



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

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**Meeting Date:** February 22, 2023

**Agenda Item:** Administrative rule proposal classifying caracal cat as controlled species.

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 10 Minutes

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**Background:** Pursuant to MCA 87-2-702, any non-native wildlife species is considered “exotic wildlife” and cannot be imported, possessed, or sold unless allowed by law or commission rule per MCA 87-5-705. The Classification Review Committee (CRC) established in MCA 87-5-708, exists to analyze classification requests and generate recommendations for classification for the Fish and Wildlife Commission. There are three possible classifications: *non-controlled* species can be imported, possessed, or sold without a permit; *controlled* species may be imported, possessed, or sold only through a controlled species permit issued by the department; and *prohibited* species cannot be imported, possessed, or sold.

On June 24, 2022, the commission published MAR Notice No. 12-560 on page 950 of the 2022 Montana Administrative Register pertaining to a proposed amendment listing caracal cat as a prohibited species. Most of the comments received by the commission were opposed to allowing personal possession of the caracal cat. At the Aug. 25, 2022 meeting, the commission did not adopt the proposed administrative rule proposal.

Instead of classifying the caracal as prohibited, the commission is proposing to classify caracal cat as a controlled species. Persons who wish to possess caracal cats will be subject to the permit requirements listed in ARM 12.6.2210.

**Public Involvement Process & Results:** The department ran a 30-day public comment period starting Nov. 4, 2022, that included a public comment hearing on Dec. 1, 2022. The department received no public comment on this proposal.

**Alternatives & Analysis:** The commission can choose to adopt the rule amendment classifying caracal cat as a controlled species. The public would then be able to obtain a permit to possess a caracal cat. The commission can choose not to adopt the rule amendment, in which case, the caracal cat would remain exotic wildlife and would not be able to be legally possessed by the public.

**Proposed Motion Options:**

I move the Fish and Wildlife Commission adopt the proposed amendment to ARM 12.6.2208 classifying caracal cat as a controlled species.

I move the Fish and Wildlife Commission does not adopt the proposed amendment to ARM 12.6.2208 classifying caracal cat as a controlled species.