

# VIRGINIA DEPARTMENT OF GAME & INLAND FISHERIES

## COMMERCIAL NUISANCE ANIMAL PERMIT INFORMATION MATERIALS

New applicants for the Commercial Nuisance Animal Permit (CNAP) are required to complete the Virginia Wildlife Control Training Program. This high quality training program provides comprehensive and up-to-date information specifically developed for wildlife control operators in Virginia. This course is administered online via the National Wildlife Control Training Program (NWCTP) web site AND in-person at the Virginia Wildlife Damage Management Association annual spring meeting (<http://vwdma.net/>). Upon completion of the course, applicants must demonstrate knowledge, skill, and proficiency in wildlife conflict management by correctly answering at least 80% of questions on the training program exam.

This self-paced online training and testing program can be accessed from personal computers or from public library computers with internet access. Cost of the online course with the exam is \$200. The exam can only be taken after enrolling in the online course. A printed copy of the training manual (optional) can also be ordered for an additional \$49.95. Ordering information can be found at the following internet web sites:

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NWCTP Virginia Wildlife Control Online Training Program & Exam: <http://store.nwctp.com> (\$200)

Printed Copy of Virginia Wildlife Control Training and Wildlife Species Damage Management Information Manual (optional): <http://store.nwctp.com/products/virginia-wco-training-manual> (\$49.95)

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Once you have successfully completed the training program and passed the test with a minimum 80% score, you will receive a certificate of completion, permit application, and instructions. Cost of the permit is \$75, payable at the time you apply for the permit. The permit will be valid for three (3) calendar years, beginning with the year of permit issuance.

Renewal applicants must also demonstrate continuing knowledge, skill, and proficiency in wildlife conflict management. The following options are available to fulfill this requirement: 1) complete the Virginia Wildlife Control Training Program and successfully pass the online exam; OR 2) provide evidence of 24-hours attendance in Department-approved continuing education training directly related to wildlife conflict management acquired between the dates of permit issue and expiration; OR 3) provide evidence of certification as a wildlife control professional by a wildlife management organization recognized by the Department. Applicability of continuing education seminars, training workshops, and professional organization certifications will be evaluated on an individual basis. You will be asked to supply all information necessary to properly evaluate your training.

If you have questions regarding the new online training course, continuing education requirements, or professional certifications, you may contact the Department staff member listed below. Please **DO NOT** contact DGIF to sign up for the training program or request a test. Please use the NWCTP web links listed above.

WILDLIFE ORGANIZATION	CONTACT PERSON	E-MAIL	TELEPHONE
Virginia Department of Game and Inland Fisheries	Mike Fies	<a href="mailto:mike.fies@dgif.virginia.gov">mike.fies@dgif.virginia.gov</a>	540-248-9390

# VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES

Permit Section, P O Box 3337  
Henrico, Virginia 23228  
(804) 367-9588

## COMMERCIAL NUISANCE ANIMAL PERMIT CONDITIONS

Under the authority of Virginia Code §29.1-103, §29.1-501, and Virginia Administrative Code 4 VAC 15-30-50 the Department administers a Commercial Nuisance Animal Permit for authorizing persons under permit conditions to capture, temporarily hold or possess, transport, release, and when necessary humanely euthanize wildlife that are causing damage to property, causing refuse problems, or posing a risk to human health or safety.

### A. GENERAL CONDITIONS

- 1) **WILDLIFE OWNERSHIP:** All wildlife captured, temporarily possessed, transported for dispatching, or released under the authority of this permit shall remain the property of the Commonwealth of Virginia and under the primary jurisdiction of the Virginia Department of Game and Inland Fisheries. The Department does not have legal jurisdiction over companion animals (defined in the Code of Virginia, §3.2-6500), which includes feral cats and dogs. As a result, the CNAP does not provide authorization to the permittee to trap companion animals, including feral cats and dogs. Permittees should consult their local laws and/or contact their local animal control officer to resolve issues related to the trapping of companion animals, including feral cats and dogs. If a permittee gets involved with the trapping of companion animals, they do so as a private citizen and not as a permittee of the Department.
- 2) **LIABILITY:** The Department of Game and Inland Fisheries recommends that the permittee maintain adequate liability insurance to cover all damages, losses, or claims arising from the activities authorized by the conditions of this permit. The permittee hereby agrees to indemnify and hold harmless the Commonwealth of Virginia and the Department of Game and Inland Fisheries for all damages, losses, or claims arising out of the activities authorized by the conditions of this permit. The permittee shall cooperate with the Commonwealth and the Department in defense of any claim hereunder, and the permittee shall pay all consequential and incidental expenses of the Commonwealth and the Department, including but not limited to reasonable attorney fees.
- 3) **FEDERAL, STATE, and LOCAL LAWS:** This permit does not absolve the permittee of any responsibilities or conditions of any other federal, state, or local laws and regulations, including those that apply to migratory species, threatened or endangered species, and companion animals.
- 4) **RABIES IMMUNIZATION, KNOWLEDGE, SKILL, AND PROFICIENCY REQUIREMENTS:**
  - a) **Rabies Immunization:** The Department of Game and Inland Fisheries recommends that all permittees who capture and handle bats, foxes, groundhogs, raccoons, or skunks receive a pre-exposure rabies vaccination series, and maintain an adequate rabies antibody titer as evidenced through biannual serologic testing.
  - b) **Knowledge, Skill, and Proficiency – New Applicants:** A new permit applicant must demonstrate knowledge, skill, and proficiency in wildlife conflict management by completing a Department-approved training course and correctly answering at least 80% of questions on a proficiency exam (see information sheet on previous page).
  - c) **Knowledge, Skill, and Proficiency – Renewal Applicants:** A permit renewal applicant must demonstrate continuing knowledge, skill, and proficiency in wildlife conflict management by:
    - i) Completing a Department-approved training course and correctly answering at least 80% of questions on a proficiency exam (see information sheet on previous page), OR
    - ii) Providing evidence of 24-hours attendance in Department approved education seminars or training workshops related to wildlife conflict management acquired between the dates of permit issue and expiration, OR

- iii) Providing evidence of certification as a wildlife conflict management professional by a professional wildlife management organization recognized by the Department.

5) PERMIT AUTHORITY AND DEFINITIONS:

- a) Authorization: The permittee is authorized, upon complaint of a landowner, lessee, or property owner or manager, to use the following techniques at any time upon the complainants property to manage all native or naturalized wildlife NOT LISTED IN SECTION 5 PART B, that are causing damage to property, causing refuse problems, or posing a risk to human health or safety (for a list of native and naturalized wildlife, please see the following link: <https://www.dgif.virginia.gov/wp-content/uploads/virginia-native-naturalized-species.pdf>)
  - i) Capture and remove wildlife from the interior of a building or dwelling for release upon the curtilage of such building or dwelling (see definition below) at the consent of the landowner or tenant (do not release rabies suspect animals, see Section 6 Part C),
  - ii) Capture and temporarily possess injured, sick or orphaned wildlife for transport to an individual or organization possessing a category 2 or 3 wildlife rehabilitation permit issued by the Department,
  - iii) Capture, temporarily possess, and transport wildlife for humane dispatch (see Section 7 Part B) at another location (no live translocation and release off-site),
  - iv) Capture for humane dispatch on-site, or
  - v) Immediately dispatch on-site (i.e. kill traps, shooting, etc.).

EXCEPTIONS:

- (1) Under state law (Virginia Code § 29.1-545), nutria may not be possessed or released, so only techniques iv) and v) may be used for this species. Disposal shall be in accordance with the terms of this permit.
  - (2) Under state law (Virginia Code § 29.1-530), squirrels creating a nuisance in areas where firearms cannot be lawfully discharged may be trapped and disposed of, except by sale. This includes release on other property, with permission of the landowner at the release site. Squirrels trapped in areas where the use of firearms is legal must only use techniques i) through v). Disposal shall be in accordance with the terms of this permit.
  - (3) Snakes may be translocated and released under certain conditions (see Section 7, Part A).
- b) NON-AUTHORIZATION: THE PERMITTEE IS NOT AUTHORIZED TO CAPTURE, POSSESS, TRANSPORT OR KILL THE FOLLOWING SPECIES:
    - i) STATE OR FEDERAL THREATENED OR ENDANGERED SPECIES, LIST CAN BE FOUND AT THIS LINK - <https://www.dgif.virginia.gov/wp-content/uploads/virginia-threatened-endangered-species.pdf>
    - ii) FEDERAL PROTECTED MIGRATORY BIRD SPECIES, LIST CAN BE FOUND AT THIS LINK - <http://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>
    - iii) BLACK BEAR,
    - iv) WHITE-TAILED DEER,
    - (v) WILD TURKEY.

c) Definitions:

- i) **Temporarily possess** is defined as taking into possession live wildlife species for a period not to exceed 48 hours after removal from a capturing device.
- ii) **Curtilage** is defined as the grounds and areas immediately adjacent to such building or dwelling and routinely used by the occupants.

6) WILDLIFE CONFLICT MANAGEMENT METHODS AND CONDITIONS:

- a) Methods: Wildlife control measures may include capturing, live trapping, kill trapping, shooting, or killing using legal capture, trapping, and shooting methods recommended in the National Wildlife Control Training Program publication “*Virginia Wildlife Control Training and Wildlife Species Damage Management Information Manual*”.

THIS PERMIT DOES NOT AUTHORIZE THE PERMITTEE TO USE PESTICIDES OR CHEMICAL REPELLENTS TO KILL OR REPEL ANY WILDLIFE SPECIES. CERTIFICATION AS A COMMERCIAL PESTICIDE APPLICATOR OR REGISTERED TECHNICIAN IS REQUIRED TO PERFORM THESE DUTIES. QUESTIONS REGARDING FEDERAL AND STATE PESTICIDE REGULATIONS AND APPLICATOR CERTIFICATION SHOULD BE DIRECTED TO THE VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, OFFICE OF PESTICIDE SERVICES.

- b) Trap identification and check interval: Any trapping device used by the permittee to capture wildlife must be marked with the permittee's name and address or a permanent identification number issued by the Department (Code of Virginia § 29.2-521 part A.7). Permittees setting or in possession of steel foothold traps, body-gripping traps, and snares must have them marked with a nonferrous metal tag bearing this information (4 VAC 15-40-170). It shall be unlawful to fail to visit all traps once each day and remove all animals caught, and immediately report to the landowner as to stock, dogs, or fowl which are caught and the date (Code of Virginia § 29.2-521 part A.9). However, body-gripping traps that are completely submerged may be visited once every 72 hours (4 VAC 15-40-195 part B). Remote trap checking systems may be used in lieu of a physical trap check under certain conditions (4 VAC 15-40-195 part C).
- c) Human exposure to rabies vector species: The permittee must immediately notify the local health department and the local county or city animal control officer of any incidents involving possible human exposure to rabies. If the permittee or any other person or domestic animal receives a bite, scratch or has any other contact with a mammalian wildlife species where saliva or brain tissue entered an open, fresh wound or comes in contact with a mucous membrane by entering the eye, mouth, or nose of the exposed person or animal, the person is considered exposed. For bats, exposure also includes being in the same room with a bat and not being able to positively rule out exposure (i.e. infant, small child, sleeping adult, unconscious adult, or senile adult). **DO NOT RELEASE ANY ANIMAL INVOLVED IN A POSSIBLE HUMAN RABIES EXPOSURE INCIDENT.** The permittee shall provide local county or city animal control officers and public health department personnel immediate access to any rabies suspect wildlife specimens captured or killed by the permittee under the authority of this permit, and shall adhere to all guidelines set forth in the Virginia Department of Health publication “*Virginia Guidelines for Rabies Prevention and Control*” (see following web link: [http://www.vdh.virginia.gov/content/uploads/sites/12/2016/06/VA\\_Rabies\\_Guidelines\\_june.pdf](http://www.vdh.virginia.gov/content/uploads/sites/12/2016/06/VA_Rabies_Guidelines_june.pdf))
- d) Wildlife confinement and transport: All wildlife temporarily possessed or transported pursuant to section 5 Part A must be securely confined to prevent injury or exposure to the public and other animal species, and shall be subject to inspection by any conservation police officer or animal control warden. Confined wildlife must be adequately sheltered to prevent hypothermia or hyperthermia, and provided access to clean, fresh, potable water of a drinkable temperature which is provided in a suitable manner, in sufficient volume, and at suitable intervals (at least once every 12 hours) to maintain normal body tissue hydration. To minimize disease potential, cages that are used for transporting or holding raccoons should not be utilized for other species.

THIS PERMIT DOES NOT AUTHORIZE THE PERMITTEE TO TRANSPORT WILDLIFE INTO THE COMMONWEALTH OF VIRGINIA FROM OTHER STATES, AND WILDLIFE CAPTURED UNDER THE AUTHORITY OF THIS PERMIT MAY NOT BE TRANSPORTED OUT OF THE COMMONWEALTH OF VIRGINIA.

e) Non-permitted wildlife capture: Any non-permitted wildlife incidentally captured shall be immediately released at the site of capture, and any non-permitted wildlife incidentally killed shall be reported to a Department of Game and Inland Fisheries Conservation Police Officer within 24-hours.

7) WILDLIFE DISPOSAL: The legal disposition of wildlife taken under the authority of these permit conditions, their carcasses, parts, products, or progeny thereof, shall be as follows:

a) Release: Captured wildlife that is removed from the interior of a building or dwelling may be released upon the curtilage of such property (see definition in Section 5 Part C) with landowner permission, unless humanely dispatched. Captured wildlife, not dispatched, must be released within 48-hours of capture and may not be translocated for release off-site (except for snakes).

b) Exception: Snakes may be translocated from the original property and released at another location under the following conditions:

i. The release site must be in suitable habitat within the same city/county or an adjacent city/county. Snakes may only be released in an adjacent city/county if the species has been previously documented there. See the following link for the most current snake distribution information:

[http://www.virginiaherpetologicalsociety.com/reptiles/snakes/snakes\\_of\\_virginia.htm](http://www.virginiaherpetologicalsociety.com/reptiles/snakes/snakes_of_virginia.htm)

ii. The permittee must have written permission of the recipient landowner at the release site.

iii. Snakes that show any visible indication of disease, recent injury, or other health concerns may not be released.

c) Humane Dispatch: Captured wildlife that are not released as specified Section 7 Part A above or transported for rehabilitation as specified in Section 7 Part C below, must be respectfully dispatched, within 48-hours if captured alive and temporarily possessed, by using a method of humane dispatch recommended in the National Wildlife Control Training Program publication "*Virginia Wildlife Control Training and Wildlife Species Damage Management Information Manual*" (Module 11). Drowning is considered an unacceptable form of dispatch for all non-aquatic wild and feral animals and may not be used for these species. Respectfully dispatched is defined as humanely putting the animal to death without public spectacle. Permittees are not authorized to dispatch domestic companion animals, which include feral cats and dogs.

c) Rehabilitation: Captured wildlife that are injured, sick or orphaned and were not dispatched must be delivered by the permittee, within 48 hours of capture, to an individual or organization possessing a category 2 or 3 wildlife rehabilitation permit issued by the Department.

d) Fur, pelt, and carcass salvage: The furs, pelts, or any parts of any wildlife taken under this permit may not be bought, sold, traded or exchanged, nor reduced to personal possession, except fur-bearing species taken by legal hunting and trapping methods by licensed hunters or trappers during the legal hunting or trapping season, respectively.

e) Carcass disposal: The carcasses of wildlife that are taken outside of the legal furbearer hunting or trapping season, as well as the carcasses of furbearers not salvaged by licensed hunters or trappers during the legal furbearer hunting or trapping season, must be disposed of in accordance with state and local laws (burial, incineration, etc.).

## **B. PERMIT POSSESSION, RECORD KEEPING, ANNUAL REPORTS, AND PERMIT RENEWAL, SUSPENSION, AND REVOCATION**

- a) Permit in possession: The Commercial Nuisance Animal permit shall be in the possession of the permittee while engaging in activities authorized under the conditions of the permit, and shall be made available for inspection by law enforcement officers when requested.
- b) Record keeping: The permittee shall maintain records of all activities relating to wildlife conflict management performed under the authority of the permit, including: the complainant's name, address and telephone number; the dates, times, and location (county or city, distance and direction from nearest road intersection or other landmark) of service; the species of wildlife and the damage or safety issue of concern; the number and species of animals captured, and the disposition of the animals. Such records shall be retained for three years, and shall be open to inspection by a representative of the Department during normal business hours.
- c) Annual reports: The permittee will submit by January 10 of each year, on paper or electronic forms provided by the Department, a report of all activities relating to wildlife conflict management performed under the authority of the permit. Failure to submit the Annual Report will result in the immediate cancellation, revocation or suspension of the permit.
- d) Renewals: It is the responsibility of the permittee to initiate renewal of the permit at least 30 days prior to the expiration date. Renewal applicants must demonstrate continuing knowledge, skill, and proficiency in wildlife conflict management as described in Section 4 Part C.

Renewal extension: Under regulation 4 VAC 15-30-7, if issuance of a permit renewal has been delayed past the expiration date of the permittee's previous permit at no fault of the applicant, the permittee may continue the specific activities authorized by the expired permit until the Department has acted on such person's application for renewal. To qualify for this allowance, applicants must submit a completed renewal application to the Department at least 30 days prior to the expiration date of the permit. The Department may deny renewal of a permit to any applicant who fails to meet the issuance criteria set forth in the Commercial Nuisance Animal Permit and Conditions.

- e) Change of Address: The permittee must notify the VDGIF Permitting Section within no more than seven (7) days of any change of name, address, phone number, or e-mail address.
- f) Permit Issuance, Denial, Suspension, or Revocation: Issuance of all permits is at the direction of the Executive Director. The Executive Director or his/her designee(s) may deny, suspend, or revoke any permit, by written notification to the Principal Applicant or Permittee. The notification will state the reasons for the decision, and/or contain a description of the evidence which was relied upon by the issuing designee. The notification will provide information concerning the right to appeal, the official to whom an appeal may be addressed, and the procedures for making an appeal. Denial, suspension, or revocation maybe based on any of the following grounds:
  - 1. Any incomplete or inaccurate completion of the application forms; or unauthorized, inadequate, unsubstantiated, or false justification for the requested permit.
  - 2. Failure to provide or provisioning of false or incomplete information, in subsequent reports submitted in compliance with permit terms and conditions.
  - 3. Use of unapproved or improperly executed sampling methods or techniques.
  - 4. Conviction of any criminal act in connection with state or federal wildlife laws or regulations relating to the permit being sought.
  - 5. Non-compliance with the terms, requirements, or limitations of the issued permit.
  - 6. Failure to comply with any provision of a signed Corrective Action Plan.
  - 7. Any other act or omission constituting a violation of state wildlife laws or regulations applicable to the permitted or to-be-permitted activity.

Such denial, suspension, or revocation shall remain in effect until the Permittee documents compliance with the terms and conditions of any applicable permits, completes any remediation or mitigation required to address such violations, and serves any applicable suspension/revocation term. Determination of compliance with these requirements is at the sole discretion of the Executive Director of his/her designee(s).

**C. CODE OF ETHICS:** The permittee shall abide by the Commercial Nuisance Animal permittee code of ethics:

**CODE OF ETHICS**

- 1) The Commercial Nuisance Animal permittee must abide by all local, state, and federal laws and regulations pertaining to wildlife conflict management.
- 2) The Commercial Nuisance Animal permittee should ascribe to a professional code of conduct that embodies the traits of honesty, sincerity, and dedication.
- 3) The Commercial Nuisance Animal permittee should show exceptionally high levels of concern and respect for people, property, and wildlife.
- 4) The Commercial Nuisance Animal permittee should promote the understanding of, and appreciation for, the numerous values of wildlife and biological diversity, as well as an appreciation for the economic and health concerns of humans adversely affected by wildlife activity.
- 5) The Commercial Nuisance Animal permittee should be sensitive to various viewpoints on wildlife conflict management.
- 6) The Commercial Nuisance Animal permittee should provide expertise on managing wildlife conflict to all people upon request, and should provide information from organizations and agencies that provide expertise on preventing and alleviating conflicts with wildlife.
- 7) The Commercial Nuisance Animal permittee should promote competence and present an image worthy of the profession by supporting high standards of education, employment, and performance.
- 8) The Commercial Nuisance Animal permittee should strive to broaden their knowledge, skills, and abilities to advance the practice of wildlife conflict management.
- 9) The Commercial Nuisance Animal permittee should require good-faith efforts of clients, co-workers, and themselves in resolving wildlife conflicts with the most humane, selective, practical, and effective management techniques available.
- 10) The Commercial Nuisance Animal permittee should encourage, through word and through deed, all wildlife conflict control professionals to adhere to this code.

**VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES  
COMMERCIAL NUISANCE ANIMAL PERMIT ANNUAL REPORT**

Summary for January 1<sup>st</sup> through December 31<sup>st</sup>  
Due January 10, Annually

NAME: \_\_\_\_\_ VDGIF PERMIT # \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PERMIT YEAR REPORTED \_\_\_\_\_

\_\_\_\_\_ DATE \_\_\_\_\_

Species Common Name (Please be specific)	# Captured	# Euthanized	# Released On-Site	# Relocated (Squirrels Only)

NOTE: Please indicate "None" and sign if you did not trap any nuisance wildlife during this permit year.

**Permittees are still responsible for maintaining detailed records of all activities relating to wildlife conflict management performed under the authority of this permit that include complainant's name, address, and telephone number; the dates, times, and place (county or city, precise location) of service; species of wildlife and damage/safety issue, number and species captured, and disposition of animals. Such records shall be retained for three years and shall be open to inspection by a representative of the Department during normal business hours.**

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

RETURN TO: Virginia Department of Game & Inland Fisheries, Permit Section, P O Box 3337, Henrico, VA 23228