Freeman Roadside Menagerie Permit
Boyd, Montana
Decision Notice

Proposed Action

Montana Fish, Wildlife and Parks (FWP) received an application dated 4/30/2008, from Corynne Freeman to keep 35-40 exotic animals for purposes of exhibition. Exhibitions would be held off site, for the most part, with indemnity agreements required by FWP for any off site exhibitions specifying exhibition conditions. The proposed roadside menagerie where the animals will be housed is located at #7 First Street, in Boyd Montana (T4S R21E S2). The applicant has indicated that the proposed location will only be seasonal, from June through September, after which time the animals would be moved to an exiting licensed roadside menagerie at 76 West Parrot Creek in Roundup, Montana.

Montana Fish, Wildlife & Parks (FWP) proposes to issue a roadside menagerie permit to Corynne Freeman, whose home address is 26 West Parrot Creek Road, Roundup, MT. The permit will allow the possession of a number of exotic animals (see attached list). The permit will be issued following inspection and approval of all cages associated with the facility.

The Licensee must be in compliance with all applicable FWP zoo/menagerie standards and regulations. It is the Licensee's responsibility to keep up with any changes in the laws or regulations.

Montana Environmental Policy Act

FWP assessed the impacts of this proposal to both the human and physical environments. These effects were disclosed in the Environmental Assessment (EA) to comply with the requirements of the Montana Environmental Policy Act.

An eighteen day comment period was open from June 9, 2008 through June 27, 2008. Public notification of the proposed action was facilitated with the distribution of a legal notice in the Carbon County News newspaper and on the FWP website.

Comments Received on the Environmental Assessment

FWP received comments from two individuals concerning the proposal. Both of those comments expressed concerns regarding the proposal. Specifically, the concerns regarded the welfare of the animals to be housed at the facility, the potential for zoonotic diseases to be passed to humans by the exotic animals, and security of the facility. Periodic inspection of the facility by both FWP and by the U.S. Department of Agriculture should assure both the welfare of the animals in question (responsibility of the USDA) and security issues surrounding potential escape or intentional release of the animals. In addition, the applicant will live on site with the animals providing security for any illegal intrusions on the property. Issues surrounding zoonotic diseases have been addressed through both limitations on direct contact with the animals by the public and the requirement for hand wash stations following any allowable contact. In addition to the exotic species covered under the proposed permit, the applicant also intends to house domestic animals on the premises and to allow some public contact with those domestics.

Final Environmental Assessment for Wild Animal Menagerie

No significant impacts to the human or physical environment were identified in the Draft EA or through public comment. Alternative 3, as described in the Draft EA was selected as the preferred alternative. That preferred alternative includes mitigation measures to assure that no impacts are derived from the issuance of this license. Therefore, the Draft EA, alternative 3, and this Decision Notice will serve as the final document.

Mitigation Measures Included for this License

1. FWP has the right and responsibility under 87-4-806 MCA to conduct periodic inspections of menageries. Other state and local ordinances regarding animal welfare may also apply. In addition, inspections by the USDA will assure the welfare of the animals housed on site.
2. If the animals are exhibited offsite, FWP must ensure that the animals are transported to and from the exhibition locations in a suitable cage. Exhibitions offsite will require authorization from FWP and the applicant would be required to sign an indemnity agreement indemnifying FWP should any property damage or personal injury take place. (this is consistent with the FWP policy regarding offsite exhibition of roadside menagerie animals – copy attached)
3. No public contact will be allowed with the animals covered under the menagerie permit unless authorized by FWP. (this is consistent with the FWP policy regarding offsite exhibition of roadside menagerie animals – copy attached)
4. Addition of animals to this permit must be authorized by FWP.

Decision

Based on the information in the Draft EA, it is my decision to proceed with the proposed action. The proposed action is to issue a roadside menagerie permit to Corynne Freeman for the location on her property at #7 First Street in Boyd, Montana. The issuance of this permit is subject to final inspection upon completion of the project.

Based on the analysis in the EA and applicable laws, regulations and policies, I have determined that this action will not have significant effects on the human or physical environment. Therefore, an Environmental Impact Statement will not be prepared. If you have questions regarding this decision notice, please contact me at 2300 Lake Elmo Drive, Billings, MT 59105.

Doug P. Hannon

Region Five Supervisor

Department of Fish, Wildlife & Parks
Exhibition Requirements for Roadside Menageries

- Requests for permission to take captive wildlife to shows, fairs, etc. must be received at least 10 working days (state working days) prior to the first date of departure. Failure to do so may result in denial of permission. This will allow the persons involved to prepare for the special circumstances involved with exhibitions.

- A request for exhibition must include a list of the animals to be exhibited; dates, times, and location of exhibition; a description of the enclosures or restraint to be used for exhibited animals; a listing of the personnel who will be involved with the exhibition; the licensee taking responsibility for the exhibition.

- An indemnity agreement is required for public exhibition of captive wildlife specifying the animals to be exhibited, dates of exhibition, and conditions under which the exhibition will be authorized. FWP will prepare the indemnity agreement indemnifying FWP. The licensee responsible for the exhibition must agree by signature to the conditions of the exhibition.

- If multiple exhibition sites are requested, complete information concerning dates, personnel involved, and animals exhibited must be submitted with the initial request.

- The applicant shall provide a current certificate of insurance to include personal injury and property damage coverage with combined single limits of a minimum of $1,000,000, aggregate per year, from an insurer with a Best's rating of A- or better. FWP must be made additional insureds on the certificate. The certificate must be filed with FWP.

- The applicant taking primary responsibility for the exhibition must be a licensed roadside menagerie or wild animal menagerie operator who is in compliance with current FWP regulations for their licensed facility.

- Captive wildlife must be exhibited within enclosures capable of preventing escape of the animals. If animals are to be taken out of the enclosures for exhibition, a barricade providing a 20 foot separation from any member of the public must be employed. Only animals which are on a chain or leash and for which the trainer can demonstrate direct physical restraint may be exhibited outside of the enclosure.

- A barricade (rope or wire) will surround the primary enclosure or exhibition area to prevent direct public contact with the animals. Signs will be posted indicating that public contact is not allowed.

- A representative of the licensee must be present at all times that the animals are being exhibited. If animals are left in the enclosures overnight, security must be provided by the applicant. The responsible individual (signature on the indemnity agreement) must provide the names of the individuals assisting in overseeing the animals during exhibition.

- FWP may require additional stipulations as specific or changing circumstances occur regarding exhibition of captive wildlife outside of licensed facilities.

Exotic Species Requested for the Roadside Menagerie

One anteater (*Tamandua spp)*
One African bushbaby (*Galago moholi*)
One kinkajou (*Potos flavus*)
One iguana (*Iguana iguana*)
One Burmese python (*Molarus bivittatus*)
Two straw colored fruit bats (*Eidolon helvum*)
Two red footed tortoises (*Geochelone carbonia*)
Two sulcatas (*Geochelone sulcata*)
One leopard tortoise (*Geochelone pardalis*)
Two Russian tortoises (*Agrionemys horsfieldii*)
Four sugar gliders (*Glaucomys volans*)
Four hedgehogs (*Erinaceus albiventris*)
Six chinchillas (*Chinchilla lingera*)
Eight parrots (various species)
Two greater hedgehogs (*Tenrecs setifer setosis*)