WI	2014-07-14	This is one more attempt by the Satanic Federal 5th Column One World Order Government to exercise their will over the private citizen(s), and this time at the cost of the small animals that depend on humans to care for them, by claiming these animals are dangerous; a frog and a gerbil dangerous; the danger presented by animals like frogs, salamanders, and gerbils is equal to the danger presented by second hand smoke, third hand smoke, and fourth hand smoke, and those dangers are also "NON-EXISTENT." These people, politicians, and these lawyers need to get a life instead of making their livings on frivolous legislation with the intent of keeping them in the court room in order to keep their pay checks coming in.
Patty Canter	Buckhannon, WV	2014-07-14	I feel that non human primates such as the tiny marmoset, the sugar glider and hedgies should not be banned! How many people have been killed by one of these. Many people in WV have the 16oz marmoset, and consider this to be a family member!
Diane Nott	Elyria, OH	2014-07-14	It is very important to not let the government know that we will not accept the proposed bill as is. It is not fair to the hobbyists. Many of the animals listed are exotic but in no way dangerous.
Nicole Brown	Mallory, WV	2014-07-14	Trying to take our rights as animal owners. State trying to take hardworking peoples money! Pathetic!!!
Jessica Figart	Skiatook, OK	2014-07-14	This stupidity is spreading like wildfire and I want it to be nipped in the bud and not come to my state as well.
Elizabeth Holder	Mebane, NC	2014-07-14	Owning exotic pets gives joy to many people. Making it where people can no longer own these special pets will not only cause more homeless animals but will cause the parents of these animals to be deeply saddened.
Corey Hardman	Huntington, WV	2014-07-15	Because I don't see any non-dangerous animal as a dangerous threat. This is, by far, the largest misuse of tax payer money, time, and energy in the existence of humanity. Instead of legalizing medical marijuana, make it harder to get prescription drugs, regulate gun control you come out with this polished gem. Way to protect us from gerbils, tetra fish, and sugar gliders. As harmful as they are.

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Tracy McCartney	Philippi, WV	2014-07-15	We as USA citizens has the right to own what ever we choose to own it's a free country we are very responsible owners of our animals even to our exotic babies so please just leave us alone we don't bother anyone .
Michelle Donlick	Wagener, SC	2014-07-15	I do not believe these restrictions are fair, nor educated. A blanket leglisation is a shame and many rules set in are biased. Please do not make healthy, good animals and their owners suffer this agenda.
Mark Sheneman	Manassas, VA	2014-07-15	I can't believe this is even real. What type of pets should you children grow up with? Honestly the impact this will have on our future children and their children.
Christina Ball	Winfield, WV	2014-07-15	The list is ridiculous, especially consider a lot of the animals are native inhabitants of WV. I don't feel that Tetra fish or hedgehogs are really going to attack and kill someone.
Elaine Serafini	L'Ile-Cadieux, Canada	2014-07-15	I've never seen such a frivolous ban.
LINDA HAMJSTEAD	MIAMI, FL	2014-07-15	TRYING TO GET SAVANNAH CATS EXEMPT FROM THE BILL. THEY ARE BREED FOR WILD LOOKS BUT THEY ARE DOMESTIC CATS, THEY PURR, PLAY WITH TOYS AND MAKE THE BEST COMPANIONS FOR ME MANY OF US THAT A HANDICAP LOVE CATNIP. THEY AREN'T WILD ANIMALS . THEY ARE EXPENSIVE ANIMALS AN WON'T MATE WITH FERAL CATS, MALES ARE STERILE UNTIL 5 GENERATION, THE SAVANNAH RESCUE GROUP HAS A WAITING LIST OF 10,00 PROSPECTIVE OWNERS GENERATION . THEY AREN'T FOUND IN SHELTERS OGTTE BECAUSE OWNERS PRIDE OUR SELF WITH THE CARE WE PROVIDE OUR CATS .. THEY REALLY SHOULDN'T BE CONSIDERED A DANGER TO ANYONE UNLESS THEY FALL IN LOVE WITH THEM ..
Denise Hardman	Buckhannon, WV	2014-07-15	This bill while necessary for a few species is entirely too inclusive. Several common family pets have been thrown in as hazardous. Crazy and a poor representation of public interests.
Lysa Stark, DC	Huntington Beach, CA	2014-07-15	They are trying to do this in CA as well. Our cats are not dangerous wild animals. They are beloved family members who are wonderful companions and are loyal, intelligent, and fun-loving animals. They are not a danger to other pets, small children, or old ladies.
Heatherjo Blake	Mt Nebo, WV	2014-07-15	It's ridiculous! Turtles? Really?
Lynda Bootle	Summerville, SC	2014-07-16	Many of the animals listed here are far from dangerous and should not be banned...There are far too many of these animals that would have to die needlessly not to mention the hearts that would be broker having to give up their beloved pets.
William Wells	La Mirada, CA	2014-07-16	Is there really an act that says people can't keep hamsters in their home? Or a trigger fish in their aquarium? It's ridiculous.
Ivona Semenkova	Vilnius, Lithuania	2014-07-19	I keep rats as pets and they are NOT dangerous in any way. This is absurd.
stephanie gratton	Goshen, IN	2014-07-19	Sugar gliders should NOT be on this list. They r wonderful pets and not dangerous. If this passes thousands of sugar gliders with be left homeless.
Sherrie Matthews	Phoenix, AZ	2014-07-19	This is a ridiculous law....they need to be removed. Don't they have anything better to do with their time?
Amber Minter-Owsiany	Hartwell, GA	2014-07-19	I own Sugar Gliders and am planning on moving back to Ohio soon. Also if this passes it's highly possible other states will follow their lead. Those of us who own gliders know and love them this is absurd.

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Kay K	norfolk, VA	2014-07-20	Suger Gliders i no way or form should be on that form they are the sweetest pets. Most animals on there should not be (Unless poisonous) or really do pose a threat to people. Dogs are more vicious and dangerous then all animals on this list.
Autumn Shepherds	Jumping Branch, WV	2014-07-20	The original proposed list is too far reaching and prohibits far too many animals that are absolutely not a danger to human or ecosystem.
Adam Cooper	Pardeeville, WI	2014-07-20	As an aquarist, and a reptile/amphibian enthusiast, West Virginia is making a very silly move. I have considered West Virgina a potential location for graduate school, but will not relocate to a place where my hobby is effectively outlawed. This list does not reflect an understanding of the actual impact of commonly kept animals on the environment (Tetras, for example, would certainly die if let free in a West Virgina waterway and are unlikely to carry foreign parasites). The West Virgina Department of Agriculture proposes to protect its waterways in potentially the laziest manner and would negatively impact aquarists, and reptile and amphibian keepers like myself who live in West Virginia. I would propose that the West Virgina Department of Agriculture should actually demonstrate the probability of harm for any of the species it wishes to ban.
Jeanette Boyce	Sutton, WV	2014-07-22	Ferrets are a completely domesticated species and would not survive in the wild. They are no more a dangerous wild animal than a guinea pig or dog.
Valeri Sprouse	Glenville, WV	2014-07-22	I have raised rabbits for over 15 years, and also have had turtles, frogs, and other little pets throughout my lifetime. They are not dangerous at all. Quite frankly, they are amazing little creatures that teach responsibility and give pleasure to those of us who love them. Why deprive future children and those of us who enjoy a hobbie of raising small animals? There is no reason. This bill was very vague, ill written, and not thought out well. I can understand a lion, but a bunny! Where is the logic?!

Comments

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Patrick Montgomery	LINN, WV	2014-07-05	I've been an owner of several of the pets listed, and I believe they've been wrongly labeled a 'danger'.
Erandi Herrera	SML, Mexico	2014-07-05	cause we are in their habitat, we are the ones we need to change and be aware that they live there firts
Kim Rayburn	Winfield, WV	2014-07-05	I feel that the exotic and dangerous animal list is wrong. I understand banning alligators, bears, poisonous snakes and the like, but tropical fish is absolutely ridiculous. Not to mention some of the other animals on the list.
marlanna trent	Huntington, WV	2014-07-05	Really a frog!!!
Brynn Goff	Cross Lanes, WV	2014-07-05	I currently have 3 bunnies and an African Pygmy Hedgehog. They arent dangerous, in fact they are cute and very loving!
charles king	cross lanes, WV	2014-07-05	I keep aquariums and the loss of tetras, such as neons, cardinals, and serpae would be detrimental to my tanks. These small fish are harmless to humans and other animals and cannot survive in WV waters.
Matt Bradley	Charleston, WV	2014-07-05	This is one of the least informed, uneducated lists I have ever saw created. This atrocity is an insult to both people and the animals themselves. There is no data nor logic supporting the claims of "dangerous" for the vast majority of these creatures other than, "let us find something else to make money off of."
Jay Myers	Fairmont, WV	2014-07-05	This is completely ridiculous and just another money grab by the state. A bunny rabbit is dangerous? Someones been watching too much Monty Python and the Holy Grail!!!
Stephen Ash	Clarksburg, WV	2014-07-05	This is one of the most ridiculous things I have ever seen. Sure, outlaw a manatee, but turtles and gerbils? Whoever is on this board needs to be removed ASAP.
RiAnnon Ash	Clarksburg, WV	2014-07-05	It is crazy, many of the animals on the list are not a invasive nor dangerous. Gerbils, hamsters, rabbits.....making money on many children's first pets.
Melissa Toler-Cain	monongah, WV	2014-07-06	They are part of our world!!!!!!!!!!
Vicki Boggess	Hurricane, WV	2014-07-06	Please do not ban sugargliders
Christal Gibson	Alum Bridge, WV	2014-07-06	Personally think this bill needs to be rethought, just ridiculous.
Mike Moore	Weston, WV	2014-07-06	animals are not dangerous but some of them are friendly.
Goldie Radcliff	weston, WV	2014-07-06	I THINK THE LIST IS BULL BECAUSE SOME OF THOSE ANIMALS ARE NOT DANGEROUS IT IS JUST HOW PEOPLE RAISE THEM , I THINK WE SHOULD BE ALOUD TO HAVE SUGAR GLIDERS ,HEDGE HOGS AND ANIMALS SUCH AS THAT ,IF WE ARE THE ONES THAT PAID FOR THEM AND TAKE CARE OF THEM AND THEY ARE CAGED PROPERLY THEN THERE SHOULD'NT BE A PROBLEM WITH OWNING THEM
Mari Moore	Weston, WV	2014-07-06	Because I love my animals and I take good care of them. Plus they r not hurting no one. Plus I live in America I should be able to live free.
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Jason Walls	Charleston, WV	2014-07-08	This list is far too broad and included animals that are not harmful in any way.
Aaron Allen	Parkersburg, WV	2014-07-09	I do not feel or see how many of the proposed animals on the list are in any way dangerous to humans or the environment.I also feel that this is just a ploy to collect more tax money from the citizens of an already overtaxed state.
Leah Hickman	Parkersbrurg, WV	2014-07-09	Because this list has lots of animals on it that are NOT dangerous in anyway shape or form! It also includes several farm animals that people depend on in order to survive! It's rediculous and just another way for the fat cats to get fatter, and further cushion their pockets!

Name	Location	Date	Comment
lynn johnson	Charleston, WV	2014-07-12	the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity. This is just CRAZY!!!
Carrie Altice	Mount Hope, WV	2014-07-13	This bill is absolutely ridiculous. As a working, tax-paying citizen who owns pets I find this intrusive and offensive.
Lynn Reed	Nimitz, WV	2014-07-13	There are animals on this list that should not be!
William Reed	Nimitz, WV	2014-07-13	Animals on the list that are not dangerous!!
Elizabeth Turbyfill	Hampton, TN	2014-07-13	I cannot support the restriction of freedoms.
Jo Milnes	Buckinghamshire, United Kingdom	2014-07-13	This is not realistic! This will harm business put people out of work and have a devastating effect on peoples lives.
evan merrick	chlchester, United Kingdom	2014-07-13	everyone desoves the right to keep these animals not all animals are dangerose they are just like humans but in a diffrent form and by putting a ban on them is how people think will stop deaths more people are killed in cars every year then animals so why dont we band cars I think you see my piont everyone can look after any animal safly and make sure it has a good long happy life there is no need to ban serton animals as pets
Moriah Peyinghaus	Columbia, SC	2014-07-13	I am a reptile owner, responsible hobby gerbil breeder/owner.
Brian Lowe	Superior, WI	2014-07-14	This is one more attempt by the Satanic Federal 5th Column One World Order Government to exercise their will over the private citizen(s), and this time at the cost of the small animals that depend on humans to care for them, by claiming these animals are dangerous; a frog and a gerbil dangerous; the danger presented by animals like frogs, salamanders, and gerbils is equal to the danger presented by second hand smoke, third hand smoke, and fourth hand smoke, and those dangers are also "NON-EXISTENT." These people, politicians, and these lawyers need to get a life instead of making their livings on frivolous legislation with the intent of keeping them in the court room in order to keep their pay checks coming in.
Patty Canter	Buckhannon, WV	2014-07-14	I feel that non human primates such as the tiny marmoset, the sugar glider and hedgies should not be banned! How many people have been killed by one of these. Many people in WV have the 16oz marmoset, and consider this to be a family member!
Diane Nott	Elyria, OH	2014-07-14	It is very important to not let the government know that we will not accept the proposed bill as is. It is not fair to the hobbyists. Many of the animals listed are exotic but in no way dangerous.
Nicole Brown	Mallory, WV	2014-07-14	Trying to take our rights as animal owners. State trying to take hardworking peoples money! Pathetic!!!
Jessica Figart	Skiatook, OK	2014-07-14	This stupidity is spreading like wildfire and I want it to be nipped in the bud and not come to my state as well.
Elizabeth Holder	Mebane, NC	2014-07-14	Owning exotic pets gives joy to many people. Making it where people can no longer own these special pets will not only cause more homeless animals but will cause the parents of these animals to be deeply saddened.
Corey Hardman	Huntington, WV	2014-07-15	Because I don't see any non-dangerous animal as a dangerous threat. This is, by far, the largest misuse of tax payer money, time, and energy in the existence of humanity. Instead of legalizing medical marijuana, make it harder to get prescription drugs, regulate gun control you come out with this polished gem. Way to protect us from gerbils, tetra fish, and sugar gliders. As harmful as they are.

Name	Location	Date	Comment
Tracy McCartney	Philippi, WV	2014-07-15	We as USA citizens has the right to own what ever we choose to own it's a free country we are very responsible owners of our animals even to our exotic babies so please just leave us alone we don't bother anyone .
Michelle Donlick	Wagener, SC	2014-07-15	I do not believe these restrictions are fair, nor educated. A blanket leglisation is a shame and many rules set in are biased. Please do not make healthy, good animals and their owners suffer this agenda.
Mark Sheneman	Manassas, VA	2014-07-15	I can't believe this is even real. What type of pets should you children grow up with? Honestly the impact this will have on our future children and their children.
Christina Ball	Winfield, WV	2014-07-15	The list is ridiculous, especially consider a lot of the animals are native inhabitants of WV. I don't feel that Tetra fish or hedgehogs are really going to attack and kill someone.
Elaine Serafini	L'Ile-Cadieux, Canada	2014-07-15	I've never seen such a frivolous ban.
LINDA HAMJSTEAD	MIAMI, FL	2014-07-15	TRYING TO GET SAVANNAH CATS EXEMPT FROM THE BILL. THEY ARE BREED FOR WILD LOOKS BUT THEY ARE DOMESTIC CATS, THEY PURR, PLAY WITH TOYS AND MAKE THE BEST COMPANIONS FOR ME MANY OF US THAT A HANDICAP LOVE CATNIP. THEY AREN'T WILD ANIMALS . THEY ARE EXPENSIVE ANIMALS AN WON'T MATE WITH FERAL CATS, MALES ARE STERILE UNTIL 5 GENERATION, THE SAVANNAH RESCUE GROUP HAS A WAITING LIST OF 10,00 PROSPECTIVE OWNERS GENERATION . THEY AREN'T FOUND IN SHELTERS OGTTE BECAUSE OWNERS PRIDE OUR SELF WITH THE CARE WE PROVIDE OUR CATS .. THEY REALLY SHOULDN'T BE CONSIDERED A DANGER TO ANYONE UNLESS THEY FALL IN LOVE WITH THEM ..
Denise Hardman	Buckhannon, WV	2014-07-15	This bill while necessary for a few species is entirely too inclusive. Several common family pets have been thrown in as hazardous. Crazy and a poor representation of public interests.
Lysa Stark, DC	Huntington Beach, CA	2014-07-15	They are trying to do this in CA as well. Our cats are not dangerous wild animals. They are beloved family members who are wonderful companions and are loyal, intelligent, and fun-loving animals. They are not a danger to other pets, small children, or old ladies.
Heatherjo Blake	Mt Nebo, WV	2014-07-15	It's ridiculous! Turtles? Really?
Lynda Bootle	Summerville, SC	2014-07-16	Many of the animals listed here are far from dangerous and should not be banned...There are far too many of these animals that would have to die needlessly not to mention the hearts that would be broker having to give up their beloved pets.
William Wells	La Mirada, CA	2014-07-16	Is there really an act that says people can't keep hamsters in their home? Or a trigger fish in their aquarium? It's ridiculous.
Ivona Semenkova	Vilnius, Lithuania	2014-07-19	I keep rats as pets and they are NOT dangerous in any way. This is absurd.
stephanie gratton	Goshen, IN	2014-07-19	Sugar gliders should NOT be on this list. They r wonderful pets and not dangerous. If this passes thousands of sugar gliders with be left homeless.
Sherrie Matthews	Phoenix, AZ	2014-07-19	This is a ridiculous law....they need to be removed. Don't they have anything better to do with their time?
Amber Minter-Owsiany	Hartwell, GA	2014-07-19	I own Sugar Gliders and am planning on moving back to Ohio soon. Also if this passes it's highly possible other states will follow their lead. Those of us who own gliders know and love them this is absurd.

Name	Location	Date	Comment
Melissa Hinton	St. Albans, WV	2014-07-09	This is an unreasonable list. There are plenty of animals that are harmless that are getting added to this list. It is the government overstepping their boundaries again. And I believe that it is just another way to tax, or fine, people. And to try to control our private lives.
Scotty Shorter	Princeton, WV	2014-07-09	i have owed salt water tanks in past and puffer fish and trigger fish were part of my tank....plus i have done much business with the 3 local pet shops in the area and this law will unemploy many people.
Joanna Von Bruton	Mill Creek, WV	2014-07-09	My father has raised and sold rabbits for years. This would be a huge problem for him if he had to pay $100 each to own them! They are not dangerous at all, nor would they be invasive since rabbits already exist in the wild in WV.
gerald troyer	St. Albans, WV	2014-07-09	not all animals are dangerous
brian friend	oakland, MD	2014-07-10	The pet store industry is very important to me and I think that this would greatly affect it in a negative way.
SHERRIE JENKINS	BLUEFIELD, WV	2014-07-10	I own some of these animals and you should have seen my kids faces when I told them and here them beg me to pay so they would not have to get rid of their "babies".
Joy Lamb	Welch, WV	2014-07-10	People should be able to have the kind of pet they want, as long as they keep track of it, and don't let it hurt others.
Kimberly Watson	Barboursville, WV	2014-07-10	My daughter & many other children raise rabbits as a 4H project. I can assure you the rabbits are not dangerous .
Katie Watson	Barboursville, WV	2014-07-10	I raise rabbits as a 4-H project and have for the last nine years and will no longer be able to if this bill is passed. I can say with one hundred percent certainty that rabbits are not dangerous.
C. J. Hicks	Chaeleston, WV	2014-07-11	I believe that if a person is responsible, and understands the needs of some said animals, and can help educate about them, then they should be able to keep those animals safe and taken care of.
Gower Cox	Charleston, WV	2014-07-11	Because this bill is just ridiculous. Every kid should be able to have a pet they caught like a frog or turtle. Then you got fish? Rabbits? Sugar Gliders? Hedgehogs? Really? There are more important things to worry about then someone having a pet. But no, you just want to add on to more things that take our FREEDOM away here in America. Now we can't own pets.
Kara Cobun	Morgantown, WV	2014-07-11	As a keeper of aquariums, this Bill could be very detrimental both to my own tanks and the stores that I rely on to make purchases for my tanks. While the Bill has potential to do good for many animals that currently suffer in backyard "zoos", revision is needed to lessen the scope of the individual species that fall under the ban.
Mike B	Clarksburg, WV	2014-07-12	My 9 year old son has learned a great deal about reptiles and amphibians through catching, observing, researching, and finally releasing (where they were caught) such small animals as toads, frogs, salamanders, and newts. To require someone to pay a fee (or tax) on ownership would seriously decrease his and other inquisitive kids learning and growth.
Brandy Boehke	Clarksburg, WV	2014-07-12	Many of the animals on this list, including salamanders, frogs, and turtles, are in no way dangerous to humans or other animals. Proper hand washing would eliminate any health hazards. The inclusion of these animals on the list would negatively affect the many hobbyists who enjoy owning and observing these animals. The intention behind the list is good, but many of these animals do not belong on a list containing zoo animals.

Name	Location	Date	Comment
Kay K	norfolk, VA	2014-07-20	Suger Gliders i no way or form should be on that form they are the sweetest pets. Most animals on there should not be (Unless poisonous) or really do pose a threat to people. Dogs are more vicious and dangerous then all animals on this list.
Autumn Shepherds	Jumping Branch, WV	2014-07-20	The original proposed list is too far reaching and prohibits far too many animals that are absolutely not a danger to human or ecosystem.
Adam Cooper	Pardeeville, WI	2014-07-20	As an aquarist, and a reptile/amphibian enthusiast, West Virginia is making a very silly move. I have considered West Virgina a potential location for graduate school, but will not relocate to a place where my hobby is effectively outlawed. This list does not reflect an understanding of the actual impact of commonly kept animals on the environment (Tetras, for example, would certainly die if let free in a West Virgina waterway and are unlikely to carry foreign parasites). The West Virgina Department of Agriculture proposes to protect its waterways in potentially the laziest manner and would negatively impact aquarists, and reptile and amphibian keepers like myself who live in West Virginia. I would propose that the West Virgina Department of Agriculture should actually demonstrate the probability of harm for any of the species it wishes to ban.
Jeanette Boyce	Sutton, WV	2014-07-22	Ferrets are a completely domesticated species and would not survive in the wild. They are no more a dangerous wild animal than a guinea pig or dog.
Valeri Sprouse	Glenville, WV	2014-07-22	I have raised rabbits for over 15 years, and also have had turtles, frogs, and other little pets throughout my lifetime. They are not dangerous at all. Quite frankly, they are amazing little creatures that teach responsibility and give pleasure to those of us who love them. Why deprive future children and those of us who enjoy a hobbie of raising small animals? There is no reason. This bill was very vague, ill written, and not thought out well. I can understand a lion, but a bunny! Where is the logic?!

Martin, Jodee

From: Beth Shamblin <bethel3330@yahoo.com>
Sent: Monday, July 28, 2014 9:45 AM
To: Martin, Jodee
Subject: Dangerous Wild Animals Bill

I wanted to write to commend the board regarding its responsiveness to public input thus far regarding this bill. I was going to write sooner, particularly in regard to the presence of sugar gliders and tetra fish on the first draft of the list. I am very pleased to see that those have been removed, as well as many other common pets. Tetras, I would have to guess, must be one of the most common and popular aquarium fish around. Please see that animals such as this, that pose no threat whatsoever, remain off the list.
I would urge the board also to reconsider Quaker parrots. While they can be a nuisance if released, they are considered very valuable and are not put into the environment intentionally or with any frequency. They also aren't likely to reproduce, given they wouldn't find a mate in the wild.
Thank you again.

Beth Shamblin
Red House, WV

Sent from Yahoo Mail on Android

Martin, Jodee

From: Kenneth Semmens <Ken.Semmens@mail.wvu.edu>
Sent: Monday, July 28, 2014 11:31 AM
To: Martin, Jodee
Subject: Comment on Dangerous Wild Animal rule.
Attachments: SRAC 5005 Lacey Act.pdf

I am a professional biologist with over 30 years of practice in both the private and public sectors. I possess a Ph. D. in fisheries from Auburn University and have served as Extension Specialist – Aquaculture at West Virginia University for the past 15 years. I serve on the Aquaculture Advisory Board administered by the West Virginia Department of Agriculture. As such, my comments will focus on aquatic species. These comments are my own and do not represent an official opinion from my present employer.

I have read the proposed Dangerous Wild Animal Rule, (Title 61, Series 30), and would like to comment as a scientist, as an aquaculturist, and as a citizen of the great state of West Virginia. In my opinion, this proposal reaches far beyond the concept of dangerous animals and strays unnecessarily into environmental issues of invasive, nuisance, injurious or simply exotic species.

This rule includes the following definition:

> 2.5. "Dangerous Wild Animal" means a mammal, bird, reptile, amphibian or aquatic animal, including a hybrid that is dangerous to humans, other animals or the environment due to its inherent nature and capability to do significant harm.

It is reasonable to protect the public from dangerous animals capable of causing harm to humans. Incidents in Ohio last year brought this issue forward. If this were the focus of the rule, then I would not be writing this letter. What concerns me is that it broadens the concept to include harm to other animals or the environment. It includes aquatic animals that do not present a risk to humans which justifies their inclusion in this definition. As such, I suggest the dangerous wild animal definition be modified as follows:

> 2.5. "Dangerous Wild Animal" means a mammal, bird, reptile, including a hybrid that is dangerous to humans.

Even if this definition is not accepted, the entire list as published in the rule should be reviewed. As the list stands now, there appears to be no science-based criteria or process associated with creation of the list. There should be an assessment of risk which considers climate, evidence or a history of harm, and biology of the species listed. The risk assessment should be based in science and available data. The list as published shows no evidence of this approach.

There should be communication among other groups who are influenced by the rule. For example, this rule should have been shared with the Aquaculture Advisory Board – an organization that was coordinating with the State Veterinarian's office regarding importation of aquatic species. There are other organizations working with local, state, and federal agencies with programs regarding nuisance species, invasive species, injurious species, and exotic species that should have been consulted as this rule was developed. Organizations associated with the agriculture and pet industries also should have been consulted.

I see problems for the aquaculture industry with the current proposal, especially if the Lacey Act applies. (Lacey Act fact sheet attached) Baitfish may contain crawfish and gambusia. If so, implementation and enforcement of this rule in association with the Lacey Act could cripple the baitfish industry. Gambusia have been stocked for many years to control mosquitos. It is conceivable that the threat to public health from mosquitos is greater than the environmental risk of stocking gambusia. Populations of Virile Crawfish are established in West Virginia. Rather than specific species, whole orders are listed. Characins include all kinds of tetras commonly kept in aquaria (e.g. neon tetra). I have kept an aquarium with characins for many years. It improves my quality of life and the fish present no danger to anyone.

In my personal and professional opinion, this is a bad rule. The process used to create it did not draw adequately on relevant groups or information. This rule reaches far beyond dangerous animal issues to environmental issues that should not be dealt with in this manner. If this rule is to survive in any form, the environmental component should be removed and the focus should be oriented to human safety.

Ken Semmens
Extension Specialist – Aquaculture
West Virginia University
P.O. Box 6108
Morgantown, WV 26506-6108
304 293-2657
Ken.Semmens@mail.wvu.edu
http://aquaculture.ext.wvu.edu/

SOUTHERN REGIONAL AQUACULTURE CENTER

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Aquaculture and the Lacey Act

Elizabeth R. Rumley[1]

Aquaculture is the raising of aquatic species for food, recreation, or ornamental purposes. It is a nationwide industry with yearly sales of $1.5 billion, according to the 2007 Census of Agriculture.

Aquaculture is regulated at various levels of government. State and local authorities generally regulate activities and issue permits for zoning, building, and water use. They also oversee waste discharge, production practices, and the species cultured.

States are influenced by their history and ecology. The agencies responsible for certain regulations vary widely from state to state, and so do the resulting regulations. As a result, aquaculturists find a bewildering combination of regulations with little or no consistency between geographic locations.

At the federal level, different agencies are responsible for distinct areas of aquaculture regulation. The Food and Drug Administration (FDA) regulates the safety of the food supply, including aquacultural products. The Environmental Protection Agency (EPA) is responsible for environmental regulations. The United States Department of Agriculture (USDA), the Army Corps of Engineers, the National Oceanic and Atmospheric Administration (NOAA), and the Fish and Wildlife Service (FWS) are also involved. The FWS is responsible for enforcing the Lacey Act.

History and provisions of the Lacey Act

The Lacey Act is a federal statute passed to protect wildlife. It was originally intended to prevent the shipment of unlawfully killed game across state lines, the killing of birds for the feather trade, and the introduction of harmful invasive species. The Act has been amended several times since it was originally passed in 1900, including significant changes in 1981.

The Lacey Act applies to all "wild" animals. It specifically includes fish and amphibians, even if those creatures have been "bred, hatched, or born in captivity." The Act makes it unlawful to "import, export, transport, sell, receive, acquire or purchase" any fish or wildlife "taken, possessed, transported, or sold" in violation of laws or regulations that relate to fish or wildlife. The laws or regulations violated could be state, federal, tribal or foreign.

One way that the Lacey Act may be triggered is by the violation of a federal law or regulation. (A law is passed by Congress, while a regulation is a rule put into place by a federal agency such as the USDA or EPA.) If this happens, the offender can be prosecuted under the Lacey Act even if no interstate shipment (shipment between states) takes place. For example, the Endangered Species Act is a federal law that protects certain species. If someone "transports, sells, receives, acquires, or purchases" a creature that has been "taken, possessed, transported, or sold" in violation of that law, the individual may be prosecuted under either the Endangered Species Act or the Lacey Act, even if the offender does not cross a state line.

The Lacey Act is also triggered when a law involving fish or wildlife is violated by a product that has been part of interstate commerce, whether the law is state or federal.

Each state has lists of protected, prohibited, restricted or approved animal species. The lists are established by the state department of natural resources, fish and game, environmental protection, or agriculture, depending on which agency is given the authority to do so. The species on these lists can vary widely from one state to the next.

As an example, consider Minnesota. As of this writing, it is illegal in that state to transport "prohibited invasive species" on a public road. Penalties for breaking the

[1]Staff Attorney, National Agricultural Law Center

law are a $250 civil penalty or a misdemeanor offense. The penalty for the misdemeanor is up to 90 days in jail and/or a fine of $1,000. As a result, Minnesota companies that transport one of these species to another part of the state may be prosecuted, but only under state law. However, a company based in another state that transports one of these species into Minnesota may be prosecuted under the Lacey Act. This is important, especially considering the difference between state and Lacey Act penalties.

Lacey Act penalties

Lacey Act prosecutions fall into three categories, each with different penalties. Prosecutions can be for "felony" or "misdemeanor" trafficking violations of the Lacey Act, or for "false labeling."

If an individual "knew" or "was generally aware of" the illegal nature of the wildlife and the value of the wildlife was more than $350, he or she may be prosecuted for a felony. If convicted, the maximum penalty is up to 5 years in prison and/or a $250,000 fine. The maximum fine is raised to $500,000 if the offender is an "organization," including a business.

A misdemeanor carries lower penalties. Misdemeanor penalties are up to a year in prison and/or a $100,000 fine ($200,000 for organizations).

Misdemeanor prosecution may occur in two situations. The first is if the defendant takes, possesses, transports or sells wildlife "without exercising due care." "Due care" means "that degree of care which a reasonably prudent person would exercise under the same or similar circumstances." As a result, it is applied differently to people with differing amounts of knowledge and responsibility (Senate Report 97-123). Generally, due care requires the judge to consider whether the defendant applied as much thought, planning and prevention as would a normally reasonable person in the same situation. It's important to remember that the amount of "due care" a person must show changes depending on their knowledge and responsibility level. In other words, a producer transporting products across state lines will probably be held to a higher standard of care than a child transporting his pet goldfish during a cross-country move.

The second way in which a misdemeanor may be prosecuted under the Lacey Act is if the defendant knew about the illegal nature but the value of the wildlife was less than $350. It's important to note, however, that prosecutors may "aggregate," or combine, violations. Combining violations increases the value of the wildlife and may elevate the charge from misdemeanor to felony status.

The final Lacey Act offense is false labeling. False labeling of wildlife products transported in interstate commerce is a crime no matter what the intent. If the products have a market value of less than $350, false labeling is a misdemeanor with a penalty of 1 year in prison and a $100,000 fine. If the value is greater than $350, the offender may be charged with a felony and given up to 5 years in prison and fined up to $250,000.

Offenders may be, and often are, charged with both trafficking and false labeling violations.

Federal enforcement of the Lacey Act

The Lacey Act may be enforced in two possible situations. The first occurs when a federal law is violated, even if no interstate commerce takes place. This situation is described in the Endangered Species Act example given earlier. The second occurs when a state law concerning fish or wildlife is violated by a product that has been part of interstate commerce. This is described in the Minnesota example, also given earlier.

As an example of the possible impact of the Lacey Act on aquaculture, consider the following example. Suppose that a certain fish species can be legally possessed in Wisconsin but is on the "prohibited list" in Minnesota. A single fish (or even a single fish egg) of that species is inadvertently loaded onto a transport truck in Wisconsin with 2,000 pounds of another species that is legal to possess in both states. The 2,000-pound load of fish is to be delivered to a buyer in Minnesota. Once it crosses the state line, officials with the Minnesota Department of Natural Resources stop the truck, search it, and find the prohibited fish. Both the Wisconsin seller and the Minnesota buyer may be prosecuted under the Lacey Act. What would have been a maximum penalty of 90 days and/or $1,000 from the state of Minnesota has now turned into a potential year in federal prison and up to $100,000 in fines. Additionally, the seller may be charged with false labeling (for failing to include the prohibited fish in the list of the shipment's contents). The false labeling offense may add up to another 5 years and/or $250,000 to the sentence.

Minimizing risk

The risks associated with the Lacey Act can, of course, be minimized by shipping products only in-state. However, this is not a reasonable or feasible option for many aquacultural producers. Producers involved in interstate shipment should double-check and document every step taken to ensure that regulated species are not transported. At some point, your freedom and livelihood might depend on convincing a judge or jury that you exercised due care in trying to prevent it. Aquacultural producers can access the Injurious Species List, as authorized by the

Lacey Act examples

Consider three producers. Producer A's business is located in Arkansas, B's is in Alabama, and C's is in Wisconsin, as shown on the map. They all ship products to and receive products from other states. The interstate commerce triggers Lacey Act enforcement.

Situation:	Producer A sells an unlabeled load of diploid black carp to Producer B. Diploid black carp may be possessed in Arkansas. However, it is on the federal invasive species list, so it may not be transported across state lines.	***Possible charges:***	A: Trafficking B: Trafficking
Situation:	Producer A sells a load of catfish to Producer B, but it is labeled "whitefish."	***Possible charges:***	A: False Labeling B: None
Situation:	Producer A sells a load labeled "catfish" to Producer B, and a diploid black carp is included in the shipment.	***Possible charges:***	A: False Labeling & Trafficking B: Trafficking
Situation:	Producer A sells a load labeled "catfish" to a trucker in Arkansas. A diploid black carp is included in the shipment. The trucker drives the shipment to Alabama and sells it to Producer B.	***Possible charges:***	A: False Labeling B: Trafficking Trucker: Trafficking
Situation:	Producer A sells a load correctly labeled "fishfish" to Producer C. Possession of "fishfish" is legal is Arkansas and Wisconsin, but illegal in Illinois, where the trucker is pulled over.	***Possible charges:***	No Lacey Act violation, as long as the load was correctly labeled. Trafficking provisions do not apply to interstate shipment if the shipment is traveling to a state where the fish or wildlife may be legally possessed.

Lacey Act, at *www.fws.gov/fisheries/ans/ANSInjurious.cfm*. The National Agricultural Library is assembling a nationwide compilation of information describing species regulated by the states. Find it at *www.invasivespeciesinfo.gov/laws/statelaws.shtml*. The compilation is a work in progress, so aquacultural producers should still check with the Aquaculture Coordinator in both the destination state and their home state for regulated species information. Visit *www.nasac.net* for Coordinator contact information. Additional information on state regulations may also be found at the North Central Regional Aquaculture Center's website (*http://www.ncrac.org/info/stateimportregs*).

For more information on many legal aspects involved in aquaculture operations, please visit the National Agricultural Law Center's "Aquaculture" reading room, located at *www.nationalaglawcenter.org/readingrooms/aquaculture*.

Resources

The Lacey Act is available online:
18 U.S.C. §§ 41-48
http://www.law.cornell.edu/uscode/html/uscode18/usc_sup_01_18_10_I_20_3.htm
16 U.S.C. §§ 3371-3378
http://www.law.cornell.edu/uscode/html/uscode16/usc_sup_01_16_10_53.html

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USDA

United States Department of Agriculture

National Institute of Food and Agriculture

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Martin, Jodee

From: Amanda White <amanda7699@gmail.com>
Sent: Monday, July 28, 2014 12:03 PM
To: Martin, Jodee
Subject: dangerous animal list

Dear Ms. Martin,

I am writing in response to the dangerous animal list posted for public comment. I am a Cabell County resident and a reporter at the Standard Newspapers. I am asking you to reconsider ferrets on your list. While I understand that an uncontrolled ferret population has the potential to be an agricultural hazard, other states have enacted neutering laws for ferrets in order to prevent this. The primary nationwide ferret breeder, Marshall Ferrets, ensures all their ferrets are neutered before being sent to pet stores. Marshall ferrets can be recognized by a small, green tattoo in their ear.

Ferrets are highly intelligent and friendly pets. My ferret, Lulu, is about 8 months old and best friend to my smallest cat. Lulu and Arwen play tag, "hug" each other, and even sleep together (Arwen sleeps on top of her cage, reaching in toward Lulu). Lulu walks on a leash (although I don't take her outside for safety reasons) and she loves taking baths. My family had two ferrets, Pele and Ronaldo, for eight years before they passed away. They, too, were best friends with our Labrador, Midnight, and would take turns sleeping between his stomach and the floor.

Every ferret I've encountered is sweet, cuddly and smart - most even being able to play games with humans. Lulu chases my husband around the house, and kisses us on the cheek at bedtime. As far as the agricultural hazard, domesticated ferrets would never be able to survive in the wild - watch what happens when they try to run in a straight line!

Please consider removing ferrets from your dangerous animals list.
They are long lasting, affordable pets who bring their owners tears of laughter and immense joy.

Sincerely,

Amanda L. Smythers
Huntington, WV

Martin, Jodee

From: Amy Thayer <destinationinsanity@gmail.com>
Sent: Monday, July 28, 2014 12:57 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Amy Thayer <destinationinsanity@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Amy Thayer
1300 Renaissance Circle Apt 215
Charleston, WV 25311
3048815262

Martin, Jodee

From: Travis Kenny <tlkenny@mail.wvncc.edu>
Sent: Monday, July 28, 2014 1:02 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Travis Kenny <tlkenny@mail.wvncc.edu>

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Sincerely,

Travis Kenny
36 Duquesne Ave
Wheeling, WV 26003
3049090277

Martin, Jodee

From: Sheri L Hicks <avrinlea@gmail.com>
Sent: Monday, July 28, 2014 1:04 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Sheri L Hicks <avrinlea@gmail.com>

Respected West Virginia Officials,

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Sincerely,

Sheri L Hicks
5006A Venable Ave., SE
Charleston, WV 25304
304.444.6193

Martin, Jodee

From: Jacob Van Natter <xanofmidgar@gmail.com>
Sent: Monday, July 28, 2014 1:08 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Jacob Van Natter <xanofmidgar@gmail.com>

Respected West Virginia Officials,

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Sincerely,

Jacob Van Natter
164 big deadening rd
harts, WV 25524

Martin, Jodee

From: kendra kisamore <kisamore17@gmail.com>
Sent: Monday, July 28, 2014 1:12 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: kendra kisamore <kisamore17@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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Sincerely,

kendra kisamore
494 Tom Cox rd
petersburg, WV 26847
3047040480

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

---

[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

_Travis Lee Kenny_____

_36 Duquesne Ave_____

_Wheeling, WV 26003_____

[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Jeremy Ray <cocoumtg@gmail.com>
Sent: Monday, July 28, 2014 1:36 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Jeremy Ray <cocoumtg@gmail.com>

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Sincerely,

Jeremy Ray
1311 Renaissance Circle Apt 112
Charleston, WV 25311

Martin, Jodee

From: tracy mcclanahan <tracycmcclanahan@gmail.com>
Sent: Monday, July 28, 2014 1:52 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: tracy mcclanahan <tracycmcclanahan@gmail.com>

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tracy mcclanahan
1095 kelly's creek road
charleston, WV 25312

Martin, Jodee

From: jennifer ozzbourne <jenozzbourne@hotmail.com>
Sent: Monday, July 28, 2014 1:55 PM
To: Martin, Jodee
Cc: WV USARC
Subject: Public Comment HB4393
Attachments: Comment-on-Proposed-Rule-61new_signed1page1.jpg; Comment-on-Proposed-Rule-61new_signed1page2.jpg

Sent from Windows Mail

Comment on Proposed Rule 61-30

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[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

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[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
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3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

(Signature) (Address) 1002 Eastwood Drive Lot#1
Fairmont WV 26554

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[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

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Martin, Jodee

From: Larry Cartmill <cartmill@gmail.com>
Sent: Monday, July 28, 2014 2:06 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Larry Cartmill <cartmill@gmail.com>

Respected West Virginia Officials,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Larry Cartmill
3367 Bryn Myrr Dr.
Huntington, WV 25705
304-544-7569

Martin, Jodee

From: Christopher J Hicks <kc8kva@gmail.com>
Sent: Monday, July 28, 2014 2:13 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Christopher J Hicks <kc8kva@gmail.com>

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Sincerely,

Christopher J Hicks
5006A Venable Ave
Charleston, WV 25304

Martin, Jodee

From: David P. Tackett <debndave@frontier.com>
Sent: Monday, July 28, 2014 7:49 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

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David P. Tackett
56 Carr st
Clay, WV 25043
1 (304) 587-7984

Martin, Jodee

From: Michael Dussault <md4025@gmail.com>
Sent: Monday, July 28, 2014 9:52 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Michael Dussault <md4025@gmail.com>

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Michael Dussault
26 Wolverine Drive
Charleston, WV 25311
304-205-5445

Martin, Jodee

From: Brittany Stackpole <lil_stackpole08@yahoo.com>
Sent: Monday, July 28, 2014 10:51 PM
To: info@usark.org
Subject: Comment on Dangerous Wild Animal Act: Proposed rule 61-30

From: Brittany Stackpole <lil_stackpole08@yahoo.com>

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Brittany Stackpole
lil_stackpole08@yahoo.com
Buckhannon, WV 26201

Martin, Jodee

From: Chris Cannarozzi <crozzi@windstream.net>
Sent: Tuesday, July 29, 2014 10:51 AM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

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__7/29/14_____

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_____

[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Jenna Beck <snake.snakes.beck@gmail.com>
Sent: Tuesday, July 29, 2014 11:23 AM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Jenna Beck <snake.snakes.beck@gmail.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Jenna Beck
606 E. Carson Dr.
Tempe, AZ 85282
4808315730

Martin, Jodee

From: Jonathan Cooley <gooutdoors91@gmail.com>
Sent: Tuesday, July 29, 2014 11:20 AM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Jonathan Cooley <gooutdoors91@gmail.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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Sincerely,

Jonathan Cooley
1416 7th Ave #9
Huntington, WV 25701

Martin, Jodee

From: DEBRA LABUZ <birdlover195@aol.com>
Sent: Tuesday, July 29, 2014 11:14 AM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: DEBRA LABUZ <birdlover195@aol.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

thank you for listening to all comments.. my pets are part of my family.. i live alone and have copd and bird keepers lung.. i hadto rehome my birds because of this.. the reptiles are safe for me to have .. i love them as much as i do my dogs and cats.. i'm on ssi and can't afford to pay fees to keep my pets.. i provide them with everything they need. it will be a great hardship on me and countless othrs to have these fees.. i had to give up my birds after 25 yrs of raising them please don't force me to give up my reptiles now.. they helped me get through the heart break of losing my beloved birds.. again i thank you for taking the time to listen to me..

Sincerely,

DEBRA LABUZ
birdlover195@aol.com
BUCKHANNON, WV 26201
3044720142

Martin, Jodee

From: Ocotillo Herps & Inverts <sales@ohi2007.com>
Sent: Monday, July 28, 2014 8:11 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Dear Sirs,

Please find my comment attached.

Thanks,

Mike
OHI
El Paso, TX
www.facebook.com/OHI2007/

This email is free from viruses and malware because avast! Antivirus protection is active.

ZAA

ZOOLOGICAL ASSOCIATION OF AMERICA

http://www.zaa.org

July 21, 2014

West Virginia Department of Agriculture
attn: Jodee Martin
1900 Kanawha Blvd East
Charleston, WV 25305

Re: Title 61, Series 30 - Proposed Dangerous Animal List

To: Dangerous Wild Animal Board

The Zoological Association of America (ZAA) is a professional trade organization that supports responsible animal management and safety and provides zoological accreditation for its members.

OVERVIEW of ZAA

ZAA is a 501c3 professional trade association formed in 2005 to promote responsible ownership, management, conservation, and propagation of animals in both privately funded and publicly funded facilities through professional standards in husbandry, animal care, safety and ethics. World renowned animal expert, and former host of "Mutual of Omaha's Wild Kingdom," Jim Fowler, serves as ZAA Ambassador and Advisor to the Board. It is the second largest zoological accreditation organization in the United States, and has been recognized in precedent by numerous state legislatures as a professional trade association.

ZAA counts among its members Six Flags Theme Parks. They are a 1.1 billion dollar private corporation that is considered the global leader in theme parks. Other institutions accredited by ZAA include the Montgomery Zoo, the Ft. Worth Zoo, the Metro Richmond Zoo, and many others.

ZAA accredited member facilities were exempted in the landmark Dangerous Wild Animal legislation passed in Ohio in 2012, and have been recognized by many states across the country including Kansas, Nevada, Nebraska, Connecticut, Ohio, Arizona and Illinois. **Our written standards were used as requirements of the permitting provision in Ohio**; as well as the 'baseline' for discussions by the dangerous animal work group in the State of Virginia in 2012.

OUR COMMENTS ON THE PROPOSED RULE

Breeders and exhibitors in West Virginia will be adversely affected by the proposed Dangerous Animal List. Implementation of the proposed Dangerous Animal list will adversely affect *in situ* conservation programs, education through exhibition, as well as support for captive research projects and efforts to maintain genetic diversity with captive populations. Captive breeding of animals done responsibly in the United States ensures genetic diversity for the future of each species.

Many of the species listed on the proposed Dangerous Animal List should not be on the list at all. Including these species on the West Virginia list is contrary to the lists currently in use by other states, including Ohio and Virginia and Florida.

Adopting ZAA's list of Class I animals, with the inclusion of venomous reptiles, would be more than adequate to act as West Virginia's Dangerous Animal List.

ZAA's recommendation for the dangerous animal list:

> Chimpanzees (genus *Pan*), Gorillas (genus *Gorilla*), Gibbons (genus *Hylobates),* Drills and mandrills (genus *Mandrillus*), Orangutans (genus *Pongo*), Baboons (genus *Papio*), Siamangs (genus *Symphalangus*), Gelada baboons (genus *Theropithecus*), Snow leopards (*Panthera uncia*), Leopards (*Panthera pardus*), Jaguars (*Panthera onca*), Tigers (*Panthera tigris*), Lions (*Panthera leo*), Cougars, panthers (*Puma concolor*), Bears (family Ursidae), Rhinoceros (family Rhinocerotidae), Elephants (family Elephantidae), Hippopotamuses (family Hippopotamidae), Cape buffalos (*Syncerus caffer caffer*), Crocodiles (except dwarf and Congo) (family Crocodylidae), Gavials (family Gavialidae), Black caimans (*Melanosuchus niger*), Komodo dragons (*Varanus komodoensis*), Venomous reptiles, Cetacea, Orca *(Orcinus orca),* Pinnipeds, Walrus *(Odobenus rosmarus),* Northern Elephant Seal *(Mirounga angustirostris),* Leopard Seals *(Hydrurga leptonyx),* Eared Seals *(Otaridae),* Polar bear (Ursus maritimus)

The USDA Animal Welfare Regulations only regulates mammals and, therefore, does not have regulations for birds, reptiles, etc. ZAA recommends that West Virginia require the reptiles included on the Dangerous Wild Animal list be caged in accordance with the care and housing of reptiles as established in the ZAA's Animal Care and Enclosure Standards. The State of Ohio's Code requires that "A person that has been issued a restricted snake possession or restricted snake propagation permit under this chapter shall comply with the requirements regarding the care and housing of those snakes established in standards adopted by the Zoological Association of America and in effect on September 5, 2012".

We also recommend adding 4.1.2 to 61-30-4 – the care and housing of reptiles established in the Animal Care and Enclosure Standards adopted by the Zoological Association of America.

In addition, we hope you will include in your rule an overall exemption for ZAA accredited facilities to the permitting provisions of the Code of West Virginia §19-34-8.

Sincerely,

Peter J. Brewer DVM

Peter J. Brewer, DVM
Chairman
ZAA

Enclosure: ZAA reptile standards

ZOOLOGICAL ASSOCIATION
OF AMERICA

Animal Care & Enclosure Standards

2014 Version

www.zaa.org

Most updated version surpasses all previous versions

ZAA Animal Care & Enclosure Standards (9 June 2014)
Pages 33-40 - Reptile & Amphibian section

Reptiles & Amphibians
In addition to requirements of this section, enclosures shall be provided with an environment that allows for temperature regulation necessary to insure the well-being of the species. The environment or devices shall be non-injurious. Each enclosure shall be provided with a non-injurious substrate that is species appropriate. Such substrate shall be disposed of or sanitized at intervals sufficient to insure the health of the animal(s). Each enclosure shall be equipped with a shelter(s) large enough to accommodate all the animals in the enclosure simultaneously.

1. Reptiles
    a. Snakes
        i. The following species are considered to be "large constrictors:"
            1. Large constrictors:
            2. Indian or Burmese python (python molurus)
            3. Northern African Rock python (python sebae)
            4. Southern African Rock Python (python natalensis)
            5. Reticulated Python (python reticulatus)
            6. Boa constrictor (Constricor constrictor)
            7. Green anaconda (Eunectes murinus)
            8. Bolivian Anaconda (Eunectes beniensis)
            9. De Schauensee's Anaconda (Eunectes deschauenseei)
        ii. Enclosures for large constrictors shall be constructed of a variety of materials, all or any of which must securely, effectively, and safely contain the animal.
            1. Exhibit front or viewing area must use laminated glass, acrylic, or double paned glass (where the glass on the viewer's side is laminated or tempered).
                a. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.
            2. The minimum size of the exhibit shall be based upon the length of the longest specimen in the enclosure and shall allow for the thorough cleaning of the container or exhibit by staff.
                a. For up to two specimens, an enclosure having a perimeter 25% greater than the length of the longest specimen; the width of the enclosure shall not be less than 20% of the length of the longest specimen.
                b. For each additional specimen, increase the perimeter by 25%.
            3. The minimum height shall be 6.5 feet tall.
            4. Environmental enriching furniture such as varied substrates, logs, and rocks should be available. All species should have access to a water tub or pool large enough for complete submersion.
        iii. Enclosure sizes for all snakes (other than large constrictors) shall be based upon the length of the longest specimen in the enclosure.

1. For up to two specimens, an enclosure having a perimeter at least as great as the length of the longest specimen; the width of the enclosure shall not be less than 20% of the length of the longest specimen. For each additional specimen, increase perimeter by 10%.

b. Lizards

i. The following species are considered to be "large lizards:"

1. Crocodilians
2. Varanus subspecies of monitors (3 species)
3. Komodo dragon (varanus komodoensis)
4. Crocodile monitor Varanus salvadorii
5. Water monitor Varanus salvator
6. Nile Monitor Varanus niloticus

ii. Enclosures for large lizards shall be built of reinforced brick or steel walls, with top and doors of steel or half-inch (½") or thicker plywood on a 2"x4" (wooden stud) or better framework.

1. Exhibit front or viewing area must use laminated glass, acrylic, or double paned glass (where the glass on the viewer's side is laminated or tempered).
   a. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.
2. The minimum size of the exhibit shall be based upon the length of the longest specimen in the enclosure and shall allow for the thorough cleaning of the container or exhibit by staff.
   a. Lizards 25 to 36 inches in length
      i. For one or two lizards an enclosure 36 inches by 12 inches, 16 inches high. For each additional lizard, increase enclosure size by 10 inches or 25 percent in length and width.
   b. Lizards 37 inches to 6 feet in length
      i. For one or two lizards, an enclosure 6 feet by 3 feet, 4 feet high. For each additional lizard, increase the enclosure by 25 percent of the original floor area.
   c. Lizards over 6 feet in length
      i. For one or two lizards, an enclosure 9 feet by 6 feet, 4.5 feet high. For each additional lizard, increase the enclosure by 25 percent of original floor area.
3. Environmental enriching furniture such as varied substrates, logs, and rocks should be available. All species should have access to a water tub or pool large enough for complete submersion.
4. Enclosures should allow for all the normal activities of the species (e.g. swimming, climbing, burrowing, running, hiding, and, especially, sunning).
5. This environment should also be sufficiently environmentally enriched to exceed the minimum husbandry requirements for sustained long life and reproduction, if desired, of the species.

iii. Enclosures for all other lizards should be an environment large enough to allow for all the normal activities of the species (e.g. swimming, climbing, burrowing, running, hiding, and, especially, sunning).

1. This environment should also be sufficiently environmentally enriched to exceed the minimum husbandry requirements for sustained long life and reproduction, if desired, of the species.
2. When more than one animal occupies the same unit, additional space and environmental enrichments should be added in a direct ratio to the number of individuals, their ages, sexes, and needs demand.

c. Turtles (other than tortoises and box turtles)

i. In addition to requirements of this section, each enclosure shall have a pool of water that will allow for the immersion of the largest turtle. For all turtles with soft carapaces, a non-abrasive pool bottom is required.

ii. Enclosure sizes for all turtles shall be based upon the size of the largest specimen in the enclosure.

1. For one or two turtles, an enclosure with an area at least five times the shell length, by two times the shell width of the largest turtle. The pool area shall equal no less than two times the shell width, by two times the shell length of the largest turtle. A dry resting area equal to the size of the shell of the largest turtle shall be provided. For each additional specimen, increase resting and pool area by 25 percent of the original floor area.

d. Tortoises and box turtles

i. Enclosure sizes for all tortoises and box turtles shall be based upon the size of the largest specimen in the enclosures.

1. For one or two tortoises or box turtles, an enclosure with a floor area 10 times the shell size of the largest specimen in the enclosure. For additional specimens, the floor area available for movement shall be twice the floor area covered by the combined body mass of all animals in the enclosure.

e. Crocodilians

i. For one animal, an enclosure of sufficient size to permit moving and turning both on a dry area and in a pool of water, the water being of sufficient depth to permit submersion. For additional animals, the combined area covered by all their bodies shall not exceed 50 percent of enclosure area.

2. Amphibians

a. Aquatic amphibians shall be kept in water filled tanks or aquaria. Semi-aquatic and terrestrial amphibians shall be kept in enclosures, tanks or aquaria with a water area and a dry area that shall permit moving and turning. Both the dry area and the water area shall provide room to accommodate all animals in the enclosure simultaneously.

VI. Possession, Exhibition and Caging Venomous Reptiles:

Venomous reptiles shall be kept enclosed in cases, pits, or enclosures of the following specifications:

1. Enclosure may be constructed of a variety of materials, all or any of which must securely, effectively, and safely contain the animal. Enclosures and doors to enclosures shall be sealed.
    a. Enclosures shall be securely locked with two separate locking mechanisms to lessen unauthorized intrusion, keeper error, or lock failure, through one of two methods:
        i. The immediate door to the enclosure shall have two separate latches, clamps, slide bolts, or similar, each with its own key-required lock.
        ii. The immediate door to the enclosure shall have at least one latch, clamp, slide bolt, or similar, with at least one having its own key-required lock, and the access door or gate to the service area shall have its own key-required lock.
    b. Enclosures which include glass (such as for viewing) must use safety or laminated glass, acrylic or double-paned glass (where as glass on the viewer's side is laminated or tempered).
        i. Glass for viewing area can be single paned tempered glass when an escape proof exhibit is kept behind the glass: an example would be a glass aquarium behind a viewing area.

2. A room may contain venomous reptiles in enclosures that are not locked provided that such a room is locked with two separate key-required locking mechanisms to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, and is constructed and maintained as to be escape-proof.

3. Outdoor open-topped enclosures
    a. For venomous reptiles native to the United States:
        i. The floors of outdoor enclosures shall be of concrete or masonry construction at least two inches in thickness. Sides shall be of similar construction, at least eight inches in thickness, or strength equivalent, and extend no less than four feet above the highest accessible point of the enclosure. Outdoor enclosures need not have concrete or masonry flooring if the enclosure meets the following additional specifications:
            1. The enclosure shall have concrete or masonry walls, at least eight inches in thickness, or strength equivalent.
            2. The enclosure shall have footers made of concrete, or strength equivalent, extending not less than three feet below the grade level.
            3. The corners of enclosure shall be designed or guarded to prevent the escape of reptiles by climbing.
            4. All landscaping of the enclosure shall be arranged to insure that vegetation or other structures do not allow for the escape of reptiles.
        ii. Entrance doors shall be kept securely locked on all outdoor enclosures to prevent escape and unauthorized intrusion and the enclosure shall be

equipped with barriers to prevent visitors from falling into enclosures that are constructed below ground level or viewing level.

b. For venomous reptile species not native to the United States:
    i. In addition to the requirements for venomous reptiles native to the United States, all outdoor enclosures shall be topped with close-meshed wire or an equivalent barrier to provide additional security.

c. All outdoor, open top enclosures shall have two separate key-required locking mechanisms to prevent unauthorized intrusion, is inaccessible to unauthorized personnel, and is constructed and maintained as to be escape-proof.

4. Transportation
    a. Venomous reptiles may be transported only in the following fashion:
        i. They shall be placed in a stout, closely woven cloth sack, tied or otherwise secured and, then, double bagged in the same fashion.
        ii. This sack shall then be placed in a container which shall be of strong material, such as solid plywood sheets, metal or thick plastic containers constructed to withstand crushing and physical abuse.
            1. Air holes should be less than 1/3 the diameter of the smallest reptile contained within and shall be screened inside with quarter inch (¼") or smaller wire.
            2. Boxes containing venomous snakes or lizards shall be prominently labeled "DANGER Venomous Reptiles."

5. Facilities housing, owning, or otherwise maintaining venomous reptiles shall have proper "snake bite" protocols in place.
    a. Sufficient protocols must cover every venomous species in the collection, take in to account multiple specimens of the same species, and deal with situations that may include multiple victims or multiple bites to one victim.
    b. Sufficient protocols should be consulted through a medical doctor and collaborate with at least one local hospital that offers emergency services.
    c. A sufficient protocol shall be properly implemented by following three steps:
        i. Training: all staff authorized to work with (both directly and indirectly) venomous specimens, as well as at least one other person, shall be fully trained on the protocol.
        ii. Written: the protocol must be written down and included as part of the required duties of all staff authorized to work with (both directly and indirectly) venomous specimens and prominently posted in the room or area containing the venomous specimens.
        iii. Supervision: the owner or manager must ensure adherence to the protocol through supervision or other appropriate means, to include enforcement.

6. All enclosure access points, containers, sacks, and any other containment for venomous specimens shall have venomous labels in place.

7. Specimens considered to be in an "off public display" situation must be maintained in manners consistent with the above standards.

VII. Exceptions to Standard Caging Requirements for Captive Wildlife.

Wildlife may be temporarily housed in enclosures smaller than the sizes set forth above only under the following circumstances:

1. For transport and for performing and non-performing animals as approved by ZAA.

2. Wildlife being held for sale by those persons properly licensed or for veterinary care or quarantine may be temporarily housed in smaller enclosures for a period not to exceed 60 days. With written notification to ZAA, this period may be extended in circumstances where a licensed veterinarian has certified that a longer holding period is medically necessary in the interests of the health, safety and welfare of the subject animals or the public. Medical records concerning all animals for which an extension of the 60-day period is obtained shall be maintained at the facility and shall be made available for inspection, upon request, by ZAA. The caging or enclosure of all wildlife temporarily held under this section shall not be smaller than that required for the caged animal to stand up, lie down, and turn around without touching the sides of the enclosure or another animal. All wildlife thus housed shall be permanently marked or their enclosures shall be permanently marked, so as to be traceable to written records indicating the date the wildlife was placed in temporary holding. Such records shall be maintained and made available for inspection by ZAA.

3. The standard caging requirements shall not apply to facilities possessing ratites (ostriches, rheas, emus, and cassowaries) for propagation purposes only and not for public exhibition.

4. Newborn and juvenile mammals may be temporarily kept in enclosures below the standard caging requirements and are exempted from the land requirements and structural strength requirements as follows:
    a. Newborn mammals may be kept in incubation and rearing facilities. Nursing young may be maintained with their parents with no increase in required enclosure size for the adult animal for up to twelve weeks, provided that documentation is available to show the age of the young. Such time may be extended with a veterinarian's statement, showing that such size enclosure is required for the continued health and welfare of the animals until a certain date.
    b. Juvenile mammals may be kept in enclosures that do not meet or exceed the size specification in subsection (2) of this section provided that:
        i. Written documentation is available to verify the age of the animal.
        ii. The animal is marked or otherwise identifiable.
        iii. The animal shall be provided space for exercise on a daily basis.
        iv. Enclosures that meet the standard caging requirements shall be provided for Class I and Class II carnivores when they reach 25 pounds or six months of age, whichever comes first. Class III carnivores shall be provided enclosures that meet the standard caging requirements at six months of age. Class I, II, and III primates shall be provided enclosures that meet standard caging requirements at twelve (12) months of age.

5. Hatchling/fledgling birds and newborn reptiles and amphibians may be held in enclosures that allow for normal postural movements and social adjustments that ensure the health and sanitary needs of the animals.

6. Birds held temporarily for exhibit only and not for sale, may be kept in show enclosures, provided that, such birds have sufficient space for perching without touching the sides, top, or bottom of the enclosure and the health and sanitary needs of the birds are met. Water shall be available in the show enclosures at all times.

7. Reptiles and amphibians held temporarily for herptile shows, expositions, and exhibits may be kept in enclosures that allow for normal postural movements and social adjustments and that ensure the health and sanitary needs of the animals.

8. Enclosures for mobility impaired animals shall meet standard caging requirements, unless it can be demonstrated that such enclosure, or its required accessories, are detrimental to the health or welfare of the animal. In such cases, written documentation by a veterinarian confirming the need for such exemption shall be maintained by the permittee and made available to ZAA upon request.

9. Mammals held temporarily for shows, expositions, and exhibits may be kept in enclosures that allow for normal postural movements and social adjustments and that ensure the health and sanitary needs of the animals.

Martin, Jodee

From: Maureen <momofarrell@gmail.com>
Sent: Thursday, July 24, 2014 4:30 PM
To: Martin, Jodee
Subject: Comment on dangerous animal list

I think many of the animals on this list should be rethought, however the one that strikes me as most important is the prohibition of domestic canine hybrids (specifically "wolf dogs", no longer referred to as hybrids as they can reproduce). There are an overwhelming number of high and low content wolf dogs in WV and while I think they are not good pets, the prohibition of these animals will greatly affect the lives of those already owned. They are social creatures who bond very strongly with their human companions, and often have a hard time finding new homes.Forcing individuals to give up these animals will cause most of them to be euthanized, as the majority of shelters will not keep them. Perhaps the law should have a content limit, for example, wolf dogs under 1/4 wolf are allowed, while those over are not. Thank you for your consideration

Sent from my iPhone

Martin, Jodee

From: Bill Cunningham <billcun@suddenlink.net>
Sent: Thursday, July 24, 2014 12:01 PM
To: Martin, Jodee
Subject: CSR §61-13

M(r)s. Martin,

I would like to speak to you concerning the Danger Wildlife Act that was passed in ACTS 2014. The legislature has ordered that rules be promulgated and I see the board has been formed and is making a list.

My local paper said the original list has been scraped and a new one created. I do not see this list but I would like to speak particularly concerning Pirhana species.

I have owned around 7 piranha at various times. I bought these animals at a pet shop as the waters here in this part of the world are too cold for them to survive. The stock was breed from previous stock several generations ago that would've been wild.

I have noticed these animals when alone and raised alone 1 per tank were very calm. I always fed one from my hand and when I cleaned it's tank I always put my hand into the tank and cleaned the tank. The fish never wanted to be near my hand.

I know how piranha species can be in the wild when in large numbers in a small space. They can quickly strip cattle to the bone if the piranha density of the water is high. I have seen in nature documentaries people swimming with piranha in large water pools with only a few fish. The requirements concerning them should involve density of fish per cubic foot/inch of water and their size. The ones I've had were always small red-bellied piranhas. And one in a 10 gallon tank of water would make a very good and docile pet I've noticed. A larger tank would not hurt but fish get larger as their tanks they live in do.

I've also noticed that even one redbelly in a 10 gallon tank with other fish added makes them agitated and they begin eating and tearing into the other fish. Still I don't think one fish per ten gallon tank is going to get large enough to cause any real danger if it did bite.

That has been my experience. I certainly don't want to see these animals get flagged and a permit required. They're just not dangerous enough. Two or three in a ten gallon tank is going to give home to some agitated piranhas but wether or not they could seriously hurt you if you put your hand into the tank would be doubtful. But unadvisable. I also had a science teacher in middle school many years ago that had two piranhas in a tank for several years. I heard a rumor that one killed the other later.

Well I wanted to shared my experience and what I've seen concerning piranhas. I don't think they need a permit but some good common sense rules.
I am of the opinion that they would not be capable of causing serious danger.

Seriously,

W Cunningham

Martin, Jodee

From: Gothard, Robin on behalf of Helmick, Walt
Sent: Thursday, July 24, 2014 2:52 PM
To: Martin, Jodee
Subject: FW: more info, please

Jodee,

Please reply or forward to correct person to respond.

Thanks,
Robin

From: BJ-Kate Adkins [mailto:peaceofeden@ymail.com]
Sent: Thursday, July 24, 2014 2:24 PM
To: Helmick, Walt
Subject: more info, please

Mr. Helmick,
I am very concerned about the wording in the proposed wild animal list that is up for public comment. I have tried for two weeks to get answers from the WVDA for clarification, but I'm either ignored or my e-mail is passed along to someone else. I did receive a blanket response from Jodee Martin that said my comments had been forwarded to the state veterinarian---however, I have a question, not a comment. And I have not received any answer from the state vet.

I saw an earlier version of the list that said domesticated breeds of rabbits are exempt, but the list on the WVDA site says all lagomorpha, all species, and does not specifically exempt domesticated rabbits. Dogs, horses, cats, etc. are exempt. I raise American Chinchilla for meat and for sale as broodstock and show as part of my farming operation (my farm is a registered business with the state). I also raise Thriantas for show and pet sales. Both breeds are rare, with the AC listed as critically endangered by the American Livestock Conservancy. I have a large interest in my rabbits, and I know of many people who raise other breeds of meat rabbits who are also concerned. Please explain the listing. Are all domesticated rabbits included in the proposed ban?

Thank you
Kate

Martin, Jodee

From: Steve Wheat <sfw43@att.net>
Sent: Tuesday, July 29, 2014 3:15 PM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: WV-USFWS_findings_4_constrictors.docx

See Attachment

Steve

Comment: Proposed Rule 61-30

After 6 years of study, USFWS in early 2012 added Python molurus (which includes Burmese python (*Python molurus bivittatus*) and Indian python (*Python molurus molurus*)), Northern African python (*Python sebae*), Southern African python (*Python natalensis*), and yellow anaconda (*Eunectes notaeus*) to the Federal list of injurious wildlife. Federal Register, 3330-3366, January 23, 2012.

This listing is subject to a federal lawsuit in significant part due to numerous scientific papers that have called into question the bases for the listing these species. United States Association Of Reptile Keepers, Inc. v. United States Fish And Wildlife Service, US District Court, District of Columbia, Civ. No.: 13-2007 (December 18, 2013).

USFWS set forth its justifications in writing for listing each of these snakes as an injurious species in the Federal Register. For each of these snakes, the underlying rationale was the potential for such species to establish in areas of the United States with suitable climate and habitat. Federal Register at 3339-3344. However, West Virginia is not a geographic area in which USFWS or USGS found any such suitable climate and habitat. Moreover, there is ample evidence that the geographic areas set forth by USGS are grossly overestimated due to various flaws in its data and computer modeling.[1] See for example, Environmental temperatures, physiology and behavior limit the range expansion of invasive Burmese pythons in southeastern USA, *Integrative Zoology* 2012; 7: 271–285.

Of particular importance for West Virginia is the fact that the specific reasons cited by USFWS for listing these four species of constricting snakes as injurious did NOT include physical injury to humans. Federal Register at 3339-3344. If the threat of physical injury would have been a factor in finding these species injurious, USFWS would have certainly included this rationale in their list of justifications. For information on handling reticulated pythons, see http://www.reptilesmagazine.com/Reticulated-Python-Mccurley-3/.

Because there is no climate match in West Virginia for any of the "constricting snakes" set forth in Proposed Rule 61-30 and there is no evidence that the constricting snakes present a significant risk of harm to humans as required by the DWA law, the constricting snakes should be removed from the DWA list.

Sincerely,

Steve Wheat

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[1] See Engeman, Avery, and Jacobson; *Weighing empirical and hypothetical evidence for assessing potential invasive species range limits: a review of the case of Burmese pythons in the USA* (2014). DOI 10.1007/s11356-014-3173-4

Martin, Jodee

From: Gothard, Robin on behalf of Helmick, Walt
Sent: Tuesday, July 29, 2014 3:28 PM
To: Martin, Jodee
Subject: FW: Proposed Rule 61-30: Comment on DWA Act

-----Original Message-----
From: Hannah Click [mailto:hannahridgway@yahoo.com]
Sent: Tuesday, July 29, 2014 2:36 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Hannah Click <hannahridgway@yahoo.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%

- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Hannah Click
608 Brown Street
Mason, WV 25260

Martin, Jodee

From: jennifer ozzbourne <ozzbourne_reptiles@hotmail.com>
Sent: Tuesday, July 29, 2014 3:38 PM
To: Martin, Jodee
Subject: Public comment HB4393
Attachments: WV-USFWS_findings_4_constrictors_signed.pdf; ATT00001.txt

This document was signed using SignEasy App.

Download the app at http://www.getsigneasy.com.

Comment on Proposed Rule 61-30

West Virginia enacted a Dangerous Wild Animal ("DWA") law, which essentially mirrors the definition of injurious wildlife under Federal law, i.e., Lacey Act. The Lacey Act provides that the importation and the interstate[1] shipment of wild mammals, wild birds, fish (including mollusks and crustacea), amphibians, and reptiles prescribed by regulation to be injurious to human beings, to the interests of agriculture, horticulture, forestry, or to wildlife is prohibited.[2] The West Virginia DWA law defines a DWA as a "mammal, bird, reptile, amphibian or aquatic animal, including a hybrid, that is dangerous to humans, other animals or the environment due to its inherent nature and capability to do significant harm." West Virginia exempts its native wildlife, livestock and domestic animals, essentially leaving nonnative wild animals/wildlife within the potential definition of West Virginia DWAs.[3]

The injurious wildlife provision of the Lacey Act has been in place since 1900.[4] In over a century, the Federal government has listed only a small number of mammals,[5] birds,[6] aquatic animals (fish, mollusks and crustaceans),[7] reptiles,[8] and NO amphibians.[9] In contrast, in a couple months, the DWA Board has listed thousands of animals as DWAs.

Since the definitions of DWAs and injurious wildlife are nearly identical, it is incomprehensible that the DWA Board has listed thousands of animals as dangerous, which the Federal government has not so listed in over 100 years. The list of DWAs for WV should actually be a subset of the Federal list because animals from different climates than West Virginia will not be

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[1] The statute has been interpreted by USFWS to prohibit interstate transportation, but the statutory language appears to only prohibit shipment between the continental United States, Hawaii, territories and possessions.

[2] 18 U.S. Code § 42(a)(1).

[3] The DWA law provides that the DWA list may include, but not be limited to: bears; big cats; canids; primates; constrictor snakes greater than six feet; venomous snakes; and alligators and caimans. The actual determination of which animals would meet the definition of DWAs was left to the DWA Board. The DWA Board has apparently totally ignored the findings of the Federal government on this issue.

[4] 18 U.S.C. § 391 (1925-1926 ed.). C. 553, sec. 3, 31 Stat. 188 (May 25, 1900), *codified at* 18 U.S.C. § 43 (1976 ed.).

[5] Flying fox or fruit bat (genus *Pteropus*, 60 species); Mongoose (7 genera - Atilax, *Cynictis*, *Helogale*, *Herpestes*, *Ichneumia*, *Mungos*, and *Suricata*); European rabbit (genus *Oryctolagus* – 1 species); Indian wild dog, red dog, or dhole (genus *Cuon* – 1 species); Multimammate rat or mouse (genus *Mastomys* – 8 species); Raccoon dog (*Nyctereutes procyonoides*); Brushtail possum (*Trichosurus vulpecula*).

[6] Pink starling or rosy pastor (*Sturnus roseus*) species of dioch (including the subspecies black-fronted, red-billed, or Sudan dioch) (*Quelea quelea*) ; Java sparrow (*Padda oryzivora*); Red whiskered bulbul (*Pycnonotus jocosus*)

[7] Walking catfish, family Clariidae (13 genera, 100 species); Mitten crabs (genus *Eriocheir* - 3 species); Zebra mussel (*Dreissena polymorpha*); Snakehead (family Channidae; 2 genera (*Channa* and *Parachanna*) totaling 28 known species); Silver carp ((*Hypophthalmichthys molitrix*); Largescale silver carp (*Hypophthalmichthys harmandi*); Black carp (*Mylopharyngodon piceus*); Salmonids: live or dead whole fish, live fertilized eggs, or gametes, unless with health certificate.

[8] Brown tree snake (*Boiga irregularis*); Python molurus (which includes Burmese python (*Python molurus bivittatus*) and Indian python (*Python molurus molurus*)), Northern African python (*Python sebae*), Southern African python (*Python natalensis*), and yellow anaconda (*Eunectes notaeus*).

[9] No amphibians are listed. http://www.fws.gov/international/pdf/report-current-list-of-injurious-wildlife-2012.pdf (This list was apparently created before 4 species of constrictor snakes were added in 2012.).

able to become invasive within West Virginia. For example, the constrictor snakes that have a climate match in southern Florida do not have a climate match in West Virginia.[10] The constrictor snakes could never survive in West Virginia, let alone become established in West Virginia.

Another example of a monumental divergence from the findings of the Federal Government is the listing by West Virginia of thousands of species of salamanders, frogs, and toads. What does the West Virginia DWA Board know that the Federal government is unaware of?

The listing of an animal as a DWA has much more serious consequences than the listing of an animal as injurious wildlife under the Lacey Act. For example, you are prohibited from replacing a DWA after its death. Also, the insurance coverage required for a DWA will make continued ownership financially impossible for many West Virginia pet owners. The owner of a DWA is denied the right to breed his animal. Various restrictions apply to the transfer of any DWA within West Virginia. Finally, the owner is subject to various unnecessary record keeping requirements and an annual application process and fee. None of these requirements apply to an animal listed as injurious under Federal law. Given the significantly greater impact upon pet owners, one would expect that the DWA Board would have been much more conservative in its approach to adding animals to the DWA list. However, the exact opposite has occurred. This is simply unacceptable.

By listing so many animals as DWAs, the West Virginia government will be destroying captive breeding programs throughout West Virginia that are part of a worldwide effort to ensure an Invisible Ark for the conservation of wildlife.[11]

I herewith demand a detailed explanation for every animal added to the West Virginia DWA list that is not already on the list of injurious wildlife under the Lacey Act. Since none of the listed species of constrictor snakes have a climate match with West Virginia, I demand the same explanation for any constrictor snakes added to the West Virginia DWA list.

Sincerely,

29/07/14

[10] See Engeman, Avery, and Jacobson; *Weighing empirical and hypothetical evidence for assessing potential invasive species range limits: a review of the case of Burmese pythons in the USA* (2014). DOI 10.1007/s11356-014-3173-4

[11] See Barker and Barker, The Invisible Ark, In Defense of Captivity (2014). ISBN 13: 978-0-9785411-1-8

Martin, Jodee

From: Cheyenne sanders <cheyennesummersanders@gmail.com>
Sent: Tuesday, July 29, 2014 4:13 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Cheyenne sanders <cheyennesummersanders@gmail.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

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- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Cheyenne sanders
Cheyennesummersanders@gmail.com
Fairmont, WV 26554
3043630663

Martin, Jodee

From: Scott Klimek <gimmik68@hotmail.com>
Sent: Thursday, July 31, 2014 5:18 PM
To: Martin, Jodee
Subject: Banned Captive Animals

Most animals have no business being pets beyond dogs and cats. I'm in full support of this list and the first list!

Scott Klimek
404 Orchard Av
Bridgeport WV 26330

Martin, Jodee

From: Heather Kalb <heather.kalb@westliberty.edu>
Sent: Thursday, July 31, 2014 5:11 PM
To: Martin, Jodee
Subject: Letter addressing dangerous wild animals listing
Attachments: Dangerous animal law.pdf

Please accept my letter addressing the first proposed listing of turtles as a dangerous wild animal. Please confirm receipt of my letter.

Heather Kalb

July 30, 2014

To Whom It May Concern,

I am writing in regards to the proposed dangerous wild animals list. My experience and personal interest is with turtles. I realize they were removed from your second list, but since you are still discussing the issue I feel it necessary to add my thoughts.

I am a biology professor at West Liberty University. I use turtles for undergraduate research projects and for teaching. When the research is done, instead of euthanizing the research animals, as is customary, I take mine home or give them to reliable students who have requested them. The majority of turtles that I have are Malayan box turtles, *Cuora amboinensis*, native to Southeast Asia. I have around 43 adults that were rescued going into China illegally for the food trade. Half were rescued by the Turtle Survival Alliance (part of the IUCN) and half were rescued by private turtle rescue groups. I maintain the adults as a captive breeding colony that has in the past allowed my students to monitor reproductive cycles with the use of an ultrasound and to observe mating, nesting, and growth of the young turtles. Due to financial cut backs and room restraints I have recently moved my adults off campus to a private location. We have been hoping to work with the school to permit students to our off campus facility, but due to financial cut backs the project seems dead in the water at this time.

I currently have 30 juvenile Malayan box turtles in a UVB radiation study on campus. It is expected to end this year and those turtles will be moved off campus into less sterile, research conditions and hopefully into new good homes.

I have been a zoology professor since 2000. For teaching I have acquired various different types of turtles that I can use to demonstrate the various turtle groups – for example a tortoise versus water turtle. Most of these animals were purchased as captive bred offspring over 10 years ago. I also have a variety of turtles that were given to me over the years by various students or groups who grew bored of their pets and wanted them to go away.

When invited I take the turtles to schools, church groups, fairs and anywhere else that I am invited to present. So I use them for teaching of various types and many have been used for research, but at the end of the day I am the one personally responsible for their care and maintenance and few live on campus at this point.

I do appreciate your efforts to end the exotic pet trade, but I can't afford $100 per animal nor am I sure why you would propose $50 per snake, but $100 per other reptile as stated in the Wheeling Intelligencer today. I realize my animals may be excused for teaching or research purposes, but there are other people who have large collections and are good responsible owners who don't have the university ties. These people, myself included, can not afford to be a responsible good owner and pay your large fees per animal. For people who can't afford the large proposed fee and to maintain the animals appropriately what would you suggest they/I do with the animals? Should I release them – that is illegal. Should I kill them – that seems unethical. Should I give them to new homes – that will be hard

when they would be illegal in this state. Suddenly charging these high rates for each animal that use to be legal is immoral in my personal opinion and will encourage releasing of these animals into the wild.

Again, I realize that turtles are not on your most updated dangerous animals list, but I am aware that you are still tweaking the list. Thank you for listening to my concerns.

Sincerely, Heather Kalb

Assistant Professor of Biology
West Liberty University,
West Liberty, WV 26074

Martin, Jodee

From: Kadrus Clutch <kadrusclutch@gmail.com>
Sent: Wednesday, July 30, 2014 6:41 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.odt; WV-Injurious_Species_comment.odt; WV-USFWS_findings_4_constrictors.odt

See attachment

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when

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[1]See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2]See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4]Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5]W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6]Appendix B of Proposed Rule 61-30.

[7]Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8]W. Va. Code § 29A-3-5.

[9]Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10]Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.

2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.

3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.

4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.

5. The DWA Board failed to remedy omissions and inadequate provisions timely.

6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

_____

_Brandon Cashwell

_Jessica Cashwell

_Will Hayes

---

[11]A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12]Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: NERD <info@newenglandreptile.com>
Sent: Wednesday, July 30, 2014 7:30 PM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30

Dear Sir/Madam,

7/30/2014

My name is Kevin McCurley and I strongly oppose West Virginia's Dangerous Wil Animal Act. I own two pet related companies - New England Reptile Distributors, Inc ("NERD") and Zoo Creatures(a full line pet store), LLC. We are based in Plaistow, New Hampshire, far from West Virginia but close enough to fear the stifling effects o your new proposed laws. I am writing this letter regarding the sudden listing of rodents, mammals, amphibians, reptiles, turtles, tropical fish, tortoises and most pet species excluding, dogs, cats and farm animals. This list is incredibly extensive, eve with many species removed by hopeful logic the fact that it exist at all is alarming. I employ 23 people who deal extensively with many of the animal species that have been listed. If I were a WV resident and I conducted my businesses in the state I would quickly go bankrupt, lose my property and lay off each and every employee. What exactly would I be expected to do with all of these "pets"? I can only ask why would there be a need to list species that are commonly kept as pets as "dangerous wild animals"? This new law will destroy every pet related business in West Virginia, excluding dogs, cats. If a person were allowed to keep their pets, they would need specific permits with insurance policies covering their "pet liabilities"? It seems very clear that there is a strong influence by anti-pet proponents to wipe out general pet keeping in West Virginia.

I am a reptile expert and can argue points regarding listing constrictors as "invasive", "injurious" or "wild and dangerous". I originated my specific business as a hobbyist/collector and developed my skills as a proficient reptile expert by the keepir and breeding of reptilian pets. I have owned NERD for nearly 20 years and during th time I have produced more pattern and color mutations of pet pythons than anyone else in the world. My experience and studies have qualified me as an authority who has written books and articles regarding the keeping and breeding of pythons. I hav a $1.25 million small business administration loan which I used to build my 14,000 Square foot retail business and breeding facility. My entire living is based on my life's vision of keeping and breeding reptiles. If any of the species listed are to be listed th should be listed due to facts, reason and purpose. and not fear or faulty science. Adding species as invasive, dangerous or injurious due to faulty science is an abuse of power. Listing any such species by government must first objectively ascertain relevant facts and base decisions on sound science rather than hysteria. A state

agency that suddenly deems a sudden risk, engages in a mass listing without proof c need is one that has over reacted to poor information.

With the sudden listing of so many pet species as "dangerous wild animals" I can not help but to be concerned, such laws create panic and fear which propagates beyond the borders of a state line. I find myself worried for my future, the collection c animals I have built for over 30 years, my businesses, my liabilities, other hobbyists, other breeders, educators and my employees. My businesses would fail as I rely on the keeping and breeding of rodents, tropical fish species, corals, birds, tortoises, turtles, frogs, lizards, small animals, rabbits, snakes such as reticulated pythons, ball pythons, boa constrictors and green anacondas as a primary source of income. If these species are listed in my state, I would no longer have the income to house, fee and care for these animals. Hundreds of adult animals would suddenly become a burden that I would have no ability to support or care for. Commercially, these anima would be dead and there would no longer be an ability to derive an income keeping and breeding these species. What would I do with all of these animals? I would suddenly find my life's work has become my life's biggest nightmare! I can not even begin to imagine what I would do and how I would manage losing all of what I love and have worked so hard to achieve.

As a business owner, I am constantly aware of any hazards or dangers that could result in any injury to an employee or anyone else on my business premises. Employees of both of my businesses, one being set up for reptile breeding and the other as a retail store, deal with large constrictors daily. For nearly 20 years, my employees have been handling, feeding, cleaning and educating others about our pets. Every time an employee contacts any of the pet species I carry, we can call that an "exposure." My employees have had millions of exposures to these proposed "dangerous" species.. I am proud to say that neither one of my businesses has ever had an employee injury that warranted professional medical attention or a workman's compensation claim. We keep and breed snakes exceeding 20' and we have never had a notable injury and have never experienced the type of fear that your listing suggest. No employee has had to go to a doctor or the hospital from contact with any of such pet species. I would not have been able to avoid a plethora of catastrophic injuries over the past 20 years owning my businesses if there was such a danger from the most of the species you have listed. My employees have been exposed to my large constrictors, to venomous species(these require permits, understandably so), to rodents, to tropical fish, to frogs, to rabbits, to mice, to rats, to reptiles, to giant pythons, to small pythons, to tortoises, to goldfish, to mollies, to colored rodents, to sugar gliders, to birds, to constrictors on down the line. We breed many large snakes, we have hundreds of them and produce thousands of babies with an endless period of exposure. We do not have any problems with these species, all can be kept without permits excluding

venomous, what is unique about WV? As I look over the proposed list of species I wonder how these species can be regarded as "dangerous wild animals". I have a life filled with many of these these species and clearly disagree with such ideas. The people involved with the creation of the listed species are arguably biased, misinformed, unqualified, anti-pet, non-scientific and over reaching. The species listed are vast, incredibly expansive with poorly understood reasoning. I can only wonder what exactly occurred to create, summon and actually sign such a state wide ban on pet ownership.

As an example of what happens when the government creates laws based on poor science and conjecture, species are banned and commercially deceased. When Burmese pythons were listed by USFWS, it was difficult to comprehend that I would no longer be able to breed and educate others due to a federal regulation. I also would no longer be able to use my Burmese pythons as breeders since there would be no market for these babies in New Hampshire. I sold or gave away some of my animals and kept a small number to work with. I was able to adjust but the loss of money, time and effort has been almost crippling to my business. I continued to breed reticulated pythons and was able to slowly begin recovering from the loss due to the listing of Burmese pythons. In 2013, however, I experienced a second terrible and dramatic loss of income as rumors circulated that USFWS would list reticulated pythons! Specifically, in August of 2013, my sales seemed to dry up as people panicked that reticulated pythons and 4 other species would be listed as injurious. I went from having the first part of the year's sales as good to the second part of the year as terrible. Presently, my businesses are doing poor. I continue to try to adapt to international sales, but international sales will not save NERD. People fear the new listing and if it does occur, the entire reptile market will be severely damaged as pet owners will not spend money on reptiles out of fear they will be banned. I have been backed into a corner and there is no possible adjustment that I can do to adapt if there is an addition of 5 other species as injurious. Reticulated pythons that once sold at a premium price for genetic traits are now viewed as less desirable than even standard pattern snakes that are not currently being considered publically by USFWS for listing. This is an accurate example of what happens once hysteria and fear effect laws. Similar species are targeted and then removed from the pet sector by crippling laws. The rippling effect of the new West Virginia listings will unnecessarily propagate further anti-pet laws throughout the country. It appears likely that the recent Ohio restrictive pet laws have rippled past the state lines of WV and the results are clearly seen here. Most of species listed in the Dangerous Wild Animal Act are unlike the animals that were set free in Zanesville, OH.

The incredible array of species listed as "dangerous wild animals" to their keepers, the environment exceeds understanding. Clearly species are listed without

a working knowledge and a reason as to why they are to be regarded as "dangerous" To suggest the fact that tropical reptile species can adapt to temperate North America and listed as "dangerous" is literally an incorrect assumption. To assume such an injustice is not to understand simple reptile biology. Pythons and boas as an example are cold blooded and each species has a preferred temperature range that allows the animal to succeed. These animals live in environments filled with bacteria, fungi and other pathogens. At specific temperature ranges these animals battle such ambient pathogens by maintaining a healthy immune system. Reptiles will warm their bodies to stimulate their metabolism and immune system, this is critical and can not be changed. If a tropical species is kept at temperate temperatures, it will fail to maintain a healthy immune system and will suffer bacterial, parasitic and/or fungal infections. One of the most common ailments of pythons and boas is bacterial pneumonia, or a simple respiratory infection. If animals are kept at lower temperatures it is common to see these animals become sick and die. Once the snake becomes sick recovery can be tricky. If they are unable to maintain proper temperatures they will surely die. All snakes share one terrible fact, they have no body diaphragm and can not cough. As fluid builds up in the animals simple single lung it will suffocate unless the snake is able to expectorate this mucous. Coughing in snakes is primitive at best, as the snake struggles to rid itself of this fluid it will often suffocate as this fluid obstructs the small narrow trachea of the snake. To clarify, tropical species will die from the cold, many die from their version of the "common cold'. Due to this fact, tropical snakes can not adapt and are victims of their immediate environment, their needs are specific and tentative. For a tropical constrictor species to adapt to a temperate climate it would have to undergo a physiological change, something that can not happen. This would be like saying a snow ball can adapt to a summer day!

In closing, I strongly oppose the Dangerous Wild Animal Act. I urge the state of West Virginia to use logic, science and reasoning regarding this over reactive law . The information used to create such a listing is clearly one sided and weighted towards the side of fiction; expertise is needed here, not fictitious information collected by people scanning text books for information to bolster their biased argument. I urge the state to expand their expertise base, the bias nature of this law is evident and unfair. I am fortunate to have been born in this country and believe that our Government has the ability to discern fiction from fact. Please do not list these species, please consider my words and please rely on factual science.

Thank you - Sincerely,

Kevin McCurley
info@newenglandreptile.com
149 Plaistow Road
Plaistow, NH 0386

New England Reptile Distributors, Inc.
Zoo Creatures, LLC

Books authored by Kevin McCurley

1." Ball Pythons in Captivity", 2005
2." The Complete Ball Python", 2005
3. "Python regius", german edition - written in german 2007
4. "Python regius", german edition - written in German 2009, second edition
5. "The Ultimate Ball Python - Morph Maker" 2014

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http://www.newenglandreptile.com
http://www.facebook.com/newenglandreptile
http://www.facebook.com/GrainGlobalReptileAmphibianInvertebrateNetwork?ref=hl
http://aquazoosystems.com/aquazoo/ - an entirely new way to manage and KEEP FISH!

Martin, Jodee

From: Robert Delaney <robert@delaney.nu>
Sent: Wednesday, July 30, 2014 8:19 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Robert Delaney <robert@delaney.nu>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Robert Delaney
46 Edaw Drive
Charles Town, WV 25414
304 725-6924

Martin, Jodee

From: Rob Fink <fantasticfink@gmail.com>
Sent: Wednesday, July 30, 2014 8:34 PM
To: Martin, Jodee
Subject: Possible Pet Law?

Jodee,

I recently read a post going around on Facebook about a ban on household animals, such as rabbits, frogs, turtles, etc. I pray that this is a joke and that you wouldn't consider passing this ridiculous law.

Some animals would be happier in the wild, yes, but many of these animals were bred for the pet lifestyle. I highly doubt hamsters or guinea pigs would survive in the wild. Wouldn't you agree?

Thank you for your time,
Rob

Martin, Jodee

From: Yvon Guy <yvon@yvon.com>
Sent: Wednesday, July 30, 2014 10:33 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.doc

See attachment.

Thank you.

Yvon Guy

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade

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1

[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

2

[1] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

3

[1] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

4

[1] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

5

[1] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

6

[1] Appendix B of Proposed Rule 61-30.

7

providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West

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[1] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

8

[1] W. Va. Code § 29A-3-5.

9

[1] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

10

[1] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

11

[1] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision-makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.

2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.

3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.

4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.

5. The DWA Board failed to remedy omissions and inadequate provisions timely.

6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

_Yvon Guy_____

_____

12

[1] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: jrashleywv <jrashleywv@gmail.com>
Sent: Thursday, July 31, 2014 12:49 AM
To: Martin, Jodee
Subject: Wv pet law

Sent on a Sprint Samsung Galaxy S® III

-------- Original message --------
From: jrashleywv
Date:07/31/2014 12:45 AM (GMT-05:00)
To: jodeemartin@usda.us
Subject: Wv pet law

To who it may concern:

I am writing in regards to the proposed pet law. I ran a reptile rescue in my home for many years in the late 90's-2000's and I love my piranhas. That said I am writing in support of the bill. I think that at least in regards to the large breed snakes, venomous snakes, crocodilians ,and monitor lizards that there is no reason a hobbyist should need to keep them. Sure a Burmese is cute at a foot but it is dangerous, expensive, and hard to keep at 15 feet and very few people have the proper knowledge to do it. The same goes for 6 foot monitor lizard. These are not domestic animals and they are not pets.

Thank you for your time,
Jessica Ashley

Sent on a Sprint Samsung Galaxy S® III

Martin, Jodee

From: stanleyrb1@comcast.net
Sent: Thursday, July 31, 2014 9:44 AM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: DWA Proposed Rule 61-30

Please see attached comment.

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

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[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

Richard Stanley

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[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Kyle Duhn <kyle.duhn@kregtool.com>
Sent: Thursday, July 31, 2014 9:47 AM
To: governor@wv.gov; Martin, Jodee; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30

Good morning,
I'm emailing you all in regards to the WV DWA act banning many animals based on flawed data and fear mongering. I have a good example of what flawed data and fear propaganda can do to an industry and a person.
I live in Ames, Iowa and recently a man who owns about 30 snakes ranging from ball pythons to reticulated pythons applied for a business permit to run out of his house. He doesn't have the capital and sales volume to be able to own or rent an actual store so doing it out of his house and doing it the legal way of forming a business and paying his taxes seemed plausible- after all how many people sell Mary Kay and Purses out of their homes and nobody cares.

The city denied his permit and flat out said that part of the reason they denied him was fear and lack of knowledge of snakes. Fear- for no reason they denied this man his right to sell snakes that he already has and breeds and takes very good care of. They showed his snake room- it was immaculate with the best equipment you can get. Neighbors were scared and worried they could get out, wouldn't be able to survive an Iowa fall yet alone a winter- all along he had them for years before and they had no idea and lived their lives just fine. Fear and Lies stopped this man from starting a business- they aren't doing anything as far as taking his snakes and don't plan on but no business. He still breeds them and sell them though.

I have owned reptiles and fish since I was 8. Starting with leopard geckos and at one point owning about 15 and breeding them by my teenage years. Find me a kid that can take care of animals and you'll have a good person, we aren't crazy reptile people, some of us are crazy about our reptiles though. I currently own two ball pythons and a large fish setup. I recently brought my pythons into a church summer program. When I pulled them out for the kinds that were 3-15 years old they couldn't get close enough to touch them any quicker. The ones that were apprehensive about getting close soon warmed up to them after realizing there is nothing to fear and they are actually quite soft and smooth.

The fear and lack of knowledge of many reptiles so let's ban them attitude needs to stop. While there are animals on the list that your normal pet owner shouldn't have without proving they are able to provide adequate care makes sense- most people aren't capable of taking care of an alligator. But most of these animals aren't even capable of living in most of the U.S., specially the northern part. They simply can't survive. They come from year round tropical climates-not negative 20 degree winters.

While I can't disagree that some regulations for certain animals are needed HSUS uses fear and flawed data to show that all these animals are dangerous disease spreading killers when in fact they aren't. Cows kill more people then these animals. And they can live in almost any environment and breed. So imagine what they could do to prairie lands- a little dry humor to show how silly some of the stuff hsus claims sound when you replace the animal with another. But the fact still remains that most these animals can't survive in the U.S.

I hope you listen to your residents and non-residents and don't go through with this bill, HSUS will move onto the next state and so on. They collect donations so "Save animals" and they use it for passing bills to ban animals.
They need to stick to fund raising and saving dogs from puppy mills if they want to do something good or maybe closing down their own kill shelters if they claim to be animal lovers.

Kyle Duhn, Toolmaker | Kreg Tool Company
Office: 515.597.6439 | Fax: 515.597.6402

201 Campus Drive | Huxley, IA 50124
kyle.duhn@kregtool.com | www.kregtool.com

Comment on Proposed Rule 61-30

West Virginia enacted a Dangerous Wild Animal ("DWA") law, which essentially mirrors the definition of injurious wildlife under Federal law, i.e., Lacey Act. The Lacey Act provides that the importation and the interstate[1] shipment of wild mammals, wild birds, fish (including mollusks and crustacea), amphibians, and reptiles prescribed by regulation to be injurious to human beings, to the interests of agriculture, horticulture, forestry, or to wildlife is prohibited.[2] The West Virginia DWA law defines a DWA as a "mammal, bird, reptile, amphibian or aquatic animal, including a hybrid, that is dangerous to humans, other animals or the environment due to its inherent nature and capability to do significant harm." West Virginia exempts its native wildlife, livestock and domestic animals, essentially leaving nonnative wild animals/wildlife within the potential definition of West Virginia DWAs.[3]

The injurious wildlife provision of the Lacey Act has been in place since 1900.[4] In over a century, the Federal government has listed only a small number of mammals,[5] birds,[6] aquatic animals (fish, mollusks and crustaceans),[7] reptiles,[8] and NO amphibians.[9] In contrast, in a couple months, the DWA Board has listed thousands of animals as DWAs.

Since the definitions of DWAs and injurious wildlife are nearly identical, it is incomprehensible that the DWA Board has listed thousands of animals as dangerous, which the Federal government has not so listed in over 100 years. The list of DWAs for WV should actually be a subset of the Federal list because animals from different climates than West Virginia will not be

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[1] The statute has been interpreted by USFWS to prohibit interstate transportation, but the statutory language appears to only prohibit shipment between the continental United States, Hawaii, territories and possessions.

[2] 18 U.S. Code § 42(a)(1).

[3] The DWA law provides that the DWA list may include, but not be limited to: bears; big cats; canids; primates; constrictor snakes greater than six feet; venomous snakes; and alligators and caimans. The actual determination of which animals would meet the definition of DWAs was left to the DWA Board. The DWA Board has apparently totally ignored the findings of the Federal government on this issue.

[4] 18 U.S.C. § 391 (1925-1926 ed.). C. 553, sec. 3, 31 Stat. 188 (May 25, 1900), *codified at* 18 U.S.C. § 43 (1976 ed.).

[5] Flying fox or fruit bat (genus *Pteropus*, 60 species); Mongoose (7 genera - Atilax, *Cynictis, Helogale, Herpestes, Ichneumia, Mungos*, and *Suricata*); European rabbit (genus *Oryctolagus* – 1 species); Indian wild dog, red dog, or dhole (genus *Cuon*– 1 species); Multimammate rat or mouse (genus *Mastomys*– 8 species); Raccoon dog (*Nyctereutes procyonoides*);Brushtail possum (*Trichosurus vulpecula*).

[6] Pink starling or rosy pastor (*Sturnus roseus*) species of dioch (including the subspecies black-fronted, red-billed, or Sudan dioch) (*Quelea quelea*) ; Java sparrow (*Padda oryzivora*); Red whiskered bulbul (*Pycnonotus jocosus*)

[7] Walking catfish, family Clariidae (13 genera, 100 species); Mitten crabs (genus *Eriocheir*- 3 species); Zebra mussel (*Dreissena polymorpha*); Snakehead (family Channidae; 2 genera (*Channa* and *Parachanna*) totaling 28 known species); Silver carp ((*Hypophthalmichthys molitrix*); Largescale silver carp (*Hypophthalmichthys harmandi*); Black carp (*Mylopharyngodon piceus*); Salmonids: live or dead whole fish, live fertilized eggs, or gametes, unless with health certificate.

[8] Brown tree snake (*Boiga irregularis*); Python molurus (which includes Burmese python (*Python molurus bivittatus*) and Indian python (*Python molurus molurus*)), Northern African python (*Python sebae*), Southern African python (*Python natalensis*), and yellow anaconda (*Eunectes notaeus*).

[9] No amphibians are listed. http://www.fws.gov/international/pdf/report-current-list-of-injurious-wildlife-2012.pdf (This list was apparently created before 4 species of constrictor snakes were added in 2012.).

able to become invasive within West Virginia. For example, the constrictor snakes that have a climate match in southern Florida do not have a climate match in West Virginia.[10] The constrictor snakes could never survive in West Virginia, let alone become established in West Virginia.

Another example of a monumental divergence from the findings of the Federal Government is the listing by West Virginia of thousands of species of salamanders, frogs, and toads. What does the West Virginia DWA Board know that the Federal government is unaware of?

The listing of an animal as a DWA has much more serious consequences than the listing of an animal as injurious wildlife under the Lacey Act. For example, you are prohibited from replacing a DWA after its death. Also, the insurance coverage required for a DWA will make continued ownership financially impossible for many West Virginia pet owners. The owner of a DWA is denied the right to breed his animal. Various restrictions apply to the transfer of any DWA within West Virginia. Finally, the owner is subject to various unnecessary record keeping requirements and an annual application process and fee. None of these requirements apply to an animal listed as injurious under Federal law. Given the significantly greater impact upon pet owners, one would expect that the DWA Board would have been much more conservative in its approach to adding animals to the DWA list. However, the exact opposite has occurred. This is simply unacceptable.

By listing so many animals as DWAs, the West Virginia government will be destroying captive breeding programs throughout West Virginia that are part of a worldwide effort to ensure an Invisible Ark for the conservation of wildlife.[11]

I herewith demand a detailed explanation for every animal added to the West Virginia DWA list that is not already on the list of injurious wildlife under the Lacey Act. Since none of the listed species of constrictor snakes have a climate match with West Virginia, I demand the same explanation for any constrictor snakes added to the West Virginia DWA list.

Sincerely,

Richard Stanley

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[10] See Engeman, Avery, and Jacobson; *Weighing empirical and hypothetical evidence for assessing potential invasive species range limits: a review of the case of Burmese pythons in the USA* (2014). DOI 10.1007/s11356-014-3173-4

[11] See Barker and Barker, The Invisible Ark, In Defense of Captivity (2014). ISBN 13: 978-0-9785411-1-8

Martin, Jodee

From: Victoria Shelton <semperliberi@yahoo.com>
Sent: Wednesday, July 30, 2014 1:09 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Victoria Shelton <semperliberi@yahoo.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
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- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Victoria Shelton
11889 Widen Ridge
Clay, WV 25043

Martin, Jodee

From: Marquendra Mitchell <okami777@gmail.com>
Sent: Tuesday, July 29, 2014 7:31 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Marquendra Mitchell <okami777@gmail.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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I mean seriously, you guys are banning animals that literally can't do ANYTHING to harm humans. What? You think a Tetra fish is going to magically jump out of the water with a samurai sword and cut us down and call for world domination? As ridiculous as that may have sounded, that is how ridiculous the ban sounds.

Sincerely,

Marquendra Mitchell
2639 Bakertown Rd
Knoxville, TN 37931
8654556832

Martin, Jodee

From: Paola <paola_reyes1396@yahoo.com>
Sent: Wednesday, July 30, 2014 10:21 AM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Paola <paola_reyes1396@yahoo.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Paola
2923 hey road
Richmond, VA 23224
803 3972859

Martin, Jodee

From: Patty <pattycanter@yahoo.com>
Sent: Tuesday, July 29, 2014 4:30 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Patty <pattycanter@yahoo.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

There are many of us here in WV that have the common marmoset monkey. These pets never are never taken out in public and are even leashed in the home just for their safety. These are our babies. Please reconsider these and make them exempt.

Patty

Sincerely,

Patty
111 Bolder
Buckhannon, WV 26201

Martin, Jodee

From: Charlotte Spears <charlottespears5@aol.com>
Sent: Wednesday, July 30, 2014 8:12 AM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Charlotte Spears <charlottespears5@aol.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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Sincerely,

Charlotte Spears
charlottespears5@aol.com
Dunbar, WV 25064
3047667183

Martin, Jodee

From: eric burke <eric@ebmorelia.com>
Sent: Thursday, July 31, 2014 12:03 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: eric burke <eric@ebmorelia.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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Sincerely,

eric burke
7531 horrocks st
philadelphia, PA 19152
215-850-9041

Martin, Jodee

From: carriehickman@ma.rr.com
Sent: Thursday, July 31, 2014 12:18 PM
To: Martin, Jodee
Subject: Law banning certain pets.

I find it said that there would be such a law regarding banning of such lovable animals. I grew up with rabbis, hamsters, rats, etc. and loved it. When my daughter gets a little older I would love to have the chance to go and pick out such a loving animal with her. Please reconsider this choice.

Sincerely,

Carrie

Martin, Jodee

From: Jacob Morrill <jakemorrill@gmail.com>
Sent: Thursday, July 31, 2014 12:31 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Jacob Morrill <jakemorrill@gmail.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

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Sincerely,

Jacob Morrill
241 Westgate Dr
Lewisburg, WV 24901
3046460525

Martin, Jodee

From: Courtney Price <courtprice10@yahoo.com>
Sent: Thursday, July 31, 2014 12:44 PM
To: Martin, Jodee
Subject: please dont ban. please take the time to read.

Hello,
I am writing to you about the ban on a list of animals. My name is Courtney and I've grown up on a farm, my first animal to call my own was a rabbit. I know you don't have time to waste on a sob sorry about a girl with a rabbit and I'm sure you don't care as well seeing your conceiting to ban a few animals. Animals teach kids respect for things, yeah I know a parent can go out and just get the kid a puppy, but in most cases it isn't that easy, and starting with a small pet is easier. I really hope and pray you can think about how many lives you will affect in a bad way by doing this. Where I'm from sir that's what most people live off of, they farm and make with what they got, and if they cant afford a puppy they get them a hamster or something small to make there kids happy. I'm sure you have never thought about how your going to feed your wife or family but if you would look around at some people that's what keeps them alive, rabbits, pigs, etc. On your spare time if you have kids or a child in the family please take time out of your day and take him/her to a pet store and let them learn about all different kinds of animals are out there and how to care for them, and watch there face light up. Thank you for reading this and I pray you make the right choice.

Martin, Jodee

From: Albey Scholl <albey@albeysreptiles.com>
Sent: Thursday, July 31, 2014 4:02 PM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: WV-Injurious_Species_comment.doc

See Attachment

Thanks,
Albey Scholl
Albey's "Too Cool" Reptiles
http://www.albeysreptiles.com
mailto:albey@albeysreptiles.com
(770) 936-8174

Comment on Proposed Rule 61-30

West Virginia enacted a Dangerous Wild Animal ("DWA") law, which essentially mirrors the definition of injurious wildlife under Federal law, i.e., Lacey Act. The Lacey Act provides that the importation and the interstate[1] shipment of wild mammals, wild birds, fish (including mollusks and crustacea), amphibians, and reptiles prescribed by regulation to be injurious to human beings, to the interests of agriculture, horticulture, forestry, or to wildlife is prohibited.[2] The West Virginia DWA law defines a DWA as a "mammal, bird, reptile, amphibian or aquatic animal, including a hybrid, that is dangerous to humans, other animals or the environment due to its inherent nature and capability to do significant harm." West Virginia exempts its native wildlife, livestock and domestic animals, essentially leaving nonnative wild animals/wildlife within the potential definition of West Virginia DWAs.[3]

The injurious wildlife provision of the Lacey Act has been in place since 1900.[4] In over a century, the Federal government has listed only a small number of mammals,[5] birds,[6] aquatic animals (fish, mollusks and crustaceans),[7] reptiles,[8] and NO amphibians.[9] In contrast, in a couple months, the DWA Board has listed thousands of animals as DWAs.

Since the definitions of DWAs and injurious wildlife are nearly identical, it is incomprehensible that the DWA Board has listed thousands of animals as dangerous, which the Federal government has not so listed in over 100 years. The list of DWAs for WV should actually be a subset of the Federal list because animals from different climates than West Virginia will not be

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[1] The statute has been interpreted by USFWS to prohibit interstate transportation, but the statutory language appears to only prohibit shipment between the continental United States, Hawaii, territories and possessions.

[2] 18 U.S. Code § 42(a)(1).

[3] The DWA law provides that the DWA list may include, but not be limited to: bears; big cats; canids; primates; constrictor snakes greater than six feet; venomous snakes; and alligators and caimans. The actual determination of which animals would meet the definition of DWAs was left to the DWA Board. The DWA Board has apparently totally ignored the findings of the Federal government on this issue.

[4] 18 U.S.C. § 391 (1925-1926 ed.). C. 553, sec. 3, 31 Stat. 188 (May 25, 1900), *codified at* 18 U.S.C. § 43 (1976 ed.).

[5] Flying fox or fruit bat (genus *Pteropus*, 60 species); Mongoose (7 genera - Atilax, *Cynictis, Helogale, Herpestes, Ichneumia, Mungos*, and *Suricata*); European rabbit (genus *Oryctolagus* – 1 species); Indian wild dog, red dog, or dhole (genus *Cuon*– 1 species); Multimammate rat or mouse (genus *Mastomys*– 8 species); Raccoon dog (*Nyctereutes procyonoides*);Brushtail possum (*Trichosurus vulpecula*).

[6] Pink starling or rosy pastor (*Sturnus roseus*) species of dioch (including the subspecies black-fronted, red-billed, or Sudan dioch) (*Quelea quelea*) ; Java sparrow (*Padda oryzivora*); Red whiskered bulbul (*Pycnonotus jocosus*)

[7] Walking catfish, family Clariidae (13 genera, 100 species); Mitten crabs (genus *Eriocheir*- 3 species); Zebra mussel (*Dreissena polymorpha*); Snakehead (family Channidae; 2 genera (*Channa* and *Parachanna*) totaling 28 known species); Silver carp ((*Hypophthalmichthys molitrix*); Largescale silver carp (*Hypophthalmichthys harmandi*); Black carp (*Mylopharyngodon piceus*); Salmonids: live or dead whole fish, live fertilized eggs, or gametes, unless with health certificate.

[8] Brown tree snake (*Boiga irregularis*); Python molurus (which includes Burmese python (*Python molurus bivittatus*) and Indian python (*Python molurus molurus*)), Northern African python (*Python sebae*), Southern African python (*Python natalensis*), and yellow anaconda (*Eunectes notaeus*).

[9] No amphibians are listed. http://www.fws.gov/international/pdf/report-current-list-of-injurious-wildlife-2012.pdf (This list was apparently created before 4 species of constrictor snakes were added in 2012.).

able to become invasive within West Virginia. For example, the constrictor snakes that have a climate match in southern Florida do not have a climate match in West Virginia.[10] The constrictor snakes could never survive in West Virginia, let alone become established in West Virginia.

Another example of a monumental divergence from the findings of the Federal Government is the listing by West Virginia of thousands of species of salamanders, frogs, and toads. What does the West Virginia DWA Board know that the Federal government is unaware of?

The listing of an animal as a DWA has much more serious consequences than the listing of an animal as injurious wildlife under the Lacey Act. For example, you are prohibited from replacing a DWA after its death. Also, the insurance coverage required for a DWA will make continued ownership financially impossible for many West Virginia pet owners. The owner of a DWA is denied the right to breed his animal. Various restrictions apply to the transfer of any DWA within West Virginia. Finally, the owner is subject to various unnecessary record keeping requirements and an annual application process and fee. None of these requirements apply to an animal listed as injurious under Federal law. Given the significantly greater impact upon pet owners, one would expect that the DWA Board would have been much more conservative in its approach to adding animals to the DWA list. However, the exact opposite has occurred. This is simply unacceptable.

By listing so many animals as DWAs, the West Virginia government will be destroying captive breeding programs throughout West Virginia that are part of a worldwide effort to ensure an Invisible Ark for the conservation of wildlife.[11]

I herewith demand a detailed explanation for every animal added to the West Virginia DWA list that is not already on the list of injurious wildlife under the Lacey Act. Since none of the listed species of constrictor snakes have a climate match with West Virginia, I demand the same explanation for any constrictor snakes added to the West Virginia DWA list.

Sincerely,
Albey Scholl

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[10] See Engeman, Avery, and Jacobson; *Weighing empirical and hypothetical evidence for assessing potential invasive species range limits: a review of the case of Burmese pythons in the USA* (2014). DOI 10.1007/s11356-014-3173-4

[11] See Barker and Barker, The Invisible Ark, In Defense of Captivity (2014). ISBN 13: 978-0-9785411-1-8

Martin, Jodee

From: Elaine Brady <julia.brady54@gmail.com>
Sent: Thursday, July 31, 2014 4:15 PM
To: Martin, Jodee
Subject: Pets

People can be responsible owners of small animals and reptiles. Please don't ban those animals on the list. Use common sense. Poisonous snakes and wild animals like big cats can be required to have a permit.
Julia Brady

Martin, Jodee

From: Jerra Haynes <jerra.haynes@gmail.com>
Sent: Thursday, July 31, 2014 4:46 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

See attachment

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus –caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

Jerra Haynes_____

_____

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[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Molly carpenter <dcarpe3563@aol.com>
Sent: Tuesday, July 29, 2014 4:20 PM
To: info@usark.org

From: Molly carpenter <dcarpe3563@aol.com>

Sincerely,

Molly carpenter
Rt 2 box193
Rivesville, WV 26588
3042789770

Martin, Jodee

From: Jeffrey sanders <wvfallenangel@hotmail.com>
Sent: Tuesday, July 29, 2014 4:15 PM
To: info@usark.org

From: Jeffrey sanders <wvfallenangel@hotmail.com>

Sincerely,

Jeffrey sanders
Rt2 box 379
Shinnston, WV 26431

Martin, Jodee

From: lake.malawi@yahoo.com
Sent: Wednesday, July 30, 2014 11:22 AM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

See attachment.

Comment on Proposed Rule 61-30

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

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[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

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[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Thomas Root <thomas.root@earthlink.net>
Sent: Wednesday, July 30, 2014 11:41 AM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment on DWA act.docx

See attachment

Thomas Root

Comment on Proposed Rule 61-30

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Martin, Jodee

From: Marrissa Dorough <marrissa.dorough92@gmail.com>
Sent: Wednesday, July 30, 2014 1:41 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: My Comment.docx

Hello, please see my attachment.

By Marrissa Dorough from Vacaville California.

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

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[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: tonya hamrick <hamricktonya@yahoo.com>
Sent: Thursday, July 31, 2014 11:38 AM
To: Martin, Jodee

Jodee :

I am writing in regards to the ban that your office is wanting to put on animals in WV.

I grew up in the city but my grandparents had a farm and what animals I had at the farm was completely different than the ones I had at my house. I love all kinds of animals and don't know how my life would have been without them. My grandchildren now have animals also and love them very much and learn from them. If you put a ban on rabbits, hamsters, guinea pigs, mice, rats, turtles, frogs, and etc. our children today and in the future will be the ones hurt from it. Kids today have had so much of their childhood taken away from them already, please don't take this part of their freedom away from them also. Life is to short not to enjoy it and God gave us these animals to enjoy.

So please find it in your hearts to keep these animals in the Great State of WV.

Tonya Hamrick

Martin, Jodee

From: justin guyer <reptilejsg@yahoo.com>
Sent: Wednesday, July 30, 2014 12:18 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30

The Dangerous Wild Animals Act in West Virginia should be redone in subcommittee as the listing of animals effected by this ruling is too broad and difficult to understand.

The state of West Virginia thinks that hamsters should be illegal? Really??

Martin, Jodee

From: Daniel Harris <deltachem@yahoo.com>
Sent: Wednesday, July 30, 2014 11:06 AM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

See attachment

Martin, Jodee

From: Edward hindermyer <way2slow2@msn.com>
Sent: Wednesday, July 30, 2014 12:43 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Edward hindermyer <way2slow2@msn.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Edward hindermyer
203 centre st
Martinsburg, WV 25404

Martin, Jodee

From: Stephanie Sickler <scales42.ss@gmail.com>
Sent: Wednesday, July 30, 2014 1:33 PM
To: Martin, Jodee
Subject: Proposed Rule 61-30:DWA Act Comment

Comment: Proposed Rule 61-30

After 6 years of study, USFWS in early 2012 added Pythonmolurus (which includes Burmese python (*Python molurusbivittatus*) and Indian python (*Python molurus molurus*)), Northern African python (*Python sebae*), Southern African python (*Python natalensis*), and yellow anaconda (*Eunectesnotaeus*) to the Federal list of injurious wildlife. Federal Register, 3330-3366, January 23, 2012.

This listing is subject to a federal lawsuit in significant part due to numerous scientific papers that have called into question the bases for the listing these species. United States Association Of Reptile Keepers, Inc. v. United States Fish And Wildlife Service,US District Court, District of Columbia, Civ. No.: 13-2007(December 18, 2013).

USFWS set forth its justifications in writing for listing each of these snakes as an injurious species in the Federal Register. For each of these snakes, the underlying rationale was the potential for such species to establish in areas of the United States with suitable climate and habitat. Federal Register at 3339-3344. However, West Virginia is not a geographic area in which USFWS or USGS found any such suitable climate and habitat. Moreover, there is ample evidence that the geographic areas set forth by USGS are grossly overestimated due to various flaws inits data and computer modeling. See for example,Environmental temperatures, physiology and behavior limit the range expansion of invasive Burmese pythons in southeastern USA, *Integrative Zoology* 2012; 7: 271–285.

Of particular importance for West Virginia is the fact that the specific reasons cited by USFWS for listing these four species of constricting snakes as injurious did NOT include physical injury to humans. Federal Register at 3339-3344. If the threat of physical injury would have been a factor in finding these species injurious, USFWS would have certainly included this rationale in their list of justifications. For information on handling reticulated pythons, see http://www.reptilesmagazine.com/Reticulated-Python-Mccurley-3/.

Because there is no climate match in West Virginia for any of the "constricting snakes" set forth in Proposed Rule 61-30 and there is no evidence that the constricting snakes present a significant risk of harm to humans as required by the DWA law, the constricting snakes should be removed from the DWA list.

Sincerely, Stephanie Sickler

Sent from my iPhone

Martin, Jodee

From: Kathy Woody <katwoody40@gmail.com>
Sent: Wednesday, July 30, 2014 3:26 PM
To: Martin, Jodee
Subject: DWA List Comment

Jodee Martin - Commissioner
West Virginia Department of Agriculture
1900 Kanawha Blvd. E.
Charleston, WV 25305
304-558-3550

Dear Ms. Martin;

Although I believe Hybrid Domestic House Cats have been removed from the current Dangerous Wild Animal List, I would like to still comment on this list in hopes that these animals/pets do not come up again in the future, near or far!

I wish to state my opposition to the proposed ban of domestic hybrid cats in the state of West Virginia. These cats are NOT wild cats. A few that are included and most popular are the Bengals, Savannahs and Chausies. These are domestic cats fully recognized by The International Cat Association (TICA) and shown in cat shows all over the US, Europe and Japan alongside other domestic breeds such as Siamese and Persians. All generations of these cats are recognized by the U.S.D.A as domestic cats.

I commend you for following Ohio's Illegal Wild Animal Law, in hopes that you will not deviate too far from it. In the state of Ohio's ban, it was developed by legislators, working with in conjunction with non-partisan organizations, veterinarians, pet owners, breeders, and other experienced individuals, and has been developed as a model for other states to follow regarding Savannah cats, Bengal cats, and Chausie cats. Please consider adopting the Ohio model for the state of West Virginia.

The animal rights advocates and organizations of the ban of exotics and hybrids, that is currently sweeping the United States one state at a time, make many false claims against these cats. Most importantly, I ask you to require evidence from the proponents of this ban before even considering their "facts". To my knowledge, any hybrids I have recently been around do not aggressively bite or scratch anyone, and they do not spray. Unfortunately, a few animal rights groups are attempting to support their call for a ban with widely exaggerated claims. Their "facts" are untrue and unsupported and deserve to be thoroughly investigated.

I feel I am most knowledgeable and experienced specifically of the Savannah Cat Breed in general. For me and many like me, it is not about the expense or notoriety of owning these animals. It is for the love of the breed & what they can bring to a family. Perhaps the most important trait, not necessarily unique to the Savannah, but to the Hybrid Cat Breed, is this; remarkable in its intensity is the bond a Savannah will develop with its human family. Savannahs often bond with just one person, but that bond is all encompassing, and their loyalty is passionate. It is their incredible devotion, their zealous

passion, and their stubborn perseverance to get their own way that sets the Savannah apart in the feline world. They are a unique and amazing breed that will take one's breath away!

The Savannah bonds strongly to his/her family and makes every effort to be with them, including, but not limited to, learning to play chase/tag through the house, greet you at the door when you have been out, & retrieve toys in a dog-like manner. When he or she is not displaying their affection by giving a few head butts and kisses, he/she might be seeking out water to play in. This is a happy, entertaining cat that does best with a person/family that will enjoy playing and interacting with it. When raised with them, the Savannah gets along well with kids, other cats and friendly dogs. They are completely housecats & make wonderful pets should you even be lucky enough to qualify to own and afford such a cat!

The Savannah Breed was developed on April 7, 1986 in the United States. One kitten was the result, named Savannah. After hearing about her, breeders Patrick Kelly and Joyce Sroufe joined forces to create a new breed. The International Cat Association (TICA) began registering Savannahs in 2001. The organization granted the breed full recognition, known as championship status, in 2012.

These cats are NOT turned away by shelters because of the unlikelihood of their adoption, as I have read claims of this from Animal Activists. These are among the most desired cats and Savannah Cat Rescue alone currently has a list of over 10,000 potential adopters. The Bengal is the most popular cat breed and most registered with The International Cat Association in the United States. These cats are not unwanted! Animal activists and organizations claim that they are dangerous animals, with no statistics or proof to back up their statements. Only propaganda they readily spread to further their agenda & ultimate goal. Responsible breeders always offer a buy back guarantee with their Savannahs, should the customer decide they are not a good fit for them. For the owners who do not keep in touch with their breeder, then Savannah Rescue will take the cat or kitten and place it into a proper home.

These cats will NOT mate with ferals and create a "superbreed" of hunters, should they accidentally get out of their homes. Only 5% of Savannah Cats are placed as breeders in the United States, and the overwhelming majority are sold as pets and come either spayed or neutered or the owners are required to do so contractually.

The truth is these breeds are not different from other pet cats in the hands of a responsible pet owner. A ban on these cats would have a huge impact on their many owners, breeders and fans that love and appreciate them. It would also have an impact on veterinarians due to the loss of patients and income.

Please do not punish the hybrid domestic cat breed and their owners due to lack of knowledge of the breed. To make hybrid cats in West Virginia illegal would be a great travesty for our state and those that are passionate about them!

Sincerily,

Kathy S. Woody

Buckhannon, WV. 26201

304-472-0720

Martin, Jodee

From: ALLEN SCHLOSSER <cosmo37@verizon.net>
Sent: Wednesday, July 30, 2014 3:30 PM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

See Attachment

Allen Schlosser

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

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[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

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[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

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[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

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1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
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[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Teresa Whitt <terescw@yahoo.com>
Sent: Wednesday, July 30, 2014 12:59 AM
To: Martin, Jodee
Subject: WV Dangerous Animal Bill

Attn. Jodee Martin:

I have written previously to the committee regarding the inclusion of Quaker, or Monk, Parakeets on the WV Dangerous Wild Animal list of banned or restricted animals. I would like to include some additional information on Quaker Parrots from the committee in New Hampshire that worked to overturn a ban on the birds in that state in 2011. (See copies of emails and link below.) Please consider this information when discussing Quaker Parrots. They are not dangerous animals but wonderful companion birds. Please feel free to contact Representative Jeanine Notter of New Hampshire if you have any questions regarding the information.

Sincerely,
Teresa Whitt

From: Allen Fox <sales@birdsupplynh.com>
Subject: **RE: Quaker parrot law**
Date: July 24, 2014 10:43:10 AM EDT
To: Teresa Whitt <terescw@frontier.com>
Cc: Jeanine Notter <jeaninenotter@comcast.net>, George Messenger <fishervet@aol.com>

Hello Teresa,
The following link brings you to the information we were using during our Quaker legislation. I hope this helps.

http://boaf.com/quakers/index.html

Thank You,
Allen Fox
Bird Supply of New Hampshire
www.birdsupplynh.com
603-882-4737 (local)
888-319-0136 (tollfree/fax)

From: Jeanine Notter [mailto:jeaninenotter@comcast.net]
Sent: Tuesday, July 22, 2014 10:10 PM
To: George Messenger; Allen Fox
Subject: Fwd: Quaker parrot law

Hello. I hope you are doing well.

I responded to this woman in the email below. I was wondering if you could also contact her.

Thank you,

-Jeanine

Martin, Jodee

From: Teresa Whitt <terescw@yahoo.com>
Sent: Wednesday, July 30, 2014 1:05 AM
To: Martin, Jodee
Subject: WV Dangerous Animal Law- Quaker/Monk Parakeets
Attachments: AFA_Quaker_Letter.pdf; ATT00001.txt; NEW_Hampshire_Newspaper_Questions_Feb_2011 _2_.pdf; ATT00002.txt; Notter_QPS_ltr.pdf

Additional information from site regarding Quaker Parrots. Please read attached information and share with committee.

American Federation of Aviculture, Inc.
P. O. Box 91717
Austin, Texas 78709
Phone: 512-585-9800
Fax: 512-858-7829

February 10, 2011

Re: New Hampshire - Fish & Game Regulations re possession and/or importation of the Monk Parakeet

The American Federation of Aviculture, Inc. (AFA) (see footnote 1) submits that there is insufficient current scientific and/or commercial data to support the current prohibition of possession or importation of the Monk Parakeet (Myiopsitta monachus) in New Hampshire.

The Monk Parakeet has been, and is, commonly kept in captivity in New Hampshire and throughout the United States (either as a pet or as a breeder), and should be considered a domestic pet bird. The Monk Parakeet should not be considered dangerous, invasive, or as likely to cause harm to the economy, environment, protected wildlife, human health or safety in New Hampshire.

AFA submits that the Monk Parakeet, which is commonly kept as a pet or as breeding stock in New Hampshire and throughout the United States, should properly be considered as a "domesticated animal", and the possession and importation of this species should not be prohibited in New Hampshire.

Simple ownership of most non-native species is not, by itself, somehow dangerous, or invasive, or likely to cause harm to the economy, environment, protected wildlife, human health and safety in New Hampshire.

The New Hampshire Fish and Game's prohibition on the possession or importation of the Monk Parakeet has not served to protect health or habitat in New Hampshire. If the current Fish and Game regulations are now going to be enforced, it will result in harm not only to the Monk Parakeets that are the subjects of the restrictions, but to aviculture in New Hampshire and the U.S. and to those who rely on aviculturists for current, correct, and humane assistance in keeping all of their birds.

AFA submits that any regulation which prohibits possession or importation of any species, or that requires permits for allegedly dangerous, invasive, or harmful animals should be science-based, and should be supported by reliable facts and data. Regulations should not be based upon speculation, unfounded assumptions, or personal philosophical views regarding animal ownership.

The present regulations contained in New Hampshire Fish and Game Wildlife Rules in CHAPTER FWS 800 THE IMPORTATION, POSSESSION AND USE OF ALL WILDLIFE Statutory Authority: ESA 207:14, ESA 211:62-e, ESA 211:64 and ESA 212:25 do not cite any specific current or reliable scientific research or reports that support the existing prohibition on the possession or importation of the Monk Parakeet.

The American Federation of Aviculture submits the following facts and data to support its position that the possession and importation of the Monk Parakeet, which is commonly kept as a pet or as breeding stock in New Hampshire, should not properly be prohibited.

1. **The Monk Parakeet, which is commonly kept as a pet or as breeding stock should be designated a "domestic animal" in New Hampshire, and the importation or possession of the Monk Parakeet should be allowed in New Hampshire.**

The Monk Parakeet is commonly bred and kept as a pet in New Hampshire, and it has become domesticated. The Monk Parakeet has been tamed, raised, bred, and sold in captivity in New Hampshire for many decades, as well as throughout the United States for many decades.

The Monk Parakeets that are now kept in New Hampshire have been mostly bred in captivity. Many are kept as pets, and some are used as breeding stock. They all depend on humans for their survival. They are not able to find food in the wild of New Hampshire or avoid predators.

"Birds" are included in many formal definitions of "domestic animal".

Section 823.041 of Title XVI of the Florida Statutes defines "domestic animal" as:

> "*Domestic animal* shall include any equine or bovine animal, goat, sheep, swine, dog, cat, poultry, or other domesticated beast or bird."

The term "domestic animal" has been defined by the National Parks of Canada Domestic Animals Regulations, at §1 to include dependent beasts with backbones:

> "*Domestic animal* means an animal of a species of vertebrates that has been domesticated by humans so as to live and breed in a tame condition and depend on humankind for survival."

As a bird bred and kept in captivity, the Monk Parakeet should be treated as a "domestic animal" and there should be no restrictions on its possession or importation in New Hampshire.

2. The Monk Parakeet should not be considered a "dangerous animal" or as an "invasive animal" or as an "undesirable animal"

There is no scientific evidence that the Monk Parakeet is dangerous, either to humans or other animals. Monk Parakeets (and all other psittacine species, and many other birds kept in captivity) are prey animals, not predators. Their response to predatory behavior is to attempt to fly off if they are threatened - they do not attack or provoke fights with other species. Birds are not venomous. Although they sometimes respond with a nip or a bite if they are handled incorrectly by humans (they react as though they are defending themselves from a predator). The Monk Parakeet bites do not inflict much damage, and they are not aggressive. The Monk Parakeet (and other captive bred birds) do not present a risk to the health, safety or well-being of the public or other animals including native wildlife, domestic pets or livestock.

There is no scientific evidence that the Monk Parakeet is invasive in New Hampshire or that they pose a threat to the economy, environment, protected wildlife, human health or safety in New Hampshire.

On the contrary - despite the fact that many Monk Parakeets have been kept in captivity for many decades in New Hampshire, and have had the opportunity to escape into the wild, the Monk Parakeet species has not become invasive or established a feral population in New Hampshire. If, on the rare occasion that a captive Monk Parakeet might escape and fly into the wild of New Hampshire, it would quickly succumb to predators or starvation. While the now-extirpated Thickbill parrot had been found in the temperate mountains of the Southwest, keep in mind that the attempted reintroduction of the Thickbilled parrot to Arizona in the early 1980s failed when all of the birds were either taken by predators or starved.

There is no scientific evidence that psittacine species have adverse impacts to health, management, or safety in New Hampshire.

3. Data provided by the National Audubon Society demonstrates that no Monk Parakeets have been observed flying free in the State of New Hampshire during the last 110 years. Monk Parakeets pose no threat to the health or habitat of New Hampshire.

In order to document the presence of species of birds in the wild, the National Audubon Society conducts an annual count of birds observed in the habitat of the 50 United States as well as in many territories and countries outside of the U.S. Audubon has made its data for the Christmas count from 1900 through 2010 (the last 110 years) available on its website. See the Audubon Christmas Bird Count information at http://www.audubon.org/bird/cbc/

In the last 110 years Audubon has documented 50 species of parrots in its counts worldwide.

The data of Audubon indicates that there have been *NO MONK PARAKEETS COUNTED IN THE WILD IN NEW HAMPSHIRE FOR THE LAST 110 YEARS.* The downloaded data for the 50 parrots species counted by Audubon during the entire 110 period is submitted in chart form with this letter . *The count of Monk Parakeets in New Hampshire for that entire 110 year period is ZERO.*

Although parrots have been imported into New Hampshire, kept as pets in New Hampshire, and bred in New Hampshire for many decades, they have not established any feral populations in the State. A track record of *110 years of parrots' absence from the wild of New Hampshire* clearly indicates that they are not invasive or dangerous and do not present a known risk to the health, safety or well-being of the public, crops, domestic livestock or to native wildlife and their habitats.

4. While not controlling with respect to the Regulators in the State of New Hampshire, the following quote may serve to guide the New Hampshire Department of Fish and Game regarding prohibitions on the possession and/or importation of any species kept in captivity in New Hampshire:

"It is about ensuring that scientific data [are] never distorted or concealed to serve a political agenda and that we make scientific decisions based on facts not ideology"

---- Barack Obama, President of the United States, March 9, 2009, upon signing the stem cell research funding bill. http://www.whitehouse.gov/the_press_office/Removing-Barriers-to-Responsible-Scientific-Research-Involving-Human-Stem-cells/

See footnote 2

In conclusion:

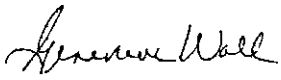
For all of these reasons, and especially because (1) there is a glaring lack of scientific or commercial data to support the prohibition on possession and/or importation of Monk Parakeets in the State of New Hampshire (either as pets or as breeders), we suggest that the Monk Parakeet should not be treated as dangerous, or as invasive, or as likely to cause harm to the economy, environment, protected wildlife, crops, human health or safety in New Hampshire, and (2) the fact that that no parrots have been observed flying free in the State of New Hampshire during the last 110 years and they are are not a threat to New Hampshire health or habitat, we recommend that there should be no prohibition in New Hampshire on the possession or importation of the Monk Parakeet.

The American Federation of Aviculture, Inc. stands ready to assist the New Hampshire Department of Fish and Game in crafting reasonable and effective regulations to protect New Hampshire's wildlife and habitat.

We look forward, on behalf of the many residents of New Hampshire who enjoy the companionship of their pet birds, including their Monk Parakeets, and on behalf of those who breed birds in New Hampshire and throughout the U.S. both for pet purposes and for conservation purposes, to the Director and the New Hampshire Department of Fish and Game recognizing and acting on our concerns.

If you have any questions, or if we can be of further assistance, please do not hesitate to contact our Legislative Vice President, Genevieve Wall, Attorney at Law. You can reach Ms. Wall by mail at 23521 Paseo de Valencia, Suite 304-B, Laguna Hills, CA 92653, or by email to gwlawco@aol.com, or by telephone to (949) 584-4079.

Very truly yours,



Genevieve Wall
Legislative Vice President, American Federation of Aviculture, Inc.

Footnote 1:

The American Federation of Aviculture (AFA) is a nonprofit national organization established in 1974, whose purpose is to represent all aspects of aviculture and to educate the public about keeping and breeding birds in captivity. AFA supports public and private programs that are designed to support conservation of birds in the wild.

AFA represents the interests of more than 10,000 people who are our members and members of our affiliated clubs and affiliated businesses. AFA has a broad membership consisting of bird breeders, pet bird owners, veterinarians, pet/bird store owners, bird product manufacturers, and many other people who are interested in the future of birds and aviculture and who own and breed the many species of birds in aviculture. There are millions of U.S. households that keep birds.

AFA promotes and encourages the humane husbandry, care, and breeding of birds. While AFA speaks to and for the interests of the birds themselves, AFA also speaks to and for the interests of the millions of U.S. households and individuals who own birds, the thousands of

businesses and professionals who provide those bird owners with goods and services, and the birds and families who rely on the continued existence of those businesses and professionals not only for their own livelihood, but so that they will all be able to continue to humanely keep their birds.

Our members, affiliates, and associates in aviculture in the United States own and maintain many hundreds of separate species of exotic birds. AFA recognizes that there is no "one-size-fits-all" husbandry program for the humane keeping, breeding, care, and husbandry of the many species of exotic birds currently kept by aviculturists worldwide. AFA is proud to include in its membership many experts who have long term, hands-on experience with many species of birds, and who can, and do, provide the public and our government with current reliable information regarding the humane keeping, breeding, care, and husbandry of exotic birds.

While some "humane" organizations may claim to have the knowledge necessary to keep birds in a humane manner, without extensive hands-on experience keeping, breeding, and caring for the birds that they purport to speak for and about, any claims by "humane" organizations to know what is "best" for birds are simply opinions and speculation.

Aviculturists who maintain the many species of exotic birds now in captivity in the U.S. have the extensive knowledge and expertise required to keep, breed, and care for birds in captivity. Aviculturists serve an important role in the preservation of species, and in some cases aviculturists are the only hope for the long term survival of many of those species at risk for extinction in their native lands

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Footnote 2

On May 9, 2009 President Obama signed a Memorandum for the Heads of Executive Departments and Agencies, which directs as follows:

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release March 9, 2009

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Scientific Integrity

Science and the scientific process must inform and guide decisions of my Administration on a wide range of issues, including improvement of public health, protection of the environment, increased efficiency in the use of energy and other resources, mitigation of the threat of climate change, and protection of national security.

The public must be able to trust the science and scientific process informing public policy decisions. Political officials should not suppress or alter scientific or technological findings and conclusions. If scientific and technological information is developed and used by the Federal Government, it should ordinarily be made available to the public. To the extent permitted by law, there should be transparency in the preparation, identification, and use of scientific and technological information in policymaking. The selection of scientists and technology professionals for positions in the executive branch should be based on their scientific and technological knowledge, credentials, experience, and integrity.

By this memorandum, I assign to the Director of the Office of Science and Technology Policy (Director) the responsibility for ensuring the highest level of integrity in all aspects of the executive branch's involvement with scientific and technological processes. The Director shall confer, as appropriate, with the heads of executive departments and agencies, including the Office of Management and Budget and offices and agencies within the Executive Office of the President (collectively, the "agencies"), and recommend a plan to achieve that goal throughout the executive branch.

Specifically, I direct the following:

1. Within 120 days from the date of this memorandum, the Director shall develop recommendations for Presidential action designed to guarantee scientific integrity throughout the executive branch, based on the following principles:

(a) The selection and retention of candidates for science and technology positions in the executive branch should be based on the candidate's knowledge, credentials, experience, and integrity;

(b) Each agency should have appropriate rules and procedures to ensure the integrity of the scientific process within the agency;

© When scientific or technological information is considered in policy decisions, the information should be subject to well-established scientific processes, including peer review where appropriate, and each agency should appropriately and accurately reflect that information in complying with and applying relevant statutory standards;

(d) Except for information that is properly restricted from disclosure under procedures

established in accordance with statute, regulation, Executive Order, or Presidential Memorandum, each agency should make available to the public the scientific or technological findings or conclusions considered or relied on in policy decisions;

(e) Each agency should have in place procedures to identify and address instances in which the scientific process or the integrity of scientific and technological information may be compromised; and

(f) Each agency should adopt such additional procedures, including any appropriate whistleblower protections, as are necessary to ensure the integrity of scientific and technological information and processes on which the agency relies in its decisionmaking or otherwise uses or prepares.

2. Each agency shall make available any and all information deemed by the Director to be necessary to inform the Director in making recommendations to the President as requested by this memorandum. Each agency shall coordinate with the Director in the development of any interim procedures deemed necessary to ensure the integrity of scientific decisionmaking pending the Director's recommendations called for by this memorandum.

3. (a) Executive departments and agencies shall carry out the provisions of this memorandum to the extent permitted by law and consistent with their statutory and regulatory authorities and their enforcement mechanisms.

(b) Nothing in this memorandum shall be construed to impair or otherwise affect:

(I) authority granted by law to an executive department, agency, or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

© This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

4. The Director is hereby authorized and directed to publish this memorandum in the Federal Register.

BARACK OBAMA

http://www.whitehouse.gov/the_press_office/Memorandum-for-the-Heads-of-Executive-Departments-and-Agencies-3-9-09/

Question: Why do these birds carry illegal status in some states?

Answer: American pet owners call Monk Parakeets Quaker Parrots, because of a Parkinson's-like shaking or quivering that young birds perform when they are begging for food. In their native South American habitat - Argentina and Uruguay - Monk (Quaker) Parakeets are considered agricultural pests. Farmers shoot, trap, and poison them. There are no accurate scientific studies to prove whether these birds are or are not threats to crops, but they are a favorite anecdotal scapegoat and are used to get crop support payments from various governments.

Quakers come from temperate climates - their native South American climates are much like the climates in a large portion of the United States, so they are not endangered and will survive in temperate US climates. These particular parrots build large stick nests and can survive reasonably cold winters. There are large nests of wild Quakers in Chicago and in Brooklyn - to name two of the colder cities that host these birds. There are also wild Quaker populations in Florida, Texas, Illinois, New York, New Jersey, and a number of other States. Now, American farmers are very protective of their crops and very wary of introduced (non-native) species. Agricultural lobbies in a number of states have influenced the passage of laws and regulations to outlaw these birds. Almost all of these laws and regulations are enforced only when there is a distinct threat to state agriculture or to native birds. (That means that they are almost never enforced, unless someone begins a personal campaign to eradicate the birds.)

It turns out that there have been no large wild Quaker populations in ANY North American agricultural areas. We do not think that there ever will be wild colonies in agricultural areas. The wild Quakers seem to prefer urban areas for their nests. Almost all the local residents of all the affected states with wild Quaker populations seem to like and adopt their wild birds as informal mascots. Residents of an area in Brooklyn have renamed a small urban park: "Wild Parrot Park" – after their wild Quaker population. The wild Quakers do not appear to interfere with Native American species. We have picture after picture of wild Quakers peacefully feeding with native species.

Question: Do you have contact with many people in New Hampshire who own these birds - I'm trying to get a handle on how many people here may be in the same boat as Ms. Burke if the state is indeed cracking down on owning them. Any idea on the potential number of owners here in New Hampshire?

Answer: We honestly don't know how many people in New Hampshire own Quakers. Quakers have - for years - been popular pet parrots. They are intelligent, easy to train, relatively inexpensive, and readily available. The New Hampshire laws and regulations regarding ownership of Quaker parrots have never been very clear. I have asked a lawyer friend to review the current documentation regarding ownership of Quaker Parrots, and I have advised Ms. Burke to contact the New Hampshire Legal Aid Society regarding her situation. The Quaker Parakeet Society keeps a listing of states where these birds

are illegal, and the New Hampshire comments on legality and illegality of Quaker Parakeets are buried within a number of very legalese paragraphs. I imagine that there are many people win the Granite State who own and breed Quakers - not realizing that there may be a state law or regulation that may prohibit them. Quakers are a very popular pet bird.

The Quaker Parakeet Society discourages people from owning these birds in states where the ownership is illegal or prohibited. However, I'm certain that there are many people who unknowingly and unwittingly own these parrots.

Question: Could you as President of your society issue a statement on the fact that NH apparently is now cracking down on owning Quakers for the first time, even though the law has been in effect apparently since 1998? Is the species really that dangerous to life as we know it here in the Granite State?

Answer: I thought that the New Hampshire State motto was "Live Free or Die!" – not - "We'll Come into Your Home and Seize Your Pets!" Based on all available scientific and anecdotal information, I consider that the Quaker Parakeets resident in New Hampshire to pose no threat to state agriculture or to native species. It would take a coordinated release of all the pet Quakers in the state – in the same place, at the same time, at an optimum time, and with tremendous luck on climate, temperature, and food for the birds to have even an outside chance of establishing a wild colony. The birds would have better luck winning the NH lottery and moving south. It's not going to happen.

Remember, these are all pet birds that have begun to lose their natural foraging and scouting instincts. They would be subject to predators, food availability, and the cold, cold New Hampshire winters. Quaker parakeets are pets that mean a lot to their owners, both emotionally and financially. The vast majority of Quaker owners and breeders like Ms. Burke take a lot of care to ensure that their pet Quakers do not escape.

The Quaker Parakeet Society has pursued an active effort to convince state wildlife and agricultural organizations to lift the ban on Quaker Parakeets as pets in all states. There is no scientific proof that these birds - in their very limited numbers - are any threat to state and local agriculture and to native species. The vast, vast majority of Quaker owners and breeders are very careful to control their domestic birds, and there are few escapes. Based on the limited knowledge we have, a few escaped birds will almost always perish on the wild. It would take a large number of birds to escape to form a wild colony, and the escaped birds that do establish colonies seem to favor urban settings. This is not the case with Ms. Burke and her small group of birds. She is a seasoned and knowledgeable breeder who takes care to ensure that her birds are well cared-for and cannot escape into the wild.

The Quaker Parakeet Society discourages any bird owner from letting a pet bird into the wild. That is a cruel and inhumane practice. Almost all freed or escaped birds are doomed to death by starvation or by

the acts of predators. We have established a formal rescue and replacement organization that will take and resettle any unwanted Quaker parakeets. This is not the case with Ms. Burke - who is an honest and sincere breeder of these birds as pets, and a New Hampshire Businesswoman. I don't know why the Granite State is cracking down on Quaker Parakeets and their owners and breeders at this time. I would encourage the state legislature and the state agencies to reconsider this approach. New Hampshire has a climate at the northernmost range of these parrots, and I believe that any escaped birds would be very hard pressed to establish a wild colony. I also believe that a dedicated and knowledgeable breeder like Ms. Burke would not allow her birds to escape, at all.

February 19, 2011

Hon. Jeanine Notter
19 Whittier Rd
Merrimack, NH 03054

RE: Legalizing Quaker (a/k/a Monk) Parakeets in New Hampshire

Dear Representative Notter:

As President of the Quaker Parakeet Society (QPS), an international organization with members in New Hampshire, let me first thank you for all you have done and are trying to do to prevent Suzanne Burke and other citizens of New Hampshire from having to give up their precious pets. The QPS is here to provide you with any information about Quakers that you may need to succeed in having the rule of the Fish and Game Commission repealed. Enclosed, please find the position statement on Quakers from the American Federation of Aviculture, a national organization of aviculturists with members worldwide.

What is most significant is that little scientific evidence exists concerning the Quaker, and certainly nothing that could support a determination that this very intelligent little bird has ever interfered with native animal populations or damaged farmers' crops anywhere in the United States. As you will read in the enclosed paper by Professor Pat Anderson, Quakers are the only parrot that builds its own nest and, thus, does not disturb native birds' breeding. To the contrary, the Quaker has been found to share its own nest with other birds and animals. The enclosed February 2011 *Scientific American* article states that 90 percent of introduced (non-native) animals have no (zero) impact on local ecology.

Without scientific or qualified study, the New Hampshire Fish and Game Commission's prohibition on the mere possession of Quakers as pets has no rational basis and serves no compelling state interest. Such

is particularly true considering that no Quakers have been sighted in NH in the past 100 years despite their being sold in NH pet stores and by NH breeders for decades. I have enclosed for you the results of the Audubon Society's annual Christmas bird count regarding Quakers in NH. It goes back to 1909 and not one wild Quaker has been spotted by bird watchers in NH. Unfortunately, a few anecdotes from power companies that permitted a Quaker nest to grow too large before the company performed any maintenance has resulted in a few states declaring (not very loudly) the Quaker/Monk to be illegal. It seems to have been a knee jerk reaction with no research to back it up.

As mentioned in my earlier e-mail to you, the QPS has also worked with power companies to insure that wild Monk nests are removed from power poles in a humane manner and have paid for the construction of alternative nesting poles/platforms for the wild birds. However, there is no qualified research that concludes that wild Monk Parakeets interfere with utility company poles or been the cause of outages any more than native animals such as squirrels.

You may know already that there once existed a *native* North American parrot species – our only one – the Carolina Parakeet, which existed from the Ohio Valley to the Gulf of Mexico. It was rendered extinct in the late 19th - early 20th century due to its habitat being destroyed by "invasive" and "non-native" humans, its being shot by farmers and for sport, and its use in the millinery trade for decorations on ladies' hats. The last known captive one died in 1918 at the Ohio zoo. A lecturer at the 2010 AFA convention opined that the wild Quaker Parakeet fills the niche left by the extermination of the Carolina Parakeet.

Quakers have become a tourist attraction in New York City and I recommend that you visit www.BrooklynParrrots.com. A baseball field in Bay Ridge, NY was recently restored and re-named in recognition of the Quakers who live there with nesting platforms installed for them as part of the renovation. (See enclosed article.) A brand of rum made in Texas features a Quaker on its label in admiration of the Quakers that dwell in the trees near the distillery. These birds are much loved by anyone lucky enough to come in contact with them. Therefore, the Quaker Parakeet Society urges you to do whatever you can to have the ban on the birds lifted in the state of New Hampshire so that the people who own them may keep their pets and others will have the opportunity to enjoy them as much as we do.

Yours truly,

John Davey
President, Quaker Parakeet Society

Martin, Jodee

From: Mike Welty <welty@frontiernet.net>
Sent: Wednesday, July 30, 2014 1:19 AM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Mike Welty <welty@frontiernet.net>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

I am a resident of W.V. and would like to let the D.W.A.B. know that this proposed ban is directly against the constitution of W.V. and also a violation of my rights as a tax paying citizen. and also to point out that the 6 ft. and snakes is ridiculous especially seeing that we have native species that get larger then that. Most of the animals on this list are treasured family members are loved just like your cats and dogs. For instance tortoises are very long lived and are passed down from generation to generation like family heirlooms. Besides all that you have to take in to consideration on how much this will cost the state of W.V. to train all the DNR agents to properly identify the animals before they try to take them because honestly 90% of them could not tell the difference between garter snake and a python. I promoted a reptile expo in Inwood, W.V. and DNR was there and they could not tell one reptile from another even had them asking so what does a boa constrictor look like really. And these are the ones that will be possibly taking animals from loving homes. Don't care how much money H.S.U.S. put in your pockets to get this utterly over reached invasive invasion done in W.V. but we as tax payers are not going to put up with it. There are plenty of people that are saying no to this so you need to listen. Thank You.

Sincerely,

Mike Welty
po box 173
bloomery, WV 26817

Martin, Jodee

From: David Riston <driston10@hotmail.com>
Sent: Wednesday, July 30, 2014 7:09 AM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Please see attachment, thanks for your consideration.

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

David C. Riston _____

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[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Carolyn Smith <cssmith2006@hotmail.com>
Sent: Wednesday, July 30, 2014 7:15 AM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Please see attachment, thanks!

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
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5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

Carolyn S. Smith_____

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[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Brandon Moser <bmoser0121@gmail.com>
Sent: Wednesday, July 30, 2014 1:46 AM
To: Helmick, Walt
Attachments: WV-USFWS_findings_4_constrictors.docx

Comment: Proposed Rule 61-30

After 6 years of study, USFWS in early 2012 added Python molurus (which includes Burmese python (*Python molurus bivittatus*) and Indian python (*Python molurus molurus*)), Northern African python (*Python sebae*), Southern African python (*Python natalensis*), and yellow anaconda (*Eunectes notaeus*) to the Federal list of injurious wildlife. Federal Register, 3330-3366, January 23, 2012.

This listing is subject to a federal lawsuit in significant part due to numerous scientific papers that have called into question the bases for the listing these species. United States Association Of Reptile Keepers, Inc. v. United States Fish And Wildlife Service, US District Court, District of Columbia, Civ. No.: 13-2007 (December 18, 2013).

USFWS set forth its justifications in writing for listing each of these snakes as an injurious species in the Federal Register. For each of these snakes, the underlying rationale was the potential for such species to establish in areas of the United States with suitable climate and habitat. Federal Register at 3339-3344. However, West Virginia is not a geographic area in which USFWS or USGS found any such suitable climate and habitat. Moreover, there is ample evidence that the geographic areas set forth by USGS are grossly overestimated due to various flaws in its data and computer modeling.[1] See for example, Environmental temperatures, physiology and behavior limit the range expansion of invasive Burmese pythons in southeastern USA, *Integrative Zoology* 2012; 7: 271–285.

Of particular importance for West Virginia is the fact that the specific reasons cited by USFWS for listing these four species of constricting snakes as injurious did NOT include physical injury to humans. Federal Register at 3339-3344. If the threat of physical injury would have been a factor in finding these species injurious, USFWS would have certainly included this rationale in their list of justifications. For information on handling reticulated pythons, see http://www.reptilesmagazine.com/Reticulated-Python-Mccurley-3/.

Because there is no climate match in West Virginia for any of the "constricting snakes" set forth in Proposed Rule 61-30 and there is no evidence that the constricting snakes present a significant risk of harm to humans as required by the DWA law, the constricting snakes should be removed from the DWA list.

Sincerely,

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[1] See Engeman, Avery, and Jacobson; *Weighing empirical and hypothetical evidence for assessing potential invasive species range limits: a review of the case of Burmese pythons in the USA* (2014). DOI 10.1007/s11356-014-3173-4

Martin, Jodee

From: Martha Pronzati <mchalpin1@gmail.com>
Sent: Wednesday, July 30, 2014 8:48 AM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

I ask FWS to not list additional species of constrictor snakes, including Boa constrictor, Reticulated python, DeSchauensee's anaconda, Green anaconda and Beni anaconda, as injurious under the Lacey Act. The interstate transportation ban is draconian because it prohibits moving an animal just a few feet, from one state where ownership is legal to another state where ownership is legal. Even a trip across town with a pet could constitute a federal crime in greater metro areas. This is an overwhelming injustice on the right to travel for Americans. Boa constrictors, Reticulated pythons and Green anacondas are often used for educational outreach programs with presenters often travelling between states. Studies have shown that up to $100,000,000 annually would be lost in direct revenue in the pet industry by listing these species. Jobs and businesses will be lost as a result. This listing will impact pet owners, veterinarians, zoos, educational organizations, breeders, and others. This would be done without valid science to justify the listing of these snakes as injurious. Temperature extremes were completely ignored in the USGS paper used to propose these species as injurious. Extremes are much more relevant than temperature means. This rule is an unnecessary federal intrusion into state wildlife management and misuse of the Lacey Act. My freedoms as an American to responsibly keep these snakes as pets would be destroyed. Consider the impact of this ruling. Though there may be pressure from special interest groups to list these species, this is not justification to do so. The U.S. Government must make the appropriate decision to not add any species to the Constrictor Rule. Anything other than this decision is simply unconstitutional.

I oppose the listing of any additional species of constrictor snakes, including Boa constrictor, Reticulated python, DeSchauensee's anaconda, Green anaconda and Beni anaconda, as injurious under the Lacey Act. The USGS study used to justify the listing of the original species in 2010 has been noted as "unscientific" and not suitable as the basis for legislative or regulatory policy by numerous biologists, physiologists, veterinarians and biologists. Reticulated pythons demonstrate that they are especially fragile and temperature sensitive during egg incubation. As a result, there is no chance of these species establishing themselves in the wild and there are no populations in the U.S. Also, It has been determined that Boa constrictors cannot survive the colder temperatures outside of southern Florida. Extreme southern Florida provides the only possible habitat for the proposed five species and the State wildlife authorities have already taken measures to manage and control trade and prevent accidental introduction. A federal ban on interstate activities is an unnecessarily overreaching and extreme response that impacts the livelihoods and pet choices of Americans in the other 48 continental states. A huge and diverse group of stakeholders opposes the listing. More out of work Americans, devastated families losing their family pets and children losing educational opportunities will be just some of the damage done by unnecessarily and unconstitutionally listing these species as injurious. I implore you to not add species and finalize the rule with only the original species listed in 2010. I ask this as a tax-paying and law-abiding American citizen.

Please see attachment for aditional comments

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Martha Pronzati, ATC-GALAT, BLS Instructor
mchalpin1@gmail.com
(603)793-2214

JUL 16 2014

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:
ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Sincerely,

Erik Yoak

West Virginia Department of Agriculture

1900 Kanawha Blvd, East

Charleston, WV 25305

JUL 16 2014

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

I feel that many animals on the list have been listed unreasonably. Some animals have been reasonably listed, such as crocodiles, elephants, giraffes, zebras, big cats (such as lions and tigers), bears, and primates. These animals can pose a threat to humans, could be harmful if released, and could very well be mistreated by someone without proper training or resources to house them appropriately. Despite this, many other animals on the list have been listed without second thought:

Class	Animals to be banned
Amphibia (Amphibians)	• ALL salamanders, newts, axolotls, etc • ALL clawed frogs • ALL tree frogs • ALL toads
Reptilia (Reptiles)	• ALL turtles, tortoises, and terrapins
Tetradontiformes, Perciformes, Characiformes, Siluriformes (many kinds of fish)	• ALL triggerfish, filefish, pufferfish • ALL gobies • ALL tetras • ALL plecos, corydoras
Mammalia (Mammals)	• ALL hedgehogs • ALL rabbits • ALL hamsters, *except Syrian* • ALL rats, *except white, albino, or laboratory-raised* • ALL ferrets • ALL hybrid dogs and cats, such as savannah and bengal cats • ALL sugar gliders

Amphibians, Reptiles and Fish:

- Salmonella and other diseases these animals can possibly carry are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure. Salmonella is not a new thing in the animal world, and pet owners have had to deal with it for a long time.
- To be affected by their toxins you would have to eat the animal. Not common practice with any pet.
- Most species of amphibians, reptiles, and fish kept in captivity would not be able to live in West Virginia, as most non-native species couldn't survive in West Virginia's climate.
- Native species are already regulated by the WV DNR
- This banning of entire orders means the banning of thousands of commonly kept aquarium fish. Not only are many of them saltwater fish, the rest are tropical fish that couldn't survive in the cold waters of WV.

Mammals:

- The banning of these animals will be banning some of the most popular pets in the entire pet trade
- Hedgehogs pose no threat to public safety. According to the Center for Disease Control and Prevention, there has only been one recorded case of a hedgehog with rabies- and it was in the wild in Budapest. There have been no recorded cases of pet African hedgehogs contracting rabies.

Continued on Back

- Marsupials cannot contract rabies because of their low body temperature. Even if a sugar glider contracted rabies they wouldn't be able to spread it, as they are so small that they would quickly die from the disease.
- As for the rest of the banned species, such as hamsters, rats, ferrets, and rabbits, these animals have been kept as pets for hundreds of years and are considered domestic. Domestic animals fall outside the purposes of this law and have no reason to be included on a list of dangerous and wild animals.

Pet Store Impact:

The pet trade is a massive income in the state and generates millions of dollars for the state. These orders contain many popular pets, and to not be able to sell them would have a dire impact on pet stores' income forcing not only small business owners but corporations out of business or out of the state.

State Impact:

- This will cause millions of pets to be surrendered over to the state, which will leave these animals in the state's care.
- Similar legislation in Ohio led to a $2,900,000 temporary-housing facility for animals that could not be kept by "responsible owners". This law will cost West Virginia millions of dollars more to implement than the money raised from permits.
- Animals that don't have a place to be put will have to be euthanized. The state of West Virginia potentially could be responsible for the deaths of thousands of animals.
- Children will have to be told that they can no longer have their beloved pet, or be made a criminal by the state and given hundreds of dollars in fines or face imprisonment.

In conclusion, I feel that the list needs to be narrowed down to a species-by-species basis. This way, it will still be banning animals that shouldn't be owned by the general public, but will allow responsible pet owners to keep their beloved pets and allow pet stores to stay open across the state.

Personal comments:

Please reconsider your broad banning of the "species" list. Not only will this hurt small business, but it would cause undue hardships for families that love their animals with higher insurance cost. I love watching my fish. Some of those on these list are not harmful!

Small animals are usually a childs first lesson on responsibility for caring for something. Don't rob the child or parent of these stepping stones in their life.

Sincerely,

Deborah Owens

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
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ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
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Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Sincerely,

Lori Sutphin
Corinna Sutphin
St. Albans, WV
304.415.1787

JUL 16 2014

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

Jessica Yoak Yoak
12 Carpenter Drive
Fairmont, WV 26554

JUL 16

To Whom It May Concern:

It is with deep trepidation that I write to you regarding the proposed "Wild and Dangerous Animal Act," found under House Bill 4393 Title 61: 61-30-3. In its current format, the list of prospective "dangerous" animals includes many animals that, by all regards, could not possibly be listed as dangerous nor invasive. My two biggest examples would be the listing of all tree frogs and all species of gobies (saltwater goby fish). Not only are both of these animals anything but dangerous, they could not possibly be listed as invasive. Tree frogs sold in pet stores, including whites tree frogs, red eyed tree frogs, etc, could not survive in West Virginia climates during the winter. These are considered a tropical species that require consistently high temperatures and high humidity to survive. Gobies on the other hand are a saltwater fish. In fact, any salt water fish on this list needs just that, salt water, to survive. These fish also have very specific conditions and requirements in which they need to live.

Many other animals on this list are harmless. This includes hedgehogs, sugar gliders, hamsters, rabbits, and many more on the list. A lot of these animals are considered "starter" pets for many children, who learn very much while caring for these cherished pets. While the concern of potential harm and risk is an accepted concern, this concern comes from the larger animals listed, such as giraffes and crocodiles. These animals, rightfully, should be in zoos or wildlife reservations where they belong, not in backyards.

However, many of the animals on this list are, again, not dangerous. If your concern is for the safety of the animal itself, I applaud you and I agree both first time pet owners and hobbyists alike should be aware of the proper care of the animal they purchase. Petco, for examples, offers care sheets which include many facts and instructions for how to properly care for these animals. Rather than ban or charge a fee for these animals, we should spend money educating pet owners. Mandate "care sheets," not fees.

The impact of this proposed bill cannot be stressed enough. Not only would many hobbyists and pet owners who already love, care, and cherish these animals be absolutely devastated both emotionally and financially, the impact on family-owned pet stores who thrive on the sales of these exotic animals would be outright destructive. The proposed $100 fee per pet per year is preposterous. A tree frog for example that costs, say $20 per frog which can be housed in a cage with plants that costs perhaps $50 at most who only eats $1.50 worth of crickets per week ($78)... you're asking more per year than the cost off food for said tree frog. Not to mention, many frog owners keep and breed their own crickets. This is one small example out of hundreds.

Please, I implore you to deeply consider the impact this list would have. Not only are you

harming pet stores owners and hobbyists alike, you are harming many of the animals on this list. I guarantee you, if people were to find out they had to pay $100 per animal per year, some might consider releasing many of these animals who would die in our environment. This list will cause more harm than good. While I applaud the WV Department of Agriculture for trying to keep people and animals safe, this list is far too broad and should be re-written to include only those animals which are truly dangerous, not household pets.

Thank you for your time and consideration.

Sincerely,

Jessica Yoak

Jessica Yoak

Jaime L. Ward
HC 85 Box 503
Jumping Branch, WV 25969
(304)466-3983

Jodee Martin - Commissioner
West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305
304-558-3550

July 16, 2014

Dangerous Wild Animal Board,

This letter is in response to the Dangerous Wild Animal list that was filed on July 2, 2014. More specifically, I would like to address the section concerning domestic and hybrid canines and felines. Your list states the following: Carnivora (carnivores) All species prohibited except domestic dogs (Canis Familiaris) and domestic cats (Felis catus). Hybrid crosses between two species in Order Carnivora (including domestic species) are also prohibited.

I personally have been blessed with bengal cats as a part of my family. I have had bengals for several years and am completely head over heals in love with this breed.

While I fully agree with some of the animals on this list, such as elephants, bandicoots and whales to name a few, I HIGHLY disagree that bengals should be one of them. Bengals have been members of families in West Virginia for many years without a single incident. I feel that it is important to discuss and define the bengal.

By definition, according to The International Cat Association, a bengal is a domestic breed that was DERIVED from a hybrid cross between the Asian Leopard Cat and a domestic cat. (An Asian leopard cat is a small cat between 6-10 lbs. that is found in several areas of the world, predominately Asia.) TICA also states, "Today's domestic Bengal cat comes only from breeding Bengals to other Bengals and requires no specialized care." Many bengals, mine included, would have to trace back multiple generations to reach an actual Asian Leopard cat. They are as domesticated as a Siamese or a Himalayan.

The **USDA defines hybrids of domestic cats with wild/exotic cats (Bengal, Savannah, Chausie...) as DOMESTICS.**

http://www.aphis.usda.gov/animal_welfare/downloads/manuals/dealer/exemptions.pdf

"crosses between wild and domestic animals are considered domestic, e.g., a wolf-dog cross crosses between exotic and domestic animals are considered domestic, e.g., a zebra-donkey cross"

http://www.aphis.usda.gov/animal_welfare/downloads/manuals/eig/2.1_eig.pdf

"Hybrid cross an animal resulting from the crossbreeding between two different species or types of animals. Crosses between wild animal species, such as lions and tigers, are considered to be wild animals. Crosses between wild animal species and domestic animals, such as dogs and wolves or buffalo and domestic cattle, are considered to be domestic animals."

http://www.aphis.usda.gov/animal_welfare/downloads/awr/9cfr1.1.txt

"Hybrid cross means an animal resulting from the crossbreeding between two different species or types of animals. Crosses between wild animal species, such as lions and tigers, are considered to be wild animals. Crosses between wild animal species and domestic animals, such as dogs and wolves or buffalo and domestic cattle, are considered to be domestic animals."

Once again, according to this definition, bengals are domestic animals.

Speaking on behalf of families who have a bengal as part of their lives, bengals make wonderful family pets. They bonding well with members of the family including children, dogs and other cats. Bengals are active and playful and have the personality and intelligence of many dogs. They shed very little to none and are wonderful options for people with allergies. Bengals can be very active family companions, they will harness train if desired and travel well. For many, including my family, bengals are a perfect fit!

It is my understanding that this committee was originally intentioned to form a list that would identify and regulate animals that pose threat to humans, other animals or local ecosystems. Bengals do none of these things and should be permitted.

This section of the Dangerous Wild Animal list needs to be altered. I am respectfully requesting that the wording be changed to include the acceptance of the domestic hybrid breeds.

Thank you for your consideration in this matter.

Sincerely,

Jaime Ward

p.s.
For clarification purposes, bengals are a small breed of house cat ranging between 6 and 15 pounds and have absolutely, 100%, NO relation to a bengal tiger.

Why I think Sugar Gliders make good Pets.

July 15, 2014

Sugar Gliders are being accepted more and more everyday as Super Little pets to Keep, once they are bonded to you. They are very gentle, Sociale and very loving. I feel they Should be took off the List.

They are sometimes incorrectly labled as rodents. When infact the are marsupials. They are related to the koala bears and kangaroos.

They are known for there high I Q., and they makes good companion for ages 12 and up. Even the elderly, as long as childern younger w/adult.

Sugar Gliders are not known to carry any diseases, also they are not prone to be infested with fleas or tics, Lice. They are generally healthy and lively little Critters. They are also quite resilient To contracting ailments and diseases, their immune system being quite hardy and robust. They are very hygienic and never seem to smell, self cleaning, Constantly self grooming.

Any thing can bite with or without teeth. Do you know Sugar Gliders body temperture is 89%. Only animals that body Temperture of 96% are the ones to catch rabies.

Sugar Gliders are not able to Live in The wild in our climate. They are use to weather of Low of 67% to High of 95%. If any high they can have a heat stroke and Die. If the temperture get's any Lower. They will freeze to Death. Also Climate changes as our

dose. In the wild their Life span is about 5 years. Incaptivity Their Life span is 10 to 15 years. As Long as you Take good care of Them.

In the United States there are 34 states where They are Legal, 7 states Illegal, and 11 unknown. Some states they are banned inparts, but permitted in other parts. As

Utha = Legal w/Permited and License
They cost only $55.00 yearly and
As many as you want, and to renew
Them it costs after the $55.00, It costs is
$25.00 for renewal.

But then in salt Lake County Their Illegal
And in St. Paul Minnesota They are Illegal,
< Because of City ordinance > as of 12-26-07

Georgia = < as Long as they are USDA
Certified >

For our region the USDA would be

920 Main Campus Drive
Suite 200
Raleigh, NC
27606 - 5210

Email Aceast @ aphis. USDA. Gov

Telephone 1-919-855-7100

Fax 1-919-855-7123

Why I Think Sugar Gliders make good Pets

In my own experience I Love them as if they were my babies. I talk to Them all day. And play with them in the day, at night I say good night to them by each of their names. I feel they are the Cheapest critter's I ever had. I would be crushed, devastated if I would have to get rid of them. Once you bond with them. They are very Loyal, Social, Loveing and my best friends.

I Love taking my Sugar Gliders with me were ever I go. On Vacation, To the stores they are my Companion. The more time you spend with Them the more they want to be with you. They will not run away or try to hide. They also will Learn there names, come when they're called, And even Learn to do tricks. They have no need for a veterinary care, Except if you notice some thing is wrong. Also no vaccinations are required. to take care of Sugar Glider does not have to be Complicated nor difficult - all you need to know is the right information in the right format so you can better take care of them. You can get Books to help.

Sugar Gliders are very unique class of domesticated animals that are called "pocket pets."

The cage should be at least 24" depth X 24" width and 36" in height, with 1/2" apart wires.

Sugar Gliders are No more dangerous than a cat or dog. If any animal is treated badly they are going to bite, scratch.

I Love to make cowboy and cowgirl hats for them, a Little bonnets. I sew Bedding pouches, bonding pouches, and make Leashes.

I rearrange their cages. I also make different toys for them.

My Sugar Gliders are my Life, along with my husband, my childern, and of Course my grandchildern. I wouldn't have it any other way. I would recommend Sugar Gliders to everyone.

Some people have allergies to dog, cats and other animals. And have had No reaction To sugar gliders at all. I for one fall into that catego ry. For the past 7 years I still have not had a reaction from sugar gliders.

As for not being able to potty Train them. All you have to do is use bady wipes when they go on you. Also Hand sanitizer. But there is one method you can do And that is to Take a Q-tip and gently rub the area. Holding them over a paper towel and they will go then. They only go potty Every 3-4 hours.

Please do not banned my babies from me. I know so many people that feel the same way. And they have other breeds. Like Fish, Snakes, Hybridcat. Lizards. And Horses. and other Animals, That they do not want to have to Loose them.

We pay Taxes on Everything we own.

Why most it be a fee of $100.00 per animal, per year. That's insane to EVEN ask that because they are exiotic. I feel Pure bread dogs, cats and other animals are just as Exotic as sugar gliders. At one time or another they were wild also.

And Look at how many pet shops will be going out of business. How many jobs will be lost. Is anyone thinking of that? Or does it not matter to the higher up?

Thank you
for this time

Tiny Critter Paws
~~Beverly Mack~~
Sugar Gliders
4530 Bowls Ridge Road
Liberty, WV 25124

P.S.

I do care very very deeply for my sugar gliders. And that is the honest truth. So please reconsider the List. And consider the pet shops and the people that are trying to make a liveing.

Care For Sugar Gliders

Sugar Gliders make great Pets. They Live for 10-15 years or longer. As long as you take good care of them. Build a strong Bond with them, by handleing them 4 hours or more a day. Give them a name. Know what sex they are. Sugar Gliders are very social animals. They love to ride around in your pocket, a pouch. If you feel you do not have enough "Quality" time dailey for him or her. I recommend to get 2 of the same sex. Their cage should be at least around (W)24"x(L)24"x(H)3'. To have plenty of room to play and excercise. Sugar Gliders are marsupial. The adverage weight as adult is 4-5 oz's and 10-12 inches Long from tip of the tail to the tip of the Nose. They require No Vaccinations. The Wire cage should be No more space than a half inch Space. Now as For The food That you can feed them. The Next 2 pages will be Good foods and Bad foods. And the next 2 pages will be plants that are good and Bad. Now Donot keep No standing water in buckets, Bathtubs, Sinks, and most of all close The Toilet Lid. So if they get out they will not drown. They are not swimmers.

You will need to get Calcium Sprinkle over the food Every time you feed them. A proper diet prevents this paralysis To their hind Legs, also vitamin D-3 Supplement. If this is not given to them (Calcium, Vitamin D-3) They also could Die from this.

You also will need Nector for their water. Just Sprinkle a pinch into the water.

Vocalizations

In addition to scent gland communication, sugar gliders communicate and make their feelings known through a series of vocalizations:

Barking: Short muted barks that sound rather like a very small dog barking in the distance help them to keep tabs on each other's position.

Sneezing: When members of the same group disagree (more often than not over food) They make a sneezing sound that translates into "go away, I saw this first."

Hissing: Dependent gliders will sometimes make a low hissing sound. This sound is meant to communicate disstress and will bring other members of the group running to its aid. Babies also make this noise when hungry.

Crabbing: By far their most extraordinary vocalization is the one they make when disturbed in their nest. It defies description but sounds a little one of those crank handled rattles that are popular at New year parties.

I have heard this noise described as "crabbing". The noise is surprisingly loud and threatening considering that it is being emitted by such a small and harmless creature. this noise is produced to communicate displeasure or fear. A pet Glider sometimes makes this noise when it is disturbed from sleep but usually stops once it recognizes the scent of the person picking it up.

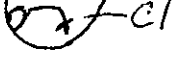
Cage

Make sure you clean the cage once a week. Mild soap like ("Dawn-(Blue)). Make sure you raise well. You can also go to a pet shop and ask for cage cleaner. Wash their Bowles Every day. You can also find cage cleaner at walmart.

Water

I only Give them Spring Bottled water. Never falcet water because of the chemicals that may Be in it. I don't use water Bottles. Make sure To put the vector in the water.

Nail Trimming

Thein Nails are very Sharp. If they get their Nails Caught on clothing or a carpet, which might cause the glider to tear its claw to free itself. They have Nerve endding that are very sensitive and blood vessels. Just use a good pair of baby Nail Clippers. Please just have them for the Sugar Gliders only. Just Clip the very END of The Nails. (Picture 

), Query small amount.

Sugar Gliders are not a rodent or related To Them. Sugar Gliders are gentle and makes great companions. They are not carriers of any disease Their teeth donot grow. unlike Hamsters, Rabbits, and other ones. Sugar Gliders are to weigh up to 5 oz's don't over feed them. It's really unhealthly for them They can develope a lot of Health probalems.

If you Think of anything please feel free to Call.

Sugar Gliders
good food's

Vegetables

Alfalfa
Amaranth
Artichoke
Asparagus
Avocado
Bamboo Shoots
Beats
Broccoli
(spears & sprouts)
Brussels Sprouts
Burdock Roots
Cabbage
Carrots
Cauliflower
Celery
Chayote
Chicory Greens
Chinese Cabbage
Collard Greens
Coriander
Corn
Cucumber

Dandellion Greens
Dock
Endive
Eggplant
French Beans
Ginger Root
Green Beans
(snap)
Jew's Ear
(pepeao)
Jute
(Potherb)
Leeks
Lettuce
(Butter Head, leaf
loose, romaine)
Lupines
Kale
Kohlrabi
Mushrooms
Mustard Greens
Mustard Spinach
Napa Cabbage
Okra

Parsley
Parsnips
Peas (Green)
Peppers (sweet)
Potato (white
Pumpkin
Radish
Soy Bean
(green & sprouts)
Spinach
Squash
(acorn, butternut,
hubbard, winter,
Spaghetti, Summer,
Zuch)
Sweet Potato
Swiss Chard
Tofu
(frim & Regular)
Tomato
(Green - Red
Cherry)
Turnip
Turnip Greens
Water Cress
Yams

Sugar Glider
fruits
good

Acerola
Apple
(With or W/o Skin)
Apricots
Banana
Black berries
Bread fruit
Cantaloupe
Carambola
Carlssa
Casaba Melon
Cherlmoya
Cherries (sweet)
Crab Apples
Cranberries
Currant
Custard Apple
Dates
Elderberries
Figs
Grapes
(seedless)
Guava

Grapfruit
Ground Cherries
Honeydew Melon
Jack fruit
Java Plum
Jujube
Kiwi fruit
Kumquat
Lemon
Lemon Peel
Lime
Longans
Loquats
Mammy Apple
Mango
Malberries
Nectarine
Ohelo berries
Orange Peel
Orange
(Navel & Valencia)
Papaya
Passion fruit
Peach

Pear
Persimmon
Pineapple
Pitanga
Plantain
Plum
Pomegranate
Prickly Pear
Prunes
Pummelo
Quince
Raisins
Raspberries
Rose Apple
Rosselle
Sapodilla
Sapots
Soursop
Strawberries
Sugar Apples
Tamarind
Tangerine
Watermelon

Protine Good for Them

Meal Worms
Wax Worms > petshops, Bait Shops, Walmart

Grass Hoppers - Pet shops, Walmart
Moths
Pinky Mice <only at pet shops>

<u>Meat</u>
(Chicken & Turkey, Boiled
No Season,
No Skin, > Make sure
No Bones) To Cook it
Well done

Dairy

Yoqurt (every other day)
Cottage Cheese
Hard Boiled Eggs - make sure they are
Cooked all the way.

Yoquart Drops are good take along.
Dry Cherrios Wheat But Not to much
Organic Trail mix make sure you check whats
In it.

TOXIC

Garilc
Lima Beans
Onion
Rhubarb
Chocolate (Deadly)

INcorret Nutrition
and can be deadly
for your Glider

Cat food All kinds
dog food All Kinds
Ferret
hamster pellets

Safe House Plants

Acacia
African Violet
Aloe
Baby's Tears
Bamboo
Begonia
Bougainvillea
Chickweed
Cissus
Dracaena
Ferns: asparagus, birdnest, Boston
Figs: creeping, rubber, fiddleleaf, laurel Leaf, weeping
Monkey Plant
Nasturtium
Natal Plum
Norfolk island pine
Palms: areca, date, fan, Lady, parlor, howeea, Kentia, Phoenix, Sago
Peperomia
Petunia
Pittosporum
Prayer plant
Purple passion
Schefflera (umbrella)
Sensitive Plant
spider plant
swedish Ivy
Thistle
Wandering Jew
White Clover
Zebra plant

Toxic Plants

Do not allow your glider to be near any Plants that have sprayed with pesticides.

There are to many potentially Poisonous house plants, shurbs, and Trees to list them all. Some plants and trees are considered generally poisonous while others are only dangerous if the seeds, pits, or fruit are consomed. if in doubt about the toxicity of a plant, Consult a veterinarian or your local plant nursery, or google sugar Gliders.

Poisonous Plants

Plants	Poisonous Parts
Amaryllis	Bulbs
American yew	Needles, seeds
Azalea	Leaves
Balsam pear	seeds, rind of fruit
Baneberry	Berries, roots
Bird of paradise	Seeds
Black Locust	Bark, sprouts, foliage
Blue-green algae	Some forms toxic
Boxwood	Leaves, stems
Buckthorn	Fruit, bark
Butter cup	Sap, bulbs
Calla lily	Leaves
Caladium	Leaves
Castor bean (castor oil Plant)	Beans, Leaves
Chalice vine	All Parts
Cherry Tree	Bark, Twigs, Leaves, Pits

Poisonous Plants

Plants	Poisonous Parts
Christmas Cactus	All parts
Christmas Candles	Sap
Clematis	All parts
Coral plants	Seeds
Cowslip	All parts
Daffodil	Bulbs
Daphne	Berries
Datura	Berries
Deadly amanita	all parts
Death Camas	all parts
Delphinium	all parts
Dieffenbachia	Leaves
Eggplant	All parts except fruit
Elephant's ear (taro)	Leaves, stem
English ivy	Berries, leaves
English yew	Needles, seeds
False Henbane	All parts
Fox glove	Leaves, seeds
Golden chain (laburnum)	All parts
Hemlock, Poison and water	All parts
Henbane	Seeds
Holly	Berries
Horse chestnut	Nuts, Twigs
Hyacinth	Bulbs
Hydrangea	Flower buds
Indian Turnip (Jack-in-the-pulpit)	All parts

Poisonous Plants

Plant	Poisonous Parts
Iris (Blue flag)	Bulbs
Japanese yew	Needles
Java bean (Lima Bean)	uncooked beans
Jerusalem Cherry	Berries
Jimsonweed (thornapple)	Leaves, Seeds
Juniper	Needles, Stems, berries
Lantana	Immature berries
Larkspur	All parts
Laurel	All parts
Lily-of-The-Valley	All parts
Lobelia	All parts
Lowcoweed	All parts
Lords and Ladies (cucoopint)	All parts
Marijuana	Leaves
Mayapple	All parts, Except fruit
Mescal	Seeds
Mistletoe	Berries
Mock Orange	fruit
Monkshood	Leaves, roots
Morning glory	All Parts
Mother-In-law's tongue	All Parts
Narcissus	Bulbs
Night shades (all types)	Berries, leaves
Oleander	All Parts
Philodendron	Leaves, stems
Poison ivy	Sap
Poison oak	Sap
Poinsettia	Leaves, flowers
Poke weed (inkberry)	Leaves, roots
	Immature berries

Poisonous Plants

Plants	Poisonous Parts
Potato	Eyes, new shoots
Pothos	All Parts
Privet	All Parts
Rhododendron	All Parts
Rhubarb	Leaves
Rosary Pea <Indian Licorice>	Seeds
Skunk cabbage	All parts
Snowdrop	All parts
Snow-on-the-mountain	All parts
Sweet pea	Leaves
Tobacco	Leaves
Virginia creeper	Sap
Western yew	Needles, seeds
Wisteria	All parts
Yam bean	Roots, immature pods

Please don't use Log For Fish Tanks. They are made to **soak** up water to stay at the bottom of The tank. This means that it will soak up the Urine and cause a very bad oder. And get the Sugar Glider sick.

From: **Jeanine Notter** Jeanine.Notter@leg.state.nh.us
Subject: **RE: Quaker parrot law**
Date: **July 22, 2014 at 10:06 PM**
To: **Teresa Whitt** terescw@frontier.com

Teresa,
I was away for a week. Sorry I didn't respond sooner. Did you call my house too? I saw a voice mail. It was typed up. I moved it to a lesser used email address so I wouldn't lose it, but I have been on the go this week as well.

Quaker parrots have never been a problem in New Hampshire. They were sold here for 20 years before anyone knew about a ban. The Audubon Society hasn't seen one in the wild in the 100 years they have been bird watching.

When we held the hearings for HB 651, we had so much support. We had bird experts testify and we learned that Quaker parrots cannot survive in the wild on their own. They live in colonies. Some gather the food, some build the nests, some take care of the babies, ect. If one Quaker got out of it's cage, other Quakers would have to get out of their cages at the same time and meet up, before a hawk eats them, before they could attempt to build a colony.

Quaker parrots are one of the top 10 talking birds in the world. They make wonderful pets. I have one myself.

I will forward your email to those who helped me with this bill.

Best of luck,

-Jeanine
603-423-0408

From: Teresa Whitt [terescw@frontier.com]
Sent: Saturday, July 19, 2014 11:21 AM
To: Notter, Jeanine
Subject: Quaker parrot law

Dear Ms Notter:

Hello. As you may know, West Virginia is proposing a law that will ban the purchase of Quaker Parrots, and restrict the current owners of Quaker Parrots. I am writing a letter of comment in

protest of this proposal during the period of public comment which ends August 1, 2014. As part of this letter, I would like to include information supporting the ownership of Quaker Parrots. I know that you were involved in the passing of New Hampshire Bill HB651 (2011) which reversed a previous ban on Quaker Parrots. Do you have any source material you would recommend I include with my letter of comment to the West Virginia Department of Agriculture? Any information is greatly appreciated.

Sincerely,
Teresa Whitt

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WV Wild And Dangerous Animal ℘℘Patty D Act

7/19/14

To: jplumley@wvda.us

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Hi there,

Just wanted to send another letter concerning this list. My concern is the non human primates, according to this list it includes ALL. I totally understand the larger monkeys as they could be very dangerous. What about these small monkeys, like the tiny marmoset which weighs in a whopping 1 pound full grow that many West Virginians consider their babies, family! I totally agree with the larger, dangerous exotic animals, but these small ones that people have had for years that consider them family that's a different story.

Please consider changing the list and let people have these tiny monkeys here in the state. People that have these babies are not going to set them free, if they cant keep them, believe me, these people are going to make sure that their babies go to another good home. Plus here in WV there is no way possible for these tiny primates to survive in our climate or with all the predators here if they were set free.

Please take this in consideration as I personally know of many people that have these tiny babies and give them only the best. They are very well taken care of and loved. And cause no threat to anyone. Please don't take that right away from us.

Thank you,

Patty

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Dangerous Wild Animal Act

ꕥPatty DC

7/18/14
To: jodeemartin@wvda.us

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Already on Twitter?

Hi there,

Just wanted to send another letter concerning this list. My concern is the non human primates, according to this list it includes ALL. I totally understand the larger monkeys as they could be very dangerous. What about these small monkeys, like the tiny marmoset which weighs in a whopping 1 pound full grow that many West Virginians consider their babies, family! I totally agree with the larger, dangerous exotic animals, but these small ones that people have had for years that consider them family that's a different story.

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Thank you,

Patty

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July 12, 2012

JUL 16 2014

West Virginia Department of Agriculture

1900 Kanawha Boulevard East

Charleston WV 25305

Re: Dangerous and Wild Animal Rule

Rabbits? Are you kidding? Rabbits should be considered livestock as people raise them for food. Yes, people keep them as pets. They can be litter trained like a cat and if raised properly are quiet, gentle animals. 4-H has a rabbit project for kids who want to learn how to care for them. Please remove rabbits from that list of dangerous animals. Domestic cats are more apt to harm you than rabbits!

Sincerely,

Karen Pennebaker

Karen Pennebaker

228 Ivy Run Rd.

Troy WV 26443

THE HUMANE SOCIETY
OF THE UNITED STATES

Testimony in Support Dangerous Wild Animal Rule
July 17, 2014
Summer Wyatt, West Virginia State Director
The Humane Society of the United States

On behalf of The Humane Society of the United States and our West Virginia supporters, thank you for this opportunity to provided testimony in support of the Dangerous Wild Animal Rule ("Rule"). I also want to commend the Dangerous Wild Animal Board, specifically, the Department of Agriculture, Department Health and Human Resources, and the Division of Natural Resources, for all their hard work in developing the proposed rule.

The Dangerous Wild Animal Act ("Act"), §19-34-1, *et al.* was signed into law in March 2014, and prohibits the private possession of dangerous wild animals as defined by the Dangerous Wild Animal Board. Individuals possessing a dangerous wild animal prior to the effective date of the Act may continue to possess the animal so long as they have been issued a permit or are otherwise exempt under the statute. However, no new dangerous wild animals may be acquired by a non-exempt person after the effective date of the law.

We are in support of the Dangerous Animal Rule and would like to offer some suggestions to further clarify the intent and application of the Rule.

Clarify in the Rule the prohibition on the future possession of dangerous wild animals and exemptions. The Act specifically prohibits the future private possession of dangerous wild animals as pets unless otherwise exempted and sets forth a list of exempted parties.

We recommend that both the prohibition language and the list of exempted entities be reiterated in the Rules to ensure consistency and notice to individuals who may not cross reference the Rules with the Act.

Clarify in the Rule which domestic animals are specifically exempt. It is unclear which domestic animals are exempt under the Rule. Domestic animals are defined under the act as "an animal which, through extremely long association with humans, has been bred to a degree which has resulted in genetic changes affecting the temperament, color, conformation or other attributes of the species to an extent that makes it unique and distinguishable from a wild individual of its species, and includes an animal that has been bred as a companion animal." Further, the Rule states "Domestic animals ... (are) exempt from the Dangerous Wild Animal Act." Yet, it does appear that at least one common domestic animal, domestic rabbits, may be inadvertently included in the definition of dangerous wild animals.

We recommend clarifying to ensure that all domestic animals are excluded from the Rule.

Recommend adding Boa constrictors to the list of dangerous wild animals. The Rules rightfully list the Burmese python, North African Rock python, South African python and the yellow anaconda as Dangerous Wild Animals. These snakes were recently added to the federal list of "injurious" snakes under the Lacey Act and cannot be imported into the U.S. or taken across state lines. The Rule also lists anaconda species and reticulated pythons which are dangerous constrictor snakes that should not be in the pet trade. However, the Rule fails to list the Boa constrictor.

Boa constrictors, which alone represent 60% of the trade in large constrictor species, are predators who can grow up to 13 feet long, and they can and have killed large mammals, including humans. Boa constrictors have become established in Florida's Miami-Dade County as well as Puerto Rico, and should they become established like Burmese pythons have in south Florida, they could cost the nation tens of millions of dollars in eradication programs – to say nothing of the effect on native species of birds and small mammals, including endangered species. One study showed that Burmese pythons in the Everglades may have contributed to a 99 percent decrease in the numbers of certain small- to medium-sized mammals.

We have tracked more than 500 human safety incidents involving large constrictor snakes that include attacks, intentional releases and escapes from poorly secured cages For example, in Wheeling, a dog warden was called to an apartment with four boa constrictors and a tarantula on the loose after a 26-year-old man, in a drug-induced mania, tore apart his friend's apartment and smashed open the tanks housing the snakes and spider.

We strongly recommend that boa constrictors be added to the list of dangerous wild animals.

Thank you for your time and attention to this important matter and we respectfully urge your support of this Rule and respectfully request you make the above recommended changes to the Rule.

Martin, Jodee

From: Summer Wyatt <swyatt@humanesociety.org>
Sent: Wednesday, July 16, 2014 4:13 PM
To: Martin, Jodee
Subject: Comment - Dangerous Wild Animals Act
Attachments: Testimony in Support Dangerous Wild Animal Rule.docx

Jodee,

Please find attached comment from the Humane Society of the United States. Thank you for all of your incredible work on this legislation.

Summer Wyatt
West Virginia State Director
The Humane Society of the United States
P.O. Box 502
Bunker Hill, WV 25413
C (304) 887-4058

humanesociety.org

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THE HUMANE SOCIETY
OF THE UNITED STATES

Celebrating 60 Years

The Humane Society of the United States is the nation's largest animal protection organization, rated most effective by our peers. For 60 years, we have celebrated the protection of all animals and confronted all forms of cruelty. We are the nation's largest provider of hands-on services for animals, caring for more than 100,000 animals each year, and we prevent cruelty to millions more through our advocacy campaigns.

The HSUS is approved by the Better Business Bureau's Wise Giving Alliance for all 20 standards for charity accountability, and was named by Worth Magazine as one of the 10 most fiscally responsible charities. To support The HSUS, please make a monthly donation, or give in another way. You can also volunteer for The HSUS, and see our 55 ways you can help animals. Read more about our 60 years of transformational change for animals, and visit us online at humanesociety.org.

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."

Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Sincerely,

It is unlawful to take animals and try and ban and profit from them when they aren't harmful.

Kandace Dillard
193A Cervone Lane, St. Albans, WV 25177
(304) 542-0173

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Some of the animals listed are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.

Some of the preposterous oversights on this list include but are not limited to:

ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish

Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs

Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.

Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Sincerely,

This is awful, the government do not need to tell us what pets we should own.
Katie Parsons

Katie Parsons (304) 542-3289
193 Cervone Lane
St. Albans, WV
25177

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Andrea Howell
-Andrea Howell

Rural Route 1 Box 167-10
Red House WV 25168

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Jason Sandt
111 Oak Tree Lane
Nitro WV 25143
(304) 989-2849

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Harold E Wiley
107 Norwood Rd
Nitro, WV 25143

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sharon Adley
107 Norwood Rd.
Nitro, WV 25143

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Sheila Herold
3918 39th St
Nitro WVa
25143
304 769 5931

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

3121 31 Street Nitro 25143 W.V

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Brisa N. Moore

Brisa Moore
3121 31st Street
Nitro, WV 25143

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

I believe this is awful the people should have the right to own these animals. It is wrong to take away the right especially without a vote it should of at least been put in with elections.

Savannah Parsons
193 B Cervone Lane
Saint Albans, WV 25177

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3. I feel that many animals on the list have been listed unreasonably. Some animals have been reasonably listed, such as crocodiles, elephants, giraffes, zebras, big cats (such as lions and tigers), bears, and primates. These animals can pose a threat to humans, could be harmful if released, and could very well be mistreated by someone without proper training and knowledge to care for them. Despite this, many other animals on the list have been listed without second thought and do not pose a threat to the WV environment or citizens.

Class	Animals to be banned	Why they should not be banned
Amphiba (Amphibians)	ALL salamanders, newts, axolotls, etc. ALL clawed frogs ALL tree frogs ALL toads	Salmonella and other diseases amphibians can possibly carry are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure. Salmonella is not a new thing in the animal world, and pet owners have had to deal with it for a long time. To be affected by their toxins you would literally have to lick or eat the animal. Many amphibians kept in captivity would not be able to live in West Virginia, as most non-native species couldn't survive in West Virginia's climate. Native amphibians are regulated by the WV DNR.
Reptilia (Reptiles)	ALL turtles, tortoises, and terrapins	Like above you can avoid salmonella by washing your hands after interacting with your pet or their enclosures. Turtles are very common pets and have been for many, many years. To outright ban every turtle, tortoise, and tarrapin would cause responsible pet owners to lose their beloved pet.
Tetradontiformes, Perciformes, Characiformes, Siluriformes (many kinds of fish)	ALL triggerfish, filefish, and pufferfish ALL gobies ALL tetras, including the very popular neon tetra ALL plecos, corydoras	This banning of entire orders means the banning of literally thousands of commonly kept aquarium fish. The majority of these fish pose no threat of invading West Virginian waters. Saltwater fish, including the saltwater gobies, have no chance of invading the freshwater lakes and rivers of WV. Tropical fish couldn't survive in the cold waters of WV. The toxins some of these fish contain, like pufferfish, would only effect someone if ingested. It is unheard of for someone to buy a pufferfish from a pet store to take it home and eat it.
Mammalia (Mammals)	ALL hedgehogs ALL rabbits ALL hamsters, *except Syrian* ALL rats, *except white, albino, or laboratory-raised* ALL ferrets ALL hybrid dogs and cats, such as savannah and bengal cats ALL sugar gliders	The banning of these animals will be banning some of the most popular pets in the entire pet trade. While hedgehogs may be fairly new to the pet trade, they pose no threat to public safety. While it is said they can carry rabies, most pet mammals can carry rabies and people own them without second thought. According to the CDC, there has only been one recorded case of a hedgehog with rabies- and it was in the wild in Budapest. There have been no recorded cases of pet African hedgehogs contracting rabies. Sugar Gliders also do not pose a public safety threat. Gliders do not need any type of vaccinations, as they cannot get rabies and are no more dangerous to own than a cat or a dog as far as parasites. These species are not a threat to the environment. They cannot establish themselves in West Virginia as the climate is not acceptable. As for the rest of the banned species, such as hamsters, rats, ferrets, and rabbits, these animals have been in the pet trade for many many years. If the worry is invasiveness, where are the wild packs of hamsters, ferrets, fancy rats, and rabbits running around?

Children will have to be told that they can no longer have their beloved pet, or be called a felon by the state and given hundreds of dollars in fines or face imprisonment. Millions of pets will have to be surrendered to the state. The state will have to use citizen's tax dollars to either care for the pets they surrender or to euthanize them. Similar legislation in Ohio led to a $2.9 million dollar temporary-housing facility for animals that could not be kept by "responsible owners". This law will cost West Virginia more to implement than the money raised from the $100.00 permits. The state of West Virginia potentially could be responsible for the deaths of thousands of pet exotic animals.

The pet trade generates millions of dollars for the state. With all of these animals banned, pet stores will not have enough income to be kept running. Pet stores across the state will be forced to be shut down, forcing not only small business owners but corporations out of business or out of the state. I thought West Virginia was "Open for Business"? In conclusion, I feel that the list needs to consider individual species and not ban animals by the order, family, or genus. This way it will only be banning animals that shouldn't be owned by the general public, but will allow responsible pet owners to keep their beloved pets and allow pet stores to stay running across the state.

Sincerely,

Debra King
4553 Victoria Rd
Charleston WVa. 25313

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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4553 Victoria Rd
Charleston WVa 25313

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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GARY MORGAN
106 WOOD LANE
HUNTINGTON, WV

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Rachel Sowards

1138 James River TPKE. Milton, WV 25541

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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THIS LAW IS RIDICULOUS, WHAT IS A SUGAR Glider /FISH/ RABBITS GOING TO DO THEY AINT BIG ENOUGH TO DO HARM.

Sincerely,

MICHAEL SOWARDS
1137 JAMES RIVER TPKE
MILTON WV 25541

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Jonathan NAY

289 1st Street SE
Madison WV, 25130.
PoBox 853
Madison WV, 25130

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Ruth McCoy
301 Harper Ridge Rd
Liberty, WV 25124

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Jennie Black
Rt 3 Box 112
Milton WV 9

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Janet Newsom
Rt 3 Box 112
Milton W.Va

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
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Sincerely,

Tammie Counts
RH Box 105A
Milton, WV 25541

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

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Sincerely, Marissa Counts Wayne, WV

83 Smith Branch Rd, 25570

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Sible Couner
3409 T. U Rd.
Hurricane WV
25526

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, James D Clay 175 Dry Ridge Rd
Milton WV 25541

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely,

Donna Kay Tice
9850 Teays Valley Rd
~~Scott~~ Scott Depot WV

I think the ban is wrong. your taking our freedom away.

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely, Wanda Pittman 225 Keystone Dr.
Charleston, WV. 25311

George D. Trump

294 Bluebird Ln.

Harpers Ferry, WV 25425

304 579 7398

JacquiTrump@Yahoo.com

July 11, 2014

West Virginia Department of Agriculture

1900 Kanawha Boulevard East

Charleston, West Virginia 25305

Dear West Virginia Department of Agriculture:

Through Captive breeding of snakes and other reptiles we are practicing conservation. Wild populations of reptiles can rebound from over collecting or land development. Captive breeding produces healthy stock for people who wish to own a quality reptile

The reticulated python, for example, is now being bred to a reduced and manageable size. In addition, through generations of captive breeding they are showing a calm demeanor with many beautiful colors and patterns.

Magazines such as "Reptiles" write responsible and intelligent articles on the maintenance and breeding of all reptiles. Herpetoculture, the captive maintenance and breeding of reptiles, has a strong following by both professional and laymen alike.

This is certainly a wonderful and serious interest for many. I thank you for considering these points and the points of others.

Sincerely,

George D. Trump

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing you in regard to the Dangerous and Wild Animal List for House Bill 4393 Title 61: 61-30-3

While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous and wild".

Some of the wild animals listed are reasonable listed such as crocodiles, elephants, and many animals that you would normally find only in zoos. The fact remains that many of the animals listed are topical species that could not survive in our environment were they not kept in captivity.

Other species on the list are not dangerous, such as the inclusion of all species of the order Lagomorpha. This would include all species of meat and fur rabbits as well as rabbits that people keep as pets. These are not wild animals and have been domesticated for hundreds of years. Each summer at county fairs across the state, meat rabbits are included as part of livestock shows and sales. Additionally the USDA even addresses the sale of rabbit meat in their regulations.

This ban would have a significant economic impact on a number of small farms and rabbitries that breed and sell rabbits to hobbyist, 4H members and for meat and fur.

Please amend the proposed list by removing rabbits from it, and consider the impact you are creating on the people of our great state. Thank you.

Sincerely:

Jonathan D Beckett
RR 3, Box 91 A
Ona, WV 25545

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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992 Samuels Ave
Barbourville, WV
25504

07/16/014

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To Whom It May Concern:

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While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous and wild".

Some of the wild animals listed are reasonable listed such as crocodiles, elephants, and many animals that you would normally find only in zoos. The fact remains that many of the animals listed are topical species that could not survive in our environment were they not kept in captivity.

Other species on the list are not dangerous, such as the inclusion of all species of the order Lagomorpha. This would include all species of meat and fur rabbits as well as rabbits that people keep as pets. These are not wild animals and have been domesticated for hundreds of years. Each summer at county fairs across the state, meat rabbits are included as part of livestock shows and sales. Additionally the USDA even addresses the sale of rabbit meat in their regulations.

This ban would have a significant economic impact on a number of small farms and rabbitries that breed and sell rabbits to hobbyist, 4H members and for meat and fur.

Please amend the proposed list by removing rabbits from it, and consider the impact you are creating on the people of our great state. Thank you.

Sincerely:

Mary Beth Kuhn
414 Spencer Ave
Barboursville, WV 25504

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely:

Stacy Heath
3 Redwood Circle
Ona, WV 25545

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Mary Lou Smith
102 Adams Rd
Barboursville, WV 25504

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely:

1034 Libby Lane
Barboursville, WV 25504

Ms. Jane Morningstar
P.O. Box 224
Renick, WV 24966

7/25/2014

Dear W.V. Dept. of Agriculture,

How can this country and state even propose to make it harder for ... and take more money from our farmers?

NO DANGEROUS "WILD" ANIMAL ACT.

Since when are my horse "PETS" wild animals??

NO NO NO

Sincerely,

Jane Morningstar
Greenbrier County

July 25, 2014
Franklin, WV

Dear Jodee Martin,

I am writing in regards to the proposed 'Dangerous Wild Animal' list that is about to be brought before the state legislature.

Really? Rabbits, hamsters and mice are dangerous. A lot of people keep these type of animals for pets and food sources.

I am against rabbits especially being included on this list. I am in the process right now of setting up some rabbit cages so I can raise rabbits for a food source. They are a very lean type of meat which is excellent for people with conditions such as high cholesterol , like me. It seems every day in this country that bad food products are being promoted to the public for the detriment of their health (GMO, chemical laden veggies, Johnes milk, etc.) When someone tries to live healthier by choosing more natural food sources, the first thing you know, it is against the law. What's next, we can't have chickens either? And to have to pay $100 a year to keep a $10 rabbit?

Please let it be known that I am sternly against rabbits being on the DANGEROUS WILD ANIMAL list. They are not even wild anymore!

Sincerely,

Donald W Lam Jr

Cynthia L Lam

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

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Sincerely:

Brittany Price

Brittany Price
1034 Libby Lane
Barboursville, WV
25504

Dear Dangerous Wild Animal Board,

I am asking that you remove some of the animals listed as prohibited.

These animals have been deemed safe as pets and do not pose a threat to humans or the environment.

They are also popular pets, so banning them will hurt businesses such as the pet stores that sell the animals and supplies. This may in turn cause these businesses to lay off workers, and therefore will have a negative economic impact on the people of West Virginia. Also, there are many people who breed animals in West Virginia to supplement their income (I have included a list of some of the rabbit breeders in the state).

Since there are hundreds (perhaps 1000's) of these animals that are already pets in this state, making the owners pay a $100 fee which many people will not be able to afford, will result in the abandonment and euthanizing of these pets. **On a personal note, I don't want to have to tell my five year old that I have to kill her pet rabbit and tree frog, neither of which will survive if I just let them "go".**

These are the animals I am asking to take off the prohibited list:

Caudata (Salamanders)
Anura (tree frogs and toads)
Testudines (turtles)
Lagomorpha (rabbits)
Other types of Hamsters besides Syrian and Golden
Diprotodonita (sugar gliders)
Erinaeceomorphia (African pygmy hedgehogs)

I have included a listing of the many types of reptiles that Petsmart sells and the different types of hamsters that Petco sells.

Also, I have included the rabbit supplies that Petco sells.

Please feel free to call me with any questions,

Lorie Mattson

Lorie Mattson
Willow Creek Farm
587 Tabler Station Road
Inwood, WV 25428
304-582-5717

Home > LIVE PET > **Live Reptiles**

SHOP BY:

Live Reptiles

REPTILES
- African Dwarf Frog (1)
- Anoles (2)
- Bearded Dragons (1)
- Chameleons (1)
- Geckos (5)

Show all

AMPHIBIANS
- Frogs (3)
- Toads (1)

EXPERIENCE LEVEL
- Beginner (13)
- Intermediate (7)
- Advanced (2)

MATURITY SIZE
- 1-3" Length (2)
- 4-6" Length (4)
- 7-9" Length (8)
- 10-12" Length (6)
- 48"+ Length (4)

Show all

AVERAGE LIFESPAN
- 1-4 yrs (4)
- 5-9 yrs (10)
- 10-15 yrs (14)
- 16-20 yrs (11)
- 21-25 yrs (9)

Show all

PRICE
- <$5 (1)
- $5 - $10 (5)
- $15 - $20 (4)
- $20 - $25 (3)
- $25 - $50 (12)
- $50 - $75 (1)
- $75 - $100 (7)

MORE WAYS TO SHOP
- Sale (31)

Live Reptiles

Items Available 33

Compare >

COMPARE

Add up to 3 items

Clear all

Sort By: Please Select

View 200 Items

First Page

to previous page

1

2

to next page

Last Page

Reptiles that Petsmart sells:

Remove Compare
African Dwarf Frog
5.0
$ 3.70
Reg: $ 3.89
Shop In Store
Not Sold Online

Remove Compare
African Sideneck Turtle
$ 37.99
Reg: $ 39.99
Shop In Store
Not Sold Online

Remove Compare
Amelanistic/Albino Corn Snake
5.0
$ 47.49
Reg: $ 49.99
Shop In Store
Not Sold Online

Remove Compare
Amerythristic/Black Corn Snake
$ 47.49
Reg: $ 49.99
Shop In Store
Not Sold Online

Remove Compare
Asian Forest Scorpion
$ 18.99
Reg: $ 19.99
Shop In Store
Not Sold Online

Remove Compare
Bahaman Anole
$ 7.59
Reg: $ 7.99
Shop In Store
Not Sold Online

Remove Compare
Green Anole
5.0
$ 7.59
Reg: $ 7.99
Shop In Store
Not Sold Online

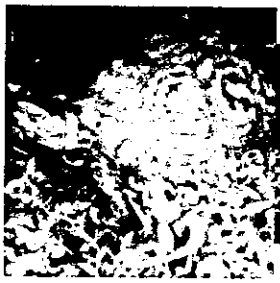
Remove Compare
Green Tree Frog
5.0
$ 9.49
Reg: $ 9.99
Shop In Store
Not Sold Online

Remove Compare
Leopard Gecko
4.3333
$ 23.99
Reg: $ 29.99
Shop In Store
Not Sold Online

Remove Compare
Long-Tailed Lizard
$ 9.49
Reg: $ 9.99
Shop In Store
Not Sold Online

Remove Compare
Malaysian Golden Gecko
$ 23.99
Reg: $ 29.99
Shop In Store
Not Sold Online

Remove Compare
Mississippi Mud Turtle
$ 37.99
Reg: $ 39.99
Shop In Store
Not Sold Online



Remove Compare
Ornate Wood Turtle
$ 89.99
Shop In Store
Not Sold Online

Remove Compare
Pacman Frog
4.0
$ 15.19
Reg: $ 15.99
Shop In Store
Not Sold Online

Remove Compare
Painted Turtle
$ 28.49
Reg: $ 29.99
Shop In Store
Not Sold Online

Sort By: Please Select
View 200 Items
First Page
to previous page
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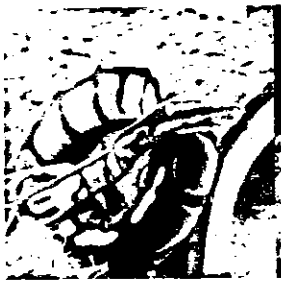
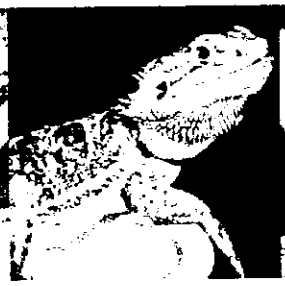
2
to next page
Last Page

BEST SELLERS NEW ARRIVALS

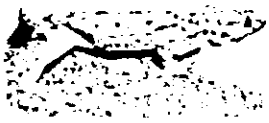


Remove Compare
Ball Python
$ 44.99
Reg: $ 89.99
Shop In Store
Not Sold Online

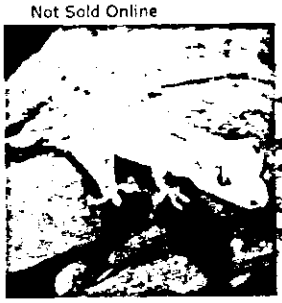


Remove Compare
Bearded Dragon
5.0
$ 45.49
Reg: $ 64.99
Shop In Store
Not Sold Online

Remove Compare
Chinese Water Dragon
5.0
$ 37.99
Reg: $ 39.99
Shop In Store
Not Sold Online



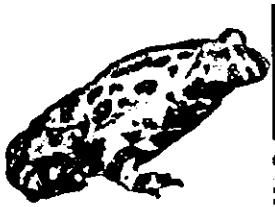
Remove Compare
Crocodile Gecko
$ 34.97
Shop In Store
Not Sold Online



Remove Compare
Eyelash Crested Gecko
5.0
$ 39.99
Reg: $ 49.99
Shop In Store
Not Sold Online

Remove Compare
Fancy Corn Snake
$ 66.49
Reg: $ 69.99
Shop In Store
Not Sold Online

Remove Compare
Fancy Crested Gecko
$ 75.99
Reg: $ 79.99
Shop In Store
Not Sold Online



Remove Compare
Fire Belly Toad
4.0
$ 5.79
Reg: $ 6.09
Shop In Store
Not Sold Online

Remove Compare
Greek Tortoise
$ 82.49
Reg: $ 109.99
Shop In Store
Not Sold Online

Remove Compare
Panther Gecko
$ 19.99
Reg: $ 24.99
Shop In Store
Not Sold Online

Remove Compare
Pastel Ball Python
$ 94.99
Reg: $ 99.99
Shop In Store
Not Sold Online

Remove Compare
Pink Toe Tarantula
$ 23.74
Reg: $ 24.99
Shop In Store
Not Sold Online

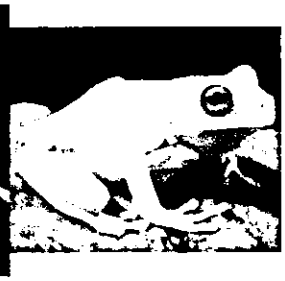
Remove Compare
Red Eared Slider
5.0
$ 18.99
Reg: $ 19.99
Shop In Store
Not Sold Online

Remove Compare
Russian Tortoise
5.0
$ 97.49
Reg: $ 129.99
Shop In Store
Not Sold Online

Remove Compare
Sand Boa
$ 94.99
Reg: $ 99.99
Shop In Store
Not Sold Online

Remove Compare
Skink
$ 28.49
Reg: $ 29.99
Shop In Store
Not Sold Online

Remove Compare
Veiled Chameleon
5.0
$ 79.99
Reg: $ 99.99
Shop In Store
Not Sold Online



Remove Compare
White's Dumpy Tree Frog
$ 28.49
Reg: $ 29.99
Shop In Store
Not Sold Online

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Home • Small Animals • Hamsters

View By: POPULAR Show: 48 PER PAGE

Some of the different types of Hamsters

Djungarian Hamster
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Chinese Dwarf Hamster
IN-STORE ONLY

Fancy Hamster
IN-STORE ONLY

Roborovski Hamster
IN-STORE ONLY

Long Haired Hamster
IN-STORE ONLY

Dwarf Hamster
IN-STORE ONLY

Short Haired Hamster
IN-STORE ONLY

Shopping
Dog Supplies | Dog Food
Cat Supplies | Cat Food
Fish Supplies | Live Fish & Rock
Small Animal Supplies
Ferret Supplies
Reptile Supplies
Bird Supplies
Pond Supplies

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Quick Reorder
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Home • Small Animal • Rabbit

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Rabbit Cages & Hutches
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Sleepers & Hideouts
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Treats & Chews

rabbit supplies

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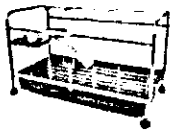
Cages & Habitats

Food

Dishes, Feeders & Waterers

Hay

Sale

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TOP RATED CUSTOMER FAVORITES

Carefresh Natural Pet Bedding
$5.23 to $39.99
Up to 38% off

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$5.51 to $17.09
Up to 15% off

Planet Petco Small Animal Paper Pellet Litter
$8.49 to $57.57
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ARTICLES & INFO

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Rabbits are intelligent, affectionate and social animals that need daily interaction with humans or other rabbits. Chewing is a rabbit's favorite hobby. Spayed or neutered rabbits tend to be healthier, live longer and are better companions.

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West Virginia / Rabbits

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(/rELD2/flemish-giant-for-sale.htm)

FLEMISH GIANT FOR SALE (/rELD2/flemish-giant-for-sale.htm) $75
[makaylanichols9 (/members/makaylanichols9/)]
Pedigreed sandy Flemish Giant buck. Turned a year old back in June. Asking $75. Very large
Delbarton, West Virginia » Flemish Giants
renewed 21 minutes ago

(/jymLt/pedigreed-holland-lops.htm)

Netherland Dwarf Rabbits for sale (/jymLt/pedigreed-holland-lops.htm) [bunnyfarm14 (/members/bunnyfarm14/)] $20
I have 3 Netherland Dwarf Rabbits for sale, I have a Lilac Buck breeding age, REW Doe Bre
West Union, West Virginia » Holland Lops
renewed 3 days ago

(/MT1CT/pedigreed-mini-rexs.htm)

Pedigreed mini rex (/MT1CT/pedigreed-mini-rexs.htm) [bunnyfarm14 (/members/bunnyfarm14/)] $20
I have one pedigreed mini rex for sale. I have a broken black doe. the doe is about 17 w
West Union, West Virginia » Rex
renewed 3 days ago

(/ZEkxi/dutch-bunnies-for-sale.htm)

dutch bunnies for sale (/ZEkxi/dutch-bunnies-for-sale.htm) $20
[bunnyfarm14 (/members/bunnyfarm14/)]
I have one chocolate buck and two does for sale one chocolate and one black, the sire is a
West Union, West Virginia » Dutch
renewed 3 days ago

Pedigreed lionhead doe ready to go (/Xglca/pedigreed-lionhead-do-ready-to-go.htm) [trailsend13 (/members/trailsend13/)] $40

5 month old broken opal lionhead doe with excellent pedigree. 40.00 . Moundsville WV .chec

(/Xglca/pedigreed-lionhead-do-ready-to-go.htm)

Wheeling, West Virginia » Lionheads

posted 6 days ago

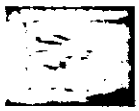
Lionhead and Holland, Full Pedigree (/TKvgX/lionhead-and-holland-full-pedigree.htm) [wvrmstr113 (/members/wvrmstr113/)] $30

Ready to go, Show, and Breed Quality Double Mane Lionhead, and Holland Lops. 3 Blac

(/TKvgX/lionhead-and-holland-full-pedigree.htm)

Maidsville, West Virginia » Lionheads

posted 1 week ago



Pedigreed holland lops ready to go (/Rbh9k/pedigreed-holland-lops-ready-to-go.htm) [trailsendrabbitry (/members/trailsendrabbitry/)] $50

Very nice pedigreed holland lop does ready to go. 50.00 moundsville Wv .also check out my

(/Rbh9k/pedigreed-holland-lops-ready-to-go.htm)

Moundsville, West Virginia » Holland Lops

renewed 3 weeks ago

Bouncy Baby Bunnies! (/NnSK5/bouncy-baby-bunnies.htm) [rebelrose2013 (/members/rebelrose2013/)] $5

I have several crossed baby bunnies ready to go, $5.00 each. Boys and girls, pickup in Gl

(/NnSK5/bouncy-baby-bunnies.htm)

Glenville, West Virginia » Californian

posted 4 weeks ago

4 Dutch/ New Zealand cross rabbits (/Jle-y/dutch-new-zealand-cross-rabbits.htm) [morgannikole51 (/members/morgannikole51/)] $7

These rabbits are 5 weeks old. They are well taken care of and very friendly rabbits. Ther

(/Jle-y/dutch-new-zealand-cross-rabbits.htm)

Buckhannon, West Virginia » Dutch

posted 4 weeks ago

Sandy Buck for sale (/gziVg/sandy-buck-for-sale.htm) [maneholwrabbit (/members/maneholwrabbit/)] $25

6 wks old Sandy buck

Branchland, West Virginia » Flemish Giants

posted 4 weeks ago

(/gziVg/sandy
-buck-for-
sale.htm)

1 (/12044/114/0/) next » (/12044/114/10/)

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the "Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3. I feel that many animals on the list have been listed unreasonably. Some animals have been reasonably listed, such as crocodiles, elephants, giraffes, zebras, big cats (such as lions and tigers), bears, and primates. These animals can pose a threat to humans, could be harmful if released, and could very well be mistreated by someone without proper training and knowledge to care for them. Despite this, many other animals on the list have been listed without second thought and do not pose a threat to the WV environment or citizens.

Class	Animals to be banned	Why they should not be banned
Amphiba (Amphibians)	ALL salamanders, newts, axolotls, etc. ALL clawed frogs ALL tree frogs ALL toads	Salmonella and other diseases amphibians can possibly carry are very easily avoided in captivity. Simply wash your hands after handling them or working with their enclosure. Salmonella is not a new thing in the animal world, and pet owners have had to deal with it for a long time. To be affected by their toxins you would literally have to lick or eat the animal. Many amphibians kept in captivity would not be able to live in West Virginia, as most non-native species couldn't survive in West Virginia's climate. Native amphibians are regulated by the WV DNR.
Reptilia (Reptiles)	ALL turtles, tortoises, and terrapins	Like above you can avoid salmonella by washing your hands after interacting with your pet or their enclosures. Turtles are very common pets and have been for many, many years. To outright ban every turtle, tortoise, and tarrapin would cause responsible pet owners to lose their beloved pet.
Tetradontiformes, Perciformes, Characiformes, Siluriformes (many kinds of fish)	ALL triggerfish, filefish, and pufferfish ALL gobies ALL tetras, including the very popular neon tetra ALL plecos, corydoras	This banning of entire orders means the banning of literally thousands of commonly kept aquarium fish. The majority of these fish pose no threat of invading West Virginian waters. Saltwater fish, including the saltwater gobies, have no chance of invading the freshwater lakes and rivers of WV. Tropical fish couldn't survive in the cold waters of WV. The toxins some of these fish contain, like pufferfish, would only effect someone if ingested. It is unheard of for someone to buy a pufferfish from a pet store to take it home and eat it.
Mammalia (Mammals)	ALL hedgehogs ALL rabbits ALL hamsters, *except Syrian* ALL rats, *except white, albino, or laboratory-raised* ALL ferrets ALL hybrid dogs and cats, such as savannah and bengal cats ALL sugar gliders	The banning of these animals will be banning some of the most popular pets in the entire pet trade. While hedgehogs may be fairly new to the pet trade, they pose no threat to public safety. While it is said they can carry rabies, most pet mammals can carry rabies and people own them without second thought. According to the CDC, there has only been one recorded case of a hedgehog with rabies- and it was in the wild in Budapest. There have been no recorded cases of pet African hedgehogs contracting rabies. Sugar Gliders also do not pose a public safety threat. Gliders do not need any type of vaccinations, as they cannot get rabies and are no more dangerous to own than a cat or a dog as far as parasites. These species are not a threat to the environment. They cannot establish themselves in West Virginia as the climate is not acceptable. As for the rest of the banned species, such as hamsters, rats, ferrets, and rabbits, these animals have been in the pet trade for many many years. If the worry is invasiveness, where are the wild packs of hamsters, ferrets, fancy rats, and rabbits running around?

Children will have to be told that they can no longer have their beloved pet, or be called a felon by the state and given hundreds of dollars in fines or face imprisonment. Millions of pets will have to be surrendered to the state. The state will have to use citizen's tax dollars to either care for the pets they surrender or to euthanize them. Similar legislation in Ohio led to a $2.9 million dollar temporary-housing facility for animals that could not be kept by "responsible owners". This law will cost West Virginia more to implement than the money raised from the $100.00 permits. The state of West Virginia potentially could be responsible for the deaths of thousands of pet exotic animals.

The pet trade generates millions of dollars for the state. With all of these animals banned, pet stores will not have enough income to be kept running. Pet stores across the state will be forced to be shut down, forcing not only small business owners but corporations out of business or out of the state. I thought West Virginia was "Open for Business"? In conclusion, I feel that the list needs to consider individual species and not ban animals by the order, family, or genus. This way it will only be banning animals that shouldn't be owned by the general public, but will allow responsible pet owners to keep their beloved pets and allow pet stores to stay running across the state.

Sincerely,

Sonia Grigsby, Dunbar WV

I beg you to consult Specialty Pets during subcommittee mtgs & any other mtgs. Thank you.

INDIVIDUAL DOMESTIC ANIMAL OWNERS LIABILITY
INDICATION/PROPOSAL FORM

DATE: JULY 9, 2014

==========

FROM: LESTER KALMANSON AGENCY INC &/OR MITCHEL KALMANSON
MAITLAND, FLORIDA U.S.A.
PH) 407-645-5000 FAX) 407-645-2810
WEBSITE: www.lkalmanson.com / EMAIL: mitchelk25@hotmail.com

TO:

1) NAMED INSURED(S): SONIA & TIMOTHY GRIGSBY

MAILING ADDRESS: 1284 PARKWAY DRIVE
DUNBAR,WV 25064

PHONE#: 304/419-1618 EMAIL: sgrigsby@k12.wv.us

2) PHYSICAL DESIGNATED LOCATION(S): 1284 PARKWAY DRIVE, DUNBAR, WV 25064, ONLY

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3) PROPOSED EFFECTIVE/EXPIRATION DATE: FROM: TBD TO: TBD
BOTH DAYS (@ 12:01 AM LOCAL STANDARD TIME)

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4) TERM: ANNUAL

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5) DESCRIPTION OF RISK: INDIVIDUAL DOMESTIC ANIMAL OWNERS LIABILITY FOR TWO (2) SUGAR GLIDER(S) & FISH

---

6) POLICY FORM: A MANUSCRIPT CLAIMS MADE LIABILITY INSURANCE FORM

7) PROPOSED RETRO ACTIVE DATE: TBD DATE OF INCEPTION
(@ 12:01 AM LOCAL STANDARD TIME)

8) DESCRIPTION OF LIABILITY COVERAGE'S AFFORDED

SEE ADDENDUM "A"

9 A) LIMITS OF LIABILITY:

$ 300,000.00 - PER OCCURRENCE / $ 300,000.00 - ANNUAL AGGREGATE

10) DEDUCTIBLE: $ 250.00 - PER CLAIM / BODILY INJURY / PROPERTY DAMAGE INCLUDING LOSS ADJUSTMENT EXPENSE (L.A.E.)

11) CARRIER/UNDERWRITERS: 100% CERTAIN UNDERWRITERS @ LLOYDS / LONDON
(ELIGIBLE SURPLUS LINES CARRIER)

---

12) PREMIUM BREAKDOWN:
PREMIUM US $ 600.00 + $ 75.00 POLICY FEE + $ -0- +
$ 27.00 SLT + $ 3.30 FEE = TOTAL PREMIUM US $ 705.30
(PREMIUM IS 100% FULLY EARNED)

INDIVIDUAL DOMESTIC ANIMAL OWNERS LIABILITY
INDICATION/PROPOSAL FORM
"CONTINUE"

FROM: LESTER KALMANSON AGENCY INC &/OR MITCHEL KALMANSON
MAITLAND, FLORIDA U.S.A.
EMAIL: MITCHELK25@HOTMAIL.COM / PH: 407-645-5000

NAMED INSURED(S) : SONIA & TIMOTHY GRIGSBY

---

13) ADDITIONAL INSURED: ALL INCLUDED IN PREMIUM O.A.T.I.M.A.

---

14) TERRORISM: _____ DENIED ____ACCEPTED
(SUBJECT TO AN ADDITIONAL PREMIUM)
PREMIUM: US $ N/A

---

15) **TERMS AND CONDITIONS:**

THIS IS NOT A BINDER OF INSURANCE. This indication is being offered on the basis indicated above. It does not necessarily provide the terms and / or coverage's requested in you submission. No flat cancellations are permitted and a minimum earned premium rule will also be applied to any policy issued as a result of this quotation.

---

16) **NOTICE OF INSURANCE INFORMATION PRACTICES:**

Personal information about you may be collected from persons other than you. Such information as well as other personal and privileged information collected by us may in certain circumstances be disclosed to third parties. You have the right to review your personal information in our files and can request correction of any inaccuracies.

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17) REMARKS:

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18) In order to bind coverage we must have all originals with info below:

- **a) PREMIUM, MAKE CHECKS PAYABLE TO LESTER KALMANSON AGENCY, INC.**
- **b) ORIGINAL APPLICATION, COMPLETED AND SIGNED**
- **c) ALL POLICY FEES &/OR INSPECTION FEES ARE FULLY EARNED**
- **d) NO FLAT CANCELLATION PERMITTED**
- **e) MAIL ALL ORIGINAL DOCUMENTS TO OFFICE WITH FULL PREMIUM**
- **f) DEDUCTIBLE LIABILITY FORMS**
- **g) SIGNED LIABILITY INDICATION / PROPOSAL FORM**

INDIVIDUAL DOMESTIC ANIMAL OWNERS LIABILITY
INDICATION/PROPOSAL FORM
"CONTINUE"

FROM: LESTER KALMANSON AGENCY INC &/OR MITCHEL KALMANSON
MAITLAND, FLORIDA U.S.A.
EMAIL: MITCHELK25@HOTMAIL.COM / PH: 407-645-5000

NAMED INSURED(S): SONIA & TIMOTHY GRIGSBY

19) I HEREBY AGREE TO TERMS AND CONDITIONS AS STATED ABOVE &/OR HEREIN UNLESS OTHERWISE NOTED IN WRITING.

INSURED'S SIGNATURE:_____ **DATE:**_____

TITLE:_____ **PHONE:**_____

EMAIL:_____

QUOTE NOT VALID AFTER 10 DAYS

Thank you for your business.

FOR MITCHEL KALMANSON &/OR LESTER KALMANSON AGENCY INC.

MAILING ADDRESS:	**OVERNIGHT MAILING:**
LESTER KALMANSON AGENCY INC &/OR **MITCHEL KALMANSON** **P O B OX 940008** **MAITLAND FL 32794-0008 U.S.A.**	**LESTER KALMANSON AGENCY INC &/OR** **MITCHEL KALMANSON** **235 S MAITLAND AVE STE #201** **MAITLAND FL 32751 U.S.A.**

PH) 407-645-5000 / FAX) 407-645-2810

WEBSITE: www.lkalmanson.com / EMAIL:mitchelk25@hotmail.com

THE DIFFERENCE BETWEEN "OCCURRENCE" & "CLAIMS MADE" POLICY FORM

THIS FORM IS A MANUSCRIPT POLICY FORM AND HAS VARIOUS POLICY RESTRICTIONS.

A) LIABILITY PROTECTION CAN BE PROVIDED BY EITHER AN "OCCURRENCE" TRIGGER OR A "CLAIMS MADE" TRIGGER

B) THERE IS NO DIFFERENCE IN THE PROTECTION PROVIDED BY THESE FORMS (SUBJECT ONLY TO THE PURPOSE OF THE FORMS); THE ONLY DIFFERENCE IS WHAT TRIGGERS EACH FORM TO RESPOND

C) CLAIMS-MADE LIABILITY POLICY: COVERS BODILY INJURY &/OR PROPERTY DAMAGE WHICH OCCURS ON OR AFTER THE RETROACTIVE DATE, AND FOR WHICH A CLAIM IS FIRST MADE DURING THE POLICY PERIOD. CLAIMS UNDER THIS POLICY MUST BE SUBMITTED BY THE INSURED TO THE CARRIER (C/O LESTER KALMANSON AGENCY, INC) DURING THE POLICY PERIOD (AS OUTLINED WITHIN THE LOSS NOTIFICATION CLAUSE WITHIN THE POLICY) IN ORDER FOR COVERAGE TO APPLY.

D) RETRO-ACTIVE DATE: A DATE STATED IN THE DECLARATION OF A CLAIMS-MADE LIABILITY COVERAGE FORM WHICH IS NORMALLY THE SAME DATE AS THE DATE OF THE ISSUING COMPANY'S FIRST CLAIMS-MADE POLICY FOR THE INSURED. NO COVERAGE IS PROVIDED UNDER THE CLAIMS-MADE FORM FOR BODILY INJURY &/OR PROPERTY DAMAGE THAT OCCURS PRIOR TO THE RETROACTIVE DATE.

E) PRIOR ACTS: THIS PROVISION IN A CLAIMS-MADE POLICY EXCLUDES COVERAGE FOR ANY CLAIMS MADE DURING THE POLICY PERIOD THAT ARISE FROM AN OCCURRENCE PRIOR TO THE INCEPTION OR RETRO-ACTIVE DATE LISTED ON THE POLICY UNLESS OTHERWISE ENDORSED

F) COVERAGE TRIGGER: THIS CLAIMS-MADE LIABILITY FORM APPLIES ONLY TO A BODILY INJURY &/OR PROPERTY DAMAGE FOR SCHEDULED OPERATION(S) &/OR ACTIVITY(S) ONLY FOR WHICH THE CLAIMS &/OR INCIDENT HAS BEEN RECEIVED BY THE UNDERWRITERS (C/O LESTER KALMANSON AGENCY, INC) DURING THE STATED POLICY PERIOD.

G) EXTENDED REPORTING PERIOD AKA: TAIL COVERAGE: A PERIOD OF TIME PROVIDED BY THE CLAIMS-MADE LIABILITY INSURANCE POLICY DURING WHICH COVERAGE WILL BE PROVIDED FOR SCHEDULED ACTIVITY(S) &/OR OPERATION(S) ONLY. CLAIMS MADE BEYOND THE EXPIRATION DATE OF THE POLICY IF THE COVERAGE PART IS:

1) CANCELED OR NOT RENEWED OR
2) IF THE INSURER RENEWS OR REPLACES THE COVERAGE PART WITH INSURANCE THAT HAS A RETROACTIVE DATE LATER THAN THE DATE SHOWN IN THE DECLARATIONS, OR WITH AN OCCURRENCE FORM.

NOTE(S):

1) THE EXTENDED REPORTING PERIOD WILL BE SUBJECT TO AN ADDITIONAL PREMIUM CHARGE.

2) THIS ENDORSEMENT ONLY EXTENDS THE TIME OF REPORTING CLAIMS WHICH OCCURRED DURING THE ORIGINAL STATED POLICY PERIOD.

REFER TO THE POLICY FOR ACTUAL TERMS AND CONDITIONS

IF YOU HAVE ANY OTHER QUESTIONS FEEL FREE TO CALL THE OFFICE.

LESTER KALMANSON AGENCY, INC. &/OR MITCHEL KALMANSON
P.O. BOX 940008
MAITLAND, FLORIDA 32794-0008 U.S.A.

PH: 407-645-5000 FAX: 407-645-2810
WEBSITE: www.lkalmanson.com / E MAIL: mitchelk25@hotmail.com

D E D U C T I B L E L I A B I L I T Y
S I G N A T U R E P A G E

THIS PAGE WILL RESTRICT YOUR LIABILITY POLICY. PLEASE READ IT CAREFULLY.

PROPOSED ASSURED: **SONIA & TIMOTHY GRIGSBY**

IN CONSIDERATION OF THE PREMIUM CHARGED, IT IS HEREBY UNDERSTOOD AND AGREED THAT THE INSURANCE AFFORDED UNDER THIS POLICY IS SUBJECT TO THE FOLLOWING DEDUCTIBLE(S):

$ 250.00 PER CLAIM BODILY INJURY LIABILITY / PROPERTY DAMAGE
(INCLUDING L.A.E.)

---

1. THE DEDUCTIBLE AMOUNT STATED IN THE SCHEDULE APPLY AS FOLLOWS: PER CLAIM BASIS - THE DEDUCTIBLE IS ON A "PER CLAIM" BASIS THE DEDUCTIBLE AMOUNT APPLIES UNDER THE BODILY INJURY LIABILITY OR PROPERTY DAMAGE LIABILITY COVERAGE, RESPECTIVELY, TO ALL DAMAGES BECAUSE OF BODILY INJURY SUSTAINED BY ONE PERSON, OR TO ALL PROPERTY DAMAGE SUSTAINED BY ONE PERSON OR ORGANIZATION, AS THE RESULT OF ANY ONE OCCURRENCE.

---

2. THE COMPANY MAY PAY ANY PART OR ALL OF THE DEDUCTIBLE AMOUNT TO EFFECT SETTLEMENT OF ANY CLAIM OR SUIT AND, UPON NOTIFICATION OF THE ACTION TAKEN, THE NAMED INSURED SHALL PROMPTLY REIMBURSE THE COMPANY / UNDERWRITER(S) FOR SUCH PART OF THE DEDUCTIBLE AMOUNT AS HAS BEEN PAID &/OR INCURRED BY THE COMPANY / UNDERWRITER(S).

---

3. THE DEDUCTIBLE AMOUNT STATED HEREIN SHALL ALSO APPLY TOWARD INVESTIGATION, ANY AND ALL LEGAL AND/OR LOSS ADJUSTMENT EXPENSE(S) INCURRED IN THE HANDLING AND/OR INVESTIGATION, OF EACH CLAIM, WHETHER OR NOT ANY PAYMENT(S) IS/ARE MADE TO ANY CLAIMANT(S), &/OR ANY COMPROMISE SETTLEMENT IS REACHED &/OR IF CLAIM IS ULTIMATELY DENIED.

****

THIS POLICY IS WRITTEN WITH A PER CLAIM (B.I./P.D.) DEDUCTIBLE,
NOT ON A PER OCCURRENCE BASIS.

****

SIGN AND ACCEPTED BY:

INCONSIDERATION OF THE PREMIUM CHARGED, I HEREBY ACCEPT THE LIABILITY DEDUCTIBLE IN THE AMOUNT OF US $ 250.00 PER CLAIM (B.I./P.D. INCLUDING L.A.E.) AS STATED ABOVE.

_____ X_____
DATE NAMED INSURED

ALL OTHER TERMS AND CONDITIONS OF THE POLICY WILL REMAIN UNCHANGED.

LESTER KALMANSON AGENCY, INC. &/OR MITCHEL KALMANSON
P.O. BOX 940008'
MAITLAND, FL 32794-0008
PH: 407-645-5000 / FAX: 467-645-2810
Wwwlkalmanson.com / EMAIL MITCHELK25@HOTMAIL.COM

A D D E N D U M " A " F O R :
SONIA & TIMOTHY GRIGSBY

AGENCY: LESTER KALMANSON AGENCY INC. &/OR MITCHEL KALMANSON
P.O. BOX 940008 MAITLAND, FL. 32794-0008 U.S.A.
PH) 407-645-5000 - FAX) 407-645-2810
WEBSITE: WWW.LKALMANSON.COM / EMAIL: MITCHELK25@HOTMAIL.COM

POLICY PERIOD / TERM: TBD - TBD CLAIMS-MADE LIABILITY
(12:01 AM LOCAL STANDARD TIME)

POLICY NUMBER: TBD "DRAFT"

DESCRIPTION OF THE MANUSCRIPT CLAIMS MADE LIABILITY INSURANCE COVERAGE AFFORDED:

A. INDIVIDUAL DOMESTIC ANIMAL OWNER'S LIABILITY COVERAGE IS AFFORDED FOR TWO (2) OWNED / SCHEDULED SUGAR GLIDER(S) TO BE USED AS PERSONAL PETS ONLY, WHILE UNDER THE DIRECT CONTROL / SUPERVISION OF THE NAMED INSURED WHILE ON THE NAMED INSURED'S DESIGNATED PREMISES LOCATED AT: 1284 PARKWAY DRIVE, DUNBAR, WV., 25064 ONLY.

B. INDIVIDUAL DOMESTIC ANIMAL OWNER'S LIABILITY COVERAGE IS AFFORDED FOR VARIOUS SCHEDULED FISH (APPROX. THIRTY FOUR (34) TO BE USED AS PERSONAL PETS ONLY, WHILE UNDER THE DIRECT CONTROL / SUPERVISION OF THE NAMED INSURED ONLY WHILE ON THE NAMED INSURED'S DESIGNATED PREMISES LOCATED AT: 1284 PARKWAY DRIVE, DUNBAR, WV., 25064 ONLY.

POLICY CONDITIONS:

1. LIABILITY COVERAGE AFFORDED IS LIMITED TO DIRECT (THIRD PARTY) BODILY INJURY &/OR PROPERTY DAMAGE CAUSED BY THE OWNED / (SCHEDULED) DOMESTIC & / OR FISH ANIMAL(S) ONLY, UNLESS OTHERWISE STATED &/OR ENDORSED HERETO AND AN ADDITIONAL PREMIUM IS CHARGED.

2. LEGAL LIABILITY COVERAGE IS SPECIFICALLY EXCLUDED FOR ANY NON-OWNED DOMESTIC &/OR FISH ANIMAL IN THE CARE, CUSTODY, &/OR CONTROL OF THE NAMED INSURED &/OR THEIR EMPLOYEE(S) &/OR (CONTRACTED) INDEPENDENT CONTRACTOR(S).

3. ANIMAL MORTALITY COVERAGE IS SPECIFICALLY EXCLUDED FROM THIS POLICY.

4. NO LIABILITY COVERAGE IS AFFORDED FOR ANY PUBLIC CONTACT WITH THE OWNED (SCHEDULED) EXOTIC &/OR REPTILE &/OR DOMESTIC ANIMAL(S) UNLESS OTHERWISE STATED &/OR ENDORSED HERETO AND AN ADDITIONAL PREMIUM IS CHARGED.

5. LIABILITY COVERAGE FOR ANY COMMERCIAL ACTIVITY(S) &/OR OPERATION(S) ARE SPECIFICALLY EXCLUDED FROM THIS POLICY, UNLESS OTHERWISE STATED &/OR ENDORSED HERETO AND AN ADDITIONAL PREMIUM IS CHARGED.

A D D E N D U M " A " F O R :
SONIA & TIMOTHY GRIGSBY
"CONTINUE"

AGENCY: LESTER KALMANSON AGENCY INC. &/OR MITCHEL KALMANSON
P.O. BOX 940008 MAITLAND, FL. 32794-0008 U.S.A.
PH) 407-645-5000 - FAX) 407-645-2810
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POLICY PERIOD / TERM: TBD - TBD CLAIMS-MADE LIABILITY
(12:01 AM LOCAL STANDARD TIME)

POLICY NUMBER: TBD "DRAFT"

DESCRIPTION OF THE MANUSCRIPT CLAIMS MADE LIABILITY INSURANCE COVERAGE AFFORDED:

---

6. PREMISES LIABILITY COVERAGE IS SPECIFICALLY EXCLUDED FOR THE NAMED INSURED'S DESIGNATED PREMISES LOCATED AT: 1284 PARKWAY DRIVE, DUNBAR, WV., 25064 UNLESS OTHERWISE ENDORSED HERETO &/OR HEREUNDER AND AN ADDITIONAL PREMIUM IS CHARGED.

7. WORKER'S COMPENSATION / EMPLOYER'S LIABILITY COVERAGE IS SPECIFICALLY EXCLUDED FROM THIS POLICY FOR ANY INJURY TO ANY EMPLOYEE(S) &/OR INDEPENDENT CONTRACTOR(S) &/OR VOLUNTEER(S).

8. LIABILITY COVERAGE FOR ANY COMMUNICABLE &/OR INFECTIOUS DISEASES &/OR BACTERIA ARE SPECIFICALLY EXCLUDED UNLESS OTHERWISE ENDORSED HERETO &/OR HEREUNDER & AN ADDITIONAL PREMIUM IS CHARGED.

9. NAMED INSURED MUST MAINTAIN ALL (APPLICABLE) LOCAL, COUNTY, STATE & /OR FEDERAL LICENSE(S) &/OR PERMITS(S) &/OR REGISTRATION(S) NECESSARY TO OWN &/OR POSSESS ANY EXOTIC(S), REPTILE(S) ANIMAL(S) &/OR WILDLIFE TO BE INSURED HEREIN &/OR HERETO.

10. NAMED INSURED MUST MEET &/OR EXCEED ANY MINIMUM STANDARDS SET FORTH BY LOCAL, COUNTY, STATE &/OR FEDERAL (REGULATORY) ANIMAL AGENCY(S).

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

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Please Do not Ban All these Fish - That would Really hurt Local Pet stores - This is 80% of their Fish sales - Thanks

Sincerely,

PETSMART

JUL 31 2014

19601 North 27th Avenue
Phoenix, AZ 85027

July 28, 2014

West Virginia Department of Agriculture
1900 Kanawha Boulevard, East
Charleston, WV 25305

Re: *Dangerous Wild Animal Rule*

To Whom it May Concern,

At PetSmart, we believe pets make us better people. That's why we create more moments for people to be inspired by pets. PetSmart is the largest specialty pet retailer of services and solutions for the lifetime needs of pets. We employ approximately 53,000 associates and operate more than 1,340 pet stores in the United States, Canada and Puerto Rico. In West Virginia, PetSmart operates three stores and employs more than 100 associates, and we are a member of the West Virginia Retailers Association.

Earlier this month, PetSmart was informed about the proposed *Dangerous Wild Animal Rule* that prohibits the sale of certain animals or requires a license fee to own those animals. The initial list the Department of Agriculture published impacts a number of animals PetSmart sells. We educate our customers to ensure they understand how to safely handle and care for their pets before they make their purchase. And through our *Vet Assured* program, we work closely with vendors and associates to implement specific standards that help improve the health and well-being of our pets. In our view, these particular rodents, reptiles, amphibians, and birds are safe for the environment and our customers. They should not be considered dangerous, nor should they be prohibited or require a fee to own them.

We understand that the *Dangerous Wild Animal Rule* is well intentioned. However, we believe the rule unnecessarily includes a number of safe, healthy pets we sell. To that end, PetSmart respectfully requests the West Virginia Department of Agriculture remove the rodents, reptiles, amphibians, and birds listed on page two of this memorandum.

We hope to work with you on this rule moving forward. If you have any questions or concerns, please feel free to reach me at (623) 587-2361.

Respectfully,

Brad Kiesling
Director of Government Affairs

Impacted PetSmart Pets

Rodents:

Chinese dwarf hamsters

Russian hamsters

Robowski Hamsters

Chinchillas

Reptiles:

Russian, Greek and Hermann's tortoises

Amphibians:

African dwarf frogs

Firebelly toads

PacMan Frogs

Birds:

Weaver finches

Orange weavers

Pamela Hansen
2880 Beach Loop Dr. SW
Bandon, OR 97411

23 July 2014

West Virginia Department of Agriculture
1900 Kanawha Blvd, East
Charleston, WV 25305

To Whom It May Concern:

I am writing to you in regards to the **"Dangerous and Wild Animal List" for House Bill 4393 Title 61: 61-30-3**
While the intent to decrease instances of injury and death as well as the environmental cost of escaped, invasive species is something that should most assuredly be looked into, the proposed list of "dangerous and wild animals" has some glaring oversights as to what could be constituted as "dangerous."
Some of the animals are reasonably listed, such as crocodiles, elephants, and many animals you would only see in zoos (giraffes, rhinoceroses, etc.), the fact remains that many of the animals listed are tropical species that could not survive in our environment were they not kept in captivity.
Some of the preposterous oversights on this list include but are not limited to:
ALL clawed frogs
ALL tree frogs
ALL toads
ALL turtles
ALL trigger and puffer fish
Over 2,000 species of gobies
ALL tetra fish
Restrictions include:
Certain hamsters, mice, and rats
Rabbits
Sugar gliders
African pygmy hedgehogs
Not only does this have a strong impact on reptile and aquarium hobbyists across West Virginia, but the impact on small, family-owned pet shops would be devastating to say the least. Many small businesses rely on these exotic (exotic, not dangerous) animals and thrive on their sales.
Please amend the proposed list and consider the impact you are creating on the people of this great state. Thank you.

Sincerely,

Pamela Hansen

July 25, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Kaylee Burkhammer and I am 7 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that 6 foot or over constritors should not be on the list because if you dont hurt them they won't hurt you.

I think that bunnies should also not be on the list because they are very nice and all my friends think so too.

Sincerely, Kaylee Burkhammer

25
July ~~28~~ 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Kaylee Burkhammer and I am 7 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that bunnies should not be on the list because they are animals.

I think that Turtles should also not be on the list because they are harmless.

Sincerely, Kaylee Burkhammer

July 24, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Kaylee Barthauer and I am 7 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that bunnies should not be on the list because all my friends like them and they are nice. My teacher has one; it's nice.

I think that turtles should also not be on the list because my cousins used to have two; and they were nice. I held them. and they never hurt me.

Sincerely, Kaylee Barthauer

July 24, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Julia Aiken and I am 8 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that bunnies should not be on the list because my friend has a bunny named Midnight; and she's harmless. I wanted a bunny all my life. I think they're harmless.

I think that turtles should also not be on the list because every summer I catch one and let it go afterwards. It lives in my woods now. It's friendly.

Sincerely, Julia Aiken

July 24, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Kody campbell and I am 9.5 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that Tree frogs should not be on the list because My friend has a tree frog, and its super nice.

I think that Rabbits should also not be on the list because My uncle has one and it hasn't bitten anybody.

Sincerely,
Kody campbell

July 24, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Sean Maylan and I am 10 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that Dwarf hamsters should not be on the list because there's nothing bad about them.

I think that turtles should also not be on the list because there easy to take care of.

Sincerely,

Sean

July 24, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Colton Breeden and I am 7 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that rabbits should not be on the list because my rabbit is nice to me. I had a black one that overheated and died. I got a new one to replace him.

I think that tree frogs should also not be on the list because they just like to climb and they don't hurt anyone.

Sincerely,

Colton Breeden

July 24, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Van and I am 9 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that tortoises should not be on the list because I think they are really nice. I think they make good pets.

I think that tree frogs should also not be on the list because they are good pets. They are cool.

Sincerely,

Van H (Van Horrocks)

July 24, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Logan Poplar and I am 7 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that rabbits should not be on the list because they just eat carrots and are nice and fluffy.

I think that 6'+ constrictors should also not be on the list because if you treat them nice and are good at handling snakes they are good pets. If you don't like them, then just don't get them as pets.

see back. →

Sincerely, Logan

July 24, 2014

WV Dept. of Agriculture
ATTN: Jodee Martin
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Jodee Martin,

My name is Charlotte Mountz and I am 11 years old. I live in West Virginia. I am writing to you about HB 4393 and the corresponding list of animals. While I prefer HB 4393 be repealed, I understand it has already passed. Therefore, I would like my comments to be considered when finalizing the list of animals.

I think that bunnies should not be on the list because I have a bunny and I have several friends who have one. all of them are nice and they are [illegible]

I think that all rodents should also not be on the list because They are so cute and my friend just got a hamster and she is so exited and my friends had hase a Chinchilla,

see back →

Sincerely,

Charlotte Mountz

I think that hedgehogs should not be on the list because even though they are prickly they are very friendly and funny.

I think that all birds that are out should also not be on the list because AMAZing and harmless.

I think that 6 foot constritors should not be on the list because even though They are big they are nice.

I think that Turtles should also not be on the list because they are cool.

Martin, Jodee

From: Dr. Brad Waffa <DrBrad@ChurchlandAnimalClinic.com>
Sent: Friday, August 01, 2014 11:51 AM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Waffa - Signed - Comment-on-Proposed-Rule-61-301.pdf; ATT00001.htm

Please see attached letter.

Comment on Proposed Rule 61-30

Thank you for the opportunity to express my grave disapproval of Proposed Rule 61-30.

Given my background and training, I hope to offer some unique insight into this controversial proposal. I am a veterinarian who sees and treats reptiles (among other "exotic" animals) on a daily basis. I specialize in the areas of reptile biology and physiology and am deeply involved with the community of people who keep, breed and trade these animals. Additionally, I have a background in public health so I have training in risk assessment, and epidemiology.

I hope I am considered not only expert testimony in this issue, but also a considerable stakeholder. As part of a private veterinary practice in the neighboring state of Virginia, actively investing close to $20,000 in state-of-the-art caging systems to meet the demands of this ever-growing and important part of the pet population, the growth of our business thrives and will rely on the legal ownership and interstate transport of these animals well into the future.

Some perspective:

1. **The DWA in Ohio has not had an measurable impact on public safety, however it has created a significant economic burden for pet owners and veterinarians, and undoubtedly pushed much of the formerly legal trade in animals underground where it is not subject to regulation and where it is run by those with no respect for law.** A DWA listing, at best, simply undermines the legal trade and interstate movement of these animals. It represents a punitive act that cripples the pet industry by preventing owners from being able to move with their pets, prevents owners and veterinarians from being able to ship these animals across state lines for specialized diagnostics and treatment not available in all areas, and creates logistical hurdles that likely exacerbate the released pet situation. If and when these animals are bred, intentionally or unintentionally, a breeder now finds himself or herself up against a steep legal and logistical wall in trying to find appropriate homes for the animals produced if the market for those offspring exists out of state. Unable to sell or move the animals, the breeder is forced to move them illegally, keep them all (an economically daunting prospect), or release them into the wild (exacerbating the current situation) or potentially creating a new one). A DWA listing is poorly thought out and reactionary — it effectively creates a black market for currently legal animals, makes felons out of honest, hard-working people, and exacerbates an ecological problem like the one seen in south Florida, potentially even creating a new one. I have had dozens of otherwise responsible clients tell me anecdotally that they would rather release their pet into the wild than relinquish or euthanize it due to state- imposed sanctions against its ownership or movement. Talk about unintended consequences!

2. **The current proposal is sweeping and illogical in its scope.** The justification for most of the animals on the current DWA list is based on purely theoretical threats to public safety, and a DWA listing on the basis of pure, untested theory is a completely inappropriate use of law. Despite the panic roused by the 2011 tragedy in Zanesville, OH, many of these animals have been kept successfully for close to 100 years without a single documented accident. Why would we take a thriving, ever-improving legal industry and push it underground? Do we not risk less transparency and more ecological problems by pushing the industry further into the hands of those who would skirt the law?

3. **What about dogs and cats?** It's hard for me — and for the rest of the reptile-keeping public too, I'm sure — to accept any measure of authenticity in a proposal aimed at reducing the risk to public safety while targeting only a small handful of largely theoretical threats. Particularly when it is well established both in the scientific literature, as well as everyday experience, that the most widespread and destructive invasive vertebrate species in the world is the domestic cat (*Felis catus*), of which feral populations compose a significant portion of both urban and sylvatic wildlife populations. Dog and cat bites compose the vast majority of animal-related accidents every year, in and outside the veterinary workplace. Injuries caused by horses and farm animals are close behind. There is a small occupational risk associated with keeping and working with any animal with claws or teeth, but the animals on this list – the reptiles especially – pose virtually zero risk to public health or safety and there are virtually no historical examples that justify their DWA listing. The logical and obvious explanation for the DWA board's abject failure to add the dog or cat to the DWA list is the legion of lawsuits and vicious public outcry that would ensue. Like it or not, there's a significant public relations component to this issue. Reptile keepers feel targeted; they feel isolated and singled out. They feel their pets and their rights are under attack and that the law is being applied unfairly, and that's because it is.

4. **Reptile keepers are people, and they are not the sordid bunch they are made out to be. The human-animal bond transcends species barriers.** The listing in question is an emotionally-charged topic; one of my mentors put it eloquently when he said, "love them or hate them, everyone has strong feelings about snakes." Although this point is purely qualitative, it is important and largely ignored in this statewide policy discussion. Snakes make sensational headlines, and the weirdest of the keepers seem to be the ones that constantly make the news, but the reptile-keeping community is composed of tens of thousands of responsible and highly dedicated pet- owners whose voices are sadly never heard. I speak for them. Some of these people (due to allergies, PTSD, or other medical conditions) are unable to keep traditional pets. Some of these people inherited these long-lived reptile pets from parents or grandparents. These people modify their homes and lifestyles to accommodate these delicate animals with highly-

specialized needs. They pay millions of dollars into the pet and veterinary industry every year for caging, lighting, heat sources, food, enrichment, and care. The vast majority of reptile pet owners do not even publicly reveal their collections for fear of intolerance from friends, coworkers and neighborhood associations that maintain completely irrational (but very real) fears and beliefs about the supposed danger these quiet, innocuous animals represent. Although this debate often revolves around numbers, at the very heart of it are deeply caring, responsible people who adore their pets.

5. **Captive breeding within the private sector may represent one of the last strongholds for certain locales of these species whose habitats are disappearing.** There has been much discussion in recent years about the appropriate role of each sector in species preservation and habitat conservation. Although this itself remains a multifaceted issue with much room for reasonable differences in opinion, one undeniable fact remains: habitats are disappearing at a rapid rate and, with them, the species that reside there. Up until only a few years ago, the island locale of *Boa constrictor imperator*, one of the animals included in this proposed DWA listing, was thought to have become nearly extinct from its small native island range on Cayos Cochinos, two small islands off the coast of Honduras. The population appears to be slowly rebounding, but had it disappeared, well-documented captive stock may have been all that remained of these beautiful and unique creatures. At best, some of these better-documented animals may have been candidates for repatriation had it become necessary, but even at worse, it would have prevented at least the wholesale destruction of an entire race of animals. Future generations would have at least been able to see and enjoy that species in person, and not from faded pictures in a dusty book. Yes, there are kinks to work out to make the private sector a more useful player in the global conservation game, but wholly eliminating access to these species and strictly limiting the ability to work with them is not a useful, appropriate, or scientifically supported next step.

6. The fundamental basis for listing these species as 'Dangerous Wild Animals' is dubious at best. Much of the recent policy debate has been perpetuated by national concerns over whether the reptile species in question could pose a risk not only to the public but to the environment we live in. Many of those concerns were brought to the forefront by concerning models published in internal reports by the U.S. Geological Service (USGS). Mathematical models, whether they are climate matching models, ecological niche models, or other types, are only as good as the variables they are able to predict and factor into their equations. There has been a raging debate between invasive species biologists and climate scientists for close to 10 years now about the predictive power and utility of different types of models and their relative utility when applied to different types of data sets. Although much of the debate is extremely technical, I agree with the many other veterinarians and biologists who feel the predictions of the USGS fly in the face of reason. I see Boa constrictors with respiratory infections due to thermostat failure or malfunction;

one week in an air-conditioned house and these animals are just a few bubbly breaths away from death's door. I've seen Reticulated Pythons kept in humid conditions with fungal and bacterial skin infections, conditions really not that different than virtually any city in Florida. Green Anacondas (and *Eunectes* species in general) require constant access to deep, fresh running water. Veterinarians see examples of these animals in captivity that are chronically dehydrated, septic, and often very sick. Are there other factors that contribute to disease in captivity? Yes, absolutely, of course. But to suggest that these five species are all highly-adaptive ecological generalists with even a small potential to significantly jeopardize the "health and welfare of humans, the interests of agriculture, horticulture or forestry, and the welfare and survival of wildlife resources of the U.S." — frankly — is ridiculous. Could climatic conditions change over the next few hundred years? Sure. Could these species adapt to new environments? In theory, yes, just like any other animal population. Do I think these species represent an imminent threat to any of stakeholders in the state of West Virginia or elsewhere in the US? Absolutely not, and even if they did, a DWA listing would be an inappropriate and ineffective way to deal with such threats.

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to

[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.

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[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

Bradley J. Waffa, MSPH, DVM

Associate Veterinarian

Churchland Animal Clinic

Portsmouth, VA 23703

DrBrad@churchlandanimalclinic.com

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Tim Blair <tsblair@gmail.com>
Sent: Friday, August 01, 2014 11:24 AM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Please see attached

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Tim Blair

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

_____Timothy Blair_____

_____

_____

_____

[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Shalimar Legaspi <shalimarlc@gmail.com>
Sent: Friday, August 01, 2014 11:33 AM
To: Martin, Jodee
Cc: governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30

West Virginia citizens need better government than which has been displayed with this poorly written proposed rule. This proposal disregards the ownership of these animals as family pets, businesses to many, and an overall community. There is not enough evidence to suggest that these animals are indeed injurious, and potentially invasive throughout the United States. I believe this act to be a threat, an attack, and excuse to ultimately prohibit reptile owners in West Virginia from keeping these animals. As a responsible US citizen, I believe reptile ownership is apart of my freedom, and a culture of responsible, and passionate keepers in the US. Prohibiting certain species is a threat to a large group of business owners who depend on various reptile shows across the US. Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided. Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. Please consider that this act is the first step to destroying a culture, a way of life, and threatening the lives and welfare of many innocent animals who are just as apart of the family as a dog or cat would be.

Sincerely,

Shalimar Crosby

Martin, Jodee

From: olsmif4355 . <linda.yoak@gmail.com>
Sent: Thursday, July 31, 2014 6:22 PM
To: Martin, Jodee
Subject: Dangerous Wild Animal Rule

RE:

http://en.wikipedia.org/wiki/Bengal_(cat)

http://en.wikipedia.org/wiki/Savannah_(cat)

--

Linda Yoak
304.667.6853 Mobile
304.645.3705 Fax

Linda.Yoak@gmail.com

Saving a cat won't change the world, but you can change a cat's world and your own. Make it happen. Opt to Adopt. www.PleaseSaveACat.com

Bengal cat

From Wikipedia, the free encyclopedia
(Redirected from Bengal (cat))

The **Bengal** is a hybrid breed of domestic cat. Bengals result from crossing a domestic feline with an Asian leopard cat (ALC), *Prionailurus bengalensis bengalensis*.

The name "Bengal cat" was derived from the taxonomic name of the Asian leopard cat (*P. b. bengalensis*), and not from the more distantly related Bengal tiger. They have a "wild" appearance with large spots, rosettes, and a light/white belly, and a body structure reminiscent of the ALC,[1] but once separated by at least four generations from the original crossing possess a gentle domestic cat temperament. [1]

Bengal

Bengal cat

Origin	United States
Breed standards	
TICA	standard (http://tica.org/public/breeds/bg/intro.php)
FIFe	standard (http://www.fifeweb.org/wp/breeds/std/ben_std.html)
ACF	standard (http://www.acf.asn.au/Standards/Bengal.htm)
GCCF	standard (http://www.bengalcat.co.uk/breeding/standard/index.htm)
AACE	standard (http://www.aaceinc.org/pages/breeds/ben.htm)
ACFA/CAA	standard (http://www.acfacat.com/Breed%20Standards/BENGAL.pdf)

Hybrid cat (*Felis catus* × *Prionailurus bengalensis*)

Contents

- 1 History
  - 1.1 New developments
  - 1.2 Long-haired variant
- 2 Description
  - 2.1 Appearance
  - 2.2 Temperament
  - 2.3 Health
- 3 References
- 4 External links

History

The earliest mention of an ALC/domestic cross was in 1889, when Harrison Weir wrote in *Our Cats and All About Them* [2]

However in 1927, Mr Boden-Kloss wrote to the magazine *Cat Gossip*[3] regarding hybrids between wild and domestic cats in Malaya:

> I have never heard of hybrids between bengalensis (the Leopard Cat) and domestic cats. One of the wild tribes of the Malay Peninsula has domesticated cats, and I have seen the woman suckling bengalensis kittens, but I do not know whether the latter survive and breed with the others!

The earliest mention of a confirmed ALC/domestic cross was in 1934 in a Belgian scientific journal, and in 1941, a Japanese cat publication printed an article about one that was kept as a pet. Jean Mill (*née* Sugden), the person who was later a great influence of the development of the modern Bengal breed, submitted a term paper for her genetics class at UC Davis on the subject of crossbreeding cats in 1946.[4]

Greg and Elizabeth Kent were also early breeders, who developed their own line of Bengals using ALCs and Egyptian Maus. This was a very successful line and many modern Bengals will find it in their pedigree.

Although it has become a popular breed, with over 60,000 cats registered with TICA,[5] not all cat registries accept them; in particular, the Cat Fanciers' Association, one of the largest cat registries in the world, does not accept any hybrids.[5]

A Bengal cat displaying spotting and rosetting pattern typical of the breed: Rosetted spots occur only on the back and sides, with stripes elsewhere.

New developments

- The UK Department for Environment, Food and Rural Affairs, DEFRA, removed the previous licensing requirements for the keeping of Bengal cats in the United Kingdom in 2007.[6]

Currently, several varieties of domestic cat are being developed from the Bengal:

- The Serengeti cat is developed from crosses with Oriental Shorthair or Siamese, with the aim to produce a domestic cat mimicking the appearance of an African serval, without actually incorporating serval genes by hybridization.

- The Toyger is developed from crosses with domestic cats with the aim to produce a striped "toy tiger".
- The Cheetoh is an attempt to blend two existing domestic breeds of spotted cats with defined characteristics (Bengal and Ocicat), into a third breed.[7] They are only recognized by The International Cat Association.[8]

A male Bengal cat: Note the "mascara" (horizontal striping alongside the eyes) and foreleg striping, both typical of the breed.

Long-haired variant

Some **long-haired Bengals** have occurred since the beginning of the Bengal breeding program,[9] as longer-haired domestic cats were among those used in crosses with the wild Asian leopard cat to produce the breed. Some current F4 and later purebred Bengals carry the recessive long haired genes and when they are mated with each other, they can produce long-haired Bengals. *(See Cat coat genetics#Genes involved in fur length and texture.)* Such offspring were usually spayed or neutered until ongoing intentional development of the long-hair variety, as they did not then qualify as Bengal breeding stock due to their non-conforming long or semi-long coats. On August 21, 2013, long-haired Bengals were granted "preliminary" breed status in the New Zealand Cat Fancy (NZCF) registry under the breed name **Cashmere Bengal**, at the behest of a breeder named Damian Vaughan.[10][11] They are currently not recognized by any other cat registries.

Male Cheetoh cat resting next to a Bengal cat

Description

Appearance

Bengal cats have "wild-looking" markings, such as large spots, rosettes, and a light/white belly, and a body structure reminiscent of the leopard cat.[1] A Bengal's rosetted spots occur only on the back and sides, with stripes elsewhere. The breed typically also features "mascara" (horizontal striping alongside the eyes), and foreleg striping.

The Bengal cat is usually either classed as brown-spotted or snow-spotted (although there are more colours, brown and snow are the only colours of Bengal that the Governing Council of the Cat Fancy (UK) recognize). Within brown Bengals, there are either marble or spotted markings. Included in the spotted variation is rosetted, which consists of a spot with a dark line surrounding it. Snow Bengals are also either marble or spotted, but are also divided into blue-eyed or any other colour eyes.

Brown-spotted/Marbled Bengal

The International Cat Association recognizes several Bengal colours (brown, seal lynx point, mink, sepia, silver) and patterns (spotted and marbled) for competition and shows. In the New Traits class, other colours may be shown, as well as longhairs.[12]

Temperament

After three generations from the original crossing, the breed usually acquires a gentle domestic cat temperament;[1] however, for the typical pet owner, a Bengal cat kept as a pet should be at least four generations (F4) removed from the leopard cat. The so-called "foundation cats" from the first three filial generations of breeding (F1–F3) are usually reserved for breeding purposes or the specialty pet home environment.[13]

Bengal cat with light/white spotted belly

Health

Since the late 1960s—when the Bengal cat was developed through hybridization of Asian Leopard cats and domestic cats—it has gained huge popularity. However, in recent years, a novel early-onset autosomal recessive disorder was described in this breed. This disease appears to be an early-onset primary photoreceptor disorder, leading to blindness within the first year of age.[14]

The prevalence of HCM 16.7% (95% CI = 13.2–46.5%).[15]

References

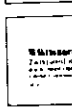
1. ^ a b c d Bengal Cat (http://animal-world.com/Cats/ExoticCats/BengalCat.php) Animal World, Information Resource: Exotic Pets & Animals. Retrieved on: January 18, 2008
2. ^ Harrison William Weir, *Our Cats and All About Them: Their Varieties, Habits, and Management*, (Houghton, Mifflin & Co., 1889), p. 55.
3. ^ Cat Gossip, Periodical.
4. ^ "A Brief History of the (Bengal) Universe" (http://www.bengalclassifieds.com/bengal-cat-education-history.htm). Bengal Classifieds. Retrieved 2009-10-25.
5. ^ a b Peters, Sharon L. (June 28, 2007). "Bengal cats leap into owners' hearts" (http://www.usatoday.com/news/offbeat/2007-06-27-bengalcats_N.htm). *USA Today*. Retrieved 2009-10-25.

6. ^ [1] (http://www.legislation.gov.uk/uksi/2007/1437/schedule/made) Defra, UK - Wildlife & Countryside
7. ^ "Domestication by Clive Roots, p. 114, Greenwood Publishing Group, 2007" (http://books.google.com/books?id=WGDYHvOHwmwC&pg=PA114&dq=Cheetoh+cat&hl=en&sa=X&ei=VQKcUPDuFsP40gGL3IGYCg&ved=0CDgQ6AEwAA#v=onepage&q=Cheetoh%20cat&f=false). Books.google.com. Retrieved 2013-09-12.
8. ^ "The TICA's Standing Rules, page 55 (p. 59 of the PDF) reads "701.4.5 The following is a list of the names and current abbreviations for experimental breeds as of 05/01/12: ... XCT- ExperimentalCheetoh" " (http://www.tica.org/members/publications/std_rules.pdf?zoom_highlight=cheetoh#search=%22cheetoh%22). Retrieved 2013-09-12.
9. ^ Potter, Cathy (2006). " "Cashmere"—The Longhair Bengal" (https://web.archive.org/web/20130927073435/http://longhairbengals.tripod.com/). Grand Rapids, Michigan: AuroraLights Bengals. Archived from the original (http://longhairbengals.tripod.com) on 2013-09-27. Retrieved 2013-09-17. "We (Longhair breeders as a group) decided on the name 'Cashmere' due to the fact that the Longhairs have such an amazingly soft and silky coat. The Longhairs were not developed intentionally, but instead have occurred since the beginning of the Bengal breeding programs."
10. ^ "Minutes of Executive Council Meeting, August 2013" (http://www.nzcatfancy.gen.nz/downloads/EC+minutes+August+2013.doc). New Zealand Cat Fancy. Retrieved 22 December 2013.
11. ^ "Agenda for Executive Council Meeting, August 2013" (http://www.nzcatfancy.gen.nz/downloads/AGENDA+AUGUST+EC+2013.pdf). New Zealand Cat Fancy. Retrieved 22 December 2013.
12. ^ Alan Brown. "Bengal cats & kittens - The International Bengal Cat Society - TIBCS - exotic looks with spots, marbling and snow" (http://www.bengalcat.com/aboutbengals/bengal.php). Bengalcat.com. Retrieved 2013-09-12.
13. ^ "Breeding the ALC with domestic cats" (http://www.bengalcat.co.uk/asian-leopard-cat.htm). Bengalcat.co.uk. Retrieved 2013-09-12.
14. ^ Narfström, K., Menotti-Raymond, M., Seeliger, M. (2011) *Characterization of feline hereditary retinal dystrophies using clinical, functional, structural and molecular genetic studies*. (http://ssvo.se/Narfstrom%20et%20al,%202011%20cat%20review10.1111-j.1463-5224.2011.00915.x.pdf) Veterinary Ophthalmology (2011) 14, Supplement 1: 30–36.
15. ^ "Myosin-Binding Protein C DNA Variants in Domestic Cats (A31P, A74T, R820W) and their Association with Hypertrophic Cardiomyopathy - Longeri - 2013 - Journal of Veterinary Internal Medicine - Wiley Online Library" (http://onlinelibrary.wiley.com/doi/10.1111/jvim.12031/abstract). Onlinelibrary.wiley.com. 2013-01-17. Retrieved 2013-11-02.

External links

- The International Bengal Cat Society (http://www.tibcs.com)
- Complete Bengal Cat History (http://www.bengalsillustrated.com/bengal-cat-history)
- Bengal Cat Guide (http://www.bengalcat.co.uk)
- Bengal Genetics (http://www.eriador-cats.com/ec_bengal_genetics.php)

Wikimedia Commons has media related to ***Bengal cat***.



Look up ***Bengal*** in Wiktionary, the free dictionary.

Retrieved from "http://en.wikipedia.org/w/index.php?title=Bengal_cat&oldid=619248065"
Categories: Cat breeds | Cat breeds originating in the United States | Domestic–wild hybrid cats

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Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

___Sincerely, Dee Pietro_____

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[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Diana D <deepietro@hotmail.com>
Sent: Thursday, July 31, 2014 6:28 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

See Attachment

Martin, Jodee

From: Beth Thaxton <beth@exoticbird.com>
Sent: Thursday, July 31, 2014 6:40 PM
To: Martin, Jodee
Cc: donsurber@dailymailwv.com; kumpster@mailstation.com; Sobonya4WVHouse@aol.com
Subject: Comments against the list of "wild and dangerous animals"

To whomever it concerns:

I had written previously via 'form letter', but felt the need to write a more personalized letter. I am not writing for/against any specific animals – rather, I am writing again against the entire waste of taxpayer time and money. While you are all following the duties given to you, no one on The Board is required to be an 'animal expert' regarding any of the creatures you are authorized to regulate. If West Virginia follows Ohio's lead, there will be millions wasted in building unnecessary holding facilities. Additional state employees will need to be hired to keep up with the permitting, enforcement, etc. All of this being thrown at a problem that has NEVER happened in West Virginia. (I also believe that the Ohio situation has several unanswered questions and don't believe things happened as they've been declared, but that's not my/our problem.)

There are already federal restrictions on owning the truly 'wild and dangerous animals', and anyone who owns/wishes to own those animals must follow those regulations. I see no reason for West Virginia to recreate the wheel. If there are those in West Virginia who have not followed the federal regulations, they are already breaking the law, and should be punished accordingly. Beyond that, I see this entire law as extreme overreach by a bunch of well-intentioned legislators. Personally, I'm pretty tired of people trying to protect me from things that MIGHT happen.

My sincere thanks for your taking the time to read this letter. I appreciate your time and consideration in this matter.

Sincerely,

Beth Thaxton
WV State Coordinator
American Federation of Aviculture
Dunbar, WV

Comment on Proposed Rule 61-30

West Virginia enacted a Dangerous Wild Animal ("DWA") law, which essentially mirrors the definition of injurious wildlife under Federal law, i.e., Lacey Act. The Lacey Act provides that the importation and the interstate[1] shipment of wild mammals, wild birds, fish (including mollusks and crustacea), amphibians, and reptiles prescribed by regulation to be injurious to human beings, to the interests of agriculture, horticulture, forestry, or to wildlife is prohibited.[2] The West Virginia DWA law defines a DWA as a "mammal, bird, reptile, amphibian or aquatic animal, including a hybrid, that is dangerous to humans, other animals or the environment due to its inherent nature and capability to do significant harm." West Virginia exempts its native wildlife, livestock and domestic animals, essentially leaving nonnative wild animals/wildlife within the potential definition of West Virginia DWAs.[3]

The injurious wildlife provision of the Lacey Act has been in place since 1900.[4] In over a century, the Federal government has listed only a small number of mammals,[5] birds,[6] aquatic animals (fish, mollusks and crustaceans),[7] reptiles,[8] and NO amphibians.[9] In contrast, in a couple months, the DWA Board has listed thousands of animals as DWAs.

Since the definitions of DWAs and injurious wildlife are nearly identical, it is incomprehensible that the DWA Board has listed thousands of animals as dangerous, which the Federal government has not so listed in over 100 years. The list of DWAs for WV should actually be a subset of the Federal list because animals from different climates than West Virginia will not be

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[1] The statute has been interpreted by USFWS to prohibit interstate transportation, but the statutory language appears to only prohibit shipment between the continental United States, Hawaii, territories and possessions.

[2] 18 U.S. Code § 42(a)(1).

[3] The DWA law provides that the DWA list may include, but not be limited to: bears; big cats; canids; primates; constrictor snakes greater than six feet; venomous snakes; and alligators and caimans. The actual determination of which animals would meet the definition of DWAs was left to the DWA Board. The DWA Board has apparently totally ignored the findings of the Federal government on this issue.

[4] 18 U.S.C. § 391 (1925-1926 ed.). C. 553, sec. 3, 31 Stat. 188 (May 25, 1900), *codified at* 18 U.S.C. § 43 (1976 ed.).

[5] Flying fox or fruit bat (genus *Pteropus*, 60 species); Mongoose (7 genera - Atilax, *Cynictis, Helogale, Herpestes, Ichneumia, Mungos*, and *Suricata*); European rabbit (genus *Oryctolagus* – 1 species); Indian wild dog, red dog, or dhole (genus *Cuon*– 1 species); Multimammate rat or mouse (genus *Mastomys*– 8 species); Raccoon dog (*Nyctereutes procyonoides*);Brushtail possum (*Trichosurus vulpecula*).

[6] Pink starling or rosy pastor (*Sturnus roseus*) species of dioch (including the subspecies black-fronted, red-billed, or Sudan dioch) (*Quelea quelea*) ; Java sparrow (*Padda oryzivora*); Red whiskered bulbul (*Pycnonotus jocosus*)

[7] Walking catfish, family Clariidae (13 genera, 100 species); Mitten crabs (genus *Eriocheir*- 3 species); Zebra mussel (*Dreissena polymorpha*); Snakehead (family Channidae; 2 genera (*Channa* and *Parachanna*) totaling 28 known species); Silver carp ((*Hypophthalmichthys molitrix*); Largescale silver carp (*Hypophthalmichthys harmandi*); Black carp (*Mylopharyngodon piceus*); Salmonids: live or dead whole fish, live fertilized eggs, or gametes, unless with health certificate.

[8] Brown tree snake (*Boiga irregularis*); Python molurus (which includes Burmese python (*Python molurus bivittatus*) and Indian python (*Python molurus molurus*)), Northern African python (*Python sebae*), Southern African python (*Python natalensis*), and yellow anaconda (*Eunectes notaeus*).

[9] No amphibians are listed. http://www.fws.gov/international/pdf/report-current-list-of-injurious-wildlife-2012.pdf (This list was apparently created before 4 species of constrictor snakes were added in 2012.).

able to become invasive within West Virginia. For example, the constrictor snakes that have a climate match in southern Florida do not have a climate match in West Virginia.[10] The constrictor snakes could never survive in West Virginia, let alone become established in West Virginia.

Another example of a monumental divergence from the findings of the Federal Government is the listing by West Virginia of thousands of species of salamanders, frogs, and toads. What does the West Virginia DWA Board know that the Federal government is unaware of?

The listing of an animal as a DWA has much more serious consequences than the listing of an animal as injurious wildlife under the Lacey Act. For example, you are prohibited from replacing a DWA after its death. Also, the insurance coverage required for a DWA will make continued ownership financially impossible for many West Virginia pet owners. The owner of a DWA is denied the right to breed his animal. Various restrictions apply to the transfer of any DWA within West Virginia. Finally, the owner is subject to various unnecessary record keeping requirements and an annual application process and fee. None of these requirements apply to an animal listed as injurious under Federal law. Given the significantly greater impact upon pet owners, one would expect that the DWA Board would have been much more conservative in its approach to adding animals to the DWA list. However, the exact opposite has occurred. This is simply unacceptable.

By listing so many animals as DWAs, the West Virginia government will be destroying captive breeding programs throughout West Virginia that are part of a worldwide effort to ensure an Invisible Ark for the conservation of wildlife.[11]

I herewith demand a detailed explanation for every animal added to the West Virginia DWA list that is not already on the list of injurious wildlife under the Lacey Act. Since none of the listed species of constrictor snakes have a climate match with West Virginia, I demand the same explanation for any constrictor snakes added to the West Virginia DWA list.

Sincerely,

Curtis Smith

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[10] See Engeman, Avery, and Jacobson; *Weighing empirical and hypothetical evidence for assessing potential invasive species range limits: a review of the case of Burmese pythons in the USA* (2014). DOI 10.1007/s11356-014-3173-4

[11] See Barker and Barker, The Invisible Ark, In Defense of Captivity (2014). ISBN 13: 978-0-9785411-1-8

Martin, Jodee

From: Curtis Smith <curtisreptiles99@gmail.com>
Sent: Thursday, July 31, 2014 7:41 PM
To: Martin, Jodee
Subject: Comment on Proposed Rule 61-30: DWA Act
Attachments: WV-Injurious_Species_comment.docx

See attachment

Martin, Jodee

From: Jared Morrison <jared@jkmimages.com>
Sent: Thursday, July 31, 2014 7:55 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Proposed Rule 61-30: DWA Act Comment
Attachments: WV-USFWS_findings_4_constrictors.docx

Please see attachment.

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Jared Morrison
580.235.2755
jared@jkmimages.com

Comment: Proposed Rule 61-30

After 6 years of study, USFWS in early 2012 added Python molurus (which includes Burmese python (*Python molurus bivittatus*) and Indian python (*Python molurus molurus*)), Northern African python (*Python sebae*), Southern African python (*Python natalensis*), and yellow anaconda (*Eunectes notaeus*) to the Federal list of injurious wildlife. Federal Register, 3330-3366, January 23, 2012.

This listing is subject to a federal lawsuit in significant part due to numerous scientific papers that have called into question the bases for the listing these species. United States Association Of Reptile Keepers, Inc. v. United States Fish And Wildlife Service, US District Court, District of Columbia, Civ. No.: 13-2007 (December 18, 2013).

USFWS set forth its justifications in writing for listing each of these snakes as an injurious species in the Federal Register. For each of these snakes, the underlying rationale was the potential for such species to establish in areas of the United States with suitable climate and habitat. Federal Register at 3339-3344. However, West Virginia is not a geographic area in which USFWS or USGS found any such suitable climate and habitat. Moreover, there is ample evidence that the geographic areas set forth by USGS are grossly overestimated due to various flaws in its data and computer modeling.[1] See for example, Environmental temperatures, physiology and behavior limit the range expansion of invasive Burmese pythons in southeastern USA, *Integrative Zoology* 2012; 7: 271–285.

Of particular importance for West Virginia is the fact that the specific reasons cited by USFWS for listing these four species of constricting snakes as injurious did NOT include physical injury to humans. Federal Register at 3339-3344. If the threat of physical injury would have been a factor in finding these species injurious, USFWS would have certainly included this rationale in their list of justifications. For information on handling reticulated pythons, see http://www.reptilesmagazine.com/Reticulated-Python-Mccurley-3/.

Because there is no climate match in West Virginia for any of the "constricting snakes" set forth in Proposed Rule 61-30 and there is no evidence that the constricting snakes present a significant risk of harm to humans as required by the DWA law, the constricting snakes should be removed from the DWA list.

Sincerely,

Jared Morrison

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[1] See Engeman, Avery, and Jacobson; *Weighing empirical and hypothetical evidence for assessing potential invasive species range limits: a review of the case of Burmese pythons in the USA* (2014). DOI 10.1007/s11356-014-3173-4

Martin, Jodee

From: Sara Goldman <sarasvati7@gmail.com>
Sent: Thursday, July 31, 2014 8:34 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301-1.docx

Please see attached letter

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

Sara Goldman_____

_____

[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Kris Casdorph <kristhelib@hotmail.com>
Sent: Thursday, July 31, 2014 8:50 PM
To: Martin, Jodee
Subject: Comment regarding banned animal list

Ms. Martin:

I have reviewed the proposed banned animal list and I have some concerns regarding some of the proposed bans on two particular animals: the yellow anaconda and the nile monitor lizard.

The yellow anaconda does not grow to the massive size of its close relative, the green anaconda. In fact, this particular snake grows to a maximum length of ten feet for males and fifteen feet for females. Many other types of snakes (the boa constrictor, for example) are not on the proposed ban list and share size similarities. A female boa constrictor can reach a ten foot length and a similar body proportion to the yellow anaconda male. The green anaconda is the larger of the two species and can be far more dangerous, reaching lengths in excess of twenty feet and a higher body mass at similar lengths to its smaller relative. California permits reptile enthusiasts to keep yellow anacondas, but not green anacondas. It is also worth noting that our seasonal climate would not permit either of these snakes to survive in the wild.

The nile monitor lizard may have been causing problems in Florida, but this reptile would also perish in a West Virginia climate. They require tropical heat to survive and would not live for more than a month in the wild before succumbing to respiratory failure and other health problems because they would be unable to properly maintain a temperature they can survive at. Our summers are not hot enough to support the health of these animals.

Thank you for your consideration of these comments.

Sincerely,

Kris Casdorph

Martin, Jodee

From: Melinda Meador <bcr229@frontier.com>
Sent: Thursday, July 31, 2014 9:32 PM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Melinda Meador <bcr229@frontier.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

I own one reticulated python and had planned to get another, but not for a few years. Because of this law I accelerated the purchase of the second one. She is now in quarantine, and will be moved into my home by the end of this year if she proves healthy.

The legislature's actions next year - whether it votes for the list, rejects it outright, amends the law, or repeals the law entirely - will determine whether I remain in WV or whether I move myself and my business to another state.

Sincerely,

Melinda Meador
113 Hawick Road
Inwood, WV 25428
304-229-6479

Martin, Jodee

From: Barbara Gingras <barbara.gingras@yahoo.com>
Sent: Thursday, July 31, 2014 10:05 PM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment WV USARC 073114.docx

See Attachment

Martin, Jodee

From: Kip Ambro <kipambro@yahoo.com>
Sent: Friday, August 01, 2014 1:13 AM
To: Martin, Jodee; patricia.a.burdette@wv.gov
Subject: hb4393

That was a well planned out bait and switch. Nothing like lying to and misleading the public time and again. There were provable attempts to mislead the public and you've somehow expected the public to be able to comment on roughly 15 thousand species listed. Since nobody ever has taken responsibility for adding ridiculous stuff to this list and now you change it up just a few days before you finalize your list I must assume you planned this. Now that you have adopted a new list we should be provided with a new comment period as it's just becoming clear what foolishness you included on this list. The whole bill is a criminal violation of our rights that does nothing to benefit the public, it only causes harm. Since this is what you champion rather than doing anything positive the only proper course of action would be for any and all involved to resign from your positions as you don't deserve them and as a tax payer I don't want to waste money on your witch-hunts against the public and their private possessions. In a state with our air, water, education, and corruption issues this is a failure and waste that should not be tolerated.

Let's look at the part about the invasive species.. I notice there isn't Japanese barberry, privet, Autumn olive, or any other invasive plant that surrounds every Walmart, Mcdonald's, and Burger King. I guess that must be because the DNR, the very group adding invasive species to this list, recommends that mining companies use these invasive species. Curtis Taylor stated so, saying that mining companies are "in business to make money" and it would cost too much and there would be too limited access to native or non-invasive species. It's telling how they pander to corporate interests but are ready to screw over the general public without hesitation. If they, for a second, were worried about protecting habitat they would be after those plants but instead are clearly pushing an agenda.

Songbirds are protected in our state and thousand upon thousand are killed by domestic cats annually yet those aren't listed because you people know you would lose your jobs.. but it's ok to attack the rights of a smaller group with less power to defend itself.

I have encountered several aggressive dogs in our forests and parks. Cops have just recently shot people's dogs over the supposed threat. Yet I have never been confronted by anyone's snake or even lion, tiger, or bear.

I'm yet to see one single incident that would justify this legislative over-reach. The one story I was told by a state official was about an escaped "mountain lion", which I pointed out should already be restricted under the native species laws at which point she changed her story to an "regular lion" which I must assume is an African lion. After searching Google I found no evidence this was in any way true.

Including small constrictors like red-tailed boas is absurd and has no valid backing. You can find no incident to justify such a listing. How can you list an animal that you have zero evidence is actually dangerous?

Are chinchillas, an animal with decades of being a domestically bred, still included in your list?

Where do we access this list? Why have we not be given time to comment?

Can you state one incident to justify this?

How many animals do you think will be released into the wild if you pass this bill? How many animals would you plan to confiscate and destroy if the owner refuses to pay your protection fee?

Do you have statistics on how many of the actual dangerous animals, not the non-sense you listed, are owned by the public? I don't buy that this is a real issue and feel you are simply pushing an agenda. It most unfortunate that many of you are not elected so there is no recourse against unjustified attacks on the public and the displays of total incompetence but I promise we will fight against any and all legislators who support this violation of our rights to be secure in our possessions.

"If a law is unjust, a man is not only right to disobey it, he is obligated to do so." -Thomas Jefferson

Martin, Jodee

From: rllns_facebook <rllns_facebook@yahoo.com>
Sent: Friday, August 01, 2014 1:36 AM
To: Martin, Jodee
Attachments: Comment-on-Proposed-Rule-61-301.docx

Sent from my Verizon Wireless 4G LTE smartphone

Martin, Jodee

From: Melissa Kowalski <melissa@crittersandconservation.com>
Sent: Friday, August 01, 2014 2:07 AM
To: Martin, Jodee
Subject: Dangerous Animal Law Comments
Attachments: Constrictor_Captive_Snake_Fatality.pdf

Dear Jodee Martin,

I am writing to you as a resident of WV, parent, pet owner, and animal education business owner (Critters & Conservation).

Before submitting my comments, I just want to tell you a little about myself. I am a mother of two. I own an exotic animal and conservation education business, with 25 species of small, exotic animals. I live and work in WV. I also work in the surrounding states, performing live, interactive animal shows to educate the public about the importance of biodiversity, animals' jobs in the wild, proper animal handling techniques, husbandry, conservation, and more. I have $2 million of business liability insurance, covering illnesses and injuries related to the animals. This insurance coverage puts people's minds at ease, but I have never filed a claim. In all the years I have been teaching and allowing people aged 1 to 100 to pet, feed, or hold my animals, I have NEVER had any reports of illnesses caused by Salmonella or any injuries requiring more than a kiss and a Band-Aid.

I will be applying for an educational permit. If I cannot obtain an affordable permit which covers all my animals on the final list, I will be moving to a more friendly state that appreciates education about animals and the natural world. The children of WV will no longer be able to learn about these species from me or other animal educators, continuing the cycle of ignorance regarding these species.

I believe teaching responsible pet ownership and basic hygiene will keep the public much safer than a ban on exotic pets.

Please find my comments below on the list of animals for the new law.

1. African pygmy hedgehogs
- These animals are tropical and cannot survive at temperatures below 60 degrees Fahrenheit. Therefore, they pose no invasive species threat to our area.
- They have become popular pets and are much easier to keep than dogs, cats, rabbits. They are much safer to keep as pets than dogs and cats - if so inclined, though rare, their bites only require minimal first aid.
- Many media outlets have given them a bad name, accusing them of being Salmonella carriers. While they can carry salmonella, that is rarely the case. Educating the public about proper hand washing after handling any pet is always advisable to making a pet illegal to own without a permit.
- African pygmy hedgehog breeders are already regulated by the USDA. This government oversight qualifies as sufficient and substantial enough to make any law in WV governing owning this pet redundant and an invasion of pet owners freedom to possess harmless pets.
- Their average life span is 3 - 5 years, another quality minimizing their harm to the environment. Making it illegal to replace these pets would mean NO MORE pet hedgehogs in the state of WV within 5 years. Are these creatures, which typically weigh under a pound, so much of a threat that we need to rid the entire state of them as pets? NO.

2. Tree frogs

- Amphibians of all kinds are great pets since they are easy to keep, most requiring a simple enclosure with live insects as food, a water bowl and places to hide/burrow. These easy to care for pets are a great way for kids to learn responsibility since their care is simple and straight forward.
- Not all tree frogs can become invasive species, especially tropical and subtropical ones, which would not survive WV's winter.
- Though reptiles and amphibians can carry salmonella, that is not always the case (the CDC states that, "Reptiles and amphibians frequently carry a germ called Salmonella." Again, proper hand washing is the key.
- Amphibians are important to teach children, and adults, about their importance in reducing pest populations (bugs, insects, etc.) and that they are biological indicators of environmental health.

3. Turtles and tortoises
- This is again a rather large grouping of species. Making owning a native species illegal without a permit will help reduce poaching from the wild, which I agree with. However, lumping all species together is going too far.
- As with other animals, some of the species would not survive the WV winter.
- Turtles and tortoises are also good pets to keep. Besides snapping turtles, they tend to range from shy to docile, but almost never aggressive.
- Once again, Salmonella concerns can be addressed with proper education on hand washing. With all the cases of Salmonella concerns, the ever present use of hand sanitizer should also help ease these fears.
- Thousands of families that have turtles or tortoises as pets would be affected by these being added to the list. If you are concerned about them being released into the wild, proper pet care education and information on relinquishing pets to rescues or new homes would be much more practical. If these families have to get permits and pay for them every year, most will decide to release their pets into the wild, believing they have a better chance at survival than being confiscated by WV government authorities, which would likely euthanize them.

4. Salamanders
- Banning all salamander species is another broad brush stroke which will prevent children to be able to learn about them.
- Most amphibians have very small, rough teeth (not sharp) which can only startle someone, not hurt them.
- As with frogs, salamanders are important to teach children, and adults, about their importance in reducing pest populations (bugs, insects, etc.) and that they are biological indicators of environmental health.
- Banning salamanders will cause their educational value to be lost on many people.

5. Caecilians
- Banning all species is another broad brush stroke. Caecilians range primarily in the tropics. Thus, more animals incapable of becoming invasive are being added.
- Most people, even those very educated about the animal kingdom, have never even heard of caecilians. This is one of the very compelling reasons that they shouldn't be banned. I educate many children and adults about animals; and when I mention caecilians, 99% of the participants have never heard of them.
- I've been hoping to add one to my animal education business, but have been unable to do so until now. It would be a shame to disallow this option. I would love to be able to open people's eyes to caecilians' existence.
- Again, these are important to teach children, and adults, about their importance in reducing pest populations (bugs, insects, etc.) and that they are biological indicators of environmental health.

6. Toads
- Banning all toads is another broad category, which is illogical. Tropical and subtropical species wouldn't survive WV's winter
- Banning native species might discourage poaching for the pet trade, but banning all species is excessive.

7. The law states that all non-native constrictors 6' and longer will also be banned. The list has no mention of this. This needs to be clarified. Are only the species on the list banned or are all 6' and up snakes also banned? The measurement of 6' is extremely arbitrary and most likely based on average human height. Teeth of a non-

venomous 6' - 9' snake can still do less damage than the average pet, domestic dog. And constrictors of this length can easily be unwrapped from someone. Snakes that size are not capable of eating humans, even babies, and do not attempt to asphyxiate humans. On occasion, if nervous or afraid of falling, they may grip tightly to hold on. Snakes being cold-blooded do not waste energy on activities that do not directly feed or protect them. How can we read the law, which is in conflict with the list in this case? If snakes must remain on the list, it should be revised to state that these are the ONLY snake species covered under the dangerous animal law. When looking at reports of injuries by large snakes, there are much fewer than those caused by dogs and horses even when accounting for the number of them kept as pets. I am attaching a document detailing fatalities due to snakes in the US between 1990 - 2012. I quote from the document, "Since 1990, there is no record of a member of the general uninvolved public in the USA dying as a result of a constrictor snake at home, or at large. Captive keeping of large constrictors might be a slight voluntarily accepted hobby/occupational hazard, but it is NOT a public safety issue." From www.dogsbite.org, only 38% of dog bite fatalities in 2013 were inflicting upon those visiting or living with the dog (http://www.dogsbite.org/dog-bite-statistics-fatalities-2013.php). That means that 62% of dog bite fatalities are inflicting upon the "public at large," while NONE of the constrictor fatalities were.

A few more points about the animals on the list, the public's reaction, permit fees, etc.

1. While it is nice that the fee for an annual permit seems to have been reduced, I suspect, to encourage pet owners to register their pets; this has been done elsewhere. Permit fees were reduced in Florida so that pet owners would register, only to be increased later once the lists were made of owners and their pets. This sort of dishonesty and misleading practice will cause citizens to distrust the WV government. So this better not happen. Fees should remain low throughout the enforcement of this law. Any other way would be a betrayal of the public's trust. Pet owners would then falsely report that their pets had died and no longer pay for a permit.

2. Requiring an annual permit and fee is onerous and unfair to pet owners, especially those with many exotic pets. For families with one exotic pet on the list, this should be an easy and mostly fair process. However, if a family has multiple exotics that are on the list, they will be motivated to "go underground" and not report any of their pets. This attitude will mean that they will continue to replace pets that die that are on the list. They will start on that slippery slope of dismissing the law altogether. Or they will decide to release their pets into the wild so that they are not required to get a permit and the animals are not confiscated by DNR or some other enforcement agency. A more fair way to apply the permit and fee requirement would be to have a permit per household, listing all the pets. The fee should be the same PER HOUSEHOLD, not per animal.

3. The public policy implied by this law and animal list is to limit invasive species and protect the public. However, in practice, the law will encourage citizens not in compliance with the law to release animals which they otherwise would not release. Also, it will penalize those law abiding citizens following the permit and fee process, while those that "go underground" will be less likely to report any injuries, losses, thefts, and escapes, in order to not be discovered and penalized. Scofflaws would travel to adjoining states to purchase wanted animals that aren't available in WV. Thus, the law would be broken at the same time that commerce is driven out of state, too.

4. So many animals on the list would not survive WV's winter and would never be a threat as invasive species. This is particularly true with tropical and subtropical cold-blooded animals such as amphibians, fish, and reptiles. It is also true for some mammals, such as non-migrating, non-hibernating ones like African pygmy hedgehogs, tenrecs, sugar gliders, and many more on the list.

5. So many of them are not a threat to the public's safety, many of them much less dangerous to the public than dogs, cats, and horses. Singling out exotic animals is unfair, given that they do much less damage than these other animals - both in severity of injury and frequency. The law is indicative of prejudice against exotic animals, especially reptiles and amphibians.

6. Breeders, pet stores, and rescues will go out of business. There is not just an impact of the loss of income related to the species on the list, but also to supplies related to their care such as food, caging, toys, hides, water and food bowls, lamps, sun and heat bulbs, thermometers, substrates, vitamins, and other items sold at retail outlets or by small businesses.

7. The list is so comprehensive that one can ONLY conclude that a broad, uneducated net was cast to capture many groups of animals without considering differences in various species. The list should not only be altered based on public comment, but on zoological and scientific evidence (not anecdotal) that can only be provided by experts.

Thank you for accepting my comments.

Regards,
Melissa J. Kowalski
406 Stony Lane
Ranson, WV 25438

REXANO, 205 N. Stephanie Street Suite D # 131, Henderson, Nevada 89074, www.REXANO.org

USA: Captive Constrictor (aka Non - Venomous) Snakes Statistics Human Fatalities 1990-2012

SYNOPSIS: In the last 23 years, since 1990, only 10 people died in the USA (0.43 per year) by captive constrictors (aka non-venomous snakes).

REXANO, www.REXANO.org, only used fatality numbers since all deaths are (supposed to be) reported, and there is only one degree of death. The average life expectancy of 77 years was used to calculate the lifetime odds averages for the whole U.S. population. The vast majority of those killed by exotic animals are the trainers, handlers and owners. The odds of a member of the general public getting killed by exotics are therefore even lower than the averages and odds in the table below.

Table 1: Yearly Average and Lifetime odds of Being Killed by a Captive Constrictor Snake in the USA Based on 1990 – 2012 data

Number of captive constrictor snakes related human fatalities in the USA: 1990 - 2012*	10
Average Human Deaths per Year	0.43
One - Year Odds**	1 in 732,558,139
Lifetime Odds**	1 in 9,513,742

**Based on news and animal industry reports*
***Based on the U.S. Census Bureau's December 2012 US population estimate of 315,000,000*

Table 2: Captive Constrictor Snake Related Human Fatalities in the USA by State: 1990 – 2012

STATE/ YEAR	CO	FL	IL	IN	NE	NY	OH	PA	VA	USA
2010					1					1
2009		1								1
2008									1	1
2006				1			1			2
2002	1									1
2001								1		1
1999			1							1
1996						1				1
1993	1									1
TOTAL: 1990-2012	2		1	1		1	1	1	1	10

REXANO, 205 N. Stephanie Street Suite D # 131, Henderson, Nevada 89074, www.REXANO.org

Table 3: Captive Constrictor Snake Related Human Fatalities in the USA by the Type of the Snake: 1990 – 2012

YEAR STATE	2010	2009	2008	2006	2002	2001	1999	1996	1993
CO					Owner, Burmese python				Owner's brother Burmese python
FL		Owner's daughter, Burmese python							
IL							Owner's son, African rock python		
IN				Owner, Reticulated python					
NE	Owner, Boa Constrictor								
NY								Owner, Burmese python	
OH				Owner, Burmese Python*					
PA						Owner's daughter, Burmese python			
VA			Owner, Reticulated python						

**Some news erroneously identified the snake in the Ohio 2006 incident as Boa constrictor.*

Table 4: US Constrictor Snake Related Human Fatalities 1990 – 2012

YEAR/ STATE	RELATIONSHIP TO SNAKE	COMMENTS
2010 - NE	Man/owner was strangled to death by his pet boa constrictor	Voluntarily accepted hobby/occupational hazard, no risk to uninvolved public
2009 - FL	Parents of 2-year-old kid killed by their Burmese python received 12-year sentences after being convicted of manslaughter and child neglect. FWC Report: Fatal Kid's Injuries Due to Python's Escape 2009 (4MB PDF) http://www.rexano.org/Pythons/FWC_Python_Strangulation.pdf	Parents should always be held responsible. Death by a snake shouldn't be treated any differently than accidental death involving other activities. No risk to uninvolved public
2008 - VA	Woman/owner was killed by her Reticulated python while she was trying to give the 13-foot pet snake medication	Voluntarily accepted hobby/occupational hazard, no risk to uninvolved public
2006 – IN	Man/owner was crushed to death by his 14 foot pet Reticulated python	Voluntarily accepted hobby/occupational hazard, no risk to uninvolved public
2006 - OH	Man/owner was killed when his 13-foot Burmese python who wrapped itself around his neck	Voluntarily accepted hobby/occupational hazard, no risk to uninvolved public
2002 - CO	Man/owner died when his pet Burmese python strangled him by coiling around his head, neck and chest and squeezed him to death	Voluntarily accepted hobby/occupational hazard, no risk to uninvolved public
2001 – PA	Owners' 8-year-old daughter was squeezed to death by the family's 11-foot Burmese python. Her father was later found not guilty of involuntary manslaughter, but guilty of endangering the girl's welfare	Parents should always be held responsible. Death by a snake shouldn't be treated any differently than accidental death involving other activities. No risk to uninvolved public
1999 – IL	Owners' 3-year-old son was crushed to death after the family's 7 - foot African rock python got out of its cage (possibly through 2-inch gap in the aquarium's homemade wood lid) as the family slept. Judge issued a directed verdict -- innocent of child endangerment -just before attorneys were scheduled to begin closing arguments. The couple could have faced 10 years in prison. Supposedly, prosecutors had not presented enough evidence to even justify sending the matter to the jury.	Parents should always be held responsible. Death by a snake shouldn't be treated any differently than accidental death involving other activities. No risk to uninvolved public
1996 – NY	Man/owner, 19, was killed by his 13-foot Burmese python who might have possibly mistaken him for food	Voluntarily accepted hobby/occupational hazard, no risk to uninvolved public
1993 – CO	Boy,15, had his torso crushed by his older brother's 11 1/2-foot pet Burmese python, and died from asphyxiation due to mechanical compression of the chest	Parents should always be held responsible. Death by a snake shouldn't be treated any differently than accidental death involving other activities. No risk to uninvolved public

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Table 5: US Captive Constrictor Snake Related Human Fatalities by Type of the Snake and Percentage: 1990 – 2012

TYPE OF SNAKE	AFRICAN ROCK PYTHON	BURMESE PYTHON*	RETICULATED PYTHON	BOA CONSTRICTOR	TOTAL
HUMAN DEATHS	1	6*	2	1	10
PERCENT OF TOTAL	10 %	60 %	20 %	10%	100 %

**The larger number of Burmese pythons related fatalities doesn't mean that Burmese pythons are more dangerous than other large constricting snakes. More people likely keep and interact with captive Burmese pythons in the USA than with other large constrictors.* www.REXANO.org

CONCLUSION:

None of these 10 deaths were the result of the constrictor (aka non – venomous) snakes being unsupervised off the private owners' property. Instead, all victims were voluntarily on the property where the animal was kept, be it owner(s) or family members.

In the last 23 years, since 1990, only 10 people died in the USA by captive constrictors (aka non-venomous snakes). That means on average, 0.43 people die in USA per year as a result of non venomous snake attack. That translates to one-year odds of 1 in 732,558,139, and lifetime odds 1 in 9,513,742.

Since 1990, there is no record of a member of the general uninvolved public in the USA dying as a result of a constrictor snake at home, or at large. Captive keeping of large constrictors might be a slight voluntarily accepted hobby/occupational hazard, but it is NOT a public safety issue.

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Martin, Jodee

From: pwserpents <pwserpents@hotmail.com>
Sent: Friday, August 01, 2014 2:20 AM
To: Martin, Jodee
Cc: governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301-1.docx

See attachment.

Martin, Jodee

From: Melissa Kowalski <melissa@crittersandconservation.com>
Sent: Friday, August 01, 2014 2:47 AM
To: Martin, Jodee
Subject: Additional Comments

I just saw the amended list. My comment below reflects the specific delineation of tiger salamanders.

1. You may want to distinguish between Eastern and Western species of the tiger salamander. The Latin name is not included.

2. Tiger salamanders are naturally occurring in much of Canada, the US, and Mexico.

3. If you are concerned about them possibly transmitting Batrachochytrium dendrobatidis to native frogs, then an educational program about NOT releasing these into the wild or using them or their larvae as fish bait would be more effective. Forbidding their use as fish bait is different from banning them as captive pets.

4. They make great pets with simple and easy care, teaching their important role as pest control. They are very docile and slow moving pets that don't attempt to escape. I have one of these myself and he is harmless to the public. They also teach children about regeneration and the power to heal - which in turn teaches people about the scientific value of various animals.

5. What is the main concern with this species? That they might become an invasive species? If they are illegal to use as fish bait, the primary source of such a potential problem is addressed. They are not dangerous to their keepers, as long as a good hand washing regimen is followed.

6. There are so few kept as pets, that even if they escaped, their chances of meeting up with the opposite gender of their species to reproduce is almost nil. The risk of tiger salamanders moving into the Appalachians from the west and north, from their native ranges, due to global warming, is greater than the risk of escaped pets becoming invasive.

My recommendation is to make the use of their larvae (or any form) as bait in fishing illegal.

I also recommend, as a side note, that those with educational permits be allowed to replace animals that have died that are on the list.

Cheers,
Melissa J. Kowalski

Martin, Jodee

From: AndrewThompson2@Eaton.com
Sent: Friday, August 01, 2014 7:42 AM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

See Attachment

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

Andrew Thompson

[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.

Martin, Jodee

From: Jeremy Carmack <jcarmack6@yahoo.com>
Sent: Friday, August 01, 2014 8:08 AM
To: info@usark.org
Subject: Proposed Rule 61-30: Comment on DWA Act

From: Jeremy Carmack <jcarmack6@yahoo.com>

Respected West Virginia Legislator,

As an affected West Virginia pet owner, I would like to voice my concern regarding the new Dangerous Wild Animal (DWA) Act. The proposed list of species will decimate pet ownership and destroy pet and livestock-related businesses in West Virginia. Not only this, but the additional fees assigned to these listed species will lead to the unnecessary euthanization of longtime pets.

This poorly-written piece of legislation does not provide an exemption for pet owners who already have these species. The added expenses from annual permits and required liability insurance, which is completely unnecessary for animals who never come into contact with the general public, will force many longtime pets to be surrendered to the State or even euthanized. How can the State burden its hardworking and tax-paying citizens with these overbearing new costs to simply keep their pets? The more species listed, the greater the number of state residents who will be unjustly affected.

Many species are being proposed due solely on the miniscule chance that someone could potentially attain a zoonotic (transferable from animal to human) disease. This is possible from any animal. As with interactions with humans, interactions with animals that are not followed by proper hygiene (i.e. hand washing) may lead to disease transmission. You cannot punish an entire population at the slim chance that irresponsible people do not practice proper hygiene.

Other species are proposed for public safety concerns. Interactions with horses, large constrictor snakes, other hoofstock, etc. have the potential for injury, but that is accepted by the individuals interacting with them. It is not a public safety risk. Other species may be listed in fear of invasive populations becoming established. Those listings need to be based upon legitimate, peer-reviewed science. Most troubling is the fact that many species have been proposed simply due to biases by members of the DWA subcommittee, as apparent from statements made during interviews and reported in the media. This is severely unconstitutional.

The below statistics may help to visualize the scope of West Virginia citizens who will be affected by the proposed DWA list (statistics via American Pet Product Association's (APPA) 2013 National Pet Survey).

Percentage of West Virginia households with the following pets:

- Freshwater fish: 12%
- Small Mammals: 6%
- Reptiles: 5%
- Birds: 6%
- Horses: 2.3% (not including other hoofstock such as Llamas)
- Marine Fish: 1.5%

Please consider the negative impact your decision will have on West Virginians who will be affected by this new law. The DWA Board may not understand quite the dire consequences their decisions may have on the West Virginia economy, residents and pets. The Board refused assistance from West Virginia residents and national organizations while drafting their list.

The proposed list, and the DWA law itself, is overreaching. Please keep an open mind as this proposed rule progresses. We hope you'll address concerns from your constituents. Thank you for your time and consideration on behalf of this West Virginia resident and have a good day.

Sincerely,

Jeremy Carmack
170 Windy Oaks Lane
Locust Grove, GA 30248
4045197663

Martin, Jodee

From: Phil Goss <President@USARK.org>
Sent: Friday, August 01, 2014 10:12 AM
To: Martin, Jodee
Subject: Proposed Rule 61-30: Comment concerning the WV DWA Act
Attachments: USARK_Model_Legislation_Final.pdf; Snake-related Deaths.pdf; USARKs_July_2014 _Comments_on_Snake_Listing_Proposal_v4 Final.pdf; Reptile Industry Economic Study.pdf; WV USARK Comment on Proposed Rule 2.pdf

Respected West Virginia official,

Please see the attachments regarding proposed Rule 61-30 as USARK voices the concern of hundreds of West Virginia residents who have contacted us.
The attached file "WV USARK Comment on Proposed Rule 2" is our comment which cites the supporting documents attached. Thank you and have a good day.

Phil Goss
President of USARK
United States Association of Reptile Keepers Protecting Your Freedom to Keep Reptiles and Amphibians as Pets
www.USARK.org www.facebook.com/UnitedStatesAssociationOfReptileKeepers
President@USARK.org

Regulation of Certain Reptiles

§ I Mishandling of reptiles declared public nuisance and criminal offense

The intentional or negligent exposure of other human beings or the environment to unsafe contact with reptiles that are venomous, with large constricting snakes, or with crocodilians being potentially injurious and detrimental to public health, safety and welfare, and the environment, the indulgence in and inducement to such exposure is hereby declared to be a public nuisance and a criminal offense, to be abated and punished as provided in this Article.

§ II Regulation of ownership or use of venomous reptiles

It shall be unlawful for any person to own, possess, use, transport or traffic in any venomous reptile that is not housed in a sturdy and secure enclosure. Permanent enclosures shall be designed to be escape proof, bite proof and have an operable lock. Each enclosure shall be clearly and visibly labeled 'Venomous Reptile Inside' with the scientific name, common name, number of specimens, appropriate anti-venom and owner's identifying information noted on the enclosure. Transport containers shall be designed to be escape proof, bite proof and shall be clearly and visibly labeled 'Venomous Reptile Inside' with scientific name and common name noted on the container. A written bite protocol that includes emergency contact information, local animal control office, the name and location of suitable anti-venom, first aid procedures and treatment guidelines, as well as, an escape recovery plan must be within sight of permanent housing and a copy must accompany the transport of any venomous reptile. In the event of an escape of a venomous reptile, the owner or possessor of the venomous reptile shall immediately notify local law enforcement.

§ III Regulation of ownership of large constricting snakes

As used in this Article, large constricting snakes shall mean: Reticulated python (Python reticulatus); Burmese python (Python bivittatus); Northern African Rock python (Python sebae); Southern African python (Python natalensis); Green anaconda (Eunectes murinus); and Yellow anaconda (Eunectes notaeusor); or any of their subspecies or hybrids. It shall be unlawful for any person to own, possess, use, transport or traffic in any of the large constricting snakes that are not housed in a sturdy and secure enclosure. Permanent enclosures shall be designed to be escape proof and shall have an operable lock or latch. Each enclosure shall be labeled clearly and visibly with the scientific name, common name, and owner's identifying information.

Transport containers shall be designed to be escape proof. A written safety protocol and escape recovery plan must be within sight of permanent housing and a copy must accompany the transport of any of the large constricting snakes. In the event of an escape of a large constricting snake, the owner or possessor of the large constricting snake shall immediately notify local law enforcement.

§ IV Regulation of ownership of Crocodilians

For purposes of this Article, all Crocodilians shall be regulated. It shall be unlawful for any person to own, possess, use, transport or traffic in any Crocodilian that is not housed in a sturdy and secure enclosure. Permanent enclosures shall be designed to be escape proof and have a fence of sufficient strength to prevent contact between an observer and the crocodilian, and shall have an operable lock. Transport containers shall be designed to be escape proof. A written safety protocol and escape recovery plan shall be within sight of permanent housing and a copy must accompany the transport of any Crocodilian. In the event of an escape of a Crocodilian, the owner or possessor shall immediately notify local law enforcement.

§ V Prohibited handling of reptiles or suggesting or inducing others to handle

It shall be unlawful for any person to intentionally mishandle any reptile of a species named in this Article in a way or manner that intentionally or negligently exposes another individual to unsafe contact with such reptile. It shall also be unlawful for any person to intentionally suggest, entice, invite, challenge, intimidate, exhort or otherwise induce or aid any person to handle or expose himself to any reptile of a species named in this Article in a way or manner that intentionally or negligently exposes another individual to unsafe contact with such reptile. Safe and responsible handling of reptiles for purposes of animal husbandry, training, transport, exhibition and education is permitted.

§ VI Investigation of suspected violations; seizure and examination of reptiles; disposition of reptiles

In any case in which any law enforcement officer or animal control officer has probable cause under the law to believe that any of the provisions of this Article have been violated, it shall be the duty of such officer and he is hereby authorized, empowered, and directed to immediately investigate such violation or impending violation and to forthwith seize the reptile or reptiles involved, and all such officers are hereby authorized and directed to deliver such reptiles to the State Department of Natural Resources or to its designated representative for

examination for the purpose of ascertaining whether said reptiles are a venomous reptile, large constricting snake or crocodilian subject to this Article. If the assigned authority or its designated representative finds that said reptile is a venomous reptile, large constricting snake or crocodilian subject to this Article, the Department of Natural Resources or its designated representative shall be empowered to determine final disposition of said reptile in a manner consistent with the safety of the public; but if the Department or its designated representative find that the reptile is not a venomous reptile, large constricting snake or crocodilian subject to this Article and either no criminal warrants or indictments are initiated in connection with the reptile within 10 days of initial seizure, or a court of law determines that such reptile is not being owned, possessed, used, transported or trafficked in violation of this Article, then it shall be the duty of such officers to return said reptiles to the person from whom they were seized within five days.

§ VII Arrest of persons violating provisions of Article

If the examination made by the State Department of Natural Resources as provided herein shows that such reptile is a venomous reptile, large constricting snake or crocodilian it shall be the duty of the officers making the seizure with probable cause to believe that such reptile is being owned, possessed, used, transported or trafficked in violation of this Article in addition to authorizing the State Department of Natural Resources or its designated representative to determine final disposition of such reptiles, also to arrest all persons violating any of the provisions of this Article.

§ VIII Exemptions from provisions of Article

This Article shall not apply to the possession, exhibition, or handling of reptiles by employees or agents of museums, laboratories, educational or scientific institutions, public or private, in the course of their educational or scientific work.

§ IX Civil remedies and criminal penalties for violation

(a) Any person violating any of the provisions of this Article shall be guilty of a Class 2 misdemeanor.

(b) If a person other than the owner of the venomous reptile, large constricting snake or crocodilian or such owners agent(s), suffers a life threatening injury as the result of a violation of this Article the owner shall be guilty of a Class 1 misdemeanor.

(c) Any person intentionally releasing into the wild a non-native venomous reptile, a large constricting snake, or a crocodilian shall be guilty of a Class 1 misdemeanor.

(d) A violation of this Article shall constitute wanton conduct within the meaning of G.S. ID-5(7).

Martin, Jodee

From: Tim Rounds Tim Rounds <tim_rounds_0116@yahoo.com>
Sent: Friday, August 01, 2014 10:19 AM
To: Martin, Jodee
Cc: governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301(1)2.docx; WV-Injurious_Species_comment(2).docx; WV-USFWS_findings_4_constrictors(2).docx

Regarding the finalization of proposed rule 61-30:

(In addition to the text below, there are 3 attachments to this email)

I am concerned with the list of dangerous animals and believe there should be several modifications.

First, the following snakes should NOT be on the list:

Boa constrictor
Burmese python
Reticulated python
Amethystine Python
Green Anaconda

The reasons for not including the above snakes are the following:

1) These snakes could never have long-term survival in West Virginia if they escaped -- they would be killed by West Virginia's cold winters.
2) The above-listed snakes, even the large species, are statistically NOT dangerous to people; in fact, a few common household dog breeds are actually statistically more dangerous to people. The Burmese python is so tame that it can be handled by children. Here are YouTube videos showing this:

http://www.youtube.com/watch?v=u11l0qHhQTI
http://www.youtube.com/watch?v=3tLAV1fHvUc

So therefore, the species listed above (the Boa constrictor, Burmese python, Reticulated python, Amethystine Python, and Green Anaconda) should NOT be on the list and should not be prohibited from being owned as a pet. It would irrational, unwarranted and unjustifiable to keep these snakes on the "dangerous animal" prohibition list.

The first draft of the "Dangerous Animals" list is especially troubling because it lists the entire Genus of Anacondas (Eunectes) as being prohibited. There are other U.S. states (even states that banned most exotic animals such as tigers) which allow the ownership of animals in the Genus Eunectes, as well as other kinds of constrictor snakes. It is wrong to prohibit the entire Genus Eunectes from ownership, and that Genus should be entirely removed from the list. There should be no prohibitions on the ownership of constrictor snakes.

Also, the following lizards should be removed the list:

ALL species of monitor lizards (except for the Komodo Dragon)

There should be no prohibition on owning any species of monitor lizard (except for the Komodo Dragon). This means that the Nile Monitor (which is currently on the list) should be removed from the list. it also means that any animal with the scientific name "Varanidae" (except for the Komodo Dragon) should not be on the list.

The reason for allowing the ownership of all monitor lizard species (except for the Komodo Dragon) is based essentially the same reasons as the above-listed snake species: they would not be able to survive West Virginia's winters, and they do not pose a risk or danger to people. This is a YouTube video of a man with a large pet monitor lizard:

http://www.youtube.com/watch?v=0Bno-qsnbUA

Ultimately, prohibiting the ownership of these animals (and other reptiles) is wrong and would be onerous, draconian, irrational and unreasonable.

There are also three attachments to this email that should be read.

Regards,

Timothy Rounds

Martin, Jodee

From: Carol McCarthy <wvplantlady@yahoo.com>
Sent: Friday, August 01, 2014 11:43 AM
To: Martin, Jodee
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Please repeal this bad legislation. It will not make WV safer. It is only harming small businesses and people who enjoy non-traditional pets and livestock. I am a registered, active WV voter and until this bad legislation goes away this is the one issue that I will use to decide my votes. Thank you for reading my comments.

Carol McCarthy
15 Dunkard Ave.
Westover, WV 26501

See Attachment

Martin, Jodee

From: Shalimar Legaspi <shalimarlc@gmail.com>
Sent: Friday, August 01, 2014 11:33 AM
To: Martin, Jodee
Cc: governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30

West Virginia citizens need better government than which has been displayed with this poorly written proposed rule. This proposal disregards the ownership of these animals as family pets, businesses to many, and an overall community. There is not enough evidence to suggest that these animals are indeed injurious, and potentially invasive throughout the United States. I believe this act to be a threat, an attack, and excuse to ultimately prohibit reptile owners in West Virginia from keeping these animals. As a responsible US citizen, I believe reptile ownership is apart of my freedom, and a culture of responsible, and passionate keepers in the US. Prohibiting certain species is a threat to a large group of business owners who depend on various reptile shows across the US. Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided. Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. Please consider that this act is the first step to destroying a culture, a way of life, and threatening the lives and welfare of many innocent animals who are just as apart of the family as a dog or cat would be.

Sincerely,

Shalimar Crosby

Martin, Jodee

From: Tim Blair <tsblair@gmail.com>
Sent: Friday, August 01, 2014 11:24 AM
To: Martin, Jodee; governor@wv.gov; Helmick, Walt
Subject: Comment on DWA Act: Proposed Rule 61-30
Attachments: Comment-on-Proposed-Rule-61-301.docx

Please see attached

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Tim Blair

Comment on Proposed Rule 61-30

The citizens of West Virginia ("WV") deserve better government than has been displayed by the legislative regulation proposed by the Department of Agriculture's Dangerous Wild Animal ("DWA") Board. Proposed Rule 61-30 contains multiple typos,[1] internal inconsistencies,[2] and provisions that violate the underlying law.[3] Exceptionally noteworthy are thirteen (13) spelling errors of animals in the proposed list of DWAs.[4] In addition, not only has the DWA Board refused to provide any financial information required[5] on the "Fiscal Note for Proposed Rules,"[6] but the Board has also falsely stated that the proposed rule will result in "no additional cost to state government."[7] By making this false statement, the DWA Board has attempted to evade providing financial information and explanations required by law.[8] Since Ohio has already spent at least $4 million[9] over a couple years to administer its DWA list, which includes only a small fraction[10] of the animals set forth in the WV list, nobody could possibly believe WV will incur no expense as a result of proposing to list thousands of animals as DWAs. The proposed WV DWA list will obviously cost WV millions more than the $4 million already paid by Ohio taxpayers.

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[1] See Sections 61-30-2.1; 61-30-2.3; 61-30-2.6; 61-30-2.7, 61-30-2.8, 61-30-3 and 61-30-4.1 (typos/omitted words, etc. should be obvious from a casual reading)(Section 61-30-4.1: The Proposed Rule states that DWAs "shall be caged in accordance with USDA Animal Care Use Animal Welfare Act and Animal Welfare Regulations." The Federal law and regulations cited in the proposed rule are approximately 157 pages. Neither the Federal law nor the Federal regulations use the term "Animal Care Use."). See also an additional thirteen (13) misspellings in footnote 4.

[2] See Sections 61-30-2.3 and 61-30-2.4 (cage means an enclosure of wires or bars—versus --caging requirements means confinement to prevent escape). Obviously, all cages that prevent escape are not made from wires or bars. Cages such as aquariums do no consist of wires or bars, but are standard caging for numerous animals on the DWA list.

[3] See Sections 61-30-1.1; 61-30-6.2.1 and the "Brief Summary of Proposed Rule." In each of these cases, the proposed rule provides only for ADDITION of animals to the DWA list when the law clearly provides that the DWA Board shall "review the list of prohibited dangerous wild animals to determine if animals should be added or subtracted from the list." W. Va. Code § 19-34-5(c)(F)(5) (underscore added). Since the Department of Agriculture and the rule drafters made this error three (3) times, the bias against West Virginia pet owners should be obvious.

[4] Section 61-30-3 (Pipidate, Hlidae, Aluada, viscivorous, Emberizadae, citronella, Lonchra, Rhyncocephalia, Atractispididae, amethystine, Diprotodonita, Macroscelidae, and Erinaceomorphia).

[5] W. Va. Code § 29A-3-5 ("At the time of filing the notice of its action, the agency shall also file with the Secretary of State a copy of the full text of the rule proposed, and a fiscal note as defined in subsection (b), section four [§ 29A-3-4].").

[6] Appendix B of Proposed Rule 61-30.

[7] Appendix B of Proposed Rule 61-30 (see Fiscal Note Summary).

[8] W. Va. Code § 29A-3-5.

[9] Four million dollars is just the amount that is documented as spent in Ohio. This includes approximately $3 million for a temporary housing facility for relinquished/confiscated animals and approximately $1 million in Ohio's budget specifically identified as applicable to Ohio's dangerous wild animal law. See http://www.dispatch.com/content/stories/local/2014/04/28/many-owners-still-working-to-comply-with-law.html ("Ohio constructed a roughly $3 million building to temporarily keep such creatures.").

[10] Ohio listed 170 species (plus certain venomous snakes). West Virginia has literally listed tens of thousands of animals by listing entire families and orders of animals.

Although the DWA Board had the opportunity to revise its DWA list weeks ago, pet owners will NOT know which animals are included in the DWA list until July 30, 2014 at the earliest, when the DWA Board meets again. Moreover, specific reasons for listing animals as DWAs still have not been provided.[11] Pet owners are entitled to know the precise animals being listed and the reasons their pets are being listed as DWAs. It appears clear that the DWA list will still include reptiles, amphibians, birds, fish and snails as a fee structure for such animals was reportedly discussed recently by the subcommittee of the DWA Board. By the time that the DWA Board meets on July 30, 2014, and information from that meeting is reported to pet owners, there will be insufficient time for pet owners to provide meaningful input regarding the proposed rule in the remaining day and a half. For the following reasons, Proposed Rule 61-30 is invalid and must be withdrawn until such time as a proposed rule can be written that provides West Virginia pet owners the opportunity to provide meaningful comments during the period legally required to allow public comment to the regulatory board:

1. The DWA Board failed to provide material information required by West Virginia citizens, such as (1) financial information and explanations required on Appendix B, and (2) the scientific basis for listing any of the pets proposed as DWAs.
2. The primary provisions actually submitted in the proposed rule are a fraud upon West Virginia pet owners. Every significant substantive provision is being replaced, such as the list of DWAs, caging requirements, and the fees.
3. The DWA Board has exhibited bias against pet owners and the Subcommittee has members that are known to be biased against ownership of harmless pets.
4. Against a deadline, the DWA Board submitted a proposed rule knowing it was neither complete nor appropriate.[12] Pet owners have been defrauded by the rule submitted.
5. The DWA Board failed to remedy omissions and inadequate provisions timely.
6. Due to the omission of material information and the submission of "placeholder" provisions, West Virginia citizens have been denied the right to provide meaningful comments to a regulatory board that is effectively taking their pets via regulation.

_____Timothy Blair_____

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[11] A newspaper report stated that general explanations were provided at a meeting on July 23, 2014, but those explanations were not included in the news report. Moreover, the explanations apparently only included whether there was a danger to health, wildlife or the environment. Pet owners are entitled to know the precise reasons for listing any animals so they can respond. The DNR representative must know the precise reasons to list any animal, so providing such information is only a matter of disclosing information already known to the decision- makers. Between the use of scientific names or entire families and orders and reports of animals being removed from the DWA list, everybody is totally confused about which animals are on the list.

[12] Noting that many agencies have been 2 or 3 years late promulgating regulations, the DWA Board discussed being able to pass the red face test at a board meeting.