

CHAPTER 5. FURBEARING MAMMALS

<http://www.fgc.ca.gov/regulations/current/mammalregs.aspx#460>

§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.

Amendment filed 6-26-96; operative 7-1-96.

§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.

Repealer and new section filed 5-13-81; designated effective 5-23-81.

§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.

Amendment filed 5-13-81; designated effective 5-23-81.

§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.)

Editorial correction repealing subsection (c) filed 5-19-82.

§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:
 - (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.

Amendment filed 6/26/15; effective 7/1/15.

§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. 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 or other inducement as a reward for the taking of furbearers in an individual contest, tournament, or derby.

Amendment filed 6-26-15; operative 7/1/15.

§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/Stanislaus county line, south along the Santa Clara/Stanislaus 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.

Amendment of subsection (g)(1) filed 6-27-2000; operative 6-27-2000.

§466. Hours for 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.

Amendment filed 6-7-82; designated effective 6-17-82.

§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.

Amendment filed 6-26-97; operative 6-26-97.