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Wildlife Laws & Ethics



Joseph Plappert
Urban Wildlife Biologist

What is an ethic?

- Collective Ethic
 - Conduct deemed acceptable by a culture or society
- Personal Ethic
 - Conduct deemed acceptable by personal philosophy

What's the *real* speed limit?



NO
PASSING
15
FINES DOUBLE
SCHOOL
IN SESSION

STOP
WHEN
CHILDREN
IN NEIGHBORHOOD

What's the *real* speed limit?

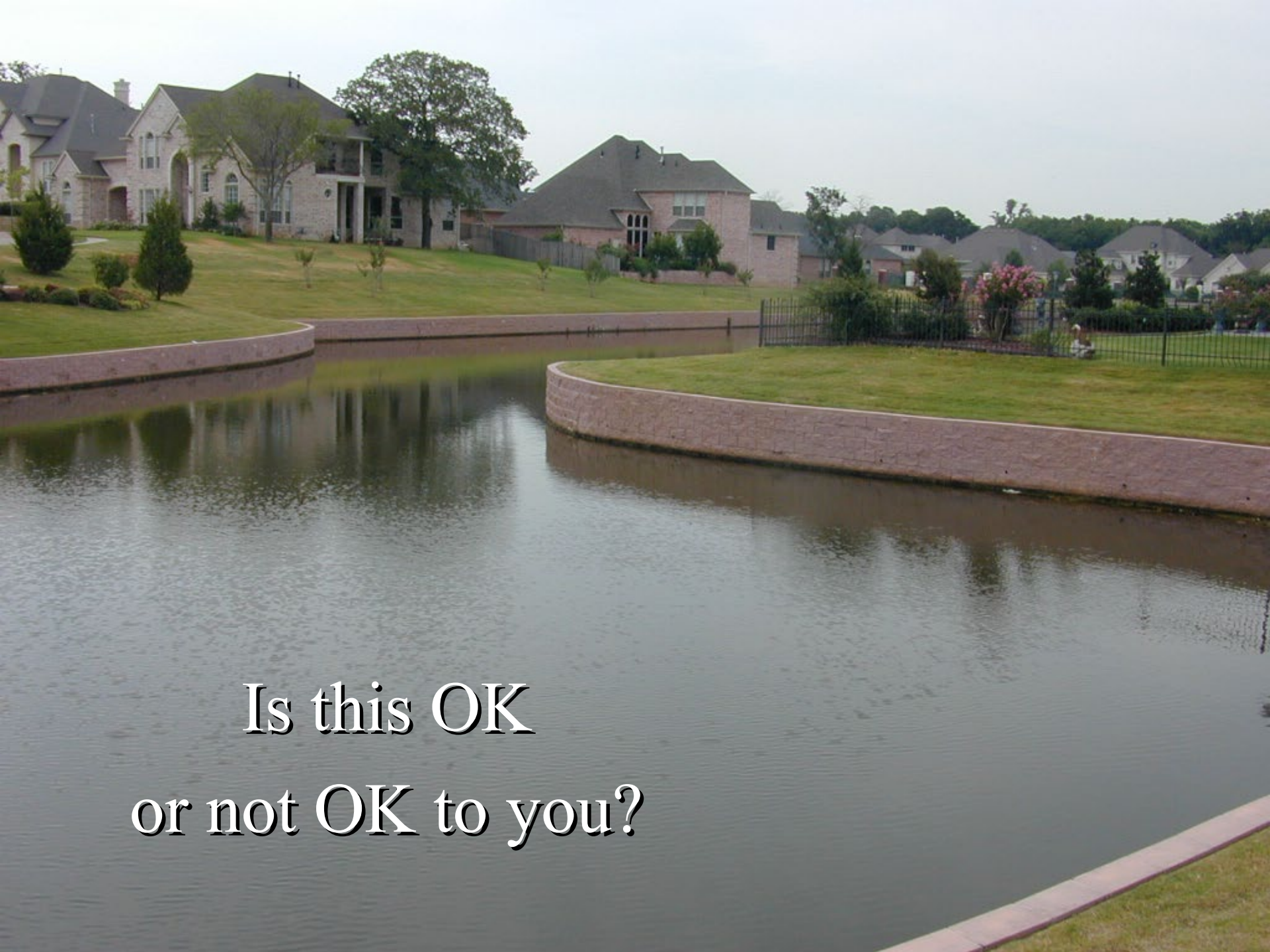
My Personal Ethic

How well will I be able to sleep at night?



Value Judgments





Is this OK
or not OK to you?



Is this OK
or not OK to you?

Is this OK
or not OK to you?



Is this OK
or not OK to you?



Is this OK or not OK
to you?



Is this OK
or not OK to you?



A city has become overrun with white-tailed deer.



A city has become overrun with white-tailed deer. The city council decides to trap and remove 100+ deer every year.



A city has become overrun with white-tailed deer. The city council decides to trap and remove 100+ deer every year. The deer will be processed and meat will be donated to local food banks.



Airplane collides with a flock of geese causing severe damage to both engines, resulting in an emergency landing in the Hudson River.



State plans to cull 2,000 geese six months later during molting season.

Wildlife Laws



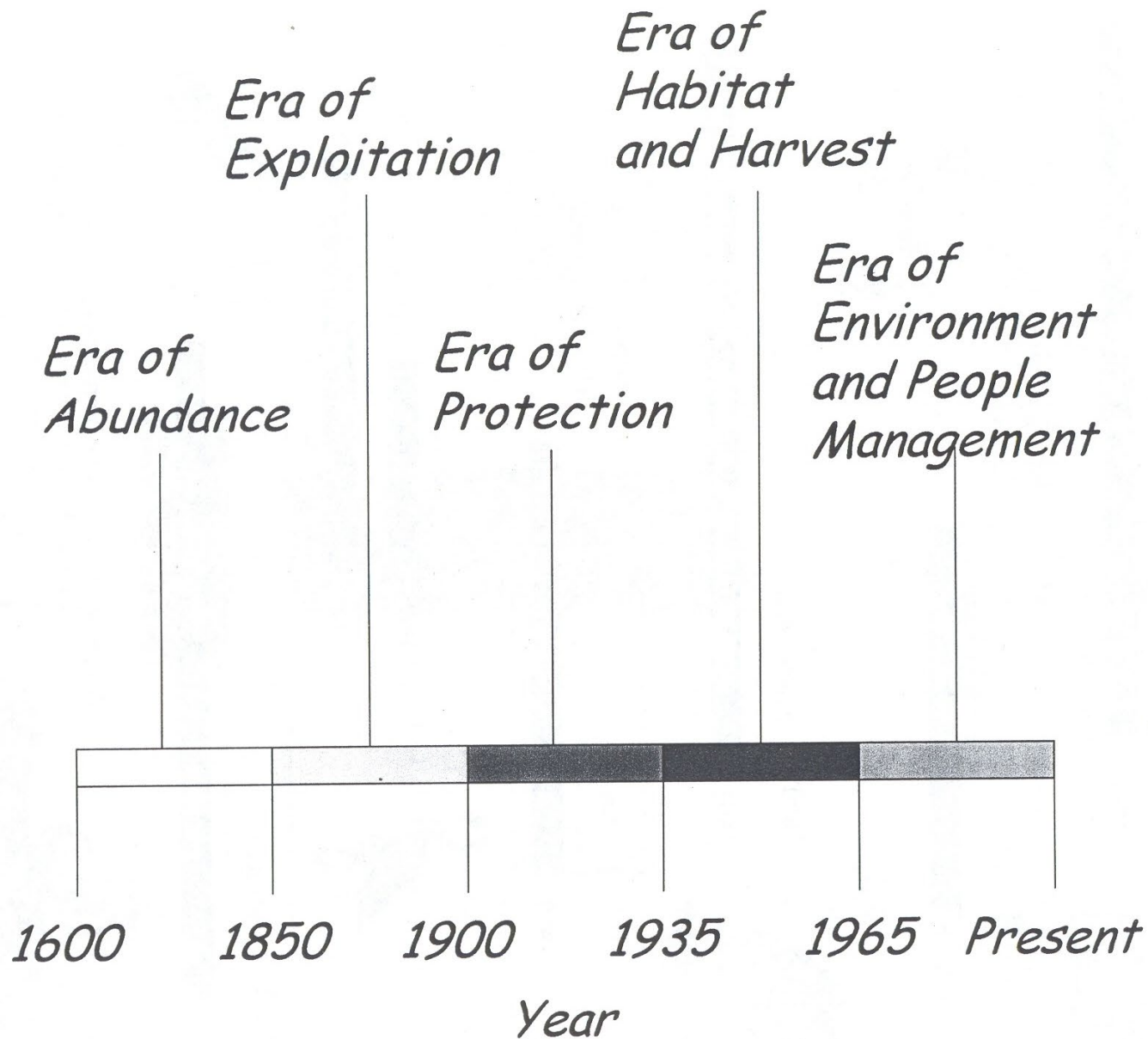
Who owns Wildlife?

Magna Carta - 1215

- Royal authority and ownership
- Forests, waterways, fisheries, and wildlife

Colonial Ordinance - 1647

- Government authority & oversight
- Public ownership of wildlife



History of Wildlife Laws

- 1861** First game law in Texas
 - 2 year closed season for northern bobwhites on Galveston Island
- 1879** Texas enacts general game laws
- 1880** 130 counties claim exemption from game laws
- 1895** Fish & Oyster Commission established in Texas
- 1900** Lacey Act - prohibits interstate transfer of wildlife

History of Wildlife Laws

- 1916** Passage of Migratory Bird Treaty Act, United States and Canada. *amended in 1918
- 1923** Legislature turns over entire game fund to the department.
- 1962** 129 counties under full or partial regulatory authority
- 1963** Texas Game & Fish Commission renamed TPWD
- 1973** 233 counties under full/partial regulatory authority
- 1973** Endangered Species Act adopted
Clean Air Act & Clean Water Act

Who funds wildlife management?

- **Pittman-Robertson Act (~\$51 million)** – excise tax on firearms & ammunitions. 11% on long gun and ammo, 10% on handgun
- **Dingell-Johnson Act (~\$20 million)** – excise tax on fishing tackle and boat motor fuels
- **State matches PR and DJ at 25%**
- **Sale of State Hunting & Fishing licenses (\$1-2 million)**

Issues

Legal status of Master Naturalists

-same as public

Sense of Entitlement

"No man is above the law and no man is below it; nor do we ask any man's permission when we require him to obey it... Obedience to the law is demanded as a right; not asked as a favor."

-Theodore Roosevelt, Message to Congress, Dec 1903

Issues: Collecting Birds

§ 64.002. PROTECTION OF NONGAME BIRDS. (a) Except as provided by this code, no person may:

- (1) catch, kill, injure, pursue, or possess, dead or alive, or purchase, sell, expose for sale, transport, ship, or receive or deliver for transportation, a bird that is not a game bird;
- (2) possess any part of the plumage, skin, or body of a bird that is not a game bird; or
- (3) disturb or destroy the eggs, nest, or young of a bird that is not a game bird.

Issues: Nests & Birds

§ 64.003. DESTROYING NESTS OR EGGS. No person may destroy or take the nest, eggs, or young of any wild game bird, wild bird, or wild fowl protected by this code except as provided in this code.

§ 64.007. POSSESSION OF LIVE GAME BIRDS. No person may possess a live game bird in this state except as authorized by this code.

Exceptions: Non-Native & Exotic

- House Sparrow
- European Starling
- Pigeon



Exceptions: Education Provision

Provisions exist to possess wildlife and wildlife parts for the purpose of education. These materials require a letter from a person with a collection permit

State Collection Permit



TEXAS PARKS AND WILDLIFE DEPARTMENT

EMPLOYEE SCIENTIFIC COLLECTION AUTHORIZATION NO. 151

Richard D. Heilbrun [REDACTED]

acting within the scope of his or her authority may take, transport, release, and manage any of the wildlife and fish in this state for investigation, propagation, distribution, education, or scientific purposes. All specimens collected under this authorization remain the property of the people of this state. This authorization is valid only for the duration of the employee's tenure with the Department or until rescinded by the Department. This authorization is issued subject to the provisions on the reverse side.

By

Ronnie Hedge

Date

12/16/02

Exceptions: Rehab Provision

Provisions exist to possess wildlife for rehabilitation by a licensed/permitted rehabilitator. Possession is allowed for transportation.




Heronry Concerns

- Noise
- Odor
- Possible Health Hazards
- Property Damage
- Destruction of nest/roost-site vegetation







A weathered, grey metal mailbox stands on a residential street. The mailbox has a curved top and a small rectangular window on the front. The number "1910" is printed in black on the mailbox's face. The mailbox is mounted on a tall, cylindrical post. To the right of the mailbox, a concrete curb runs along the edge of the road, separating it from a grassy area with several trees. The ground is covered with dry leaves and shadows from the trees. The scene is brightly lit, suggesting a sunny day.

1910





Before

After



Before

After



Any Questions?

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