



TRAPPING LAWS AND REGULATIONS

This document is designed to provide essential information about trapping. It **does not** provide complete coverage of all trapping laws and regulations.

Although this document contains excerpts from the Fish and Game Code, and/or the California Code of Regulations, Title 14, it is the licensee's responsibility to know and obey **all** laws and regulations in effect while he/she is participating in trapping activity. Changes to either code may occur at any time during the year.

Any discrepancies between this document and the codes(s) from which it was prepared will be enforced and adjudicated according to the official code(s) in effect on the date the activity takes place.

Effective November 20, 2015, regulations to ban recreational and commercial bobcat trapping statewide have been adopted.

Fish and Game Code Excerpts

§3003.1. Use of Body-Gripping Traps Prohibited; Buy, Sell, Barter, Etc. Fur from Animal Trapped with Prohibited Trap

Notwithstanding Sections 1001, 1002, 4002, 4004, 4007, 4008, 4009.5, 4030, 4034, 4042, 4152, 4180, or 4181:

(a) It is unlawful for any person to trap for the purposes of recreation or commerce in fur any fur-bearing 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 leghold traps, padded-jaw leghold traps, conibear traps, and snares. Cage and box traps, nets, suitcase-type live beaver traps, and common rat and mouse traps shall not be considered body-gripping traps.

(b) 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 any fur-bearing mammal or nongame mammal that was trapped in this state, with a body-gripping trap as described in subdivision (a).

(c) It is unlawful for any person, including an employee of the federal, state, county, or municipal government, to use or authorize the use of any steel-jawed leghold trap, padded or otherwise, to capture any game mammal, fur-bearing mammal, nongame mammal, protected mammal, or any dog or cat. The prohibition in this subdivision 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 leghold trap is the only method available to protect human health or safety.

(d) For purposes of this section, fur-bearing mammals, game mammals, nongame mammals, and protected mammals are those mammals so defined by statute on January 1, 1997.

§3003.2. Use of Sodium Fluoroacetate to Poison Any Animal Prohibited

Notwithstanding Sections 4003, 4152, 4180, or 4180.1 of this code or Section 14063 of the Food and Agricultural Code, no person, including an employee of the federal, state, county, or municipal government, may poison or attempt to poison any animal by using sodium fluoroacetate, also known as Compound 1080, or sodium cyanide.

§3003.5. Pursue, Drive, or Herd Any Bird or Mammal with Motorized Vehicle; Exceptions

It is unlawful to pursue, drive, or herd any bird or mammal with any motorized water, land, or air vehicle, including, but not limited to, a motor vehicle, airplane, powerboat, or snowmobile, except in any of the following circumstances:

(a) On private property by the landowner or tenant thereof to drive or herd game mammals for the purpose of preventing damage by such mammals to private property.

(b) Pursuant to a permit from the department issued under such regulations as the commission may prescribe.

(c) In the pursuit of agriculture.

§3032. Definitions; Hound Tag Program

(1) "Bear" and "pursue" have the same meanings as defined in Section 3960.

(2) "Hound" means a dog used to pursue mammals.

(b) The commission may establish a hound tag program.

(c) If a hound tag program is established, the commission may require all of the following:

(1) That each hound be issued a license tag bearing a unique identifying number that is to be worn at all times by the hound while pursuing mammals.

(2) That all relevant local and state laws pertaining to dogs are being followed while the hound is being used to pursue mammals.

(3) That each hound be microchipped with an implanted transponder that has a unique identification code.

(4) That the owner maintain documentation showing that the hound is current on all required vaccinations and treatments for the prevention of rabies and any other disease specified by the department.

(5) That the owner report, within 24 hours of its last sighting, any hound that is lost during hunting, pursuing, or tracking activities.

(6) That the hound's tag identification number be recorded on the hunting tag of any animal taken using the services of the hound.

(d) If a hound tag program is established, the commission may adjust the amount of the fees for the hound tag as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to the program.

§3039. Sale or Purchase of Wild Animals; Exceptions

(a) Except as otherwise provided in this section and Sections 3087 and 4303, or any other provision of this code, or regulations adopted pursuant thereto, it is unlawful to sell or purchase any species of bird or mammal or part thereof found in the wild in California.

(b) Products or handicraft items made from furbearing mammals and nongame mammals, their carcass or parts thereof, lawfully taken under the authority of a trapping license, may be purchased or sold at any time.

(c) Shed antlers, or antlers taken from domestically reared animals that have been manufactured into products or handicraft items, or that have been cut into blocks or units which are to be handcrafted or manufactured into those articles may be purchased or sold at any time. However, complete antlers, whole heads with antlers, antlers that are mounted for display, or antlers in velvet may not be sold or purchased at any time, except as authorized by Section 3087.

(d) Notwithstanding Section 3504, inedible parts of domestically raised game birds may be sold or purchased at any time.

(e) Any person who illegally takes any bird or mammal for profit or for personal gain by engaging in any activity authorized by this section is subject to civil liability pursuant to Section 2582.

§3960. Allow Dogs to Pursue Big Game Mammals; Conditions; Disposition of Dog

(1) "Pursue" means pursue, run, or chase.

(2) "Bear" means any black bear (*Ursus americanus*) found in the wild in this state.

(b) It is unlawful to permit or allow any dog to pursue any big game mammal during the closed season on that mammal, to pursue any fully protected, rare, or endangered mammal at any time, to pursue any bear or bobcat at any time, or to pursue any mammal in a game refuge or ecological reserve if hunting within that refuge or ecological reserve is unlawful.

(c) (1) The department may take any of the following actions:

(A) Capture any dog not under the reasonable control of its owner or handler, when that uncontrolled dog is pursuing, in violation of this section, any big game

mammal, any bear or bobcat, or any fully protected, rare, or endangered mammal.

(B) Capture or dispatch any dog inflicting injury or immediately threatening to inflict injury to any big game mammal during the closed season on that mammal, and the department may capture or dispatch any dog inflicting injury or immediately threatening to inflict injury on any bear or bobcat at any time, or any fully protected, rare, or endangered mammal at any time.

(C) Capture or dispatch any dog inflicting injury or immediately threatening to inflict injury to any mammal in a game refuge or ecological reserve if hunting within that refuge or ecological reserve is unlawful.

(2) No criminal or civil liability shall accrue to any department employee as a result of enforcement of this section.

(3) This section does not apply to the use of dogs to pursue bears or bobcats by federal, state, or local law enforcement officers, or their agents or employees, when carrying out official duties as required by law.

(4) Owners of dogs with identification, that have been captured or dispatched, shall be notified within 72 hours after capture or dispatch.

§3960.2. Pursue Bear or Bobcat – Requirements for Permit; Requirements After Taking Bear; Sale of Parts of Bear; Submission of Skull to Department

(a) As used in this section, the terms "bear" and "pursue" have the same meanings as defined in Section 3960.

(b) Notwithstanding Section 3960, not more than three dogs may be used to pursue bears or bobcats pursuant to a depredation permit issued by the department, if all of the following conditions are met:

(1) The applicant demonstrates, in writing, that nonlethal and avoidance measures were undertaken prior to requesting the depredation permit.

(2) The applicant demonstrates, in writing, the specific need for the use of dogs in carrying out the depredation permit.

(3) The depredation permit authorizing the use of dogs is valid for the take of one bear or one bobcat.

(4) The depredation permit authorizing the use of dogs is valid for a period not to exceed 20 consecutive days.

(5) The depredation permit specifies the name and address of any dog handler who will be utilized in the pursuit or taking.

(6) The dog handler has the depredation permit in his or her possession at all times during the pursuit or taking.

(7) The dog handler does not pursue a bear or bobcat more than one mile off the property on which the depredation activity occurred.

(c) After any taking of a bear, the applicant is required to submit the skull to the department as described in the department's Black Bear Management Plan. No part of any bear taken pursuant to a depredation permit may be sold, purchased, or possessed for sale, as described in Section 4758.

(d) No holder of a depredation permit may solicit or receive compensation from any person in exchange for carrying out the terms of the permit. For these purposes,

“compensation” means remuneration paid in money, property, or anything else of value.

(e) The holder of a depredation permit, within 30 days of its issuance, shall report to the department detailing the use of the permit and the results of any pursuits, including information about bear or bobcat pursued and whether the bear or bobcat was or was not harmed, but not killed.

§3960.4. Use of Dogs to Pursue Bears or Bobcats for Scientific Research; Requirements for Permit: Memorandum of Understanding Required

(a) As used in this section, the terms “bear” and “pursue” have the same meanings as defined in Section 3960.

(b) Notwithstanding Section 3960, the department may authorize qualified individuals, educational institutions, governmental agencies, or nongovernmental organizations to use dogs to pursue bears or bobcats for the purpose of scientific research, provided that the research project is designed to do all of the following:

(1) Contribute to knowledge of natural wildlife ecosystems.

(2) Follow best practices and minimize disruptions in the lives and movements of bears, bobcats, and other wildlife, as well as impacts to the habitat while maintaining the applicant’s objectives.

(3) Directly or indirectly support the sustainability and survival of bear or bobcat populations and healthy ecosystems.

(4) Not include the intentional injury or killing of any bear or bobcat.

(5) Not include the intentional relocation of any bear or bobcat other than to areas suitable to them in the state. Any relocation shall comply with the requirements of Section 4190.

(c) Any research project authorized pursuant to subdivision (b) shall be undertaken pursuant to a memorandum of understanding between the department and the authorized research entity that addresses all of the following:

(1) Trapping and anesthetizing of the animals pursued, collection of diagnostic samples, attaching or surgically implanting monitoring or recognition devices or markings, and providing veterinary care or euthanasia, as required, for the health, safety, and humane treatment of the animals.

(2) Qualifications of onsite field supervisors necessary for carrying out authorized research procedures.

(3) Immediate reporting of any incidental mortality or injury to a bear or bobcat as a result of authorized research activities. Reports of any incidental mortality or injury to a bear or bobcat shall be made available to the public upon request.

(4) Filing of annual and final progress reports of research involving pursuit by dogs. Annual and final progress reports shall be made available to the public upon request.

(d) The department shall provide notice to the public of any bear or bobcat research project authorized pursuant to subdivision (b) at least 30 days prior to its initiation, and, upon request, shall make available to the

public copies of the memorandum of understanding between the department and the authorized research entity required pursuant to subdivision (c).

§3960.6. Pursuit of Bears or Bobcats by Dogs Guarding or Protecting Livestock or Crops; Limitations

(a) As used in this section, the terms “bear” and “pursue” have the same meanings as defined in Section 3960.

(b) Notwithstanding Section 3960, the pursuit of bears or bobcats by dogs that are guarding or protecting livestock or crops on property owned, leased, or rented by the owner of the dogs, is not prohibited if the dogs are maintained with, and remain in reasonable proximity to, the livestock or crops being guarded or protected.

§4000. Definition of Fur-bearing Mammals

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

§4002. Methods for taking fur-bearing Mammals

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. Use of Poison to Take – Permit Required

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. Unlawful Methods of Taking

It is unlawful to do any of the following:

(a) Use a steel-jawed leghold trap, or use 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 that 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 trap 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 muskrat.

§4005. Take with Traps or Sell Raw Furs; License Required

(a) Except as otherwise provided in this section, every person, other than a fur dealer, who traps fur-bearing mammals or nongame mammals, designated by the commission or who sells raw furs of those mammals, shall procure a trapping license. "Raw fur" means any fur, pelt, or skin that has not been tanned or cured, except that salt-cured or sun-cured pelts are raw furs.

(b) The department shall develop standards that are necessary to ensure the competence and proficiency of applicants for a trapping license. No person shall be issued a license until he or she has passed a test of his or her knowledge and skill in this field.

(c) Persons trapping mammals in accordance with Section 4152 or 4180 are not required to procure a trapping license except when providing trapping services for profit.

(d) No raw furs taken by persons providing trapping services for profit may be sold.

(e) Officers or employees of federal, county, or city agencies or the department, when acting in their official capacities, or officers or employees of the Department of Food and Agriculture when acting 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, are exempt from the license requirement of this section.

§4006. License Fees

(a) A trapping license shall be issued as follows:

(1) To any resident of this state over the age of 16 years upon payment of a base fee of forty-five dollars (\$45), as adjusted under Section 713.

(2) To any resident of this state under the age of 16 years upon payment of a base fee of fifteen dollars (\$15), as adjusted under Section 713.

(3) To any person not a resident of this state upon payment of a base fee of two hundred twenty-five dollars (\$225), as adjusted under Section 713.

(b) A license shall not be issued to a nonresident if the state in which he or she resides does not provide for issuance of a nonresident trapping license to California residents. Also, a nonresident issued a license under

this subdivision may take only those species, and may take or possess only that quantity of a species that a resident of California may take or possess under a nonresident trapping license or permit in the state of residence of that nonresident.

(c) The commission shall adjust the amount of the fees specified in subdivision (a), as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses.

§4007. License Term and Authorizations

A trapping license authorizes the person to whom it is issued to take, during the open season, fur-bearing mammals and nongame mammals for a term of one year from July 1st, or if issued after the beginning of such term, for the remainder thereof and to sell the raw fur of any such animal.

§4008. License Applicant's Statement of Previous Trapping, etc.

No trapping license shall be issued to any applicant within one year following the expiration of any trapping license previously issued to such applicant unless he has submitted to the department a sworn statement showing the number of each kind of fur-bearing mammals and nongame mammals taken under the previous license and the names and addresses of the persons to whom they were shipped or sold.

§4009. Traps; Remove or Disturb

It is unlawful to remove or disturb the trap of any licensee while the trap is being used by the licensee on public land or on land where the licensee has permission to trap. This section does not apply to any employee of the department while engaged in the performance of official duties.

§4009.5. Trapping License – Adoption of Regulations by Commission

The commission may adopt such regulations as it determines to be necessary to regulate the taking and sale of fur-bearing mammals or nongame mammals taken under a trapping license.

§4010. Confined Fur-bearing Mammals

The provisions of this chapter do not apply to, or prohibit the propagation of, fur-bearing mammals which are confined in accordance with the regulations of the commission.

§4011. Taking of Mammals Involved in Dangerous Disease Outbreaks

(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. Taking of Fox for Profit

It is unlawful to take any cross fox, silver fox, or red fox for profit making purposes.

§4030. License Requirements for Fur Dealer

Every person engaging in, carrying on, or conducting wholly or in part the business of buying, selling, trading or dealing in raw furs of fur-bearing mammals or nongame mammals is a fur dealer and shall procure a fur dealer license. No fur dealer license shall be required of a licensed trapper selling raw furs which he has lawfully taken, or a domesticated game breeder selling raw furs of animals which he has raised.

§4031. License Fee

A revocable fur dealer license shall be issued to any person upon payment of a base fee of seventy dollars (\$70), as adjusted under Section 713.

§4032. License Requirements for Fur Agent

Any person who is employed by a licensed fur dealer to engage in the business of buying, selling, trading, or dealing in raw furs only on behalf of the fur dealer and not on his own behalf is a fur agent and shall procure a fur agent license.

§4033. Fur Agent Revocable License

A revocable fur agent license shall be issued to any person who is employed by a licensed fur dealer upon payment of a base fee of thirty-five dollars (\$35), as adjusted under Section 713.

§4034. Authority and Term of Fur Dealer License

A fur dealer license authorizes the person to whom it is issued to buy, sell, barter, exchange, or possess raw furs or parts thereof of fur-bearing mammals and nongame mammals for a term of one year from July 1st, or if issued after the beginning of such term, for the remainder thereof.

§4035. Display of Licenses

A fur dealer or fur agent license shall be shown upon request to any person authorized to enforce the provisions of this code.

§4036. Raw Fur Purchase Restrictions

It shall be unlawful for any fur dealer to purchase the raw fur of any fur-bearing mammal or nongame mammal from any person who does not hold a valid trapping license, fur dealer license, or fur agent license.

§4037. Raw Fur Transfer Record Requirements

Every fur dealer licensed pursuant to this article shall maintain a true and legible record of any transfer of raw furs to show:

- (a) The license number, name, and address of the seller.
- (b) The signature, name, and license number, if applicable, of the buyer.
- (c) The number and species of raw furs transferred, by county of take.

(d) The price paid or terms of exchange.

(e) The date of transfer.

(f) Such other information as the department may require.

§4038. Records – Available for Inspections at All Times

The record of sale, exchange, barter, or gift shall be available for inspection at any time by the department.

§4040. Annual Report by Dealers of Fur Transfers

Each licensed fur dealer shall submit an annual report to the department on the sale, exchange, barter, or gift of raw furs, on forms furnished by the department. No license shall be renewed until such a report is received.

§4041. Confidentiality of Receipts, Records, and Reports

The receipts, records, and reports required by this article and the information contained therein, shall be confidential, and the records shall not be public records. Any information which is published shall be published in such a manner as to preserve confidentiality of the persons involved.

§4042. Regulation of Raw Fur Business by Commission

The commission may regulate the business of buying, selling, trading, or dealing in raw furs, or parts thereof, of all fur-bearing mammals or nongame mammals under a fur dealer license.

§4043. License Revocation

Any license issued under this chapter may be revoked by the commission at one of the commission's regularly scheduled meetings, upon the licensee's conviction of a violation of this article.

§4150. Definition of Nongame Mammals; Take or Possess

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. Taking of Nongame Mammals Found Injuring Crops or Property

Except as provided in Section 4005, nongame mammals and black-tailed jackrabbits, muskrats, 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 by the owner or tenant of the premises or employees thereof, except that if leghold steel-jawed traps are used to take those mammals, the traps and the use thereof shall be in accordance with subdivisions (a), (b), and (d) of Section 4004. 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 provisions of 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 the requirements of Section 3007. Raw furs, as defined in Section 4005, that are taken under this section, may not be sold.

(b) Traps used pursuant to this section shall be inspected and all animals in the trap 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.

§4155. Bobcat Protection Act of 2013

(a) Beginning January 1, 2014, 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 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 Interstate 10; North of Interstate 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 subdivisions (a) and (b) shall not apply to the taking of any bobcat by employees 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 of bobcats found to be injuring crops or other property pursuant to Section 4152 or other provisions of this code or regulations adopted pursuant to this code.

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

§4180. Take Fur-bearing Mammals; Conditions; Use of Leghold Steel-jawed Traps; Removal of Animals in the Trap

(a) Except as provided 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, except that if leghold steel-jawed traps are used to take those mammals, the traps and the use thereof shall be in accordance with subdivisions (a), (b), and (d) of Section 4004. Raw furs, as defined in Section 4005, that are taken under this section, may not be sold.

(b) Traps used pursuant to this section shall be inspected and all animals in the trap 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.

§4180.1. Manners of Taking Immature Depredator Mammals

It is unlawful to use snares, hooks, or barbed wire to remove from the den, or fire to kill in the den, any immature depredator mammal.

Nothing in this section shall prohibit the use of fire-ignited gas cartridges or other products registered or permitted under the Federal Insecticide, Rodenticide, and Fungicide Act (7 U.S.C. 135 et seq.).

§4700. Take or Possess Fully Protected Mammals Prohibited

(a) (1) Except as provided in Section 2081.7 or 2835, fully protected mammals or parts thereof may not be taken or possessed at any time. No provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected mammal, and no permits or licenses heretofore issued shall have any force or effect for that purpose. However, the department may authorize the taking of those species for necessary scientific research, including efforts to recover fully protected, threatened, or endangered species. Prior to authorizing the take of any of those species, 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 provided an e-mail address, if available, or postal address to the department. Affected and interested parties shall have 30 days after notification is published in the California Regulatory Notice Register to provide any relevant information and comments on the proposed authorization.

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

(3) Legally imported fully protected mammals or parts thereof 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 nelsoni*) 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*).

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§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.

§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.

§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.

§463. Beaver.

Beaver may be taken only as follows:

(a) Season and Area: November 1 through March 31 in the counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado,

Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Mono, Monterey, Nevada (except Sagehen Creek), Placer, Plumas, Sacramento, San Joaquin, San Luis Obispo, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba; and those portions of Riverside and San Bernardino counties within 10 miles of the Arizona-California border. (This regulation supersedes Section 4001 of the Fish and Game Code.)

Bag and Possession Limit: There is no bag or possession limit in these areas for the taking of beaver.

(b) Beaver or any part thereof may not be taken in the balance of the state including the counties of Los Angeles, Marin, Mendocino, Napa, Orange, San Benito, San Diego, San Francisco, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Sonoma, and Ventura; and those portions of Riverside and San Bernardino counties further than 10 miles from the California-Arizona border. (This regulation supersedes Section 4001 of the Fish and Game Code.)

§464. Raccoon.

(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: When taking raccoon after dark, pistols and rifles not larger than .22 caliber rim fire 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.)

(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.

§465. Methods for Taking Furbearers.

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.

§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 mammals, nongame mammals, and protected mammals are those mammals so defined by 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, and 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, nongame mammal, protected mammal, 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 subsections (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 Purposes 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 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" x 8" may be used only 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.

(A) Zone 1: Beginning at Interstate 5 and Highway 89, east on Highway 89 to Harris Springs Road near Bartle, north on Harris Springs Road (primary U.S. Forest Service Road 15) to Powder Hill Road (primary U.S. Forest Service Road 49), northeast on Powder Hill Road to Road 42N56, east on Road 42N56 to the Siskiyou/Modoc county line, north on the Siskiyou/Modoc county line to the boundary of the Lava Beds National Monument, north along the eastern boundary of the Lava Beds National Monument, then west then south along the western boundary of the Lava Beds National Monument to Road 46N21, west along Road 46N21 over Gold Digger Pass to the western boundary of the Modoc National Forest, south along the western boundary of the Modoc National Forest to the boundary of the Shasta National Forest, west along the northern boundary of the Shasta National Forest to Highway 97, southwest on Highway 97 to Interstate 5, northwest on Interstate 5 to Old Highway 99, northwest on Old Highway 99 to Stewart Springs Road, southwest on Stewart Springs Road to the Yreka Ditch, west along the Yreka Ditch to the Gazelle/Callahan Road, southwest on the Gazelle/Callahan Road to Highway 3, south on Highway 3 to Ramshorn Road, northeast on Ramshorn Road to Castle Creek Road, east on Castle Creek Road to Interstate 5, north on Interstate 5 to the point of beginning.

(B) Zone 2: Beginning in Tehama County at the intersection of Highway 36 and the western boundary of the Lassen National Forest, south along the western boundary of the Lassen National Forest to the boundary of the Plumas National Forest, south along the western boundary of the Plumas National Forest to the boundary of the Tahoe National Forest, south along the western boundary of the Tahoe National Forest to the boundary of the El Dorado National Forest, south along the western boundary of the El Dorado National Forest to the boundary of the Stanislaus National Forest, south along the western boundary of the Stanislaus National Forest to the boundary of the Sierra National Forest, south along the western boundary of the Sierra National Forest to the boundary of the Sequoia National Forest, south along the western boundary of the Sequoia National Forest to Highway 245, southwest on Highway 245 to Road 168, southwest on Road 168 to County Road J40, west on County Road J40 to Henderson Road, northwest on Henderson Road to Lincoln Avenue, west on Lincoln Avenue to Highway 145, north on Highway 145 to Avenue 7, west on Avenue 7 to Road 21, north on Road 21 to Avenue 12, west on Avenue 12 to Road 16, north on Road 16 to Avenue 18 1/2, west on Avenue 18 1/2 to Road 9, north on Road 9 to Highway 152, west on Highway 152 to Highway 59, north on Highway 59 to Highway 99, northwest on Highway 99 to

Highway 140, west on Highway 140 to Highway 33, north on Highway 33 to Interstate 5, north on Interstate 5 to County Road J4, west on County Road J4 to County Road J2, north on County Road J2 to Highway 4, west on Highway 4 to Lone Tree Way, west on Lone Tree Way to James Donlon Boulevard, west on James Donlon Boulevard to Somersville Road, south on Somersville Road to Nortonville Road, north on Nortonville Road to Kirker Pass Road, southwest on Kirker Pass Road to Clayton Road, southeast on Clayton Road to Mitchell Canyon Road, south on Mitchell Canyon Road to the boundary of Mount Diablo State Park, south along the western boundary of Mount Diablo State Park to Mt. Diablo Scenic Boulevard, south on Mt. Diablo Scenic Boulevard to Blackhawk Road, southeast on Blackhawk Road to Camino Tassajara, west on Camino Tassajara to Dougherty Road, south on Dougherty Road to Interstate 580, west on Interstate 580 to Interstate 680, south on Interstate 680 to Highway 84, northeast on Highway 84 to Holmes Street, south on Holmes Street to Wetmore Road, east on Wetmore Road to Arroyo Road, south on Arroyo Road to Del Valle Regional Park, southeast along the western boundary of Del Valle Regional Park to Arroyo Del Valle Creek, southeast on Arroyo Del Valle Creek to the Alameda/Santa Clara county line, east on the Alameda/Santa Clara county line to San Antonio Valley Road, south on San Antonio Valley Road to Del Puerto Canyon Road, east on Del Puerto Canyon Road to Santa Clara/Stanslaus county line, south along the Santa Clara/Stanslaus county line to the Santa Clara/Merced county line, south along the Santa Clara/Merced county line to the San Benito/Merced county line, south along the San Benito/Merced county line to Little Panoche Road, south on Little Panoche Road to Panoche Road, east on Panoche Road to New Idria Road, south along New Idria Road to Clear Creek Road, southwest on Clear Creek Road to Coalinga Road, southeast on Coalinga Road to Coalinga-Mineral Springs Road, south on Coalinga-Mineral Springs Road to Highway 198, east on Highway 198 to Parkfield Grade, south on Parkfield Grade to Vineyard Canyon Road, west on Vineyard Canyon Road to Highway 101, north on Highway 101 to Bradley Road, north on Bradley Road to Sargents Road, north on Sargents Road to Pancho Rico Road, west on Pancho Rico Road to Cattleman's Road, north on Cattleman's Road to Highway 198, west on Highway 198 to Highway 101, north on Highway 101 to County Road G13, northeast on County Road G13 to Highway 25, north on Highway 25 to Browns Valley Road, north on Browns Valley Road to Santa Anita Road, northwest on Santa Anita Road to Santa Ana Valley Road, north on Santa Ana Valley Road to Fairview Road, north on Fairview Road to Highway 156, north on Highway 156 to Highway 152, southwest on Highway 152 to County Road G7, southwest on County Road G7 to Highway 25, west on Highway 25 to Highway 101, south on Highway 101 to the San Benito/Monterey county line, south on the San Benito/Monterey county line to Highway 146, west on Highway 146 to Highway 101, south on Highway 101 to Paraiso Springs Road, south on Paraiso Springs Road to County Road G17, south on County Road G17 to

County Road 16, northeast on County Road 16 to Central Avenue, southeast on Central Avenue to Highway 101, south on Highway 101 to County Road G14, south on County Road G14 to Milpitas Road, west on Milpitas Road to the boundary of Fort Hunter Liggett, south along the western boundary of Fort Hunter Liggett to the Nacimiento River, southeast along the Nacimiento River to Nacimiento Reservoir, southeast along the western boundary of Nacimiento Reservoir to Chimney Rock Road, south on Chimney Rock Road to Klau Mine Road, south on Klau Mine Road to Adelaida Road, east on Adelaida Road to Vineyard Drive, southeast on Vineyard Drive to Highway 101, south on Highway 101 to Highway 41, east on Highway 41 to Highway 229, south on Highway 229 to Creston O'Donovan Road, southeast on Creston O'Donovan Road to Highway 58, east on Highway 58 to the boundary of the Los Padres National Forest, south and east along the eastern boundary of the Los Padres National Forest to Highway 33, south on Highway 33 to Quatal Canyon Road, east on Quatal Canyon Road to Cerro Noroeste Road, east on Cerro Noroeste Road to Cuddy Valley Road, east on Cuddy Valley Road to Interstate 5, north on Interstate 5 to Wheeler Ridge Road, east on Wheeler Ridge Road to Laval Road, east on Laval Road to Rancho Road, north on Rancho Road to Sycamore Road, east on Sycamore Road to Tejon Highway, north on Tejon Highway to Highway 223, northeast on Highway 223 to Highway 58, east on Highway 58 to Caliente Bodfish Road, north on Caliente Bodfish Road to Highway 155, northeast then west on Highway 155 to the eastern boundary of the Sequoia National Forest, north and east along the southern boundary of the Sequoia National Forest to the Dome Land Wilderness, north along the eastern boundary of the Dome Land Wilderness to the boundary of the Inyo National Forest, north along the eastern boundary of the Inyo National Forest west of Highway 395 to the intersection of Inyo National Forest and Highway 395 near Sherwin Summit in Mono County, north on Highway 395 to the California/Nevada state line, north on the California/Nevada state line to Highway 395 in Sierra County, north on Highway 395 to Long Valley Road, south on Long Valley Road to the boundary of the Toiyabe National Forest, west along the Toiyabe National Forest boundary to the Tahoe National Forest boundary, west then south then west then north along the Tahoe National Forest boundary to the Plumas National Forest boundary, north then east then north along the eastern boundary of the Plumas National Forest to the Lassen National Forest boundary, north along the eastern boundary of the Lassen National Forest to the northern boundary of the Lassen National Forest, west along the northern boundary of the Lassen National Forest to the western boundary of the Lassen National Forest, south along the western boundary of the Lassen National Forest to the point of beginning.

(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.

§467. Trapping Reports.

All holders of trapping licenses must submit to the department a sworn statement or report by July 1 of his/her annual take of fur for the preceding trapping season. Statement or report shall show the number of each kind of furbearing mammals and nongame mammals taken, number sold, county in which furs were taken and the names and addresses of the persons to whom furs were shipped or sold. If the annual report is not received by July 1 following the most recent trapping year, or if it is not completely filled out, the trapper's license will be suspended. The commission shall be notified of any suspension and, subsequently, may revoke or reinstate applicant's license renewal application after written notice is given to the applicant and after he has been afforded an opportunity to be heard.

§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.

§473. Possession of Nongame Animals.

Any nongame bird or mammal that has been legally taken pursuant to this chapter may be possessed.

§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.

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.

§478. Bobcat.

(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, 475, 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 through 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.

§478.1. Bobcat Hunting Tags.

(a) Any person who possesses a valid hunting license may, upon payment of \$11.50, procure only five revocable, nontransferable bobcat hunting tags. Such tags shall be acquired at designated department offices. 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 fill in his/her name, address, and hunting license number prior to hunting, and carry the tag while hunting bobcats. Upon the harvesting of any bobcat, the hunter shall immediately fill out both parts of the tag and cut out and completely remove appropriate notches that clearly indicate the date of harvest. 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.

§479. Bobcat Pelts.

(a) Except for bobcats taken under a hunting license and tagged with a bobcat hunting tag as set forth in Section 478.1, or as provided in subsection 479(b), it shall be unlawful for any person to possess, whether for sale, export, or personal use, any bobcat pelt or part thereof taken in California without a department mark or shipping tag affixed to the pelt or part. Beginning November 20, 2015, the department shall not affix a department mark or shipping tag on any bobcat pelt.

(b) It is unlawful for any person to import, receive from out-of-state, or receive for sale, any bobcat pelt, or parts thereof that is not:

(1) Marked with the current export or shipping tag from the state of origin.

(2) Accompanied by an import declaration in accordance with Section 2353 of the Fish and Game Code, and specifying the number and kind of raw pelts in the shipment, the state in which the bobcats were taken, the license number under which they were taken and attesting that they were legally taken. Demonstration of the declaration of entry, pelt ownership and proof of legal take and marking is required of anyone receiving bobcat pelts from out-of-state upon the request of the department.