

Fish and Game Commission Meeting Binder



July 12, 2016

Predator Policy Workgroup

Meeting

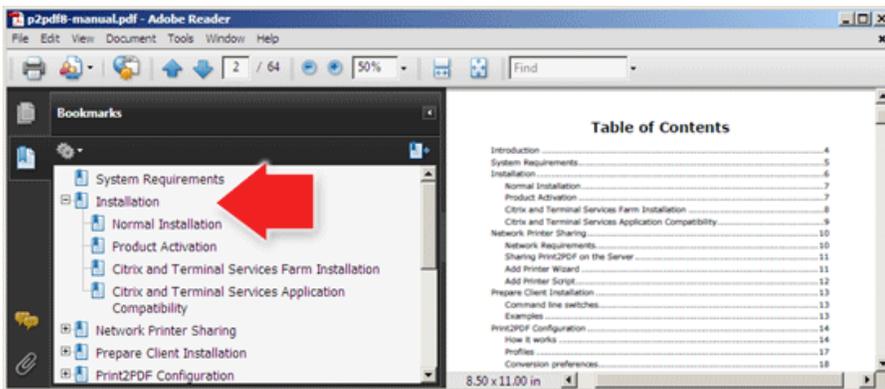
Sacramento

EASY GUIDE TO THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/application.
2. Immediately click/tap on the “bookmark symbol” located near the top left-hand corner.



3. A bookmark panel should appear on either the top or the left-hand side of the screen. To make adjustments, simply use the Page Display option in the View tab. If done correctly, you should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the staff summaries and supporting documents included in the binder. It's helpful to think of these bookmarks as a table of contents which allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. Resize the bars by placing the icon in the dark, vertical line located between the text boxes and using a long click/tap to move ←|→ in either direction. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
6. Upon locating a staff summary for an agenda item that interests you, notice that you can get more information by double-clicking/tapping on any item underlined in blue.
7. Return to the staff summary by simply re-clicking/tapping on the item in the bookmark panel.

OVERVIEW OF FISH AND GAME COMMISSION COMMITTEE WORKGROUP MEETING

- Our goal today is informed discussion to guide future decision making, and, we need your cooperation to ensure a lively and comprehensive dialogue.
- We are operating under Bagley-Keene Open Meeting Act, but the Workgroup is not a decision making body and only makes recommendations to the Wildlife Resources Committee for its consideration.
- These proceedings may be recorded and posted to our website for reference and archival purposes.
- Items may be heard in any order pursuant to the determination of the Workgroup meeting facilitator.
- In the unlikely event of an emergency, please locate the nearest emergency exits.
- Restrooms are located _____.
- Workgroup meetings operate informally and provide opportunity for everyone to provide comment on agenda items. If you wish to speak on an agenda item, please follow these guidelines:
 1. Raise your hand and wait to be recognized by the Workgroup meeting facilitator.
 2. Provide your name, affiliation (if any), and the number of people you represent.
 3. Time is limited; please keep your comments precise to give others time to speak.
 4. If several speakers have the same concerns, please appoint a group spokesperson.
 5. If you would like to present handouts or written materials to the Workgroup, please provide fourteen (14) copies to the designated staff member just prior to speaking.
 6. If speaking during public comment, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Workgroup members discuss that item).

INTRODUCTIONS FOR FISH AND GAME COMMISSION PREDATOR POLICY WORKGROUP

COMMISSION STAFF

Valerie Termini	Executive Director
Erin Chappell	Wildlife Advisor
Caren Woodson	Analyst

DEPARTMENT OF FISH AND WILDLIFE

David Bess	Deputy Director and Chief, Law Enforcement Division
Stafford Lehr	Deputy Director, Wildlife and Fisheries Division
Garry Kelley	Acting Chief, Wildlife Branch

WORKGROUP MEMBERS

Josh Brones	Mark Hennelly
Noelle Cremers	Dr. Rick Hopkins
Rebecca Dmytryk	Tony Linegar
Jennifer Fearing	Erica Sanko
Bill Gaines	Jean Su

I would also like to acknowledge special guests who are present:
(i.e., key DFW staff, elected officials, tribal chairpersons, other special guests)

Commissioners
Eric Sklar, President
Saint Helena
Jacque Hostler-Carmesin, Vice President
McKinleyville
Anthony C. Williams, Member
Huntington Beach
Russell E. Burns, Member
Napa
Peter S. Silva, Member
Chula Vista

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Valerie Termini, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
www.fgc.ca.gov

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

WILDLIFE RESOURCES COMMITTEE PREDATOR POLICY WORKGROUP

Members: Josh Brones, Noelle Cremers, Rebecca Dmytryk, Jennifer Fearing, Bill Gaines, Mark Hennelly, Rick Hopkins, Tony Linegar, Erica Sanko, and Jean Su

Meeting Agenda
July 12, 2016, 10:00 a.m. – 4:00 p.m.

Department of Parks and Recreation
Redwood Conference Room (14th Floor)
1416 Ninth Street
Sacramento, CA 95814

This meeting may be audio-recorded

NOTE: See important meeting procedures and information at the end of the agenda.

All agenda items are informational and/or discussion only. The Workgroup develops recommendations to the Wildlife Resources Committee. The Workgroup does not have authority to make policy or regulatory decisions on behalf of the Commission.

Call to order; roll call of workgroup members

1. Public forum for items not on the agenda
The Workgroup may not discuss or take action on any matter raised during this item, except to decide whether to place the matter on a future meeting agenda. [Sections 11125, 11125.7(a), Government Code]
2. Predator policies and regulations
 - (A) Review existing predator policies and regulations
 - (B) Identify and discuss predator management issue(s) not adequately addressed under existing policies and regulations
3. Discuss coordination between Workgroup and reviewers
4. Review and provide input on draft outline of report
5. Next steps
 - (A) Review work plan tasks and timeline

- (B) Potential new agenda topics
- (C) Select date for next meeting

Adjournment

**2016 FISH AND GAME COMMISSION
MEETING SCHEDULE**

www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
July 21		Marine Resources Petaluma Regional Library 100 Fairgrounds Drive Petaluma, CA 94952
August 24-25	Lake Natoma Inn Hotel & Conference Center 702 Gold Lake Drive Folsom, CA 95630	
September 21		Wildlife Resources Woodland Public Library Leake Center Community Room 250 First Street Woodland, CA 95695
October 18		Tribal Red Lion Hotel 1929 4th Street Eureka CA 95501
October 19-20	Red Lion Hotel 1929 4th Street Eureka CA 95501	
November 17		Marine Resources Sacramento, CA
December 7-8	Portofino Inn & Suites 3805 Murphy Canyon Road San Diego, CA 92123	

OTHER MEETINGS OF INTEREST

Wildlife Conservation Board

- November 16, Sacramento

Pacific Fishery Management Council

- August 30, Sacramento
- November 16, Sacramento

Pacific Flyway Council

- September 2016, Date and location TBD

Western Association of Fish and Wildlife Agencies

- July 21-27, 2016, Cody, WY

IMPORTANT MEETING PROCEDURES INFORMATION

Welcome to a meeting of the California Fish and Game Commission's Wildlife Resources Committee (WRC) Predator Policy Workgroup (Workgroup). The Workgroup is comprised of ten members appointed by the Commission.

The goal of the Workgroup is to allow greater time to investigate predator policy issues in more detail than would otherwise be possible before the WRC. Like the WRC, Workgroup meetings are less formal in nature. As an advisory body of members appointed by the Commission, the Workgroup follows the noticing requirements of the Bagley-Keene Open Meeting Act.

The Commission's goal is the preservation of our heritage and conservation of our natural resources through informed decision making; Workgroup meetings are vital in developing recommendations to the WRC to help the Commission achieve that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome, and please let us know if you have any questions.

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Reasonable Accommodation Coordinator at (916) 651-1214. Requests for facility and/or meeting accessibility should be received at least 10 working days prior to the meeting to ensure the request can be accommodated.

SUBMITTING WRITTEN MATERIALS

The public is encouraged to attend Workgroup meetings and engage in the discussion about items on the agenda. The public is also welcome to comment on agenda items in writing. You may submit your written comments by one of the following methods (only one is necessary): **Email** to fgc@fgc.ca.gov; **deliver** to California Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or **hand-deliver to a Workgroup meeting**. *The Commission no longer accepts written comments or requests for regulation changes via facsimile; please submit written comments or requests for regulation changes by email, mail service or in person.*

Comment Deadlines: Written comments received at the Commission office by 5:00 p.m. on July 1, 2016, will be made available to the Workgroup prior to the meeting. Written comments received between 5:00 p.m. on July 1, 2016 and 12 noon on July 8, 2016 will be made available to the Workgroup at the meeting. After July 8, 2016, 14 copies of written comments must be delivered at the meeting; otherwise they will not be made available to the Workgroup until after the meeting.

The Workgroup **will not** consider comments regarding proposed changes to regulations that have been noticed. If you wish to provide comment on a noticed item, please provide your comments during Commission business meetings, via email, or deliver to the commission office.

NOTE: Materials provided to the Workgroup may be made available to the general public.

SPEAKING AT THE MEETING

Workgroup meetings operate informally and provide opportunity for everyone to comment on agenda items. If you wish to speak on an agenda item, please follow these guidelines:

1. Raise your hand and wait to be recognized by the Workgroup facilitator.
2. Once recognized, please begin by giving your name and affiliation (if any) and the number of people you represent.
3. Time is limited; please keep your comments concise so that everyone has an opportunity to speak.
4. If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive comments.
5. If you would like to present handouts or written materials to the Workgroup, please provide 14 copies to the designated staff member just prior to speaking.
6. If speaking during public forum, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Workgroup members discuss that item). As a general rule, public forum is an opportunity to bring matters to the attention of the Workgroup, but you may also do so via email or standard mail. At the discretion of the Workgroup, staff may be requested to follow up on the subject you raise.

WORKGROUP STAFF SUMMARY FOR JULY 12, 2016

1. PUBLIC FORUM**Today's Item**Information Decision

Receive public comments for items not on the agenda.

Summary of Previous/Future Actions (N/A)**Background**

The Workgroup generally receives two types of correspondence or comment under public forum: requests for the Workgroup to consider new topics; and informational items. Requests for regulatory change need to be redirected to the full Commission and submitted on the required petition form, FGC 1, titled "Petition to the California Fish and Game Commission for Regulation Change" (Section 662, Title 14, CCR).

The Workgroup may not discuss or take action on any matter raised during this item, except to decide whether to place the matter on a future meeting agenda (pursuant to Sections 11125 and 11125.7(a), Government Code).

Significant Public Comments

1. Email from Dale Steele with comments from the Apr Workgroup meeting for consideration by the Workgroup. Comments include recommendations on species to include, definitions, and review coordination.

Recommendation (N/A)**Exhibits**

1. Email from Dale Steele, received Apr 27, 2016.

Workgroup Decision/Recommendation (N/A)

WORKGROUP STAFF SUMMARY FOR July 12, 2016

3. WRITING GROUP AND REVIEWER COORDINATION**Today's Item****Information** **Decision**

Discuss how the Predator Policy Workgroup will coordinate with reviewers.

Summary of Previous/Future Actions

- Discussion on coordination Apr 26, 2016; Sacramento
- Reviewer teleconference Jun 28, 2016
- **Today's discussion July 12, 2016; Sacramento**

Background

At the Apr 2016 meeting, the Workgroup provided input on the timing of reviews, options for receiving comments, and a process for considering and addressing comments from the reviewers. Since only a small portion of the reviewers were represented at the meeting, FGC staff suggested a conference call with the reviewers to gather their input on coordination with the reviewers and report back to the Workgroup at the Jul 2016 meeting.

On Jun 28, 2016, a conference call was held with the reviewers to discuss length of time for reviews and options for submitting comments. Today, staff will report back to the Workgroup with the outcomes from that call and lead a discussion to identify any remaining coordination items for the Workgroup to address.

Significant Public Comments

1. Email from Dale Steele under Public Forum includes recommendations on review coordination.

Recommendation (N/A)**Exhibits**

1. See Exhibit 1.1 under Public Forum for email from Dale Steele

Workgroup Decision/Recommendation (N/A)

WORKGROUP STAFF SUMMARY FOR JULY 12, 2016

4. REPORT OUTLINE**Today's Item****Information** **Decision**

Review and provide input on draft outline of report of Workgroup recommendations to WRC.

Summary of Previous/Future Actions (N/A)**Background**

In Apr 2016 the Workgroup added a recommendations report as a deliverable in their draft work plan. This report will include the Workgroup's recommendations for predator management policy and regulatory proposals for consideration by the WRC. Today, staff will present the initial outline for this report for Workgroup review and input (Exhibit 1).

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. PPWG draft report outline, dated Jun 28, 2016

Workgroup Decision/Recommendation (N/A)

WORKGROUP STAFF SUMMARY FOR JULY 12, 2016

5. NEXT STEPS**Today's Item****Information** **Decision**

- (A) Review work plan tasks and timeline
- (B) Potential new agenda topics
- (C) Select date for next meeting

Summary of Previous/Future Actions (N/A)**Background**

This a standing agenda item to review work plan progress and timeline, identify new agenda topics, and to select the date for the next meeting. For reference, the work plan is provided as an exhibit under agenda item 2.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits (N/A)****Workgroup Decision/Recommendation (N/A)**

From: [REDACTED]
To: [Chappell, Erin@FGC](mailto:Chappell_Erin@FGC)
Subject: Predator Policy Working Group Comments from 4/26/16 Mtg
Date: Wednesday, April 27, 2016 12:27:51 PM
Importance: High

Hi Erin,

I attended the PPWG meeting yesterday but didn't get a chance to introduce myself and you were busy enough already. I had to leave right after the meeting but wanted to offer some comments to the group which follow. I needed time to pull them together anyway. Please let me that you receive these comments or if you have any questions. I'm local in Sacramento much of the time too. Good luck, I know you have a considerable workload associated with this WRC assignment.

Thanks, Dale

Dale T. Steele
[REDACTED]

Predator Policy Working Group Comments from 4/26/16 Mtg

I'm on the original list of those selected to participate in the PPWG and volunteered to join either the writing or reviewing groups as needed. I attended the meeting yesterday and have several comments on scope and process mainly. I would like these comments to be shared with the PPWG as I understand will be the initial process followed until further guidance is received by the WRC.

I opted not to raise my scope questions yesterday based on the group discussion I heard. It seemed like the group had enough to do working together on the agenda and that it would be better to provide my comments now. I offer them now and encourage the PPWG to discuss and document their decision. I also hope these comments will help frame the best way for the PPWG to interact with the review group originally created as part of the process now underway. That role seems to be evolving with further expansion.

The CDFW list shared with the PPWG yesterday was missing a few candidates for consideration. The first one, the non-native red fox, apparently became established in California from fur farms and other sources. Since then it has spread into areas of Southern California, the San Joaquin Valley, and SF Bay Area. Until recent work determined that the red fox found in the lowlands of the Sacramento Valley was native, it was thought that all low land red foxes were non-native.

The non-native red fox is a successful predator taking many native wildlife species including some sensitive and/or listed ones. Take of the species is not actively regulated but there is confusion when the species is brought into wildlife rehab centers resulting in releases back into the wild including some new areas like the sierras.

This species is also a competitor for some native predators including the San Joaquin Kit fox. There are currently efforts to reduce this competition but the non-native red fox has apparently become established in California. As such, it should be carefully

considered within the scope of the PPWG.

It's equally important that the PPWG establish clear definitions for "predator", native vs non-native species, and "management" which was to be used interchangeably with conservation to describe the objectives of the PPWG yesterday to develop "predator policy" or "predator management policy". This should be further clarified by the PPWG.

In the discussion yesterday, the PPWG described both conservation and management goals for predators. This seems appropriate. In the case of the non-native red fox the conservation goal could be for conservation of those native species impacted by it.

While I was with CDFW, I worked on a draft policy for feral cats which was circulated widely within the department and modeled after work by others including The Wildlife Society. There are some existing regulations within CDFW and CDFA that address definitions and responsibilities including "house cats" as Nongame wildlife in some circumstances. In practice, most management of feral cats occurs at the local city and county level. Meanwhile, numbers of feral cats continue to increase and impact native wildlife. Secondary impacts from outdoor feeding and other measures to maintain feral cat "colonies" attract native wildlife include a number of the species on the PPWG draft list.

I encourage the PPWG to include the draft feral cat policy issue and existing regulations on feral cats in the initial work plan objective and elsewhere determine with clear documentation why or why not it is decided to include this issue in the work of the group. There is a void on this issue now at the state level that results in local government actions that impact native species including predators that are the focus of the PPWG.

I've attached a copy of the draft feral cat policy I worked on within CDFW. I suspect it's still the latest version and that there has been no more recent work by CDFW. This should be verified by CDFW staff as well as requesting their thoughts on my comments concerning non-native red fox and feral cats as candidates for the PPWG to consider. Ultimately, the PPWG will need to make a decision on these species and should document this in reporting to the FGC WRC.

Review coordination between the PPWG writers and review groups has changed since originally proposed and become more unwieldy as the review group has grown. I have a couple of thoughts on that as I consider how or if I should continue to work with the PPWG in some capacity. I am happy to do so if it is of value to the PPWG process and responsibilities.

Anyone can attend the PPWG and WRC meetings and provide input or comments at these meetings. In addition to these meetings, it seems likely that coordination between meetings in writing or teleconferences will be needed. The workload for the tasks discussed so far seems quite large and the proposed schedule may be a challenge. It is likely that further discussion including comments like mine could increase that workload. If the PPWG needs help, it would serve to somehow identify members of the review group to provide assistance. I'm thinking initially of research and compilation tasks that were discussed yesterday. In any case, those that were not at the table in yesterday's meeting will need to maintain close contact and involvement if they are to serve in any capacity beyond review of draft or final

products before the formal public process that will follow.

I know that Bagley-Keene places limitations on meetings and other forms of communication and collaboration but I recommend the PPWG and WRC explore those options as a way to increase the effectiveness of the group and the task it's been given. Another option might be for FGC to assign additional staff or volunteers to work with the PPWG.

Those are my initial thoughts from yesterday's meeting. I thought the group did a great job yesterday and is off to a good start. I've given myself a task to identify predator policy and regulation materials from others to send in before the next meeting. I plan to attend the next PPWG meeting which you tentatively scheduled for July 12th.

The draft feral cat policy I referenced above follows:

>>>>>>

The Department considers the impact of feral cats on wildlife to be significant and an issue that must be better managed to protect California's' unique wildlife biodiversity.

Section 4151 of the Fish and Game Code:

House Cats Found Within Limits of Refuge

Any house cat (*Felis domesticus*) found within the limits of any fish and game refuge is a nongame mammal, unless it is in the residence of its owner or upon the grounds of the owner adjacent to such residence.

Section 4153 of the Fish and Game Code:

Control of Harmful Nongame Mammals

The department may enter into cooperative agreements with any agency of the state or the United States for the purpose of controlling harmful nongame mammals. The department may take any mammal which, in its opinion, is unduly preying upon any bird, mammal, or fish.

For the purposes of this policy regarding domestic cats, Sections 4151 and 4153 should be considered applicable to all Department lands that are managed for wildlife populations. The Department should also encourage and support similar application to other public lands and all other lands managed for wildlife populations.

DRAFT Policy for the Department of Fish and Game regarding feral and free-ranging domestic cats:

Recognize that cats as pets have a long association with humans, and that responsible cat owners are to be encouraged to continue caring for the animals under their control.

Strongly support and encourage the humane elimination of feral cat colonies on lands with native wildlife populations.

Support the passage and enforcement of local and state ordinances prohibiting public feeding of feral cats, especially on public lands, and release of unwanted pet or feral cats into the wild.

Support educational programs and materials that call for all pet cats to be kept indoors, in outdoor enclosures, or on a leash.

Support program to educate and encourage pet owners to neuter or spay their cats,

and encourage all pet adoption programs to require potential owners to spay or neuter their pet.

Support the development and dissemination of sound, helpful information on what individual cat owners can do to minimize predation by free-ranging cats.

Work with the conservation and animal welfare communities to educate the public about the negative impact of free-ranging and feral cats on native wildlife, including birds, small mammals, reptiles, amphibians, and endangered species.

Encourage researchers to develop better information on the impacts of feral and free-ranging cats on native wildlife populations.

Not support the legalization of maintaining "managed" (trap/neuter/release) free-ranging cat colonies. Call for adequate CEQA evaluations when TNR programs are proposed.

Feral Cats and Wildlife Revised DRAFT 8/17/2009

(New language now included on the [Department webpage](#) for this subject.

The impacts of feral or free-ranging human companion or domestic animals poses a challenge for contemporary wildlife management. The domestic cat is the best known of these animals for its impacts to wildlife. Feral cats are an exotic species in the United States. With numbers in the millions, these animals are recognized as one of the most widespread and serious threats to the health and integrity of native wildlife populations and natural ecosystems. Feral cats present special challenges for wildlife managers because their negative impacts are poorly understood by the public. Feral cats and other exotic species have become accepted as part of the environment and considered "natural" by many people. Advocacy groups promote their continued presence and few policies and laws deal directly with their control.

The domestic cat (*Felis domesticus* or *F. catus*) originates from an ancestral wild species, the European and African wild cat (*Felis silvestris*) and is now recognized as a separate species. The estimated number of pet cats in the United States has grown from 30 million in 1970 to over 70 million, however reliable estimates of the total cat population are impossible to determine. It is estimated that approximately 30 percent of all households have cats, and in rural areas; the estimate is around 60 percent.

The cumulative impact of domestic cats on wildlife is impossible to quantify, however the growing body of literature strongly indicates that domestic cats are a significant factor in the mortality of native small mammals, birds, reptiles, and amphibians. Because feral cats often receive food from humans, they can reach population levels that create areas of abnormally high predation on wildlife. Even well fed cats have been documented to prey on wildlife regularly. When the prey is a threatened or endangered species, the result could lead to extirpation or extinction. Effects of predation by domestic and feral cats are most significant in island settings (actual or isolated habitats), where prey populations are already low or stressed by other factors. These include natural areas where cat colonies are maintained. Competition with native predators, disease implications for wildlife populations, and pet owners' attitudes about wildlife and wildlife management are also important factors.

Even if conservative estimates of prey taken are considered, the numbers of animals killed is immense. Feeding cats does not stop them from killing or injuring wildlife and they frequently do not eat what they kill. The possibility for disease transmission among feral cats, wildlife, humans, and other pets should be a serious concern where feral cats are abundant. Cats were introduced into California and North

America by humans who are now responsible for the control and removal of cats that prey on wildlife.

The Department considers the impact of feral cats on wildlife to be significant and a non-native species that must be better managed to protect California's' unique wildlife biodiversity.

>>>>>>

**Wildlife Resources Committee
Predator Policy Workgroup
Proposed Work Plan
Revised May 27, 2016**

The Predator Policy Workgroup (Workgroup) is a body of the Wildlife Resources Committee (WRC) which was formed to allow greater time to investigate predator management policy issues in more detail than would otherwise be possible before the WRC. The Workgroup is comprised of ten member appointed by the Fish and Game Commission (Commission). The Workgroup is charged with providing input, developing ideas, and preparing recommendations concerning predator management policy and regulations in California.

To assist with the preparation of the report the Workgroup is proposing the following work plan which outlines the project scope, objectives and tasks, and timeline for this project. As the report is being drafted the Workgroup will solicit input, guidance, support, and review from project reviewers, interested stakeholders, and Department staff. This proposed work plan is being presented to the WRC for consideration and possible recommendation to the Commission.

WORK PLAN

Project scope

- **Purpose:** To evaluate whether existing predator policies and regulations reflect current understanding of science, wildlife management practices, ecological and environmental effects, economic concerns, social values, and public health and safety concerns.
- **Breadth:**
 - **Species** - Priority focus species include coyote, bobcat, badger, gray fox, mink, raccoon, short-tailed weasel, and long-tailed weasel. Black bear, mountain lion, gray wolf, striped skunk, spotted skunk, and opossum are included as secondary focus species.
 - **Level of Governance** - Project will focus on predator management as it relates to state-level governance including Commission policy, California Code of Regulations (CCR) Title 14, and relevant State statutes.
- **Deliverable:** A report with the Workgroup's recommendations for predator management policy and regulatory proposals for consideration by the WRC.

Project Objectives and Tasks

- **Objective 1: Review existing predator policies and regulations**
 - Task 1: Compile summary of relevant, existing California predator management policies and regulations
 - Task 2: Research and compile predator management policies and regulations used in other states, at federal level, at local level, or countries/provinces and other management practices
 - Task 3: Identify what predator management issue(s) are not adequately addressed under existing policies and regulations
- **Objective 2: Develop proposed Commission Predator Management Policy**
 - Task 1: Based on findings from Objective 1, identify key elements to include in a draft predator management policy
 - Task 2: Develop draft policy for review and full discussion
 - Task 3: Prepare final draft policy for initial review and full discussion by Wildlife Resources Committee (WRC)
 - Task 4: Prepare final recommended policy for consideration and possible recommendation by the WRC to the Commission
- **Objective 3: Develop CCR Title 14 regulatory proposals**
 - Task 1: Based on findings from Objective 1, identify which existing regulations may be in need of revision
 - Task 2: Based on findings from Objective 1, identify issues that would need to be addressed through new regulations
 - Task 3: Fully vet the regulations identified under Task 1 to determine which to propose for revision
 - Task 4: Fully vet possible new regulations identified under Task 2 to determine which to propose for drafting
 - Task 5: Draft proposed revisions to language in existing regulations identified under Task 3 for review and full discussion
 - Task 6: Draft proposal for new regulations identified under Task 4 for review and full discussion
 - Task 7: Review and revise Tasks 5 and 6 for consistency with draft policy
 - Task 8: Based on outcomes from Task 7, develop draft regulatory proposal for initial review and full discussion by WRC
 - Task 9: Prepare final regulatory proposal for consideration and possible recommendation by the WRC to the Commission
- **Objective 4: Prepare summary of proposed statutory changes (Fish & Game Code)**
 - Task 1: Compile summary of existing, relevant statutes

- Task 2: Evaluate statutes identified in Task 1 for consistency with draft policy and regulatory proposals (Objectives 2 and 3)
- Task 3: Identify if and where statutory changes are needed for alignment with draft policy and regulatory proposals
- Task 4: Draft summary of proposed statutory changes for review and discussion
- Task 5: Revise summary and present to WRC for initial review and discussion
- Task 6: Prepare final summary for consideration and possible recommendation by the WRC to the Commission

Project Timeline

- Objective 1: Review existing predator management policies and regulations
 - Task 1: Jun 2016
 - Task 2: Jun 2016
 - Task 3: Jul 2016
- Objective 2: Develop draft Commission predator management policy
 - Task 1: Jul 2016
 - Task 2: Jul-Aug 2016
 - Task 3: Aug-Sep 2016 (WRC)
 - Task 4: May-Jun 2017 (Commission)
- Objective 3: Develop draft CCR Title 14 regulatory proposals
 - Task 1: Aug 2016
 - Task 2: Aug 2016
 - Task 3: Sep 2016
 - Task 4: Sep 2016
 - Task 5: Oct-Nov 2016
 - Task 6: Oct-Nov 2016
 - Task 7: Nov 2016
 - Task 8: Dec 2016-Jan 2017(WRC)
 - Task 9: May-Jun 2017(Commission)
- Objective 4: Prepare summary of proposed statutory change recommendations
 - Task 1: Oct-Nov 2016
 - Task 2: Dec 2016-Jan 2017
 - Task 3: Jan-Feb 2017
 - Task 4: Feb-Apr 2017
 - Task 5: Apr-May 2017 (WRC)
 - Task 6: May-Jun 2017 (Commission)

SELECTION OF EXISTING PREDATOR POLICIES, CODE AND REGULATIONS

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I. COMMISSION POLICIES:

DEPREDATION CONTROL

It is the policy of the Fish and Game Commission that:

All wildlife species shall be maintained in harmony with available habitat whenever possible. In the event that some birds or mammals may cause injury or damage to private property, depredation control methods directed toward offending animals may be implemented. Should such depredation be upon wildlife species being intensively managed, the Department may institute appropriate depredation control methods directed towards the offending animals.

RAPTORS

It is the policy of the Fish and Game Commission to:

- I. Recognize that raptors, including vultures, hawks, eagles, falcons, kites, ospreys and owls, are part of California's native fauna, are integral to their ecosystems, and have intrinsic, ecological, scientific, educational, economic and recreational values.
- II. It is the intent of the Commission to insure that raptor populations and their habitats shall be identified, monitored, maintained, restored and enhanced through research, management and protection by the Department and to insure that the utilization of or impacts to any population of raptor species will not contribute to its depletion in the wild.

In instances where depredation by raptors occurs, reasonable measures shall be taken by the landowner to protect his/her property before permission may be obtained to take depredating animals as authorized by federal law. However, taking of endangered or threatened species and the indiscriminate take of raptors shall not be permitted.

The Commission recognizes falconry, as authorized in the Fish and Game Code, as a legitimate use of this wildlife resource. The Commission recognizes that captive raptor breeding programs may be an important management tool in the re-establishment of endangered or threatened species in the wild.

Species found to be endangered or threatened shall receive maximum protection and management effort to ensure their survival.

WILD PIGS

It is the policy of the Fish and Game Commission that:

The wild pig population of the State must be controlled to minimize the threat of increasing damage to California's native plants and animals, to agricultural operations and to park and recreational activities from the foraging habitats of the animals.

Consistent with State laws and regulations, the Department will prepare and recommend to the Commission regulations which enhance recreational hunting and facilitate the issuing of depredation permits and/or other legally available means to alleviate this problem.

II. FISH AND GAME CODE:

DIVISION 2. DEPARTMENT OF FISH AND GAME [700. - 1940.]

CHAPTER 8. Conservation of Wildlife Resources [1800. - 1802.]

1801.

It is hereby declared to be the policy of the state to encourage the preservation, conservation, and maintenance of wildlife resources under the jurisdiction and influence of the state. This policy shall include the following objectives:

- (a) To maintain sufficient populations of all species of wildlife and the habitat necessary to achieve the objectives stated in the subdivisions (b), (c), and (d).
- (b) To provide for all beneficial use and enjoyment of wildlife by all citizens of the state.
- (c) To perpetuate all species of wildlife for their intrinsic and ecological values, as well as for their direct benefits to all persons.
- (d) To provide for aesthetic, educational, and nonappropriative uses of the various wildlife species.
- (e) To maintain diversified recreational uses of wildlife, including the sport of hunting, as proper uses of certain designated species of wildlife, subject to regulations consistent with the maintenance of healthy, viable wildlife resources, the public safety, and a quality outdoor experience.
- (f) To provide for economic contributions by the citizens of the state, through the recognition that wildlife is a renewable resource of the land by which economic return can accrue to the citizens of the state, individually and collectively, through regulated management. Such management shall be consistent with the maintenance of healthy and thriving wildlife resources and the public ownership status of the wildlife resources.
- (g) To alleviate economic losses or public health or safety problems caused by wildlife to the people of the state either individually or collectively. Such resolution shall be in a manner designed to bring the problem within tolerable limits consistent with economic and public health considerations and the objectives stated in subdivisions (a), (b), and (c).
- (h) It is not intended that this policy shall provide any power to regulate natural resources or commercial or other activities connected therewith, except as specifically provided by the Legislature.

DIVISION 3. FISH AND GAME GENERALLY [2000. - 2948.]
CHAPTER 1. Taking and Possessing in General [2000. - 2021.5.]

2003.

(a) Except as specified in subdivisions (b), (c), and (d), it is unlawful to offer any prize or other inducement as a reward for the taking of any game birds, mammals, fish, reptiles, or amphibians in an individual contest, tournament, or derby.

(b) The department may issue a permit to any person authorizing that person to offer a prize or other inducement as a reward for the taking of any game fish, as defined by the commission by regulation, if it finds that there would be no detriment to the resource. The permit is subject to regulations adopted by the commission. The application for the permit shall be accompanied by a fee in the amount determined by the department as necessary to cover the reasonable administrative costs incurred by the department in issuing the permit. However, the department may waive the permit fee if the contest, tournament, or derby is for persons under the age of 16 years, or who are physically or mentally challenged, the primary purpose of the contest, tournament, or derby is to introduce young anglers to, or educate them about fishing. All permits for which the fee is waived pursuant to this subdivision shall comply with all other requirements set forth in this section.

(c) This section does not apply to any person conducting what are generally known as frog-jumping contests or fish contests conducted in waters of the Pacific Ocean.

(d) This section does not apply to any person conducting an individual contest, tournament, or derby for the taking of game birds and mammals, if the total value of all prizes or other inducements is less than five hundred dollars (\$500) for the individual contest, tournament, or derby.

DIVISION 4. BIRDS AND MAMMALS [3000. - 4904.]

PART 3. MAMMALS [3950. - 4904.]

CHAPTER 1. Game Mammals [3950. - 3961.]

3950.

(a) Game mammals are: deer (genus *Odocoileus*), elk (genus *Cervus*), prong-horned antelope (genus *Antilocapra*), wild pigs, including feral pigs and European wild boars (genus *Sus*), black and brown or cinnamon bears (genus *Euarctos*), mountain lions (genus *Felis*), jackrabbits, and varying hares (genus *Lepus*), cottontails, brush rabbits, pigmy rabbits (genus *Sylvilagus*), and tree squirrels (genus *Sciurus* and *Tamiasciurus*).

(b) Nelson bighorn sheep (subspecies *Ovis Canadensis nelson*) are game mammals only for the purposes of sport hunting described in subdivision (b) of Section 4902.

3950.1

(a) Notwithstanding Section 3950 or any other provision of this code, the mountain lion (genus *Felis*) shall not be listed as, or considered to be, a game mammal by the department or the commission.

(b) Section 219 does not apply to this section. Neither the commission nor the department shall adopt any regulations that conflicts with or supersedes this section.

DIVISION 4. BIRDS AND MAMMALS [3000. - 4904.]
PART 3. MAMMALS [3950. - 4904.]
CHAPTER 2. Fur-Bearing Mammals [4000. - 4043.]
ARTICLE 1. Trapping Provisions [4000. - 4012.]

4000.

The following are fur-bearing mammals: pine marten, fisher, mink, river otter, gray fox, red fox, kit fox, raccoon, beaver, badger, and muskrat.

4002.

Fur-bearing mammals may be taken only with a trap, a firearm, bow and arrow, poison under a proper permit, or with the use of dogs.

4003.

It is unlawful to use poison to take fur-bearing mammals without a permit from the department. The department may issue such a permit upon a written application indicating the kind of poison desired to be used and the time and place of use.

4004. (language updated)

It is unlawful to do any of the following:

- (a) Use a steel-jawed leghold trap, or any trap with saw-toothed or spiked jaws.
- (b) Use a body gripping trap as defined in subdivision (a) of Section 3003.1, for the purpose of recreation or commerce in fur.
- (c) Set or maintain traps which do not bear a number or other identifying mark registered to the department or, in the case of a federal, state, county, or city agency, bear the name of that agency, except that traps set pursuant to Section 4152 or 4180 shall bear an identifying mark in a manner specified by the department. No registration fee shall be charged pursuant to this subdivision.
- (d) Fail to visit and remove all animals from traps at least once daily. If the trapping is done pursuant to Section 4152 or 4180, the inspection and removal shall be done by the person who sets the trap or the owner of the land where the trap is set or an agent of either.
- (e) Use a conibear type that is larger than 6 inches by 6 inches, unless partially or wholly submerged in water. Unless prohibited by the department as a permit condition, a lawfully set conibear trap that is 10 inches by 10 inches or less may be set pursuant to subdivision (g) of Section 465.5 of Title 14 of the California Code of Regulations.
- (f) When any conibear trap is set on publicly owned land or land expressly open to public use, fail to post signs at every entrance and exit to the property indicating the presence of conibear traps and at least four additional signs posted within a radius of 50 feet of the trap, one in each cardinal direction, with lettering that is a minimum of three inches high stating: "Danger! Traps Set For Wildlife. Keep Out". Signs shall be maintained and checked daily.
- (g) Kill any trapped mammal in accordance with this section by intentional drowning, injection with any chemical not sold for the purpose of euthanizing animals, or thoracic compression, commonly known as chest crushing. This subdivision shall not be construed to prohibit the use of lawfully set conibear traps set partially or wholly submerged in water for beaver or muskrat or the use of lawfully set colony traps set in water for muskrats.

4011.

- (a) Fur-bearing mammals, game mammals, and nongame mammals, when involved in dangerous disease outbreaks, may be taken by duly constituted officials of any of the following:
- (1) The United States Department of Agriculture.
 - (2) The United States Department of the Interior.
 - (3) The United States Department of Health and Human Services.

- (4) The Department of Food and Agriculture.
- (5) The State Department of Public Health.
- (6) The department.
- (b) A county official may take fur-bearing mammals, game mammals, and nongame mammals pursuant to this section, upon the prior approval of the director or his or her designee and in a manner approved by the director or his or her designee.

4012.

It is unlawful to take any red fox for profitmaking purposes.

DIVISION 4. BIRDS AND MAMMALS [3000. - 4904.]

PART 3. MAMMALS [3950. - 4904.]

CHAPTER 3. Nongame Mammals and Depredators [4150. - 4190.]

ARTICLE 1. Nongame Mammals [4150. - 4155.]

4150.

All mammals occurring naturally in California which are not game mammals, fully protected mammals, or fur-bearing mammals, are nongame mammals. Nongame mammals or parts thereof may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission.

4152.

(a) Except as provided in Section 4005, nongame mammals and black-tailed jackrabbits, muskrats, subspecies of red fox that are not the native Sierra Nevada red fox (*Vulpes vulpes nector*), and red fox squirrels that are found to be injuring growing crops or other property may be taken at any time or in any manner in accordance with this code and regulations adopted pursuant to this code by the owner or tenant of the premises or employees and agents in immediate possession of written permission from the owner or tenant thereof. They may also be taken by officers or employees of the Department of Food and Agriculture or by federal, county, or city officers or employees when acting in their official capacities pursuant to the Food and Agricultural Code pertaining to pests, or pursuant to Article 6 (commencing with Section 6021) of Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code. Persons taking mammals in accordance with this section are exempt from Section 3007, except when providing trapping services for a fee. Raw furs, as defined in Section 4005, that are taken under this section, shall not be sold.

(b) Traps used pursuant to this section shall be inspected and all animals in the traps shall be removed at least once daily. The inspection and removal shall be done by the person who sets the trap or the owner of the land where the trap is set or an agent of either.

4153.

The department may enter into cooperative agreements with any agency of the state or the United States for the purpose of controlling harmful nongame mammals.

The department may take any mammal which, in its opinion, is unduly preying upon any bird, mammal, or fish.

4154.

The department may enter into cooperative contracts with the United States Fish and Wildlife Service in the Department of the Interior in relation to the control of nongame mammals and for that purpose may expend any money made available to the department for expenditure for control or eradication of nongame mammals.

4155.

(a) Beginning January 1, 2014, it shall be unlawful to trap a bobcat, or attempt to do so, or to sell or export a bobcat taken in the area surrounding Joshua Tree National Park, defined as follows: East and South of State Highway 62 from the intersection of Interstate 10 to the intersection of State Highway 177; West of State Highway 177 from the intersection of State Highway 62 to the intersection with State Highway 10; North of State Highway 10 from State Highway 177 to State Highway 62.

(b)(1) Through the commission's next regularly scheduled mammal hunting and trapping rulemaking process occurring after January 1, 2014, the commission shall amend its regulations to prohibit the trapping of bobcats adjacent to the boundaries of each national or state park and national monument or wildlife refuge in which bobcat trapping is prohibited.

(2) Commencing January 1, 2016, the commission shall consider whether to prohibit bobcat trapping within, and adjacent to, preserves, state conservancies, and any additional public or private conservation areas identified to the commission by the public as warranting protection. The commission, as necessary, shall amend its regulations through its next subsequently scheduled mammal hunting and trapping rulemaking process to prohibit bobcat trapping in any area determined by the commission to warrant protection.

(3) The commission shall delineate the boundaries of an area in which bobcat trapping is prohibited pursuant to paragraph (1) or (2) using readily identifiable features, such as highways or other major roads, such as those delineated for Joshua Tree National Park in subdivision (a).

(c) The prohibition on the trapping of bobcats in the areas designated pursuant to subdivision (a) and (b) shall not apply to the taking of a bobcat by an employee of the department acting in an official capacity, to a taking in accordance with the conditions of a scientific, educational, or propagation permit pursuant to Section 1002 by the holder of that permit, or to the lawful taking a bobcat found to be injuring crops or other property, pursuant to Section 4152, another provision of this code, or a regulation adopted pursuant to this code.

(d) Notwithstanding Section 2016 or any other provision of this code, on and after January 1, 2014, it shall be unlawful to trap a bobcat, or attempt to do so, on private land not belonging to the trapper without the express written consent of the owner of that property. The placing or possession of a trap or the possession of a bobcat on land is prima facie evidence of a violation of this subdivision.

(e) Consistent with the requirements of subdivision (c) of Section 4006, the commission shall set trapping license fees and associated fees, including, but not limited to, shipping tags required pursuant to Section 479 of Chapter 6 of Subdivision 2 of Division 1 of Title 14 of the California Code of Regulations, for the 2014-15 season, and any subsequent seasons in which bobcat trapping is allowed, at the levels necessary to fully recover all reasonable administrative and implementation costs of the department and the commission associated with the trapping of bobcats in the state, including, but not limited to, enforcement costs.

(f) This section does not limit the ability of the department or the commission to impose additional requirements, restrictions, or prohibitions related to the taking of bobcats, including a complete prohibition on the trapping of bobcats pursuant to this code.

DIVISION 4. BIRDS AND MAMMALS [3000. - 4904.]
PART 3. MAMMALS [3950. - 4904.]
CHAPTER 3. Nongame Mammals and Depredators [4150. - 4190.]
ARTICLE 2. Depredators [4180. - 4190.]

4180.

(a) Except as provided for in Section 4005, fur-bearing mammals that are injuring property may be taken at any time and in any manner in accordance with this code or regulations made pursuant to this code. Raw furs, as defined in Section 4005, that are taken under this section, shall not be sold.

(b) Traps used pursuant to this section shall be inspected and all animals in the traps shall be removed at least once daily. The inspection and removal shall be done by the person who sets the trap or the owner of the land where the trap is set or an agent of either.

4181.

(a) Except as provided in Section 4181.1, any owner or tenant of land or property that is being damaged or destroyed or is in danger of being damaged or destroyed by elk, bear, beaver, wild pig, wild turkeys, or gray squirrels, may apply to the department for a permit to kill the animals. Subject to the limitations in subdivisions (b) and (d), the department, upon satisfactory evidence of the damage or destruction, actual or immediately threatened, shall issue a revocable permit for the taking and disposition of the animals under regulations adopted by the commission. The permit shall include a statement of the penalties that may be imposed for a violation of the permit conditions. Animals so taken shall not be sold or shipped from the premises on which they are taken except under instructions from the department. No iron-jawed or steel-jawed or any type of metal-jawed trap shall be used to take any bear pursuant to this section. No poison of any type may be used to take any gray squirrel or wild turkey pursuant to this section. The department shall designate the type of trap to be used to ensure the most humane method is used to trap gray squirrels. The department may require trapped squirrels to be released in parks or other nonagricultural areas. It is unlawful for any person to violate the terms of any permit issued under this section.

(b) The permit issued for taking bears pursuant to subdivision (a) shall contain the following facts:

- (1) Why the issuance of the permit was necessary.
- (2) What efforts were made to solve the problem without killing the bears.
- (3) What corrective actions should be implemented to prevent reoccurrence.

(c) With respect to wild pigs, the department shall provide an applicant for a depredation permit to take wild pigs or a person who reports taking wild pigs pursuant to subdivision (b) of Section 4181.1 with written information that sets forth available options for wild pig control, including, but not limited to, depredation permits, allowing periodic access to licensed hunters, and holding special hunts authorized pursuant to Section 4188. The department may maintain and make available to these persons lists of licensed hunters interested in wild pig hunting and lists of nonprofit organizations that are available to take possession of depredating wild pig carcasses.

(d) With respect to elk, the following procedures shall apply:

(1) Prior to issuing a depredation permit pursuant to subdivision (a), the department shall do all of the following:

- (A) Verify the actual or immediately threatened damage or destruction.
- (B) Provide a written summary of corrective measures necessary to immediately alleviate the problem.
- (C) Determine the viability of the local herd, and determine the minimum population level needed to maintain the herd.
- (D) Ensure the permit will not reduce the local herd below the minimum.

(E) Work with affected landowners to develop measures to achieve long-term resolution, while maintaining viability of the herd.

(2) After completing the statewide elk management plan pursuant to Section 3952, the department shall use the information and methods contained in the plan to meet the requirements of subparagraphs (C), (D), and (E) of paragraph (1).

4181.1.

(a) Any bear that is encountered while in the act of inflicting injury to, molesting, or killing, livestock may be taken immediately by the owner of the livestock or the owner's employee if the taking is reported no later than the next working day to the department and the carcass is made available to the department.

(b) Notwithstanding Section 4652, any wild pig that is encountered while in the act of inflicting injury to, molesting, pursuing, worrying, or killing livestock or damaging or destroying, or threatening to immediately damage or destroy, land or other property, including, but not limited to, rare, threatened, or endangered native plants, wildlife, or aquatic species, may be taken immediately by the owner of the livestock, land, or property or the owner's agent or employee, or by an agent or employee of any federal, state, county, or city entity when acting in his or her official capacity. The person taking the wild pig shall report the taking no later than the next working day to the department and shall make the carcass available to the department. Unless otherwise directed by the department and notwithstanding Section 4657, the person taking a wild pig pursuant to this subdivision, or to whom the carcass of a wild pig taken pursuant to this subdivision is transferred pursuant to subdivision (c), may possess the carcass of the wild pig. The person in possession of the carcass shall make use of the carcass, which may include an arrangement for the transfer of the carcass to another person or entity, such as a nonprofit organization, without compensation. The person who arranges this transfer shall be deemed to be in compliance with Section 4304. A violation of this subdivision is punishable pursuant to Section 12000. It is the intent of the Legislature that nothing in this subdivision shall be interpreted to authorize a person to take wild pigs pursuant to this subdivision in violation of a state statute or regulation or a local zoning or other ordinance that is adopted pursuant to other provisions of law and that restricts the discharge of firearms.

(c) The department shall make a record of each report made pursuant to subdivision (a) or (b) and may have an employee of the department investigate the taking or cause the taking to be investigated. The person taking a wild pig shall provide information as deemed necessary by the department. Upon completion of the investigation, the investigator may, upon a finding that the requirements of this section have been met with respect to the particular bear or wild pig taken under subdivision (a) or (b), issue a written statement to the person confirming that the requirements of this section have been met. The person who took the wild pig may transfer the carcass to another person without compensation.

(d) Notwithstanding Section 4763, any part of any bear lawfully possessed pursuant to this section is subject to Section 4758.

(e) Nothing in this section prohibits federal, state, or county trappers from killing or trapping bears when the bears are killing or molesting livestock, but no iron-jawed or steel-jawed or any type of metal-jawed trap shall be used to take the bear, and no person, including employees of the state, federal, or county government, shall take bear with iron-jawed or steel-jawed or any type of metal-jawed traps.

4185.

In any district or part of a district within San Bernardino and Riverside Counties, bears may be taken at any time with traps within a good and substantial fence, as such fence is described in Section 17121 of the Food and Agricultural Code, surrounding beehives, if no part of the fence is at a distance greater than 50 yards from a beehive, and if a conspicuous sign is posted and

maintained at each entrance to the enclosed premises to give warning of the presence of the traps. No iron or steel-jawed or any type of metal-jawed trap shall be used to take bear under this section.

4190.

The department shall tag, brand, or otherwise identify in a persistent and distinctive manner any large depredatory mammal relocated by, or relocated with the approval of, the department for game management purposes.

DIVISION 4. BIRDS AND MAMMALS [3000. - 4904.]

PART 3. MAMMALS [3950. - 4904.]

CHAPTER 8. Fully Protected Mammals [4700.]

(a)(1) Except for provided in this section, Section 2081.7, or Section 2835, a fully protected mammal may not be taken or possessed at any time. No provisions of this code or any other law shall be construed to authorize the issuance of a permit or license to take a fully protected mammal, and no permit or license previously issued shall have any force or effect for that purpose. However, the department may authorize the taking of a fully protected mammal for necessary scientific research, including efforts to recover fully protected, threatened, or endangered species. Before authorizing the take of a fully protected mammal, the department shall make an effort to notify all affected and interested parties to solicit information and comments on the proposed authorization. The notification shall be published in the California Regulatory Notice Register and be made available to each person who has notified the department, in writing, of his or her interest in fully protected species and who has provide an e-mail address, if available, or postal address to the department. Affected and interested parties shall have 30days after notification is published in the California Regulatory Notice Register to provide relevant information and comments on the proposed authorization.

(2) As used in this subdivision, "scientific research" does not include an action taken as part of specified mitigation for a project, as defined in Section 21065 of the Public Resources Code.

(3) A legally imported fully protected mammal may be possessed under a permit issued by the department.

(b) The following are fully protected mammals:

(1) Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*)

(2) Bighorn sheep (*Ovis canadensis*), except Nelson bighorn sheep (subspecies *Ovis canadensis nelson*) as provided by subdivision (b) of Section 4902

(3) Northern elephant seal (*Mirounga angustirostris*)

(4) Guadalupe fur seal (*Arctocephalus townsendi*)

(5) Ring-tailed cat (genus *Bassariscus*)

(6) Pacific right whale (*Eubalaena sieboldi*)

(7) Salt-marsh harvest mouse (*Reithrodontomys raviventris*)

(8) Southern sea otter (*Enhydra lutris nereis*)

(9) Wolverine (*Gulo luscus*)

III. TITLE 14 CALIFORNIA CODE OF REGULATIONS:

Title 14. Natural Resources

Division 1. Fish and Game Commission-Department of Fish and Game Subdivision 2. Game, Furbearers, Nongame, and Depredators

Chapter 1.(Refs & Annos)

250. General Prohibition Against Taking Resident Game Birds, Game Mammals and Furbearing Mammals.

Except as otherwise provided in this Title 14, and in the Fish and Game Code, resident game birds, game mammals and furbearing mammals may not be taken at any time.

Note: Authority cited: Sections 200, 202, and 203, Fish and Game Code. Reference: Sections 200-203.1, 206, 207, 211-222, 2000, 2001, 3000, 3500, 3950, and 4000, Fish and Game Code.

265. Use of Dogs for Pursuit/Take of Mammals or for Dog Training.

(a) Prohibitions on the Use of dogs. The use of dogs for the pursuit/take of mammals or for dog training is prohibited as follows:

(1) The use of dogs is prohibited during the archery seasons for deer or bear.

(2) The use of dogs is prohibited for the take of bear, bobcat, elk, bighorn sheep and antelope.

(3) Mountain lions may not be pursued with dogs except under the provisions of a depredation permit issued pursuant to Section 4803 of the Fish and Game Code. Bear or bobcat may not be pursued with dogs except under the provisions of a permit issued pursuant to sections 3960.2 or 3960.4 of the Fish and Game Code. Dog training on mountain lions is prohibited.

(4) The use of dogs for the pursuit/take of mammals or for dog training is prohibited from the first Saturday in April through the day preceding the opening of the general deer season in the following dog control zones:

(A) Central California Dog Control Zone: Napa County north of Highway 128 and east of Highway 29; Lake County east of a line beginning at the Lake-Napa county line and Highway 29; northwest on Highway 29 to Highway 53. From Highway 53 turn northwest on Highway 20; northwest on Highway 20 to the Lake-Mendocino county line; north on the Lake-Mendocino county line to the Lake-Glenn county line; south on Lake-Glenn county line to the Lake-Colusa county line; south on the Lake-Colusa county line to the Lake-Yolo county line; southwest on the Lake-Yolo county line to the Lake-Napa county line; west on the Lake-Napa county line to the starting point. Mendocino County east of Highway 101, and north of Highway 20. Sierra and Alpine counties and those portions of Nevada, Placer, Amador and Calaveras counties east of Highway 49; and El Dorado County east of the following line: Beginning at the junction of Highway 49 and the Placer-El Dorado county line; south on Highway 49 to Highway 193 at Cool; east and south along Highway 193 to Highway 49 in Placerville; south on Highway 49 to the Amador-El Dorado county line; east on the El Dorado-Amador county line to the Alpine-El Dorado county line; east on the Alpine-El Dorado county line to the California-Nevada state line; north on the California-Nevada state line to the Placer-El Dorado county line; west on the Placer-El Dorado county line to the starting point.

(B) Northern California Dog Control Zone: Plumas and Trinity counties. Butte County east of the following line: Beginning at the junction of Highway 99 and the Butte-Tehama county line; south and east along Highway 99 to Highway 149; south and east along Highway 149 to Highway 70; south along Highway 70 to the Butte-Yuba county line; east on the Butte-Yuba county line to the Butte-Plumas county line; north on the Butte-Plumas county line to the Butte-Tehama county line southwest on the Butte-Tehama county line to the starting point. Del Norte County east of Highway 101. Glenn County west of a line beginning at the intersection of County Road 200 and

the Glenn-Tehama county line; southeast on County Road 200 to County Road 306; south along County Road 306 to the Colusa-Glenn county line; west on the Colusa-Glenn county line to the Glenn-Lake county line; northwest on the Glenn-Lake county line to the Glenn-Mendocino county line; north on the Glenn-Mendocino county line to the Glenn-Tehama county line; east on the Glenn-Tehama county line to the starting point. Humboldt County north of Highway 36 and east of Highway 101. Siskiyou County south and west of the line defined as follows: Beginning at the Oregon-California state line at Interstate 5, proceed south on Interstate 5 to Highway 97 at the town of Weed; north on Highway 97 to Meiss Lake Road near the town of Macdoel; east on Meiss Lake Road to Old State Highway; south on Old State Highway to Redrock Road; east on the Redrock Road (forest service road 15[8Q03] to Willow Creek Red Rock Road; north on Willow Creek Red Rock Road to the Gold Digger Pass Road (N8U01); east on the Gold Digger Pass Road to the western boundary of the Lava Beds National Monument; north and east on said boundary to the Siskiyou-Modoc county line; south on the Siskiyou-Modoc county line to the Siskiyou-Shasta county line; west on the Siskiyou-Shasta county line to the Siskiyou-Trinity county line; west on the Siskiyou-Trinity county line to the Siskiyou-Humboldt county line; northwest on the Siskiyou-Humboldt county line to the Siskiyou-Del Norte county line; north on the Siskiyou-Del Norte county line to the California-Oregon state line; east on the California-Oregon state line to the starting point. Shasta County south and west of Highway 89 and north of the line defined as follows: Beginning at the Shasta-Tehama county line and Highway 36 near the town of Beegum, go west on Highway 36 to County Road A16; north on County Road A16 to Pine Street in the city of Redding; north on Pine Street to Eureka Way (Highway 299); west on Eureka Way (Highway 299) to Highway 273; north on Highway 273 to Interstate 5; north on Interstate 5 to the south shore of Shasta Lake; east and north along the southern shore of Shasta Lake to Fender's Ferry Road; southeast on Fender's Ferry Road to Highway 299; southwest on Highway 299 to Oakrun Road; southwest on the Oakrun Road to Fern Road in the town of Oakrun; northeast on the Oakrun Road to Fern Road to the town of Fern; south and west on Fern Road to Whitmore Road; east on Whitmore Road to the town of Whitmore. From Whitmore Road turn south on Ponderosa Way to Innwood Road; Innwood Road to Highway 44 near Innwood; east on Highway 44 to Wilson Hill Road; south on Wilson Hill Road to Rock Creek Road; south on Rock Creek Road to the Shasta-Tehama county line; east along the Shasta-Tehama county line to Highway 89; North on Highway 89 to the Shasta-Siskiyou county line; west along the Shasta-Siskiyou county line to the Shasta-Trinity county line; southeast along the Shasta-Trinity county line to the Shasta-Tehama county line; east along the Shasta-Tehama county line to the starting point. The following portions of Tehama County: Those portions of Tehama County within the Mendocino National Forest and east of Ponderosa Way. Those portions of Tehama County within the Lassen National Forest. Those portions of Tehama County east of Ponderosa Way. Those portions of Lassen County north and west of the following line: North from the Lassen-Sierra county line on Highway 395 to Highway 36 east of Susanville; northwest on Highway 36 to Highway 139; north on Highway 139 to the Lassen-Modoc county line; west along the Lassen-Modoc county line to the Lassen-Shasta county line; south along the Lassen-Shasta county line to the Plumas-Lassen county line; southeast along the Plumas-Lassen county line to the Lassen-Sierra county line; east along the Lassen-Sierra county line to the starting point.

(C) Southern Sierra Dog Control Zone: Those portions of Tuolumne, Mariposa, Madera, Fresno and Tulare counties east of the following line beginning at the intersection of Highway 49 and the Calaveras-Tuolumne county line; south on Highway 49 to Highway 108; southwest on Highway 108 to Highway 120; east on Highway 120 to the Smith Station Road (J20); south on the Smith Station Road (J20) to the Greeley Hill Road; east on the Greeley Hill Road to the Briceburg Road; east on Briceburg Road to the North Fork of the Merced River at Bower Cave; south on the North Fork of the Merced River to Road 3S15 (Black Mountain Road/Ponderosa Way); south on Road 3S15 (Ponderosa Way) to Forest Service Road 3S02 (Ponderosa Way) crossing the U.S. Forest Service-Bureau of Land Management property boundary in Section 28 located in

Township 3S, Range 18E to Forest Service Road 2S05 (Bull Creek Road); south on Forest Service Road 2S05 (Bull Creek Road) to the Main Fork of the Merced River; west on the Main Fork of the Merced River to the southern boundary of Lake McClure; west on the southern boundary of Lake McClure to Highway 49; south on Highway 49 to Highway 140 at Mariposa; north on Highway 140 to the South Fork of the Merced River; east along the South Fork of the Merced River to Hite Cove Trail at Hite Cove. From Hite Cove south on the U.S. Forest Service Road (Hite Cove Trail) to Hite Cove Road; south on Hite Cove Road to Scott Road; south on Scott Road to Jerseydale Road; south on Jerseydale Road through Jerseydale Station and Darrah to the Darrah Road; south along Darrah Road to Highway 49; south along Highway 49 to Highway 41 at Oakhurst; north along Highway 41 to its intersection with the Bass Lake Road at Yosemite Forks; south along Bass Lake Road to Road 274; south on Road 274 past Bass Lake on the east side of the lake to the junction with the Mammoth Pool Road at North Fork; west on Mammoth Pool Road to Road 222 (Auberry Road); south on Road 222 (Auberry Road) to the San Joaquin River; east along the San Joaquin River to Italian Bar Road (Road 225) at the Italian Bar Bridge; south on Italian Bar Road (Road 225) to Jose Basin Road (County Road M2441); east on Jose Basin Road (County Road M2441) to its intersection with Forestry Service Roads 8S08 (Railroad Grade Road) and 9S07 (Jose Basin Road); south on 9S07 (Jose Basin Road) to Jose Basin/Musick Farm Road; southeast on 9S07 to Auberry Road near Pine Ridge; east on Auberry Road to North Toll House Road; south on North Toll House Road to Peterson Road; east on Peterson Road to Big Creek Road; east on Big Creek Road (10S02) near Peterson Mill to Dinkey-Trimmer Road (10S69 Trimmer Springs Road) at Haslett Basin; east on Dinkey-Trimmer Road (10S69) to Sycamore Springs Road (11S02); east on Sycamore Springs Road (11S02) to Black Rock Road (11S12) at Balch Camp; east on the Black Rock Road (11S12) to the decommissioned 11S07 (the old Rodgers Ridge Road) at Black Rock Reservoir Dam; east along decommissioned 11S07 (old Rodgers Ridge Road) to Garlic Spur; south on Garlic Spur to the Kings River; west along the Kings River to Verplank Ridge; south on Verplank Ridge-Hoise Ridge to Forest Route 13S65; southeast on Forest Route 13S65 to Forest Route 13S03; southeast on Forest Route 13S03 to Highway 180 near Cherry Gap; south along Highway 180 to the north boundary of Kings Canyon/Sequoia National Park; south along the western boundary of Kings Canyon/Sequoia National Park to the northern boundary of Sequoia National Forest between Grouse Peak and Dennison Mountain; south along the common line between R29E and R30E, M.D.B.M. to the boundary of the Sequoia National Forest; east and south along that boundary to Balch Park Road; southeast along that road to the west boundary of Mountain Home Demonstration State Forest; south and east along that boundary to Forest Trail 30E14; southeast along 30E14 to the Doyle Springs Road (Wishon Drive); southwest along Doyle Springs Road (Wishon Drive) to Camp Wishon; southeast along the Alder Creek Grove-Hossack Meadow Road to Camp Nelson; east along Highway 190 to Coy Flat Road; south along Coy Flat Road to the boundary of the Tule River Indian Reservation; south along the east boundary of that reservation (County Highway J42) to Parker Peak; southeast through Upper Parker Meadow to Parker Pass. Parker Pass to Forest Route 22S81; south through Starvation Creek Grove on Forest Route 22S81 to M504 (Parker Pass); south on M504 to Forest Route 23S64; southeast on 23S64 to the southwest corner of Section 15, T23S, R31E, M.D.B.M., continuing to the northeast corner of Section 22, T23S, R31E, M.D.B.M.; south approximately 6 miles to Sugarloaf Winter Recreation Area.; southeast on Sugarloaf drive to Forest Road 24S23; northeast on Forest Route 24S23 to Forest Route 23S16; Southeast on Forest Route 23S16 to Portuguese Pass; southeast along Forest Route 23S16 (24S06) though Portuguese Pass to the Tulare-Kern county line; east along the Tulare-Kern county line to the Tulare-Inyo county line.; north along the Tulare-Inyo county line to Fresno-Inyo county line; north along the Fresno-Inyo county line to the Fresno-Mono county line; north along the Fresno-Mono County line to the Mono-Madera county line; north along the Mono-Madera county line to the Mono-Tuolumne county line; north along the Mono-Tuolumne county line to the Alpine-Tuolumne county line; northwest along the Alpine-Tuolumne county line to the Calaveras-Tuolumne county line;

southwest along the Calaveras-Tuolumne county line to the starting point. That portion of Kern County within a line beginning where the Tulare-Kern county line intersects the west boundary of the Sequoia National Forest; south along the said boundary to the Poso Flat Road; on Poso Flat Road to National Forest Route 25S03 (Rancheria Road); northeast along National Forest 25S03 (Rancheria Road) to National Forest 25S15 (Rancheria Road); north on National Forest 25S15 (Rancheria Road) to Rancheria Road; northeast along Rancheria Road through Shirley Meadow to Forest Highway 90 (Forest Route 23S16) at Greenhorn Summit; northeast on Forest Highway 90 (Forest Route 23S16) to Cow Creek; northeast on Cow Creek to Bull Run Creek; north on Bull Run Creek to the Tulare-Kern county line; west along said county line to the point of beginning, Those portions of Inyo and Mono counties west of Highway 395.

(D) Southern California Dog Control Zone: Those portions of Los Angeles, Ventura and Santa Barbara counties within the Los Padres and Angeles National Forests; and those portions of San Bernardino County within the San Bernardino and Angeles National Forests.

(b) Authorized Use of Dogs. The use of dogs for the pursuit/take of mammals or for dog training is authorized as follows:

(1) Dog Control Zones. The use of dogs for the pursuit/take of mammals or for dog training is permitted in the dog control zones described in subsections 265(a)(4)(A), (B), (C) and (D) from the opening day of the general deer season through the first Friday in April.

(2) Areas of the State Outside the Dog Control Zones. The use of dogs for the pursuit/take of mammals or for dog training in areas outside of the dog control zones is permitted year-round, except for closures and restrictions described in this Section 265 and Section 364, and the provisions of sections 3960 and 4800 of the Fish and Game Code which prohibit allowing any dog to pursue any big game mammal during the closed season on such mammal or mountain lions, elk or any fully-protected, threatened or endangered mammal at any time.

(3) Take of Depredating Mammals. The use of dogs is permitted for pursuing/taking depredating mammals by federal and county animal damage control officers or by permittees authorized under a depredation permit issued by the department.

(4) Take of Furbearers and Nongame Mammals. Furbearers and nongame mammals as specified in subsection 472(a) may be taken with the aid of dogs during the appropriate open season, except for closures and restrictions described in subsections 265(a) and (b).

(5) Prohibition on Starting Pursuit Within 400 Yards of Baited Area. Pursuits may not be started within 400 yards of a baited area as described in Section 257.5 of these regulations.

(6) Dog Training. Except for the prohibitions of subsection 265(a), dog training is permitted pursuant to the following provisions:

(A) Dog Training Defined. For purposes of these regulations, dog training is defined as the education of dogs through "breaking" or "practicing" under strict provisions that preclude the injuring or take of animals. Training is distinguished from "pursuit", as used in Section 86 of the Fish and Game Code, in that the animal being chased shall not be killed, captured, or injured.

(B) Prohibition on Killing, Capturing or Injuring Mammals. No person shall kill, capture or injure any mammal, nor shall any person's dog be allowed to kill, capture or injure any mammal during dog training.

(C) Prohibition on Possession of Equipment. No firearm, archery gear, crossbow or other instrument capable of killing, injuring or capturing any animal may be possessed by any person training dogs during the seasons described in subsection 265(b)(6)(F) below. Possession of a firearm, archery gear, crossbow or other instrument capable of killing or capturing any animal is prohibited while training dogs, but such equipment may be transported to or from a campsite, transported to or from a residence or lawfully possessed by a person at a campsite provided all dogs are secured and under the control of the owner, agent or person training or transporting said dogs.

(D) Prohibition on Starting Dog Training Within 400 Yards of Baited Area. Dog Training may not be started within 400 yards of a baited area as described in Section 257.5 of these regulations.

(E) Prohibition on Training Dogs on Big Game Mammals, Bobcat or on Protected, Threatened or Endangered Mammals. It shall be unlawful to train any dog on any big game mammal, bobcat, or to train any dog on any fully-protected, threatened or endangered mammal at any time. A person in possession of a valid deer tag may utilize the general deer season for purposes of educating a dog for deer. Only one dog may be used for training in areas where the general deer season (as described in subsection 360(a) and (b)) is open.

(F) Seasons.

1. Gray Fox. Dogs may be trained on gray fox from March 1 through the day preceding the opening of the general gray fox season, except for closures and restrictions described in subsections 265(a) and (b).

2. Raccoon. Dogs may be trained on raccoon from April 1 through the day preceding the opening of the general raccoon season, except for closures and restrictions described in subsections 265(a) and (b).

3. Other Mammals. Except for closures and prohibitions described in this Section 265 and sections 3960 and 4800 of the Fish and Game Code, dogs may be trained on mammals other than gray fox and raccoon at any time.

(c) Restrictions on the Number of Dogs per Hunter.

(1) One Dog per Hunter Limitation During Deer Season. No more than one dog per hunter may be used in the area where the general deer season is open.

(2) Three Dogs per Hunter Limitation for the Take of Wild Pigs. Up to three dogs per hunter may be used for the purpose of taking wild pigs, pursuant to the following provisions:

(A) No more than one dog per hunter may be used in an area where the general deer season is open.

(B) No dogs may be used within the closures described in subsection 265(a).

(d) Prohibition on Treeing Switches and Use of Global Positioning System Equipment.

(1) Treeing Switches. Electronic dog retrieval collars containing functioning treeing switches (devices consisting of a switch mechanism that results in a change in the transmitted signals when the dog raises its head to a treed animal) are prohibited on dogs used for the pursuit/take of mammals.

(2) Global Positioning System Equipment. Electronic dog retrieval collars employing the use of global positioning system equipment (devices that utilize satellite transmissions) are prohibited on dogs used for the pursuit/take of mammals.

Note: Authority cited: Sections 200, 202, 203, 3960, 3960.2 and 3960.4, Fish and Game Code.

Reference: Sections 200, 202, 203, 203.1, 207, 3960, 3960.2, 3960.4 and 4756, Fish and Game Code.

Chapter 3. Big Game

365. Bear.

Except as provided in Section 366, bear may be taken only as follows:

(a) Areas:

(1) Northern California: In the counties of Del Norte, Humboldt, Plumas, Shasta, Siskiyou, Tehama and Trinity; and those portions of Lassen and Modoc counties west of the following line: Beginning at Highway 395 and the Sierra-Lassen county line; north on Highway 395 to the junction of Highway 36; west on Highway 36 to the junction of Highway 139; north on Highway 139 to Highway 299; north on Highway 299 to County Road 87; west on County Road 87 to Lookout-Hackamore Road; north on Lookout-Hackamore Road to Highway 139; north on Highway 139 to the Modoc-Siskiyou county line; north on the Modoc-Siskiyou county line to the Oregon border.

(2) Central California: In the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Mendocino, Nevada, Placer, Sacramento, Sierra, Sutter, Yolo and Yuba and those portions of Napa and Sonoma counties northeast of Highway 128.

(3) Southern Sierra: That portion of Kern County west of Highway 14 and east of the following line: Beginning at the intersection of Highway 99 and the Kern-Tulare county line; south on Highway 99 to Highway 166; west and south on Highway 166 to the Kern-Santa Barbara county line; and those portions of Fresno, Madera, Mariposa, Merced, Stanislaus, Tulare and Tuolumne counties east of Highway 99.

(4) Southern California: In the counties of Los Angeles, Santa Barbara and Ventura; that portion of Riverside County north of Interstate 10 and west of Highway 62; and that portion of San Bernardino County south and west of the following line: Beginning at the intersection of Highway 18 and the Los Angeles-San Bernardino county line; east along Highway 18 to Highway 247; southeast on Highway 247 to Highway 62; southwest along Highway 62 to the Riverside-San Bernardino county line.

(5) Southeastern Sierra: Those portions of Inyo and Mono counties west of Highway 395; and that portion of Madera County within the following line: Beginning at the junction of the Fresno-Madera-Mono county lines; north and west along the Madera-Mono county line to the boundary of the Inyo-Sierra National Forest; south along the Inyo-Sierra National Forest boundary to the Fresno-Madera county line; north and east on the Fresno-Madera county line to the point of beginning. Also, that portion of Inyo county west of Highway 395; and that portion of Mono county beginning at the intersection of Highway 6 and the Mono county line; north along Highway 6 to the Nevada state line; north along the Nevada state line to the Alpine county line; south along the Mono-Alpine county line to the Mono-Tuolumne county line and the Inyo National Forest Boundary; south along the Inyo National Forest Boundary to the Inyo-Sierra Forest boundary; south along the Inyo-Sierra Forest boundary to the Fresno-Madera county line; north and east along the Fresno-Madera county line to the junction of the Fresno-Madera-Mono county line; south along the Mono-Fresno county line to the Mono-Inyo County line; east along the Mono-Inyo county line to the point of beginning.

(b) Seasons: Except in the deer hunt areas designated as zones X-1 through X-7b in subsection 360(b), the bear season shall open on the opening day of the general deer season as described in subsections 360(a) and (b) and extend until the last Sunday in December in the areas described in subsections 365(a)(1), (2), (3) (4) and (5) above. In those areas designated as deer hunting zones X-1 through X-7b, the bear season shall open on the second Saturday in October and extend for 79 consecutive days. The bear season shall be closed when the department determines that 1,700 bears have been taken pursuant to the reporting requirement in subsection 708.12(d). The department shall notify the commission, the public via the news media and bear tag holders via the U.S. mail and the news media when implementing this closure.

(c) Bag and Possession Limit: One adult bear per hunting license year. Cubs and females accompanied by cubs may not be taken. (Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds.)

(d) No open season for bear in the balance of the state not included in subsection (a) above.

(e) Bait: No feed, bait or other materials capable of attracting a bear shall be placed or used for the purpose of taking or pursuing a bear. No bear shall be taken over such bait. No person may take a bear within a 400-yard radius of a garbage dump or bait.

Note: Authority cited: Sections 86, 200, 202 and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1 and 207, Fish and Game Code.

366. Archery Bear Hunting.

Bear may be taken with bow and arrow during the bear season as specified in Section 365 and as follows:

- (a) Areas: Those portions of the state as described in subsection 365(a).
- (b) Season: The archery bear season shall open on the third Saturday in August and extend for 23 consecutive days. There is no open season for taking bear with bow and arrow in the balance of the state.
- (c) Bag and Possession Limit: One adult bear per hunting license year. Cubs and female accompanied by cubs may not be taken. (Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds.)
- (d) The use of dogs is prohibited during the archery season for bear.
- (e) Bait. No feed, bait or other materials capable of attracting a bear to a feeding area shall be placed or used for the purpose of taking or pursuing a bear. No bear shall be taken over such bait. No person may take a bear within a 400 yard radius of a garbage dump or bait.

Note: Authority cited: Sections 200, 202 and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1 and 207, Fish and Game Code.

Subdivision 2. Game and Furbearers
Chapter 4. Depredation (Refs & Annos)

Note: removed 400. Deer Depredation Hunts

- 401. Issuance of Permit to Take Animals Causing Damage.**(a) Application. A person who is a property owner or tenant may apply to the department for a permit to take elk, bear, beaver, wild pigs, deer, wild turkeys, or gray squirrels that are damaging or destroying, or immediately threatening to damage or destroy, land or property.
- (b) Permit Period. Permits issued pursuant to this section shall be valid for a period not to exceed one year, except that permits for elk, bear, wild turkey, or deer shall not be valid for more than 60 days. Permits may be renewed if damage or threatened damage to land or property continues to exist.
- (c) Form and Conditions of Permit. Applications shall be made on form entitled "PERMIT TO KILL DEER, BEAR, ELK, WILD PIG, GRAY SQUIRREL, BEAVER, WILD TURKEY, OR MOUNTAIN LION CAUSING CROP OR PROPERTY DAMAGE" (FG WPB 543 (new 5/05)). The department may add terms and conditions to the permit necessary to protect wildlife and ensure public safety. To be valid, the permit shall contain a statement signed by the applicant that he/she has read, understands, and agrees to be bound by all the terms of the permit.
- (d) Methods of Take.
- (1) Animals taken pursuant to a permit may be taken in any legal manner except as herein provided and in accordance with the provisions of Section 465.5 of these regulations. Permits to take deer shall include conditions that comply with Fish and Game Code section 4181.5. No iron-jawed or any type of metal-jawed traps may be used to take squirrels or bears. No poison may be used. The department may specify the caliber and type of firearm and ammunition, archery equipment or crossbow to be used based upon safety considerations. The department may require that a permittee take animals alive by the use of live traps.
- (2) The permittee and/or agent shall ensure that all animals are killed in a humane manner instantly and prevent any injured animal from escaping.
- (e) Government Employees and Designated Agents.
- (1) An employee of a federal, State, or local government agency or local district with responsibilities including but not limited to animal control, animal damage control, irrigation, flood, or natural resource reclamation, while acting in his/her official capacity may take depredate animals on the property designated in a permit issued pursuant to this section.

(2) The permittee may designate up to three other persons as his/her agents to take animals under the terms of the permit. A designated agent shall be any person who is acting under the direction and control of the permittee and who is 21 years of age or older. The designated agent(s) shall be named on the permit. The permittee may substitute designated agents with prior written approval of the department.

(f) Persons Prohibited from Taking Animals. No person may take animals pursuant to the permit if he/she has been convicted of a violation related to the take or possession of game or furbearing mammals in the past 12 months or if he/she is on probation and may not hunt or possess a firearm as part of the terms of probation. A landowner who is on probation and may not hunt or possess a firearm as part of the terms of probation must designate a qualified agent to take animals under a permit.

(g) Written Report Required for Wild Pigs. The permittee shall provide a report listing the date and sex of each wild pig taken. A report shall be submitted whether or not any animals were taken. The reporting period shall be by calendar month. The permittee or designated agent shall complete and mail the report to the department on or before the 15th day of the following month. Reports shall be mailed to the address provided by the department.

(h) Tagging Animals. All animals taken pursuant to a permit, except wild pigs, shall be immediately tagged with tags provided by the department. Wild pigs shall be tagged prior to being transported from the property designated in the permit. Tags for animals except wild pigs shall be completed at the time the animal is taken. Tags for wild pigs shall be completed before the wild pigs are removed from the property. Tags shall clearly show the permittee's name, address, date and location the animal was taken and shall include the signature of the person taking the animal. The report portion of each tag shall be mailed to the department without delay. No tags are required for squirrels and beavers.

(i) Utilization of Carcass. Animals taken pursuant to this permit must be disposed of as required in the permit. No animals, except wild pigs, may be utilized by the permittee or designated agent. The permittee or designated agent may leave the carcass of any wild pig where it was taken for reasons of high air temperatures, disease, parasites, or conditions which preclude use of the carcass. A person who makes every reasonable attempt to utilize the carcass of any wild pig as required in this subsection shall be deemed to be in compliance with Section 4304 of the Fish and Game Code.

(j) Suspension and Revocation of Permits.

(1) Permits may be suspended temporarily by the director for a breach or violation of the permit by the holders thereof, their agents, servants, employees or any person acting under their direction and control. The commission shall be notified of any such suspension and subsequently may revoke or reinstate the permit, or fix the period of its suspension, after written notice to the permittee and the permittee has been afforded an opportunity to be heard.

(2) Any person who has had his/her permit revoked or suspended by the commission shall be required, upon application for a new or subsequent permit, to appear before the commission and demonstrate to its satisfaction that the use of such a permit will be consistent with depredation control, with these regulations, and with the laws under which they are promulgated.

(k) It is unlawful for a permittee or agent to violate any of the terms or conditions of a permit issued pursuant to this section.

(l) The permit does not invalidate any city, county, or state firearm regulation.

Note: Authority cited: Sections 202, 3003.1 and 4181, Fish and Game Code. Reference: Sections 3003.1 and 4181, Fish and Game Code.

402. Issuance of Permits to Kill Mountain Lion Causing Damage.

(a) Revocable permits may be issued by the department after receiving a report, from any owner or tenant or agent for them, of property being damaged or destroyed by mountain lion. The department shall conduct and complete an investigation within 48 hours of receiving such a report. Any mountain lion that is encountered in the act of inflicting injury to, molesting or killing livestock or domestic animals may be taken immediately if the taking is reported within 72 hours to the department and the carcass is made available to the department. Whenever immediate action will assist in the pursuit of the particular mountain lion believed to be responsible for damage to livestock or domestic animals, the department may orally authorize the pursuit and take of a mountain lion. The department shall investigate such incidents and, upon a finding that the requirements of this regulation have been met, issue a free permit for depredation purposes, and carcass tags to the person taking such mountain lion.

(b) Permittee may take mountain lion in the manner specified in the permit, except that no mountain lion shall be taken by means of poison, leg-hold, or metal-jawed traps and snares.

(c) Both males and females may be taken during the period of permit irrespective of hours or seasons.

(d) The privilege granted in the permit may not be transferred, and only entitles the permittee or the employee or agent of the permittee to take mountain lion. Such person must be 21 years of age or over and eligible to purchase a California hunting license.

(e) Any person issued a permit pursuant to this section shall report by telephone within 24 hours the capturing, injuring, or killing of any mountain lion to an office of the department or, if telephoning is not practical, in writing within five days after the capturing, injuring, or killing of the mountain lion. Any mountain lion killed under the permit must be tagged with the special tag furnished with the permit; both tags must be completely filled out and the duplicate mailed to the Department of Fish and Game, Sacramento, within 5 days after taking any mountain lion.

(f) The entire carcass shall be transported within 5 days to a location agreed upon between the issuing officer and the permittee, but in no case will a permittee be required to deliver a carcass beyond the limits of his property unless he is willing to do so. The carcasses of mountain lions taken pursuant to this regulation shall become the property of the state.

(g) Animals shall be taken in a humane manner so as to prevent any undue suffering to the animals.

(h) The permittee shall take every reasonable precaution to prevent the carcass from spoiling until disposed of in the manner agreed upon under subsection (f) of these regulations.

(i) The permit does not invalidate any city, county, or state firearm regulation.

(j) Permits shall be issued for a period of 10 days. Permits may be renewed only after a finding by the department that further damage has occurred or will occur unless such permits are renewed. The permittee may not begin pursuit of a lion more than one mile nor continue pursuit beyond a 10-mile radius from the location of the reported damage.

Chapter 5. Furbearing Mammals

460. Fisher, Marten, River Otter, Desert Kit Fox and Red Fox.

Fisher, marten, river otter, desert kit fox and red fox may not be taken at any time.

Note: Authority cited: Sections 200, 202, 203, and 4009.5, Fish and Game Code. Reference: Sections 200-203.1, 206, 207, 211-222, 4000-4004, and 4009.5, Fish and Game Code.

461. Badger and Gray Fox.

(a) Badger may be taken as follows:

(1) Season and Area: November 16 through the last day of February, statewide.

(2) Bag and Possession Limit: No limit.

(b) Gray fox may be taken as follows:

(1) Season and Area: November 24 through the last day of February, statewide.

(2) Bag and Possession Limit: No limit.

(3) Dogs may be permitted to pursue gray fox in the course of breaking, training, or practicing dogs in accordance with the provisions of Section 265 of these regulations.

Note: Authority cited: Sections 200-202, 203 and 4009.5, Fish and Game Code. Reference: Sections 200-203.1, 206, 207, 211-222, 4000-4004 and 4009.5, Fish and Game Code.

462. Muskrat and Mink.

Except as noted in Section 4180, Fish and Game Code, muskrat and mink may be taken only as follows:

Season and Area: November 16 through March 31, statewide. (This regulation supersedes Section 4001 of the Fish and Game Code.)

Bag and Possession Limit: No limit.

Note: Authority cited: Sections 200, 202, 203, and 4009.5, Fish and Game Code. Reference: Sections 200-203.1, 206, 207, 211-222, 4000-4004, 4009.5, and 4180, Fish and Game Code.

464. Raccoon. (language update)

(a) Seasons and Areas:

(1) Raccoon may be taken from July 1 through March 31 in the following area: All of Imperial County and those portions of Riverside and San Bernardino counties lying south and east of the following line: Beginning at the intersection of Highway 86 with the north boundary of Imperial County; north along Highway 86 to the intersection with Interstate 10; east along Interstate 10 to its intersection with the Cottonwood Springs Road in Section 9, T6S, R11E, S.B.B.M.; north along the Cottonwood Springs Road and the Mecca Dale Road to Amboy; east along Highway 66 to the intersection with Highway 95; north along Highway 95 to the California-Nevada state line.

(2) November 16 through March 31 in the balance of the state.

(b) Bag and Possession Limit: No limit.

(c) Method of Take:

(1) When taking raccoon after dark, pistols and rifles not larger than .22 caliber rimfire and shotguns using shot no larger than No. BB are the only firearms which may be used during this night period. (This regulation supersedes Sections 4001 and 4002 of the Fish and Game Code.) (See Sections 264 and 264.5 for light regulations.)

(2) The take or attempted take of any raccoon with a firearm shall be in accordance with the use of nonlead projectiles and ammunition pursuant to Section 250.1.

(d) Dogs may be permitted to pursue raccoons in the course of breaking, training or practicing dogs in accordance with the provisions of Section 265 of these regulations.

Note: Authority cited: Sections 200, 202, 203 and 4009.5, Fish and Game Code. Reference: Sections 200-203.1, 206, 207, 211-222, 4000-4004 and 4009.5, Fish and Game Code.

465. General Provisions for Taking Furbearers

(a) Furbearing mammals may be taken only with a firearm, bow and arrow, or with the use of dogs, or traps in accordance with the provisions of Section 465.5 of these regulations and Section 3003.1 of the Fish and Game Code. The take or attempted take of any furbearing mammal with a firearm shall be in accordance with the use of nonlead projectiles and ammunition pursuant to Section 250.1.

(b) Pursuant to Fish and Game Code Section 2003, it is unlawful to offer any prize of other inducement as a reward for the taking of furbearers in an individual contest, tournament, or derby.

465.5 Use of Traps

(a) Traps Defined. Traps are defined to include padded-jaw leg-hold, steel-jawed leg-hold, and conibear traps, snares, dead-falls, cage traps and other devices designed to confine, hold, grasp, grip, clamp or crush animals' bodies or body parts.

(b) Affected Mammals Defined. For purposes of this section, furbearing mammals, game animals, nongame mammals, and protected mammals are those mammals so defined in statute on January 1, 1997, in sections 3950, 4000, 4150, and 4700 of the Fish and Game Code.

(c) Prohibition on Trapping for the Purposes of Recreation or Commerce in Fur. It is unlawful for any person to trap for the purposes of recreation or commerce in fur any furbearing mammal or nongame mammal with any body-gripping trap. A body-gripping trap is one that grips the mammal's body or body part, including, but not limited to, steel-jawed leg-hold traps, padded-jaw leg-hold traps, conibear traps, and snares. Cage and box traps, nets, suitcase-type live beaver traps, an common rat and mouse traps shall not be considered body-gripping traps and may be used to trap for the purposes of recreation or commerce in fur any furbearing or nongame mammal.

(d) Prohibition on Exchange of Raw Fur. It is unlawful for any person to buy, sell, barter, or otherwise exchange for profit, or to offer to buy, sell, barter, or otherwise exchange for profit, the raw fur, as defined by Section 4005 of the Fish and Game Code, of any furbearing mammal or nongame mammal that was trapped in this state, with a body-gripping trap as described in subsection (c) above.

(e) Prohibition on Use of Steel-jawed Leg-hold Traps by Individuals. It is unlawful for any person to use or authorize the use of any steel-jawed leg-hold trap, padded or otherwise, to capture any game mammal, furbearing mammal, protected animal, or any dog or cat.

(1) Exception for Extraordinary Case to Protect Human Health or Safety. The prohibition in subsection (e) does not apply to federal, state, county, or municipal government employees or their duly authorized agents in the extraordinary case where the otherwise prohibited padded-jaw leg-hold trap is the only method available to protect human health or safety.

(A) Leg-hold Trap Requirements. Leg-hold traps used to implement subsection (e)(1) must be padded, commercially manufactured, and equipped as provided in (A)1. through (A)5. below.

1. Anchor chains. Anchor chains must be attached to the center of the padded trap, rather than the side.

2. Chain Swivels. Anchor chains must have a double swivel mechanism attached as follows: One swivel is required where the chain attaches to the center of the trap. The second swivel may be located at any point along the chain, but it must be functional at all times.

3. Shock Absorbing Device. A shock absorbing device such as a spring must be in the anchor chain.

4. Tension Device. Padded leg-hold traps must be equipped with a commercially manufactured pan tension adjusting device.

5. Trap Pads. Trap pads must be replaced with new pads when worn and maintained in good condition.

(f) Use of Non-Body-Gripping Traps for Purpose of Recreation or Commerce in Fur. Any person who utilizes non-body-gripping traps for the take of furbearing mammals and nongame mammals for purposes of recreation or commerce in fur must comply with the provisions of subsections (g)(1) through (3) below.

(1) Trap Number Requirement. Any person who traps furbearing mammals or nongame mammals shall obtain a trap number issued by and registered with the department. All traps, before being put into use, shall bear only the current registered trap number or numbers of the person using, or in possession of those traps. This number shall be stamped clearly on the trap or on a metal tag attached to the chain of the trap or to any part of the trap.

(g) Use of Conibear Traps, Snares, Cage and Box Traps, Nets, Suitcase-type Live Beaver Traps and Common Rat and Mouse Traps for Purposes Unrelated to Recreation or Commerce in Fur. Conibear traps, snares, cage and box traps, nets, suitcase-type live beaver traps and common rat and mouse traps may be used by individuals to take authorized mammals for the purposes unrelated to recreation or commerce in fur, including but not limited to, the protection of property, in accordance with subsections (1) through (5) below. Except for common rat and mouse traps, all traps used pursuant to this subsection must be numbered as required by subsection (f)(1) above. The prohibitions of subsections (c) and (d) above shall apply to any furbearing or nongame mammal taken by a conibear trap or snare pursuant to this subsection (g)

(1) Immediate Dispatch or Release. All furbearing and nongame mammals that are legal to trap must be immediately killed or released. Unless released, trapped animals shall be killed by shooting where local ordinances, landowners, and safety permit. This regulation does not prohibit employees of federal, state, or local government from using chemical euthanasia to dispatch trapped animals.

(2) Trap Visitation Requirement. All traps shall be visited at least once daily by the owner of the traps or his/her designee. Such designee shall carry on his/her person written authorization, as owner's representative, to check traps. In the event that an unforeseen medical emergency prevents the owner of the traps from visiting traps another person may, with written authorization from the owner, check traps as required. The designee and the person who issues the authorization to check traps shall comply with all provisions of Section 465.5. Each time traps are checked all trapped animals shall be removed.

(3) Trap Placement Requirement. Traps may not be set within 150 yards of any structure used as a permanent or temporary residence, unless such traps are set by a person controlling such property or by a person who has and is carrying with him written consent of the landowner to so place the trap or traps.

(4) Placement of Conibear Traps. Traps of the conibear-type with a jaw opening larger than 8"x8" may only be used in sets where the trap is wholly or partially submerged in water or is:

(A) Within 100 feet of permanent water.

(B) Within 100 feet of seasonally flooded marshes, pastures, agricultural lands or floodways when standing or running water is present.

(C) Within the riparian vegetation zone, characterized by, but not limited to, willow, cottonwood, sycamore, salt cedar, cattail, bulrush and rushes, when found within the area defined in section 463(a) where the take of beaver is permitted.

(5) Zones Prohibited to the Use of Conibear-type Traps and Snares. Conibear-type traps and snares, except those totally submerged, and deadfall traps are prohibited in the following zones (see CCR for full list)

(h) Statutory Penalty for Violation of Provisions. Violation of Section 3003.1 or 3003.2 of the Fish and Game Code, or any rule or regulation, including this section 465.5, adopted pursuant thereto, is punishable by a fine of not less than three hundred dollars (\$300) or more than two thousand dollars (\$2,000), or by imprisonment in the county jail for not more than one year, or by both that fine and imprisonment.

466. Hours of Taking Furbearers

Furbearers may be hunted at any hour of the day or night except that they may not be taken between one-half hour after sunset and one-half hour before sunrise in the area described in Section 474(a) of these regulations.

Chapter 6. Nongame Animals

472. General Provisions.

Except as otherwise provided in Sections 478 and 485 and subsections (a) through (d) below, nongame birds and mammals may not be taken.

(a) The following nongame birds and mammals may be taken at any time of the year and in any number except as prohibited in Chapter 6: English sparrow, starling, coyote, weasels, skunks, opossum, moles and rodents (excluding tree and flying squirrels, and those listed as furbearers, endangered or threatened species).

(b) Fallow, sambar, sika, and axis deer may be taken only concurrently with the general deer season.

(c) Aoudad, mouflon, tahr, and feral goats may be taken all year.

(d) American crows (*Corvus brachyrhynchos*) may be taken only under the provisions of Section 485 and by landowners or tenants, or by persons authorized in writing by such landowners or tenants, when American crows are committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance. Persons authorized by landowners or tenants to take American crows shall keep such written authorization in their possession when taking, transporting or possessing American crows. American crows may be taken only on the lands where depredations are occurring or where they constitute a health hazard or nuisance. If required by Federal regulations, landowners or tenants shall obtain a Federal migratory bird depredation permit before taking any American crows or authorizing any other person to take them.

American crows may be taken under the provisions of this subsection only by firearm, bow and arrow, falconry or by toxicants by the Department of Food and Agriculture for the specific purpose of taking depredating crows. Toxicants can be used for taking crows only under the supervision of employees or officers of the Department of Food and Agriculture or federal or county pest control officers or employees acting in their official capacities and possessing a qualified applicator certificate issued pursuant to sections 14151-14155 of the Food and Agriculture Code. Such toxicants must be applied according to their label requirements developed pursuant to sections 6151-6301, Title 3, California Code of Regulations.

(e) Pursuant to Fish and Game Code Section 2003, it is unlawful to offer any prize or other inducement as a reward for the taking of nongame mammals in an individual contest, tournament, or derby.

474. Hours for Taking.

Nongame mammals may be taken at any time except as provided in this section.

(a) Area Closed to Night Hunting. Nongame mammals may be taken only between one-half hour before sunrise and one-half hour after sunset in the following described area: Beginning at a point where Little Panoche Road crosses Interstate 5 near Mendota; south on Interstate 5 to Highway 198; east on Highway 198 to Highway 99; south on Highway 99 to Interstate 5; south on Interstate 5 to the Los Padres National Forest boundary in Section 8, T 9 N, R 19 W, S.B.B.M

near Fort Tejon Historical Monument; west along the National Forest boundary to Cerro Noroeste Road; northwest on Cerro Noroeste Road to Highway 33-166; north on Highway 33-166 to the Soda Lake Road; northwest on the Soda Lake Road and on the Simmler Soda Lake San Diego Creek Road to Highway 58 at Simmler; west on Highway 58 to the Cammotti Shandon Road; north on the Cammotti Shandon Road to the Shandon San Juan Road; north on the Shandon San Juan Road to Highway 41; northeast on Highway 41 to the Cholame Valley Road; northwest on Cholame Valley Road and Cholame Road to the Parkfield Coalinga Road in Parkfield; north on Parkfield Coalinga Road and Parkfield Grade to Highway 198; northwest on Highway 198 to the Fresno-Monterey county line; north along the Fresno-Monterey county and Fresno-San Benito county lines to the Little Panoche Road; north and east on the Little Panoche Road to the point of beginning at Interstate 5.

This section does not pertain to the legal take of nongame mammals with traps as provided for by Sections 461-480 of these regulations, and by Sections 4000-4012, 4152 and 4180 of the Fish and Game Code. (This regulation supersedes Section 3000 of the Fish and Game Code.)

(b) On privately-owned property, not included in (a) above, nongame mammals may be taken from one-half hour after sunset to one-half hour before sunrise only by the landowner or his agents, or by persons who have in their immediate possession written permission issued by the landowner or tenant that states the permittee can trespass from one-half hour after sunset to one-half hour before sunrise on property under the ownership or control of such landowners or tenants.

(c) Fallow deer, axis deer, sambar deer, sika deer, aoudad, mouflon, tahr and feral goats may be taken only from one-half hour before sunrise to one-half hour after sunset.

475. Methods of Take for Nongame Birds and Nongame Mammals. (Language update)

Nongame birds and nongame mammals may be taken in any manner except as follows:

(a) Poison may not be used.

(b) Recorded or electrically amplified bird or mammal calls or sounds or recorded or electrically amplified imitations of bird or mammal calls or sounds may not be used to take any nongame bird or nongame mammal except coyotes, bobcats, American crows and starlings.

(c) Fallow deer, sambar deer, axis deer, sika deer, aoudad, mouflon, tahr and feral goats may be taken only with the equipment and ammunition specified in Section 353 of these regulations.

(d) Traps may be used to take nongame birds and nongame mammal only in accordance with the provisions of Section 465.5 of these regulations and sections 3003.1 and 4004 of the Fish and Game Code.

(e) No feed, bait or other material capable of attracting a nongame mammal may be placed or used in conjunction with dogs for the purpose of taking any nongame mammals. Nothing in this section shall prohibit an individual operating in accordance with the provisions of Section 465.5 from using a dog to follow a trap drag and taking the nongame mammal caught in that trap.

(f) The take or attempted take of any nongame bird or nongame mammal with a firearm shall be in accordance with the use of nonlead projectiles and ammunition pursuant to Section 250.1 of these regulations.

Note: Authority cited: Sections 200, 202, 203, 355, 3003.1, 3800 and 4150, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207, 355, 356, 2055, 3003.1, 3004.5, 3800 and 4150, Fish and Game Code.

478. Bobcat. (language update)

(a) It shall be unlawful to pursue, take or possess any bobcat without first procuring a hunting license and bobcat hunting tags. This section shall not apply to bobcats taken pursuant to Section 4152 of the Fish and Game Code and Section 401 of these regulations.

(b) Hunting: The pursuit, take, or possession of a bobcat under the authority of a hunting license and a bobcat hunting tag shall be in accordance with the provisions of Section 3960 of the Fish and Game Code, this Section, and sections 472, 473, 474, 478.1, and 479 of these regulations. Bobcats may be taken statewide under the authority of a hunting license and bobcat hunting tags between October 15 and February 28. The bag and possession limit is five bobcats per season.

(c) Trapping: It shall be unlawful to trap any bobcat, or attempt to do so, or to sell or export any bobcat or part of any bobcat taken in the State of California. Any holder of a trapping license who traps a bobcat shall immediately release the bobcat to the wild unharmed.

Note: Authority cited: Sections 200, 202, 4150 and 4155, Fish and Game Code. Reference: Sections 3960, 4150, and 4155, Fish and Game Code.

478.1. Bobcat Hunting Tags.

(a) Any person who possesses a valid hunting license may, upon payment of the fee specified in Section 702, procure only five revocable, nontransferable bobcat hunting tags. Such tags shall be acquired through the department's Automated License Data System terminals at any department license agent or department license sales office. These tags do not act as shipping tags as required in Section 479 for pelts taken under a trapping license.

(b) Bobcat hunting tags are valid only during that portion of the current hunting license year in which bobcats may be legally harvested as provided in Section 478.

(c) The holder of a bobcat hunting tag shall carry the tag while hunting bobcats. Upon the harvesting of any bobcat, the hunter shall immediately fill out the tag completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. One part of the tag shall be immediately attached to the pelt and kept attached until it is tanned, dried or mounted. The other part of the tag shall be sent immediately to the department.

(d) Possession of any untagged bobcat taken under the authority of the hunting license shall be a violation of this section except that the provisions of this section shall not apply to the owner or tenant of land devoted to the agricultural industry nor to authorized county, state or federal predatory animal control agents operating under a written trapping agreement with the appropriate landowner while on such land and in connection with such agricultural industry. It is unlawful for any person to sell, offer for sale, barter, trade, purchase, transport from this state, or offer for out-of-state shipment by any common carrier any bobcat pelts, or parts thereof taken pursuant to this provision.

(e) Any person who is convicted of violating any provision of this chapter shall forfeit his bobcat hunting tags, and shall not apply for additional tags during the then current hunting license year.

Note: Authority cited: Sections 713 and 4150, Fish and Game Code. Reference: Sections 713 and 4150, Fish and Game Code.

Note: removed 480. Bobcat Depredation (repealed)

IV. **PREDATOR POLICIES FROM OTHER STATES:**

IDAHO - <https://idfg.idaho.gov/conservation/predators/policy-avian-mammalian>

Policy for Avian and Mammalian Predation Management (2000) - *Predator populations, as with all wildlife in Idaho, will be managed to assure their future recreational, ecological, intrinsic, scientific, and educational values, and to limit conflicts with human enterprise and values. Where there is evidence that predation is a significant factor inhibiting the ability of a prey species to attain Department population management objectives and the Department decides to implement predation management actions, the management actions will ordinarily be directed by a predation management plan.*

Predator populations will be managed through habitat manipulation and/or predator removal as appropriate. Wildlife managers and administrators implementing predation management options will consider the ecological relationships that will be affected. Management decisions will be consistent with objectives or management plans for predators, animals that constitute or contribute to the predator's prey base, affected habitat, and other biological and social constraints.

Code - provides that predatory wildlife (i.e., coyotes, jack rabbits, skunks, starlings, and weasels) may be taken by any legal means at any time.

COLORADO -

http://cpw.state.co.us/Documents/Commission/policy_procedures/PredatorPolicyRevised10-11FINAL.pdf

Policy on Mammalian Predator Management (1999) - *When predator populations are inhibiting the ability of the Division to attain management objectives for other wildlife populations and the Division determines that predator control actions are necessary, such control actions will be directed by a species management plan which shall contain information addressing predator management and strategies to implement predator control.*

Predatory populations hold ecological, intrinsic, scientific, educational and recreational value and may be managed through habitat manipulation, sport hunting and, where necessary, through direct control. Wildlife managers and administrators implementing predator management and/or predator control strategies will consider ecological relationships that will be affected. Management and control decisions will be consistent with project specific objectives or management plans for prey species, habitat, and other biological and scientific constraints.

UTAH - https://wildlife.utah.gov/pdf/fact_sheets/predators.pdf

Predator management by Utah Division of Wildlife Resources (DWR) - is implemented when determined that predator populations are limiting DWR's ability to reach other wildlife management objectives. This is done through predator-management plans. As of 2012, DWR had developed predator management plans for:

- Coyote – sage grouse, mule deer (does and fawns), bighorn sheep, and pronghorn antelope (fawns)
- Red fox – sage grouse and nesting waterfowl
- Cougars – adult doe mule deer and big horn sheep

ARIZONA - <https://www.azgfd.com/wildlife/nongamemanagement/predatorpolicy>

Predator Management Policy (2000) – Purpose: *The Arizona Game and Fish Commission (Commission) recognizes predation management to be a valuable and legitimate wildlife management tool. The Commission is aware of the diverse public opinions concerning predation issues and recognizes the need to increase public education and understanding of predation management; including the effects of not managing predators. The purpose of this policy is to establish guidelines for implementing site-specific mountain lion and coyote management through sound biological practices with public involvement. Bears were specifically excluded from this policy as their more diverse diet reduces their impacts on other wildlife species.*

The Commission appreciates the role of predators in Arizona's ecosystems. Actions by the Arizona Game and Fish Department (Department) should be based on the best available scientific information. Mountain lions and coyotes will be managed to ensure their future ecological, intrinsic, scientific, educational, and recreational values, to minimize conflicts with humans, and to minimize adverse impacts on other wildlife populations.

The Department will develop site-specific management plans when either of these two species is considered to be inhibiting the ability of the Department to attain management goals and objectives for other wildlife species. Statewide management goals and objectives can be found in the Department's Strategic Planning document. Additionally, management goals and objectives for predator control areas will be identified in site-specific management plans. Implementation Site-specific management plans will be consistent with the management goals and objectives for the predator species involved, other species, the habitat, and other biological, social, and legal constraints. This policy does not supercede existing livestock depredation procedures nor the Department's normal hunt recommendation process. Threats to human health and safety will be handled in accordance with the Department's wildlife/human interaction policies.

WASHINGTON - <http://wdfw.wa.gov/publications/00399/wdfw00399.pdf>

Washington Department of Fish and Wildlife Game Management Plan: Predator management identified as an objective in the July 2003 – June 2009 Game Management Plan.

- Objective 13 – *Maintain public support for managing predator populations, while sustaining predator populations in balance with prey species and considering public safety and social tolerance.* This objective includes the following strategies:
 - *Focus hunting and harvest efforts for predators on those areas and situations that address human safety, protection of pets and livestock, and recovery of list species. Specific management proposals are included in the species section of the plan.*
 - *Incorporate focused predator harvest activities using licensed hunters while ensuring sustainable predator populations.*
 - *Make any changes to current predator hunting on a gradual basis in order to monitor success prior to expanding hunting opportunities and to increase public support.*

OREGON – <http://gov.oregonlive.com/bill/2015/HB2182/feed/>

Legislation (2015) – Oregon House Bill (HB) 2182 (from House Agriculture and Natural Resources Committee) requires State Department of Fish and Wildlife to study developing a predator management plan for the State of Oregon and to report to interim committees of the Legislative Assembly on or before September 15, 2016.

- A Predator Policy Workgroup was established by the committee to explore the merits of establishing a state wide predator management policy. The Workgroup found consensus on several key points:
 - *To fulfill its statutory responsibility, the Oregon Department of Fish and Wildlife must holistically and, in concert, manage all fish and wildlife populations, including predator species*
 - *That all fish and wildlife species must be managed in such a manner that protects, preserves and provides optimal recreational opportunities including consumptive use*
 - *That predator management actions must be based on the best available science*
 - *That predator management actions need to be implemented when the best available science determines that predation is a significant limiting factor in fish and wildlife populations not meeting management goals and objectives*
 - *The long term goal is to manage predator numbers at a level that allows for increased fish and wildlife harvest while maintaining viable predator populations*

**Wildlife Resources Committee
Predator Policy Workgroup
Draft Report Outline
June 28, 2016**

Executive Summary

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Participation

Organization Structure

Meetings

Ground Rules and Guiding Principles

Schedule

Chapter 2: Project Scope and Objectives

Project Scope

Project Objectives and Tasks

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Statement of need, key elements, recommendation

Chapter 5: Regulatory Proposals

Statement of need, process for identifying/selecting regulations for change, consistency with policy, recommendation

Chapter 6: Proposed Statutory Changes

Statement of need, evaluation and alignment with policy and regulatory proposals, recommendation

Chapter 7: Recommendations

Summary of Workgroup recommendations

Appendices