

Subject: Adequate Enclosures for Flying Species and Aquatic Species **Policy #24**

References: AWA Section 13
9 CFR, Part 3, Section 3.128

History: Regulated flying species and aquatic or semi-aquatic species are covered under Subpart F.

Justification: The unique biological and physiological needs of these species require clarification of their space requirements as set forth under the general language of Section 3.128.

Policy: Subpart F species that fly (i.e., bats) must be provided with sufficient unobstructed enclosure volume to enable movement by flying and sufficient roosting space to allow all individuals to rest simultaneously.

For Subpart F species that, under natural conditions, spend a significant portion of their time in water (such as capybaras, beavers, river otters, hippopotami, tapirs, etc.), compliance with space requirements will necessitate both dry and aquatic portions of the primary enclosure, each of which must, at a minimum, provide sufficient space to allow each animal therein to make “normal postural and social adjustments with adequate freedom of movement.”

“Normal postural and social adjustments” and “adequate freedom of movement” are to be determined according to what is normal for that species under natural conditions. The spaces provided must, within each enclosure portion, comfortably accommodate species-typical postures, postural adjustments, and movement.

For example, hippopotami are known to be aquatic during daylight hours and often submerge completely for long periods, sometimes walking underwater, often floating without standing. However, at night, they become terrestrial and graze on the ground. Thus, an amount of space that permits “adequate freedom of movement” and “normal postural and social adjustments” must consist of dry and aquatic areas that each allow for at least minimal locomotion of the kind that hippos would normally engage in within that medium.

Aquatic areas of primary enclosures shall not contain water which would be detrimental to the health of the animals in those enclosures.

This policy is not meant to cover marine mammals, whose requirements are delineated in Subpart E.

