

Fish and Game Commission  
Predatory Policy Review

EXISTING F&G CODE (Statutory)	HSUS RECOMMENDATIONS	HSUS Questions & Comments	Project Coyote RECOMMENDATIONS	Project Coyote Questions & Comments
2003 - Possession and Take General	(1) Eliminate subsections (c) and (d)		(1) Eliminate subsection (d)	**Intent here is to prohibit ALL contest hunts- REGARDLESS of prize \$ or other inducements- hence why section d should be removed
4000 - Trapping of Fur-Bearing Mammals		**what is the consistent rationale to explain which animals are non-game versus fur-bearers?  **The trapping regs as pulled off the state site also identify wolverine, cross fox and silver fox. This needs to be addressed.		
4002 - Trapping of Fur-Bearing Mammals	(1) insert <u>legal</u> before trap  (2) <del>poison under a proper permit</del>	**Regs §3003.2 specifically exclude 1080 and cyanide. What is left after these?  **use of dogs should be reconsidered		**What poisons are currently legal for use to take furbearers?
4003 - Trapping of Fur-Bearing Mammals	(1) Eliminate entire section			
4004 - Trapping of Fur-Bearing Mammals	in subsection (e) (1) <del>daily</del>  (2) insert <u>within a 24 hour period daily</u>	**3003.1 prohibits the use of the below mentioned devices, but notes a bunch of sections, this one included, that are "notwithstanding". If there are exemptions to 3003.1 they need to be clearly identified and characterized.	(1) Eliminate subsection (c) (2) Eliminate subsection (f) (3) Eliminate subsection (g) (4) Eliminate subsection (h) in subsection (b) (5) <del>with a spread of 5 1/2 inches or larger without offset jaws.</del> (6) Add subsection <u>(e) Use a snare or a cable restraint as a trap.</u>	**Need to make consistent w/ provisions of Prop. 4 and AB 789
4011 - Trapping of Fur-Bearing Mammals				
4150 - Nongame Mammals				

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4152 - Nongame Mammals

in subsection (a)  
 (1) insert or bartered at end

in subsection (b)  
 (2) ~~daily~~  
 (3) insert within a 24 hour period following the setting of a trap  
 (4) Non-target species shall be released unharmed and may not be taken.

In subsection (b)(2)  
 (5) ~~the bears~~

In subsection (b)(3)  
 (6) ~~reoccurrence~~

\*\*\*No idea what this means – there is no such critter as a “red fox squirrel.” Probably means red or fox squirrel?

\*\*\*"injuring growing crops or other property" is too vague.

\*\*This section should be collapsed into section 4181

in subsection (a)  
 (1) insert after 4005 and consistent with the Department's stated depredation policy which authorizes depredation control measures to be directed towards individual offending animals that pose an immediate threat to private property, or that have caused damage thereto, only  
 (2) insert after code including Section 401 of Chapter 14, requiring issuance of a permit to take animals causing or immediately threatening to cause damage to growing crops or private property and requiring

*individual offending animals*

4153 - Nongame Mammals

\*\*Modify section to require the department to issue a finding before allowing any such control, with proper public notice and opportunity to comment.

\*\*Overly broad application  
 \*\*What is definition of harmful?

4154 - Nongame Mammals

\*\*Overly broad, no distinction between native and non-native species.

4181 - Depredators

in subsection (a)  
 (1) ~~bear~~  
 (2) insert wild animal  
 in subsection (b)  
 (3) ~~bears~~  
 (4) insert species

\*\*There are two gray squirrels in CA, one native and the other introduced. Not clear which is referred to here, or if both are intended?

\*\*Species list should be reviewed --- which species require permits for depredation control – and what species don't. Seems rather arbitrary.

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4181.1 - Depredators

in subsection (b)  
 (1) ..transfer of the carcass to another person or entity, providing such entity is as a nonprofit...

\*\*There is a small work group convened to discuss pig issues. Those efforts should continue with DFW involvement aimed at developing better pig management rules/regs/tools.

\*\*We are aware of serious enforcement issues with this "encounter" section and suggest LE be engaged in the discussion about pig management.

4185 - Depredators

(1) bears may be taken at any time with culvert traps

4190 - Depredators

\*\*This has led to lawsuits in Arizona. Should reconsider.

**EXISTING TITLE 14 REGULATIONS**

**HSUS RECOMMENDATIONS**

**HSUS Questions & Comments**

**Project Coyote RECOMMENDATIONS**

**Project Coyote Questions & Comments**

250 - General Prohibition Take Resident Gamebirds, Game Mammals and Furbearing Mammals

265 - Use of Dogs for Pursuit/Take of Mammals

Complete prohibition on "take"

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**\*\*Dogs – if allowed at all - should be limited to pursuing and baying certain mammals but expressly prohibited from any further "take" of them.**

**\*\*Subsection F -- includes the birth season. There should be no allowed pursuit of any species of mammal that falls within the birth season and the immediate period following when fully dependent young are present. This is consistent with the ethic of wildlife management**

in subsection (a)(2) edit to read  
(1) The use of dogs is prohibited for the pursuit and take of all wildlife in California .bear, bobcat, elk, bighorn-sheep and antelope.

In subsection (a)(4)  
(2) ~~the pursuit, take of mammals or for~~

in subsection (b)  
(3) ~~the pursuit, take of mammals or for~~

in subsection (b)(1)  
(4) ~~the pursuit, take of mammals or for~~

- (5) Eliminate subsection (b)(2)
- (6) Eliminate subsection (b)(4)
- (7) Eliminate subsection (b)(5)

in subsection (b)(6)(A)  
(8) insert 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.

**\*\*Pursuit and take should be prohibited for ALL mammals; training allowed only for purposes of depredation/treeing and scientific research**

**\*\*Seasons require revisions (subsection f)**

training allowed for depredation and research

would "take" delete but allow for training

furbearers of mammal

365 - Bear

in subsection (e)  
(1) ~~or bait~~

**\*\*No baiting of any species should be allowed.**

**\*\*No bait should be allowed for taking any predators in CA.**

366 - Archery Bear Hunting

in subsection (d)  
(1) ~~during the archery season for bear.~~

In subsection (e)  
(2) ~~or bait~~

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400 - Deer Depredation Hunts

401 - Permit to Take Animals Causing Damage

in subsection (a)

(1) ~~may~~

(2) insert must

(3) ~~or immediately threatening to damage or destroy,~~

in subsection (b)

(4) ~~or threatened damage~~

in subsection (c)

(5) insert DEPREDATING

*changed to make consistent with other H&G changes which would eliminate permits being given before damage is done.*

in subsection (a)

(1) insert bobcat

(2) insert a bobcat in the act of injuring or killing livestock may be taken immediately provided the property owner or tenant applies for a permit from the department the next working day following the take.

in subsection (b)

(1) strike entire section

(2) insert

1. Permits issued pursuant to this section for beaver, wild pigs, or gray squirrels shall be valid for a period not to exceed one year.

2. Permits issued pursuant to this section for bobcat, elk, bear, wild turkey, or deer shall be valid for a period not to exceed 60 days.

3. Permits issued pursuant to this section authorizing the use of dogs for bear or bobcat shall authorize no more than three dogs and shall be valid for a period not to exceed 20 consecutive days.

4. Permits may be renewed if damage or threatened damage to land continues to exist. (more...)

in subsection (c)

(1) Strike section

(2) Insert Required Information and

\*\*Subsection (d): Should incorporate protocols for non-lethal before lethal methods of take



460 - Fisher, Marten, Desert Kit Fox and Red Fox

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461 - Badger and Gray Fox

462 - Muskrat and Mink

464 - Raccoon

472 - General Provisions

///

\*\*These specific dates to allow take should steer clear of birth and dependent young rearing seasons.

\*\*There should be limitations on the take of these species—"any time and in any number" is not in keeping with ethical species management.

in subsection (b)  
(1) eliminate subsection (3)

(1) Eliminate subsection (d)

in the preamble insert  
(1) Except ...provided in California Fish and Game Code Section 4152, Code of Regulations...

in subsection (a)  
(2) and mammals ... coyote, weasels, skunks, opossum, moles and rodents (excluding tree and flying squirrels, and those listed as furbearers, endangered or threatened species).

II

Insert subsection (e)  
(e) Consistent with the Department's stated depredation policy and California Fish and Game Code Section 4152, only nongame mammals that have damaged growing crops or private property or to have posed an immediate threat thereto may be taken by methods consistent with Section 401 of the California Fish and Game Code of Regulations, requiring a permit. It shall be unlawful for citizens of the State of California to conduct, organize, sponsor or participate in mass indiscriminate killing of nongame mammals, including those for any type of prize, recognition or financial reward.

would prohibit  
keep from  
pursuing gray fox  
and raccoon

\*\*Should not allow unlimited take

\*\*Should not allow unlimited take

\*\*Should not allow unlimited take

that "have" damaged  
... or may have  
posed an  
immediate  
threat

"Contests"

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474 - Hours for Taking  
475 - Methods of Take for Nongame Birds and  
Nongame Mammals

in subsection (b)  
(1) ~~except coyotes, bobcats, American  
crows and starlings~~

*would fully  
prohibit  
recording of  
electronic  
calls*

478 - Bobcat

478.1 - Bobcat Hunting Tags  
480 - Bobcat Depredation

**\*\*Poisons should be outlawed for all  
take, depredation and  
recreation/hunting.**

**\*\*No baiting should be allowed outside  
of depredation/relocation efforts.**

**\*\*We think bobcats should not be  
hunted or trapped in California. It is  
largely a commercial hunt and not  
justified.**

(1) Eliminate subsection (b)

In subsection (e)  
(2) ~~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.~~

(1) Strike entire section

**\*\*Overly broad. Default should be  
cannot be taken except as provided-  
instead of default as "in any manner  
except" ...**

**\*\*Should not allow unlimited take**