Justification and Purpose:

The Maryland Department of Natural Resources (DNR) is considering changes to regulations that currently allow for collection, possession, breeding, and sale of native reptiles and amphibians. DNR has concerns that the current regulations, which were established in 1993 and last updated in 2016, fail to address significant present-day conservation concerns for reptile and amphibian populations, namely, collection pressure, disease transmission, and illegal trade.

Reptiles and amphibians are among the most threatened vertebrate groups. A significant cause of decline for reptiles and amphibians is overcollection and illegal trade for the domestic and international pet trade, which has been increasing. Turtles, specifically, are one of the most heavily trafficked groups globally. Reptiles and amphibians are also increasingly threatened by disease including several established pathogens, such as Snake Fungal Disease (*Ophidiomyces ophiodiicola)* and Ranaviruses, as well as the emerging pathogen, *Emydomyces testavorans* (Emte). The continued collection, breeding, and trade of native reptiles and amphibian species pose a significant risk to native populations due to disease transmission, collection pressure, and poaching concerns.

Given these emerging issues, DNR believes that it is necessary to take a proactive approach that includes prohibiting the collection from the wild, possession, breeding and trade of most native reptiles and amphibians in Maryland. To develop the updated regulations, DNR considered expert advice from wildlife veterinarians, scientific studies, and assessments by law enforcement that reflect changes since the reptile and amphibian regulations were last updated in 2016. The proposed changes are intended to provide clear and enforceable regulations to protect Maryland's wild reptile and amphibian populations into the future.

Summary of Proposed Regulation Changes:

The MD DNR Wildlife and Heritage Service is proposing a series of changes to the native reptile and amphibian regulations (COMAR 08.03.11). Changes will prohibit collection from the wild and limit possession, breeding, sale, and trade except by special permit. Changes will also clarify permit requirements for possession, education, and research.

Collection:

Collection of reptiles and amphibians (native or non-native) from the wild is prohibited without a Scientific Collection Permit, Endangered Species Permit, or other express permission from the Department.

Possession, Breeding, Sale, and Trade:

Possession and breeding of native reptiles or amphibians is prohibited **except** for the following:

- Possession, breeding, sale, and trade will be maintained for the Red Cornsnake and any species native to Maryland that is albino, partially albino, or other color

mutation as a result of captive breeding. The burden of proving that the animal is a legitimate color mutant lies with the owner.

- No permit will be required for:
  - Possession of ≤ 4 wild phenotype/coloration Red Cornsnakes.
  - Possession of an unlimited number of reptiles or amphibians which are albino, partially albino, or other color mutation as a result of captive breeding. The burden of proving that the animal is a legitimate color mutant lies with the owner.

- A Captive Reptile and Amphibian Permit will be required to:
  - Possess >4 wild phenotype/coloration Red Cornsnakes. Red cornsnakes must be captive bed or legally obtained from out of state. They cannot be collected from the wild in Maryland.
  - Breed, attempt to breed, sell, offer for sale, trade, or barter Red Cornsnakes or any species native to Maryland that is albino, partially albino, or other color mutation as a result of captive breeding. The burden of proving that the animal is a legitimate color mutant lies with the owner.

- A Captive Reptile and Amphibian Permit would allow permittees to “adopt” animals deemed non-releasable by a licensed veterinarian. A Captive Reptile and Amphibian Permit will need to be obtained proactively before adopting an animal.

- Breeding for headstarting programs and zoo/aquarium needs will be covered under a Scientific Collection and/or Endangered Species Permit.

- Education and research organizations will continue to obtain Scientific Collection Permits and Endangered Species Permits to collect native reptiles and amphibians for scientific and educational purposes.

Grandfather Permit:

A Grandfather Permit will be established to cover the following:

- Native reptiles and amphibians that are legally possessed under the regulation limits prior to approval of proposed changes.

- Possession, breeding, and sale of individual reptiles and amphibians covered under an existing Captive Reptile and Amphibian Permit at the time of approval of proposed changes.

- Grandfather permits are for specific individuals. When an animal covered under a Grandfather Permit dies, it should be reported to the Wildlife and Heritage Service and cannot be replaced

- Reptile and amphibian owners will have **three months** to obtain their Grandfather Permit once the regulation changes take effect.

Harvest:

Harvest will be maintained for the North American Bullfrog with the following requirements:

- A free permit will be established to continue to allow the harvest of North American Bullfrogs.

- An individual may not take from the wild more than ten American bullfrogs, or parts of them, per day, for personal use as food or possess more than 20 American bullfrogs, or parts of them.

- Wild North American Bullfrogs will need to be dispatched at the point of capture.