

**WAC 220-450-170 Wildlife rehabilitation—Disposition of nonreleasable and over-habituated, mal-imprinted, or tamed wildlife and live retention for foster and education.** (1) A primary permittee may retain live, nonreleasable wildlife for the purposes of:

(a) Orphan imprinting, socialization, and appropriate wild behavior retention and development, if the permittee possesses valid U.S. Fish and Wildlife Service (USFWS) permits and written authorization from the department. The department determines whether wildlife may be retained for these purposes on a case-by-case basis.

(b) Static display and program education, if the permittee possesses valid USFWS permits and written authorization from the department.

(c) To obtain authorization for education or fostering, the permittee must submit a completed Education or Foster Animal - Live Wildlife Retention Form application form provided by the department.

(d) A fee for presentation of an education program may be charged to recoup the permittee's cost.

(e) Education programs must provide information about the biology, ecological roles, or needs of wildlife; wildlife may not be presented as if they are pets.

(f) Wildlife tamed, overly habituated and lacking fear of humans and domestic animals, or mal-imprinted to humans before admission to the primary permittee's facility can be retained for static display or education programs if the department authorizes this in writing. The department will make such determinations on a case-by-case basis.

(g) Permittees must house wildlife used for educational purposes separately and out of sight of wildlife in rehabilitation.

(h) Mammals retained for education purposes may not be used for orphan imprinting or companionship for wildlife in rehabilitation.

(i) It is permissible to use birds retained for education, including raptors, for orphaned imprinting, nestling care, or companionship if federally permitted.

(j) The permittee may not have the following animals for education programs or static display: Cervids, large carnivores, amphibians.

(k) The permittee may not use the following animals in education programs: All rodents (except eastern gray squirrels), moles and shrews, weasels, skunks, raccoons, coyotes, foxes, beavers, muskrats, pikas, hares, rabbits, Apodidae, Trochilidae, Picidae, Passerines (except American crow, Northwestern crow, and common ravens), loons, grebes, seabirds, herons, bitterns, storks, and ibis.

(2) Wildlife tamed or mal-imprinted to humans while at the primary permittee's facility and determined to be nonreleasable must be transferred or humanely euthanized to protect the public and to protect the animal from human abuse.

(3) A violation of this section is punishable under RCW 77.15.750, Unlawful use of a department permit—Penalty.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, 77.12.240, 77.12.467, 77.12.469, and 77.32.070. WSR 19-06-038 (Order 19-35), § 220-450-170, filed 3/1/19, effective 4/1/19. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-450-170, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047, 77.12.240, 77.12.467, 77.12.469, and 77.32.070. WSR

13-18-046 (Order 13-192), § 232-12-861, filed 8/30/13, effective  
9/30/13.]