

## Staff Summary for December 11-12, 2024

**15. Wildlife Rehabilitation****Today's Item**Information Action 

Consider adopting proposed amendments to regulations regarding wildlife rehabilitation.

**Summary of Previous/Future Actions**

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|--|---|
| • Wildlife Resources Committee (WRC) vetting | September 15, 2022; WRC                                 |
| • WRC vetting                                | May 17, 2023, September 21, 2023, January 16, 2024; WRC |
| • Notice hearing                             | June 19-20, 2024  |
| • Approved changes to noticed regulations    | August 14-15, 2024                                      |
| • Discussion hearing                         | October 9-10, 2024                                      |
| • <b>Today's adoption hearing</b>            | <b>December 11-12, 2024</b>                             |

**Background**

Under multiple authorities in California Fish and Game Code, the Commission adopts regulations governing possession of wildlife and wildlife rehabilitation; pursuant to those regulations, the Department oversees permitting for wildlife rehabilitators in the state through its Native Wildlife Rehabilitation Program. A wildlife rehabilitator provides animal care and rehabilitation of sick, injured, and orphaned native wildlife, as well as wildlife conservation education and outreach to diverse local communities. Currently, there are 80 permitted wildlife rehabilitation facilities in California handling approximately 100,000 animals annually.

Existing regulations for wildlife rehabilitation were last updated in 2007 and are outdated. At its June 2024 meeting, the Commission authorized staff to publish a notice of proposed changes that would update the regulations to reflect current standards, improve animal welfare, and enhance program administration. Exhibit 1 provides additional details about the process leading up to the June meeting.

At its August 2024 meeting, the Commission authorized staff to publish a notice of sufficiently related changes, including proposals to restrict fawn rehabilitation in response to the recent discovery of chronic wasting disease (CWD) in California. The changes aim to address concerns about CWD transmission and provide clarity and consistency in wildlife rehabilitation regulations; a notice reflecting these and other sufficiently-related changes, many of which address stakeholder concerns, was mailed to interested parties on August 26, 2024.

Since publishing the notice in August, the Commission and Department have received several comment letters, which are summarized in a pre-adoption statement of reasons (Exhibit 4). As a result of some of the comments received, staff and the Department recommend additional changes to the proposed regulations, including to enclosure usage and requirements, reptile and amphibian care, cleaning protocols, euthanasia training, and other minor changes. The recommended changes are listed in exhibits 4 and 5. If approved, the proposed changes will require a 15-day public notice to allow for public review. After the 15-day public notice period, staff expects to submit the rulemaking to the Office of Administrative Law.

## Staff Summary for December 11-12, 2024

**Significant Public Comments**

1. Five members of the wildlife rehabilitation community provide suggested changes to the proposed Native Wildlife Rehabilitation 679 Regulations Manual (Exhibit 10).
2. A member of the wildlife rehabilitation community expresses concern over the timeline for the effective date of the rulemaking. The author agrees that the standards are outdated but argues that rapid implementation could harm wildlife care by forcing rehabilitators to close or reduce services. Additionally, the author states that the proposed regulations overemphasize permanent captivity standards, neglecting the unique needs of rehabilitating wild animals. The author urges the Commission to consider a more gradual rollout and adjustments to the regulations to ensure effective and compassionate wildlife care. (Exhibit 11)

**Recommendation**

**Commission staff:** Adopt the proposed amendments to regulations for possession of wildlife and wildlife rehabilitation as recommended by the Department. Direct staff to publish a 15-day notice to allow for public review of the additional proposed changes.

**Department:** Adopt the proposed amendments to regulations for possession of wildlife and wildlife rehabilitation as presented in exhibits 4 through 8.

**Exhibits**

1. [Staff summary for Agenda Item 13, June 19-20, 2024 Commission meeting \(for background purposes only\)](#)
2. [Amended initial statement of reasons](#)
3. [Memo transmitting pre-adoption statement of reasons, received December 2, 2024](#)
4. [Pre-adoption statement of reasons, dated November 18, 2024](#)
5. [Detailed list of additional proposed changes to regulatory language](#)
6. [Draft second revised proposed regulatory language](#)
7. [Draft second revised proposed Native Wildlife Rehabilitation 679 Regulations Manual](#)
8. [Proposed Department forms](#)
9. [Economic and fiscal impact statement \(STD. 399\)](#)
10. [Emails from Anna Reams et al, received November 1-22, 2024](#)
11. [Letter from Peter Flowers, Wildlife Hospital and Rehabilitation Manager, Lindsay Wildlife Experience, received November 30, 2024](#)

**Motion**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission repeals Section 679, adopts sections 679.1 through 679.9 and Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual, and amends Section 703, related to the possession of wildlife and wildlife rehabilitation. The Commission also authorizes staff to publish a 15-day notice to allow for comments on the additional proposed changes to the regulations.

Staff Summary for June 19-20, 2024  
 (For background purposes only)

### 13. Wildlife Rehabilitation

#### Today's Item

Information

Action

Consider authorizing publication of notice of intent to amend regulations regarding wildlife rehabilitation.

#### Summary of Previous/Future Actions

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|--|-------------------------|
| • Wildlife Resources Committee (WRC) vetting   | September 15, 2022; WRC |
| • WRC vetting  | May 17, 2023; WRC       |
| • WRC vetting  | September 21, 2023; WRC |
| • WRC vetting and recommendation   | January 16, 2024; WRC   |
| • <b>Today's notice hearing</b>  | <b>June 19-20, 2024</b> |
| • Discuss potential changes to noticed regulations (if proposed timing approved today) | August 14-15, 2024      |
| • Discussion hearing (if approved today)   | October 9-10, 2024      |
| • Adoption hearing (if approved today)   | December 11-12, 2024    |

#### Background

Under multiple authorities in California Fish and Game Code, the Commission adopts regulations governing wildlife rehabilitation; pursuant to those regulations, the Department oversees permitting for wildlife rehabilitators in the state through its Native Wildlife Rehabilitation Program. A wildlife rehabilitator provides animal care and rehabilitation of sick, injured, and orphaned native wildlife, as well as wildlife conservation education and outreach to diverse local communities. Currently, there are 80 permitted wildlife rehabilitators operating wildlife rehabilitation facilities in California, and sub-permittees operate approximately 550 satellite facilities; around 100,000 animals are rehabilitated every year by these facilities. Rehabilitated animals help to maintain and bolster wild native populations.

Current wildlife rehabilitation regulations, last updated in 2007, provide a definition of "wildlife rehabilitation facilities", specify application requirements for the Department to approve and issue a permit to wildlife rehabilitation facilities that meet standards set forth in *Minimum Standards for Wildlife Rehabilitation Manual* (3<sup>rd</sup> edition), provisions related to the operation of a wildlife rehabilitation facility, requirements for reporting dead or diseased animals, record keeping, the release of wildlife back into the wild, and compliance requirements with other restrictions and federal, state, city, or county laws.

The acceptable standards for wildlife rehabilitation facilities and veterinary care have changed since the last update of the regulations. The Department requests that the Commission amend the regulations to update standards for the care and possession of injured and diseased wildlife, address issues regarding animal welfare, provide clearer guidance to the public and wildlife rehabilitators, improve the Department's Native Wildlife Rehabilitation Program administration, and bolster Department authorities to take administrative action in the rehabilitation of native wildlife. As part of its proposal, the Department created *Native Wildlife*

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*Rehabilitation 679 Regulations Manual* (DFW 679 Manual) that provides both general program information and resources, as well as regulatory actions incorporated by reference in the draft regulations.

***Draft Proposed Regulations***

*Note: Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.*

The draft proposed regulation changes include:

- Repeal Section 679, regulation for possessing wildlife and wildlife rehabilitation under which the Department and rehabilitation facilities currently operate.
- Add Section 679.1, establishing definitions for terms used in the wildlife rehabilitation regulations.
- Add Section 679.2, specifying requirements for transporting and confining live wild animals.
- Add Section 679.3, establishing the process and requirements for issuing and amending permits to temporarily possess wildlife for the purpose of rehabilitation.
- Add Section 679.4, establishing facility and enclosure standards for wildlife in rehabilitation. Chapter 2 of the DFW 679 Manual contains specific enclosure requirements.
- Add 679.5, establishing humane care standards for wildlife rehabilitation. Chapter 3 of the DFW 679 Manual establishes protocol and procedures that must be adhered to, to protect the welfare of each wild animal in the care of facilities.
- Add Section 679.6, establishing protocols for releasing rehabilitated animals into the wild.
- Add Section 679.7, establishing the process and requirements for inspecting wildlife rehabilitation facilities.
- Add Section 679.8, establishing procedures and requirements for seizing animals and the transfer, euthanasia, and release of seized animals.
- Add Section 679.9, establishing the processes for permit suspensions and revocations of sub-permits and variance requests, proof of service, requests for reconsideration, and appeals.

***Draft Proposed Forms***

- DFW 479, Native Wildlife Rehabilitation 679 Regulations Manual: This new manual is an easily accessible document that is free to the public and provides both general program information and resources, as well as regulatory actions incorporated by reference in the regulations. Only chapters 2 and 3 of the manual constitute regulatory action incorporated by reference.

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- DFW 480A, Wildlife Rehabilitation Permit Application: Establishes the wildlife rehabilitation permit application and clearly informs the applicant of required information necessary to be considered for a permit.
- DFW 480B, Wildlife Rehabilitation Sub-Permit Application: Standardizes information required for submission by a permittee to add a satellite facility operated by a sub-permittee.
- DFW 480C, Specialty Rehabilitation Authorization Form: Standardizes information required for submission by a permittee to receive authorization for specialty rehabilitation.
- DFW 480D, Permittee Notice of Revocation: Notice of revocation of a sub-permit specifying why a sub-permit is being revoked.
- DFW 481, Veterinarian of Record Agreement: Standardizes the process for providing required information specific to the “Veterinarian of Record.”
- DFW 482, Wildlife Rehabilitation List of Authorized Persons: Standardizes the process for providing required information of all individuals identified as an authorized person.
- DFW 483, Facility Emergency Action Plan: Standardizes the process for providing a written emergency plan for a facility.
- DFW 484, Authorization to Access Property: Standardizes the process for the applicant to provide authorization to the Department to access the property to conduct inspections.
- DFW 485A, Wildlife Rehabilitation Facility Inspection Form and DFW 485B, Satellite Facility Inspection Form: Standardizes the process for information to be collected by the Department during an inspection.
- DFW 485C, Wildlife Rehabilitation – Variance Request: Establishes the process of requesting a variance of any required enclosure construction design, size, or materials of specific caging requirements.
- DFW 486, Wildlife Rehabilitation Annual Report: Standardizes information to be submitted annually documenting facility rehabilitation activities for the prior calendar year.
- DFW 487, Certification of Animal Condition (Non-Releasability): Standardizes information required for certification of a non-releasable animal’s condition and request for permanent captive placement.

Further details on the draft proposed changes are available in the initial statement of reasons, draft proposed regulatory language, and draft proposed DFW forms (exhibits 2 through 5). Today, the Department will present an overview of its recommendations.

### ***Ongoing External and Internal Dialogue***

Members of the wildlife rehabilitation community have continued to share with the Department additional suggested modifications to the draft proposed regulations; furthermore, Department staff and Commission staff have identified potentially necessary changes to the regulatory language and initial statement of reasons currently before the Commission. Hence, the Department and staff anticipate recommending additional changes to the DFW 679 Manual

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and draft proposed regulatory language that are not reflected in the versions presented today. Staff also believes additional time will be necessary to incorporate further changes and provide the public sufficient time to review the changes prior to a discussion. For example, potential recommended changes, in summary, include:

- Clarifications for definitions, including rehabilitation animal age classes;
- new restrictions on the movement of cervids, and disinfection protocols, to limit the spread of chronic wasting disease;
- modifications to the requirements and standards for authorized persons;
- clarifications for enclosure construction, materials, sizes, enrichment, and other specifications for certain mammal, bird, and herptile species;
- expanded requirements for amphibian and reptile treatment and care;
- accommodations for temporary wildlife enclosures;
- clarifications for Department actions with regard to permitting, revocation, and inspections;
- clarifications for administrative updates to permits and the process for removing personnel listed on permits, including establishing a 30-day grace period to obtain a new veterinarian of record if removed;
- clarifications to the fee table in Section 703; and
- other minor corrections, updates, and clarifications.

### **Next Steps**

Given the dynamic nature of this proposed rulemaking, there are several potential pathways the Commission may choose to consider, including:

1. Approve publishing a notice of intent to amend regulations using the documents currently before the Commission, with the understanding that additional proposed changes will be captured in a future "clean up" rulemaking at some point in the next five years;
2. delay notice to a future meeting to allow further development and refinement of the rulemaking documents based upon ongoing dialogue;
3. approve publishing notice of the recommended regulations for a standard three-meeting process and request that staff present details of an additional notice for Commission approval at the discussion hearing; or
4. approve publishing notice of the recommended regulations for a four-meeting process and request that staff present details of a proposed additional notice for Commission consideration and potential approval at the meeting between the notice hearing (today) and the discussion hearing (proposed for October).

### **Significant Public Comments (N/A)**

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 (For background purposes only)

## Recommendation

**Commission staff:** Authorize publication of notice of intent to repeal Section 679, add sections 679.1, et al., and add chapters 2 and 3 of the DFW 679 Manual, as recommended by the Department and discussed today, without the further changes outlined in this summary under “Ongoing External and Internal Dialogue.” Additionally, direct staff to bring to the August 2024 Commission meeting for discussion and consideration the specific changes recommended for each of the ongoing dialogue items outlined in this summary, and schedule the discussion hearing for the October 2024 Commission meeting and the adoption hearing for December 2024.

**Committee:** WRC recommends that the Commission support a rulemaking regarding wildlife rehabilitation, to be noticed at the Commission’s June 2024 meeting.

**Department:** Authorize publication of notice of proposed changes to the regulations regarding the temporary possession of wildlife for the purposes of rehabilitation.

## Exhibits

1. [Department memo, received May 29, 2024](#)
2. [Draft initial statement of reasons and attachments](#)
3. [Draft proposed regulatory language](#)
4. [Draft DFW 679 Manual \(Form DFW 479\)](#)
5. [Draft DFW forms](#)
6. [Draft economic and fiscal impact statement \(STD 399\) and addendum](#)
7. [Department presentation](#)

## Motion

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission authorizes publication of a notice of its intent to repeal Section 679, add sections 679.1 et al., and add chapters 2 and 3 of *Native Wildlife Rehabilitation 679 Regulations Manual* related to the temporary possession of wildlife and rehabilitation and release of wild animals, with the changes discussed today. Additionally, the Commission requests staff bring to the August 2024 meeting for Commission discussion and consideration the specific changes recommended for each of the ongoing dialogue items summarized in the staff summary. The schedule for this rulemaking is a discussion hearing in October and potential adoption in December.

**OR**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission authorizes publication of a notice of its intent to repeal Section 679, add sections 679.1 et al., and add chapters 2 and 3 of *Native Wildlife Rehabilitation 679 Regulations Manual*, related to the temporary possession of wildlife and rehabilitation and release of wild animals, with the changes discussed today, [*with or without*] the ongoing dialogue items summarized in the staff summary.

State of California  
Fish and Game Commission  
Amended Initial Statement of Reasons for Regulatory Action

Repeal Section 679  
Add Sections 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8, 679.9, and  
Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual,  
and Amend Section 703, Title 14, California Code of Regulations  
Re: Possession of Wildlife and Wildlife Rehabilitation

I. Date of Initial Statement of Reasons: May 1, 2024

II. Date of Amended Initial Statement of Reasons: July 23, 2024

III. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: June 19-20, 2024

Location: Mammoth Lakes, CA

(b) Discussion Hearings

Date: August 14-15, 2024

Location: Fortuna, CA

Date: October 9-10, 2024

Location: Sacramento, CA

(c) Adoption Hearing

~~Date: October 9-10, 2024~~

~~Location: Sacramento, CA~~

Date: December 11-12, 2024

Location: Sacramento, CA

IV. ~~III.~~ Description of Regulatory Action

(a) Statement of Specific Purpose of Regulatory Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR). Changes from the Initial Statement of Reasons are designated by double underline and double strikeout.

The purpose of the proposed regulations is to update standards for the care and possession of injured and diseased wildlife, and to address issues regarding animal welfare and program administration by the California Department of Fish and Wildlife (Department) in the rehabilitation of these animals. This is necessary since the acceptable standards for wildlife rehabilitation facilities and veterinary care have changed.

The regulation change is a significant undertaking requiring the repeal of the current Section 679 Wildlife Rehabilitation (adopted in 1994 and amended in 2007). Proposed are nine new sections, 679.1 through 679.9, formation of a new wildlife rehabilitation regulations manual,



and creation of new forms used by the Department for application, permitting, and continued monitoring of rehabilitation facilities.

The new regulations set forth in greater specificity and detail the necessary experience and expertise required of those persons whose care these animals are given, the relevant permitting processes, the level of treatment from intake to release, the facility requirements for appropriate safe and sanitary wildlife care, inspection standards, better defined authorities for Department administrative determinations, and the appeals processes for those decisions.

## **Background**

Under a wildlife rehabilitation permit, the Department authorizes qualified individuals, hereafter wildlife rehabilitators, to temporarily possess sick, injured, and orphaned wildlife for the purpose of rehabilitation to restore them to a condition of good health for their release to the wild or humane euthanasia to alleviate suffering, if deemed most appropriate, to protect animal welfare and native wildlife. Wildlife rehabilitators often work tirelessly to provide humane care and treatment to the most vulnerable of wild birds, mammals, reptiles, and amphibians with the goal to release them to the wild. Currently, there are 80 permitted wildlife rehabilitators operating wildlife rehabilitation facilities in California in addition to approximately 550 satellite facilities operated by sub-permittees under their permit. Approximately 100,000 animals are rehabilitated every year by these facilities. Rehabilitated animals released from these facilities help to maintain and bolster wild native populations.

Minor updates to these regulations for wildlife rehabilitation were made in 2007. Since those regulations were written, standards for wildlife facilities and veterinary care have changed. Both the Department and the Fish and Game Commission (Commission) are invested in bringing these regulations up to date to meet new standards and establishing new regulations to address issues that have been observed in the care of native wild animals in the past.

Currently, the Department approves and issues a permit in the form of a Memorandum of Understanding (MOU) to those wildlife rehabilitation facilities which meet the wildlife care standards set forth in the Minimum Standards for Wildlife Rehabilitation, 2000, Third Edition manual published jointly by the International Wildlife Rehabilitation Council and the National Wildlife Rehabilitators Association; or as provided in the MOU. The current permit requirements and processes do not meet the needs of California's wildlife rehabilitators, the ethical standards that they strive to maintain, or the native wild animals that they rehabilitate and return to the wild. Nor do they meet the current needs of the Department in administering and monitoring the program.

## **Current Regulations**

Fish and Game Code (FGC), Section 200, authorizes the Commission to regulate the taking or possession of wild birds, mammals, fish, amphibians, and reptiles, which includes possession for the purpose of rehabilitation. FGC Section 1050 authorizes the Department to prepare and issue a permit to a person, granting certain privileges under that permit. FGC Section 2118 prohibits the import, transport, possess, or release alive of any wild animal in California, except under a revocable, nontransferable permit. FGC Section 3005.5 subdivision (b) authorizes the Commission to promulgate regulations permitting the

temporary confinement of game mammals, game birds, nongame birds, nongame mammals, or furbearers for the purpose of treating the animals, if injured or diseased.

Section 679 currently establishes the requirements by which the Department issues permits specific to the temporary confinement, possession, and release of wild animals for the purpose of wildlife rehabilitation. The regulations state that the Department may approve and issue a permit in the form of a MOU to those wildlife rehabilitation facilities which meet the wildlife care standards. These standards are set forth in the Minimum Standards for Wildlife Rehabilitation, 2000, Third Edition manual; or as provided in the MOU. Applicants may submit permit applications using the "Wildlife Rehabilitation Permit Application/Renewal form," FG 542. The proposal deletes the current application form.

Section 679 outlines 1) a general prohibition on the possession of any live game mammal or bird, nongame mammal or bird, furbearer, reptile or amphibian except as provided in subsection (b) or as otherwise authorized; 2) requirements for the temporary confinement of injured, diseased or orphaned animals; 3) a prohibition on the possession of big game mammals listed in Section 350 or any fully protected, endangered or threatened bird, mammal, fish, reptile or amphibian except under permit or written authorization from the department; 4) a general prohibition on picking up disabled wildlife in a Department designated oil/toxic spill area.

Further, the current regulations provide:

- 1) definition of Wildlife Rehabilitation Facilities.
- 2) the application requirements for the Department to approve and issue a permit in the form of a MOU to wildlife rehabilitation facilities which meet the standards set forth in the Minimum Standards for Wildlife Rehabilitation Manual (3<sup>rd</sup> edition), 2000.
- 3) the provisions related to the operation of a wildlife rehabilitation facility.
- 4) the requirements for reporting dead or disease animals, record keeping, and the release of wildlife back into the wild; and
- 5) compliance requirements with other restrictions and federal, state, city, or county law, ordinance, or regulations.

### **Proposed Regulations**

The Commission proposes to repeal Section 679, Title 14, CCR and form DFW 542 (03/07), and add new Sections 679.1 through 679.9. The Commission proposes to create a Native Wildlife Rehabilitation 679 Regulations Manual (New DFW 479, 01/2025), hereafter "DFW 679 Manual" and incorporate by reference Chapters 2 and 3 of the DFW 679 Manual. ~~Native Wildlife Rehabilitation 679 Regulations Manual (New DFW 479, 01/2025), hereafter "DFW 679 Manual".~~ The Commission proposes to implement a DFW 679 Manual that is clear, necessary, legally valid, readily available, and free of charge to the public, applicants, and permitholders. Incorporation by reference of Chapter 2 of the DFW 679 Manual is necessary because the specific requirements for the minimum enclosure sizes, enclosure construction materials, species enrichment items, and care and treatment of rehabilitation animals require a level of detail that is most appropriate to a manual format. Incorporation by reference of Chapter 3 of the DFW 679 Manual is necessary because the specific requirements for biosafety and cleaning, diseases of concern in California, acceptable euthanasia methods,

and carcass disposal require a level of detail that is most appropriate to a manual format. Further, the use of tables to display these regulatory requirements is best provided in a manual format and allows for permittees to easily distribute the relevant requirements to all personnel. The Commission proposes to incorporate by reference the following DFW 679 Manual because publication of these documents in full in the CCR would be cumbersome, unduly expensive, or otherwise impractical (Section 20, Title 1, CCR). The DFW 679 Manual is publicly available on the internet, and it would be inefficient for printing purposes. These documents are also available upon request from CDFW and reasonably available from commonly known or identified sources as noted by the webpage: <https://wildliferehab.wildlife.ca.gov>.

The proposed additions to Title 14, CCR, recommended by the Department are described below by section and corresponding subsections. The proposed additions, as described herein, are organized into “parts” with statements of specific purpose of regulatory change and factual basis for determining that regulation change is necessary for each section and corresponding subsection.

1. **Part 1.**
  - Add Section 679.1
  - Section 679.2
  - Section 679.3
2. **Part 2.**
  - Add Section 679.4
  - Add Chapter 2 of the DFW 679 Manual
3. **Part 3.**
  - Add Section 679.5
  - Add Chapter 3 of the DFW 679 Manual
4. **Part 4.**
  - Add Section 679.6
  - Section 679.7
  - Section 679.8
  - Section 679.9
5. **Part 5.**
  - Add 703 (c)(2)

## **Part 1. Add Sections 679.1, 679.2, and 679.3**

### **Subsection 679.1 (a), Definitions.**

Adds subsections (a) through (z) to define the following terms in Section 679.1: “animal welfare,” “authorized person,” ~~“animal welfare,” “authorized person,”~~ “conspecific,” “designee,” “eagle and falcon specialty rehabilitation,” “enrichment,” “euthanasia,” “habituated,” “large carnivore specialty rehabilitation,” “mal-imprinted,” “native wildlife rehabilitation 679 regulations manual”, “neonate,” “non-releasable animal,” “orphan animal,” “permit,” “qualified handler,” “rehabilitation animal,” “required record,” “satellite facility,” “specialty rehabilitation authorization permit,” “sub-permit,” “ungulate specialty rehabilitation,” “venomous snake specialty rehabilitation,” “veterinarian of record,” “wildlife rehabilitation,”

"wildlife rehabilitation facility," and "~~native wildlife rehabilitation regulations manual.~~" The purpose of defining these terms is to provide specificity and clarity to make it easier for individuals to follow and comply with the regulations, thereby minimizing enforcement issues.

- Add subsection (a) to define "Animal Welfare." This provision is necessary to clarify that certain conditions must be met to provide for an animal's physical and behavioral needs, and ability to express its innate behavior.
- Add subsection (b) to define "Authorized Person." This provision is necessary to clarify personnel temporarily possessing a wild animal under a permit for the purposes of rehabilitation demonstrate the minimum qualifications necessary required to maintain the welfare of each animal.
- Add subsection (c) to define "Conspecific." This provision is necessary to clarify potentially compatible animals of the same species that may be housed together if the welfare of each animal can be maintained.
- Add subsection (d) to define "Designee." This provision is necessary to clarify the requirements and conditions necessary for a person to oversee the daily operations of wildlife rehabilitation facility maintained under another persons' wildlife rehabilitation permit.
- Add subsection (e) to define "Eagle and Falcon Specialty Rehabilitation." This provision is necessary to establish and clarify the conditions required to maintain and improve the welfare of each eagle and falcon which require specialized experience to manage.
- Add subsection (f) to define "Enrichment." This provision is necessary as without proper enrichment, an animal is unable to display its natural behaviors and will not be able to be successfully released into the wild (See Attachment 10, Figure 1).
- Add subsection (g) to define "Euthanasia." This provision is necessary to clarify the requirements and conditions necessary to maintain the welfare of each animal (See Attachment 9, Figure 9).
- Add subsection (h) to define "Habituated." This is necessary as an animal that becomes habituated is not suitable for release into the wild as it will seek out humans to provide food and will come into conflict with humans or domestic animals.
- Add subsection (i) to define "Large Carnivore Specialty Rehabilitation." This provision is necessary to clarify the requirements and conditions necessary to maintain the welfare of large carnivores as these species require specialized care and experience to manage safely (See Attachment 9, Table 5).
- Add subsection (j) to define "Mal-imprinted." This is necessary as a mal-imprinted animal is unable to survive on its own in the wild and therefore cannot be released.
- Add subsection (k) to establish the "Native Wildlife Rehabilitation 679 Regulations Manual" as a resource (New Form DFW 479) to be made readily available on the department website that incorporates Chapters 2 and 3 of the DFW 679 Manual in these regulations. This provision is necessary to clarify what form can be consulted to find information on wildlife rehabilitation activities and where the form can be found and accessed.

- Add subsection (l) to define “Neonate.” This provision is necessary as neonate animals are unable to survive without parental care and therefore cannot be released until they reach an age that they can care for themselves.
- Add subsection (m) to define “Non-releasable Animal.” This provision is necessary to clarify when a rehabilitation animal should not be released to the wild. Releasing an animal that is not able to survive and thrive on its own is inhumane and does not maintain the welfare of the animal.
- Add subsection (n) to define “Orphan Animal.” This is necessary as an orphan animal that is unable to survive without parental care cannot be released until it reaches an age that it can self-feed and display the natural life history of its species to survive in the wild.
- Add subsection (o) to define “Permit.” This provision is necessary to clarify the role of an individual receiving a permit pursuant to Section 679.3(a) from other individuals involved in wildlife rehabilitation.
- Add subsection (p) to define “Qualified Handler.” This provision is necessary to clarify that only individuals with sufficient experience are qualified to safely manage some rehabilitation animals. This is to prevent injury to both the rehabilitation animal and the handler (See Attachment 9, Figure 5).
- Add subsection (q) to define “Rehabilitation Animal.” This provision is necessary to clearly define what a rehabilitation animal is relative to other animals (non-native species, feral domestic animals, etc.) that may be mistaken by the public as injured, ill, or orphaned wildlife.
- Add subsection (r) to define “Required Record.” This provision is necessary to clarify what records and documents a permittee or sub-permittee is required to keep on file and to differentiate them from the records that are not required to be kept.
- Add subsection (s) to define “Satellite Facility.” This provision is necessary to distinguish a wildlife rehabilitation facility operated by a sub-permittee from a wildlife rehabilitation facility operated by a permittee.
- Add subsection (t) to define “Specialty Rehabilitation Authorization Permit.” This provision is necessary as these species require highly specialized care. Individuals caring for these species need to have additional training and experience specific to these animals to ensure the safety of the animal and individuals caring for it.
- Add subsection (u) to define “Sub-permit.” This provision is necessary to clarify the role, responsibilities, and requirements of a person (a sub-permittee) operating a satellite facility under the permittee’s permit.
- Add subsection (v) to define “Ungulate Specialty Rehabilitation.” This provision is necessary as ungulates require highly specialized care and any person temporarily possessing these animals for the purposes of rehabilitation needs specific training and experience to manage these animals safely.
- Add subsection (w) to define “Venomous Snake Specialty Rehabilitation.” This provision is necessary as venomous snakes require exceptional care and individuals need specific training and experience to manage these animals safely.

- Add subsection (x) to define “Veterinarian of Record.” This provision is necessary to clarify that some wildlife rehabilitation activities, such as surgery, must be performed by a licensed veterinarian with experience in caring for wildlife.
- Add subsection (y) to define “Wildlife Rehabilitation.” This provision is necessary to clarify what wildlife rehabilitation is and to differentiate it from other animal care activities for domestic, or feral domestic, animals (See Attachment 9, Figure 8).
- Add subsection (z) to define “Wildlife Rehabilitation Facility.” This provision is necessary to clarify the conditions necessary to maintain the welfare of each animal and the requirements subject to the provisions in the new regulations. This provision is necessary to clarify what a wildlife rehabilitation facility is and to distinguish it from other locations where wildlife rehabilitation activities may occur.

**Section 679.2; Transportation and Confinement of Live Wild Animals.**

- Add subsection (a) “Temporary Confinement of Wild Animals”: establishes the requirements under which the public (i.e., non-wildlife rehabilitators) can temporarily confine and transfer a sick, injured, or orphaned wild animal to a permitted wildlife rehabilitator. Additionally, this provision establishes that a licensed veterinarian may temporarily confine a sick, injured, or orphaned wild animal for up to 48 hours if providing stabilizing care before transferring to a permitted wildlife rehabilitator. This is necessary so wildlife may be brought to rehabilitation facilities since most facilities do not have the capability to pick up animals from their original location. This subsection further specifies that a person convicted of a crime of moral turpitude or animal cruelty is prevented from temporarily confining or transporting wild animals. This is necessary to prevent persons convicted of a serious crime (particularly, but not exclusively, those against animals) from endangering native wildlife by temporarily confining or transporting a wild animal.
- Add subsection (a)(1): this provision establishes that a person must contact a permitted wildlife rehabilitator or the department within 24 hours of confining any sick, injured, or orphaned wild animal and provide the relevant information needed by the wildlife rehabilitator or their designee to provide the best guidance or assistance. This provision is necessary to inform facilities of a potential incoming patient or to redirect the person to a more appropriate facility, and to ensure that the sick, injured, or orphaned wild animal has proper care and treatment as soon as possible, and to protect native wildlife, animal welfare, and human health, or safety.
- Add subsection (a)(2): this provision establishes the requirements for a licensed veterinarian without a wildlife rehabilitation permit to receive, temporarily confine, and care for an injured, sick, or orphaned wild animal. This provision recognizes that veterinarians have a higher degree of medical training, including the capability to perform advanced medical treatments, and is necessary to protect animal welfare and native wildlife by prohibiting non-essential invasive medical procedures and by requiring appropriate recordkeeping to ensure continuity of care once transported to a wildlife rehabilitator.
- Add subsection (a)(3): “Animals not Native to California” establishes that certain species or taxa known by the state of California to be invasive species cannot be temporarily confined or transported by any member of the public for the purpose of rehabilitation

and release to the wild. This provision is necessary for the department to ensure that wildlife rehabilitation activities do not cause serious harm to native wildlife, biodiversity, agriculture interests, or the health and safety of humans.

- Add subsection (a)(4): this provision establishes that a person who, as part of a lawful trapping activity, has confined a wild animal in a trap and found it to be injured, diseased, orphaned may transport that animal to a wildlife rehabilitation facility. This subsection is necessary to clarify that wild animals taken by a legal trapping activity may be taken to a wildlife rehabilitator for the purpose of restoring it to a condition of good health for its release back to the wild.
- Add subsection (b): “Prohibition on Possession of Big Game Mammals, Exotic Game Mammals or Fully Protected, Threatened or Endangered Species Except Under Department Permit” establishes the conditions that prohibit any person from temporarily confining or possessing these species without authorization from the department. This provision is necessary because handling, transporting, and rehabilitating these animals requires specialized equipment and/or training, or because of their unique designations under the Fish and Game Code (See Attachment 9, Figure 5).
- Add subsection (c): “Disabled Wildlife in an Oil/Toxic Spill Area” establishes that only individuals with proper incident authorization and a permit issued pursuant to Section 679.3 may enter an oil/toxic spill area to confine and transport impacted wildlife for wildlife rehabilitation. This provision is necessary to inform the public about the authorization to remove impacted wildlife from an oil/toxic spill incident, since oil spill wildlife care and rehabilitation requires specialized training regarding oiled animal care, human safety, and how to operate within the administration structures of an emergency incident command system.

### **Section 679.3. Permits for Wildlife Rehabilitation.**

- Add subsection (a): “Permit” establishes the process by which the department may issue or amend a permit, for up to a period of 3 years, authorizing a person to temporarily possess wildlife for the purpose of rehabilitation. The Commission has determined, based on the department’s experience, that 3 years is a reasonable and appropriate term for the permit to be valid; it strikes a balance between ensuring that facilities are meeting permitting standards and not making the renewal or inspection process too onerous for the permitholder or the department. The Commission has also determined, based on the department’s experience, that a permit may require amendment at any time during the 3-year valid period, such as a specialty rehabilitation authorization or new sub-permit. This provision is necessary to establish the qualification criteria and documentation required by the department to determine if such a request meets all conditions to protect animal welfare, native wildlife, human health, and safety.
- Add subsection (a)(1): “Limited Scope” establishes that a wildlife rehabilitation permit is not transferable between individuals and does not supersede any law or other permit requirements. This provision is necessary to ensure that a permit is not improperly transferred between individuals, since permits are highly individualized with respect to the permittee, and that all activities performed under a permit are lawful.

- Add subsection (a)(2): “Qualifications” establishes that a wildlife rehabilitation permit applicant must be a resident of California, possess the specified qualifications, and be 21 years of age to qualify for and be issued a permit. This provision is necessary to clarify that an applicant must be a legal adult with the maturity to operate a wildlife rehabilitation facility safely and properly in a manner that accounts for fiscal responsibility and liability. Further, this provision is necessary to ensure that a permit holder is a legal state resident such that the department can properly enforce the requirements of these regulations.
- Add subsection (a)(3): “Conferring” establishes the process by which the department verifies the veracity of any required information during the application process. This provision is necessary to verify that information provided by an applicant on a wildlife rehabilitation permit application is true and accurate.
- Add subsection (a)(4): “Initial Request” establishes the first step in the wildlife rehabilitation permit application process. This provision is necessary for the department to evaluate the potential need for a new facility and, if so that an applicant may proceed with the next steps in the application process. This will prevent the department from having to put limited resources into administering facilities where they are not needed.
- Add subsection (a)(4)(A): establishes the requirement of an applicant to submit two letters of recommendation from qualified professionals with relevant wildlife rehabilitation experience and expertise. This provision is necessary for the department to determine the need for a new wildlife rehabilitation facility in the local area where the applicant resides.
- Add subsection (a)(4)(B): establishes the requirement of an applicant to submit a list of the species they propose to accept for intake and rehabilitation. This provision is necessary for the department to understand the wildlife rehabilitation services being proposed in the local area.
- Add subsection (a)(4)(C): establishes the qualifications required to demonstrate the expertise needed to successfully rehabilitate wildlife for their release to the wild. This provision is necessary because at least 1,000 hours of relevant experience gained within 5 years of the approval request date is reasonable, in the judgement of the Commission based on the department’s experience, to ensure an applicant knows current wildlife rehabilitation best practices. Furthermore, this 1,000-hour minimum experience requirement is an accepted standard used by half of all states (45%).
- Add subsection (a)(4)(D): establishes the department’s notification process for an initial permit application request and specifies that no wildlife may be temporarily possessed or rehabilitated until a permit is issued by the department. This provision is necessary to clarify how and when the department may approve such a request and to ensure that applicants understand that approval of an initial request alone does not permit them to possess wildlife for the purpose of rehabilitation.
- Add subsection (a)(5): “Wildlife Rehabilitation Examination” establishes the requirement of an applicant to take the free California State Wildlife Rehabilitation Examination administered by the department. This provision is necessary for the department to evaluate an applicant’s ability to demonstrate their knowledge and understanding of



both generalized knowledge and competence to rehabilitate wildlife, and of various requirements under these regulations.

- Add subsection (a)(5)(A): this provision establishes which persons are required to take the wildlife rehabilitation examination as part of the application process. This provision is necessary so that individuals understand the examination requirement for a new or existing permit.
- Add subsection (a)(5)(B): this provision establishes the process for an applicant to pass the wildlife rehabilitation examination, including the minimum passing score, the timeframe a passing score is valid, and the timeframe to retake the examination if the applicant has failed the examination. This provision is necessary so that an applicant understands what score they need to pass the examination, how long a passing score is valid for, and what the process is for retaking the exam if they do not pass. A limited period to retake the exam after failure is necessary because wildlife care standards change and are updated frequently.
- Add subsection (a)(5)(C): “Unauthorized Communication, Publication, and Sharing Penalties” establishes the process by which the department addresses potential unauthorized sharing or reproduction of examination content by any person, including any penalties related to such unauthorized activities. This provision is necessary because the department has experienced cheating activity on other similar qualification examinations, and the Commission has determined based on the department’s experience, the act of cheating demonstrates a lack of expertise and a failure to meet the standards necessary to comply with the rule of law. This provision is necessary so that an individual understands the consequences of unauthorized communication about the examination.
- Add subsection (a)(5)(D): “Examination Content” establishes the topics of information that an applicant must have knowledge and understanding of to pass the basic wildlife rehabilitation examination and specialty rehabilitation examination, including general wildlife rehabilitation concepts, standard rehabilitation practices, species-specific rehabilitation techniques, diseases of concern in California, the life history of California native wildlife that may commonly be accepted for intake, and applicable laws. This provision is necessary for an applicant to understand what information they will be tested on by the Department to determine if an applicant demonstrates the competency and expertise required of a wildlife rehabilitator.
- Add subsection (a)(6): “Final Approval” establishes the process for an applicant who has passed the wildlife rehabilitation examination to submit the essential information for the department to review and determine if all requirements are met to issue a wildlife rehabilitation permit. The following provisions are necessary to clarify the required contents of an application packet, how to submit the application, and associated fees.
- Add subsection (a)(6)(A): this provision establishes the required information to be submitted on a specified wildlife rehabilitation permit application form.
- Add subsection (a)(6)(A)1. “Applicant and Facility Information” requires an applicant to provide the following information: applicant information, required experience, public

contact information, and designee information. This provision is necessary for the Department to create and maintain an ALDS customer profile for tracking purposes.

- Add subsection (a)(6)(A)2. “Required Experience” requires an applicant to provide professional references and a brief description of their relevant experience that may include volunteer or work experience and education in related fields that may be relevant. This provision is necessary to ensure that the applicant has met the required minimum hours of experience needed to protect animal welfare and native wildlife. This submission is a more detailed account of experience than is required for the initial approval, to ensure that the instruction meets the proper standards of education.
- Add subsection (a)(6)(A)3. “Designee Information” requires an applicant to identify the name and contact information of a person that may oversee facility operations on their behalf under the permit. This provision is necessary for the department to have a contact to ensure that all requirements are met, if the applicant wishes to so designate another person. ~~“Public Contact Information” requires an applicant to provide contact information for the proposed facility that may be posted publicly on the department website. This provision is necessary for the department to track what information it may provide to the public.~~
- Add subsection (a)(6)(A)4. “Public Contact Information” requires an applicant to provide contact information for the proposed facility that may be posted publicly on the department website. This provision is necessary for the department to track what information it may provide to the public. ~~“Designee Information” requires an applicant to identify the name and contact information of a person that may oversee facility operations on their behalf under the permit. This provision is necessary for the department to have a contact to ensure that all requirements are met, if the applicant wishes to so designate another person.~~
- Add subsection (a)(6)(A)5. ~~“Proposed Rehabilitation Animals”~~ establishes information from an applicant specific to the species or taxonomic group they propose to rehabilitate and the maximum number (capacity) that may be temporarily possessed at one time at the proposed facility. This provision is necessary to clarify the required standards, as well as the relevant federal permits that may be required.
- Add subsection (a)(6)(A)6. ~~“Declaration of Pre-release Enclosures”~~ requires submission of animal enclosure details, which are necessary to establish that neonate and pre-release conditioning enclosures have been or will be constructed in accordance with the requirements listed in the DFW 679 Manual, or variances will be sought for any deviations.
- Add subsection (a)(6)(A)7. ~~“Facility Operation Plan”~~ “Facility Operation Plan Protocols” establishes the standard operating procedures enumerated therein which are necessary for the wellbeing and responsible care of wildlife. The applicant must specify the standard operating procedures that include data storage method, euthanasia, staff and volunteer training, intake and triage, humane care, biosafety plan, and a contingency plan. This provision is necessary for the department to ensure that rehabilitation facilities will have a specific, enumerated strategy to provide for the wellbeing and responsible care of rehabilitation animals.

- Add subsection (a)(6)(A)8. “Acknowledgement and Signature” requires that the person completing the form certifies that the information is true and correct, under penalty of perjury, and that the possession of any wildlife is lawful. The applicant must sign the form accordingly with knowledge of the threat of prosecution, resulting in fines or jail if the department finds information has been falsified by the applicant. This provision is necessary for the department to ensure that an applicant provides accurate information as required per FGC section 2353.
- Add subsection (a)(6)(B): “Veterinarian of Record Agreement” establishes in writing the necessary applicant and veterinarian information and responsibilities under their respective roles, in addition to the services that the licensed veterinarian agrees to provide to the applicant as their Veterinarian of Record. The applicant and licensed veterinarian must sign the form accordingly, under penalty of perjury, and threat of prosecution resulting in fines or jail if the department finds information has been falsified. This provision is necessary to ensure the continued medical care of wildlife under the supervision of a licensed veterinarian.
- Add subsection (a)(6)(C): “List of Persons” establishes for all personnel identified by the permittee to fulfill all the responsibilities of the permittee. The applicant must sign the form accordingly, under penalty of perjury, and threat of prosecution resulting in fines or jail if the department finds information has been falsified. This provision is necessary for the Department to determine that there are sufficient personnel available and professionally trained to provide care for all wild animals temporarily possessed for the purposes of rehabilitation. The requirement that individuals may not be listed under multiple permits will ensure that personnel are not overcommitted.
- Add subsection (a)(6)(D): “Facility Emergency Action Plan” establishes what information an applicant must provide for facility emergency preparedness. The applicant must provide contact and facility information for emergency protocols including animal capture equipment, animal transport equipment, animal emergency supplies, facility safety and emergency alert, list of local emergency telephone numbers, personnel evacuation leads, and evacuation protocol. The applicant must sign the form accordingly, under penalty of perjury, and threat of prosecution resulting in fines or jail if the department finds information has been falsified. This provision is necessary to ensure prior planning for the attendant personnel to act quickly to preserve their lives and the lives of the wildlife in their care in the event of an emergency.
- Add subsection (a)(6)(E): “Authorization to Access Property” establishes that the property owner agrees to allow Department access to the premises for inspection. This provision is necessary so that the applicant/permittee and property owner both have agreed to allow access to the department, so that the department may inspect the wildlife possessed under the auspices of the permit and may assess compliance with all laws and regulations.
- Add subsection (a)(6)(E)1 through (a)(6)(E)4 establishes what information an applicant must provide to allow Department access to the premises for inspection in a form provided by the Department including applicant information and property owner information. The applicant and property owner must sign the form accordingly. This

provision is necessary for the department to ensure that an applicant and property owner provide accurate information as required per FGC section 2353.

- Add subsection (a)(6)(F): “Compliance with Local Laws” establishes the requirement for an applicant to provide written proof that their proposed facility does not violate any local laws such as zoning. This provision is necessary for the department to ensure all requirements are met prior to issuing a permit.
- Add subsection (a)(7): “Issuance of Permit” establishes that the department shall issue a permit if an applicant meets all requirements of these regulations and passes a facility inspection by the department. ~~that is valid for 3 years if an applicant meets all requirements listed and passes a facility inspection. The Commission has determined, based on the department’s experience, that 3 years is a reasonable and appropriate term for the permit to be valid; it strikes a balance between ensuring that facilities are meeting permitting standards and not making the renewal or inspection process too onerous for the permit holder or the department.~~ The permit will further specify which taxonomic group or species of rehabilitation animal an applicant is authorized to temporarily possess. This authorization is necessary to protect native wildlife, animal welfare, human health and safety, or agriculture interests, by ensuring that rehabilitators’ experience, training, and infrastructure match the species they are permitted to possess.
- Add subsection (a)(8): “Renewal of Permit” establishes the renewal process for the permittee or their designee and the process for permits that have expired. This provision is necessary to clarify all renewal application requirements.
- Add subsection (a)(9) ~~through subsection (a)(9)(C):~~ “Facility Change” establishes the application requirements when the permittee with an existing permit applies to move the current facility or open a secondary location. These provisions are necessary to clarify all permit amendment requirements.
- Add subsection (a)(10): “Permit Fees” establishes the authority for the department to require a fee with the application package. This provision is necessary to clarify any costs associated with the application process.
- Add subsection (a)(10)(A): “New Permit Fees” establishes the authority process for the department to require a nonrefundable application fee and an inspection fee for new permits. The inspection fee is refundable if the application is denied, and an inspection is not performed. This provision is necessary to clarify any costs associated with applying for a new permit.
- Add subsection (a)(10)(B): “Permit ~~Amendment~~ Renewal Fees” establishes the authority process for the department to require a nonrefundable application fee ~~and an inspection fee~~ for permit ~~amendment~~ renewal requests. The inspection fee is refundable if the permit amendment request is denied, and an inspection is not performed. This provision is necessary to clarify any costs associated with amending a permit.
- Add subsection (a)(10)(C): “Specialty Rehabilitation Authorization Fees” establishes the process for the department to require a nonrefundable application fee and an inspection fee for a Specialty Rehabilitation Authorization. The inspection fee is refundable if the

authorization request is denied, and an inspection is not performed. This provision is necessary to clarify any costs associated with a Specialty Rehabilitation Authorization.

- Add subsection (a)(10)(~~CD~~): “Permit Renewal Amendment Fees” establishes the authority process for the department to require a nonrefundable renewal fee. There is not an inspection fee for a permit ~~renewal~~ amendment. This provision is necessary to clarify any costs associated with applying for a new permit.
- Add subsection (b): “Specialty Rehabilitation Authorization” establishes that the department may authorize a permittee to temporarily possess specialty rehabilitation animals if such persons meet certain requirements. This is necessary so that the applicant can demonstrate the specialized knowledge needed to rehabilitate specialty animals and their capacity to protect native wildlife, animal welfare, human health or safety, and agriculture interests (See Attachment 9, Figure 5).
- Add subsection (b)(1): “Examination” establishes that applicants for specialty rehabilitation must pass the California state wildlife rehabilitation examination. This is necessary to demonstrate the applicant’s ability to provide the required specialty rehabilitation care.
- Add subsection (b)(2): “Application Packet” establishes the required information necessary for an applicant to apply for a specialty rehabilitation authorization for their permit. The applicant must provide information including required experience, proposed specialty rehabilitation animals, declaration of ~~pre-release~~ enclosures, qualified handlers, facility operation protocols, veterinarian of record agreement, facility emergency action plan, authorization to access property, and proof of compliance with local zoning laws. The information is necessary for the department to determine if the applicant meets all requirements for specialty rehabilitation authorization. The applicant must sign the form accordingly, under penalty of perjury, and threat of prosecution resulting in fines or jail if the department finds information has been falsified.
- Add subsection (b)(3): “Final Approval” establishes the process for the department to amend an existing permit with a specialty rehabilitation authorization if an application meets all application requirements. This provision is necessary to specify the specialty rehabilitation authorization process.
- Add subsection (c) “Sub-Permit” establishes the process for an applicant to apply for a sub-permit under a valid wildlife rehabilitation permit. This provision is necessary to ensure that all requirements are met.
- Add subsection (c)(1): “Application Packet” establishes the information required in a sub-permit application packet including: ~~sub-permit application form, permittee information,~~ sub-permittee and satellite facility information, required experience, public contact information, proposed rehabilitation animals, declaration of enclosures, veterinary of record agreement, list of persons, facility emergency action plan, authorization to access property, and facility operation ~~plan~~ protocols. The applicant must sign the form accordingly, under penalty of perjury, and threat of prosecution resulting in fines or jail if the department finds information has been falsified. This provision is necessary for the department to determine if the applicant meets all the requirements of a sub-permit.

- Add subsection (c)(2) “Approval of Sub-Permit” establishes the provision for the department to amend an existing permit if a sub-permit applicant meets all application and inspection requirements. This provision is necessary to specify the sub-permit application process.
- Add subsection (d): “Denial of Permit, Sub-permit, or Specialty Rehabilitation Authorization” establishes the standards and criteria for department denial of a wildlife rehabilitation permit, sub-permit, or specialty rehabilitation authorization. These provisions are necessary to specify reasons for which the department will deny an application.
- Add subsection (e): “Transition Period” establishes a provision that provides currently permitted wildlife rehabilitators a six-month period to comply with new requirements. This provision is necessary to allow individuals time to meet the new regulation requirements or to request a variance. In the department’s estimation, 90% or more of current permit holders meet or exceed the requirements of these proposed regulations.

**Part 2. Add Section 679.4 and Chapter 2 of the DFW 679 Manual (New form, 01/2025)**

**Section 679.4 Facility and Enclosure Standards for Rehabilitation Animals.**

- Add subsection (a): “Provisions Related to the Operation of a Wildlife Rehabilitation Facility” establishes the requirements of an individual to operate a wildlife rehabilitation facility and/or satellite facility with conditions necessary to protect native wildlife, animal welfare, human health, and human safety in California.
- Add subsection (a)(1): “Responsibility for Costs Incurred” establishes that all wildlife rehabilitation costs incurred under the permit are the responsibility of the permit holder. This requirement is necessary to establish financial responsibility for permitted wildlife rehabilitation activities and to inform the public of the requirements under these regulations.
- Add subsection (a)(2): “Liability” establishes that all claims, losses, or associated risk and liability associated with the treatment, confinement or transportation of wildlife under the permit are the responsibility of the permit holder. This provision is necessary to clarify the financial and legal obligations associated with the temporary possession of any wild animal for the purpose of rehabilitation, and to indemnify the department and Commission from any losses.
- Add subsection (a)(3): “Continuing Education” establishes that a permittee, their designee, ~~and~~ sub-permittees, authorized persons, and qualified handlers, must complete 8 hours of wildlife rehabilitation training each year. This provision is necessary for wildlife rehabilitators to stay current with best practices, accepted techniques, and the latest advancements in wildlife rehabilitation and are relevant to maintain their facility operations and protect animal welfare, native wildlife, human health, and human safety.
- Add subsection (a)(4): “Display or Possession of Permit and Emergency Action Plan” establishes the requirement for an individual to visibly display relevant permits. The provision also requires the written facility emergency action plan. These provisions are necessary to assure the public that wildlife rehabilitation facilities are legitimate,

authorized facilities and, in case of an emergency, to protect the welfare of each rehabilitation animal, as well as the health and safety of all personnel and the public.

- Add subsection (a)(5): “Authorized Persons” establishes the requirement that a permittee, their designee, or sub-permittee shall communicate with all authorized persons at least once every 7 calendar days. This provision is necessary to ensure that the permittee, sub-permittee or designee is kept up to date regarding the status, condition and welfare of each rehabilitation animal.
- Add subsection (a)(5)(A): establishes the requirement that an authorized person shall be supplied with the medical records and animal care plan for each rehabilitation animal from the permittee, their designee, or sub-permittee. This provision is necessary to ensure that the authorized person has the information about the rehabilitation animal to properly care for it.
- Add subsection (a)(5)(B): establishes the requirement that a rehabilitation animal shall not be temporarily possessed by an authorized person for more than 180 days. This provision is necessary to ensure that rehabilitated wildlife are only possessed temporarily by an authorized person while being rehabilitated.
- Add subsection (a)(5)(C): establishes the requirement that an authorized person shall transfer a rehabilitation animal to the permittee, their designee, or sub-permittee, or the Department, at their direction within a time period designated by the permittee or the Department. This provision is necessary to protect the health and welfare of each rehabilitation wildlife that is possessed temporarily by an authorized person while being rehabilitated.
- Add subsection (a)(~~56~~): “Required Records” establishes the requirements for an individual to retain written or electronic records. This provision is necessary to ensure proper recordkeeping under the state permit and to comply with the US Fish and Wildlife Service Migratory Bird permit 5-year record retention requirements.
- Add subsection (a)(~~56~~)(A): “Annual Report” establishes the requirement to ~~draft and~~ submit an annual report to the department that shall include permittee information, summary of patient outcomes, wild animal intakes, rehabilitation raptor transfers, continuing education hours, list of non-releasable animals, and acknowledgement and signature. This provision is necessary so the department can track the activities of wildlife rehabilitators, to understand the operations of both individual facilities and the rehabilitation program, detect trends in rehabilitated species and outcomes, monitor rehabilitator training, and maintain awareness of rehabilitated raptors under the care of licensed falconers.
- Add subsection (a)(~~56~~)(B): “Availability of Records” establishes the requirement to furnish required records to the department within 3 calendar days. This is necessary so the department can obtain information from permitholders and their personnel in a timely fashion, for the purposes of monitoring, enforcement, compliance with these regulations, and for general administration of the wildlife rehabilitation program.
- Add subsection (a)(~~67~~): ~~“Operational Changes”~~ “Administrative Updates” establishes the requirements for an individual to notify the department of any changes under the permit. This provision is necessary to ensure that the department is aware of any

changes to a permitted facility that may impact animal care and welfare and to maintain updated contact information.

- Add subsection (a)(7)(A): establishes the process to notify the Department within 10 calendar days of any change to facility or satellite facility name, mailing address, telephone number, or email address under the permit. This provision is necessary to ensure that the department maintains updated facility contact information for department staff, local agencies, and members of the public, including public contact information on the department's website. This provision is also necessary to ensure that the permittee and their personnel are accessible and compliant under the terms and conditions of the permit. ~~department is aware of any changes to a permitted facility that may impact animal care and welfare and to maintain updated contact information.~~
- Add subsection (a)(7)(B): establishes the process to notify the Department within 15 calendars prior to the removal of a veterinarian of record for any foreseeable reason from a permit by the permittee, their sub-permittee, or designee. This provision is necessary for the department to ensure that continued access to veterinary medical care and treatment is maintained for each animal. This provision
- Add subsection (a)(7)(C): establishes that any such administrative updates do not constitute a permit amendment and that the department does not charge a fee for such updates to a permit. This provision is necessary to ensure that the permittee, their sub-permittee, or designee understand all requirements for notifying the department of any administrative update.
- Add subsection (a)(~~7~~8): "Compliance with Other Restrictions" establishes that all wildlife rehabilitation activities performed under a valid state permit must not violate any other federal, state, or local law. This provision is necessary to clarify to the public and a permittee that a wildlife rehabilitation permit does not allow someone to take or possess any wild animal if doing so is a violation of the Fish and Game Code or any other law.
- Add subsection (a)(~~8~~9): "Notification of Fully Protected Species Intake" ~~This provision~~ establishes the requirements for a permittee, their sub-permittee, or designee to notify the department within 24-hours of receiving a live or dead gray wolf (*Canis lupus*) or California condor (*Gymnogyps californianus*), notwithstanding any other large carnivore, or federally or state listed species, that shall be reported to the department within 5 calendar days. This provision is necessary to ensure that the department is notified in a timely fashion whenever a specially protected species, or species listed pursuant to the federal or California Endangered Species Act, or any large carnivore, is received, because handling, transporting, ~~and~~ rehabilitating, or carcass disposal of these animals may requires specialized equipment and/or training, or authorization by a state or federal agency ~~or~~ because of their unique designations under the Fish and Game Code or federal law.
- Add subsection (a)(10): "Notification of Specialty Rehabilitation Animal Intake" This provision establishes the requirements to notify the department within 24-hours of receiving the following species of specialty rehabilitation animals: Black bear (*Ursus americanus*), mountain lion (*Puma concolor*), deer (*Odocoileus hemionus*), pronghorn (*Antilocapra americana*), elk (*Cervus canadensis*), wild sheep (*Ovis canadensis*), golden eagle (*Aquila chrysaetos*), or bald eagle (*Haliaeetus leucocephalus*). This



provision is necessary to ensure that the department is notified in a timely fashion when a large carnivore, ungulate, or eagle specialty rehabilitation animal is received because the handling, transport, rehabilitation, and carcass disposal of these animals require specific direction and authorization by the department or U.S. Fish and Wildlife Service.

- Add subsection (b): “Enclosure Requirements” establishes the requirements to obtain, construct, and maintain enclosures for wildlife rehabilitation. Additionally, requirements for housing conspecific and non-conspecific animals are specified. These provisions are necessary to ensure that the minimum requirements to maintain animal welfare are maintained through compliance with the requirements listed in the DFW 679 Manual, including limiting the possibility of escapees, avoiding the proliferating of populations under rehabilitation, preventing flooding which could cause injury and/or disease, allowing contact between animals which may co-occur when beneficial and disallowing it when detrimental, and maintaining adequate environmental conditions for animal housing (See Attachment 9, Figure 7).
- Add subsection (c): “Variances to Enclosure Requirements” establishes the process of requesting a variance approval for any enclosure that differs in construction design or construction materials of the requirements listed in the DFW 679 Manual. This provision is necessary to specify standards in which a variance may be requested and what documentation is necessary.
- Add subsection (c)(1): ~~establishes the conditions for department approval of an enclosure variance request and that specific terms and conditions may be imposed~~ information required for an applicant to submit a variance request that includes the location of the requested variance, category and type of variance, reasons for request, and acknowledgement and signature. This provision is necessary to clarify that all conditions and required information needed by the department to review a variance request ~~must be met to protect the safety and well-being of each rehabilitation animal that may be housed in an enclosure that may differ from the minimum enclosure requirements, and to further clarify that enclosures must follow all regulations that are outside the scope of the variance~~ (See Attachment 9, Figure 1).
- Add subsection (c)(2): establishes the process for the department to review a variance request, for a requestor to request department approval to continue using an enclosure during the review, and the timeline for the department to notify the requestor of an approval or denial of a variance ~~conditions for department denial of an enclosure variance request and the requirement to modify, replace, or remove such an enclosure subject to a variance denial.~~ This provision is necessary so that the requestor understands the requirements and process for the department to consider a variance request ~~substandard housing is not used if the department determines that the variance request will not maintain the health of the wild animal or human safety.~~
- Add subsection (c)(3): establishes the conditions for department approval of an enclosure variance request and that specific terms and conditions may be imposed. This provision is necessary to clarify that all conditions must be met to protect the safety and well-being of each rehabilitation animal that may be housed in an enclosure that may differ from the minimum enclosure requirements, and that meeting the enclosure requirements in 679.4(b) will result in undue hardship to the requestor ~~that an individual~~

~~shall maintain documentation of an approved variance request and provide upon request to department staff. This provision is necessary to document approved variance requests during an inspection, so that inspectors can be apprised when deviations from standard requirements are in effect.~~

- Add subsection (c)(4): establishes the conditions for department denial of an enclosure variance request and the requirement to modify, replace, or remove such an enclosure subject to a variance denial. This provision is necessary so that substandard housing is not used if the department determines that the variance request will not maintain the health of the wild animal or human safety. Further, this provision establishes the process for a requestor to submit a request to the department for reconsideration of a variance that has been denied.
- Add subsection (d): “Violations” establishes the provision that any violation of Chapter 2 of the DFW 679 Manual shall be considered a violation of Section 679. This provision is necessary so that an individual understands that a violation of Chapter 2 of the DFW 679 Manual is also a violation of regulations and so that law enforcement personnel have a clear way to cite violations of the manual chapter.

#### **Chapter 2 of the DFW 679 Manual (New form, 01/2025)**

- Add Chapter 2 (a): “Enclosure Requirements” establishes the requirements to maintain enclosures with the conditions specified for each taxonomic group or species (See Attachment 9, Figure 5).
- Add Chapter 2 (a)(1) establishes that a wildlife rehabilitator shall know the basic life history of the wild animal they temporarily possess for the purpose of rehabilitation and release to the wild. This provision is necessary to ensure there is sufficient knowledge to maintain and improve the welfare of each animal.
- Add Chapter 2 (a)(2): establishes that each enclosure shall have visual and physical separation between rehabilitation animals, other animals, and people. This provision is necessary to reduce rehabilitation animal stress and minimize the risk of habituation or mal imprinting of each animal (See Attachment 9, Figure 4, Figure 5; See Attachment 10, Figure 3).
- Add Chapter 2 (a)(3): establishes the requirement to use specific animal enclosure types based on the stage of rehabilitation of the animal. This provision is necessary to ensure that neonate animals, limited mobility animals, and pre-release conditioning animals are housed in enclosures that are appropriate to their age class and stage of rehabilitation (See Attachment 9, Figure 5; Attachment 10, Figure 7).
- Add Chapter 2 (a)(4): establishes that a variance must be requested for the use of any enclosures that do not meet the requirements. This provision is necessary to facilitate department review of any variance request and to ensure that a variance will maintain and improve the welfare of any rehabilitation animal potentially affected by that variance.
- Add Chapter 2 (a)(5): establishes that an approved variance will have terms and conditions required by the department that shall be adhered to by the applicant. This provision is necessary to allow the department to approve, modify, or deny any request

for a variance to ensure such a variance will maintain and improve the welfare of each rehabilitation animal potentially affected by that variance.

- Add Chapter 2 (a)(6): establishes that any existing variances will be reviewed by the department at the time of permit renewal. This provision is necessary to ensure that a variance continues to maintain and improve the welfare of each rehabilitation animal potentially affected by that variance.
- Add Chapter 2 (a)(7): establishes the requirements by which an enclosure shall be deemed a temporary enclosure by a permittee, their sub-permittee, and designee, and the department. This provision is necessary to define temporary enclosures, such as modular kennel cages or animal crates, and allow for their use to temporarily house rehabilitation animals as appropriate.
- Add Chapter 2 (a)(8): establishes the requirements by which a temporary enclosure may be used to house a neonate rehabilitation animal. This provision is necessary to protect the health and welfare of neonate rehabilitation animals who have different needs than other rehabilitation animals.
- Add Chapter 2 (a)(9) establishes the requirements by which a temporary enclosure may be used to house certain rehabilitation animals, as listed, who have reached the pre-release conditioning stage of rehabilitation. This provision is necessary to protect the health and welfare of pre-release conditioning adult and juvenile rehabilitation animals who have different needs than other rehabilitation animals.
- Add Chapter 2 (b): “Rehabilitation Animal Enclosure Types. Table 24” establishes the requirements to maintain rehabilitation animal enclosures based on stage of rehabilitation. These provisions are necessary to protect native wildlife and animal welfare and specify the requirements at each stage of rehabilitation.
- Add Chapter 2 (c): “Amphibian and Reptile Requirements” establishes the minimum pre-release conditioning enclosure requirements for an amphibian and reptile must allow for each rehabilitation animal to display the natural life history of their species. This provision is necessary to protect animal welfare because the minimum enclosure size requirements are specific and unique to each individual amphibian and reptile. Enclosure sizes must allow for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild.
- Add Chapter 2 (d): “Pre-release Conditioning Enclosure Requirements; Amphibian and Reptiles. Table 35” establishes the specific enclosure requirements for a pre-release amphibian and reptile. These provisions are necessary to protect the welfare of native amphibians and reptiles and ensure that rehabilitation animals cannot escape. Enclosures must provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild.
- Add Chapter 2 (e)(1): establishes the minimum housing requirements for mammals. This provision is necessary to protect the welfare of each mammal and ensure that the enclosure requirements are specific and unique to each species. Adhering to the standards will ensure that enclosures can provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild and ensure

that rehabilitation mammals cannot escape (See Attachment 9, Figure 7, Attachment 10, Figure 10).

- Add Chapter 2 (f): “Pre-release Conditioning Enclosure Requirement; Mammals. Table ~~46~~” establishes the pre-release conditioning enclosure and enrichment requirements for mammal species. These provisions are necessary to protect native wildlife and the welfare of mammal species, to ensure that rehabilitation mammals cannot escape, and to ensure that enclosures can provide for the full expression of the natural life history behaviors each rehabilitation mammal needs to survive in the wild (See Attachment 10, Figure 1 and Figure 10).
- Add Chapter 2 (g): “Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals per Enclosure; Mammals. Table ~~57~~” establishes the minimum enclosure size requirements for mammal species. These provisions are necessary to protect native wildlife and the welfare of rehabilitation animals. Adhering to the standards will ensure that enclosures can provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild (See Attachment 10, Figure 7).
- Add Chapter 2 (h): “Bird Requirements” outlines some of the necessary knowledge a rehabilitator must possess to humanely and properly rehabilitate birds, including special considerations for waterbirds, and establishes the requirement to follow the minimum pre-release conditioning enclosure sizes for birds. These provisions are necessary to allow rehabilitators to understand the enclosure needs for each bird temporarily possessed for rehabilitation so that it may display the physical and behavioral abilities it will need to survive in the wild (See Attachment 10, Figure 9, Figure 11).
- Add Chapter 2 (h)(1): establishes that a wildlife rehabilitator must know the distinction between neonate, juvenile, and adult bird species requirements. This provision is necessary to ensure that a wildlife rehabilitator can identify the type of specialized care at each stage of rehabilitation (See Attachment 10, Figure 9).
- ~~▪ Add Chapter 2 (h)(2): establishes that a wildlife rehabilitator shall know if a neonate bird is of a precocial or altricial species. This provision is necessary since the two types of neonates require specialized care unique to each type at that stage of rehabilitation.~~
- ~~▪ Add Chapter 2 (h)(3): establishes the conditions under which a wildlife rehabilitator shall classify a fledgling bird as a “juvenile”. This provision is necessary to protect animal welfare and ensure that a rehabilitation animal continues to receive the appropriate, specialized care required for that stage of rehabilitation.~~
- Chapter (h)(~~4~~2): establishes that a wildlife rehabilitator shall adhere to all waterbird welfare requirements. This provision is necessary to ensure that each waterbird can fully express the natural life history behaviors they need to survive in the wild (See Attachment 10, Figure 11B).
- Chapter (~~5~~)(h)(3): establishes that a wildlife rehabilitator shall adhere to specified requirements regarding bird enclosures. This provision is necessary to ensure that birds being temporarily possessed for rehabilitation have the proper enclosures and forms of enrichment to express their natural behaviors, to provide for animal welfare, and to

prevent animal escapes (See Attachment 9, Figure 7; Attachment 10, Figure 1, Figure 8B, Figure 9, Figure 11).

- Add Chapter 2 (i): “Pre-release Conditioning Enclosure Requirements; Birds (excluding waterbirds). Table ~~68~~” establishes the specific enclosure requirements for pre-release conditioning bird species except for waterbirds. These provisions are necessary to ensure that enclosures allow for each rehabilitation bird to express the natural life history behaviors specific and unique to their species, to provide for animal welfare, and to prevent animal escapes (See Attachment 9, Figure 3; See Attachment 10, Figure 11A).
- Add Chapter 2 (j): “Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Birds (notwithstanding waterbirds). Table ~~79~~” establishes the minimum enclosure size requirements for pre-release conditioning bird species except for waterbirds. These provisions are necessary to protect native wildlife and the welfare of rehabilitation animals. Adhering to the standards will ensure that enclosures can provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild (See Attachment 10, Figure 8B, Figure 9, Figure 11A).
- Add Chapter 2 (k): “Pre-release Conditioning Enclosure Requirements; Waterbirds. Table ~~10a~~” establishes the specific requirements for each waterbird enclosure. These provisions are necessary to protect native wildlife and the welfare of rehabilitation animals and to prevent animal escapes. Adhering to the standards will ensure that enclosures can provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild (See Attachment 9, Figure 3, See Attachment 10, Figure 11B).
- Add Chapter 2 (l): “Pre-release Conditioning Enclosure Requirements; Pool-Only Waterbirds. Table 10b” establishes the specific enclosure requirements for waterbirds that require pool-only enclosures. These provisions are necessary to protect native wildlife and the welfare of rehabilitation animals and to prevent animal escapes. Adhering to the standards will ensure that enclosures can provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild (See Attachment 9, Figure 3, See Attachment 10, Figure 11B).
- Add Chapter 2 (~~m~~): “Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Waterbirds. Table ~~91~~” establishes the minimum enclosure size requirements for waterbird species. These provisions are necessary to protect native wildlife and the welfare of rehabilitation animals. Adhering to the standards will ensure that enclosures can provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild (See Attachment 10, Figure 11B).
- Add Chapter 2 (~~n~~): “Minimum Size Requirements for Pre-release Conditioning Pools; Waterbirds. Table ~~40~~ 12” establishes the minimum pool size requirements for waterbirds. These provisions are necessary to clarify that the pool diameter and depth are included in the minimum enclosure size requirement for each waterbird and to ensure that pool sizes are within proper parameters to be useful and safe. Waterbirds need pools to express the natural life history behaviors of their species (See Attachment 10, Figure 11B).

- Add Chapter 2 (a): “Specialty Rehabilitation Animal Requirements” establishes the list of specialty rehabilitation animals that may be rehabilitated under special authorization from the department and the requirement to maintain a double-door entry system always secured, with a method to view each specialty rehabilitation animal. Individuals caring for specialty species need to have additional training and experience specific to these animals to ensure the safety of the animal and individuals caring for it. The provision regarding a method to view the animal(s) is necessary to prevent animal escape, to allow handlers to view animal before entering for safety reasons and to reduce the risk of habituation or mal imprinting of a specialty rehabilitation animal (See Attachment 9, Figure 5, Figure 7; See Attachment 10, Figure 6).
- Add Chapter 2 (b): “Specialty Rehabilitation Animal Enclosure Requirements for Pre-release Conditioning, Table 13” establishes the specific enclosure size requirements for each type of specialty rehabilitation animal. These provisions are necessary to protect native wildlife and the welfare of rehabilitation animals and to prevent animal escapes. Adhering to the standards will ensure that enclosures can provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild (See Attachment 9, Figure 3, Figure 5).
- Add Chapter 2 (c): “Neonate and Limited Mobility Minimum Enclosure Size Requirements; Specialty Rehabilitation Animals, Table 14” establishes the minimum enclosure size requirements for neonate and limited mobility specialty rehabilitation animals. These provisions are necessary to protect native wildlife and the welfare of specialty rehabilitation animals. Adhering to the standards will ensure that a specialty rehabilitation animal can fully express the natural life history behaviors it needs to survive in the wild ~~enclosures can provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild~~ (See Attachment 9, Figure 5).
- Add Chapter 2 (d): “Pre-Release Conditioning Minimum Enclosure Size Requirements and Maximum Number of Animals Per Enclosure; Specialty Rehabilitation Animals, Table 15” establishes the minimum enclosure size requirements for specialty rehabilitation animals that have reached the stage of pre-release conditioning. These provisions are necessary to protect native wildlife and the welfare of each specialty rehabilitation animal. Adhering to the standards will ensure that a specialty rehabilitation animal can fully express the natural life history behaviors it needs to survive in the wild (See Attachment 9, Figure 5).

**Part 3. Add Section 679.5 Humane Care Standards and Chapter 3 of the DFW 679 Manual (NEW, 01/2025)**

**Section 679.5 Humane Animal Care Standards.**

- Add subsection (a): “Care of Rehabilitation Animals” establishes various provisions required for the care of a wild animal temporarily possessed by a permittee, their sub-permittee, designee, authorized persons, and qualified handlers for the purposes of rehabilitation.

- Add subsection (a)(1): ~~This provision~~ “Animal Care” establishes that the appropriate care and treatment be provided based on the needs of the individual animal. This provision is necessary for the health and wellbeing of animals during rehabilitation.
- Add subsection (a)(2): “Food” establishes the requirements to meet species, age class, and injury appropriate diets for each rehabilitation animal. This provision is necessary to clarify feeding conditions and nutritional requirements for all rehabilitation animals to prevent animal malnutrition and sickness.
- Add subsection (a)(3): “Water” establishes the requirement to meet the species, age class, and injury appropriate access to fresh water for each rehabilitation animal. This provision is necessary to clarify water needs for rehabilitation animals, and sanitary receptacle conditions, to prevent animal dehydration and sickness.
- Add subsection (a)(4): “Handling” establishes the requirements for how to effectively manage a rehabilitation animal. This provision is necessary to clarify conditions on proper animal handling to prevent harm or imprinting of a rehabilitation animal and to protect human safety (See Attachment 10, Figure 12).
- Add subsection (a)(5): ~~Plan~~ “Biosafety Protocol” establishes the requirements necessary for pest and parasite control and to prevent the transmission of communicable diseases and parasites. This provision is necessary to ensure that facilities have a plan for the control of disease to protect humans, domestic animals, and wildlife from sickness or death (See Attachment 9, Figure 6, Attachment 10, Figure 12).
- Add subsection (a)(6): “Egg Incubation” establishes requirements for the incubation of eggs of native bird species of known origin during wildlife rehabilitation. This provision does not preclude the need to obtain other valid state or federal permits. This provision is necessary to prevent the incubation of eggs if a permittee lacks sufficient experience or authorization to possess, and to prevent the spread of communicable avian diseases.
- Add subsection (a)(7): “Public Display” establishes the requirements for how a rehabilitation animal may be depicted in public facing media formats. This provision is necessary to prevent the public from anthropomorphizing wildlife, which may lead to habituation or imprinting of rehabilitation animals and human safety issues. This provision further clarifies the prohibition of social media posts of any rehabilitation animal that is part of a legal or enforcement action, to prevent the public from adversely affecting ongoing enforcement cases.
- Add subsection (a)(8): “Notification Requirement for Diseases of Concern” establishes the requirement for notification of exposure to a disease of concern to appropriate public agency. This provision is necessary for the control of communicable diseases known to harm wildlife, domestic animals, or people and to protect native wildlife, animal welfare, human health, and safety. Further, this provision ensures that the proper authorities are aware of disease events to act if warranted (See Attachment 9, Figure 5, Figure 8).
- Add subsection (a)(8)(A): “Reporting to the Department” establishes the process to report to the department any rehabilitation animal suspected to have a communicable disease of concern. This provision is necessary for the control of communicable diseases known to harm wildlife, domestic animals, or people and to protect native wildlife, animal welfare, human health, and safety. Further, this provision ensures that

the department is aware of disease events and can act if warranted (See Attachment 9, Figure 5).

- Add subsection (a)(8)(B): “Rabies” establishes the requirement and process for proper agency reporting of any rehabilitation animal suspected or known to have rabies. This provision is necessary to specify the actions required for rabies prevention and control and to protect native wildlife, animal welfare, human health, and safety. Further, this provision ensures that the proper authorities are aware of disease events to act if warranted.
- Add subsection (a)(8)(C): “Chronic Wasting Disease” establishes the requirement and process for confining in isolation any specialty rehabilitation ungulate upon intake to observe for any clinical signs or symptoms consistent with chronic wasting disease. This provision is necessary to ensure that the proper authorities are aware of disease events and to act if warranted.
- Add subsection (a)(8)(C)1. through (a)(8)(C)4.: establishes the requirements to accept for intake any specialty rehabilitation ungulate for the purpose of rehabilitation or humane euthanasia, including the conditions to euthanize sick animals or animals of unknown origin; restricting the transfer of an animal outside of its county of origin; restricting the time period to rehabilitate and release any ungulate; and the process to notify the department for submission and testing of carcasses. These provisions are necessary to prevent the movement of deer potentially infected with chronic wasting disease and to protect animal welfare and wild native deer populations.
- Add subsection (a)(9): “Notification Requirement for Violations Related to Animals” establishes the requirement to report to the department any rehabilitation animal suspected to have been intentionally harmed or unlawfully taken by any person. This provision is necessary to protect the welfare of each rehabilitator and native wildlife.
- Add subsection (a)(10): “Import and Export of Rehabilitation Animals” establishes the process for legal import or export of a rehabilitation animal for rehabilitation or release to the wild. This provision does not prevent a permittee from accepting an injured, sick, or orphaned wild animal that is improperly imported by the public. This provision is necessary to prevent the spread of communicable diseases, protect animal welfare, native wildlife, and agricultural interests, and to maintain interagency relationships.
- Add subsection (b): “Treatment of Wildlife in Possession” establishes the requirements for the treatment of a wild animal temporarily possessed for the purposes of rehabilitation.
- Add subsection (b)(1): “Medical Care” establishes the requirements for any intervention that is not medically necessary or likely to improve the condition of a rehabilitation animal. This provision is necessary to prevent undue or prolonged medical intervention that will not improve the outcome of the animal. In one case for an example, major spinal and brain surgery on a large carnivore resulted in undue extended physical pain and suffering that should have been humanely euthanized upon intake. Further, this language is closely aligned with the California Veterinary Medical Practice Act.
- Add subsection (b)(2): “Standing Order” establishes the requirements for routine medical procedures and care of rehabilitation animals at a wildlife rehabilitation facility



without direct supervision of a California licensed veterinarian. This provision is necessary to provide guidance on routine medical treatments and medications that may be administered by a permittee, their sub-permittee, designee, authorized person, or qualified handler in the absence of a licensed veterinarian. Further, this language is closely aligned with the California Veterinary Medical Practice Act.

- Add subsection (b)(3): “Medications” establishes requirements specific to the administration, storage, tracking, and disposal of medications and controlled drugs for rehabilitation animals. This provision is necessary to specify the responsibilities for adhering to applicable laws regulating medications and controlled drugs used in the care and treatment of wild animals. Further, this language is closely aligned with the California Veterinary Medical Practice Act.
- Add subsection (b)(4): “Raptor Rehabilitation” establishes the requirements and process to transfer a rehabilitation raptor to a California general or ~~export~~master falconer licensed and approved by the department for pre-release conditioning. To be successfully rehabilitated and released into the wild, raptors require specialized exercises for flight and hunting. A falconer can provide this training and exercise for raptors. This provision is necessary to clarify the process by which a falconer can assist with rehabilitation of raptors.
- Add subsection (b)(4)(A): establishes the information required by the department to authorize the temporary transfer of a rehabilitation raptor to a licensed general or ~~export~~master falconer. This provision is necessary to clarify the process by which a falconer can assist with rehabilitation of raptors. To be successfully rehabilitated and released into the wild, raptors require specialized exercises for flight and hunting. A falconer can provide this training and exercise for raptors. This provision outlines the information needed for the department to authorize a falconer to legally assist with raptor rehabilitation activities.
- Add subsection (b)(4)(A)1. through (b)(4)(A)2.: establishes the process, and information required by the department, to transfer a rehabilitation raptor to a licensed falconer for the purpose of pre-release conditioning. These provisions are necessary to ensure that a licensed falconer who is temporarily possessing a rehabilitation raptor is following the care and treatment required by the wildlife rehabilitator for the purpose of releasing the rehabilitation raptor to the wild. These provisions are necessary to protect animal welfare and native raptors and for the department to track which raptors are being temporarily transferred to falconers.
- Add subsection (b)(5) “Surrogate Animal” establishes guidelines for the use of a conspecific wild animal temporarily possessed under a permit as a surrogate animal to a neonate or juvenile rehabilitation animal. This provision is necessary to support safe natural socialization between conspecifics and proper imprinting, and for a rehabilitation animal to express the natural life history behaviors of that species needed to survive in the wild.
- Add subsection (b)(6): “Patient Record” establishes the requirements for maintaining a record of each rehabilitation animal.

- Add subsection (b)(6)(A): “Intake History” establishes the information that a wildlife rehabilitator must document upon intake of a wild animal. This provision is necessary to document the provenance of each animal that is admitted under a permit from the public, and to help wildlife rehabilitators determine the best course of treatment for each wild animal.
- Add subsection (b)(6)(B): “Animal Information” establishes the necessary information for each wild animal at a rehabilitation facility which includes basic intake information, initial physical examination findings, and the rehabilitation care and treatment plan. This provision is necessary to create a patient record which is part of the required record provision and should be produced during an inspection or upon request by the department.
- Add subsection (b)(6)(C): “Patient Outcome” establishes the category of final disposition of each animal that is possessed under a wildlife rehabilitation permit and is provided in the annual report. This provision is necessary to collect the required annual documentation of the wild animals possessed for rehabilitation and supports the departments statewide wildlife disease monitoring efforts.
- Add subsection (a**b**)(7): “Long-Term Possession” establishes the information required to be reported to the department to request a long-term possession extension for a rehabilitation animal beyond 180 days. In most cases it is unnecessary to rehabilitate wildlife for longer than 6 months. The department aligns with federal and national standards that it is typically in the best interest of a wild animal to be temporarily possessed for the purpose of rehabilitation for no more than 180 days. The Commission has determined, based on the department’s experience, that a rehabilitation animal is at increased risk of food conditioning, habituation, mal-imprinting, or unnecessary behavioral or physical stress the longer it is confined.
- Add subsection (a**b**)(7)(A) through (a**b**)(7)(B): establishes the process for department “Approval of a Request” or “Denial of a Request” for long-term possession of a rehabilitation animal. These provisions are necessary to specify the outcome options for such an animal based on what the department determines is in the best interest of the animal.
- Add subsection (c): “Animals not Released to the Wild” establishes the process and outcomes (final disposition) for a rehabilitation animal that is thought to not be a suitable candidate for release to the wild.
- Add subsection (c)(1): “Euthanasia” establishes the criteria for the safe, humane induction of death (euthanasia) of any wild animal temporarily possessed for the purposes of rehabilitation (See Attachment 9, Figure 5, Figure 9).
- Add subsection (c)(1)(A): establishes the minimum training hours required for any person allowed to euthanize a rehabilitation animal. This provision is necessary to ensure that euthanasia is performed in a manner that does not cause undue pain and suffering to any animal.
- Add subsections (c)(1)(A)1. through (c)(1)(A)3.: establishes the minimum number of training hours required for specific methods of euthanasia. These provisions are necessary to ensure that all methods of euthanasia are done properly and do not cause

undue pain and suffering to any rehabilitation animal. Further, these provisions are necessary to ensure that euthanasia methods requiring personnel to oversee or administer controlled drugs are performed safely and legally.

- ~~▪ Add subsection (c)(1)(B): establishes the requirement and process to dispose of a carcass of a rehabilitation animal that has been chemically euthanized. This provision is necessary to prevent scavenging or excavation of an animal carcass contaminated with euthanasia chemicals. The ingestion of these chemicals poses a health hazard to people, domestic animals, and wildlife.~~
- Add subsection (c)(2): "Permanent Placement" establishes how a requestor may begin seeking approval from the department for a rehabilitation animal thought to not be a suitable candidate for release to the wild.
- Add subsection (c)(2)(A): "Request for Placement" establishes the information required for the department to certify that a rehabilitation animal is not suitable for return to the wild and may be considered for captive placement instead of euthanasia. This provision is necessary to ensure that the rehabilitation animal is in fact suitable for captive placement and is unable to be released to the wild.
- Add subsections (c)(2)(B) ~~through (c)(2)(C)~~: "Department Consideration of a Request" establishes the process for how the department shall review ~~and approve or deny~~ a request by a wildlife rehabilitator for consideration of permanent placement of a rehabilitation animal. ~~These provisions are~~ This provision is necessary to outline the criteria by which the department will review such a request and to ensure that a determination by the department will be made in a timely manner that is in the best interest of the animal.
- Add subsections (c)(2)(C)1. ~~through (c)(2)(C)2~~: "Department Approval or Denial of Request" establishes the process and criteria to approve or deny a request by the department for permanent placement of a non-releasable rehabilitation animal. These provisions are necessary to protect the welfare of the rehabilitation animal and ensure the most appropriate, safe, and humane outcome for the animal. The Commission has determined based on the department's experience that wild-born animals do not do well in captivity, and euthanasia is often the most humane outcome if they cannot be returned to the wild.
- Add subsection (d): "Use of Rehabilitation Animals for Scientific or Educational Purposes" establishes the process and requirements for how a rehabilitation animal, their carcass, or parts thereof may be used for scientific, educational, and/or propagation purposes. This provision is necessary to ensure that rehabilitation animals are temporarily possessed only for the purpose of rehabilitation as authorized under the permit.
- Add subsection (e): "Violations" establishes the provision that any violation of Chapter 3 of the DFW 679 Manual shall be considered a violation of Section 679. This provision is necessary so that an individual understands that a violation of Chapter 3 of the DFW 679 Manual is also a violation of regulations and so that law enforcement personnel have a clear and easy way to cite violations of the manual chapter.

### **Chapter 3 of the DFW 679 Manual (NEW, 01/2025)**

- Add Chapter 3 (a): “Care and Treatment Requirements” establishes the protocol and procedures that must be adhered to protect the welfare of each wild animal that may be temporarily possessed for any period by a wildlife rehabilitator. These provisions are necessary to ensure that the highest standards of care are maintained at each stage of rehabilitation.
- Add Chapter 3 (a)(1): establishes that a wildlife rehabilitator must possess sufficient knowledge and expertise to identify a rehabilitation animal with reasonable certainty and be able to realistically care for the animal. This provision is necessary for the safety and well-being of the rehabilitation animal and to ensure the requirements and highly specialized care specific and unique to each species are met (See Attachment 10, Figure 12).
- Add Chapter 3 (a)(2): establishes that a rehabilitation animal must be moved to another wildlife rehabilitation facility if the welfare of the animal cannot be maintained or improved for any reason. This provision is necessary to protect animal welfare, native wildlife, and human safety.
- Add Chapter 3 (a)(3): establishes the requirement to triage a wildlife based on the animal condition at intake. This provision is necessary to protect the safety and well-being of each rehabilitated animal because proper triage ensures that rehabilitated animals with critical needs are provided with priority care and treatment. Triage shall be based on the triage plan established by the wildlife rehabilitator (See Attachment 9, Figure 5).
- Add Chapter 3 (a)(4): establishes the requirement that an individual treatment plan must be specific and unique to each rehabilitation animal. This provision is necessary to ensure that the best available knowledge, understanding, and expertise is employed in providing care and treatment to a wild animal, and that each animal receives proper care that is tailored to its situation.
- Add Chapter 3 (a)(5): establishes the requirement to adopt and adhere to standard procedures for basic veterinary medical treatment and species-specific treatment plans as provided by a licensed veterinarian. This provision is necessary to establish treatment guidelines that may be conducted in the absence of a licensed veterinarian to reduce the risk of unnecessary pain or suffering, habituation, or mal imprinting of any rehabilitation animal. Most typical rehabilitation procedures do not require the active participation of a licensed veterinarian.
- Add Chapter 3 (a)(6): establishes the requirement for a rehabilitation animal to be seen by a licensed veterinarian for specific treatments that cannot be performed by a wildlife rehabilitator. This provision is necessary because only a licensed veterinarian has the expertise and, in some cases, the legal authority, to perform these procedures. Limiting these procedures to veterinarians will prevent unnecessary pain or suffering of a rehabilitation animal and ensure medical care is conducted properly.
- Add Chapter 3 (a)(7) establishes the requirement to understand the nutritional requirements that are specific and unique to each rehabilitation animal. This provision to ensure that wildlife rehabilitators have the knowledge to provide a species-

appropriate diet, prevent nutritional deficiencies, and ensure that each rehabilitation can express the natural life history behaviors needed to survive in the wild.

- Add Chapter 3 (a)(8) establishes the requirement that a wildlife rehabilitator allows a rehabilitation animal to feed independently as soon as the animal is able. This provision is necessary because juvenile animals are at risk of habituation or mal imprinting if they are not able to express their natural feeding behaviors and are therefore less likely to survive in the wild.
- Add Chapter 3 (b) “Cleaning Requirements” establishes the protocol and procedures that must be established to ensure the highest standards of hygiene and husbandry are maintained within a wildlife rehabilitation facility. These provisions are necessary to protect native wildlife, human health, and safety by reducing the risk of transmitting communicable diseases and/or parasites.
- Add Chapter 3 (b)(1) establishes the requirement to remove visible organic waste material prior to using any disinfectant, and to use disinfectants consistent with the provided directions. This provision is necessary to ensure enclosures and other areas where rehabilitation animals are in contact with are properly disinfected to prevent the spread of disease and/or parasites and to protect human safety (See Attachment 10, Figure 2).
- Add Chapter 3 (b)(2) establishes the requirement to disinfect the enclosure of any rehabilitation animal with a known or suspected zoonotic disease once the animal has been removed from the enclosure, including following any specific procedures determined by local or state public agencies. This provision is necessary to ensure enclosures and other areas where rehabilitation animals are in contact with are properly disinfected to prevent the spread of disease.
- Add Chapter 3 (b)(3) establishes the requirement that a wildlife rehabilitator shall separate raccoon and skunk enclosures from other animals. This provision is necessary to prevent transmitting raccoon or skunk roundworm to other animals or people (See Attachment, Figure 4).
- Add Chapter 3 (b)(4) establishes the requirement for raccoon enclosures and skunk enclosures to be used to only house raccoons or skunks with a clear and conspicuous label posted on the outside. This provision is required to prevent transmitting raccoon or skunk roundworm to other animals or people (See Attachment, Figure 4).
- Add Chapter 3 (b)(5) establishes the requirement for amphibian and reptile enclosures to be used to only house amphibians or reptiles with a clear and conspicuous label posted on the outside. This provision is required to ensure that proper cleaning requirements are met for each enclosure. Amphibians and reptiles are vulnerable to disease and require specific cleaning requirements. Improperly used cleaning agents are harmful to amphibians and reptiles.
- Add Chapter 3 (b)(6) establishes the requirement for specialty rehabilitation ungulate enclosures to be used to only house specialty rehabilitation ungulates with a clear and conspicuous label posted on the outside. This provision is required to ensure that proper cleaning requirements are met for each enclosure. Ungulates are vulnerable to chronic

wasting disease and require specific cleaning requirements to help reduce the potential spread of disease via contaminated surfaces.

- Add Chapter 3 (c) (1) through (c)(13) Table 15 “Common Detergents and Disinfectants Cleaning Agents to Limit the Transmission of Communicable Wildlife Diseases. Table 16.” establishes the categories of cleaning agents commonly available to properly disinfect enclosures and other areas where rehabilitation animals are housed. These provisions are necessary to ensure that disinfectants are used appropriately to protect animal welfare, human health and safety, and to prevent the spread of communicable disease and parasites.
- Add Chapter 3 (d) “Communicable Wildlife Diseases” establishes the proper handling and reporting of a wild animal suspected or known to have a disease of concern. This provision is necessary to protect animal welfare, human health, and safety and to prevent the spread of communicable disease and parasites (See Attachment 10, Figure 12).
- Add Chapter 3 (d)(1) establishes the requirement to oversee each rehabilitation animal using proper personal protective equipment. This provision is necessary to protect animal welfare, native wildlife, and human health and safety, by reducing the risks of disease and/or parasite transmission to animals or people (See Attachment 10, Figure 12).
- Add Chapter 3 (d)(2) establishes the requirement to report a rehabilitation animal suspected or known to have a disease of concern. A disease of concern is a communicable disease of potentially significant consequence to native wildlife, domestic animals, and people. This provision is necessary to aid the investigation, monitoring, and response to potential disease outbreaks and mortality events by the department and other public health agencies.
- Add Chapter 3 (e) “Wildlife Diseases of Concern in California and the Agency to Report Confirmed or Suspected Infected Wildlife. Table 17~~16~~” establishes the list of communicable wildlife diseases, their primary affected taxa, etiological agent, and clinical signs or symptoms, of interest to the department. The Commission has determined this list based on the department’s experience with wildlife diseases. These provisions are necessary so that a wildlife rehabilitator knows which zoonotic diseases to report, and the reporting agency. Further, these provisions are necessary to aid the investigation, monitoring, and response to potential disease outbreaks by the proper agency as needed.
- Add Chapter 3 (f) “Non-Releasable Animal Requirements” establishes the criteria to determine when a rehabilitation animal may be deemed non-releasable and suitable for captive placement.
- Add Chapter 3 (f)(1) establishes the criterion to classify a rehabilitation animal as non-releasable. This provision is necessary so that rehabilitators can identify when an animal should be considered for permanent placement or euthanasia. This provision is necessary for the wildlife rehabilitator to evaluate the rehabilitation animal and make an appropriate determination on if the animal can be released to the wild (See Attachment 9, Figure 9).

- Add Chapter 3 (f)(2) establishes the requirement that a non-releasable rehabilitation animal must be overseen pursuant to subsection 679.5(c), which specifies the potential dispositions of animals not released to the wild. This provision is necessary to outline acceptable rehabilitation animal outcomes when an animal cannot be released, to protect the safety and well-being of each animal.
- Add Chapter 3 (g) “Euthanasia Requirements” establishes the requirements and conditions that shall be met for the humane euthanasia of a rehabilitation animal (See Attachment 9, Figure 5 and Figure 9).
- Add Chapter 3 (g)(1) establishes the personnel training requirement for each method or category of euthanasia for a rehabilitation animal. This provision is necessary to ensure that euthanasia is performed humanely and by trained personnel.
- Add Chapter 3 (g)(2) establishes the requirement for recordkeeping specific to personnel euthanasia training. This provision is necessary to ensure that training records are properly maintained, so the department can verify adequate euthanasia qualifications for rehabilitators.
- Add Chapter 3 (g)(3) establishes what topics must be included in euthanasia training. This provision is necessary to ensure that euthanasia training covers appropriate and necessary instruction.
- Add Chapter 3 (g)(4) establishes the requirement to euthanize a rehabilitation animal using only the methods of euthanasia deemed to be humane and acceptable for that taxonomic group or species of rehabilitation animal. This provision is necessary to protect the safety and well-being of each rehabilitation animal, as well as personnel, and to ensure that humane and effective methods of euthanasia are administered under a wildlife rehabilitation permit.
- Add Chapter 3 (g)(5) provides examples of methods of euthanasia that the Commission has determined, based on the department’s experience, are not humane and/or ineffective. These methods may cause unacceptable environmental harm or are otherwise not legal methods of take pursuant to the California Fish and Game Code or other regulations or statutes. This provision is necessary because in some other states these methods may be allowed, so the provision clarifies to rehabilitators that they are prohibited in California. The use of these euthanasia methods may cause undue pain and suffering to animals.
- Add Chapter 3 (g)(6) establishes the procedure for notifying the proper agency of any eagle or threatened or endangered species requiring humane euthanasia, and transfer of the carcass, pursuant to 50 CFR 21.31. This provision is necessary to protect animal welfare and to ensure that rehabilitators are aware of, and follow, federal law by reporting the situation and obtaining approval for euthanasia prior to the “take” of a protected species.
- Add Chapter 3 (g)(7) establishes the requirement and appropriate disposal methods for the disposal of any rehabilitation animal carcass to occur in compliance with relevant federal, state, and local laws. This provision is necessary as the requirements for safe and legal carcass disposal are specific and unique to each jurisdiction or municipality.

Additionally, the carcass of a rehabilitation animal euthanized by a controlled drug may be hazardous to any animal or person that scavenges the carcass.

- Add Chapter 3 (g)(8) establishes the requirement to mark or tag the carcass of a rehabilitation animal that must be stored prior to proper disposal of the carcass with identifying information that includes intake number, common or species name, and known or suspected diseases if applicable. This provision is necessary to protect native wildlife, human health, and human safety.
- Add Chapter 3 (g)(9) establishes the requirement for the carcass disposal of an ungulate specialty rehabilitation animal by placing the carcass in double-lined plastic bags, or treating the carcasses with high-pressure alkaline hydrolysis, and burying it in a permitted landfill. This provision is required to prevent the exposure of wild and domestic animals and humans to the prions that cause chronic wasting disease. These requirements are consistent with scientific studies to date and the carcass disposal guidelines recommended by the Association of Fish and Wildlife Agencies, Western Association of Fish and Wildlife Agencies, Center for Disease Control and Prevention, and the National Institute of Health.
- Add Chapter 3 (h) ~~Table 17~~ “Acceptable Euthanasia Methods for Rehabilitation Animals. Table 18.” establishes the methods of euthanasia that the Commission has determined, based on the department’s experience, are humane, effective, and legal methods of take. These provisions are necessary to protect the safety and well-being of each rehabilitation animal, and personnel administering any such methods, and that the euthanasia methods used do not cause undue pain and suffering to the animal.

#### **Part 4. Add Section 679.6, Section 679.7, Section 679.8, and 679.9**

##### **Section 679.6 Release of Rehabilitation Animals into the Wild.**

- Add subsection (a) “Evaluation for Release” establishes the criteria for establishing whether a rehabilitation animal can be released to the wild. This provision is necessary to protect the welfare of each rehabilitation animal by ensuring it displays the behavioral and physical traits needed to survive in the wild, that habituated animals are not released into the wild, and that diseases of concern are not spread by former rehabilitation animals.
- Add subsection (b) “Requirements for Release” provides that releasable animals must be released and establishes the factors that must be considered when releasing a rehabilitation animal in suitable habitat. This provision is necessary to ensure that rehabilitation animals that can be released are in fact released, animals are being returned to the wild in locations where they naturally occur, and that adverse factors that may harm an animal or hamper release are avoided.
- Add subsection (b)(1) “Obtaining permission for release on state-owned or private property” establishes the necessary guidelines for obtaining permission to release a rehabilitation animal on any public or privately owned property. This provision is necessary so that property owners do not have animals released on their property without their knowledge and consent.
- Add subsection (b)(2) “Evaluating Conditions for Release” establishes the necessary conditions that a permittee, their sub-permittee, designee, authorized person, or



qualified handler should consider prior to the release of a rehabilitation animal. This provision is necessary to ensure that a rehabilitation animal is ready to be released and whether the environmental conditions are suitable to release the animal.

- Add subsection (b)(~~23~~) “Release of specialty rehabilitation animals” establishes the requirement to mark, collar, or tag a large carnivore or ungulate prior to release, at a location ~~specified~~ selected by the department. This provision is necessary to ensure that animals are released at locations where they are less likely to cause human-wildlife conflict, which have sufficient suitable habitat, which are within the current range of the species, and in areas that align with department goals for that species. Further, it is necessary so that the department can track the animal after its release.
- Add subsection (b)(~~23~~)(A) establishes the department’s responsibility to provide proper training, materials, and other resources to wildlife rehabilitation facilities to properly mark, tag, or collar a rehabilitation animal. This provision is necessary to ensure that personnel who mark, tag, or collar a rehabilitation animal are professionally trained and use department-approved items.
- Add subsection (b)(~~23~~)(B) establishes the requirement to notify the department of a forthcoming public dissemination of sensitive information regarding the intake and/or release of any large carnivore or ungulate rehabilitation animal. This provision is necessary to allow department review of sensitive information that may harm animal welfare or endanger public safety and give the department the ability to work with the wildlife rehabilitation facility to lessen the potential detrimental effects of any such release of information. Furthermore, this provision is necessary to protect large carnivore or ungulate rehabilitation animals and people from potential human-wildlife conflict and potential poaching or harassment of a large carnivore or ungulate upon release. Additionally, restricting public disseminations to at least 10 working days after a large carnivore release will allow time for the animal to potentially move from the immediate area of release, limiting the ability of poachers or others to harass or harm the animal.
- Add subsection (b)(~~34~~) “Release of rehabilitation amphibians or reptiles” establishes the criteria for releasing a rehabilitation amphibian or reptile to suitable habitat in the wild. This provision is necessary to ensure that amphibians and reptiles are returned to the wild in locations where they naturally occur, to protect biodiversity, and prevent the transmission of diseases affecting sensitive amphibian and reptile populations.
- Add subsection (b)(5) “Release of fully protected species” establishes the criteria for releasing a rehabilitation of a fully protected species to suitable habitat in the wild. This provision is necessary to ensure that fully protected species are returned to the wild in locations where they naturally occur, to protect biodiversity, and prevent the transmission of diseases affecting sensitive populations.
- Add subsection (c) “Animals not Native to California” ~~this provision~~ establishes the list of invasive or exotic animals that are prohibited to be temporarily possessed for rehabilitation purposes. This provision is necessary so that non-native species which may harm the environment are not rehabilitated and released, to prevent the spread of diseases, protect ecological and agricultural interests, and support department invasive species eradication efforts for the purpose of conserving native wildlife and biodiversity.

## Section 679.7 Inspection of Wildlife Rehabilitation Facilities.

- Add subsection (a) “Inspections by the Department” establishes the process for the department to perform wildlife rehabilitation facility inspections including rehabilitation animals, enclosures, and required records.
- Add subsection (a)(1) “Inspections During Application Process” establishes the requirements for when an inspection is required during an application, renewal, or amendment process. This provision is necessary to ensure that the information provided in a permit application or permit amendment application is accurate, that the conditions of an existing permit are met, and that all requirements for a variance application are met, to protect the welfare of each animal, human health, and human safety.
- Add subsections (a)(1)(A) establishes that the department has created a form to use during a department inspection of a facility, enclosures, rehabilitation animals, and required records. These provisions are necessary for the department to document basic information about the inspection and its inspection findings. Further, these provisions are necessary to outline how the department records the inspection outcome determined by the department, such as to pass or fail an inspection, and in the case of a failed inspection, to document corrective measures needed to meet all requirements of the regulations, and next steps taken by the department (See Attachment 9, Figure 1). This ~~provision~~ process is necessary to clarify that the department will use a standardized method to document information, for recordkeeping, and enforcement purposes.
- ~~Add subsections (a)(1)(A)1 through (a)(1)(A)8 establishes the information that the department will document during an inspection. These provisions are necessary for the department to document basic information about the inspection and its inspection findings. Further, these provisions are necessary to outline how the department records the inspection outcome determined by the department, such as to pass or fail an inspection, and in the case of a failed inspection, to document corrective measures needed to meet all requirements of the regulations, and next steps taken by the department (See Attachment 9, Figure 1).~~
- Add subsections (a)(1)(B) establishes that the department may conduct an inspection at any reasonable time during the day under the auspice of a permit application or renewal process. This provision is necessary to outline the department’s authority to conduct inspections for any reason to protect animal welfare, native wildlife, animal welfare, human health and safety.
- Add subsection (a)(1)(C) establishes department’s process for notification to a person who has failed an inspection, communication of required changes, and how to request a re-inspection. This provision is necessary for rehabilitators who have failed an inspection to understand how they will be notified, and how and in what time frame they must come into compliance and request a re-inspection.
- Add subsection (a)(1)(C)(1) “Request for Extension” establishes the process by which an individual may request an extension to meet required facility changes after a failed inspection. This provision is necessary to allow a permittee a reasonable extension of

time to complete the facility changes required by the department if it will not harm native wildlife, animal welfare, human health or safety, or agricultural interests.

- Add subsection (a)(1)(C)(2) “Animal Possession” establishes that the department may allow an individual to continue possessing wildlife after a failed inspection so long as possession does not cause harm. This provision is necessary to maintain continuity of care, minimize undue stress to the animal, and to alleviate pressure on other rehabilitation facilities from intaking additional patients.
- Add subsection (a)(1)(D) establishes the department authority to revoke and/or reinstate a permit, sub-permit, or specialty rehabilitation authorization. This provision is necessary to outline the department’s authority to revoke or reinstate a permit, sub-permit, or specialty rehabilitation authorization, as appropriate, to protect animal welfare, native wildlife, animal welfare, human health and safety.
- Add subsections (a)(1)(D)1 through (a)(1)(D)2 establishes the criteria by which the department determines that a person has refused an inspection, and as a result of such refusal to allow an inspection, the process by which the department may revoke and/or reinstate a permit, sub-permit, or specialty rehabilitation authorization. These provisions are necessary to outline what the Commission has determined, based on the department’s experience, constitutes a good faith effort by the department and a permittee to allow an inspection. Further, these provisions are necessary to protect animal welfare, native wildlife, and to allow the continuance of wildlife rehabilitation activities under a permit if the department finds that to be in the best interest of the animals.
- Add subsection (a)~~(2)(4)(E)~~ “Other Inspections” establishes that the department may conduct an inspection at any reasonable time during the day for any reason, other than under the auspices of a permit application or renewal process, to ensure compliance with the regulations. This provision is necessary to clarify the department’s authority to conduct an inspection to protect native wildlife, animal welfare, human health or safety, or agricultural interests for any reason.
- Add subsection (b) “Inspections by Permittee or Their Designee” establishes the requirement that permittees or their designees must conduct periodic inspections of each sub-permittee authorized under their permit. This provision is necessary to clarify the responsibility of a permittee or their designee to conduct an inspection to protect native wildlife, animal welfare, human health or safety, or agricultural interests.
- Add subsection (b)(1) establishes the requirement for a permittee to inspect any satellite facilities operated by sub-permittees, and rehabilitation animals temporarily possessed by an authorized person, operating under their permit at least once during the valid permit period and no sooner than 6 months after the last inspection. This provision is necessary to clarify that such inspections may occur on a regular basis and during any reasonable time or day to protect animal welfare, and human health and safety.
- Add subsection (b)(1)(A) establishes that the department has created a form for a permittee or their designee to conduct an inspection of a sub-permittee or authorized person. This provision is necessary to clarify that a permittee or their designee will use a standardized method to document information, for recordkeeping, and enforcement

of regulations by the department. This provision is necessary to ensure that all requirements are met to protect animal welfare.

- Add subsections (b)(1)(A)1 through (b)(1)(A)9 establish the information that a permittee or their designee must document during an inspection. The permittee or their designee must sign the form accordingly, under penalty of perjury, and threat of prosecution resulting in fines or jail if the department finds information has been falsified. These provisions are necessary to ensure that the department can maintain appropriate documentation of inspections and inspection findings to ensure that all requirements are met and to provide corrective measures and/or additional requirements to protect animal welfare.
- Add subsection (b)(2) establishes the process for re-inspection of a sub-permittee or authorized person. This provision is necessary to ensure that a sub-permittee or authorized person is allowed to correct inspection deficiencies to maintain animal welfare, native wildlife, human health, or human safety. This provision is necessary to outline what the Commission has determined, based on the department's experience, constitutes a good faith effort by a permittee and their sub-permittee or authorized person to allow an inspection.
- Add subsection (b)(3) establishes the process by which a sub-permittee or authorized person is inferred to have refused to allow an inspection, and the consequences for such a refusal. This provision ensures that a permittee has the option to remove a sub-permittee or authorized person who refuses an inspection from their permit. This provision is necessary to protect the safety and well-being of rehabilitation animals.
- Add subsection (c) reserves the authority of the department to conduct enforcement actions, including those beyond inspections, it determines are necessary to ensure the welfare of wild animals and the safety of people, for any reason. This provision is necessary to ensure all requirements are met to protect animal welfare, native wildlife while being temporarily possessed for the purpose of rehabilitation, and human health and safety and that the department may effect enforcement actions when needed, potentially under separate authorities and not necessarily related to inspections contemplated under this section.

#### **Section 679.8 Seizure of Animals; Transfer, Euthanasia, or Release of Seized Animals.**

- Add subsection (a): "Seizure of Live Animals Possessed Pursuant to a Valid Permit or Sub-Permit" establishes the authority for the department to confiscate an animal due to a violation of a law or permit condition. This provision is necessary so the department can immediately remove animals if the department determines that seizure is necessary to protect the welfare of those animals.
- Add subsections (a)(1) through (a)(2) establishes the criteria under which the department may forgo seizing animals, and potentially impose an alternative penalty, even if the conditions for seizing animals are met. These provisions are necessary to protect animal welfare if the department finds that immediate or prolonged disruption of rehabilitation efforts, and removal or transport of rehabilitation animals causes more harm than allowing a wildlife rehabilitator to correct violations while continuing to

possess such animals. These provisions will allow the department to avoid overly harsh penalties in the case of minor, technical, or easily correctable violations.

- Add subsection 679.8(b) “Seizure of Live Animals Possessed by a Person with an Invalid Permit or Sub-Permit” establishes that rehabilitation animals will be seized from individuals who no longer have a valid permit. This provision is necessary because wildlife cannot be temporarily possessed without a valid permit. An individual needs to maintain a valid permit or sub-permit to continue performing wildlife rehabilitation activities.
- Add subsections (b)(1) through (b)(2) establish that the department will take an action other than animal seizure, such as allowing the continued temporarily possess a rehabilitation animal, if the department finds that a permittee is still in the 45-day “grace period” to apply for permit renewal or their renewal application is still being processed by the department. These provisions are necessary to prevent animals from unnecessarily being relocated to another facility.
- Add subsection (c): “Animals Seized Pursuant to Paragraphs (a) or (b) or Sub-section 679.5(a)(7)(B)” establishes the criteria under which department will determine how to seize a rehabilitation animal. This provision is necessary to specify the factors the department must consider when determining the method of seizure.
- Add subsections (c)(1) through (c)(4) establishes the four methods by which the department can seize an animal. These provisions are necessary because the animal welfare and humane care requirements needed to protect the safety and well-being of each rehabilitation animal may vary widely even within the same age class, species, or stage of rehabilitation. These provisions allow the department to make a case-by-case determination based on the unique needs of each rehabilitation animal to protect the best interests of that animal.
- Add subsection (d): “Costs Incurred Pursuant to Paragraphs (a) Through (c)” establishes that permittees in violation of law will incur all costs associated with the care of the seized animals. This provision is necessary so the department, other persons, or facilities involved in the seizure and treatment of animals may recoup the associated costs, which is both equitable and allows the department’s private partners to continue assisting with such seizures.

**Section 679.9 Revocation of Permit, Sub-Permit, or Variance Request; Proof of Service; Request for Reconsideration; Appeal of Revocation; Effect on Section 679.8.**

- Add subsection (a) “Revocation of a Permit by the Department” establishes the conditions under which the Department may revoke a wildlife rehabilitation permit. This provision is necessary to protect animal welfare, the safety and well-being of rehabilitation animals, and human health and safety. It is necessary to ensure that facilities cannot continue to operate under their permit if they are not following the regulations and terms and conditions of their permit, or have otherwise broken laws regarding accepted community standards, which could call into question their ability to be responsible with safeguarding the welfare of animals.
- Add subsection (a)(1) establishes the standard for the department to take an alternative action to permit revocation, such as a written warning. The Commission has determined,

based on the department's experience, that this process allows the department and the permittee options to correct the violations and continue rehabilitation efforts if deemed appropriate by the department. This provision will allow the department to avoid overly harsh penalties in the case of minor, technical, or easily correctable violations.

- Add subsection (a)(2) establishes additional criteria under which the department may take alternative action. The Commission has determined, based on the department's experience, that this process allows the department and the permittee options to correct the violations and continue rehabilitation efforts if deemed appropriate by the department. This provision will allow the department to avoid overly harsh penalties in the case of minor, technical, or easily correctable violations.
- Add subsection (b) "Revocation of a Sub-Permit by the Department" establishes the conditions under which the department may revoke a sub-permit.
- Add subsection (b)(1) establishes the conditions under which the department may revoke a wildlife rehabilitation sub-permit. This provision is necessary to protect animal welfare, the safety and well-being of rehabilitation animals, and human health and safety. It is necessary to ensure that facilities cannot continue to operate under their sub-permit if they are not following the regulations and terms and conditions of their sub-permit, or have otherwise broken laws regarding accepted community standards, which could call into question their ability to be responsible with safeguarding the welfare of animals.
- Add subsections (b)(1)(A) through (b)(1)(B) establishes the specific conditions under which the department may take alternative action to sub-permit revocation. The Commission has determined, based on the department's experience, that this process allows the department and the sub-permittee options to correct the violations and continue rehabilitation efforts if deemed appropriate by the department. This provision will allow the department to avoid overly harsh penalties in the case of minor, technical, or easily correctable violations.
- Add subsection (b)(2)(A) through (b)(2)(B) establishes that the department will revoke permits that are no longer valid, unless the sub-permittee has been allowed by the department to provide continuity of care of rehabilitation animals; or to continue temporarily possess rehabilitation animals under an invalid permit during the renewal process. The Commission has determined, based on the department's experience, that this process allows the department and the sub-permittee options to continue rehabilitation efforts if deemed appropriate by the department and ensure continuity of care for each animal.
- Add subsection (c) "~~Revocation of a Sub-Permit by the Permittee~~" "Request to Remove a Designee, Sub-Permittee, Authorized Person, or Qualified Handler." establishes the conditions under which a permittee ~~must revoke~~ may request the removal of a sub-permit, designee, authorized person, or qualified handler from a permit and the process to notify the department. This provision is necessary to allow the permittee to safely remove a sub-permittee, designee, authorized person, and qualified handlers from their permit so that invalid persons are not listed on permits. The department must be able to track individuals that are (and are not) valid wildlife rehabilitators.

- Add subsection (c)(1) through (c)(3) establishes the information required by the department to process the sub-permit revocation request to remove a sub-permit, designee, authorized person, or qualified handler including the reason for removal such as person has relocated, is no longer able to work/volunteer, has relocated, refused or failed an inspection, or is not in good standing under the permit. These provisions are necessary for a permittee and the department to properly document the reasons for a sub-permit revocation removal of a person from the permittee's permit.
- Add subsection (d) "Proof of Service and Method of Service" establishes the requirement and process for proof of service. This provision is necessary to ensure that the permittee has been properly advised of the action that has been taken.
- Add subsection (e) "Request for Reconsideration" establishes the process to submit a request for department reconsideration of a denial. This provision is necessary to afford the applicant an opportunity to present any additional information which may cause the Department to change the denial.
- Add subsection (e)(1) establishes the criteria for department reconsideration of a denial and the required information. This provision is necessary so that the Department can fully and fairly review the request to reconsider the denial.
- Add subsection (e)(2) establishes the requirement for submission of a statement of truth. This provision is necessary so that, barring a finding otherwise, the attestation of the applicant is true.
- Add subsection (e)(3) establishes the process for submission of a request for reconsideration via electronic mail. This provision is necessary to ensure that a request is provided in a reasonable timeframe.
- Add subsection (e)(4) establishes the requirement for the department to complete the review of a denial reconsideration within 60 working days. The Commission has determined, based on the department's experience, that this is a reasonable timeframe for review and approval or denial of such a request. The provision also establishes the options the department has for responding to the request.
- Add subsection (e)(5) "Denial Hearing" establishes the process by which a person may request a hearing before the commission to show cause why their permit request should not be denied. This provision is necessary to provide all remedies that are available.
- Add subsection (f) "Revocation Hearing" establishes the process to grieve a permit revocation before the commission. This provision is necessary to afford the applicant an administrative remedy to appeal the department's revocation decision.
- Add subsection (f)(1) establishes the process for an applicant to request a hearing to grieve a revocation of a permit by the department before the commission. This provision is necessary to clarify the process to request a revocation hearing.
- Add subsection (g) "Effect on the Seizure, Transfer, Euthanasia, or Release of Wildlife" establishes that grieving a denial or revocation process does not affect the seizure, transfer, euthanasia, or release of any rehabilitation animal by the department. This provision clarifies that these other provisions prevail.

**Part 5. Amend Section 703. Miscellaneous Applications, Tags, Seals, Licenses, Permits, and Fees.**

**Subsection 703 (c)(2). Native Wildlife Rehabilitation Permits.**

- Add subsection (c)(2) “Native Wildlife Rehabilitation Permits” establishes that an application for a wildlife rehabilitation permit is subject to fees paid by the applicant. This provision is necessary to clarify all fee requirements for an applicant.
- Add subsection (2)(A) through (2)(B) establishes the fee total, if any, by permit type and fee category and if the fee is refundable or non-refundable for an applicant. Further, these provisions establish the fees to be charged by the department with regard to wildlife rehabilitation. These provisions are necessary to clarify all requirements for an applicant and the cost for each permitting process.
- The base fees indicated in the amended Section 703 for application and inspection are calculated (indexed) in accordance with Fish and Game Code Section 713 and the current provisions of CCR, Title14, Section 679(e)(2)(B)6. The proposed subsections 703(c)(2)(A) and (B) replace the existing fees for new applications and renewals:

“6. Payment of a non-refundable application processing fee of \$41.00 and an inspection fee of \$114.54 to be determined by the department pursuant to Fish and Game Code Section 2150.2 and adjusted annually pursuant to Fish and Game Code Section 713.”

The fee amounts have been adjusted from the original ISOR to reflect the appropriate 2025 fees. This is necessary to clarify all requirements for an applicant and the cost for each permitting process.

▪ <u>Calculating the 2025 fee:</u>	<u>Application</u>	<u>Permit</u>
▪ <u>(A) The current fee for 2024</u>	<u>= \$67.00</u>	<u>\$185.75</u>
▪ <u>(B) IPD index for 2025</u>	<u>= 0.017863</u>	
▪ <u>(C) A x B rounded to the nearest \$0.25 = \$1.25</u>		<u>\$3.25</u>
▪ <u>(D) Indexed fee 2025 = A+C</u>	<u>= \$68.25</u>	<u>\$189.00</u>



## **FORMS**

The proposed forms listed below will be provided by the Department for persons or entities who wish to apply and provide wild animal care in a rehabilitation facility as set forth in sections 679.1 through 679.9 and the DFW 679 Manual. Each form contains the same information and requirements as expressed in their respective subsections of these regulations. None of the forms have additional requirements not described in regulation. As the rehabilitation program and the permittees gain experience with the regulations, amendments may be necessary and would be subject to further review under the Administrative Procedures Act (APA). Upon completion of the APA process, any change to the subsections of regulations concerning the content of these forms would necessitate an update of the forms by the Department.

### **DFW 479. 679 Wildlife Rehabilitation Regulations Manual (NEW, 01/2025)**

The DFW 679 Manual is a new, easily accessible document that is free to the public which provides both general program information and resources, as well as regulatory actions incorporated by reference in these regulations. Chapter 1 of the manual does not constitute regulatory text and provides general program information and considerations prior to applying for a wildlife rehabilitation permit. Chapter 2 and Chapter 3 of the manual constitute regulatory action incorporated by reference as part of these regulations to establish rehabilitation animal enclosure requirements and rehabilitation animal humane care and treatment requirements.

### **DFW 480A. Wildlife Rehabilitation Permit Application (NEW, 01/2025)**

Establishes the Wildlife Rehabilitation Permit application pursuant to Section 679.3. Final approval procedures for a permit are set forth for an applicant who has received initial approval from the department and passed the wildlife rehabilitation examination or applying for permit renewal. The content in the form is identical to the provisions of 679.3 and clearly informs the applicant of the required information of an application packet.

### **DFW 480B. Wildlife Rehabilitation Sub-Permit Application (NEW, 01/2025)**

This form standardizes information required for submission by a permittee to add a satellite facility operated by a sub-permittee under the Wildlife Rehabilitation Permit pursuant to Section 679.3(d). The sub-permittee application captures the rehabilitation activities that will be provided at a satellite facility. The content in the form is identical to the provisions of 679.3 and clearly informs the public of the requirements of an application packet.

### **DFW 480C. Specialty Rehabilitation Authorization Form (NEW, 01/2025)**

This form standardizes information required for submission by a permittee to receive authorization for specialty rehabilitation under the Wildlife Rehabilitation Permit pursuant to Section 679.3(b). The content in the form is identical to the provisions of 679.3 and clearly informs the public of the requirements of an application packet.

### **DFW 480D. Permittee Notice of Revocation (NEW, 01/2025)**

Notice of Revocation of a Sub-Permit by the Permittee as set forth in subsection 679.9(c). The permittee may revoke a sub-permit for the reasons specified and notify the department within 5 calendar days of revoking a sub-permittee. The content in the form is identical to the provisions of 679.9 and clearly informs the public of the requirements of an application packet.

**DFW 481. Veterinarian of Record Agreement (NEW, 01/2025)**

This form standardizes the process for providing the required information specific to the “Veterinarian of Record” pursuant to Section 679.3(a)(6)(B) of the new regulations. Applicants must have a licensed veterinarian in good standing pursuant to the California Veterinary Medical Practice Act who oversees veterinary care of the rehabilitation animals. The content in the form is identical to the provisions of 679.3 and clearly informs the public of the requirements of an application packet.

**DFW 482. Wildlife Rehabilitation List of Authorized Persons (NEW, 01/2025)**

This form standardizes the process for providing the required information specific to the “List of Authorized Persons” pursuant to section 679.3(a)(6)(C) of the regulations. Permittees and sub-permittees must provide to the department a list of all individuals identified by the applicant as an authorized person, qualified handler, or designee as defined pursuant to Section 679.1. The content in the form is identical to the provisions of 679.3 and clearly informs the public of the requirements of an application packet.

**DFW 483. Facility Emergency Action Plan (NEW, 01/2025)**

This form standardizes the process for providing a written “Emergency Action Plan” that describes those designated actions required during an emergency pursuant to subsection 679.3(a)(6)(D) of the new regulations. The content in the form is identical to the provisions of 679.3 and clearly informs the public of the requirements of an application packet.

**DFW 484. Authorization to Access Property (NEW, 01/2025)**

This form standardizes the process for the applicant to provide the information required pursuant to section 679.3(a)(6)(E) of the regulations. An applicant and the owner of the property where the proposed facility will be located must provide to the Department authorization to access property so the department may conduct inspections of any facility, equipment, or wildlife temporarily possessed.

**DFW 485A. Wildlife Rehabilitation Facility Inspection Form (NEW, 01/2025)**

This form standardizes the process for primary facility information to be collected by the Department during an inspection pursuant to subsections 679.3(7) and 679.7(a) of the new regulations. The form collects the facility information required by regulation. The content in the form is identical to the provisions of 679.7 and clearly informs the public of the requirements of an application packet.

**DFW 485B. Satellite Facility Inspection Form (NEW, 01/2025)**

This form standardizes the process for satellite facility information to be collected by the permittee during an inspection pursuant to subsections 679.3(c) and 679.7(b) of the new regulations. The form collects the facility information required by regulation. The content in the form is identical to the provisions of 679.7 and clearly informs the public of the requirements of an application packet.

**DFW 485C. Wildlife Rehabilitation - Variance Request (NEW, 01/2025)**

Establishes the process of requesting a variance of any required enclosure construction design, size, or materials of the specific caging requirements listed in Chapter 2 of the DFW 679 Manual pursuant to section 679.4(c) of the regulations. The content in the form is

identical to the provisions of 679.4(c) and clearly informs the public of the requirements of an application packet (See Attachment 10, Figure 5).

**DFW 486. Wildlife Rehabilitation Annual Report (NEW, 01/2025)**

Wildlife Rehabilitation Annual Report standardizes the wildlife rehabilitation information to be submitted annually documenting the primary facility and associated satellite facilities, and the rehabilitation activities for the prior calendar year. This form provides the required information pursuant to section 679.4(a)(5)(B) of the new regulations.

**DFW 487. Certification of Animal Condition (Non-Releasability) (NEW, 01/2025)**

Standardizes information required for certification of animal condition (non-releasability), and request for permanent captive placement pursuant to 679.5(c)(2). The content in the form is identical to the provisions of 679.5(c)(2) and clearly informs the public of the requirements of such a request.

(b) Goals and Benefits of the Regulation

It is the policy of this state to regulate the temporary possession and rehabilitation of native wildlife for release to the wild under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to protect, conserve, and manage the state's most vulnerable wildlife resources. Ethical, skilled wildlife rehabilitators are true partners in conservation with the Department. The objectives of this policy include, but are not limited to, adoption of scientifically based wildlife rehabilitation practices and processes, the maintenance and support of wildlife rehabilitation facilities in California, sustainable management of wildlife resources to ensure their continued existence, in harmony with current standards, and increasing respect for and recognition of the service provided by wildlife rehabilitators. The benefits of the proposed regulations are consistent with the most current requirements and standards of wildlife rehabilitation, wildlife conservation goals, health and welfare of California residents, and promotion of ethical wildlife rehabilitation facilities.

(c) Authority and Reference Sections from Fish and Game Code for Regulation

679.1 Definitions

Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, ~~2835~~, 3005.5, 3800, ~~and~~ 4150, and 5050, Fish and Game Code.

Reference: Sections 716.3, ~~4018~~, 1801, 2118, 2126, 2190, 3511, 4800 and 4801.5, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

679.2 Transportation and Confinement of Live Wild Animals

Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, 2150.4, ~~2835~~, 3005.5, 3800, 4150, 4180 and 5050, Fish and Game Code.

Reference: Sections 1008, 2000, 2186, 2190, 3511, and 4155, ~~4800 and 4801.5~~, Fish and Game Code; Section 8670.61.5, Government Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

### 679.3 Permits for Wildlife Rehabilitation

Authority cited: Sections 200, 1050, ~~2015~~, 2081, ~~2121, 2122, 2150.2~~, 2150.4, 2157, 2192, ~~and 2835~~, 3005.5, ~~3800 and 4150~~, Fish and Game Code.

Reference: Sections 713, 1008, 2000, 2081, 2118, 2120, 2126, 2150.4, 2186, 2192, 3005.5, 3511, and 3960.4, 4800 and 4801.5, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

### 679.4 Facility and Housing Standards for Rehabilitation Animals

Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, 2122, 2127, 2150, 2150.4, 2192, ~~2835~~, 3005.5, 3800, ~~and 4150~~, and 5050, Fish and Game Code.

Reference: Sections 1008, 1801, 2000, 2118, 2120, 2123, 2150.4, 2186, 3511, 3960.4, 4800, and 4801.5 and 12159, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

### 679.5 Humane Care Standards

Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, 2122, 2150.4, 2157, ~~2835~~, 3005.5, 3800, and 4150, Fish and Game Code.

Reference: Sections 1008, ~~4018~~, 1801, 2000, 2120, 2126, 2150.4, 2186, 2190, 3005, 3861, 3960.4 and 4801.5, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

### 679.6 Release of Animals into the Wild

Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, 2122, 2150.4, 2157, 2189, 2835, 3005.5, 3800 and 4150, Fish and Game Code.

Reference: Sections 1008, 1801, ~~and 2118~~, 2123 and 2186, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

### 679.7 Inspection of Wildlife Rehabilitation Facilities

Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2121, 2122, 2150.4, 2189, 2192, ~~2835~~, 3005.5, 3800 and 4150, Fish and Game Code.

Reference: Sections 1008, 1801, 2000, 2122, 2123, 2150.4, 2190, 3005 and 12159, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

### 679.8 Seizure of Animals by the Department

Authority cited: Sections 200, 1050, ~~2021, 2015~~, 2081, 2121, 2122, 2127, 2157, 2189, 2835, 3005.5, 3800 and 4150, Fish and Game Code.

Reference: Sections 1008, 1801, 2000, 2118, 2120, 2122, 2123, 2125, 2126, 2186, 2190 ~~3005~~ and 12159 Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

### 679.9 Denial and Revocation of Permits; Effect on Section 679.8

Authority cited: Sections 200, 1050, ~~2021, 2015~~, 2122, 2081, 2150.4, ~~2835~~, 3005.5, 3800 and 4150, Fish and Game Code.

Reference: Sections 2000, 2125, 3005 and 12159, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

703. Miscellaneous Applications, Tags, Seals, Licenses, Permits, and Fees.

Authority cited: Sections 713, 1002, 1002.5, 1050, 1055, 2118, 2120, 2122, 2150, 2150.2, 2157 and 5060, Fish and Game Code.

Reference: Sections 395, 396, 398, 713, 1002, 1002.5, 1050, 2116, 2116.5, 2117, 2118, 2120, 2125, 2150, 2150.2, 2150.4, 2151, 2157, 2190, 2193, 2271, 3005.5, 3007, 3503, 3503.5, 3511, 3513, 3950, 5060, 5061, 10500, 12000 and 12002, Fish and Game Code; and Title 50, Code of Federal Regulations, Parts 21.29 and 21.30.

(d) Specific Technology or Equipment Required by Regulatory Change. None

(e) Identification of Reports or Documents Supporting Regulation Change

- Attachment 1. Miller, E.A., editor. 2000. Minimum Standards for Wildlife Rehabilitation, 3rd edition. National Wildlife Rehabilitators Association, St. Cloud, MN. 77 pages.
- Attachment 2. 679 Wildlife Rehabilitation Rulemaking Survey Results, November 2022. California Department of Fish and Wildlife.
- Attachment 3. 679 Wildlife Rehabilitation Rulemaking Survey Results, May 2023. California Department of Fish and Wildlife.
- Attachment 4. 679 Wildlife Rehabilitation Rulemaking Survey Results, July 2023. California Department of Fish and Wildlife.
- Attachment 5. 679 Wildlife Rehabilitation Rulemaking Survey Results, January 2024. California Department of Fish and Wildlife.
- Attachment 6. Other States Regulations for the Possession of Wildlife and Wildlife Rehabilitation. Compiled by the California Department of Fish and Wildlife, January 2023.
- Attachment 7. 2022 Wildlife Rehabilitation Program by the Numbers Infographic. California Department of Fish and Wildlife.
- Attachment 8. CDFW Native Wildlife Rehabilitation Program summary data and graphs. California Department of Fish and Wildlife.
- Attachment 9. Compilation of Photographic Evidence of Violations or Deficiencies complying with current regulations. California Department of Fish and Wildlife. 2024.
- Attachment 10. Compilation of Photographic Evidence of Wildlife Rehabilitation Permitholders Meeting or Exceeding current regulations. California Department of Fish and Wildlife. 2024.

(f) Public Discussions of Proposed Regulations Prior to Notice Publication

- California Council for Wildlife Rehabilitators Annual Meeting, Santa Ana, CA, November 5-6, 2022.

- California Fish and Game Commission, Wildlife Resources Committee. West Sacramento, CA, January 12, 2023.
- California Department of Fish and Wildlife, Wildlife Rehabilitation Program Annual Meeting, Virtual, March 16, 2023.
- California Fish and Game Commission, Wildlife Resources Committee. Monterey, CA, May 17, 2023.
- California Council for Wildlife Rehabilitators 679 Regulations Virtual Town Hall, May 23, 2023.
- California Department of Fish and Wildlife, Review of the DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Round 1), May 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Round 2), June 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Round 3), July 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Round 4), August 2023.
- California Department of Fish and Wildlife, Wildlife Rehabilitation Ethics Roundtable Discussion, June – August, 2023.
- California Department of Fish and Wildlife, Home-Based Wildlife Rehabilitation Roundtable Discussion, July - September, 2023
- California Fish and Game Commission, Wildlife Resources Committee. San Jose, CA, September 19, 2023.
- California Council for Wildlife Rehabilitators Annual Meeting, Monterey, CA, November 4-5, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Team Meetings, November 20, 2023.
- California Department of Fish and Wildlife 679 Regulations Virtual Town Hall, December 5, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Waterbird meeting), December 6, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Avifauna meeting), December 7, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Mammals meeting), December 7, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Raptor meeting), December 7, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Waterbird meeting), December 13, 2023.

- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Avifauna meeting), December 14, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Mammals meeting), December 14, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Raptor meeting), December 14, 2023.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Waterbird meeting), January 3, 2024.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Avifauna meeting), January 4, 2024.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Mammals meeting), January 4, 2024.
- California Department of Fish and Wildlife, DFW 679 Manual, Wildlife Rehabilitator Mini Review Teams (Raptor meeting), January 4, 2024.
- California Fish and Game Commission, Wildlife Resources Committee. Sacramento, CA, January 19, 2024.
- California Department of Fish and Wildlife, California Council for Wildlife Rehabilitators 679 Rulemaking Meeting, January 25, 2024.
- California Department of Fish and Wildlife, Meeting with California Council for Wildlife Rehabilitators, February 1, 2024.
- California Department of Fish and Wildlife, Meeting with California Council for Wildlife Rehabilitators, February 8, 2024.
- California Department of Fish and Wildlife, 679 Wildlife Rehabilitation Forms, Wildlife Rehabilitator Mini Review Teams (Round 1) Feb. 22, 2024.
- California Department of Fish and Wildlife, California Council for Wildlife Rehabilitators 679 Rulemaking Meeting, February 22, 2024.
- California Department of Fish and Wildlife, 679 Wildlife Rehabilitation Forms, Wildlife Rehabilitator Mini Review Teams (Round 2) Friday, March 1, 2024.
- California Department of Fish and Wildlife, 679 Wildlife Rehabilitation Forms, Wildlife Rehabilitator Mini Review Teams (Round 3) Thursday, March 7, 2024.
- California Department of Fish and Wildlife, California Council for Wildlife Rehabilitators 679 Rulemaking Meeting, March 7, 2024.
- California Council for Wildlife Rehabilitators 679 Regulations Virtual Town Hall, March 8, 2024.
- California Department of Fish and Wildlife, 679 Wildlife Rehabilitation Forms, Wildlife Rehabilitator Mini Review Teams (Round 4) Friday, March 15, 2024.
- California Department of Fish and Wildlife, 679 Wildlife Rehabilitation Forms, Wildlife Rehabilitator Mini Review Teams (Round 5) Thursday, March 21, 2024.

- California Department of Fish and Wildlife, California Council for Wildlife Rehabilitators 679 Rulemaking Meeting, March 28, 2024.
- California Department of Fish and Wildlife, Meeting with Bidwell Wildlife Rehabilitation Board, April 9, 2024.
- California Department of Fish and Wildlife, 679 DFW Manual Roundtable Listening Session, May 21, 2024.
- California Department of Fish and Wildlife, 679 DFW Manual Roundtable Listening Session, May 31, 2024.
- California Department of Fish and Wildlife, 679 DFW Manual Roundtable Listening Session, June 11, 2024.

V. ~~IV.~~ Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified. The intent of the regulation change is to correct current deficiencies within the existing regulation.

(b) No Change Alternative

No change alternative would result in the continued use of wildlife rehabilitation standards and requirements that fail to meet current scientifically based standard for the temporary possession and rehabilitation of wild animals, not being updated and kept current to regulation.

(c) Description of Reasonable Alternatives that Would Lessen Adverse Impact on Small Business

Subsection 679.3(e) provides a transition period clause to allow a permittee issued a permit prior to January 1, 2024, to operate under their permit conditions and existing MOU, notwithstanding any addendum to a MOU authorizing the rehabilitation of any large carnivore, until December 31, 2024. Thereafter, all permittees shall comply with all requirements pursuant to subsections 679.1 through 679.9. Further, subsection 679.4(c) establishes variance requirements for a permittee to request for a deviation in construction design or construction materials of the specific caging requirements listed in the DFW 679 Manual. This provision shall allow the Department to approve such variances to these requirements on a case-by-case basis if the Department finds that the overall security and welfare of the animal(s) involved will otherwise be maintained.

VI. ~~V.~~ Mitigation Measures Required by Regulatory Action

- The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.



VII.      ~~VII.~~ Impact of Regulatory Action

- The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States

- The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action will remedy the incomplete and inadequate specific provisions described in the current regulation.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

- The Commission does not anticipate any impacts on creation or elimination of jobs, the creation of new businesses, the elimination of existing businesses or the expansion of businesses in California because the proposed amendments will increase support and guidance to permitted wildlife rehabilitation facilities and provide consistency of standards and requirements for compliance. The Commission anticipates benefits to the health and welfare of California residents and worker safety by requiring site-specific conditions necessary to protect native wildlife, agriculture interests, animal welfare, human health and safety such as enhanced biosecurity protocols, improved caging requirements, and standardized reporting protocol for animals known or suspected to have a communicable disease.
- The new regulations will benefit the environment by expanding the Department's authority to consider potential impacts on native wildlife when issuing permits and increase protections to native wildlife temporarily possessed for the purposes of rehabilitation and release to the wilds of the State. Existing Section 679 fails to explicitly state that the Department shall issue or renew a permit only if the wildlife rehabilitation facility meets all required standards and site-specific conditions necessary to protect native wildlife, agriculture interests, animal welfare, and/or human health and safety. The new regulations require the most current wildlife rehabilitation standards and scientifically based requirements, and fully consider potential impacts to the environment and other resource users prior to issuing a permit.

(c) Cost Impacts on a Representative Private Person or Business

- The Commission is not aware of any unreasonable cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Fish and Game Code Section 1050(e) provides that the Department "may establish fees and may adjust statutorily imposed fees by regulation for the filings, permits, determinations, or other department actions described in Section 711.4, 1002, or 1609. "Fees established by the department shall be in an amount sufficient to recover all reasonable administrative and implementation costs of the

department relating to the program with regard to which the fee is paid.” The most recent year fee amounts per Fish and Game Code Section 713 will be updated on the forms that are proposed for amendments in this rulemaking. For example, in 2021, the non-refundable application fee was \$41.00 with a refundable inspection fee of \$114.54. For 2022, the non-refundable application fee was adjusted for inflation to \$58.50 in accordance with Fish and Game Code Section 713 with a refundable inspection fee of \$162.25. For 2023, the non-refundable application fee was adjusted for inflation to \$65.41 with a refundable inspection fee of \$181.28. For 2024, the non-refundable application fee was adjusted to \$69.01, which shall include a 3% non-refundable ALDS fee (Section 700.4(e)), and refundable inspection fee of \$191.32.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State

- None. No change in costs or savings for state agencies is expected as a direct result of the proposed amendments to Section 679 and Section 703. The Department has estimated that the initial rulemaking process, transition period, improved oversight, and support to permittees throughout the state by the Department’s Native Wildlife Rehabilitation Program will continue to engage staff time, particularly program staff in the Department’s Wildlife Health Laboratory. The Department oversees 80 wildlife rehabilitation facilities and approximately 550 satellite facilities each year. The program and staff time costs will remain unchanged and are within currently existing budgets and resources.

(e) Nondiscretionary Costs/Savings to Local Agencies

- None.

(f) Programs Mandated on Local Agencies or School Districts

- None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code

- None.

(h) Effect on Housing Costs

- None.

VIII. ~~VII.~~ Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

- No effect on the creation or elimination of jobs within the state by repealing Section 679 and adding new sections 679.1, 671.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8, and 679.9, and adding subsection 703 (c)(2), is anticipated because no impact on the demand for goods or services is projected as a direct result of the proposed changes.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

- The Commission does not anticipate any impact on the creation of new businesses or the elimination of existing businesses in California because the proposed changes to

the regulations for wildlife rehabilitation should have no impact on the demand for goods or services as a direct result of the proposed changes.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

- The effects of the regulations should have no impact on the expansion of businesses currently doing business within the state because the proposed amendment to the regulations for wildlife rehabilitation should have no impact on the demand for goods or services as a direct result of the proposed changes.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

- The Commission anticipates benefits to the health and welfare of California residents by requiring that wildlife rehabilitation facilities use the most current standards and scientifically based requirements to temporarily possess and rehabilitate native wildlife for the purpose of their return to the wild. The proposed changes allow the Department to require the site-specific conditions necessary to protect native wildlife, agriculture interests, animal welfare, human health and safety.

(e) Benefits of the Regulation to Worker Safety

- The Commission anticipates benefits to worker safety by ensuring that wildlife rehabilitation facilities use the most current standards and scientifically based requirements to temporarily possess and rehabilitate native wildlife for the purpose of their return to the wild. The proposed changes have direct bearing on working conditions by requiring site-specific conditions necessary to protect native wildlife, agriculture interests, animal welfare, human health and safety such as enhanced biosecurity protocols, improved caging requirements, and standardized reporting protocol for animals known or suspected to have a communicable disease.

(f) Benefits of the Regulation to the State's Environment

- The proposed action is anticipated to benefit the environment by protecting native wild animals temporarily possessed for the purposes of rehabilitation and return to the wilds of the State.

(g) Other Benefits of the Regulation

- Consistency with Current Wildlife Rehabilitation Standards: California's wildlife rehabilitation regulations need to align with the most current standards and scientifically based requirements to 1) protect native wildlife, agriculture interests, animal welfare, human health and safety; 2) meet Department goals for conservation and management of native wildlife species; and 3) increase public awareness of the ethical standards maintained by wildlife rehabilitators in California.
- The repeal of Section 679 and addition of sections 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8, and 679.9 will enable the Department to align the wildlife rehabilitation permit application and renewal process to better meet the needs of today's current and future wildlife rehabilitators.

## **Informative Digest/Policy Statement Overview**

Unless otherwise specified, all references in this document are regarding Title 14 of the California Code of Regulations (CCR). The California Department of Fish and Wildlife (Department) is recommending that the California Fish and Game Commission (Commission) repeal and replace the current regulations in Section 679, Possession of Wildlife and Wildlife Rehabilitation. This will resolve issues with the current permit issuance requirements and processes of the Department which do not meet the needs of today's rehabilitation applicants. The proposed additions to regulations are as follows:

### **Project Background**

The Department currently maintains approximately 80 permitted wildlife rehabilitators in the state. Permits are issued for a three-year period pursuant to Section 679 of Title 14. This Project will update the current wildlife rehabilitation permitting regulation and strengthen the requirements and standards for temporarily possessing native wild animals for the purpose of rehabilitation and their release to the wild. Specifically, the proposed regulation changes would:

- Add Section 679.1 “Definitions” to define terms in the regulatory text.
  - The terms and phrases used within the proposed regulations are defined so that they provide the public with meanings that are unique to rehabilitation.
  - Establishes the DFW 679 Manual, incorporated by reference in the regulation, that further describes specific care requirements for each species.
- Add Section 679.2 “Transportation and Confinement of Live Wild Animals” establishes requirements for the temporary confinement of wildlife for the purpose of transporting to a permitted wildlife rehabilitator.
  - Specifies the requirements for a person not in possession of wildlife rehabilitation permit, to temporarily confine any sick, injured, or orphaned wild animal. This section clarifies to the public the requirements to expedite the transfer of a wild animal to a permitted wildlife rehabilitator.
- Add Section 679.3 “Permits for Wildlife Rehabilitation” to establish and clarify the requirements for becoming a permitted wildlife rehabilitator.
  - The Department may issue, or amend, a permit for a period of 3 years with the specific conditions to protect both animals and human health that have been determined to be needed. The subsections further specify the permit application process and content.
- Add Section 679.4 “Facility and Enclosure Standards for Rehabilitation Animals” establishes the requirements for the operation of any wildlife rehabilitation facility.
  - Minimum requirements for housing and enclosures of rehabilitation animals.
  - The requirements and conditions necessary to protect native wildlife, animal welfare, human health, and human safety.
- Add Section 679.5 “Humane Animal Care Standards” establishes the requirements for the humane care and treatment of rehabilitation animals.

- The appropriate care, food, water, environment and treatment being provided is based on the needs of the individual animal.
- Add Section 679.6 “Release of Animals into the Wild” to establish and clarify the requirements for the release of native wildlife returned to the wild, and guidelines for animals not native to California.
  - Establishes the conditions that must be met during an evaluation to determine when a rehabilitation animal can be released to the wild ensuring it displays the behavioral and physical traits needed to survive in the wild.
- Add Section 679.7 “Inspection of Wildlife Rehabilitation Facilities” to establish the requirements for the inspection of wildlife rehabilitation facilities by the department.
  - Applicants for, or persons operating a permitted wildlife rehabilitation facility, must allow inspections by the Department to ensure compliance with these regulations as a condition of the permit.
  - The Department will make reasonable attempts at scheduling convenient inspections with the applicant/permittee present. The Department expects that all requirements and conditions necessary to protect animal welfare, native wildlife, human health, and human safety will be met.
- Add Sections 679.8 “Seizure of Animals; Transfer, Euthanasia, or Release of Seized Animals” establishes the actions the department may take due to a violation of a law or permit condition.
  - When an unauthorized person or a permittee is in violation the Department will immediately remove animals if the Department determines that seizure is necessary to protect the welfare of those animals.
  - The costs associated with the seizure and treatment of the animals, including a civil action to recoup the costs, are the responsibility of the violator.
- Add 679.9 “Revocation of Permit” establishes the authority by which the Department may revoke the permit of the permittee, or any of its authorized persons, if there is a violation of law or of the conditions of the permit.
  - The Department will act so that the violator cannot adversely impact the welfare of wildlife possessed by the permittee; native wildlife; agricultural interests of this state; or human health or safety.
- Add Subsection 703(c)(2) “Native Wildlife Rehabilitation Permits” establishes the application and inspection fees that an applicant will be subject to when submitting a new permit application or renewal permit application; and clarifies the authority by the Department to charge non-refundable and refundable fees and late fees.

The Project is anticipated to improve administration and oversight of the approval and operation of wildlife rehabilitation facilities for native birds, mammal, amphibian, and reptile species.

### **Benefit of the Regulations**

This regulatory action will establish wildlife rehabilitation standards and conditions that provide for the welfare and conservation of native wildlife temporarily possessed for the purposes of

rehabilitation. The wildlife rehabilitation expertise and knowledge possessed by today's wildlife rehabilitators has increased significantly based on decades of scientifically based literature and case studies. The current Section 679 is inadequate for the purpose of standardizing requirements, which align with current standards, for prospective and current wildlife rehabilitators in California. Further, perceived expectation of the public for wildlife rehabilitation facilities to respond to animal welfare concerns about injured, orphaned, diseased or displaced native wildlife has increased concurrent with the increased number of human-wildlife interactions and wildlife incidents reported to the Department. The regulation changes proposed herein will support increased public awareness, recognition, and appreciation of the service provided by permitted wildlife rehabilitators, as well as ensure for the welfare of native wildlife populations throughout the State.

### **Consistency and Compatibility with Existing Regulations**

Section 20 of Article IV of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission (Commission) such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Commission has reviewed its own regulations and finds that the proposed regulatory action is neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to the permitting of wildlife rehabilitation facilities.

### **Update**

**At its June 2024 meeting, the Commission authorized staff to publish an initial notice of proposed changes to regulations for wildlife rehabilitation; the initial notice was published in the California Notice Register on August 2, 2024. Due to the recent discovery of chronic wasting disease (CWD) in California, Department and Commission staff recommend that the previously proposed regulations be amended regarding fawn and deer rehabilitation. The Commission directed staff to update the proposed regulations to address these and other stakeholder concerns and to provide clarity and consistency in the regulations. At its August 2024 meeting, the Commission directed staff to notify the public of sufficiently related changes to the originally proposed regulatory action.**

## Memorandum

**Date:** November 26, 2024

**To:** Melissa Miller-Henson  
Executive Director  
Fish and Wildlife Commission

**From:** Charlton H. Bonham  
Director

**Subject:** **Submission of Pre-Adoption Statement of Reasons for the December 11, 2024 Fish and Game Commission meeting: RE: Amend the additions of Sections 679.1 through 679.9 and DFW 679 Native Wildlife Rehabilitation Regulations Manual**

The Department of Fish and Wildlife (Department) has prepared this memorandum to update the Fish and Game Commission (Commission) and the public on the Department's request to add Sections 679.1 through 679.9, Title 14, California Code of Regulations, and the Native Wildlife Rehabilitation 679 Regulations Manual. By way of background, the Commission posted notice of a 15-day continuation period on August 26, 2024 to provide notice to the public of certain revisions to the proposed regulatory language and as explained in the Amended Initial Statement of Reasons (ISOR). For the enclosed Pre-adoption Statement of Reasons, whenever the regulatory language has minor amendments proposed, the added text will appear in bold, deleted text will appear with strikethrough to reflect further proposed changes from the Amended ISOR. Changes to the Wildlife Rehabilitation 679 Manual are shown with yellow highlight to distinguish changes already posted with the 15-day continuation period.

There were 8 written comments received and 17 minor edits to the regulatory text. The amendments of the proposed regulatory text in Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual, incorporated by reference, clarify certain requirements and procedures without significant change to the purpose of the rulemaking.

The purpose of the proposed regulations is to update the requirements for the temporary possession and rehabilitation of injured, sick, and orphaned wildlife for the purpose of their release to the wild. Further, these proposed regulations are intended to address the deficiencies and issues that have been observed by the Department in the humane care and treatment of these wild animals. These provisions are necessary since the requirements, acceptable standards, and best practices for wildlife rehabilitation have changed significantly since the last minor regulation change in 2007.

The Department's point of contact for public notice of this rulemaking is Vicky Monroe, Statewide Conflict Programs Coordinator. She can be reached by telephone at (916) 358-2790 or email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov).

Melissa Miller-Henson, Executive Director  
Fish and Game Commission  
November 26, 2024  
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ec: **California Department of Fish and Wildlife**

Chad Dibble, Deputy Director  
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State of California  
Fish and Game Commission  
Preadoption Statement of Reasons for Regulatory Action  
Repeal Section 679

Add Sections 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8, 679.9, and Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual Title 14, California Code of Regulations

Re: Possession of Wildlife and Wildlife Rehabilitation

I. Dates of Statements of Reasons:

- (a) Initial Statement of Reasons                      Date: May 1, 2024
- (b) Amended Initial Statement of Reasons      Date: July 23, 2024
- (c) Preadoption Statement of Reasons              Date: November 18, 2024

II. Dates and Locations of Scheduled Hearings

- (a) Notice Hearing  
    Date: June 19, 2024                                      Location: Mammoth Lakes
- (b) Discussion Hearings  
    Date: August 15, 2024                                      Location: Fortuna  
    Date: October 10, 2024                                      Location: Sacramento
- (c) Adoption Hearing  
    Date: December 12, 2024                                      Location: Sacramento

III. Update

The Fish and Game Commission (Commission) posted notice of a 15-day continuation period on August 26, 2024 to provide notice to the public of certain revisions to the proposed regulatory language and as explained in the Amended Initial Statement of Reasons (ISOR). In this Pre-adoption Statement of Reasons (PSOR), whenever the regulatory language has minor amendments proposed, the added text will appear in **bold**, deleted text will appear with ~~strikethrough~~ to reflect further proposed changes from the Amended ISOR.

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

IV. Description of and Reasons for Modification of Originally Proposed Language of Initial Statement of Reasons (ISOR)

The Department of Fish and Wildlife (Department) recommends the following modifications to the Native Wildlife Rehabilitation 679 Regulations Manual, Chapters 2 and 3 incorporated by reference, of the originally proposed language of the Amended ISOR:

*Section 679.6 (a)*

In subsection (a) regarding evaluation for release, add “**not**” to “the animal is observed to be habituated or mal-imprinted” to further clarify the criteria for evaluating a rehabilitation animal for release to the wild.

*Section 679.9(e)*

In subsection (e)(3) replace “paragraph (e)” with “paragraph **(d)**” to provide a proper reference.

*Chapter 2, Subsection (a)*

In subsection (a)(2) regarding enclosure requirements, minor change to “shall maintain visual and physical separation between each rehabilitation animal, ~~and~~ with any domestic animal, restricted species, non-rehabilitation wild animals, **and any person not performing wildlife rehabilitation activities.**”. The amended language clarifies the criteria and requirements to maintain visual and physical separation for animals during rehabilitation.

In subsection (a)(7) regarding enclosure requirements, replace “not permanently ~~attached~~” with “not permanently **affixed**”. The amended language clarifies the type of temporary enclosures that are permitted for use.

*Chapter 2, Subsection (b), Table 4*

In subsection (b)(2)(C) regarding Rehabilitation Animal Enclosure Types, add “**or require supplemental feeding**” to clarify that certain neonate animals that outgrow a neonate enclosure and must be moved to a larger enclosure may still require feeding assistance. Further, the [Note] is changed to be more generalized by removing “~~One example is a young bird, called a “fledgling”, that has reached the stage of development whereby it can self-feed and leave the nest, but still requires parental care.~~”.

*Chapter 2, Subsection (c)*

In subsection (c)(2) regarding Amphibian and Reptile Requirements, minor change to “at least 30-days from the date of intake ~~from any species of amphibian or reptile~~, notwithstanding any amphibian or reptile rehabilitation animal **that can be** released to the wild **in a condition of good health** prior to the **end of the 30-day quarantine** period.”. The amended language clarifies the quarantine period requirements for an amphibian or reptile.

*Chapter 2, Subsection (d), Table 5*

In subsection (d) regarding Pre-release Conditioning Enclosure Requirements; Amphibian and Reptiles:

- For (d)(1)(A)4.a, replace “~~reverse osmosis~~” with “**treated**” to clarify that any treatment providing clean water is sufficient.
- For (d)(1)(A)4.c, add “**ultraviolet b (UVB)**” further specifying the type of artificial light.
- For (d)(2)(A)4.a, add “**notwithstanding a western pond turtle enclosure that shall be filled with at least 10-gallons of clean water per 1-inch of body length [Note: This requirement is intended to allow each animal to fully submerge in the water and swim at will.]**”.
- For (d)(2)(A)4c, add “**ultraviolet b (UVB)**”.

The amended language clarifies the water, lighting, and heat requirements for an amphibian or reptile rehabilitation animal.

*Chapter 2, Subsection (f)*

In subsection (f) regarding Table 6. Pre-release Conditioning Enclosure Requirement; Mammals:

- Replace substrate of a minimum depth of “~~1-foot~~” with “**6 inches**” for (1)(B) bobcats; (1)(C) coyotes; (1)(D) ermine, mink, weasel; (1)(E) fisher; (1)(F) fox, gray and Sierra Nevada red; (1)(I) raccoon; (1)(J) ringtail; (1)(K) river otter; (3)(A) opossum; (5)(A) hare, rabbit; (6)(C) marmot;
- Replace substrate of a minimum depth of “~~2-feet~~” with “**6 inches**” specific to (1)(F) fox, gray and Sierra Nevada red; (1)(G) fox, kit for welded steel wire and concrete floor requirement;
- Replace substrate of a minimum depth of “~~2-feet~~” with “**1 foot**” specific to (1)(F) fox, gray and Sierra Nevada red; (1)(G) fox, kit for 11-gauge chain link floor requirement;
- Replace substrate at a minimum depth of “~~4.5-feet~~” with “**6 inches**” specific to (1)(H) marten; (6)(G) North American Beaver;
- Replace substrate at a minimum depth of “~~4.5-feet~~” with “**1 foot**” specific to (1)(H) marten; (6)(A) chipmunk, ground squirrel; (6)(G) North American Beaver;
- Replace substrate at a minimum depth of “~~4-feet~~” with “**3 inches**” specific to (3)(A) opossum.
- In (1)(I) Raccoon, add “**with at least one area of the floor with a minimum dimension of 2-feet x 2-feet (L x W)**” for floor requirements.
- In (2)(A) All Bats, add “**panels covering at least 1/4 and up to 1/2 of the wall area; and**” and “**Wall area not constructed of wood or plastic shall be constructed of coated polyvinyl chloride (PVC) or welded wire mesh with a mesh size no larger than 1-inch x 0.5-inch**”; and remove “~~or~~” and “~~Polycarbonate plastic~~” for wall requirements. Replace “~~with minimum dimension of~~” with “**no larger than**”; replace “~~6 inches~~” with “**1.5 inches**”; and add “**or cloth pouch**” for enrichment requirements. Remove “~~of a cavity or crevasse dwelling or foliage roosting species in the [Note].~~”
- In (5)(A) Hare, Rabbit, remove “~~straw bales~~” and “~~soft~~” and add “**shade cloth, tarp**” for enrichment requirements.
- In (6)(G) North American Beaver, remove “~~following~~” and add “**of**” for enrichment requirements.
- Replace “~~a~~” with “**the**” for (1)(F) fox, gray and Sierra Nevada red and (6)(D) muskrat; and add “**the**” for (1)(L) skunk and (6)(C) marmot for grammar and consistency.

The amended language further clarifies the floor requirements for consistency and minimum depth of substrate; the wall requirement for bats; and enrichment requirement for bats, hares and rabbits.

*Chapter 2, Subsection (g)*

In subsection (g) regarding Table 7. Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Mammals:

- In (3) Didelphimorphia, replace “~~8 feet x 6 feet x 6 feet~~” with “**6 feet x 4 feet x 4 feet**” for juvenile pre-release and adult pre-release conditioning enclosure sizes. Replace “40” with “**6**” for maximum number of juvenile opossums in a pre-release conditioning enclosure.
- In (6) Rodentia, remove “~~ground squirrel~~” from (A) and add “**(C) Ground Squirrel**” to the list of specific requirements. Amend the lettering of each animal type to list in alphabetical order.

The amended language further clarifies the minimum pre-release conditioning enclosure requirements for mammals.

*Chapter 2, Subsection (i)*

In subsection (i) regarding Table 8. Pre-release Conditioning Enclosure Requirements; Birds (Excluding Waterbirds):

- In (1)(A)2, remove “~~covered with soft netting affixed to the interior wall~~” from the wall requirements; add “**Welded steel wire mesh with a mesh size no larger than 1-inch x 1-inch covering the remaining wall area, and with shade cloth or steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior of the remaining wall area**” to the wall requirements.
- In (1)(A)5, add “**or wood**” to clarify the wall requirements.
- In (1)(A)6, add “**or**” and “**d. Welded steel wire with mesh size no larger than 1/2-inch x 1/2-inch covered with rounded rock, such as pea gravel, soil or similar natural substrate at a minimum depth of 3-inches; or**” and “**e. Wood covered with rounded rock, soil, soil, or similar natural substrate at a minimum depth of 3-inches.**” to the floor requirements.
- In (1)(A)7, replace “~~5~~” with “**2**” and “~~2 inches~~” with “**1-inch**”; and add “**above the ground**” to the enrichment requirements.
- In (2) Accipitriformes, move requirements for “Turkey Vultures” from (A) to (C); and amend the lettering of each animal type to list in alphabetical order.
- In (6)(A) Falconiformes and (7)(A) Galiformes, add “**the**” for grammar and consistency.
- In (10) Stringiformes, add “**(C) Western screech owls**” and the requirements “**1. Each enclosure shall have at least 2 hides or sheltered retreats constructed of wood, plastic, or similar material, with a minimum size of 8 inches x 15 inches x 8 inches (L x H x W) and a maximum size of 1 foot x 1.5 feet x 1 foot, placed at a minimum height of 5 feet above the ground.**”.

The additional language clarifies construction and enrichment requirements for rehabilitation birds.

*Chapter 2, Subsection (j)*

In subsection (j) regarding Table 9. Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosure and Maximum Number of Animals Per Enclosure; Birds (Notwithstanding Waterbirds):

- Replace “~~Notwithstanding~~” with “**Excluding**” in the table title.
- In (1) Accipitriformes, amend the order and lettering of each animal type to list in alphabetical order. In (G) Turkey Vultures, replace “~~3~~” with “**1**” for maximum number of

neonate animals and replace “6” with “4” for maximum number of juvenile and adult animals. Replace “400” with “50” for minimum length in feet for juvenile and adult pre-release conditioning enclosures and replace “20” with “16” for minimum width in feet for adult pre-release conditioning enclosures.

- In (6) Falconiformes, amend the lettering of each animal type to list in alphabetical order. In (A) American Kestrel, replace “2” with “4” for maximum number of adult animals in pre-release conditioning enclosures. In (B) Kites, replace “6” with “3” for maximum number of juvenile and adult animals in pre-release conditioning enclosures.
- In (8) Passeriformes, amend the lettering of each animal type to list in alphabetical order. Move requirements for “Swallows” from (C) to (G). In (C), replace “4 inches W x 2 inches H” with “12 inches x 6 inches x 6 inches”. In (D) remove “Ravens”. In (E) replace “6 inches W x 3 inches H” with “1.5 feet x 1 foot x 1 foot”. Add “(F) Ravens”, “2 feet x 1.5 feet x 2 feet” and “1” for neonate enclosure requirements, and “50 feet x 10 feet x 12 feet” and “3” for juvenile and adult pre-release conditioning enclosure requirements.

The additional language further clarifies the requirements for minimum enclosure size and maximum number per enclosure.

#### *Chapter 2, Subsection (k)*

In subsection (k) regarding Table 10a. Pre-release Conditioning Enclosure Requirements; Waterbirds:

- In (1)(A), replace “~~Pressure-treated wood or composite wood or similar wood and covered with soft netting or shade cloth on the interior wall~~” with “**Wood covering at least 1/4 and up to 1/2 of the lower wall area**” for the 1.a. requirement. Add “**covering at least 1/4 and up to 1/2 of the lower wall area**” and remove “~~covered with soft netting or shade cloth on the interior wall~~” for the 1.b. and 1.c. requirement. Add “**d. Welded steel wire with a mesh size no larger than 1-inch x 1-inch covering the remaining wall area, and steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior of the remaining wall area.**”. Add “**either:**”, “**Concrete covered with**”, “;”, “**or**”, and “**e. Wood**”; and remove “~~concrete, notwithstanding an enclosure comprised of a pool only, and covered with either~~” for the floor requirement.
- In (6)(B), add “**height**” and “**above the ground**”; and replace “3” with “6” for the enrichment requirement.

The additional language further clarifies the enclosure wall requirements for all waterbirds and the enrichment requirement for pelicans.

#### *Chapter 2, subsection (l) Table 10b*

In subsection (l) regarding Table 10b. Pre-release Conditioning Enclosure Requirements; Pool-Only Waterbirds:

- In (1)(A), add “**Includes species of diving duck, stiff-tailed duck, merganser, alcid, phalarope, loon, grebe, albatross, fulmar, and petrel**” and “**6. Each enclosure shall have the water level of the pool at least 1-foot below the top of the pool edge [Note: This requirement is intended to prevent injury to each animal.]**”.
- Remove “~~1. Each pool enclosure shall have the following enrichment: a. At least 1 flat frame surface with a minimum frame dimension of 1-foot x 1-foot (L x W) constructed of plastic pipe, wood, or similar material, and covered with knotless netting, that is free-~~”.

floating on the water surface [~~Note: This requirement is intended to allow each animal to ingress and egress from the water at will and prevent injury to sensitive feet.~~]" from (2)(B), (3)(C), and (4)(E). Remove these rows from the table.

- For Red phalarope and Red-necked phalarope requirement, remove “dry”, “~~b. At least 2 dynamic or static perches constructed of wood or plastic, and placed at a minimum height of 2 feet above the water surface; and~~” and “~~c. Artificial or live emergent aquatic vegetation [Note: This requirement is intended to provide a visual barrier and allow each animal to be fully hidden at will.]~~”. Add “**with**” for grammar and consistency.
- In (6)(G) and (6)(H), remove “~~1. Each pool enclosure shall have the water level of the pool at least 1-foot below the top of the pool edge [Note: This requirement is intended to prevent injury to each animal.]~~”. Remove these rows from the table.
- In (5) Podicipediformes, add “**Pied-Billed**” and “**(not required for other grebes)**” to Grebes.
- Amend the lettering of each animal type to list in alphabetical order.

The amended language further clarifies pool-only waterbird enclosure and enrichment requirements.

#### *Chapter 2, subsection (m) Table 11*

In subsection (m) regarding Table 11. Minimum Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Waterbirds:

- In (2)(D) Red Phalarope, Red-necked Phalarope, replace “**5**” with “**6**” for the maximum number of adult animals in pre-release conditioning enclosures.
- In (6)(A) Bittern, Egret, Heron, Ibis, Stork (species less than 20 inches, based on size of adults). replace “**4**” with “**2**” for the maximum number of adult animals in pre-release enclosures. In (6)(B) Bittern, Egret, Heron, Ibis, Stork, (species greater than 20 inches), replace “**2**” with “**4**” for the maximum number of adult animals in pre-release conditioning enclosures.
- In (6)(D) Pelican, Brown, replace “**20**” with “**35**” for the maximum number of juvenile and adult animals in pre-release conditioning enclosures. In (6)(E) Pelican, White, replace “**6**” with “**20**” for the maximum number of juvenile and adult animals in pre-release conditioning enclosures

The amended language further clarifies the maximum number of juvenile and adult animals in pre-release conditioning enclosures.

#### *Chapter 2, subsection (p) Table 13*

In subsection (p) regarding Table 13. Specialty Rehabilitation Animal Enclosure Requirements for Pre-release Conditioning:

- In (4)(A) Peregrine Falcon, Prairie Falcon, replace ~~(B)~~ with **(A)** to list in alphabetical order.
- In (5)(A) Venomous Snake, add “**or door and**”, “**enrichment**”, “**b (UVB)**”, and “**natural**”. Replace “~~between 8 hours and 10 hours in a~~” with “**at least 8-hours each**” and “~~day~~” with “**period**”.

The amended language further clarifies the enclosure and enrichment requirement for venomous snakes.

*Chapter 2, subsection (q) Table 14*

In subsection (q) regarding Table 14. Neonate and Limited Mobility Minimum Enclosure Size Requirements and Maximum Number of Animals Per Enclosure; Specialty Rehabilitation Animals:

- In (1)(a) and (4)(a), replace “~~400 feet x 16 feet x 16 feet~~” with “**Based on animal condition**” for eagles and falcons in a limited mobility enclosure.
- In (2)(a) and (2)(b) and (3)(a) and (3)(b), replace “~~N/A~~” with “**0**” for the maximum number of adult specialty rehabilitation animals, specifically Deer, Pronghorn, Bighorn Sheep; Elk; Mountain Lion; and Black Bear.

The amended language further clarifies the requirements for specialty rehabilitation animals in neonate and limited mobility enclosures.

*Chapter 2, subsection (r) Table 15*

In subsection (r) regarding Table 15. Pre-Release Conditioning Enclosure Minimum Enclosure Size Requirements and Maximum Number of Animals Per Enclosure; Specialty Rehabilitation Animals, replace “4” with “**2**” for (4)(a) Peregrine Falcon, Prairie Falcon. The amended language further clarifies the requirements for the maximum number of juvenile and adult specialty rehabilitation animals in a pre-release conditioning enclosure.

*Chapter 3, Subsection (a)*

In subsection (a)(7) added the letter “**s**” to the word “system” for grammar and clarity.

*Chapter 3, Subsection (c) Table 16*

In subsection (c) regarding Table 16. Common Cleaning Agents to Limit the Transmission of Communicable Wildlife Diseases, add “**Aquatic or 3% bleach**” to (12) Amphibian and Reptile Enclosure (Cleaning Requirements). The amended language further clarifies the type of disinfectant solution allowed.

*Chapter 3, Subsection (e) Table 17*

In subsection (e) regarding Table 17. Common Cleaning Agents to Limit the Transmission of Communicable Wildlife Diseases, replace “~~Progress~~” with “**Progressive**” in (1) “Adenovirus Hemorrhagic Disease” for grammar and clarity.

*Chapter 3, Subsection (g)*

In (g)(1) regarding euthanasia requirements, add “**and**” and “**that may perform euthanasia of any rehabilitation animal**”. The amended language further clarifies the euthanasia training requirement for personnel.

The Commission proposes to incorporate by reference the DFW 679 Manual because publication of these documents in full in the CCR would be cumbersome, unduly expensive, or otherwise impractical (Section 20, Title 1, CCR). The DFW 679 Manual is publicly available on the internet, and it would be inefficient for printing purposes. These documents are also available upon request from CDFW and reasonably available from commonly known or identified sources as noted by the webpage: <https://wildlife.ca.gov/wildliferehab>.

V. Summary of Primary Considerations Raised in Opposition and in Support:

Public comments received between August 5, 2024, and November 13, 2024, are summarized and responded to below.

- **August 5, 2024, and September 27, 2024 – Cynthia Myers (written comment)**

Commenter, Education/bat team volunteer with the San Diego Humane Society/Project Wildlife in southern California. Ms. Myers suggested the following minor edit to the Native Wildlife Rehabilitation 679 Regulations Manual:

- Chapter 2, (a)(2). Clarify when visual and physical separation is required for wildlife rehabilitation animals specific to enclosure requirements.
- Chapter 2, (f)(2). Table 6. Pre-release Conditioning Enclosure Requirement; Mammals. Clarify the wall enclosure requirements and enrichment types for bats.

**Response:** The Department supports amending Chapter 2, (a)(2) and (f)(2) to clarify the visual and physical separation requirement and the wall enclosure and enrichment requirement for bats. Proposed subsection (a)(2) and (f)(2) are revised. Enclosures must provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild. These provisions are necessary to reduce rehabilitation animal stress and minimize the risk of habituation or mal imprinting of each animal.

- **August 11, 2024 – Peter Flowers (written comment)**

Commenter, Wildlife Hospital & Rehabilitation Manager, representing Lindsay Wildlife Experience in the Bay Delta area. Mr. Flowers suggested the following minor edit to the Native Wildlife Rehabilitation 679 Regulations Manual:

- Chapter 2, (a)(2). Clarify when visual and physical separation is required for wildlife rehabilitation animals specific to enclosure requirements.
- Chapter 2, (a)(7). Clarify the requirement to permanently attach to a structure.
- Chapter 2, (d) Table 5. Pre-release Conditioning Enclosure Requirements; Amphibian and Reptiles. Clarify the enclosure requirements specific to type of ultraviolet light, type of water, and water needs for western pond turtles.
- Chapter 2, (f) Table 6. Pre-release Conditioning Enclosure Requirements; Mammals. Clarify the floor requirements specific to raccoons and opossums.
- Chapter 2, (g) Table 7. Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Mammals. Decrease pre-release enclosure size height for opossums.
- Chapter 2, (i) Table 8. Pre-release Conditioning Enclosure Requirements; Birds (Excluding Waterbirds). Clarify the number of perches for birds excluding waterbirds.
- Chapter 2, (p) Table 13. Specialty Rehabilitation Animal Enclosure Requirements for Pre-release Conditioning. Clarify the enclosure requirements for venomous snakes specific to lighting requirements, options to secure enclosure, and safe transfer options for live animals.
- Chapter 3, (c) Table 16. Common Cleaning Agents to Limit the Transmission of Communicable Wildlife Diseases. Clarify the type of disinfectant solution allowed for reptiles and amphibians.



- Chapter 3, (g)(8) Clarify the reason why tagging an animal carcass prior to disposal is required.
- Chapter 3, (h)(1) Table 18. Acceptable euthanasia methods for rehabilitation animals. Clarify the reason why certain inhalant methods are allowed.

**Response:** The Department supports amending Chapter 2, (a)(2), (a)(7), (d) Table 5, (f) Table 6, (g) Table 7, and (p) Table 13, and Chapter 3, (c) Table 16 to clarify the visual and physical separation requirement; definition of temporary enclosure; pre-release conditioning enclosure requirement for amphibians and reptiles, and specialty rehabilitation venomous snakes; enclosure and enrichment requirement for racoon and opossum; pre-release enclosure size and maximum number of animals requirement for opossum; and cleaning requirement for amphibian and reptile enclosures. The proposed Chapter 2, (a)(2), (a)(7), (d) Table 5, (f) Table 6, (g) Table 7, and (p) Table 13, and Chapter 3, (c) Table 16 have been revised. Enclosures must provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild. These provisions are necessary to reduce rehabilitation animal stress and minimize the risk of habituation or mal imprinting of each animal.

The Department does not support amending Chapter 2, (i) Table 8 for the perch requirement for birds (excluding waterbirds). The Department does not propose to decrease the number of perches required as these are the minimum necessary for the welfare of the animal. This provision is necessary to ensure that pre-release conditioning enclosures allow for each rehabilitation bird to express natural life history behaviors that are specific and unique to that species. The Department does not support amending Chapter 3, (g)(8) for the animal carcass tagging requirement as this is a general best practice. The Department does not support amending Chapter 3, (h)(1), Table 18 list of acceptable euthanasia methods as this is beyond the scope of this table. The selection of a euthanasia method requires specialized training and expertise and may vary depending on the circumstances. Therefore, Subsection 679.(c)(1)(A)(1-3) describes the required training for individuals performing euthanasia. This training will address which methods are acceptable or not acceptable. These provisions are necessary to protect animal welfare and the safety of personnel administering any euthanasia method, to ensure animal carcass disposal in compliance with all laws, and to prevent the carcass of a rehabilitation animal euthanized by a controlled drug from being scavenged by any animal or person.

- **August 28, 2024, and September 10, 2024 – Rebecca Duerr (written comment)**

Commenter, Director of Research and Veterinary Science, representing International Bird Rescue in southern California. Dr. Duerr (DVM, MPVM, PhD) noted two typos and suggested the following minor edit to the Native Wildlife Rehabilitation 679 Regulations Manual:

- Chapter 2, (a)(2). Clarify when visual and physical separation is required for wildlife rehabilitation animals specific to enclosure requirements.
- Chapter 2, (b)(2) Table 4. Rehabilitation Animal Enclosure Types. Clarify the criteria for rehabilitation animals to be housed in a limited mobility enclosure.
- Chapter 2, (c)(2). Clarify the 30-day quarantine requirement for amphibians and reptiles upon intake if an animal can be released prior to the end of quarantine.

- Chapter 2, (d) Table 5. Pre-release Conditioning Enclosure Requirements; Amphibian and Reptiles. Clarify the enclosure requirement for western pond turtles, and the general requirement for temperature gradients and enrichment.
- Chapter 2, (g) Table 7. Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Mammals. Clarify the pre-release enclosure size height for opossums.
- Chapter 2, (i) Table 8. Pre-release Conditioning Enclosure Requirements; Birds (Excluding Waterbirds). Clarify soft netting requirement for walls, floor materials, and perch type for birds.
- Chapter 2, (k) Table 10a. Pre-release Conditioning Enclosure Requirements; Waterbirds. Clarify the soft netting requirement for walls, floor materials, and perch type allowed for waterbirds.
- Chapter 2, (l) Table 10b. Pre-release Conditioning Enclosure Requirements; Pool-Only Waterbirds. Clarify the water level and enrichment requirement for pool-only waterbirds.
- Chapter 2, (m) Table 11. Minimum Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Waterbirds. Clarify the maximum number of animals in pre-release conditioning enclosures for pelican, bittern, egret, heron, ibis, and stork.
- Chapter 3, (g)(1) Clarify the wildlife euthanasia training requirement for personnel.

**Response:** The Department supports amending Chapter 2, (a)(2), (b)(2) Table 4, (c)(2), (d) Table 5, (g) Table 7, (i) Table 8, (k) Table 10a, (l) Table 10b, and (m) Table 11 to clarify the visual and physical separation requirement; limited mobility enclosures requirement; 30-day quarantine requirement for amphibians and reptiles; enclosure requirement for western pond turtle; pre-release enclosure size for opossum; pre-release enclosure and enrichment requirement for all birds; and the maximum number of animals for species of pelican, bittern, egret, heron, ibis, and stork. Proposed Chapter 2, (a)(2), (b)(2) Table 4, (c)(2), (d) Table 5, (g) Table 7, (i) Table 8, (k) Table 10a, (l) Table 10b, and (m) Table 11 have been revised. Enclosures must provide for the full expression of the natural life history behaviors each rehabilitation animal needs to survive in the wild. These provisions are necessary to reduce rehabilitation animal stress and minimize the risk of habituation or mal imprinting of each animal. The Department also supports amending Chapter 3, (g)(1) to clarify the criteria for personnel required to complete euthanasia training. This provision is necessary to protect animal welfare and the safety of personnel administering any euthanasia method and to ensure all conditions are met for the humane euthanasia of a rehabilitation animal.

The Department does not support amending Chapter 2, (d) Table 5 for the enrichment requirement specific to temperature gradient and rocks for amphibians and reptiles as this is necessary for the welfare of the animal. Enclosures must provide for the full expression of the natural life history behaviors that are specific and unique to each species. This provision is necessary to protect the safety and well-being of each rehabilitation animal.

- **August 29, 2024, and November 1, 2024 – Anna Ream (written comment)**

Commentor, Director, representing Wildlife Care of Southern California in southern California. Ms. Reams noted support for the overall package. She provided general support

for subsection 679.5(c) of the proposed regulations regarding the requirement and criteria for potential placement of non-releasable rehabilitation animals. She suggested the following minor edit to the Native Wildlife Rehabilitation 679 Regulations Manual.

- Chapter 2, (g) Table 7. Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Mammals. Clarify the maximum number of animals in pre-release conditioning enclosures for coyotes and opossums.
- Chapter 2, (i) Table 8. Pre-release Conditioning Enclosure Requirements; Birds (Excluding Waterbirds). Clarify the soft netting requirement for enclosure walls, and the enrichment requirement specific to roadrunners.

**Response:** The Department supports amending Chapter 2, (i) Table 8 to clarify the wall requirement in pre-release enclosures for all birds. Proposed Chapter 2, (i) Table 8 have been revised. Enclosures must provide for the full expression of the natural life history behaviors that is specific and unique to each species. This provision is necessary to protect animal welfare and minimize the risk of injury to each animal.

The Department does not support amending Chapter 2, (g) Table 7 to increase the maximum number of animals in a pre-release conditioning enclosure for coyotes or opossums as this is to protect the welfare of the animal. The Department does not support amending Chapter 2; (i) Table 8 to clarify the enclosure requirements for pre-release conditioning birds as this is for the protection of the animal. Enclosures must provide for the full expression of the natural life history behaviors that are specific and unique to each species. This provision is necessary to protect the safety and well-being of each rehabilitation animal.

The Department does not support amending subsection 679.5(c) as this provision is necessary to establish the process and potential outcomes for a rehabilitation animal thought not to be a suitable candidate for release to the wild.

- **October 21, 2024 – Joanne McDermott (written comment)**

Commentor, Director of Administration, representing Orange County Bird of Prey Center in southern California. Ms. McDermott noted support for the overall package. She specifically noted that Orange County Bird of Prey Center had two minor edits to the proposed regulatory language and comments regarding the 679 Wildlife Rehabilitation Regulations Manual.

- Section 679.6 (a) Evaluation for Release. Clarify the evaluation for release requirement by adding “not” to the statement “the animal is observed”.
- Section 679.9 (e) Request for Reconsideration. Replace “paragraph (e)” with “paragraph (d)” to correct and clarify the paragraph reference.

- Chapter 2, (i) Table 8. Pre-release Conditioning Enclosure Requirements; Birds (Excluding Waterbirds). Clarify the soft netting requirement for enclosure walls, and the enrichment requirement specific to western screech owls.
- Chapter 2, (j) Table 9. Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Birds (Excluding Waterbirds). Clarify the minimum size dimensions and maximum number of animals in pre-release enclosures requirement for turkey vultures, osprey, kites, kestrels, and hawks.
- Chapter 2, (p) Table 13. Specialty Rehabilitation Animal Enclosure Requirements for Pre-release Conditioning. Clarify the enclosure construction and enrichment requirement for eagles and falcons.
- Chapter 2, (q) Table 14. Neonate and Limited Mobility Minimum Enclosure Size Requirements and Maximum Number of Animals Per Enclosure; Specialty Rehabilitation Animals. Clarify the minimum size requirement for limited mobility enclosures specific to eagles and falcons.
- Chapter 2, (r) Table 15. Pre-Release Conditioning Enclosure Minimum Enclosure Size Requirements and Maximum Number of Animals Per Enclosure; Specialty Rehabilitation Animals. Clarify the maximum number of animals requirement for pre-release conditioning enclosures specific to falcons.

**Response:** The Department supports amending Section 679.6(a) to clarify the requirement and criteria for establishing whether a rehabilitation animal can be released to the wild. The proposed Section 679.6(a) has been revised. This provision is necessary to protect the welfare of each animal by ensuring it displays the behavioral and physical traits needed to survive in the wild, that habituated animals are not released into the wild, and that diseases of concern are not spread. The Department supports amending Section 679.9(e) to provide the correct paragraph reference within the subsection. The proposed Section 679.9(e) has been revised. This provision is necessary to establish the process for an applicant to submit a request for Department reconsideration of a denial and the opportunity to present any additional information which may cause the Department to change the denial.

The Department supports amending Chapter 2, (i) Table 8, (j) Table 9, (q) Table 14, and (r) Table 15 to clarify the wall requirement in pre-release enclosures for all birds; changed the minimum size requirement of pre-release conditioning enclosures specific to turkey vultures; the maximum number of animals in pre-release conditioning enclosures specific to kites, kestrels, and turkey vultures; the minimum size requirement for limited mobility enclosures specific to eagles and falcons; and maximum number of animals in pre-release conditioning enclosures specific to falcons. Proposed Chapter 2, (i) Table 8, (j) Table 9, (q) Table 14, and (r) Table 15 has been revised. Enclosures must provide for the full expression of the natural life history behaviors that are specific and unique to each species. These provisions are necessary to protect the safety and well-being of each rehabilitation animal, prevent animal injury, and minimize the risk of animal escape or predation.

The Department does not support amending Chapter 2, (j) Table 9 to increase the maximum number of animals in a pre-release conditioning enclosure for species of hawks, the minimum size requirement for pre-release conditioning enclosures specific to osprey as these requirements are to protect the welfare of the animal. The

Department does not support amending Chapter 2, (p) Table 13 to edit the pre-release enclosure construction or enrichment requirement for specialty rehabilitation animals specific to eagles or falcons. The current proposed regulations are necessary for the welfare of the animal. Enclosures must provide for the full expression of the natural life history behaviors that are specific and unique to each species. This provision is necessary to protect the safety and well-being of each rehabilitation animal, prevent animal injury, and minimize the risk of animal escape or predation.

- **November 13, 2024 – Pamela Turner (written comment)**

Commentor, Volunteer wildlife rehabilitator with Lindsay Wildlife Experience in the Bay Delta area. Ms. McDermott suggested the following minor edit to the Native Wildlife Rehabilitation 679 Regulations Manual.

- Chapter 2, (i) Table 8. Pre-release Conditioning Enclosure Requirements; Birds (Excluding Waterbirds). Clarify the floor requirement for pre-release conditioning enclosures for birds.
- Chapter 2, (j) Table 9. Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Birds (Excluding Waterbirds). Clarify the minimum size dimensions and maximum number of animals in neonate and pre-release conditioning enclosures specific to crows and ravens.

**Response:** The Department supports amending Chapter 2, (i) Table 8 and (j) Table 9 to clarify the floor material requirement in pre-release conditioning enclosures for birds; and clarified the minimum size requirement and maximum number of animals of pre-release conditioning enclosures specific to ravens. Proposed Chapter 2, (i) Table 8 and (j) Table 9 has been revised. Enclosures must provide for the full expression of the natural life history behaviors that are specific and unique to each species. These provisions are necessary to protect the safety and well-being of each rehabilitation animal, prevent animal injury, and minimize the risk of animal escape or predation.

## Revised Proposed Regulatory Language

### KEY:

Language originally proposed to be added is shown in underline.

Language originally proposed to be deleted is shown in ~~strikeout~~.

Language originally proposed to be added but now proposed to be removed is shown in ~~underline/double-strikeout~~.

Language newly proposed to be added is shown in double-underline.

### **The following portion of the originally proposed language in subsection 679.6(a) is revised to read:**

- (a) Evaluation for Release. A permittee, their sub-permittee, or designee shall evaluate a rehabilitation animal to determine if it can be released to the wild, in accordance with Section 671.6, using the following release criteria: the animal does not have ~~has~~ a condition that will likely prevent the animal from surviving in the wild; the animal ~~cannot~~ display the natural life history behavior of its species needed to survive in the wild; the animal is not ~~not~~ observed to be habituated or mal-imprinted; ~~or~~ and the animal is not known or suspected to have a disease of concern listed in Chapter 3 of the DFW 679 Native Wildlife Rehabilitation Manual...

### **The following portion of the originally proposed language in subsection 679.9(e) is revised to read:**

- (e) Request for Reconsideration.

.....

- (3) An applicant shall send a request for reconsideration via electronic mail no later than 30 calendar days after the date on the proof of service described in paragraph (ed), to the following email address: [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov). The department shall not accept a request for reconsideration that is submitted after the 30 calendar day deadline or is not signed under penalty of perjury.

### **The following portion of the originally proposed language in Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual is revised to read:**

See attached.

**[Note that there are no other changes to the originally proposed Regulations.]**

## Description of Specific Edits to Regulatory Language and Department Regulatory Manual

### Edits Made to Proposed Regulatory Language

*\*Note: The proposed regulatory language includes the changes from the first 15-Day notice*

#### 679.1 through 679.5, 679.7, and 679.8

No changes.

#### 679.6

Subsection (a): Added missing word “not” for accuracy and clarity of the requirement for evaluating a rehabilitation animal for its release to the wild.

#### 679.9

Subsection (e): Corrected the lettering of the subsection paragraph to clarify the cited requirement.

### Edits Made to the Proposed Chapters 2 and 3, of the Department Native Wildlife Rehabilitation 679 Regulations Manual (Incorporated by Reference)

*\*Note: The proposed chapters 2 and 3 of the Department Native Wildlife Rehabilitation 679 Manual includes the changes from the first 15-Day notice*

#### All Sections

Enclosure tables have been updated to clarify minimum requirements for certain animal types and correct formatting (i.e., alphabetic and numeric order) or minor errors for consistency and clarity throughout the regulations.

Corrected minor typo and/or grammatical error in subsection text for clarity and accuracy.

#### Chapter 2

Subsection (a)(2): Clarified the requirement of a visual barrier between enclosures of rehabilitation animals. This change was necessary for clarity as based on public comment.

Subsection (a)(7): Replaced the word “attached” with “affixed” for clarity and consistency with the language used in other code or regulations specific to permanent and temporary structures.

Subsection (b)(2): Revised language in table and added “or require supplemental feeding” to clarify the criteria for limited mobility rehabilitation animals. This change is based public comment.

Subsection (c)(2): Clarified the requirement for the 30-day quarantine period for reptiles and amphibians. This change was necessary to protect animal welfare if an animal is restored to a condition of good health during its quarantine and based on public comment.

Subsection (d): Revised language in table to clarify the requirement and options for water and ultraviolet light for amphibians and reptiles, including the western pond turtle. This change was necessary to protect the welfare of different species of animal and based on public comment.

Subsection (f): Revised language in table and clarified requirement for substrate depth based on floor type, where applicable, and the enrichment and wall requirement for bat enclosures. This change was necessary to protect animal welfare and based on public comment.

Subsection (g): Revised language in table and clarified the enclosure requirement for chipmunks and ground squirrels, and pre-release opossums. This change is based on public comment.

Subsection (i): Revised language in table and clarified options for enclosure wall and floor materials, and perch type, where applicable, for clarity and consistency. This change is based on public comment.

Subsection (j): Revised language in table and clarified the enclosure size requirements and maximum number of animals for turkey vultures, kestrels, kites, and corvids. This change is based on public comment.

Subsection (k): Revised language in table for clarity and consistency. Added “(Excluding Pool-Only Waterbirds)” to the table caption and clarified the enclosure wall and floor requirements and options for perches, where applicable. This change was necessary for consistency and based on public comment.

Subsection (l): Revised language in table and clarified the pool-only water level requirement. Added “(Includes species of diving duck, stiff-tailed duck, merganser, alcid, phalarope, loon, grebe, albatross, fulmar, and petrel)”. This change is based on public comment.

Subsection (m): Revised language in the table and changed the maximum number of animals allowed in pre-release conditioning enclosures, where applicable. This change was necessary for clarity and consistency and based on public comment.

Subsection (p): Revised language in table to clarify the requirement and options for securing enclosures and full spectrum light for venomous snakes. This change is based on public comment.

Subsection (q): Revised language in table and replaced “N/A” with “0” for maximum number of animals and the limited mobility enclosure size requirement to “based on animal condition”. This change was necessary for clarity and consistency throughout these regulations and based on public comment.

Subsection (r)(4): Revised language in table to clarify maximum number of falcons per enclosure. This change was necessary to protect animal welfare and based on public comment.



Chapter 3

Subsection (c)(12): Clarified the option for type of cleaning agents required for amphibian and reptile enclosures. This change is based on public comment.

Subsection (g)(1): Added the language “that may perform euthanasia of any animal” to clarify the training requirement for individuals performing euthanasia under a permit. This change was necessary for consistency throughout these regulations and based on public comment.

## Proposed Regulatory Language

Section 679.1, Title 14, California Code of Regulations, is hereby added as follows:

### § 679.1 Definitions.

For the purposes of Sections 679.1 through 679.9, the following definitions apply:

- (a) Animal Welfare, or Welfare of the Animal. The state of an animal that is met, while being temporarily possessed by a person, by providing for its physical and behavioral needs in a manner that considers the natural life history of that species, including an animal's needs for water, food, shelter, and medical treatment and euthanasia if necessary.
- (b) Authorized Person. A person, at least 18 years of age, with minimum of 40 hours of animal care, husbandry, and handling experience approved by the permittee, their sub-permittee, or designee at their sole discretion, ~~under their supervision and direction,~~ to temporarily confine a rehabilitation animal, under the supervision and direction the permittee, their sub-permittee, or designee, at a location other than the wildlife rehabilitation facility or satellite facility
- (c) Conspecific. Individual animals of the same species.
- (d) Designee. A person, such as a facility director or manager, who is at least 21 years of age, with a minimum of 500 hours of animal care, husbandry, and handling experience, approved by the permittee to conduct activities under the permit on behalf of the permittee.
- (e) Eagle and Falcon Specialty Rehabilitation. Wildlife rehabilitation of ~~any age class of~~ any bald eagle (*Haliaeetus leucocephalus*) or golden eagle (*Aquila chrysaetos*) of the Order Accipitriformes, or peregrine falcon (*Falco peregrinus*) or prairie falcon (*Falco mexicanus*) of the Order Falconiformes, as authorized under specialty rehabilitation permit conditions issued by the department.
- (f) Enrichment. An item designed to stimulate and encourage a range of innate behaviors of a rehabilitation animal, specific to that species and the condition and welfare of the animal.
- (g) Euthanasia. The humane induction of death with minimal pain or stress to the animal.
- (h) Habituated. The condition of a wild animal that is repeatedly exposed to anthropogenic stimuli and, as a result, no longer has a natural negative behavioral or physical response to humans; such a condition may be reversible.
- (i) Large Carnivore Specialty Rehabilitation. Wildlife rehabilitation of ~~an age class specified by the department of~~ an American black bear (*Ursus americanus*) or mountain lion (*Puma concolor*) as authorized under specialty rehabilitation permit conditions issued by the department.
- (j) Mal-imprinted. The process by which a neonate or juvenile wild animal behaviorally imprints on a human or animal of another species that permanently prevents that animal from expressing the natural life history behaviors of its species.
- (k) Native Wildlife Rehabilitation 679 Regulations Manual (New 01/2025) (form DFW 479) hereafter called "DFW 679 Manual". A listing of enclosure requirements and humane care standards for wildlife rehabilitation facilities, satellite facilities, and related wildlife rehabilitation activities; available on the department website at <https://wildlife.ca.gov/wildliferehab>. Chapters 2 and 3 of DFW 679 Manual are incorporated by reference herein.
- (l) Neonate. A newborn or newly hatched animal that is often unable to self-feed, thermoregulate, or ambulate on its own, and usually requiring parental care to survive.

- (m) Non-releasable Animal. A wild animal not suitable for release to the wild due to it being habituated, mal-imprinted, or having a physical or behavioral impairment that precludes the animal's ability to survive in the wild in a manner consistent with its natural life history behaviors.
- (n) Orphan Animal. A neonate or juvenile animal still dependent on parental care for survival, that is found under conditions in which parental care is no longer available, such as permanent separation from or death of the parent.
- (o) Permit. Privilege provided to a person authorized by the department to temporarily possess rehabilitation animals pursuant to sub-section 679.3(a).
- (p) Qualified Handler. For the purposes of specialty rehabilitation, a person with the required experience is listed in sub-section 679.3(b)(2)(A)5.
- (q) Rehabilitation Animal. A live wild amphibian, reptile, bird, or mammal of a species native to California, excluding any marine mammal or sea turtle, that is temporarily possessed for the purpose of rehabilitation and release to the wild pursuant to these regulations, and the following wild animals not native to California: Virginia opossum (*Didelphis virginiana*), Eastern gray squirrel (*Sciurus carolinensis*), Eastern fox squirrel (*Sciurus niger*), wild turkey (*Meleagris gallopavo*), rock pigeon (*Columba livia*), Eurasian collared dove (*Streptopelia decaocto*), European starling (*Sturnus vulgaris*), and European house sparrow (*Passer domesticus*).
- (r) Required Record. Any document submitted to the department, created, or issued pursuant to these regulations, including but not limited to, any permit, sub-permit, other relevant permits, memorandum of understanding, patient record, or report.
- (s) Satellite Facility. A facility operated by a sub-permittee authorized pursuant to Section 679.3, to intake and temporarily possess wildlife for the purpose of rehabilitation at a location other than a wildlife rehabilitation facility operated by the permittee or their designee.
- (t) Specialty Rehabilitation Authorization. Privilege provided to a permittee or sub-permittee by the department to temporarily possess one or more of the following specialty rehabilitation animals pursuant to sub-section 679.3(b): large carnivore, ungulate, venomous snake, or any species of eagle (Order Accipitriformes) or falcon (Order Falconiformes).
- (u) Sub-permit. Privilege provided to a person authorized by both the department and a permittee, or their designee, pursuant to sub-section 679.3(c) to operate a satellite facility and intake and temporarily possess rehabilitation animals without the direct supervision of the permittee or their designee at a satellite facility.
- (v) Ungulate Specialty Rehabilitation. Wildlife rehabilitation of ~~an age class specified by the department of a~~ deer (*Odocoileus hemionus*), pronghorn (*Antilocapra americana*), elk (*Cervus canadensis*), or wild sheep (*Ovis canadensis*) native to California of the Order Artiodactyla as authorized under specialty rehabilitation permit condition issued by the department.
- (w) Venomous Snake Specialty Rehabilitation. Wildlife rehabilitation of ~~of any age class~~ of any species of snake native to California of the Order Squamata that produces venom as authorized under specialty rehabilitation permit conditions issued by the department.
- (x) Veterinarian of Record. A veterinarian, currently licensed by the State of California, who agrees in writing to provide and direct veterinary treatment for rehabilitation animals pursuant to Section 679.3.
- (y) Wildlife Rehabilitation. The temporary possession, treatment, and care of a rehabilitation animal, for the purpose of restoring it to a condition of good health for its release to suitable habitat in the wild.

(z) Wildlife Rehabilitation Facility. A facility operated by a permittee or their designee, at a location approved by the department pursuant to Section 679.3 and listed on the permit, whereby wild animals are temporarily possessed for the purposes of wildlife rehabilitation.

NOTE: Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, ~~2835~~, 3005.5, 3800, ~~and~~ 4150, and 5050, Fish and Game Code.

Reference: Sections 716.3, ~~4018~~, 1801, 2118, 2126, 2190, 3511, 4800 and 4801.5, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

## Proposed Regulatory Language

Section 679.2, Title 14, California Code of Regulations, is hereby added as follows:

**§ 679.2 Transportation and Confinement of Live Wildlife.**

- (a) Temporary Confinement of Wild Animals. A person who is not authorized by the department under a permit or sub-permit issued pursuant to Section 679.3; has not previously had a permit or sub-permit revoked or denied by the department; has not violated any provision of Section 597 of the Penal Code; or has not been convicted of a crime of moral turpitude, may temporarily confine for no more than 24 hours, or in the case of a California licensed veterinarian no more than 48 hours, an injured, diseased, or orphaned wild animal, except for big game mammals listed in Section 350 or exotic game mammals listed in Section 325, for the purposes of transferring such an animal to a permittee, their sub-permittee, or designee, or the department.
- (1) A person shall provide the following information to a permittee, their sub-permittee, or designee, or the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) or telephone at (916) 358-2790, within 24 hours of confining any such animal: name and telephone number; taxonomic group or species of animal; description of its condition; date and location the animal was found; and location where the animal is currently confined. At the direction of a permittee, their sub-permittee, or designee, or the department, any such person shall perform one of the following actions: immediately release the animal at the location where it was found; temporarily confine the animal until the department, a permittee, or their designee can take possession of the animal; if able transport the animal to a permittee, their sub-permittee, or designee; or if able transport the animal to the department or a location the department deems necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests.
  - (2) A California licensed veterinarian shall comply with subsection 679.5(b)(2) prior to transporting a wild animal, and any animal care records specific to that animal, to a permittee, their sub-permittee, or designee, or the department.
  - (3) A person shall not knowingly temporarily confine or transfer for the purpose of rehabilitation any wild animal listed pursuant to subsection 671.6(c) of these regulations or any animal identified by the department as an invasive species pursuant to Food and Agricultural Code Section 5260.5, that include but are not limited to nutria, American bullfrog, African clawed frog, common coqui, red-eared slider, watersnake (*Nerodia* species), pin-tailed whydah, and mute swan.
  - (4) A person may transport for the purposes of rehabilitation any injured, diseased, or orphaned wild mammal that is lawfully trapped, notwithstanding Subsection 465.5(g)(1) or having been convicted of a crime of moral turpitude; or any injured, diseased, or orphaned migratory bird pursuant to federal regulation 50 CFR 21.31(a).
- (b) Prohibition on Possession of Big Game Mammals, Exotic Game Mammals or Fully Protected, Threatened or Endangered Species Except Under Department Permit. Section 679.2(a) notwithstanding, no person shall possess any big game mammal listed in Section 350 or exotic game mammal listed in Section 375, or any fully protected, endangered, or threatened species listed in Section 670.5, without specific written authorization from the department.

- (c) Disabled Wildlife in an Oil/Toxic Spill Area. No person shall enter a department designated oil/toxic spill area to temporarily confine or transport wildlife disabled by an oil spill or other spilled toxic substance, except for a person in possession of a permit, or their designee, sub-permittee, or authorized person, issued pursuant to Section 679.3 who has incident-specific authorization from the department for the specific designated oil/toxic spill area.

NOTE: Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, 2150.4, ~~2835~~, 3005.5, 3800, 4150, 4180 and 5050, Fish and Game Code.

Reference: Sections 1008, 2000, 2186, 2190, 3511, and 4155, ~~4800 and 4801.5~~, Fish and Game Code; Section 8670.61.5, Government Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

## Proposed Regulatory Language

Section 679.3, Title 14, California Code of Regulations, is hereby added as follows:

**§ 679.3 Permits for Wildlife Rehabilitation.**

- (a) Permit. The department may issue a person a wildlife rehabilitation permit valid for 3 years from the date of issuance and may amend existing permits with the conditions it determines are necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests.
- (1) Limited Scope. A permit issued pursuant to this section does not supersede any law, or the need for any other applicable permit, license, or other entitlement. Permits issued under this section are non-transferrable between any person.
- (2) Qualifications. Any person who is a resident of the state of California pursuant to Fish and Game Code Section 70, can qualify for and be issued a permit if an applicant possesses the qualifications specified in subsections 679.3(a) through (c) and is at least 21 years of age.
- (3) Conferring. The department may confer with any person to verify information on the application, at any stage of the application process, and where applicable may require written proof of that information pursuant to Fish and Game Code subsection 1054(b). An applicant shall provide such information to the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) within 30 calendar days of the department's request, or the department shall deny the application.
- (4) Initial Request. A person seeking a wildlife rehabilitation permit shall first submit an initial request in writing to the department via email to [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) that includes the following information:
- (A) Copies of two letters stating there is a need for a new wildlife rehabilitation facility to increase local or regional capacity to possess rehabilitation animals, written within 12 months from the date of initial written request for a permit, on letterhead stationery listing the printed name, title, handwritten signature, or electronic signature in accordance with California Civil Code §1633.5(b), date of signature, and affiliation of the signatory.
1. One letter shall be submitted by a permittee possessing a valid permit or sub-permit.
  2. The second letter shall be submitted by any of the following persons: a permittee possessing a valid wildlife rehabilitation permit; department staff, Regional Manager, or their designee; a veterinarian licensed in the State of California; or a duly authorized representative of a federal, tribal, state, or a local agency with jurisdiction over wildlife or animal care located in the same county or adjacent county to an applicant.
- (B) List of taxonomic groups or species of animal proposed to be temporarily possessed for the purposes of rehabilitation using the following categories: amphibian, reptile, bird, mammal.
- (C) Required Experience. Description of at least 1,000 hours experience of animal care, husbandry, and handling experience under the supervision of a permitted wildlife rehabilitator, their sub-permittee, or designee in California, completed within 5 years from the date of the initial approval request, or experience that the department determines to be equivalent as described herein.
- (D) The department shall provide approval or denial of the initial request pursuant to the requirements listed herein, in writing via email within 30 calendar days. No person shall temporarily possess a rehabilitation animal until the department has issued a permit pursuant to subsection 679.3(a).

(5) Wildlife Rehabilitation Examination. Upon initial approval from the department, an applicant shall take the free California state wildlife rehabilitation examination via a password-protected html link provided in writing by the department. Alternatively, an applicant may request to the department via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) or telephone at (916) 358-2790, to take the examination in person at the nearest department office.

(A) For a new permit, an applicant and any proposed designee shall be required to take the wildlife rehabilitation examination. For an existing permit, a proposed sub-permittee and any proposed designee, shall be required to take the wildlife rehabilitation examination.

(B) An applicant shall correctly answer at least 80 percent of the questions to pass the examination.

1. An applicant who completes the examination will be provided with written documentation by the department with the results of the examination. A passing score shall be valid for 1 year from the date of completion of the examination.

2. An applicant who fails the examination may submit a request to the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) to retake the examination no sooner than 30 calendar days from the date of the failed examination. An applicant may take the examination up to three times; if an applicant fails to pass the examination by the third attempt, or within 1 year from date of initial approval, the department shall rescind initial approval of the permit request. An applicant may restart the initial approval process no sooner than 1 year from the date of the last failed examination.

(C) Unauthorized Communication, Publication, and Sharing; Penalties.

1. An applicant who either: while taking the examination, communicates with any other person other than a department employee administering the examination; or publishes or shares, or assists in the publication or sharing, of the specific contents of an examination question or answer in any way, shall fail the examination and may not apply to obtain a permit for a period of 5 years from the date the applicant took the examination.

2. The department shall revoke any rehabilitation permit issued to a permittee who, while taking the examination as an applicant, violates the foregoing subsection. The permittee may apply to obtain a new permit no less than 5 years from the date of the revocation but shall retake and successfully pass the examination before a new permit is issued. This action shall be subject to reconsideration as described in subsection 679.9(e).

3. Any person who publishes or shares, or assists in the publication or sharing, of the specific contents of an examination question or answer, shall be liable, in addition to any other applicable civil or criminal damage or penalty, for all costs incurred by the department in creating a new examination or examination question if the department, in its sole discretion, determines that creating a new examination or examination question is necessary because of the publication or sharing.

(D) Examination Content. The basic wildlife rehabilitation examination shall test applicants on general wildlife rehabilitation concepts, standard rehabilitation practices, species-specific rehabilitation techniques, diseases of concern in California, the life history of California native wildlife and other species that may be rehabilitated, ethical codes of conduct, applicable laws, and any other wildlife rehabilitation-related topics that the department determines are necessary to know and understand. It shall consist of 50 definitions, multiple-choice, and true-false questions; and applicants shall be allowed up to 120 minutes to complete it. The specialty rehabilitation examination shall test applicants on the general wildlife rehabilitation



concepts, standard rehabilitation practices, species-specific rehabilitation techniques, diseases of concern in California, the life history of California native wildlife species of specialty rehabilitation animals that may be rehabilitated, ethical codes of conduct, applicable laws, and any other wildlife rehabilitation-related topics that the department determines are relevant with respect to the specialty rehabilitation authorization(s) the applicant is seeking. It shall consist of 30 definitions, multiple-choice, and true-false questions; and applicants shall be allowed up to 90 minutes to complete it.

(6) Final Approval. An applicant who has received initial approval from the department and passed the wildlife rehabilitation examination as described in subsection 679.3(a)(5), may submit an application packet with the required fees to the department via the U.S. Postal Service or other postal carrier to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244 that shall contain the following required documentation.

(A) Wildlife rehabilitation permit application, in a form provided by the department, that shall include the following information:

1. Applicant and Facility Information. Full name, date of birth, physical address, mailing address if different, telephone number, email address, ALDS Get Outdoors ID (GO ID) or a required form of identification listed pursuant to subsection 700.4(c) for the department to create an ALDS customer profile for the applicant; facility name if applicable, facility physical address, facility mailing address if different, facility telephone number, facility email address, and facility website if applicable.
2. Required Experience. Description of at least 1,000 hours of animal care, husbandry, and handling experience under the supervision of a permitted wildlife rehabilitator in California, or their sub-permittee or designee, completed within 5 years from the date of the initial approval request; or experience that the department determines to be equivalent in California, including start dates and end dates. An applicant shall provide the name, affiliation, telephone number, email, and mailing address of relevant references that the department may contact to verify such experience.
  - a. The department may consider one credit hour of education in veterinary medicine, biological sciences, wildlife rehabilitation, or similar courses as a substitute for one hour of experience, up to 300 hours of the required experience based on: the number of hours of education and topic of the curriculum; completion of a certificate, degree, or similar qualification; if the education was obtained at an accredited institution or program recognized by the U.S. Department of Education; and submission of relevant original transcript(s) if applicable.
3. Designee Information (if applicable). Full name, date of birth, physical address, mailing address if different, telephone number, email address.
  - a. Required Experience. Description of at least 500 hours of animal care, husbandry, and handling experience under the supervision of a permitted wildlife rehabilitator in California, or their sub-permittee or designee, completed within 5 years from the date of the initial approval request; or experience that the department determines to be equivalent in California, including start dates and end dates. An applicant shall provide the name, affiliation, telephone number, email, and mailing address of relevant references that the department may contact to verify such experience of the designee.
  - b. The department may consider one credit hour of education in veterinary medicine, biological sciences, wildlife rehabilitation, or similar courses as a substitute for one hour of experience, up to 100 hours of the required experience based on: the number

of hours of education and topic of the curriculum; completion of a certificate, degree, or similar qualification; if the education was obtained at an accredited institution or program recognized by the U.S. Department of Education; and submission of relevant original transcript(s) if applicable.

4. Public Contact Information. Telephone number, email address, physical address, and website, if applicable, of the proposed facility that the department will provide as a resource to the public on the department's website at <http://wildlife.ca.gov/wildliferehab>.
  5. Rehabilitation Animals. Maximum number of rehabilitation animals that are proposed to be temporarily possessed at the proposed facility in the following categories: amphibian, reptile, bird, mammal.
  6. Declaration of Enclosures. Description of each type of pre-release enclosure that shall meet the requirements listed in Chapter 2 and Chapter 3 of the ~~Native Wildlife Rehabilitation DFW 679 Regulations~~ Manual that shall include the following information for each type of enclosure: length, width, and height in feet and inches; enclosure materials; and photographs, diagrams, blueprints, or other written plans. Applications for variances, per subsection 679.4(c), must be included for any proposed or existing deviations.
  7. Facility Operation ~~Protocols Plan~~ Protocols. Description of all facility operation protocols ~~standard operating procedures~~ that shall include the following information:
    - a. Data storage method to maintain required records pursuant to subsection 679.5(c).
    - b. Protocol for euthanasia that shall include euthanasia methods for each taxonomic group or species of proposed rehabilitation animal, list of qualified personnel pursuant to subsection 679.5(e)(1), how controlled substances will be stored, if applicable, and methods of animal carcass disposal.
    - c. Protocol for staff and volunteer training that shall include the number of hours and frequency of training.
    - d. Protocol for intake and triage rehabilitation of animals pursuant to subsection 679.5(b)(1).
    - e. Protocol for the humane care of rehabilitation animals pursuant to subsection 679.5(a)(1) through (4).
    - f. Biosafety plan to prevent and control parasites, communicable diseases, vectors and pathogens pursuant to subsection 679.5(a)(5).
    - g. Contingency plan to allow for a person, identified by a permittee or their designee, and meeting all requirements of these regulations as a designee defined in subsection 679.1(a)(4), to provide continuity of care of rehabilitation animals for up to the expiration date of the valid permit term if the permittee or designee is no longer able to temporarily possess rehabilitation animals for any reason.
  8. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
- (B) Veterinarian of Record Agreement. Written agreement signed by an applicant and a California licensed veterinarian who agrees to be the veterinarian of record under a permit, in a form provided by the department, that shall include the following information:

1. Applicant Information. Applicant name, date of birth, GO ID (if applicable), mailing address, telephone number, email address, facility name (if applicable), county, and physical address.
  2. Veterinarian Information. Full name, license number, license expiration date, telephone number, email address, physical address, and employer name, if applicable.
  3. Acknowledgement of permittee responsibilities, that shall include:
    - a. Maintaining current veterinarian information, including regular hours of availability to treat rehabilitation animals possessed by the permittee.
    - b. Providing required records for any rehabilitation animal such that a licensed veterinarian can make an informed assessment of the condition of an animal and treatment plan or euthanasia of the animal.
    - c. Relying on the licensed veterinarian to best address the administration of medication and treatment prescribed for the rehabilitation animal.
    - d. Adhering to the standing orders of a veterinarian for medication use and treatment prescribed for the rehabilitation animal.
    - e. Recognizing that the purpose of providing care or treatment of a rehabilitation animal is to restore them to a condition of good health for their release to the wild.
  4. Acknowledgement of veterinarian responsibilities, that shall include:
    - a. Providing veterinary consultation for a rehabilitation animal such as standing orders to perform routine procedures for animal care, treatment procedures, or similar protocol.
    - b. Provisioning, storing, and documenting all controlled drugs, if applicable, pursuant to all federal and state laws.
    - c. Considering the ethics regarding the life history and welfare of a rehabilitation animal when providing treatment of that animal.
    - d. Relying on the permittee or their designee to best address the humane care needs of a rehabilitation animal.
    - e. Recognizing that the purpose of providing care or treatment of a rehabilitation animal is to restore them to a condition of good health for their release to the wild.
  5. List of species of rehabilitation animal that the veterinarian is specially trained if applicable; species of rehabilitation animal that the veterinarian is not able to handle or provide services for any reason; and the veterinarian services that may be provided by the veterinarian at their sole discretion: Physical examinations; dispensing, administering, prescribing medication; screening and preventative care; diagnostic services; surgical procedures; euthanasia; necropsy; carcass disposal.
  6. A permittee, their designee, or veterinarian of record may terminate this agreement at any time and for any reason; a permittee or their designee shall notify the department of any such change pursuant to subsection 679.4(a)(6)(B).
  7. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
- (C) List of Persons. A list of each authorized person if applicable, as defined pursuant to Section 679.1 of these regulations, shall include the following information in a form provided by the department ~~shall include the following information.~~

1. Applicant information. Full name, date of birth, GO ID (if applicable), mailing address, telephone number, email address, facility name (if applicable), facility website (if applicable), physical address, and mailing address if different.
  2. Authorized person information. Full name, telephone number, email address, physical address, mailing address if different, brief description of relevant experience, and list of species or taxonomic group of rehabilitation animal authorized to handle. An authorized person shall be listed under only one valid permit at any time.
  3. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
- (D) Facility Emergency Action Plan. A written plan describing emergency protocol in the event of an evacuation from a proposed facility, in a form provided by the department, that shall include a date of incorporation of the plan and the following information:
1. Applicant name, date of birth, GO ID (if applicable), mailing address, telephone number, email address, facility name (if applicable), county, and physical address.
  2. List of animal capture equipment, such as nets, personal protective equipment, or chemical immobilization equipment, if applicable;
  3. List of animal transport equipment that shall include the quantity, size dimensions, and brief description of each cage, which can include the animal intended to occupy each cage (species, size, type) and the maximum number of animals per cage;
  4. List of emergency animal supplies designated for each species of taxonomic group of rehabilitation animal that shall include: a 3 calendar day supply of animal feed, or list of required food supplies and nearest location of such food, food and water receptacles, portable water containers, specialty feeding supplies, artificial heating source, artificial cooling source, bedding, cleaning and disinfectant supplies, and basic veterinary medical supplies;
  5. Facility safety and emergency alert items on the premises, first aid kits; smoke and carbon monoxide detectors; fire extinguishers; emergency exit signage, if applicable; “animals on premise” signage; eye wash stations, if applicable; utility shut-off valves such as gas, water, and electricity valves; and breaker boxes; fire alarms; visual alarms; radio communications; telephone tree; audible alarms; mobile alert app;
  6. List of local emergency telephone numbers that shall include first responders, animal services, public health agencies, hospital, and other points of contact if applicable; and department regional office;
  7. Evacuation leads for assembly area, first aid, responder liaison, and animal evacuation;
  8. Evacuation protocol instructions for animal release criteria, animal transport criteria, assembly area with primary and secondary locations, staging area with primary and secondary locations, and primary and secondary evacuation routes.
  9. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
- (E) Authorization to Access Property. Written authorization, for the department to access a property where a wildlife rehabilitation facility, satellite facility, or rehabilitation animal is temporarily possessed, in a form provided by the department, signed by the property owner or their authorized representative stating that the department shall have access to conduct inspections pursuant to subsections 679.7(a)(1) and (2).

1. Applicant Information. Applicant name, date of birth, GO ID (if applicable), mailing address, telephone number, email address, facility name (if applicable), county, and physical address.
  2. Property Owner Information. Full name, title, telephone number, email address, physical address, mailing address if different.
  3. Property owner acknowledgement and signature. Certify under penalty of perjury that the declaration is true and correct, and that the department has permission from the undersigned to enter a property to conduct an inspection pursuant to subsections 679.7(a)(1) and (2).
  4. Applicant Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the department has permission from the undersigned to enter a property to conduct an inspection pursuant to subsections 679.7(a)(1) and (2).
- (F) Compliance with Local Laws. An applicant for a new permit or a request for permit renewal shall provide written documentation, such as a letter from a local agency with jurisdiction over zoning, that demonstrates that the proposed facility is in compliance with all local laws.
- (7) Issuance of Permit. The department shall issue a permit if an applicant meets all requirements listed pursuant to these regulations and Chapter 2 and Chapter 3 of the ~~Native Wildlife Rehabilitation~~ DFW 679 Regulations Manual and passes a facility inspection pursuant to Section 679.7. The department shall determine which taxonomic group or species of rehabilitation animal an applicant is authorized to temporarily possess based on conditions the department determines are necessary to protect native wildlife, animal welfare, human health and safety, or agriculture interests.
- (8) Renewal of Permit. A permittee or their designee may submit an application packet to renew a permit with the required fee, postmarked no later than 60 calendar days before the valid permit expires, via the U.S. Postal Service or overnight carrier to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244, that shall include the following information: information listed in subsection 679.3(a)(6)(A) through (F); list of sub-permittees that shall include their full name, telephone number, email address, physical address and mailing address of the satellite facility; and payment to the department of a nonrefundable fee adjusted annually pursuant to Fish and Game Code Section 713.
- (A) Up to 45 calendar days after the valid permit expires, a permittee or their designee may apply to renew the permit by paying a nonrefundable late fee, pursuant to Section 703(c)(2) of these regulations, with any application for renewal. The department shall deny any application for renewal postmarked later than 45 calendar days after the existing permit expired. Except as provided in paragraphs (B) and (C) below, the department shall seize, pursuant to Section 679.8, any rehabilitation animal possessed by a permittee, their sub-permittee, or designee later than 45 calendar days after the permit expired.
- (B) Except as provided in this paragraph, a permittee shall not intake any new rehabilitation animals after a permit expires. If an animal is brought to a wildlife rehabilitator whose permit is expired, the animal may be temporarily possessed per subsection 679.2(a). The department may provide a written 60 calendar day permit extension to a permittee to temporarily possess and/or intake rehabilitation animals if the permittee submitted an application for renewal postmarked no later than 45 calendar days after the permit expired, and the department finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall be met during the application

renewal process. A permit extension shall expire either 60 calendar days after it is granted, the permit is renewed, or the permit application is denied whichever occurs first. The department may grant an additional permit extension if it needs more than 60 calendar days to review the renewal application, and it finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall continue to be met.

- (C) If a permit expires while the Department is reviewing the application for renewal, the department may provide written approval to a permittee, their sub-permittee, or designee to continue to intake and temporarily possess rehabilitation animals under an expired permit if the department finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall be met during the application renewal process.
- (9) Facility Change. A permittee, their designee or sub-permittee shall notify the department in writing via email at [RehabWildlife@wildlife.ca.gov](mailto:RehabWildlife@wildlife.ca.gov) at least 60 calendar days prior to any change in physical address of a wildlife rehabilitation facility or satellite facility, or construction of a new facility or satellite facility.
- (A) A permittee, their designees or sub-permittee who requests to amend a valid permit or sub-permit may submit an application packet to the department via the U.S. Postal Service or overnight carrier to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244 that shall contain the following required documentation using forms provided by the department listed in subsections 679.3(a)(6)(A)1,3 through 7; 679.3(a)(6)(D) and (E).
  - (B) An applicant shall submit the appropriate completed application and fees for a permit amendment request.
  - (C) The department shall approve or deny a permit amendment request following completion of a department inspection pursuant to Section 679.7.
- (10) Permit Fees. The department shall charge a fee for a new permit, or a request for permit renewal, or a permit amendment as specified in subsection 703(c)(2) of these regulations.
- (A) New Permit Fees. An applicant for a new permit shall submit a completed application for a Native Wildlife Rehabilitation Permit with the nonrefundable application fee and a refundable inspection fee listed pursuant to subsection 703(c)(2)(B)1 of these regulations. The inspection fee shall be refunded if the department denies a permit amendment request the new permit application and no inspection is performed by the department or its designee.
  - ~~(B) Permit Amendment Fees. An applicant for a permit amendment for specialty rehabilitation authorization or new facility change shall submit a completed application for a Specialty Rehabilitation Authorization with the nonrefundable application fee and a refundable inspection fee. The inspection fee shall be refunded if the department denies a permit amendment request and no inspection is performed by the department or its designee.~~
  - ~~(C) Permit Renewal Fee. An applicant for a permit renewal shall submit a completed application for a Native Wildlife Rehabilitation Permit with the nonrefundable application fee. The department shall not charge an inspection fee for a permit renewal.~~
  - (B) Permit Renewal Fees. An applicant for a permit renewal shall submit a completed application for a Native Wildlife Rehabilitation Permit with the nonrefundable application fee listed pursuant to subsection 703(c)(2)(B)2. of these regulations. The department shall not charge an inspection fee for a permit renewal.
  - (C) Specialty Rehabilitation Authorization Fees. An applicant for a permit amendment for

specialty rehabilitation authorization shall submit a completed application for a Specialty Rehabilitation Authorization with a nonrefundable application fee and a refundable inspection fee listed pursuant to subsection 703(c)(2)(B)4 of these regulations. The inspection fee shall be refunded if the department denies a permit amendment request and no inspection is performed by the department or its designee.

(D) Permit Amendment Fees. An applicant for a permit amendment for a ~~or~~ new facility change shall submit a completed application for a Native Wildlife Rehabilitation Permit with a refundable inspection fee listed pursuant to subsection 703(c)(2)(B)5 of these regulations. The inspection fee shall be refunded if the department denies a permit amendment request and no inspection is performed by the department or its designee.

(b) Specialty Rehabilitation Authorization. The department may amend a permit to authorize a permittee, their sub-permittee or designee to temporarily possess specialty rehabilitation animals, as defined pursuant to Section 679.1, for the purpose of rehabilitation if such persons meet the following requirements.

(1) Examination. An applicant for specialty rehabilitation animals shall ~~may~~ take the free California state wildlife rehabilitation examination provided by the department pursuant to subsection 679.3(a)(5)(A), specialty rehabilitation section, and shall correctly answer at least 80 percent of the questions to pass the examination.

(2) Application Packet. An applicant shall submit to the department a specialty rehabilitation application packet, in forms provided by the department, via the U.S. Postal Service or overnight carrier to the License and Revenue Branch at P.O. Box 944209, Sacramento, CA 94244, that shall include the following information:

(A) Application form.

1. Applicant and Facility Information. Description of applicant and facility as described in subsection 679.3(a)(6)(A)1 above.
2. Required Experience. Description of the minimum hours of animal care and husbandry experience with animals in the same taxonomic group or closely related taxa of the same Order as the proposed specialty rehabilitation animals, completed within 5 years from the date of request for specialty rehabilitation authorization: 400 hours of large carnivore experience; 250 hours of ungulate experience; 250 hours of experience with any species of eagle or falcon; and 100 hours of venomous reptile experience; or experience that the department determines to be equivalent in California, including start dates and end dates. An applicant shall provide the name, affiliation, telephone number, email, and mailing address of relevant references that the department may contact to verify such experience. Alternatively, the department may consider one credit hour of education in veterinary medicine, biological sciences, wildlife rehabilitation, or similar courses as a substitute for one hour of experience, up to 40 hours of the required experience based on: the number of hours of education and topic of the curriculum; completion of a certificate, degree, or similar qualification; the applicant obtaining the education at an accredited institution or program recognized by the U.S. Department of Education; and submission of relevant original transcript(s) if applicable.
3. Specialty Rehabilitation Animals. A list of proposed specialty rehabilitation animals, and the maximum number of animals by species able to be temporarily possessed at one time in the following categories: large carnivore, ungulate, bald or golden eagle or peregrine or prairie falcon, venomous snake.

4. Declaration of Enclosures. Description of each type of animal enclosures that shall meet the requirements listed in Chapter 2 and Chapter 3 of the ~~Native Wildlife Rehabilitation DFW 679 Regulations~~ Manual as described in subsection 679.3(a)(6)(A)6 above.
5. Qualified Handlers. A list of the following minimum number of qualified handlers as defined taxonomic group or species of proposed specialty rehabilitation animal: large carnivore, ungulate, bald or golden eagle or peregrine or prairie falcon, venomous snake. An applicant shall demonstrate that a qualified handler, that is not the applicant, has completed the following minimum hours animal care and handling experience with animals in the same taxonomic group, or closely related taxa of the same Order, as the proposed specialty rehabilitation animal: 300 hours of carnivore experience; 400 hours of ungulate experience; 100 hours of raptor experience; and 80 hours of venomous snake experience.
6. Facility Operation Protocols. Description of all facility operation protocols that shall include all required information listed pursuant to subsection 679.3(a)(6)(A)7 in writing in a form provided by the department.
67. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
  - (B) Veterinarian of Record Agreement. Written agreement signed by an applicant and a California licensed veterinarian who agrees to be the veterinarian of record under the specialty rehabilitation authorization for an existing permit, in a form provided by the department, as described in subsection 679.3(a)(6)(B) above.
  - (C) Facility Emergency Action Plan. A written plan describing emergency protocol in the event of an evacuation from a proposed facility, in a form provided by the department, as described in subsection 679.3(a)(6)(D) above.
  - (D) Authorization to Access Property. Written authorization, in a form provided by the department, as described in subsection 679.3(a)(6)(E) above.
  - (E) Proof of valid permit or license, or other written documentation demonstrating that an applicant will not be violating any local laws, from a local agency with jurisdiction over zoning that allows an applicant to temporarily possess all proposed specialty rehabilitation animals at the facility.
- (3) Final Approval. The department shall amend a permit to authorize a permittee or their designee to conduct specialty rehabilitation of the animals listed in subsection 679.3(b) if an applicant meets all standards pursuant to these regulations. A permittee or their designee may temporarily possess such specialty rehabilitation animals only at the wildlife rehabilitation facility or satellite facility location approved by the department.
- (c) Sub-Permit. The department may amend a permit to allow a permittee to add a sub-permittee under that permit. A new permittee may request approval from the department to add a sub-permittee no sooner than 12 months from the date the permit was issued by the department.
  - (1) Application Packet. A permittee seeking to add a sub-permittee shall submit to the department, via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov), the information listed in subsections 679.3(a)(5) and 679.3(a)(6)(B) through (F) and the requirements listed below in a form provided by the department:
    - (A) Sub-Permit Application Form.



1. Permittee Information. Full name, mailing address if different, telephone number, email address, ALDS GO ID; facility name, facility physical address, facility telephone number, facility email address, facility website if applicable.
  2. Sub-Permittee Information. Full name, date of birth, mailing address if different, telephone number, email address, ALDS GO ID if applicable; satellite facility name, satellite facility physical address, satellite facility mailing address if different, and satellite facility telephone number.
  3. Required Experience. Demonstrated completion of at least 500 hours of animal care, husbandry, and handling experience, completed within 5 years from the date of the initial request, under the supervision of a permitted wildlife rehabilitator in California; or experience that the department deems equivalent. An applicant shall provide the name, affiliation, telephone number, email, and mailing address of relevant references that the department may contact to verify such experience. The department may consider one credit hour of education as a substitute for one hour of experience, up to 150 hours of the required experience based on the criteria listed in subsection 697.3(a)(6)(A)2a.
  4. Public Contact Information. Satellite facility telephone number, email address, physical address, and website, if applicable, and type of wildlife accepted at the proposed facility that the department will provide as a resource to the public on the department website at <http://wildlife.ca.gov/wildliferehab>.
  5. Proposed Rehabilitation Animals. Maximum number of proposed rehabilitation animals that can be temporarily possessed at any time in the following categories: (i) amphibian, (ii) reptile, (iii) bird, (iv) mammal.
  6. Declaration of Enclosures. Description of each type of animal enclosure that shall meet the requirements listed in Chapter 2 and Chapter 3 of the ~~department's Native Wildlife Rehabilitation~~ DFW 679 Regulations Manual and which includes the following information: length, width, and height in feet and inches; enclosure materials; and photographs, diagrams, blueprints, or other written plans.
  7. Facility Operation Protocols Plan. Description of all facility operation protocols standard operating procedures that shall include all required information listed pursuant to subsection 679.3(a)(6)(A)7 in writing in a form provided by the department.
  8. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
- (2) Approval of Sub-Permit. The department shall amend a permit to add a sub-permit under ~~a~~ the permit if a permittee and sub-permittee meet all requirements pursuant to these regulations.
- (A) A permittee or their designee, or the department or their designee, shall conduct an initial inspection of the proposed satellite facility prior to department approval or denial of such a request pursuant to subsection 679.7(b)(1)(A). A sub-permittee shall not temporarily possess any rehabilitation animal until the department has provided final approval of a sub-permit.
  - (B) A sub-permittee shall operate no more than one satellite facility, located no more than 100 air miles from the physical location of the facility operated by the permittee or their designee, and shall not be listed as a sub-permittee or designee under any other permit.
- (d) Denial of Permit, Sub-permit, or Specialty Rehabilitation Authorization. Unless the department finds an action other than a denial, such as a written warning issued by the department to the permittee or their designee, would likely cause such persons to cure an existing violation or not violate in the

future, the department shall deny approval of a permit, sub-permit, or specialty rehabilitation authorization if an applicant, their designee, sub-permittee, or qualified handler:

- (1) fails to comply with any provision of these regulations, Fish and Game Code Section 1054, or Penal Code Section 597; or
- (2) has violated any law existing in any other state or in any local governing entity, or any federal statute, regulation, or rule, that is related to wild animals, including, but not limited to, 16 USC 1531 (Endangered Species Act), 26 USC 3372 (Lacey Act), or 50 CFR 21 (Migratory Bird Treaty Act); or
- (3) has been convicted of a crime of moral turpitude.

(e) Transition Period. A permittee issued a permit prior to January 1, 2025, pursuant to Section 679, shall be authorized by the department to operate under those requirements until June 30, 2025. Thereafter, a permittee, their sub-permittee, designee, authorized person, and qualified handler shall comply with the requirements listed pursuant to subsections 671.1 and 679.1 through 679.9 of these regulations, notwithstanding a variance approved by the department pursuant to subsection 679.4(c).

NOTE: Authority cited: Sections 200, 1050, ~~2015~~, 2081, ~~2121, 2122, 2150.2~~, 2150.4, 2157, 2192, ~~2835~~, 3005.5, ~~3800 and 4150~~, Fish and Game Code.

Reference: Sections 713, 1008, 2000, 2081, 2118, 2120, 2126, 2150.4, 2186, 2192, 3005.5, 3511, and 3960.4, ~~4800 and 4801.5~~, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

## Proposed Regulatory Language

Section 679.4, Title 14, California Code of Regulations, is hereby added as follows:

**§ 679.4. Facility and Enclosure Standards for Rehabilitation Animals**

(a) Provisions Related to the Operation of a Wildlife Rehabilitation Facility and Satellite Facility.

- (1) Responsibility for Costs Incurred. A permittee, their sub-permittee, or designee shall be responsible for any and all costs incurred in connection with the temporary confinement, temporary possession, treatment, or transportation of any rehabilitation animal while the rehabilitation animal is temporarily confined or temporarily possessed by a such a person.
- (2) Liability. A permittee, their sub-permittee, or designee shall indemnify, defend, and save harmless the State, its officers, agents, and employees from any claims and losses occurring or resulting to any person or property in connection with the capture or treatment, confinement, or transportation of any rehabilitation animal while in the possession of such a person.
- (3) Continuing Education. A permittee, their designee, sub-permittee, authorized persons, and qualified handlers shall complete at least 8 hours of continuing education each year.
- (4) Display or Possession of Permit and Emergency Action Plan. A permittee, their sub-permittee, or designee shall display the permit, or a copy of the permit issued by the department, and any other required permits in a location at the facility that is visible to staff, volunteers, and the public. An authorized person and qualified handler shall retain a copy of the permit in their possession in a location where it can be readily provided to the department or a designee of the department. A permittee, their sub-permittee, or designee shall retain a copy of the facility emergency action plan required pursuant to sub-section 679.3(a)(6)(D) and notify all personnel of its location and content.

(5) Authorized Persons. A permittee, their designee, or sub-permittee shall communicate with an authorized person listed pursuant to subsection 679.3(a)(6)(C) either in writing by email, or by telephone, at least once every 7 calendar days regarding the status, condition, and welfare of each rehabilitation animal under the care of the authorized person.

(A) A permittee, their designee, or sub-permittee shall provide an authorized person with the medical records and a plan for the care of each rehabilitation animal that includes instructions for the feeding and care of that animal. An authorized person shall adhere to a plan for the care of each rehabilitation animal provided by the permittee, their designee, or sub-permittee.

(B) An authorized person shall not possess an animal for more than 180 days except pursuant to subsection 679.5(b)(7).

(C) An authorized person shall transfer a rehabilitation animal to the permittee, their designee, or sub-permittee, or the department, within a time period designated by the permittee, their designee, or sub-permittee, or the department, if the permittee, their designee, or sub-permittee, or the department requires the rehabilitation animal to undergo a physical examination, humane euthanasia, or for any reason required to protect the welfare of the animal, native wildlife, human health, and human safety.

~~(5)~~ (6) Required Records. A permittee, their designee, sub-permittee, authorized person, and qualified handler shall maintain all required records, whether written or electronic, for at least 5

years unless otherwise specified by the department or otherwise stated by these regulations. All records shall be written in English, and a permittee, their designee, sub-permittee, authorized person, and qualified handler may keep duplicate records written in other languages.

(A) Annual Report. A permittee or their designee shall submit an annual report to the department via email at [RehabWildlife@wildlife.ca.gov](mailto:RehabWildlife@wildlife.ca.gov), no later than January 31, for the prior calendar year even if no rehabilitation animals were temporarily possessed, in a form provided by the department, that shall include the following information:

1. Permittee information: Full name, ALDS GO ID, telephone number, email address, physical address, mailing address if different, facility name, and facility physical address;
2. Summary of patient outcome: List of patient outcomes, by taxonomic group, categorized as Released (R), Transferred to other facility (T), Euthanized (E), Died in Care (D), Dead on Arrival (DOA), Reunited with Parent (RU), Remains in Care (RIC);
3. Wild animal intakes. List of intakes by species or common name, patient outcome, and total number of animals received by species;
4. Rehabilitation raptor transfers to licensed falconers. List of any rehabilitation raptor temporarily transferred to a licensed falconer pursuant to sub-section 679.5(b)(5).
5. Continuing education. Brief description of training and continuing education hours completed by all persons required under the permit;
6. Non-releasable wildlife. List of non-releasable animals possessed pursuant to Section 671.1, or these regulations, or other authorization by the department.
7. Acknowledgement and signature. Certify that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.

(B) Availability of Records. Except as provided in sub-section 679.7(a), a permittee, their sub-permittee, designee, authorized person, and qualified handler shall make all required records available to the department within 3 calendar days of such a request from the department.

~~(6)~~ (7) Operational Changes Administrative Updates. A permittee, or their designee, or sub-permittee shall notify the department in writing via email at [RehabWildlife@wildlife.ca.gov](mailto:RehabWildlife@wildlife.ca.gov) of ~~any of the following changes under a permit~~ the need for an administrative update to a permit or sub-permit for any of the following changes:

(A) written notification to the department no later than 10 calendar days after any change of the name, mailing address, telephone number, or email address of a wildlife rehabilitation facility or satellite facility.

(B) written notification to the department at least 15 calendar days prior to any foreseeable removal or change in ~~designee, sub-permittee, qualified handler, or~~ veterinarian of record. ~~It shall be the sole responsibility of the~~ A permittee or their designee, and their sub-permittee, shall to ensure that a valid and accurate Veterinarian of Record is listed on a permit and sub-permit at all times, except if a licensed veterinarian is removed for any reason that could not reasonably be foreseen. A permittee, their designee, or their sub-permittee shall have 30 calendar days to submit to the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov), in a form provided by the department, a new Veterinarian of Record pursuant to subsection 679.3(a)(6)(B).

(C) Changes specified in (a)(7) of this section are administrative updates that do not constitute an amendment to a permit or sub-permit and the department shall not charge a fee for such administrative updates as listed pursuant to subsection 703(c)(2)(B).

~~(7)~~(8) Compliance With Other Restrictions. These regulations, or any permit issued pursuant thereto, do not authorize the take or possession of any wild animal in violation of the Fish and Game Code, regulations adopted pursuant thereto, or any other law.

~~(8)~~(9) Notification of Fully Protected Species Intake. A permittee, their sub-permittee, designee, authorized person, or qualified handler shall notify the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) or by telephone at (916) 358-2790 within 24-hours of receiving any live or dead gray wolf (*Canis lupus*) or California condor (*Gymnogyps californianus*), notwithstanding any state or federally listed species that shall be reported to the department within 5 calendar days including the following live or dead animals: ~~from the public a black bear (*Ursus americanus*), mountain lion (*Puma concolor*), gray wolf (*Canis lupus*), wolverine (*Gulo gulo*), ringtail (*Bassariscus astutus*), Sierra Nevada red fox (*Vulpes vulpes necator*), Sacramento Valley fox (*Vulpes vulpes patwin*), island fox (*Urocyon littoralis*), San Joaquin kit fox (*Vulpes macrotis mutica*), golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*), and California condor (*Gymnogyps californianus*).~~

(A) Amphibians and Reptiles. California tiger salamander (*Ambystoma californiense*), blunt-nosed leopard lizard (*Gambelia silia*), San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), giant garter snake (*Thamnophis gigas*), California red-legged frog (*Rana draytonii*); desert tortoise (*Gopherus agassizii*), Banded gila monster (*Heloderma suspectum cinctum*); and

(B) Birds. Greater sandhill crane (*Grus canadensis tabida*), Northern spotted owl (*Strix occidentalis caurina*); and

(C) Mammals. Wolverine (*Gulo gulo*), ringtail (*Bassariscus astutus*), Sierra Nevada red fox (*Vulpes vulpes necator*), Sacramento Valley red fox (*V. vulpes patwin*), San Joaquin kit fox (*V. macrotis mutica*), island fox (*Urocyon littoralis*), riparian brush rabbit (*Sylvilagus bachmani riparius*), giant kangaroo rat (*Dipodomys ingens*), San Joaquin kangaroo rat (*D. nitratoides* spp.), Pacific marten (*Martes caurina*), fisher (*Pekania pennantia*).

(10) Notification of Specialty Rehabilitation Animal Intake. A permittee, their sub-permittee, designee, authorized person, or qualified handler shall notify the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) or by telephone at (916) 358-2790 within 24-hours of receiving for intake any of the following live or dead animals: Black bear (*Ursus americanus*), mountain lion (*Puma concolor*), deer (*Odocoileus hemionus*), pronghorn (*Antilocapra americana*), elk (*Cervus canadensis*), wild sheep (*Ovis canadensis*), golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*). At the direction of the department, a permittee, their sub-permittee, designee, authorized person, or qualified handler shall perform one of the following actions: temporarily confine the animal until the department or a permittee, their sub-permittee, or designee with specialty rehabilitation authorization for that animal, can take possession of the animal; transport the animal to the department or a location the department deems necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests; immediately release the animal at the location where it was found; or humanely euthanize the animal.

(b) Enclosure Requirements. A permittee, their sub-permittee, designee, authorized person, and qualified handler shall maintain enclosures in compliance with the requirements listed in the ~~Native Wildlife Rehabilitation~~ DFW 679 Regulations Manual; and such persons shall comply with the following:

(1) All enclosures shall be fully enclosed with walls and a roof or ceiling, unless otherwise specified by the department, to protect native wildlife, animal welfare, human health and safety, and

agricultural interests. Enclosures shall be secured at all times to prevent ingress or egress by any wild or domestic animal and be free of any object or substance that could foreseeably cause injury or harm to any rehabilitation animal.

- (2) Conspecific or non-conspecific rehabilitation animals that naturally co-occur may be held in the same enclosure provided that the welfare of each animal is maintained, and all requirements are met pursuant to these regulations.
  - (3) No person shall allow any rehabilitation animal to propagate.
  - (4) All enclosures shall have sufficient drainage to prevent standing water from accumulating, except for pools or drinking water required pursuant to the DFW 679 Native Wildlife Rehabilitation Manual.
  - (5) All enclosures shall maintain the range of ambient air temperature, and adequate ventilation, that is necessary to ensure the welfare of each rehabilitation animal.
  - (6) Visual and physical separation shall be maintained between a rehabilitation animal and personal domestic animals, non-conspecific rehabilitation animals, and restricted species except where otherwise permitted in these regulations.
  - (7) Written protocols to prevent and respond to escape of the following specialty rehabilitation animals shall be clearly posted on the enclosure: large carnivores, ungulates, and venomous snakes.
  - (8) All enclosures shall be labeled in writing with an enclosure identifier, such as name or number, and such persons shall maintain a list that identifies the location and type of enclosure (neonate, limited mobility, pre-release conditioning), as a required record
- (c) Variances to Enclosure Requirements. A permittee, their sub-permittee, or designee shall submit to the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) a request for variance of any enclosure construction required in these regulations or the DFW 679 Native Wildlife Rehabilitation Manual.
- (1) A permittee, their sub-permittee, or designee shall provide, in a form provided by the department, the following information:
    - (A) Applicant information. Full name, ALDS GO ID, telephone number, email address, physical address, and mailing address if different;
    - (B) Location of requested variance. Provide location of variance as the wildlife rehabilitation facility, satellite facility, or other location (authorized person).
    - (C) Category of variance. Provide category of variance as minimum size, maximum number of animals, construction design or materials, or location change.
    - (D) Type of variance. Provide type of variance as new construction, existing construction, or modification of existing construction, and a brief description of the request.
    - (E) Reasons for request. List reason for the variance request as the requirement will result in undue hardship due to physical limitations, excessive cost, and/or other restrictions.
    - (F) Acknowledgement and signature. Certify that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
  - (2) The department shall review a written request for a variance to enclosure requirements and provide notification of variance approval or denial, and any terms and conditions imposed by the department, in writing to the requestor within 15 calendar days of receiving all required information from a permittee, their sub-permittee, or designee. The department may provide

written approval to the requestor to continue using an enclosure that is the subject of the variance request during the variance request review if the department finds that the conditions necessary to protect animal welfare, human health, and human safety shall be met during the review process.

~~(2)~~(3) The department shall approve an enclosure variance request if it finds that the overall security and welfare of a rehabilitation animal shall be maintained and that the requirement will result in an undue hardship to the permittee, their sub-permittee, designee, qualified handler, or authorized person. The department may add terms or conditions to the variance if the department determines that such terms or conditions are necessary to protect native wildlife, animal welfare, human health and safety, or agricultural interests. Enclosures subject to an approved variance may deviate from otherwise applicable regulations only so far as is specified in the variance; all other regulations outside the bounds of the variance must be observed. A permittee, their sub-permittee, or designee shall maintain written or electronic documentation of an approved variance as a required record.

~~(3)~~(4) The department shall deny an enclosure variance request if it finds that the overall security and welfare of a rehabilitation animal will not be maintained, or that the requirement will not result in an undue hardship to the permittee, their sub-permittee, designee, qualified handler, or authorized person. At the direction of the department, a permittee, their sub-permittee, or designee shall either modify the enclosure that is the subject of the variance request, or remove and replace it with an enclosure that meets the requirements of these regulations and the DFW 679 Manual, and passes an inspection pursuant to Section 679.7, or transfer all rehabilitation animals to another facility. A requestor whose variance request is denied may submit a written request for reconsideration to the department pursuant to sub-section 679.9(e).

~~(4) Notification of variance approval or denial, and any terms and conditions imposed by the department, shall be provided in writing to the requestor. A permittee, their sub-permittee, or designee shall provide documentation of an approved variance to enclosure requirements to any inspector. An approved variance is a required record and shall be retained for as long as the enclosure is possessed; all variances granted to a permittee, their sub-permittee, or designee are incorporated into their permit.~~

(d) Violations. A violation of any provision of Chapter 2 of the DFW 679 Manual shall be considered a violation of this section.

NOTE: Authority cited: Sections 200, 1050, ~~2045,~~ 2081, 2120, 2121, 2122, 2127, 2150, 2150.4, 2192, ~~2835,~~ 3005.5, 3800, ~~and 4150,~~ and 5050, Fish and Game Code.

Reference: Sections 1008, 1801, 2000, 2118, 2120, 2123, 2150.4, 2186, 3511, 3960.4, 4800, ~~and 4801.5~~ and 12159, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

## Proposed Regulatory Language

Section 679.5, Title 14, California Code of Regulations, is hereby added as follows:

**§ 679.5. Humane Care Standards**

- (a) Care of Rehabilitation Animals. A permittee, their sub-permittee, designee, authorized person, and qualified handler, and any employee or volunteer supervised by such persons, shall comply with the following provisions:
- (1) Animal Care. All care shall be based on the age class and condition of the rehabilitation animal in a manner that is consistent with that species.
  - (2) Food. Each rehabilitation animal shall be provided food in sufficient quantity and nutritive value to improve or maintain the health and welfare of the rehabilitation animal. Food shall be provided in a manner consistent with the species and its stage of rehabilitation. Food receptacles shall be kept clean and sanitary to prevent mold, contamination, and deterioration of food.
  - (3) Water. Each rehabilitation animal shall be provided fresh drinking water that is available as often as necessary to improve or maintain the health and welfare of the animal, based on the stage of rehabilitation of that animal. Water receptacles shall be kept clean and sanitary to prevent mold and contamination.
  - (4) Handling. A rehabilitation animal shall be handled only by a person using personal protective equipment in compliance with the requirements in the DFW 679 Native Wildlife Rehabilitation Manual, and in a manner to minimize stress or physical harm to the animal. Every reasonable effort shall be made to prevent the habituation or mal-imprinting of a rehabilitation animal. A permittee, their sub-permittee, designee, authorized person or qualified handler shall not allow a member of the public to handle a rehabilitation animal.
  - (5) Biosafety Protocol Plan. A protocol plan to prevent and control parasites, diseases of concern, other communicable diseases, vectors, and pathogens shall be maintained that includes the following required information: a cleaning and disinfecting schedule for each area of the facility, enclosures, food and water receptacles, and enrichment items, use of proper personal protective equipment, and use of proper preexposure and postexposure prophylaxis. Organic waste material shall be removed from enclosures as often as necessary to improve or maintain the health and welfare of the animal and to avoid habituation or mal-imprinting of the animal.
  - (6) Egg Incubation. A permittee, their sub-permittee, or designee may incubate native avian eggs for the purposes of rehabilitation, except for eggs of unknown species or origin. This section shall not preclude the need to obtain other valid permits, such as a federal migratory bird or scientific collecting permit.
  - (7) Public Display. A rehabilitation animal shall only be depicted in a public facing photograph or video under conditions that are consistent with the natural life history and behaviors of that species or showing the animal receiving appropriate medical treatment and only publicly referenced by intake number, common species or scientific name. A rehabilitation animal temporarily possessed as a result of a law enforcement action or suspected violation of any law shall not be publicly referenced for any purpose.



(8) Notification Requirement for Diseases of Concern. Except as provided below, ~~such persons a~~ permittee, their sub-permittee, designee, or qualified handler shall notify the appropriate public agency, in writing or by telephone, within 5 calendar days of suspecting any rehabilitation animal of having a disease of concern listed in the DFW 679 Native Wildlife Rehabilitation Manual and shall include the following information: common or scientific name, sex if known, age class, suspected disease of concern, date and location found, and any known human or domestic animal exposure.

(A) Reporting to the Department. Such persons shall notify the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov), within 24 hours of suspecting any rehabilitation animal or carcass of having a disease of concern for which the department is the appropriate public agency to notify. The department shall provide instructions in writing via email to the reporting party, within 7 calendar days of receiving such a notification. The department shall instruct a reporting party to euthanize or transfer the rehabilitation animal, or dispose of or transfer the carcass, to the department or other location based on the necessity to protect native wildlife, human health and safety, or agricultural interests; such a rehabilitation animal or carcass shall be retained by the reporting party until instructed by the department, or up to 15 calendar days after providing such notification.

(B) Rabies. Such persons shall confine in isolation for 30 calendar days, or euthanize pursuant to sub-section 2606(c) of Title 17, any rehabilitation animal showing clinical signs or symptoms consistent with rabies or that has been in physical contact with a known rabid animal. Any rehabilitation animal that has bitten a human and shows clinical signs or symptoms consistent with rabies or has been in physical contact with a known rabid animal, shall be euthanized and tested for rabies with the local public health department.

(C) Chronic Wasting Disease. Such persons shall confine in isolation for 10 calendar days from its date of intake an ungulate specialty rehabilitation animal in an indoor enclosure, notwithstanding an ungulate specialty rehabilitation animal that is euthanized and tested for chronic wasting disease with the department.

1. A permittee, their designee, sub-permittee, or qualified person shall euthanize an ungulate specialty rehabilitation animal upon intake if it shows clinical signs or symptoms consistent with a disease of concern, or if the location found and county of origin is not known, and notify the department pursuant to subsection 679.5(a)(8)(A) herein.

2. A permittee, their designee, sub-permittee, or qualified person shall not transfer to any person, or release to the wild, an ungulate specialty rehabilitation animal outside of its county of origin.

3. A permittee, their designee, sub-permittee, or qualified person shall only temporarily possess for the purpose of rehabilitation an ungulate specialty rehabilitation animal between March 1 and October 31 of each calendar year; such persons shall either release to the wild within its county of origin at the location found a healthy ungulate specialty rehabilitation animal, or euthanize an ungulate specialty rehabilitation animal, no later than October 31 of that calendar year.

4. A permittee, their designee, sub-permittee, or qualified person may accept for intake an ungulate specialty rehabilitation animal at any time to euthanize and notify the department, pursuant to subsection 679.5(a)(8)(A) herein, to test for chronic wasting disease.

- (9) Notification Requirement for Violations Related to Animals. Such a person shall report to the department by telephone at (888) 334-2258, or via text to 847411 (tip411) by texting "CALTIP", within 48 hours of becoming aware of a rehabilitation animal suspected to have been intentionally harmed in violation of Penal Code Section 597, or a violation of Fish and Game Code. A reporting party may report a suspected violation of any law to a local law enforcement agency, in addition to reporting to the department.
- (10) Import and Export of Rehabilitation Animals. No permittee, their sub-permittee, designee, authorized person, qualified handler, or any other person shall export to another state, or import from another state, a rehabilitation animal, without prior written notification to the department and written approval from the applicable state agency of the exporting/importing state. A permittee, their sub-permittee, designee, authorized person, or qualified handler may accept a wild animal that was imported by a person and is in need of rehabilitation. This section does not supersede other required state or federal permits.
- (b) Treatment of Wildlife in Possession. A permittee, their sub-permittee, designee, authorized person, and qualified handler shall comply with the following requirements for the treatment of rehabilitation animals:
- (1) Medical Care. A person shall not perform any procedure on a rehabilitation animal that is likely to fail to improve or maintain the welfare of the animal; permanently impair the ability of the animal to survive on its own in the wild; or permanently physically alter the animal and is not medically necessary, such as spaying or neutering, without written prior approval from the department.
- (2) Standing Order. A permittee, their sub-permittee, designee, authorized person, or qualified handler, and any employee or volunteer supervised by such a person, shall adhere to the written standing protocol, provided by a California licensed veterinarian acting within the scope of their professional licensure, for routine medical care to treat a taxonomic group or species of rehabilitation animal based on the animal condition, age class, and life history of a specific rehabilitation animal.
- (3) Medications. A permittee, their sub-permittee, designee, authorized person, or qualified handler, and any employee or volunteer supervised by such a person, shall administer, store, track, and dispose of all medications, including controlled drugs, in accordance with state and federal laws. Controlled drugs shall be kept in a safe and locked place that is only accessible to such person or staff or volunteer supervised by such person.
- (4) Raptor Rehabilitation. A permittee, their sub-permittee, or designee may temporarily transfer a rehabilitation raptor to a California general or master falconer licensed pursuant to sub-section 670(e)(6)(C) and approved by the department as a sub-permittee pursuant to sub-section 679.3(b) and (c), for the purpose of rehabilitation under the requirements listed pursuant to these regulations. A rehabilitation raptor shall not be listed under a falconry license and shall remain solely under a permit issued pursuant to Section 679.3. A California general or master falconer shall release to the wild a rehabilitation raptor pursuant to subsection 670(h)(3) or return a rehabilitation raptor to the permittee or their designee no longer than 180 calendar days from the date of initial intake by the permittee or their designee.
- (A) A permittee or their designee shall provide a licensed general or master falconer with written authorization, as a required record, for the temporary transfer of a rehabilitation raptor that shall include the following information:

1. Transfer Information. Date of temporary transfer; permittee full name, telephone number, email address, physical address, and mailing address, if different; licensee full name, telephone number, email address, physical address, and mailing address, if different; physical address where the rehabilitation raptor will be temporarily transferred.
  2. Animal Information. Common or species name; age class; sex, if known; date of initial intake; animal intake number or permanent identifier, if applicable; medical condition(s) of the animal, if applicable; and estimated total length of rehabilitation, for the purposes of release to the wild, not to exceed 180 calendar days from the date of initial intake, notwithstanding approval by the department for long-term possession pursuant to subsection 679.5(a)(6).
- (5) Surrogate Animal. A permittee, their sub-permittee, or designee may use a wild animal possessed by a permittee, their sub-permittee, or designee to provide parental care to a conspecific neonate or juvenile rehabilitation animal for the purpose of the animal's release to the wild. A surrogate animal shall be used for a conspecific neonate or juvenile rehabilitation animal for a period not to exceed 90 calendar days in a calendar year. An animal shall not be used as a surrogate animal in a manner that harms the welfare of that animal.
- (6) Patient Record. A permittee, their sub-permittee, designee, authorized person, or qualified handler shall maintain a record of each rehabilitation animal that shall include, but not be limited to, the following information:
- (A) Intake History. Intake documentation that shall include the following information: date and time of intake; full name and telephone number of the person who transferred the animal if known; date and location where animal was found, if known; and dates of transfer, if applicable.
  - (B) Animal Information. Animal information documentation shall include the common species name or scientific name; age class and sex, if known; animal identification number; temporary bands, tags, or marks, or permanent identifier, if applicable; physical examination findings, medical condition, and treatment plan; type and dates of treatment; full name or initials of persons providing such treatment; and dates of transfer, if applicable.
  - (C) Patient Outcome. The outcome of each rehabilitation animal shall be documented in writing and listed as: (R) release to the wild, (T) transferred to another facility, (P) pending and remains in care, (E) euthanized, (D) died in care, (DOA) dead on arrival, or (RU) reunited with parent.
- (7) Long-Term Possession. Except as provided below, such a person shall not possess a rehabilitation animal for longer than 180 calendar days from the date of initial intake. Such a person may submit a request to the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) for approval to possess a rehabilitation animal for longer than 180 calendar days to improve and maintain the welfare of the animal. The department shall require such a person to provide the patient record, a written plan for care of the animal, and the estimated date of release to the wild.
- (A) Approval of a Request. The department shall approve a request to temporarily possess a rehabilitation animal for longer than 180 calendar days if the department determines that such approval is necessary to improve or maintain the welfare of the animal. The approval shall authorize temporary possession of the animal until the estimated date of release to the wild, unless the department determines that such duration should be shortened or extended to protect native wildlife, animal welfare, human health and safety, or agriculture interests. The department shall notify the requestor, in writing via email, of the approval or denial to

temporarily possess a rehabilitation animal for longer than 180 calendar days within 15 calendar days of receipt of the request.

- (B) Denial of a Request. The department shall deny a request to temporarily possess a rehabilitation animal for longer than 180 calendar days if the department determines that such approval will harm the welfare of the animal. That animal shall be seized in place, transferred, humanely euthanized, or released to the wild pursuant to Section 679.8(c).
- (c) Animals not Released to the Wild. A permittee, their sub-permittee, or designee shall either euthanize or request to the department placement at a permitted facility, a rehabilitation animal that cannot be ~~returned~~ released to the wild pursuant to Section 679.6.
- (1) Euthanasia. A permittee, their sub-permittee, or designee shall euthanize a rehabilitation animal using the euthanasia methods listed in the DFW 679 Native Wildlife Rehabilitation Manual.
- (A) A permittee, their sub-permittee, or designee shall require a person performing euthanasia of any rehabilitation animal to receive the following minimum hours of euthanasia training:
  - 1. 2-hours training on euthanasia methods that do not require the use of a controlled drug, provided by a permittee, their designee, or sub-permittee, or an individual approved by such persons; or
  - 2. 4-hours training on euthanasia methods that require the use of a controlled drug excluding sodium pentobarbital, provided by a licensed veterinarian, registered veterinary technician, or an individual certified by the California Animal Welfare Association or similar organization; or
  - 3. 8-hours training on euthanasia methods that require administering of sodium pentobarbital without the presence of a licensed veterinarian, provided by a licensed veterinarian, registered veterinary technician, or an individual certified by the California Animal Welfare Association.
- ~~(B) A permittee, their designee, and sub-permittees shall dispose of the carcass of a rehabilitation animal that has been chemically euthanized using one of the following methods: incineration at a qualified facility; rendering at a qualified facility; burying to a minimum depth of 6 foot; transfer to an entity with a permit or authorization to possess; or transfer to the National Eagle Repository at the direction of the U.S. Fish and Wildlife Service.~~
- (2) Permanent Placement. A permittee, their sub-permittee, or designee may request to the department, in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov), approval for placement of a rehabilitation animal that is considered by the requestor to be unsuitable for release to the wild.
- (A) Request for Placement. A requestor shall submit to the department the following information, in a form provided by the department:
  - 1. Requesting Party. Full name, GO ID number, physical address, mailing address if different, telephone number, email address, and facility name if applicable.
  - 2. Animal Identification. Intake date; animal intake number; common species or scientific name; age/age class; sex; weight; and microchip, tag, or other identifier if applicable.
  - 3. Animal Examination. Date of last examination that shall be performed no later than 30 calendar days from the date of request; full name, telephone number, email address, title, veterinarian or registered veterinary technician license number if applicable, and signature of person performing examination.

4. Animal Condition. List and provide a brief description of conditions that may prevent the animal from surviving in the wild: permanent visual impairment; amputated limb, foot, or wing; permanent damage to skin, scale, scute, fur, or feathers; permanent inability to display the physical ability needed to survive in the wild and brief description; permanent inability to display the natural life history behaviors of its species and brief description; permanent spinal injury, paralysis, or paresis.
5. Animal Welfare. List of requirements needed to maintain the welfare of the animal: temporary or long-term medication, temporary or long-term medical treatment, enclosure modification, special diet, modified feeding, must be housed with other animals, must be housed alone.
6. Suggested Placement Option. A requestor may provide one or more suggested placement options for consideration by the department at its sole discretion.

(B) Department Consideration of Request. The department shall review a written request for placement of a rehabilitation animal and respond to the requestor in writing via the email address provided by the requestor within 15 calendar days of receiving all required information from a permittee, their sub-permittee, or designee. The request shall demonstrate that the conditions required to protect the welfare of the animal, native wildlife, human health, and human safety are met. The department shall require an additional examination by a California licensed veterinarian, or other person identified by the department, if the department determines that an examination is necessary to fully assess the condition of the animal.

(C) Department Approval or Denial of Request.

1. The department shall approve placement of a rehabilitation animal if the department determines that the requirements of sub-section (c)(2)(A) have been met and the department has identified a suitable facility for placement.
2. The department shall deny placement of a rehabilitation animal if the department determines that the requirements of sub-section (c)(2)(A) have not been met and the department determines that release to the wild, transfer to another facility, or euthanasia of the rehabilitation animal is most appropriate.

(d) Use of Rehabilitation Animals for Scientific or Educational Purposes. A permittee, their sub-permittee, designee, authorized person, qualified handler, and any employee or volunteer supervised by such persons, shall not transfer, take, or possess the carcass or parts thereof of any rehabilitation animal for scientific, educational, and/or propagation purposes except as authorized by the department pursuant to Section 251.4 (mountain lion carcass or parts thereof), Section 650, or other sections of the Fish and Game Code or regulations adopted pursuant thereto.

(e) Violations. A violation of any provision of Chapter 3 of the DFW 679 Manual shall be considered a violation of this section.

NOTE: Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, 2122, 2150.4, 2157, ~~2835~~, 3005.5, 3800, and 4150, Fish and Game Code.

Reference: Sections 1008, ~~4018~~, 1801, 2000, 2120, 2126, 2150.4, 2186, 2190, 3005, 3861, 3960.4 and 4801.5, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

## Proposed Regulatory Language

Section 679.6, Title 14, California Code of Regulations, is hereby added as follows:

**§ 679.6. Release of Rehabilitation Animals to the Wild**

- (a) Evaluation for Release. A permittee, their sub-permittee, or designee shall evaluate a rehabilitation animal to determine if it can be released to the wild, in accordance with Section 671.6, using the following release criteria: the animal does not have ~~has~~ a condition that will likely prevent the animal from surviving in the wild; the animal ~~cannot~~ display the natural life history behavior of its species needed to survive in the wild; the animal is not ~~not~~ observed to be habituated or mal-imprinted; ~~or~~ and the animal is not known or suspected to have a disease of concern listed in Chapter 3 of the DFW 679 Native Wildlife Rehabilitation Manual ~~Except for a non-releasable rehabilitation animal that has been euthanized, a permittee, their sub-permittee, or designee shall request consideration for placement of the animal by the department pursuant to Section 679.5(c)(2).~~
- (b) Requirements for Release. A permittee, their sub-permittee, designee, authorized person, or qualified handler shall release a rehabilitation animal that meets all the requirements of subsection (a) above to suitable habitat in the wild nearest to its place of origin if known. ~~and shall consider the following conditions when releasing the rehabilitation animal: acclimation to the weather and seasonal timing of release, natural life history requirements to survive such as social, territorial, and migratory needs.~~
- (1) Obtaining permission for release on state-owned or private property. A permittee, their sub-permittee, designee, authorized person, or qualified handler shall obtain verbal or written permission from the owner of a state-owned or private property, or a duly authorized representative of the owner, to release a rehabilitation animal by such persons, or a person approved by such person, on the property prior to such a release.
- (2) Evaluating conditions for release. A permittee, their sub-permittee, designee, authorized person, or qualified handler shall evaluate and consider the following conditions prior to release of any rehabilitation animal to the wild: acclimation to environmental conditions, suitability of habitat at location found, seasonal timing of release, and natural life history requirements to survive such as ecological, migratory, social, and territorial needs.
- ~~(2)~~(3) Release of specialty rehabilitation animals. A permittee, their sub-permittee, or designee, or the department, shall collar or tag a large carnivore or ungulate rehabilitation animal prior to its release to the wild at a location provided selected by the department ~~in writing~~. Such a person may obtain such a location by contacting the department in writing via email at Rehabwildlife@wildlife.ca.gov.
- (A) The department shall provide to such persons a mark, collar, or tag as described above; the process to mark, collar, or tag the rehabilitation animal; the intended use and management of collected data; and a list of personnel trained to mark, collar, or tag any rehabilitation animal.
- (B) A permittee, their sub-permittee, or designee shall request to the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) for the department to review any public statement, photograph, or video of the intake or release of any large carnivore or ungulate rehabilitation animal at least 10 calendar days prior to the release of such public information. A permittee, their sub-permittee, or designee shall not disclose the description of the mark, collar, or tag of any large carnivore and ungulate rehabilitation animal; or the physical location, or a landmark that may be reasonably used to infer the physical location, of the site of origination or release of any large carnivore and ungulate rehabilitation animal.

~~(3)~~ (4) Release of rehabilitation amphibians or reptiles. A permittee, their sub-permittee, ~~or~~ designee, authorized person, or qualified handler shall release to the wild a rehabilitation animal of any species of amphibian or reptile ~~to suitable habitat in the wild~~ at the location where it was found, if known, or at a location provided by the department in writing if the location where found is not known or if the location found is not suitable habitat for release to reduce the risk of disease to healthy populations of that species. Such a person may obtain such a location by contacting the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov).

(5) Release of fully protected species. A permittee, their sub-permittee, designee, authorized person, or qualified handler shall release to the wild a rehabilitation animal of any fully protected species at the location where it was found, if known, or at a location provided by the department in writing if the location where found is not known or does not provide suitable habitat, to protect animal welfare and native wildlife and to reduce the risk of disease to healthy populations of that species. Such a person may obtain such a location by contacting the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov).

(c) Animals not Native to California. A permittee, their sub-permittee, designee, authorized person, or qualified handler shall not temporarily possess for the purposes of rehabilitation, or release to the wild, any of the following species not native to California: ~~invasive species or exotic game animal: wild pig (*Sus scrofa*), nutria (*Myocastor coypus*), American bullfrog (*Lithobates catesbeianus*), African clawed frog (*Xenopus laevis*), common coqui (*Eleutherodactylus coqui*), red-eared slider (*Trachemys scripta elegans*), watersnake (*Nerodia* species), barred owl (*Strix varia*), pin-tailed whydah (*Vidua macroura*), or mute swan (*Cygnus olor*); or any red fox suspected to be not native to California, unless determined by the department or its designee to be a Sierra Nevada red fox (*Vulpes vulpes necator*) or Sacramento Valley red fox (*Vulpes vulpes patwin*) native to California.~~

(1) Any mammal or exotic game mammal species suspected to be not native to California including wild pig (*Sus scrofa*), nutria (*Myocastor coypus*), European ferret (*Mustela putorius furo*), hedgehog (*Atelerix* or *Hemiechinus* species), European fallow deer (*Dama dama*), or any red fox unless determined by the department or its designee to be a Sierra Nevada red fox (*Vulpes vulpes necator*) or Sacramento Valley red fox (*Vulpes vulpes patwin*) native to California;

(2) Any bird species suspected to be not native to California including barred owl (*Strix varia*), pin-tailed whydah (*Vidua macroura*), scaly-breasted munia (*Lonchura punctulata*), whiteeyes (*Zosterops* species) or mute swan (*Cygnus olor*).

(3) Any reptile species suspected to be not native to California including any slider (*Trachemys* species), softshell turtle (*Apalone* species), common snapping turtle (*Chelydra* species), alligator snapping turtle (*Macrochelys* species), watersnake (*Nerodia* species), anoles (*Anolis* species), geckos (*Hemidactylus* or *Tarentola* species), or any *Python* species.

(4) Any amphibian species suspected to be not native to California including American bullfrog (*Lithobates catesbeianus*), African clawed frog (*Xenopus laevis*), common coqui (*Eleutherodactylus coqui*), Axolotl (*Ambystoma mexicanum*).

NOTE: Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, 2122, 2150.4, 2157, 2189, 2835, 3005.5, 3800 and 4150, Fish and Game Code.

Reference: Sections 1008, 1801, ~~and~~ 2118, 2123 and 2186, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

## Proposed Regulatory Language

Section 679.7, Title 14, California Code of Regulations, is hereby added as follows:

**§ 679.7. Inspection of Wildlife Rehabilitation Facilities**

(a) Inspections by the Department.

(1) Inspections During Application Processes. The department shall conduct an inspection of any wildlife rehabilitation facility, satellite facility, enclosure, equipment, and required record belonging to or in the possession of, and any rehabilitation animal and part of a rehabilitation animal confined or possessed by any applicant pursuant to subsection 679.3(a); a permittee, their sub-permittee, or designee who requests a permit amendment pursuant to sub-section 679.3(a)(9); an applicant, permittee, their sub-permittee, or designee who request a variance pursuant to sub-section 679.4(c).

(A) The department shall document in writing, in a form provided by the department, the following information during an inspection:

1. Reason for Inspection. New permit, permit renewal, sub-permit, re-inspection, specialty rehabilitation authorization, and/or variance.
2. Personal Information. Full name, permittee name if different, ALDS GO ID, federal permit if applicable, physical address, mailing address if different, telephone number, and email address.
3. Facility Information. Facility name and physical address; property use type (owner, tenant, other); number of staff, volunteers, sub-permittees, authorized persons, and qualified handlers; taxonomic group of rehabilitation animals, specialty rehabilitation animals if applicable.
4. Inspection Requirements. Facility, humane care, and treatment requirements pursuant to sections 679.3, 679.4, and 679.5, and Chapter 2 and Chapter 3 of the ~~Native Wildlife Rehabilitation~~ DFW 679 Regulations Manual.
5. Enclosures Inspection. Enclosure requirements and pre-release enclosure minimum size requirements pursuant to Section 679.4 and Chapter 2 of the ~~Native Wildlife Rehabilitation~~ DFW 679 Regulations Manual.
6. Inspection Notes. Items that fail to meet requirements; items that exceed requirements; other items observed during inspection.
7. Inspection Determination. Pass, fail (recommend reinspection), fail (recommend permit denial), fail (recommend permit revocation).
8. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.

(B) The department shall conduct an inspection during a reasonable time of the day and any day of the week when a permittee, their sub-permittee, or designee, or an applicant, are present and such a person shall allow the department access to inspect any area of a facility, enclosure, equipment, required records, and rehabilitation animal and parts thereof during the inspection.

(C) Except as provided in sub-sections 679.3(a)(9) and (c)(3) and 679.9, the department may provide a permittee, their sub-permittee, or designee that has failed an inspection in writing via email, or the U.S. Postal Service, or overnight carrier, a list of the changes required to attain compliance within 45 calendar days of the notification date and the process to determine the date and time of a re-inspection of any required changes.



1. Request for Extension. A permittee, their sub-permittee, or designee may request to the department, in writing via email at RehabWildlife@wildlife.ca.gov, up to an additional 30 calendar days to implement the required changes no later than 5 calendar days before the 45-day deadline described in sub-section 679.7(a)(3)(A). The department shall approve such a request in writing via email, within 5 calendar days of receiving the request from a permittee, their sub-permittee, or designee, if the department determines that the requester can reasonably implement the required changes within the requested extension of time, and that such an approval will not harm native wildlife, animal welfare, human health or safety, or agricultural interests.
  2. Animal Possession. The department may allow a permittee, their sub-permittee, or designee that has failed an inspection to continue temporarily possessing rehabilitation animals of a species or taxonomic group approved by the department, if the department determines that such an approval shall not harm native wildlife, animal welfare, human health or safety, or agricultural interests.
- (D) The department shall revoke a permit or sub-permit or specialty rehabilitation authorization if the permittee, their sub-permittee, designee, authorized person, or qualified handler refuses to allow an inspection by the department.
1. A refusal to allow an inspection shall be inferred if: after three reasonable attempts by the department to schedule an inspection, such a person is unavailable for inspection; or, such a person refuses to allow the department to fully inspect any area of a facility, enclosure, equipment, required record, or any rehabilitation animal or part of a rehabilitation animal.
  2. The department shall reinstate a permit or sub-permit if the permittee, their sub-permittee, designee, authorized person, or qualified handler allows the department to conduct an inspection and no violations of these regulations are observed during that inspection.
- (2) Other Inspections. The department may conduct a scheduled inspection of any wildlife rehabilitation facility, satellite facility, enclosure, equipment, required record, or any rehabilitation animal or part of a rehabilitation animal confined by or in the possession of, a permittee or their sub-permittee, designee, authorized person, or qualified handler for any other purpose during a reasonable time of the day and any day of the week when such person is present. A permittee or their sub-permittee, designee, authorized person, or qualified handler shall allow the department access to inspect any area of a facility, enclosure, equipment, required record, and rehabilitation animal during the inspection.
- (b) Inspections by a Permittee or Their Designee.
- (1) Except as provided in sub-section 679.7(b)(2), a permittee or their designee shall conduct an inspection of any satellite facility, enclosure, equipment, and required record belonging to or in the possession of, and any rehabilitation animal temporarily confined or possessed by, a sub-permittee or authorized person, at least once during the valid permit period and no sooner than 6 months after the last inspection. A permittee or their designee shall conduct an inspection during a reasonable time of the day, any day of the week, when a sub-permittee or authorized person is present.
  - (A) A permittee or their designee shall document in writing in a form provided by the department, the following information during an inspection and submit the form to the department in writing via email at Rehabwildlife@wildlife.ca.gov within 30 calendar days of conducting an inspection:
    1. Reason for Inspection. Sub-permit, re-inspection, specialty rehabilitation authorization (except for large carnivores), authorized person, and/or variance.

2. Permittee information. Full name, ALDS GO ID, federal permit if applicable.
3. Sub-permittee Information. Full name, federal permit if applicable, physical address, mailing address if different, telephone number, and email address.
4. Facility Information. Satellite facility name and physical address; property use type (owner, tenant, other); number of staff, volunteers, authorized persons, and qualified handlers; taxonomic group of rehabilitation animals, specialty rehabilitation animals if applicable.
5. Inspection Requirements. Facility, humane care, and treatment requirements pursuant to sections 679.3, 679.4, and 679.5, and Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual.
6. Enclosures Inspection. Enclosure requirements and pre-release enclosure minimum size requirements pursuant to Section 679.4 and Chapter 2 of the Native Wildlife Rehabilitation 679 Regulations Manual.
7. Inspection Notes. Items that fail to meet requirements; items that exceed requirements; other items observed during inspection.
8. Inspection Determination. Pass (meets requirements), fail (recommend reinspection), fail (recommend denial), fail (recommend revocation).
9. Acknowledgement and signature. Certify that the declaration is true and correct, under penalty of perjury, and that the wildlife described is legally possessed by the undersigned.

(2) A permittee or their designee shall re-inspect any satellite facility, enclosure, equipment, required record, and any rehabilitation animal temporarily possessed by a sub-permittee and/or an authorized person if the permittee or their designee, or the department, determines that a re-inspection is necessary to protect animal welfare, native wildlife, human health or safety.

(3) A permittee or their designee shall revoke the sub-permit of a sub-permittee, or the authorization of an authorized person, who refuses to allow an inspection by the permittee or their designee. A refusal to allow an inspection may be inferred if, after three reasonable attempts by the permittee or their designee to schedule an inspection, the sub-permittee or authorized person is unavailable for an inspection.

(c) Nothing in this section shall be construed to limit or constrain the department's authority to conduct inspections, searches, seizures, or other enforcement actions, at any time and for any reason, with respect to rehabilitation animals, wildlife rehabilitators, or rehabilitation facilities.

NOTE: Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2121, 2122, 2150.4, 2189, 2192, ~~2835~~, 3005.5, 3800 and 4150, Fish and Game Code.

Reference: Sections 1008, 1801, 2000, 2122, 2123, 2150.4, 2190, 3005 and 12159, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

## Proposed Regulatory Language

Section 679.8, Title 14, California Code of Regulations, is hereby added as follows:

**§ 679.8. Seizure of Animals; Transfer, Euthanasia, or Release of Seized Animals.**

- (a) Seizure of Live Animals Possessed Pursuant to a Valid Permit or Sub-Permit. The department shall seize any rehabilitation animal temporarily possessed by a permittee, their sub-permittee, designee, authorized person, or qualified handler if such a person has violated any provision of the Fish and Game Code, these regulations, or Penal Code section 597; violated the terms or conditions of a permit or sub-permit; or is no longer able to temporarily possess rehabilitation animals for any reason, unless the department finds:
- (1) an action other than a seizure, such as a written warning issued to such persons is expected to cause such a person to cure an existing violation or not violate in the future; or
  - (2) the violation did not adversely impact, and is not likely to adversely impact, animal welfare; native wildlife; human health and safety; or agricultural interests of this state.
- (b) Seizure of Live Animals Possessed by a Person with an Invalid Permit or Sub-Permit. The department shall seize any rehabilitation animal possessed by a person whose permit or sub-permit has been denied pursuant to Section 679.3 or revoked pursuant to Section 679.9, or whose permit or sub-permit has expired, except for a person whose permit expired and either:
- (1) 45 or fewer calendar days have passed since the permit expired; or
  - (2) more than 45 calendar days have passed since the permit expired, but the Department has issued an approval pursuant to sub-section 679.3(a)(8)(B) or (C) to continue possessing rehabilitation animals.
- (c) Animals Seized Pursuant to Paragraphs (a) or (b) or Subsection 679.5(a)(7)(B). The department shall, at its sole discretion and taking into account animal welfare, native wildlife, agricultural interests of the state, and human health or safety, determine that an animal that is seized pursuant to paragraph (a) or (b) or Section 679.5(a)(7)(B) be:
- (1) seized in place;
  - (2) transferred to a person authorized to possess such rehabilitation animal or a facility operated by the department;
  - (3) humanely euthanized; or
  - (4) released to the wild.
- (d) Costs Incurred Pursuant to Paragraphs (a) Through (c). Costs incurred by either the department or another party for actions taken pursuant to paragraphs (a) through (c), including costs incurred for the care and possession of animals taken pursuant to paragraphs (a) through (c), shall be paid by the person from whom the live animal was seized. The department or other party may initiate a civil action for cost recovery.

NOTE: Authority cited: Sections 200, 1050, ~~2021, 2015, 2081, 2121, 2122, 2127, 2157, 2189, 2835,~~ 3005.5, 3800 and 4150, Fish and Game Code.

Reference: Sections 1008, 1801, 2000, 2118, 2120, 2122, 2123, 2125, 2126, 2186, 2190 ~~3005~~ and 12159 Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23

## Proposed Regulatory Language

Section 679.9, Title 14, California Code of Regulations, is hereby added as follows:

**§ 679.9 Revocation of Permit, Sub-Permit, or Variance; Proof of Service; Request for Reconsideration; Appeal of Revocation; Effect on Section 679.8.**

- (a) Revocation of a Permit by the Department. The department shall revoke a permit if a permittee, their sub-permittee, designee, authorized person, or qualified handler has violated any provision of the Fish and Game Code or regulations adopted pursuant thereto, Penal Code section 597, or the terms and conditions of the permit or a sub-permit, or has been convicted of a crime of moral turpitude, unless the department finds:
- (1) An action other than a revocation, such as a written warning with a description of the changes required to meet the standards in these regulations, would likely cause a permittee or their designee to cure an existing violation or not violate in the future; and
  - (2) A violation has either not severely adversely impacted or is not likely to severely adversely impact the welfare of wildlife possessed by the permittee; native wildlife; agricultural interests of this state; or human health or safety.
- (b) Revocation of a Sub-Permit by the Department. The department shall revoke a sub-permit if either:
- (1) The permittee, sub-permittee, or their designee, or their authorized person(s), has violated any provision of the Fish and Game Code or regulations adopted pursuant thereto, Penal Code section 597, or the terms and conditions of the permit or a sub-permit, or has been convicted of a crime of moral turpitude, unless the department finds:
    - (A) An action other than a revocation, such as a written warning issued to the permittee, sub-permittee, or their designee would likely cause the permittee, sub-permittee, or their designee to cure an existing violation or not violate in the future; and
    - (B) A violation has either not severely adversely impacted or is not likely to severely adversely impact animal welfare; native wildlife; agricultural interests of this state; and human health and human safety.
  - (2) The permit is no longer valid, except for the following:
    - (A) A sub-permittee listed under a contingency plan approved by the department as a person allowed to provide continuity of care of rehabilitation animals for up to the expiration date of the valid permit term pursuant to sub-section 679.3(a)(6)(A)7g; or
    - (B) A sub-permittee authorized by the department to operate under an invalid permit pursuant to sub-section 679.8(b)(1) and (2).
- ~~(c) Revocation of a Sub-Permit by the Permittee. A permittee or their designee shall revoke a sub-permit if a sub-permittee has relocated; retired; is no longer able to work/volunteer; failed an inspection; or refused three or more inspections; or is no longer in good standing under the permit. The permittee or their designee shall notify the department within 5 calendar days of revoking a sub-permittee for any reason, in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov), and provide the following information in a form provided by the department:~~
- (c) Request to Remove a Designee, Sub-Permittee, Authorized Person, or Qualified Handler. A permittee or their designee may request to the department in writing via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) an amendment to the permit to remove a designee, sub-permittee, authorized person, or qualified handler from the permit and shall provide the following information in a form provided by the department:

- (1) Permittee Information. Full name, GO ID, telephone number, email address, physical address, mailing address if different, facility name.
- (2) Sub-permittee, Designee, Authorized Person, Qualified Handler Information. Full name, telephone number, email address, physical address, mailing address if different, satellite facility name if applicable.
- (3) Reason for Revocation. ~~Sub-permittee~~ Person has relocated; is no longer able to work/volunteer; has retired; has failed inspection with brief description of non-compliant items; has refused inspection with a brief description and date of each attempt to schedule an inspection; is not in good standing under permit with a brief description of the reason for not being in good standing.
- (d) Proof of Service and Method of Service. A notification of a denial issued pursuant to section 679.3 or this section, or department revocation issued pursuant to this section, or a notification of a denial of a variance request pursuant to sub-section 679.7(b), shall include a proof of service indicating the date the department sent the notification. The department shall send such a notification by United States Postal Service, overnight carrier, or electronic mail.
- (e) Request for Reconsideration. Any applicant whose application for a permit or sub-permit is denied pursuant to section 679.3, whose application for a specialty rehabilitation authorization is denied pursuant to section 679.3, or whose variance request is denied pursuant to sub-section 679.4(c) may submit a written request for reconsideration to the department.
  - (1) A request for reconsideration shall set forth the reasons why the Department should reconsider the denial and may include any relevant documents.
  - (2) A request for reconsideration shall contain a statement signed and dated by the applicant or permittee under penalty of perjury that states in effect, "I declare under penalty of perjury that the information contained in this request for reconsideration is true and correct."
  - (3) An applicant shall send a request for reconsideration via electronic mail no later than 30 calendar days after the date on the proof of service described in paragraph (ed), to the following email address: [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov). The department shall not accept a request for reconsideration that is submitted after the 30 calendar day deadline or is not signed under penalty of perjury.
  - (4) The department shall consider any information submitted with the request for reconsideration, and within 60 calendar days may, in its sole discretion, sustain, reverse, or amend its permitting decision. The basis for this action may include, but is not limited to, a mistake of fact or law, or because the permittee or applicant has taken corrective actions to meet all requirements and standards pursuant to department direction. If the permitting decision is reversed or amended, the department must determine that a reversal or amendment of its permitting decision will not likely severely adversely impact animal welfare; native wildlife; agricultural interests of this state; and human health and human safety.
  - (5) Denial Hearing. Any person whose denial is sustained by the department may request a hearing before the commission to show cause why their permit request should not be denied. The request for a hearing shall be sent by electronic mail no later than 30 calendar days after the date on the proof of service described in paragraph (d) to the following email address: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov). The commission shall not accept a request for a hearing that is submitted after the 30 calendar day deadline.
- (f) Revocation Hearing. Any permittee or sub-permittee whose permit or sub-permit has been revoked by the department may request a hearing before the commission to show cause why their permit or sub-permit should not be revoked.

- (1) The request for a hearing shall be sent by electronic mail no later than 30 calendar days after the date on the proof of service described in paragraph (d) to the following email address: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov). The commission shall not accept a request for a hearing that is submitted after the 30 calendar day deadline.
- (g) Effect on the Seizure, Transfer, Euthanasia, or Release of Wildlife. Nothing in this section, sub-section 679.3(a)(9), or sub-section 679.3(c)(4) shall affect the seizure, transfer, euthanasia, or release of wildlife pursuant to Section 679.8.

NOTE: Authority cited: Sections 200, 1050, ~~2021, 2015, 2122,~~ 2081, 2150.4, ~~2835,~~ 3005.5, 3800 and 4150, Fish and Game Code.

Reference: Sections 2000, 2125, 3005 and 12159, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

# Native Wildlife Rehabilitation 679 Regulations Manual

1ST EDITION



California Department of Fish and Wildlife  
January 2025

**ACKNOWLEDGEMENTS**

Cover photograph credits:

This document should be cited as:

Monroe, V., Perry, H., Cornman, A., Bacon, J., Heeren, A. Native Wildlife Rehabilitation 679 Regulations Manual (New 04/2025) (form DFW 479), 1<sup>ST</sup> Edition. 2025. California Department of Fish and Wildlife, Sacramento, CA 71 pp.

The preparers want to acknowledge California Fish and Wildlife Commission staff and Department of Fish and Wildlife staff who contributed to the preparation of this document. They include David Kiene, Xao Yang, Drs. Deana Clifford, Brandon Munk, Emma Lantz, and Claire Butkus, Captain Nathan Smith and Lieutenant Trevor Pell, Mike Randall, and Rose Dodgen. Further, we appreciate the support and input of other state agencies, and the U.S. Fish and Wildlife Service.

We give special thanks to the California Council for Wildlife Rehabilitators, National Wildlife Rehabilitators Association, and the International Wildlife Rehabilitation Council for their time and expertise.

We are also indebted to the wildlife rehabilitators, their staff and volunteers, within our diverse wildlife rehabilitation community in California. Their immense dedication, compassion for wildlife, expertise, and engagement throughout the regulatory rulemaking process helped make this manual possible.

This program receives Federal financial assistance from the U.S. Fish and Wildlife Service. Under Title VI of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, sex, or disability.

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## Chapter 1. California Native Wildlife Rehabilitation

**Program Vision:** *To support high ethical standards and continued advancements of wildlife rehabilitation in California; to increase appreciation and recognition of wildlife rehabilitation professionals; and to promote awareness of the intrinsic value of native wildlife and human-wildlife coexistence.*

### (a) Introduction

The California Department of Fish and Wildlife (department) oversees the permitting of wildlife rehabilitators in the State through its Native Wildlife Rehabilitation Program (hereafter program). The purpose of wildlife rehabilitation is to restore a native wild animal to a condition of good health for its release to suitable habitat in the wild, or to relieve its suffering through humane euthanasia as appropriate. A wildlife rehabilitator serves an important role by providing the highest standards of animal care and rehabilitation of sick, injured, and orphaned native wildlife; as well as wildlife conservation education and outreach to diverse local communities. The department recognizes the value of this service to the public and strives to support a collaborative network of permitted wildlife rehabilitators statewide.

For wildlife rehabilitation to reach its full potential in California, the department strives to ensure a deeper understanding and appreciation of the expertise and ethical standards maintained by wildlife rehabilitators, their staff, and volunteers, and compliance with all laws and permit conditions. Current and prospective wildlife rehabilitators, as well as any person interested in learning more about wildlife rehabilitation, can stay informed of current best practices, methods, and techniques by joining an organization dedicated to serving wildlife rehabilitators. Examples of such professional organizations include the California Council for Wildlife Rehabilitators (<https://ccwr.org/>), the National Wildlife Rehabilitators Association (<https://www.nwrawildlife.org/>), and the International Wildlife Rehabilitation Council (<https://theiwrc.org/>).

The purpose of the Native Wildlife Rehabilitation 679 Regulations Manual (manual) is to provide essential information about wildlife rehabilitation activities in California, including program requirements, and excerpts from the California Fish and Game Code. The manual does not provide complete coverage of all federal, state, or local laws. Changes to any law may occur at any time and it is the responsibility of each person to obey all laws while participating in wildlife rehabilitation activities.

### (b) Getting Started

A person interested in becoming a wildlife rehabilitator in California may start by contacting a currently permitted wildlife rehabilitator to gain critical knowledge, training, and expertise. Relevant experience may also be gained at an accredited zoo, animal sanctuary, restricted species facility, or veterinary hospital. Considerations for connecting with an experienced permitted wildlife rehabilitator should include that rehabilitator having accessible written protocols and procedures; an ability to provide regular communication and constructive feedback; and knowledge of common native wildlife species in California and their life histories. Educational training, such as a degree, certification, or licensing in a relevant field (e.g., registered veterinary technician) may also count towards the 1,000 hours of experience requirement.

A person interested in becoming a wildlife rehabilitator in California should consider establishing a working relationship with a California licensed veterinarian who may be willing to serve as a Veterinarian of Record under a permit pursuant to sub-section 679.3(a)(6)(B) early in this process. Ideally, such a veterinarian will have experience with wildlife or other animals of similar taxa to the proposed rehabilitation animal species. A person may need to contact several different veterinarians prior to finding one that will be a match.

A person interested in becoming a wildlife rehabilitator to rehabilitate native birds in California must provide proof that they, either as a primary permittee, principal officer, or designated sub-permittee, possess or are in the process of obtaining a U.S. Fish and Wildlife Service (USFWS) Migratory Bird Rehabilitation Permit and any other applicable permits pursuant to Title 14, California Code of Regulations Section 679.3 (a)(1). The possession of a live or dead, or parts thereof, wild animal may occur only in compliance with all federal laws and regulations (Appendix B), in addition to state and local laws. Below is a list of some, but not all, federal and state permits associated with such lawful possession of any wildlife (Table 1). For more information, resources, technical assistance through the application process, or questions, contact the department's program staff via email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov).

(c) List of Some, but not all, Federal and State Permits Required for Possessing Live or Dead Wildlife. Table 1.

Category	Permit Purpose	Permit Name	Agency	Authority	Valid	Agency Website
Wild Bird Rehabilitation	Migratory bird and eagle rehabilitation	Migratory Bird Rehabilitation	USFWS	50 CFR 21.76	5 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
	Renesting	Miscellaneous	USFWS	50 CFR 21.95	3 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
Educational Animals	Possession, importation, exportation, or use for any purpose, any non-releasable native wildlife and birds	Restricted Species	CDFW	Title 14 CCR 671	1 year	<a href="https://wildlife.ca.gov/Licensing/Restricted-Species">https://wildlife.ca.gov/Licensing/Restricted-Species</a>
	Possession, importation, exportation, or use for any purpose, any non-releasable migratory bird	Special Purpose	USFWS	50 CFR 21.95	3 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
	Possession, importation, exportation, or use for any purpose, any non-releasable wildlife	Class C Exhibitor	USDA	Animal Welfare Act	Varies	<a href="https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare">https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare</a>
Salvage and Taxidermy	Possession of dead wildlife or parts thereof for conservation education purposes	Scientific Collecting Permit	CDFW	Title 14 CCR 650	3 years	<a href="https://wildlife.ca.gov/Licensing/Scientific-Collecting">https://wildlife.ca.gov/Licensing/Scientific-Collecting</a>
	Possession of migratory bird parts for educational purposes	Special Purpose	USFWS	50 CFR 21.95	3 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
	Possession of migratory birds, parts thereof, nests, or eggs to perform taxidermy	Migratory Bird Taxidermy	USFWS	50 CFR 21.63	5 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
Research	Possession of live animal or parts for scientific purposes	Scientific Collection	CDFW	Title 14 CCR 650	3 years	<a href="https://wildlife.ca.gov/Licensing/Scientific-Collecting">https://wildlife.ca.gov/Licensing/Scientific-Collecting</a>
	Migratory bird banding	Federal Bird Banding	USGS	50 CFR 10, 13, 21	3 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a> <a href="https://www.usgs.gov/labs/bird-banding-laboratory/science/general-permit-information">https://www.usgs.gov/labs/bird-banding-laboratory/science/general-permit-information</a>
	Collection and transport of migratory birds, parts thereof, nests, or eggs	Migratory Bird and Eagle Scientific Collecting	USFWS	50 CFR 21.73	3 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
	Collection and transport of eagles, parts thereof, nests, or eggs	Migratory Bird and Eagle Scientific Collecting	USFWS	50 CFR 22.50	3 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
Falconry	Falconry, Raptors including eagles	Falconry License (federal regulation)	CDFW	Title 14 CCR 395 (50 CFR 21.82, 22.70)	1 year Annual	<a href="https://wildlife.ca.gov/Licensing/Falconry">https://wildlife.ca.gov/Licensing/Falconry</a>
Eagles	Native American, Eagle Parts (religious)	Eagle Parts for Native American Religious Purposes	USFWS	50 CFR 22.60	Lifetime	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
	Native American, Eagle Aviary	Native American Eagle Aviary	USFWS	50 CFR 22.60	3 years	<a href="https://www.fws.gov/service/3-200-78-native-american-tribal-eagle-aviary">https://www.fws.gov/service/3-200-78-native-american-tribal-eagle-aviary</a>
	Educational & Taxidermy Eagles	Eagle Exhibition	USFWS	50 CFR 22.50	3 years	<a href="https://fwsepermits.servicenowservices.com/fwse">https://fwsepermits.servicenowservices.com/fwse</a>
Reptiles	Desert Tortoise Adoption	Desert Tortoise Application	CDFW	Title 14 CCR 674	Lifetime	<a href="https://wildlife.ca.gov/Licensing/Desert-Tortoise-Adoption">https://wildlife.ca.gov/Licensing/Desert-Tortoise-Adoption</a>

### **(d) Training and Resources**

To prepare for taking and passing the free online California state wildlife rehabilitation examination, a person should have understanding and knowledge of basic wildlife rehabilitation concepts, standard practices, diseases of concern, and the life history of native wildlife most common to California. Several valuable resources exist for reference and review, including books and guides on wildlife rehabilitation standards, ethical codes of conduct, and species-specific rehabilitation techniques, as well as field guides, natural history books, and various organizations (Appendix C. C). This broader knowledge is critical, as wildlife rehabilitators may often receive calls, questions, or even the animal itself, for a species outside their area of expertise.

The California state wildlife rehabilitation examination administered online by the department has 50 definitions, multiple-choice, and true-false questions; and 120 minutes time to complete. The department provides sample questions from the actual examination with an answer key (Appendix DAD) to help applicants prepare for the examination. A person seeking permission from the department to rehabilitate any species of specialty rehabilitation animal (i.e., large carnivore, ungulate, venomous snake, eagle, falcon) must also take and pass the free California state specialty rehabilitation examination administered online by the department pursuant to Section 679.3 (a)(5). The California specialty rehabilitation examination has 30 definitions, multiple-choice, and true-false questions; and 90 minutes time to complete.

Staying current with best practices, accepted techniques, and the latest advancements in wildlife rehabilitation, as well as emergency planning and professional development, is critical for all wildlife rehabilitators. In California, wildlife rehabilitators, their sub-permittees, designees, qualified handlers, and authorized persons must complete at least 8 hours of continuing education each year pursuant to Section 679.4 (a)(3). Continuing education may be met through various learning platforms and topics such as formal training (e.g., class, course, certification), specialized training (e.g., venomous snake handling), and experiential learning. A wildlife rehabilitator **must should** determine the type of continued education that is most beneficial to maintain facility operations and improve the welfare of each rehabilitation animal that they hold in trust for the purposes of release to the wild.

The department maintains a robust list of opportunities for continuing education through its Continuing Education Framework (PDF) document available on the department website at <https://wildlife.ca.gov/WildlifeRehab>.

To further support permitted wildlife rehabilitation activities, the department awards grants to eligible applicants through its California Native Wildlife Rehabilitation Grants Program as funded through a voluntary tax contribution fund. More information is available at <https://wildlife.ca.gov/Grants/Wildlife-Rehab-Grants>.

### **(e) Facility Operations**

As with other state permits or licenses issued by the State, wildlife rehabilitators are responsible for the costs incurred under their permit. During the planning phase and beyond, a wildlife rehabilitator should strive to understand and consider the full scope of costs and requirements to properly support facility operations, seasonal changes in animal intakes, and ongoing compliance with all federal, state, and local laws.

- Communications – E.g., Webpage, social media, phone, email, outreach/educational resources.
- Emergency plans – E.g., Natural disasters; evacuations; any event requiring the transfer of animals.
- Facility operations – E.g., Property, facility, and enclosure construction and maintenance.
- Finances – E.g., Establish nonprofit status 501(c)(3), fundraising, donations, grants, community partnerships.
- General liability – E.g., Insurance policy; personal property coverage; business liability coverage (e.g., Animal Welfare Organization Insurance Program; Spectrum® Wildlife Rehabilitators Business Insurance Program).
- Protocols – E.g., Animal intake; animal care/treatment; euthanasia.

Wildlife rehabilitators, whether operating a home-based or ‘brick-and-mortar’ facility, are often supported by dedicated staff and volunteers. To protect native wildlife and the welfare of each rehabilitation animal, wildlife rehabilitators should establish a screening and onboarding personnel process, that may include, but not be limited to:

- Application form, references;
- Interview (in person/virtual);
- Mandatory “onsite” training;
- Documentation -- Acknowledgement form, liability waiver, “temporary loan” agreement (e.g., transport crate);
- Site inspection, if applicable.

**(f) Wildlife Rehabilitation List of Persons ~~Except for General Volunteer~~, Defined Pursuant to 679.1, and General Volunteer. Table 2.**

A permittee, their designee, or sub-permittee **must should** assign volunteer and staff personnel a level of responsibility and access to rehabilitation animals based on the any training or related requirements established by the permittee, their designee, or sub-permittee, and the experience required pursuant to these regulations (Table 2).

Descriptor	Minimum Age	Definition	Required Experience (Hours)	679 Wildlife Rehabilitation Examination
Permittee	21 years	A person with the minimum hours of required experience authorized by the department to temporarily possess rehabilitation animals under a department permit.	1,000 hours*	Yes (new permittee only)
Designee	21 years	A person with the minimum hours of required experience who is approved by the permittee to conduct activities under the permit (e.g., facility director) on behalf of the permittee.	500 hours*	Yes (new designees only)
Sub-permittee	21 years	A person with the minimum hours of required experience authorized by the department to temporarily possess rehabilitation animals without the supervision of the permittee at a separate location (satellite facility).	500 hours*	Yes (new sub-permittees only)
Authorized Person	18 years	A person with the minimum hours of required experience approved by a permittee, sub-permittee, or designee at their sole discretion, under direct supervision of such persons (e.g., weekly telehealth, physical examination), who may temporarily confine a rehabilitation animal at a location other than the wildlife rehabilitation facility or satellite facility (i.e., homecare foster).	40 hours*	Optional (sole discretion of permittee, their designee or sub-permittee)
Qualified Handler	18 years	<u>For the purposes of specialty rehabilitation only</u> – A person with the minimum hours of required experience with that specialty rehabilitation animal or animals of a closely related taxonomic group.	Large carnivore – 300*; Ungulate - 100*; Specialty raptor - 100*; Venomous snake - 80*	Yes (new qualified handlers only)
General Volunteer	N/A	A person of an age and training as determined by the permittee, sub-permittee, or designee who may provide general animal care and facility support (e.g., washing dishes, animal diet) under direct supervision of such persons.	At the sole discretion of the permittee, their designee or sub-permittee	Optional (sole discretion of permittee, their designee or sub-permittee)
Veterinarian of Record	N/A	A veterinarian, currently licensed by the State of California, who agrees in writing to provide and direct veterinary treatment for rehabilitation animals pursuant to Section 679.3.	N/A	Optional (sole discretion of permittee, their designee or sub-permittee)

\*Continuing education requirement (8.0 hours per year)

**(g) Common Wildlife Diseases, and The Taxa Affected, Pathogen and Clinical Signs or Symptoms. Table 3.**

Any person in close contact with rehabilitation animals are at increased risk of exposure to many of the **most** common communicable wildlife diseases (Table 3) **and** such exposure may result in human infection **and illness** and/or disease transmission to vulnerable wildlife and domestic animals. **Chapter 1 (g), Table 3 is not intended as an exhaustive list of wildlife diseases. Chapter 3 (e), Table 17 lists the following wildlife diseases of concern in California: Adenovirus Hemorrhagic Disease, Chronic Wasting Disease, Highly Pathogenic Avian Influenza, Rabbit Hemorrhagic Disease, Rabies, SARS-COV-2, Snake Fungal Disease, and White Nose Syndrome.**

The transmission of most communicable wildlife diseases can be prevented by **eliminating exposure by** using proper personal protective equipment (e.g., N-95 masks, disposable gloves, protective eyewear); pre- and post-exposure prophylaxis (e.g., SARS-COV-2, rabies vaccinations); and timely diagnosis and treatment after exposure. General knowledge of these diseases **is critical, including route of transmission, transmission potential to or from humans (i.e., zoonotic disease\*)**, the taxa affected, pathogens, **vectors**, and clinical signs or symptoms that may be observed in an infected animal or person **is critical**.

Medical alert cards for wildlife professionals are available for free from the U.S. Geological Survey website at <https://www.usgs.gov/media/files/medical-wallet-card-wildlife-professionals>

Disease	Primary Taxa Affected	Pathogen	Clinical Signs or Symptoms
<b>Anthrax (<i>Bacillus anthracis</i>)*</b>	Mammals, birds	Bacteria	Fever, lethargy, muscle pain, skin lesions, vomiting, death
<b>Avian Pox</b>	Birds	Virus	Wart-like lesions
<b>Bd-Chytridiomycosis, i.e. chytrid fungus (<i>Batrachochytrium dendrobatidis</i>)</b>	Amphibians	Fungus	Lethargy, loss of appetite, excessive shedding, skin thickening, death
<b>Brucellosis (<i>Brucella spp.</i>)*</b>	Mammals	Bacteria	Weight loss, infertility, stillbirth
<b>Canine Distemper Virus</b>	<b>Canids, felids, raccoons, skunks Mammals</b>	Virus	Lethargy, loss of appetite, vomiting, eye discharge, diarrhea, seizures, death
<b>Canine Parvovirus Parvo-Virus</b>	Mammals	Virus	Bloody diarrhea, vomiting, fever, death
<b>Hemorrhagic Disease (e.g., Bluetongue virus, epizootic hemorrhagic disease virus)</b>	Deer, <b>elk</b>	Virus	Lethargy, fever, hoof lesions, swollen head, swollen tongue, nasal discharge, death
<b>Leptospirosis (<i>Leptospira spp.</i>)*</b>	Mammals	Bacteria	Kidney damage, liver damage, death
<b>Cryptosporidiosis* (<i>Cryptosporidium spp.</i>)</b>	<b>All Mammals, birds, amphibians, reptiles</b>	Protozoa	Diarrhea, lethargy, weight loss
<b>Foot-and-Mouth Disease</b>	Deer, elk, bighorn, <b>wild-pig, pronghorn</b>	Virus	<b>Often asymptomatic (adults),</b> Foot lesions, mouth lesions, loss of appetite, death
<b>Hantavirus*</b>	Rodents	Virus	Respiratory disease, death
<b>Plague (<i>Yersinia pestis</i>)*</b>	<b>Squirrels, other rodents Mammals</b>	Bacteria	Fever, muscle pain, respiratory disease, vomiting, death
<b>Psittacosis (<i>Chlamydophila psittaci</i>)</b>	Birds	Bacteria	Lethargy, eye discharge, nasal discharge, respiratory disease
<b>Ranavirus (e.g., epizootic hematopoietic necrosis virus, frog virus-3)</b>	Amphibians, reptiles	Virus	Lethargy, difficulty swimming, swollen abdomen, swollen eyelids, nasal discharge, ulcers, death
<b>Roundworm (<i>Baylisascaris spp.</i>)*</b>	<b>Raccoons, skunks Mammals, birds</b>	Parasite	Blindness, neurologic disease, death
<b>Salmonellosis (<i>Salmonella spp.</i>)*</b>	Mammals, birds, amphibians, reptiles	Bacteria	Dermal lesions, lethargy, death
<b>Sarcoptic Mange*</b>	Mammals	Parasite	<b>Progressive</b> Hair loss, skin scaling, skin thickening, secondary infection
<b>Tick-Borne Diseases* (e.g., ehrlichiosis, Lyme Disease, Rocky Mountain Spotted Fever)</b>	Mammals, birds	Parasite	Fever, lethargy, rash, muscle pain, joint swelling
<b>Toxoplasmosis (<i>Toxoplasma gondii</i>)*</b>	Mammals, birds	Protozoa	Diarrhea, seizures, death
<b>Tuberculosis (<i>Mycobacterium bovis tuberculosis</i>)*</b>	Mammals, <b>birds</b>	Bacteria	Respiratory disease, arthritis, death

Disease	Primary Taxa Affected	Pathogen	Clinical Signs or Symptoms
Tularemia ( <i>Francisella tularensis</i> )*	Rabbit, hare, rodents Mammals	Bacteria	Lethargy, ulcers, diarrhea, death
Virulent Newcastle Disease*	Birds	Virus	Respiratory disease, lethargy, seizures, diarrhea, death
West Nile Virus*	Birds, mammals	Virus	Lethargy, neurologic disease, death

### (h) Public Information and Outreach

Wildlife rehabilitators, their staff and volunteers may regularly receive questions or requests for assistance from the public regarding various types of human-wildlife interactions. The ability to provide accurate information, outreach, and engagement on a local level are vital to protect native wildlife and support safe human-wildlife coexistence. Additionally, providing readily accessible resources and/or standard guidance to the public can be a critical aspect for supporting facility operations, such as during seasonal increases in rehabilitation animal intakes (e.g., “baby season”). Below are examples of responses to public inquiries about native wildlife, animal welfare, and human-wildlife conflict.

#### Example of standard response (animal welfare)

In most cases, wild animals do not require or benefit from human intervention. People and their pets should maintain a safe distance from wild animals observed in the wild. Human contact can cause harm, injury, or in some cases, death to the animal or person.

If a person finds a young wild animal, they should not assume it is orphaned. Wild parents rarely abandon their offspring, and may leave them alone to find food, sometimes for long periods of time. If a young wild animal appears healthy - “Leave them there, if you care”!

A wild animal with visible signs of distress or obvious injury (e.g., open wound) may benefit, in certain situations, from human intervention. A person should contact a local wildlife rehabilitation facility, animal services agency, or department regional office, or visit the CDFW website at <https://wildlife.ca.gov/wildliferehab>, for information and guidance *prior* to attempting to touch, handle, restrain, temporarily confine, or transport any wild animal.

- a. Wildlife rehabilitators do not operate or respond 24 hours/day, 7 days/week (“on call”).
- b. Wildlife rehabilitators may specialize in certain species and/or limit the wild animals they can intake.
- c. Wildlife rehabilitators operate with limited resources. Be considerate when asking for help.

#### Example of standard response (human-wildlife conflict)

The California Department of Fish and Wildlife’s Human-Wildlife Conflict (HWC) Program was established to address the increasing number of human-wildlife interactions reported throughout the State, as part of a statewide effort to safeguard and enhance California's biodiversity. Human-wildlife interactions and sightings do not usually escalate to perceived or actual conflict with wildlife. Safe coexistence is possible. The use of effective non-lethal tools and techniques to prevent and reduce human-wildlife conflict is strongly encouraged.

- CDFW HWC Program – Resources, such as the HWC Toolkit and BearWise Campaign, are available online at <https://wildlife.ca.gov/HWC>
- CDFW Wildlife Incident Reporting (WIR) System –Statewide online system to report wildlife incidents available at <https://apps.wildlife.ca.gov/wir>

**IMPORTANT: Hereafter, Chapter 2 and Chapter 3 of this manual are incorporated by reference in Section 679.1, Title 14, California Code of Regulations (CCR). It constitutes regulatory text and is mandatory. However, notes (i.e., only those statements beginning with the word “Note”) that are within square brackets [ ] do not constitute regulatory text and are intended to provide guidance only.**

## Chapter 2. Facility and Enclosure Requirements (See CCR Title 14, Section 679.4(d))

### (a) Enclosure Requirements

- (1) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall know the basic ecology, natural behavior, and life history of the species or taxa of each rehabilitation animal they temporarily possess. Behavioral and environmental enrichment shall be provided to each animal that is suitable for the developmental stage, condition, and rehabilitation stage of that animal. [Note: This requirement is intended to ensure there is sufficient knowledge to maintain and improve the welfare of each animal.]
- ~~(2) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall maintain visual and physical separation of the enclosures between each rehabilitation animal, and with any domestic animal, restricted species, non-rehabilitation wild animals, and any person not performing wildlife rehabilitation activities. Each enclosure shall have visual and physical separation maintained between each rehabilitation animal and any domestic animal, restricted species, non-conspecific rehabilitation animal, other wild animals, and any person. [Note: This requirement is intended to minimize the risk of habituation or mal-imprinting of any animal.]~~
- (3) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall use the animal enclosure type, as listed in sub-section (b) Table 4 below, that is specific to the stage of rehabilitation of each rehabilitation animal: neonate enclosure, limited mobility enclosure, pre-release conditioning enclosure.
- (4) A permittee, their designee, or sub-permittee shall request a variance from the department for consideration by the department to use any enclosure that may not meet requirement for minimum enclosure size, or differ in construction materials, or any other requirements listed in Tables 4 through ~~15~~ ~~14~~ herein pursuant to Section 679.4(c). [Note: There is no cost to request a variance. The department does not charge a fee for variances.]
- ~~(5) A permittee, their designee, or sub-permittee shall adhere to the terms and conditions provided in a variance approved by the department. A variance may be approved for a temporary enclosure or permanent structure, as specified on the approved variance form with the terms and conditions set by the department.~~
- (6) The department shall review any existing variances, and the terms and conditions set by the department, at the time of permit renewal by the permittee or their designee. [Note: This requirement is intended to ensure that the variance continues to maintain and improve the welfare of each rehabilitation animal potentially affected by that variance, e.g., modified pre-release conditioning enclosure.]
- ~~(7) A temporary enclosure, as defined in these regulations, is a fully enclosed structure with four walls, a door, roof, and floor, that prevents the ingress or egress of any animal at will, and it is not permanently attached affixed to any surface. [Note: This requirement is intended to allow for the use of prefabricated enclosures, such as modular kennel cages or animal crates to house rehabilitation animals at a certain stage of rehabilitation as specified in these regulations.]~~
- ~~(8) Provided it meets the minimum enclosure size requirements listed in Tables 7 through 15 herein, a temporary enclosure may be used to house a neonate rehabilitation animal of any species or taxa. [Note: This requirement is intended to allow for the use of prefabricated enclosures, such as modular kennel cages or animal crates to house rehabilitation animals at a certain stage of rehabilitation as specified in these regulations.]~~
- ~~(9) Provided it meets the minimum enclosure size requirements and pre-release conditioning enclosure requirements listed in Tables 7 through 15 herein, a temporary enclosure may be used to house rehabilitation animals that have reached the pre-release conditioning stage of rehabilitation of the following species or taxa: amphibians, reptiles, birds, mammal species of the Orders Carnivora, Chiroptera, Didelphimorphia, Eulipotyphla (formerly Insectivora), Lagomorpha, and Rodentia, excluding any large carnivore specialty rehabilitation animal, ungulate specialty rehabilitation animal, eagle or falcon specialty rehabilitation animal, badger, bobcat, coyote, wolverine, North American beaver, and river otter.~~



**(b) Rehabilitation Animal Enclosure Types. ~~Table 2~~ Table 4.**

Enclosure Type	Requirements
(1) Neonate Enclosure	<p>(A) Newborn and newly hatched rehabilitation animals shall be housed in a manner that <del>limits mobility, and</del> allows for the physical and behavioral development of the animal that is appropriate to that species.</p> <p>(B) Each enclosure shall provide the minimum and maximum temperature (via, e.g., heat lamp) and humidity gradient (via, e.g., humidifier) required for neonate animals of that species.</p> <p>(C) Each enclosure shall allow for medical treatment and recovery of each animal, and observation of each animal prior to pre-release conditioning.</p> <p>(D) Individual neonate animals shall be placed with conspecific rehabilitation animals of the same age class <del>and same species, or a compatible species or taxonomic group,</del> as based on the best judgment of the permittee, their designee, or sub-permittee, <del>up to the maximum number of animals naturally found in a litter or brood size of that species.</del> [Note: This requirement is intended to maintain and improve the welfare of each animal.]</p>
(2) Limited Mobility Enclosure	<p>(A) Juvenile and adult rehabilitation animals that have not yet reached the pre-release conditioning stage of rehabilitation shall be housed in a manner that <del>limits mobility,</del> allows for the physical and behavioral development of the animal that is appropriate to that species [Note: This requirement is intended to prevent injury to any animal.].</p> <p>(B) Each enclosure shall allow for the medical treatment and recovery of each rehabilitation animal, and observation of each animal prior to pre-release conditioning.</p> <p>(C) Each enclosure shall be used to house rehabilitation animals that can self-feed <del>or require supplemental feeding and have</del> <u>may be used for fledgling birds having</u> outgrown a neonate enclosure, but not yet able to be safely housed in a pre-release conditioning enclosure <u>with juvenile or adult conspecifics.</u> [Note: This requirement is intended to prevent injury to <u>young birds by juvenile or adult conspecifics</u> any animal. <u>One example is a young bird, called a "fledgling", that has reached the stage of development whereby it can self feed and leave the nest, but still requires parental care.</u>]</p>
(3) Pre-Release Conditioning Enclosure	<p>(A) Juvenile and adult rehabilitation animals that have reached the pre-release conditioning stage of rehabilitation shall be housed in a manner that allows full mobility of each animal. [Note: This requirement is intended for each animal to display the natural behaviors required of that species to survive in the wild such as flying, swimming, predator avoidance, hunting, and foraging.</p> <p>(B) Unless otherwise specified in these regulations, the requirements for pre-release conditioning enclosures do not differ between adult and juvenile rehabilitation animals at this stage of rehabilitation.</p>

**(c) Amphibian and Reptile Requirements**

- (1) A permittee, their designee, sub-permittee, authorized person, and qualified handler shall provide the minimum enclosure size for pre-release conditioning of any amphibian or reptile, based on animal welfare and the natural life history of that species, provided that all sub-section (d) Table 5 requirements are met. [Note: This requirement is intended to allow each animal to display the physical abilities it needs to survive in the wild. The enclosure sizes needed to maintain and improve the welfare of each animal varies widely based on the unique natural life history of each species.]
- (2) A permittee, their designee, sub-permittee, authorized person, and qualified handler shall quarantine an amphibian or reptile rehabilitation animal for at least 30-days from the date of intake ~~from any species of amphibian or reptile,~~ notwithstanding any amphibian or reptile rehabilitation animal ~~that can be released to the wild in a condition of good health~~ prior to the ~~end of the~~ 30-day ~~quarantine~~ period. A permittee, their designee, sub-permittee, authorized person, or qualified handler may house amphibian or reptile rehabilitation animals from the same wild population, and with the same date of intake, in the same enclosure. [Note: This requirement is intended to prevent transmitting diseases between amphibian or reptile rehabilitation animals, other wild animals, domestic animals, or humans.]

**(d) Pre-release Conditioning Enclosure Requirements; Amphibian and Reptiles. Table 3 5.**

Taxonomic Group	Animal Type	Minimum Requirements
(1) Amphibians	(A) Frogs, treefrogs, toads, newts, salamanders	<ol style="list-style-type: none"> <li>1. Each enclosure shall be constructed of <u>either the following material</u>:               <ol style="list-style-type: none"> <li>a. Plastic; or</li> <li>b. Acrylic; or</li> <li>c. Fiberglass; or</li> <li>d. <u>Glass similar non-porous smooth surface material.</u></li> </ol> </li> <li>2. Each enclosure shall have at least 6 airholes of no more than <del>0.25-inch</del> <u>1/8-inch</u> diameter, or similar means of ventilation, and a lid secured by a lock or latching mechanism. [Note: This requirement is intended to prevent animal escape by climbing.]</li> <li>3. Floors shall be covered with <u>either one of the following materials at least 2 inches deep</u>:               <ol style="list-style-type: none"> <li>a. Soil <u>a minimum depth of 2 inches</u>; or</li> <li>b. sphagnum moss <u>a minimum depth of 2 inches</u>; or</li> <li>c. similar substrate <u>a minimum depth of 2 inches</u>.</li> </ol> </li> <li>4. Each enclosure shall have the following enrichment:               <ol style="list-style-type: none"> <li>a. 1 shallow pan filled with chlorine-free <u>carbon filtered or reverse osmosis treated</u> water [Note: This requirement is intended to provide water of a depth sufficient for each animal to fully ingress and egress at will.]; and</li> <li>b. at least <u>one 1 natural or artificial rock for each animal to lay on at will</u> [Note: This requirement is intended to allow for each animal to lay on at will.]; and</li> <li>c. a full-spectrum <u>ultraviolet b (UVB)</u> light or access to natural sunlight at least 8-hours each 24-hour period. [Note: This requirement is intended to mimic the natural diurnal process for each animal.]</li> </ol> </li> </ol>
(2) Reptiles	(A) Snakes, turtles, tortoises, lizards	<ol style="list-style-type: none"> <li>1. Each enclosure shall be constructed of <u>either the following material</u>:               <ol style="list-style-type: none"> <li>a. <del>P</del>lastic; or</li> <li>b. <del>A</del>crylic; or</li> <li>c. <del>F</del>iberglass; or</li> <li>d. <u>Glass similar non-porous smooth surface material.</u></li> </ol> </li> <li>2. Each enclosure shall have at least <del>3</del> <u>6</u> airholes of no more than <del>0.25-inch</del> <u>1/8-inch</u> diameter, or similar means of ventilation, and a lid secured by a lock or latching mechanism. [Note: This requirement is intended to prevent animal escape by climbing.]</li> <li>3. Floors shall be covered with <u>either one of the following materials at least 2 inches deep</u>:               <ol style="list-style-type: none"> <li>1. Soil <u>at a minimum depth of 2-inches</u>; or</li> <li>2. Non-abrasive sand <u>at a minimum depth of 2-inches</u>; or</li> <li>3. coconut fiber or <u>similar substrate at a minimum depth of 2-inches.</u></li> <li>4. <del>similar substrate.</del></li> </ol> </li> <li>4. Each enclosure shall have the following enrichment:               <ol style="list-style-type: none"> <li>a. a shallow pan filled with chlorine-free <u>clean</u> water of a depth sufficient for each animal to fully ingress and egress at will, <u>notwithstanding a western pond turtle enclosure that shall be filled with at least 10-gallons of clean water per 1-inch of body length</u> [Note: This requirement is intended to allow each animal to fully submerge in the water and swim at will.]; and</li> <li>b. at least 1 <del>one basking</del> <u>natural or artificial rock</u> [Note: This requirement is intended to allow each animal to lay on <u>at</u> and thermoregulate at will.]; and</li> <li>c. a full-spectrum <u>ultraviolet b (UVB)</u> light or access to natural sunlight at least 8-hours each 24-hour period [Note: This requirement is intended to mimic the natural diurnal process for each animal.].</li> </ol> </li> </ol>

**(e) Mammal Requirements**

(1) A permittee, their designee, sub-permittee, authorized person, and qualified handler shall adhere to the mammal pre-release conditioning enclosure requirements specified in (f) Table 6 and the minimum enclosure size requirements for neonate and pre-release conditioning mammal enclosures specified in (g) Table 7.

**(f) Pre-release Conditioning Enclosure Requirement; Mammals. Table 4 6.**

Order	Animal Type	Minimum Requirements
(1) Carnivora	(A) Badger	<p>1. <del>Walls, floor, and roof</del> shall be constructed of either <u>or a combination of the listed materials:</u></p> <p>a. <del>9-gauge</del> <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p>b. <del>Concrete 1-inch x 1-inch welded steel wire.</del></p> <p>2. <del>Roof</del> shall be constructed of either <u>or a combination of the listed materials:</u></p> <p>a. <u>11-gauge chain link with any mesh size; or</u></p> <p>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></p> <p>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p><del>2-3.</del> <u>Wall and roof material shall be affixed to posts consisting of either one of the following materials and spaced no more than 8 feet apart:</u></p> <p>a. <u>A minimum of 2-inch 4-inch x 4-inch wood fence post; or</u></p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p><del>3-4.</del> <u>Walls shall be buried at least 3 feet deep down and 5 feet inward at a 90-degree angle. [Note: This requirement is intended to prevent animal escape by digging.]</u></p> <p><del>4-5.</del> <u>Floors shall be constructed of concrete and covered with a minimum of 1 foot of soil or similar natural substrate at a minimum depth of 1 foot [Note: This requirement is intended to prevent animal escape by digging.]</u></p> <p><del>5-6.</del> <u>Each enclosure shall have the following enrichment:</u></p> <p>a. <u>1 hide box or sheltered retreat with the minimum dimensions of 2.5 feet x 2 feet x 2 feet (L x W x H). [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]; and</u></p> <p>b. <u>At least one area of the floor a minimum of 4-feet x 4-feet (L x W) covered with at least 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended to allow each animal claw and dig at will.]; and</u></p> <p>c. <u>At least 1 tree stump or tree limb at least 6 feet long with a minimum diameter of 4 inches securely attached either horizontally or at an angle between 30-degrees and 60-degrees to the wall [Note: This is intended to allow an animal to climb and scratch.]</u></p>
	(B) Bobcat	<p>1. <del>Walls and floor</del> shall be constructed of either <u>or a combination of the listed materials:</u></p> <p>a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p>b. <del>1-inch by 2-inch w-</del> <u>Welded steel wire with mesh size no larger than 1-inch x 2-inches; or</u></p> <p>c. <u>Concrete.</u></p>

Order	Animal Type	Minimum Requirements
		<p>2. Roof shall be constructed of either <u>or a combination of the listed materials:</u></p> <ul style="list-style-type: none"> <li>a. <u>11-gauge chain link with mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior roof; or</u></li> <li>b. <u><del>1-inch by 2-inch welded steel wire with mesh size no larger than 1-inch x 2-inches; or</del></u></li> <li>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining area consisting of either a or b; or</u></li> <li>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></li> </ul> <p>3. Wall and roof materials shall be affixed to posts consisting of one of the <u>listed materials and spaced no more than 8 feet apart:</u></p> <ul style="list-style-type: none"> <li>a. <u>A minimum of 2-inch <del>4-inch x</del> 4-inch wood fence post; or</u></li> <li>b. <u>A minimum of 2-inch diameter metal fence post.</u></li> </ul> <p>4. Walls constructed of <u>11-gauge chain link or welded steel wire</u> shall be buried at least 1 foot <u>deep down</u> and 1 foot inward at a 90-degree angle <u>if floors are not constructed of concrete</u> [Note: This requirement is intended to prevent escape by digging.]</p> <p>5. Floors shall be constructed of <u>either one of the following:</u></p> <ul style="list-style-type: none"> <li>a. <u>Soil or <del>other</del> similar natural substrate; or</u></li> <li>b. <u>Concrete covered with soil or <del>other</del> similar natural substrate at a minimum depth of 6 inches; or</u></li> <li>c. <u>Welded steel wire with mesh size no larger than 1-inch x 2-inches covered with soil or similar natural substrate at a minimum depth of <b>1-foot 6 inches</b>; or</u></li> <li>d. <u>11-gauge chain link with mesh no larger than 2.5 inches covered with soil or similar natural substrate at a minimum depth of 1 foot.</u></li> </ul> <p>6. Each enclosure shall have the following enrichment:</p> <ul style="list-style-type: none"> <li>a. <u>3 <del>wooden</del> beams or tree limbs at least 6 feet long with a minimum diameter of 4 inches <del>wide</del> securely attached either horizontally or at an angle between 30-degrees and 60-degrees to the <del>enclosure wall</del> [Note: This is intended to allow an animal to climb and scratch]; and</u></li> <li>b. <u>1 elevated platform that is placed at a minimum height of 4 feet above the floor with a minimum area of 6 square feet; and</u></li> <li>c. <u>1 hide box or sheltered retreat with the minimum dimensions of 2.5 feet x 2 feet x 2 feet (L x W x H). [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u></li> </ul>
	(C) Coyote	<p>1. Walls <del>and roof</del> shall be constructed of either:</p> <ul style="list-style-type: none"> <li>a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></li> <li>b. <u><del>1-inch x 2-inch welded steel wire</del> with a mesh size no larger than 1-inch x 2-inch.</u></li> </ul> <p>2. Roof shall be constructed of either or a combination of the listed materials:</p> <ul style="list-style-type: none"> <li>a. <u>11-gauge chain link with mesh size no larger than 2.5 inches; or</u></li> <li>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></li> <li>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></li> </ul>

Order	Animal Type	Minimum Requirements
		<p><del>2-3.</del> <u>Wall and roof materials shall be affixed to posts consisting of one of the following listed materials and spaced no more than 8 feet apart:</u></p> <ul style="list-style-type: none"> <li>a. <u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence post; or</u></li> <li>b. <u>A minimum of 2-inch diameter metal fence post.</u></li> </ul> <p><del>3-4.</del> <u>Walls shall be buried at least 2 feet deep and 2 feet 1 foot down and 1 foot inward at a 90-degree angle if floors are not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</u></p> <p><del>4-5.</del> <u>Floors shall be constructed of either:</u></p> <ul style="list-style-type: none"> <li>a. <u>Soil or similar natural substrate; or</u></li> <li>b. <u>11- gauge chain link covered with soil, or similar natural substrate at a minimum depth of 6 inches 1 foot; or</u></li> <li>c. <u>Welded steel wire covered with soil, or similar natural substrate at a minimum depth of 1 foot 6 inches; or</u></li> <li>d. <u>Concrete covered with soil, or similar natural substrate at a minimum depth of 6 inches 1 foot 6 inches.</u></li> </ul> <p><del>5-6.</del> <u>Each enclosure shall have the following enrichment:</u></p> <ul style="list-style-type: none"> <li>a. <u>1 hide box or sheltered retreat that is with the minimum dimensions of 4 feet x 3 feet x 3 feet (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]; and either</u></li> <li>b. <u>At least 2 wood beams or tree limbs at least 6 feet long and a minimum diameter of 4 inches wide securely attached horizontally or at an angle between 30-degrees and 60-degrees; and or</u></li> <li>c. <u>1 elevated platform that is placed at a minimum height of 3 feet above the floor with and a minimum of 6 square feet.</u></li> </ul>
	<p><u>(D) Ermine, Mink, Weasel</u></p>	<p><u>1. Walls shall be constructed of either or a combination of the listed materials:</u></p> <ul style="list-style-type: none"> <li>a. <u>Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch; or</u></li> <li>b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches with steel hardware cloth with a mesh size no larger 1-inch x 1-inch affixed to the interior wall; or</u></li> <li>c. <u>Wood panels; or</u></li> <li>d. <u>Fiberglass panels; or</u></li> <li>e. <u>Polyvinyl chloride (PVC) panels or other similar solid material.</u></li> </ul> <p><u>2. Roof shall be constructed of either or a combination of the listed materials:</u></p> <ul style="list-style-type: none"> <li>a. <u>Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch; or</u></li> <li>b. <u>Wood panels; or</u></li> <li>c. <u>Fiberglass panels; or</u></li> <li>d. <u>Polyvinyl chloride (PVC) panels.</u></li> </ul> <p><u>3. Wall and roof material shall be affixed to posts consisting of one of the listed materials:</u></p> <ul style="list-style-type: none"> <li>a. <u>A minimum of 2-inch x 4-inch wood fence posts; or</u></li> <li>b. <u>A minimum of 2-inch diameter metal fence post.</u></li> </ul> <p><u>4. Walls shall be buried at least 1 foot down and 1 foot inward at a 90-degree angle if floors are not constructed of concrete [Note: This requirement is intended to prevent escape by digging].</u></p> <p><u>5. Floors shall be constructed of either:</u></p> <ul style="list-style-type: none"> <li>a. <u>Welded steel wire or chain link covered with soil or similar natural substrate at a minimum depth of 1 foot 6 inches; or</u></li> <li>b. <u>Concrete covered with soil or similar natural substrate at a minimum depth of 1 foot.</u></li> </ul>

Order	Animal Type	Minimum Requirements
		<p><u>6. Each enclosure shall have the following enrichment:</u></p> <ul style="list-style-type: none"> <li><u>a. 2 wood beams or tree limbs at least 4 feet long with a minimum diameter of 3 inches placed on the floor either horizontally or at an angle between 30-degrees and 60-degrees; and</u></li> <li><u>b. 1 hide box or sheltered retreat with the minimum dimensions of 1.5 feet x 1 foot x 1 foot (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will].</u></li> </ul>
	<u>(E) Fisher</u>	<ul style="list-style-type: none"> <li><u>1. Walls shall be constructed of either:</u> <ul style="list-style-type: none"> <li><u>a. 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></li> <li><u>b. Welded steel wire with a mesh size no larger than 1-inch x 1-inch.</u></li> </ul> </li> <li><u>2. Roof shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> <li><u>a. 11 -gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></li> <li><u>b. Welded steel wire with a mesh sized no larger than 1-inch x 1-inch; or</u></li> <li><u>c. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li><u>d. Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li><u>e. Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></li> </ul> </li> <li><u>3. Wall and roof materials shall be affixed to posts consisting of one of the listed materials:</u> <ul style="list-style-type: none"> <li><u>a. A minimum of 2-inch x 4-inch wood fence posts, or</u></li> <li><u>b. A minimum of 2-inch diameter metal fence posts.</u></li> </ul> </li> <li><u>4. Walls shall be buried at least 1 foot down and 1 foot inward at a 90-degree angle if the floor is not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</u></li> <li><u>5. Floors shall be constructed of either:</u> <ul style="list-style-type: none"> <li><u>a. Soil or similar natural substrate; or</u></li> <li><u>b. 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soil or similar natural substrate at a minimum depth of 1 foot; or</u></li> <li><u>c. Welded steel wire covered with soil or similar natural substrate at a minimum depth of 1-foot 6 inches; or</u></li> <li><u>d. Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches.</u></li> </ul> </li> <li><u>6. Each enclosure shall have the following enrichment:</u> <ul style="list-style-type: none"> <li><u>a. At least 4 wood beams or tree limbs at least 4 feet long with a minimum diameter of 6 inches placed on the floor either horizontally or at an angle between 30-degrees and 60-degrees; and</u></li> <li><u>b. 2 elevated platforms that are placed at varying heights a minimum of 2 feet high above the floor with a minimum area of 2 square feet; and</u></li> <li><u>c. At least 1 hide box or sheltered retreat with the minimum dimensions of 2.5-feet x 2-feet x 1.5-feet (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u></li> </ul> </li> </ul>
	<u>(F) Fox, Gray and Sierra Nevada Red</u>	<ul style="list-style-type: none"> <li><u>1. Walls shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> <li><u>a. Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></li> <li><u>b. Wood panels; or</u></li> <li><u>c. Fiberglass panels; or</u></li> </ul> </li> </ul>

Order	Animal Type	Minimum Requirements
		<ul style="list-style-type: none"> <li>d. <u>Polyvinyl chloride (PVC) panels; or</u></li> <li>e. <u>Concrete.</u></li> <li>2. <u>Roof shall be constructed either or a combination of the listed materials:</u> <ul style="list-style-type: none"> <li>a. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></li> <li>b. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of material listed in a; or</u></li> <li>c. <u>Fiberglass panels covering no more than ½ the roof area with the remaining roof area consisting of material listed in a; or</u></li> <li>d. <u>Polyvinyl chloride (PVC) panels covering no more than ½ the roof area with the remaining roof area consisting of material listed in a.</u></li> </ul> </li> <li>3. <u>Wall and roof materials shall be affixed to posts consisting of one of the listed materials:</u> <ul style="list-style-type: none"> <li>a. <u>A minimum of 2-inch x 4-inch wood fence posts, or</u></li> <li>b. <u>A minimum of 2-inch diameter metal fence posts.</u></li> </ul> </li> <li>4. <u>Walls constructed of welded steel wire shall be buried at least 2 feet down and 2 feet inward at a 90-degree angle if floors are not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</u></li> <li>5. <u>Floors shall be constructed of either:</u> <ul style="list-style-type: none"> <li>a. <u>Soil or similar natural substrate; or</u></li> <li>b. <u>Welded steel wire shall be covered with soil or similar natural substrate of a minimum depth of 2 feet 6 inches; or</u></li> <li>c. <u>11-gauge chain link shall be covered with soil or similar natural substrate of a minimum depth of 1 foot 2 feet; or</u></li> <li>d. <u>Concrete covered with soil or similar natural substrate of a minimum depth of 2 feet 6 inches.</u></li> </ul> </li> <li>6. <u>Each enclosure shall have the following enrichment:</u> <ul style="list-style-type: none"> <li>a. <u>2 tree limbs with a minimum diameter of 2 inches placed on the floor horizontally; and</u></li> <li>b. <u>1 hide box or sheltered retreat with a the minimum dimensions of 2 feet x 1.5 feet x 1.5 feet (L x W x H) [Note: This requirement is intended an animal to be fully hidden and ingress and egress at will]; and</u></li> <li>c. <u>1 wood ramp at least 6 feet long and 4 inches wide placed at an angle between 30-degrees and 60-degrees; or</u></li> <li>d. <u>1 elevated wood platform that is placed at a minimum of 2 feet high above the floor with a minimum area of 3 square feet.</u></li> </ul> </li> </ul>
	<u>(G) Fox, Kit</u>	<ul style="list-style-type: none"> <li>1. <u>Walls shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> <li>a. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></li> <li>b. <u>Wood panels; or</u></li> <li>c. <u>Fiberglass panels; or</u></li> <li>d. <u>Polyvinyl chloride (PVC) panels; or</u></li> <li>e. <u>Concrete.</u></li> </ul> </li> <li>2. <u>Roof shall be constructed of either or a combination of listed materials:</u> <ul style="list-style-type: none"> <li>a. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></li> <li>b. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of material listed in a; or</u></li> <li>c. <u>Fiberglass panels covering no more than ½ the roof area with the remaining roof area consisting of material listed in a; or</u></li> <li>d. <u>Polyvinyl chloride (PVC) panels covering no more than ½ the roof area with the remaining roof area consisting of material listed in a.</u></li> </ul> </li> <li>3. <u>Wall and roof materials shall be affixed to posts consisting of one of the listed materials:</u></li> </ul>

Order	Animal Type	Minimum Requirements
		<ul style="list-style-type: none"> <li>a. <u>A minimum size of 2-inch x 4-inch wood fence posts, or</u></li> <li>b. <u>A minimum size of 2-inch diameter metal fence posts.</u></li> <li>4. <u>Walls constructed of welded steel wire shall be buried at least 2 feet down and 2 feet inward at a 90-degree angle if floor is not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</u></li> <li>5. <u>Floors shall be constructed of either:</u> <ul style="list-style-type: none"> <li>a. <u>Soil or similar natural substrate; or</u></li> <li>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch covered with soil or similar natural substrate at a minimum depth of 6 inches 2 feet; or</u></li> <li>c. <u>11-gauge chain link with a mesh size no larger than 2.5 inches covered with soil or similar natural substrate at a minimum depth of 1 foot 2 feet; or</u></li> <li>d. <u>Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches.</u></li> </ul> </li> <li>6. <u>Each enclosure shall have the following enrichment:</u> <ul style="list-style-type: none"> <li>a. <u>2 shrubs, bushes, or similar vegetation. [Note: This requirement is intended to provide a visual barrier for each animal to fully hide behind at will.]; and</u></li> <li>b. <u>At least one area of the floor, a minimum size of 12 square feet, with a minimum of 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended for each animal to be able to express its natural behavior, such as to dig and burrow at will.]; and</u></li> <li>c. <u>At least 2 hide boxes or sheltered retreats with the minimum dimensions of 3 feet x 1.5 feet x 1 foot (L x W x H) [Note: This requirement is intended an animal to be fully hidden and ingress and egress at will.].</u></li> </ul> </li> </ul>
	(H) Marten	<ul style="list-style-type: none"> <li>1. <u>Walls shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> <li>a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></li> <li>b. <u>Welded steel wire with mesh size no larger than 1-inch x 1-inch; or</u></li> <li>c. <u>Wood panels; or</u></li> <li>d. <u>Fiberglass panels; or</u></li> <li>e. <u>Polyvinyl chloride (PVC) panels; or</u></li> <li>f. <u>Concrete.</u></li> </ul> </li> <li>2. <u>Roof shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> <li>a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></li> <li>b. <u>Welded steel wire with mesh size no larger than 1-inch x 1-inch; or</u></li> <li>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>d. <u>Fiberglass or polyvinyl chloride (PVC) panels no more than ½ of the roof area with the remaining roof area consisting of either a or b;</u></li> <li>e. <u>Polyvinyl chloride (PVC) panels no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></li> </ul> </li> <li>3. <u>Wall and roof materials shall be affixed to posts consisting of one of either:</u> <ul style="list-style-type: none"> <li>a. <u>A minimum size of 2-inch x 4-inch wood fence posts, or</u></li> <li>b. <u>A minimum size of 2-inch diameter metal fence posts.</u></li> </ul> </li> </ul>



Order	Animal Type	Minimum Requirements
		<ol style="list-style-type: none"> <li>4. <u>Walls constructed of chain link or welded steel wire shall be buried at least 1.5 feet down and 1.5 feet inward at a 90-degree angle if floor is not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</u></li> <li>5. <u>Floors shall be constructed of one of the either:</u> <ol style="list-style-type: none"> <li>a. <u>Soil or similar natural substrate; or</u></li> <li>b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches covered with soil or similar natural substrate at a minimum depth of 1 foot 1.5 feet; or</u></li> <li>c. <u>Welded steel wire with mesh size no larger than 1-inch x 1-inch covered with soil or similar natural substrate at a minimum depth of 6 inches 1.5 feet; or</u></li> <li>d. <u>Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches.</u></li> </ol> </li> <li>6. <u>Each enclosure shall have the following enrichment:</u> <ol style="list-style-type: none"> <li>a. <u>2 wood beams or tree limbs at least 3 feet in length with a minimum diameter of 12 inches placed on the floor either horizontally or secured at an angle between 30-degrees and 60-degrees; and</u></li> <li>b. <u>1 elevated wood platform that is placed at a minimum of 2 feet high above the ground with a minimum area of 2 square feet; and</u></li> <li>c. <u>1 hide box or sheltered retreat with the minimum dimensions of 1.5-feet x 1 foot x 1 foot (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u></li> </ol> </li> </ol>
	(l) Raccoon	<ol style="list-style-type: none"> <li>1. <u>Walls shall be constructed of either:</u> <ol style="list-style-type: none"> <li>a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches with steel hardware cloth with a mesh size no larger 1-inch x 1-inch affixed to the interior wall; or</u></li> <li>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 1-inch.</u></li> </ol> </li> <li>2. <u>Roof shall be constructed of either or a combination of the listed materials:</u> <ol style="list-style-type: none"> <li>a. <u>11-gauge chain link with a mesh size no larger than 1-inch x 1-inch; or</u></li> <li>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 1-inch; or</u></li> <li>c. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>d. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></li> </ol> </li> <li>3. <u>Wall and roof materials shall be affixed to posts consisting of one of either:</u> <ol style="list-style-type: none"> <li>a. <u>A minimum of 2-inch x 4-inch wood fence post; or</u></li> <li>b. <u>A minimum of 2-inch diameter metal fence post.</u></li> </ol> </li> <li>4. <u>Walls shall be buried at least 1 foot down and 1 foot inward at a 90-degree angle if floor is not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging.]</u></li> <li>5. <u>Floor shall be constructed of either:</u> <ol style="list-style-type: none"> <li>a. <u>Soil or similar natural substrate; or</u></li> <li>b. <u>Concrete with at least one area of the floor with a minimum dimension of 2 feet x 2 feet (L x W) covered with soil or similar substrate at a minimum depth of 6-inches; or</u></li> <li>c. <u>Welded steel wire covered with soil or similar substrate at a minimum depth of 6 inches 1-foot; or</u></li> <li>d. <u>11-gauge chain link covered with soil or similar substrate at a minimum depth of 1 foot.</u></li> </ol> </li> <li>6. <u>Each enclosure shall have the following enrichment:</u></li> </ol>

Order	Animal Type	Minimum Requirements
		<ul style="list-style-type: none"> <li>a. <u>3 wood beams or tree limbs at least 2 feet long with a minimum diameter of 2 inches placed on the floor either horizontally or secured to a wall at an angle between 30-degrees and 60-degrees; and</u></li> <li>b. <u>1 pool or water feature constructed of plastic, aluminum, fiberglass, concrete, or metal that is a minimum of 2 feet in diameter filled with a minimum of 6 inches of clean water; and</u></li> <li>c. <u>1 hide box or sheltered retreat with the minimum dimensions of 2 feet x 1.5 feet x 1.5 feet. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u></li> </ul> <p>7. <u>Other species shall not be housed in enclosures designated for raccoons. [Note: This requirement is intended to prevent transmitting raccoon roundworm to other animals.]</u></p>
	(D) Fox	<ul style="list-style-type: none"> <li><del>1. Walls and roof shall be constructed of either:               <ul style="list-style-type: none"> <li>a. <del>1 inch x 1 inch welded steel wire; or</del></li> <li>b. <del>Concrete (walls only);</del></li> </ul> </del></li> <li><del>2. Roof shall be constructed of 1 inch x 1 inch welded steel wire.</del></li> <li><del>3. Wall and roof materials shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart:               <ul style="list-style-type: none"> <li>a. <del>4 inch x 4 inch wood fence posts, or</del></li> <li>b. <del>2 inch diameter metal fence posts.</del></li> </ul> </del></li> <li><del>4. Walls constructed of 1 inch x 1 inch welded steel wire shall be buried a minimum of 2 feet deep and 2 feet inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</del></li> <li><del>5. Floors shall be constructed of either:               <ul style="list-style-type: none"> <li>a. <del>Soil or similar natural substrate; or</del></li> <li>b. <del>Concrete covered with soil or similar natural substrate of a minimum depth of 6 inches.</del></li> </ul> </del></li> <li><del>6. Each enclosure shall have the following enrichment:               <ul style="list-style-type: none"> <li>a. <del>2 tree limbs with a minimum diameter of 2 inches; and</del></li> <li>b. <del>1 hide box or sheltered retreat with the minimum dimensions of 2 feet x 1.5 feet x 1.5 feet [Note: This requirement is intended an animal to be fully hidden and ingress and egress at will]; and</del></li> <li>c. <del>1 wood ramp at minimum of 6 feet long and 4 inches wide placed horizontally or at an angle of 30 degrees to 60 degrees; or</del></li> <li>d. <del>1 wood platform a minimum of 2 feet high and a minimum area of 4 square feet.</del></li> </ul> </del></li> <li><del>7. Kit fox species shall have at least one area of the floor a minimum of 4 feet x 4 feet shall have at least 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended for each animal to be able to express its natural behavior, such as to dig and burrow at will.]</del></li> </ul>
	(E) Fisher, Marten	<ul style="list-style-type: none"> <li><del>1. Walls shall be constructed of either:               <ul style="list-style-type: none"> <li>a. <del>11 gauge chain link; or</del></li> <li>b. <del>1 inch x 1 inch welded steel wire; or</del></li> <li>c. <del>Concrete.</del></li> </ul> </del></li> <li><del>2. Roof shall be constructed of either:               <ul style="list-style-type: none"> <li>a. <del>11 gauge chain link; or</del></li> <li>b. <del>1 inch x 1 inch welded steel wire.</del></li> </ul> </del></li> <li><del>2. Wall and roof materials shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart:               <ul style="list-style-type: none"> <li>a. <del>4 inch x 4 inch wood fence posts, or</del></li> <li>b. <del>2 inch diameter metal fence posts.</del></li> </ul> </del></li> <li><del>3. Walls constructed of chain link or welded steel wire shall be buried at least 1.5 feet deep and 1.5 feet inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</del></li> <li><del>4. Floors shall be constructed of one of the following materials:</del></li> </ul>

Order	Animal Type	Minimum Requirements
		<p><del>a. Soil;</del>  <del>b. Mulch; or</del>  <del>c. Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches.</del>  5. <del>Each enclosure shall have the following enrichment:</del>  <del>a. 3 tree limbs at least 4 feet in length with a minimum diameter of 12 inches placed horizontally, vertically, or at an angle between 30 degrees to 60 degrees; and</del>  <del>b. 1 hide box or sheltered retreat that has the minimum dimensions of 1.5 feet x 1.5 feet x 1.5 feet. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</del></p>
	(F) Raccoon	<p><del>a. Walls and roof shall be constructed of either:</del>  <del>a. 0.5-inch x 1-inch welded steel wire, or</del>  <del>b. 11-gauge chain link.</del>  <del>b. Wall and roof materials shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart:</del>  <del>a. 4-inch x 4-inch wooden fence post, or</del>  <del>b. 2-inch diameter metal fence post.</del>  <del>c. Walls constructed of 0.5-inch x 1-inch welded steel wire, or 11-gauge chain link shall be buried at a minimum of 1 foot deep and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging.]</del>  <del>d. Floor shall be constructed of either, and covered with soil, or similar natural substrate with a minimum depth of 6 inches:</del>  <del>a. Concrete; or</del>  <del>b. 0.5-inch x 1-inch welded steel wire.</del>  <del>e. Each enclosure shall have the following enrichment:</del>  <del>a. 3 tree limbs with a minimum diameter of 2 inches placed either horizontally or at an angle of 30 degrees to 60 degrees; and</del>  <del>b. 1 pool or water feature constructed of plastic, aluminum, rubber, or metal that is a minimum of 2 feet in diameter and can hold a minimum of 6 inches of water; and</del>  <del>c. 1 hide box or sheltered retreat with minimum dimensions of 2 feet x 1.5 feet x 1.5 feet. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</del>  <del>f. Other species shall not be housed in enclosures designated for raccoons. [Note: This requirement is intended to prevent transmitting raccoon roundworm to other animals.]</del></p>
	(G) (J) Ringtail	<p>1. Walls shall be constructed of either <u>or a combination of the listed materials:</u>  a. <del>1-inch x 1-inch welded steel wire with a mesh size no larger than 1-inch x 1-inch welded steel wire;</del> or  b. 11-gauge chain link <u>with a mesh size no larger than 1-inch x 1-inch;</u> or  c. <u>Wood panels; or</u>  d. <u>Fiberglass panels; or</u>  e. <u>Polyvinyl chloride (PVC) panels; or</u>  <del>f. Concrete.</del>  2. Roof shall be constructed of either <u>or a combination of the listed materials:</u>  a. <del>1-inch x 1-inch welded steel wire with a mesh size no larger than 1-inch x 1-inch;</del> or  b. 11-gauge chain link <u>with a mesh size no larger than 1-inch x 1-inch;</u> or  c. <u>Wood panels covering no more than 1/2 of the roof area with the remaining roof area consisting of either a or b; or</u>  d. <u>Fiberglass panels covering no more than 1/2 of the roof area with the remaining roof area consisting of either a or b; or</u>  e. <u>Polyvinyl chloride (PVC) panels covering no more than 1/2 of the roof area with the remaining roof area consisting of either a or b.</u></p>

Order	Animal Type	Minimum Requirements
		<p>3. Walls and roof material shall be affixed to posts consisting of <del>either one of the following materials and spaced no more than 8 feet apart:</del></p> <ol style="list-style-type: none"> <li><del>A minimum of 2-inch 4-inch x 4-inch wooden fence post; or</del></li> <li><del>A minimum of 2-inch diameter metal fence post.</del></li> </ol> <p>4. Walls constructed of <del>either 1-inch x 1-inch welded steel wire, or 11-gauge welded steel wire or chain link shall be buried a minimum of 1 foot deep down and 1 foot inward at a 90-degree angle if floor is not constructed of concrete</del> [Note: This requirement is intended to prevent animal escape by digging.]</p> <p>5. Floors shall be constructed of either:</p> <ol style="list-style-type: none"> <li><del>Concrete covered with soil, or similar natural substrate with a minimum depth of 3 inches 6 inches; or</del></li> <li><del>Soil or similar natural substrate; or</del></li> <li><del>11-gauge chain link with a mesh size no larger than 1-inch x 1-inch covered with soil or other similar natural substrate at a minimum depth of 1 foot; or</del></li> <li><del>Welded steel wire with a mesh size no larger than 1-inch x 1-inch covered with soil or other similar natural substrate at a minimum depth of 6 inches 1 foot.</del></li> </ol> <p>6. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> <li><del>3 wood beams or tree limbs at least 3 feet long with a minimum diameter of 2 inches placed on the floor either horizontally or secured to the enclosure wall at an angle between 30-degrees and 60-degrees; and</del></li> <li><del>1 elevated platform that is a minimum height of 4 feet tall above the ground with a minimum area of 2 square feet; and</del></li> <li><del>1 hide box or sheltered retreat that is a with the minimum dimensions of 1.5-foot x 1 foot x 1 foot (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</del></li> </ol>
	<p><del>(J) Weasel, Ermine, Mink</del></p>	<p><del>1. Walls and roof shall be constructed of 0.5-inch x 0.5-inch welded steel wire.</del></p> <p><del>2. Walls and roof material shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart:</del></p> <ol style="list-style-type: none"> <li><del>4-inch x 4-inch wood fence posts; or</del></li> <li><del>2-inch diameter metal fence post.</del></li> </ol> <p><del>3. Walls constructed of 0.5-inch x 0.5-inch welded steel wire shall be buried at least 1 foot deep and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent escape by digging].</del></p> <p><del>4. Floors shall be constructed of either:</del></p> <ol style="list-style-type: none"> <li><del>0.5-inch x 0.5-inch welded steel wire; or</del></li> <li><del>Concrete covered with soil, or similar natural substrate at least 1 foot deep.</del></li> </ol> <p><del>5. Each enclosure shall have the following enrichment:</del></p> <ol style="list-style-type: none"> <li><del>2 tree limbs a minimum of 4 feet long with a minimum diameter of 3 inches placed horizontally on the ground or at an angle between 30-degrees and 60-degrees; and</del></li> <li><del>1 hide box or sheltered retreat with minimum dimensions of 1.5 feet x 1 foot x 1 foot [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will].</del></li> </ol>
	<p><del>(H)</del> (K) River Otter</p>	<p>1. Walls and roof shall be constructed of either or a combination of the listed materials:</p> <ol style="list-style-type: none"> <li><del>1-inch x 1-inch welded steel wire with a mesh size no larger than 1-inch x 1-inch; or</del></li> <li><del>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger 1-inch x 1-inch affixed to the interior wall; or</del></li> </ol>

Order	Animal Type	Minimum Requirements
		<p>c. <u>Fiberglass panels</u>; or</p> <p>d. <u>Polyvinyl chloride (PVC) panels</u>; or</p> <p><del>e. Concrete.</del></p> <p>2. Roof shall be constructed of either <u>or a combination of the listed materials</u>:</p> <p>a. <del>1-inch x 1-inch</del> welded steel wire <u>with a mesh size no larger than 2-inch x 3-inch</u>; or</p> <p>b. 11-gauge chain link <u>with a mesh size no larger than 2.5 inches</u>; or</p> <p>c. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p>d. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p>3. Walls and roof material shall be affixed to posts consisting of <u>either one of the following materials and spaced no more than 8 feet apart</u>:</p> <p>a. <u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence post</u>; or</p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p>4. Walls constructed of <del>1-inch x 1-inch</del> welded steel wire, or <del>11-gauge</del> chain link shall be buried at least 1 foot <del>deep down</del> and 1 foot inward at a 90-degree angle [Note: this requirement is intended to prevent animal escape by digging].</p> <p>5. Floor shall be constructed of either:</p> <p>a. Soil, or similar natural substrate; or</p> <p>b. <u>Welded steel wire with a mesh size no larger than 1 inch x 1-inch covered with soil, or similar natural substrate at a minimum depth of 6 inches <del>1 foot</del>; or</u></p> <p>c. <u>11-gauge wire with a mesh size no larger than 1-inch x 1-inch covered with soil, or similar natural substrate at a minimum depth of 1 foot; or</u></p> <p><del>d. Concrete covered with soil, or similar natural substrate with a minimum depth of 6 inches or heavy-duty rubber drainage mats</del>  <u>heavy-duty rubber drainage mats or soil, or similar natural substrate, at a minimum depth of 6 inches.</u></p> <p>6. Each enclosure shall have the following enrichment:</p> <p>a. A pool at least <u>10 feet in diameter and</u> constructed of metal, plastic, <u>fiberglass</u>, or concrete, filled with <u>clean water</u>, and a ramp or similar sloped entry. [Note: This requirement is intended to allow each animal to ingress or egress the pool at will.]</p> <p>b. Juveniles, and adult conspecifics housed with juveniles, shall have a pool filled with fresh water at least 6 inches deep in the shallow end, and no more than 2 feet deep at the deep end.</p> <p>c. Adults <u>housed with adult conspecifics only</u> shall have a pool filled with <u>clean water</u> at least 3 feet deep.</p> <p>d. <u>1 hide box or sheltered retreat with the minimum dimensions of 4-feet x 2-feet x 2-feet (L x W x H) [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will].</u></p>
	(L) Skunk	<p>1. Walls and roof shall be constructed of <del>1-inch x 1-inch</del> welded steel wire <u>with a mesh size no larger than 1-inch x 1-inch.</u></p> <p>2. Walls and roof material shall be affixed to posts consisting of <u>either one of the following materials and spaced no more than 8 feet apart</u>:</p> <p>a. <u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence posts</u>; or</p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p>

Order	Animal Type	Minimum Requirements
		<ol style="list-style-type: none"> <li>3. Walls constructed of <del>1-inch x 1-inch</del> welded steel wire shall be buried at least 1 foot down and 1 foot inward at a 90-degree angle. [Note: This requirement is intended to prevent animal escape by digging.]</li> <li>4. Floors shall be constructed of either: <ol style="list-style-type: none"> <li>a. <del>1-inch by 1-inch</del> welded steel wire covered with soil, or similar natural material <u>a minimum depth of 3-inches at least 1 foot deep</u>; or</li> <li>b. Concrete covered with soil, or similar natural material <u>a minimum depth of 3-inches at least 1 foot deep</u>.</li> </ol> </li> <li>5. Each enclosure shall have the following enrichment: <ol style="list-style-type: none"> <li>a. 2 tree limbs <del>with a minimum of at least</del> 3 feet long with a minimum diameter of 4 inches placed horizontally on the floor; and</li> <li>b. 1 hide box or sheltered retreat with <u>the</u> minimum dimensions of 2 feet x 1.5 feet x 1.5 feet (L x W x H). [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</li> </ol> </li> <li>6. Other species shall not be housed in enclosures designated solely for skunks. [Note: This requirement is intended to prevent transmitting skunk roundworm to other animals.]</li> </ol>
	<p><del>(M)</del> (M) Wolverine</p>	<ol style="list-style-type: none"> <li>1. Walls shall be constructed of either <u>or a combination of the listed materials</u>: <ol style="list-style-type: none"> <li>a. 11-gauge chain link <u>with a mesh size no larger than 2.5 inches</u>; or</li> <li>b. <u>Concrete 1-inch x 1-inch welded steel wire</u>; or</li> <li>c. <del>Concrete</del>.</li> </ol> </li> <li>2. Roof shall be constructed of either <u>or a combination of the listed materials</u>: <ol style="list-style-type: none"> <li>a. 11-gauge chain link <u>with a mesh size no larger than 2.5 inches</u>; or</li> <li>b. <del>1-inch x 1-inch</del> welded steel wire <u>with a mesh size no larger than 2-inches x 2-inches</u>; or</li> <li>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></li> </ol> </li> <li>3. Wall and roof materials shall be affixed to posts consisting of <del>either one of the following materials</del>: <ol style="list-style-type: none"> <li>a. <u>A minimum of 2-inch 4-inch x 4-inch wood fence posts</u>, or</li> <li>b. <u>A minimum of 2-inch diameter metal fence posts</u>.</li> </ol> </li> <li>4. Walls constructed of chain link <del>or welded steel wire</del> shall be buried at least 1.5 feet <del>deep down</del> and 1.5 feet inward at a 90-degree angle <u>if floor is not constructed of concrete</u> [Note: This requirement is intended to prevent animal escape by digging].</li> <li>5. Floors shall be constructed of either: <ol style="list-style-type: none"> <li>a. 11-gauge chain link <u>with a mesh size no larger than 2.5 inches covered with soil, or similar natural substrate at a minimum depth of 1 foot</u>; or</li> <li>b. <del>1-inch x 1-inch</del> welded steel wire <u>with a mesh size no larger than 2-inches x 2-inches covered with soil, or similar natural substrate at a minimum depth of 1 foot</u>; or</li> <li>c. <u>Concrete covered with soil, or similar natural substrate at a minimum depth of 6 inches</u>; or</li> <li>d. <u>Soil, or similar natural substrate</u>.</li> </ol> </li> <li>6. Each enclosure shall have the following enrichment: <ol style="list-style-type: none"> <li>a. 2 <u>wood beams</u> or tree limbs at least 4 feet <del>in length</del> long with a <u>minimum</u> diameter of 3 inches placed <u>on the floor</u> horizontally or secured <u>to a wall</u> at an angle between 30-degrees and 60-degrees; and</li> </ol> </li> </ol>

Order	Animal Type	Minimum Requirements
		<p>b. 1 hide box or sheltered retreat with the minimum dimensions of 3 feet x 2 feet x 2 feet (L x W x H). [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]; and</p> <p>c. At least one area of the floor, a minimum of 4-feet x 4-feet, shall have with at least 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended to allow each animal claw and dig at will.].</p>
(2) Chiroptera	(A) All Bats	<p>1. Enclosures shall have a double-door entry system that is closed and secured at all times. [Note: This requirement is intended to prevent animal escape by flying.]</p> <p>2. <u>Walls and roof shall be constructed of either or a combination of the listed materials:</u></p> <ol style="list-style-type: none"> <li><u>Wood panels covering at least 1/4 and up to 1/2 of the wall area; or</u></li> <li><u>Plastic panels covering at least 1/4 and up to 1/2 of the wall area; and/or</u></li> <li><u>Wall area not constructed of wood or plastic shall be constructed of coated polyvinyl chloride (PVC) or welded wire mesh with a mesh size no larger than 1-inch x 0.5-inch Polycarbonate plastic aluminum tubing.</u></li> </ol> <p>3. Wall <del>and roof</del> material shall be affixed to posts consisting of one of the listed materials <del>and spaced no more than 8 feet apart:</del></p> <ol style="list-style-type: none"> <li><u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence posts; or</u></li> <li><u>A minimum of 2-inch diameter metal fence post.</u></li> </ol> <p>4. Interior walls shall be covered with <u>either polycarbonate vinyl or polypropylene plastic mesh with mesh size no larger than 1/6 inches x 1/6 inches or smaller polypropylene mesh.</u> [Note: This requirement is intended to prevent injury to each animal.]</p> <p>5. <del>Roof shall be constructed of either</del> <u>Ceilings shall be covered with shade cloth, tarp, or similar material covering at least 1/3 up to 1/2 of the ceiling area</u> [Note: This requirement is intended to provide shelter for each animal.]:</p> <ol style="list-style-type: none"> <li><u>Wood covering at least 1/4 and up to 1/3 of the roof area; or</u></li> <li><u>Plastic covering at least 1/4 and up to 1/3 of the roof area; or</u></li> <li><u>Metal covering at least 1/4 and up to 1/3 of the roof area; and</u></li> <li><u>Roof area not constructed of wood, plastic, or metal shall be constructed of fiberglass netting or similar soft net material.</u></li> </ol> <p>6. Floors shall be constructed of <u>either the following material</u> [Note: This requirement is intended to prevent injury to each animal.]:</p> <ol style="list-style-type: none"> <li>Concrete covered with carpet, mat, or other soft material; or</li> <li>Soil; or</li> <li>Non-abrasive sand. [Note: This requirement is intended to prevent injury to each animal.]</li> </ol> <p>7. Enclosure shall have the following enrichment: [Note: This requirement is intended for each animal of a cavity or <u>crevasse crevice dwelling or foliage roosting species to be fully hidden and to climb, hang, or roost at will.</u>]:</p> <ol style="list-style-type: none"> <li><u>2 hide boxes or sheltered retreat with minimum dimension of no larger than 6 inches x 6 inches 1.5 inches x 6 inches (L x W x H), or cloth pouches,</u> placed a minimum of 5 feet high <u>above the floor; and or</u></li> <li><u>2 cloth pouches (6 inches x 6 inches x 6 inches), or similar sheltered retreat placed a minimum of 5 feet high; and</u></li> <li><u>2 tree branches at least a minimum of 3 feet long with a minimum diameter of 0.5 inches with artificial or natural leaves and secured from the ceiling.</u> [Note: This requirement is intended for each animal of a crevasse dwelling or foliage roosting species to be fully hidden and to climb, hang, or roost at will.]</li> </ol>
(3) Didelphimorphia	(A) Opossum	<p>1. Walls <del>and roof</del> shall be constructed of either <u>or a combination of the listed materials:</u></p> <ol style="list-style-type: none"> <li><u>0.5-inch x 1-inch welded steel wire with a mesh size no larger than 0.5-inch x 1-inch; or</u></li> <li><u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 1-inch affixed to the interior wall; or</u></li> </ol>

Order	Animal Type	Minimum Requirements
		<p>c. Concrete.</p> <p>2. Roof shall be constructed of <del>0.5-inch x 1-inch welded steel wire</del>, either or a combination of the listed materials:</p> <p><u>a. Welded steel wire with a mesh size no larger than 0.5-inch x 1-inch; or</u></p> <p><u>b. 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 1-inch affixed to the interior of the roof; or</u></p> <p><u>c. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b ; or</u></p> <p><u>d. Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p><u>e. Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p>3. Walls and roof material consisting of <del>0.5-inch x 1-inch chain link or welded steel wire</del> shall be affixed to posts consisting of <del>either one of the following materials and spaced no more than 8 feet apart:</del></p> <p>a. <u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence post; or</u></p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p>4. Walls constructed of <del>0.5-inch x 1-inch welded steel wire or chain link</del> shall be buried at least 1 foot <del>deep down</del> and 1 foot inward at a 90-degree angle <u>if floor is not constructed of concrete</u> [Note: This requirement is intended to prevent egress or ingress by any animal.]</p> <p>5. Floors shall be constructed of either:</p> <p>a. Soil, or similar natural substrate; <u>or</u></p> <p>b. <u>Welded steel wire with a mesh size no larger than 0.5-inch x 1-inch <del>welded steel wire</del> covered with soil or similar natural substrate at a minimum depth of 3 inches <del>1-foot</del>; or</u></p> <p>c. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soil or similar natural substrate at a minimum depth of 6 inches <del>1-foot</del>; or</u></p> <p><del>d. Concrete</del> <u>covered with soil or similar natural substrate at a minimum depth of 3 inches <del>1-foot</del>.</u></p> <p>6. Each enclosure shall have the following enrichment:</p> <p>a. <del>3 wood beams or tree limbs or tree branches with a minimum length at least 4 feet long</del> and with a minimum diameter of 2 inches placed horizontally or <u>secured to an enclosure wall at an angle between 30-degrees and 60-degrees; and</u></p> <p>b. 1 elevated platform at a minimum height of 3 feet and a minimum of 3 square feet; and</p> <p>c. <del>2</del> <u>hide boxes or sheltered retreat</u> with minimum dimension of 2 feet x 1.5 feet x 1 foot [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will].</p>
(4) Eulipotyphla (formerly Insectivora)	(A) Mole, Shrew	<p>1. Enclosures shall be constructed of either; and must contain airholes or similar means of ventilation:</p> <p>a. Plastic; or</p> <p>b. Acrylic; or</p> <p>c. Fiberglass; or similar non-porous smooth surface material. [Note: This requirement is intended to prevent animal escape by digging.]</p> <p>2. Floors shall be covered with soil or similar natural substrate at a minimum depth of 1 foot.</p>
(5) Lagomorpha	(A) Hare, Rabbit	<p>1. Walls shall be constructed of <del>0.5-inch x 1-inch welded steel wire and covered with shade cloth, mesh netting, or similar material</del>, either or a combination of the listed materials:</p> <p><u>a. Welded steel wire with a mesh no larger than 0.5-inch x 1-inch and covered with steel hardware cloth with a mesh size no larger than 0.5-inches x 1-inch, shade cloth, or similar material affixed to the interior of the wall; or</u></p>



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		<p><u>b. 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inches x 1-inch, shade cloth, or similar material affixed to the interior of the wall; or</u></p> <p><u>c. Solid panels of wood, fiberglass, or polyvinyl chloride (PVC).</u></p> <p>2. Roof shall be made of either <u>or a combination of the listed materials:</u></p> <p><u>a. Welded steel wire with a mesh no larger than 0.5-inch x 1-inch covered with no more than 30% UV shade cloth; or</u></p> <p><u>b. 11-gauge chain link with a mesh size no larger than 2.5 inches covered with no more than 30% UV shade cloth; or</u></p> <p><u>c. Wood Tarp; or</u></p> <p><u>d. Fiberglass Shade cloth; or</u></p> <p><u>e. Other similar non-transparent material [Note: This requirement is intended to provide visual barrier to predators.]</u></p> <p>3. Walls and roof material shall be affixed <del>shall be affixed</del> to posts consisting of <u>either one of the following materials and spaced no more than 8 feet apart:</u></p> <p>a. <u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence posts; or</u></p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p>4. Walls constructed of <u>0.5-inch x 1-inch welded steel wire or chain link</u> shall be buried <u>a minimum of at least 1 foot deep-down</u> and 1 foot inward at a 90-degree angle. [Note: This requirement is intended to prevent animal escape by digging.]</p> <p>5. <del>The floor shall be constructed of 0.5-inch x 1-inch welded steel wire covered with soil or similar natural substrate at a minimum depth of 6 inches. Floor shall be constructed of either:</del></p> <p>a. <u>Soil, or other similar natural substrate; or</u></p> <p>b. <u>Welded steel wire with a mesh no larger than 0.5-inch x 1-inch covered with soil or similar natural substrate at a minimum depth of <b>6 inches 1 foot</b>; or</u></p> <p>c. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soil or similar natural substrate at a minimum depth of 1 foot.</u></p> <p>6. Each enclosure shall have the following enrichment:</p> <p>a. <u>Straw bales, <del>v</del> Vegetation, <b>shade cloth, tarp,</b> or similar <b>soft</b> material lining at least 2 of the four walls; and</u></p> <p>b. <del>1 of item</del> 1 item of wood, bone, antler, or similar tooth-resistant materials [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]; <u>and</u></p> <p>c. 1 hide box or sheltered retreat with the minimum dimension of 1.5-feet x 1.5 feet x 1.5 feet.</p>
(6) Rodentia	(A) Chipmunk, Ground Squirrel	<p>1. Walls shall be constructed of either <u>or a combination of the listed materials:</u></p> <p>a. <u>Welded steel wire with a mesh size no larger 0.5-inch x 0.5-inch <del>16-gauge chain link covered with 0.5-inch x 0.5-inch welded steel wire [Note: This requirement is intended to provide a visual barrier for each animal.]; or</del></u></p> <p>b. <u>Wood panels <del>0.5-inch x 3-inch welded steel wire</del>; or</u></p> <p>c. Concrete.</p> <p>2. Roof shall be constructed of either <u>or a combination of the listed materials:</u></p> <p><u>a. Welded steel wire with mesh size no larger than 0.5-inch x 0.5-inch <del>16-gauge chain link</del>; or</u></p> <p><u>b. 11-gauge chain link with a mesh size no larger than 2.5 inches <del>0.5-inch x 3-inch welded steel wire</del>; or</u></p> <p><u>c. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p><u>d. Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p>

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		<p>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p>3. Walls and roof <del>constructed of 16-gauge chain link, or 0.5-inch x 3-inch welded steel wire</del> material shall be affixed to posts consisting of <u>either one of the following materials and spaced no more than 8 feet apart:</u></p> <p>a. <u>A minimum of 2-inch 4-inch x 4-inch wood fence posts; or</u></p> <p>b. <u>A minimum of 2-inch diameter metal fence posts.</u></p> <p>4. Walls constructed of <del>16-gauge chain link, or 0.5-inch x 3-inch welded steel</del> shall be buried 1.5 feet <u>deep down</u> and 1.5 inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</p> <p>5. Floor shall be constructed of <u>either one of the following materials</u> [Note: This requirement is intended to prevent animal escape by digging.]:</p> <p><del>a. 16-gauge chain link covered with soil, or similar natural substrate at a minimum depth of 1.5 feet; or</del></p> <p><u>a. 0.5-inch x 3-inch welded steel wire with a mesh size no larger 0.5-inch x 0.5-inch covered with soil, or similar natural substrate at a minimum depth of 1.5 1 foot; or</u></p> <p><del>b. Concrete covered with soil, or similar natural substrate at a minimum depth of 1.5 feet 6 inches.</del></p> <p><del>6. Each enclosure shall have at least 1 wood stump or tree limb of a minimum diameter of 2 inches</del></p> <p><del>7. 6.</del> Each enclosure shall have the following enrichment:</p> <p>a. 1 hide box or sheltered retreat with the minimum dimensions of 1 foot x 1 foot x 1 foot [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]; and</p> <p><u>b. At least 1 wood stump or tree limb at least 2 feet long with a minimum diameter of 2 inches; and</u></p> <p><del>c. b.</del> At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.].</p>
	(B) Flying Squirrel, Tree Squirrel	<p>1. Walls and roof shall be constructed of either <u>or a combination of the listed materials:</u></p> <p><del>a. 16-gauge chain link covered with 0.5-inch x 0.5-inch welded steel wire on the interior wall; or</del></p> <p><u>a. 0.5-inch x 3-inches welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch; or</u></p> <p><u>b. Wood panels; or</u></p> <p><del>c. b.</del> Concrete.</p> <p>2. Roof shall be constructed of either <u>or a combination of the listed materials:</u></p> <p><del>a. 16-gauge chain link covered with 0.5-inch x 0.5-inch welded steel wire; or</del></p> <p><u>a. 0.5-inch x 3-inch welded steel wire with mesh size no larger than 0.5-inch x 0.5-inch.</u></p> <p><u>b. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of a; or</u></p> <p><u>c. Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of a; or</u></p> <p><u>d. Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of a.</u></p> <p><del>3. Walls shall be constructed of 16-gauge chain link covered with hardware cloth on the interior side, or at least ½ inches x 3 inches welded steel wire shall be buried 1 foot down and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent animal ingress or egress by digging].</del></p> <p><del>3. Each enclosure shall have at least 3 tree limbs or tree branches of 3 inches minimum diameter; 1 elevated platform placed at a minimum height of 4 feet, and at least 1 hide box or sheltered retreat placed at a minimum height of 4 feet. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</del></p>

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		<p><del>4. 5-</del> Floors shall be constructed of <del>either or 16-gauge chain link covered with hardware cloth or welded steel wire, covered with soil or similar natural substrate. [Note: This requirement is intended to prevent animal escape by digging. [Note: This requirement is intended to prevent animal escape by digging.]:</del></p> <p>a. <del>Soil, or other similar natural substrate; or</del></p> <p>b. <del>Welded steel wire or chain link covered with soil, or similar natural substrate at a minimum depth of 1 foot; or</del></p> <p>c. <del>Concrete covered with soil, or similar natural substrate at a minimum depth of 6-inches.</del></p> <p><del>5. 6-</del> Each enclosure shall have the following enrichment:</p> <p>a. <del>At least 1</del> hide box or sheltered retreat <del>placed at a minimum height of 4 feet</del> [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]; and</p> <p>b. <del>2</del> tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]; and</p> <p>c. <del>3</del> wood beams or tree limbs at least 3 feet long of 3 inches minimum diameter; and</p> <p>d. <del>1</del> elevated platform placed at a minimum height of 4 feet above the floor; and</p>
	(C) Marmot	<p>1. Walls <del>and floor</del> shall be constructed of either <del>or a combination of the listed materials:</del></p> <p>a. <del>11-gauge 9-gauge</del> chain link <del>with a mesh size no larger than 2.5 inches; or</del></p> <p>b. <del>1-inch x 1-inch</del> welded steel wire <del>with a mesh size no larger than 1-inch x 1-inch; or</del></p> <p>c. Concrete.</p> <p>2. Roof shall be constructed of either <del>or a combination of the listed materials:</del></p> <p>a. <del>11-gauge 9-gauge</del> chain link <del>with a mesh size no larger than 2.5 inches; or</del></p> <p>b. <del>1-inch x 1-inch</del> welded steel wire <del>with a mesh size no larger than 2-inch x 3-inch; or</del></p> <p>c. <del>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</del></p> <p>d. <del>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</del></p> <p>e. <del>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</del></p> <p>3. Walls <del>and roof</del> not constructed of concrete shall be affixed to posts consisting of <del>either one of the following materials no more than 8 feet apart:</del></p> <p>a. <del>A minimum of 2-inch 4-inch</del> x 4-inch wood; or</p> <p>b. <del>A minimum of 2-inch</del> diameter metal post.</p> <p>4. Walls constructed of <del>9-gauge chain link or 1-inch x 1-inch welded steel wire</del> chain link or welded steel wire shall be buried at least 3 feet down and 5 feet inward at a 90-degree angle. [Note: This requirement is intended to prevent animal escape by digging.]</p> <p>5. Floor <del>material</del> shall be <del>constructed of either [Note: This requirement is intended to prevent animal escape by digging.]: covered with soil or similar natural substrate at least 12 inches deep.</del></p> <p>a. <del>Welded steel wire covered with soil, or similar natural substrate at a minimum depth of 6 inches 1-foot; or</del></p> <p>b. <del>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soil, or similar natural substrate at a minimum depth of 1 foot; or</del></p> <p>c. <del>Concrete covered with soil, or similar natural substrate at a minimum depth of 6 inches.</del></p> <p>6. Each enclosure shall have the following enrichment:</p> <p>a. At least one area of the floor a minimum of 4-foot x 4-foot shall have at least 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended to allow each animal claw and dig at will.]; and</p>

Order	Animal Type	Minimum Requirements
		<ul style="list-style-type: none"> <li>b. 1 log or rock that is a minimum of 18 inches tall and 18 inches in diameter [Note: This requirement is intended for each animal to perch at will]; and</li> <li>c. 1 hide box or sheltered retreat with <b>the</b> minimum dimensions of 2.5 feet x 2 feet x 2 feet [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]; and</li> <li>d. At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</li> </ul>
	(D) Muskrat	<ol style="list-style-type: none"> <li>1. <del>Walls and roof</del> shall be constructed of <del>11-gauge chain link</del> <u>either or a combination of the listed materials:</u> <ol style="list-style-type: none"> <li>a. <u>11-gauge chain link with mesh size no larger than 2.5 inches with steel hardware cloth with a mesh size no larger than 0.5-inches x 1-inch affixed to the interior wall; or</u></li> <li>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 1-inches; or</u></li> <li>c. <u>Fiberglass panels; or</u></li> <li>d. <u>Polyvinyl chloride (PVC) panels; or</u></li> <li>e. <u>Concrete.</u></li> </ol> </li> <li>2. <u>Roof shall be constructed of either or a combination of the listed materials:</u> <ol style="list-style-type: none"> <li>a. <u>11-gauge chain link with mesh size no larger than 2.5 inches; or</u></li> <li>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inches; or</u></li> <li>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></li> <li>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b</u></li> </ol> </li> <li>3. <del>Walls and roof material shall be affixed shall be affixed to posts consisting of either one of the following materials and spaced no more than 6 feet apart:</del> <ol style="list-style-type: none"> <li>a. <u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence post; or</u></li> <li>b. <u>A minimum of 2-inch diameter metal fence post.</u></li> </ol> </li> <li>4. <del>Walls constructed of chain link or welded steel wire shall be buried at least 1 foot deep down and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging.]</del></li> <li>5. <del>Floors shall be constructed of either concrete, soil, or non-abrasive sand and covered with rubber drainage mats:</del> <ol style="list-style-type: none"> <li>a. <u>Soil, or non-abrasive sand and covered with rubber drainage mats; or</u></li> <li>b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches covered with soil, or non-abrasive sand at a minimum depth of 6-inches; or</u></li> <li>c. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inches covered with soil, or non-abrasive sand at a minimum depth of 6-inches; or</u></li> <li>d. <u>Concrete covered with rubber drainage mats.</u></li> </ol> </li> <li>6. <del>Each enclosure shall have the following enrichment:</del> <ol style="list-style-type: none"> <li>a. 1 hide box or sheltered retreat with <b>the</b> minimum dimension of 1.5 feet x 1.5 feet x 1 foot [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]; and</li> <li>b. Pool at least <del>2</del> 4 feet in diameter, constructed of metal, plastic, or concrete and filled with <del>fresh</del> <u>clean</u> water at least 2 feet deep; and</li> <li>c. At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</li> </ol> </li> </ol>

Order	Animal Type	Minimum Requirements
	(E) Native Mouse, <del>Native Rat,</del> Vole, <del>Pocket Gopher</del>	<p>1. <u>Walls and floors shall be constructed of either or a combination of the listed materials [Note: This requirement is intended to prevent animal escape by digging or chewing.]:</u></p> <ul style="list-style-type: none"> <li>a. <u>Glass; or</u></li> <li>b. <u>Plastic; or</u></li> <li>c. <u>Acrylic; or</u></li> <li><del>d. <u>3/8 inches x 3/8 inches metal wire mesh [Note: This requirement is intended to prevent animal escape by digging.]</u></del></li> </ul> <p>2. <u>Floors shall be covered with straw, paper bedding, soil, or other natural substrate at a minimum depth of 2 inches <del>6 inches</del>.</u></p> <p>3. <u>Each enclosure shall have the following enrichment:</u></p> <ul style="list-style-type: none"> <li>a. <u>1 hide box or sheltered retreat; and</u></li> <li>b. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u></li> </ul>
	(F) <u>Native Rat, Kangaroo and Woodrat</u>	<p>1. <u>Walls and floors shall be constructed of either or a combination of the listed materials:</u></p> <ul style="list-style-type: none"> <li>a. <u>Glass; or</u></li> <li>b. <u>Plastic; or</u></li> <li>c. <u>Acrylic; or</u></li> <li>d. <u>Welded steel wire with a mesh size no larger than 3/8 inches [Note: This requirement is intended to prevent animal escape by digging or chewing.]</u></li> </ul> <p>2. <u>Floors shall be covered with straw, paper bedding, soil, or other natural substrate at a minimum depth of 2 inches.</u></p> <p>3. <u>Each enclosure shall have the following enrichment:</u></p> <ul style="list-style-type: none"> <li>a. <u>1 hide box or sheltered retreat; and</u></li> <li>b. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u></li> </ul>

Order	Animal Type	Minimum Requirements
	<p>(F)(G) North American Beaver</p>	<ol style="list-style-type: none"> <li>1. Walls shall be constructed of either <u>or a combination of the listed materials</u>:               <ol style="list-style-type: none"> <li>a. 11-gauge chain link <u>with mesh size no larger than 2.5 inches</u>; or</li> <li>b. Concrete.</li> </ol> </li> <li>2. Roof shall be constructed of <del>11-gauge chain link</del>, either <u>or a combination of the listed materials</u>:               <ol style="list-style-type: none"> <li>a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches</u>; or</li> <li>b. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of a</u>; or</li> <li>c. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of a</u>; or</li> <li>d. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of a</u>.</li> </ol> </li> <li>3. Walls and roof <del>11-gauge chain link material</del> shall be affixed to posts consisting of <u>either one of the following materials and spaced no more than 8 feet apart</u>:               <ol style="list-style-type: none"> <li>a. <u>A minimum of 2-inch 4-inch x 4-inch wood fence post</u>; or</li> <li>b. <u>A minimum of 2-inch diameter metal fence post</u>.</li> </ol> </li> <li>4. Walls constructed of <del>11-gauge chain link</del> shall be buried at least 1.5 feet <del>deep down</del> and 1.5 feet inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</li> <li>5. Floors shall be constructed of <del>either: concrete and covered with soil or other similar material, or heavy duty rubber drainage mats</del>.               <ol style="list-style-type: none"> <li>a. <u>Soil, or other similar natural material</u>; or</li> <li>b. <u>Chain link covered with soil, or other similar natural material at a minimum depth of 1 foot 1.5 feet</u>; or</li> <li>c. <u>Concrete and covered with soil or other similar material at a minimum depth of 6 inches 1.5 feet, or heavy-duty rubber drainage mats</u>.</li> </ol> </li> <li>6. Each enclosure shall have the following enrichment:               <ol style="list-style-type: none"> <li>a. 1 hide box or sheltered retreat with the <u>following</u> minimum dimensions <u>of</u> 4-feet x 2-feet x 2 feet [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]; and</li> <li>b. Tree limbs and trunks of the following native variety readily available at all times <u>to each animal</u>: willow, cottonwood, aspen, or poplar. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</li> </ol> </li> <li>7. Each enclosure shall have a pool at least <del>3</del> <u>10</u> feet in diameter constructed of metal or concrete with the following requirements:               <ol style="list-style-type: none"> <li>a. Juvenile animals, and adult conspecifics housed with juveniles, shall have a sloped pool entrance with water at least 6 inches deep in the shallow end and no more than 2 feet deep in the deep end [Note: This requirement is intended for each animal to ingress and egress at will from the pool.]; and</li> <li>b. Adult animals, not housed with juvenile conspecifics, shall have a ramped or sloped entry pool filled with water at least 3 feet</li> </ol> </li> </ol>

Order	Animal Type	Minimum Requirements
	<p><del>(G)</del>(H) North American Porcupine</p>	<ol style="list-style-type: none"> <li>1. Walls shall be constructed of either <u>or a combination of the listed materials</u>:               <ol style="list-style-type: none"> <li>a. <u>11-gauge chain link with a mesh size no larger 2.5 inches</u> covered with <del>0.5-inch x 0.5-inch welded steel wire</del> steel hardware cloth <u>affixed to the interior wall</u> [Note: This requirement is intended to prevent injury to each animal and provide a visual barrier.]; or</li> <li>b. Concrete.</li> </ol> </li> <li>2. Roof shall be constructed of either <u>or a combination of the listed materials</u>:               <ol style="list-style-type: none"> <li>a. <u>11-gauge chain link with a mesh size of no larger than 2.5 inches; or</u></li> <li>b. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of a;</u></li> <li>c. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of a.</u></li> <li>d. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of a.</u></li> </ol> </li> <li>3. Walls and roof <u>material constructed of 11-gauge chain link</u> shall be affixed to posts consisting of <u>either one of the following materials and spaced no more than 8 feet apart</u>:               <ol style="list-style-type: none"> <li>a. <u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence post; or</u></li> <li>b. <u>A minimum of 2-inch diameter metal fence post.</u></li> </ol> </li> <li>4. Walls constructed of 11-gauge chain link shall be buried at least 1 foot <del>deep down</del> and 1 foot inward at a 90-degree angle, <del>using concrete foundation,</del> <u>if floor is not constructed of concrete.</u> [Note: This requirement is intended to prevent animal escape by digging.]</li> <li>5. Floors shall be constructed of either:               <ol style="list-style-type: none"> <li>a. Soil or similar natural substrate; or</li> <li>b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered in soil, or other similar natural substrate at a minimum depth of 1 foot; or</u></li> <li><del>b</del> c. <u>Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches.</u></li> </ol> </li> <li>6. Each enclosure shall have the following enrichment:               <ol style="list-style-type: none"> <li>a. <u>2 tree limbs a minimum of 6 feet long with a minimum diameter of 4 inches either placed horizontally or at an angle between 30-degrees and 60-degrees securely attached to the wall; and</u></li> <li>b. <u>1 elevated platform a minimum of 2 feet <del>high</del> above the floor and a minimum of 16 square feet; and</u></li> <li>c. <u>1 hide box or sheltered retreat <del>at least</del> with the minimum dimensions of 4-feet x 2 feet x 2 feet; and</u></li> <li>d. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler.</u> [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</li> </ol> </li> </ol>
	<p><u>(I) Pocket Gopher</u></p>	<ol style="list-style-type: none"> <li>1. <u>Walls shall be constructed of either of the listed materials</u>:               <ol style="list-style-type: none"> <li>a. <u>Plastic; or</u></li> <li>b. <u>Acrylic; or</u></li> <li>c. <u>Welded steel wire with a mesh size no larger than 3/8 inches</u> [Note: This requirement is intended to prevent animal escape by digging.]</li> </ol> </li> <li>2. <u>Floors shall be covered with straw, paper bedding, soil, or other natural substrate at a minimum depth of 6 inches.</u></li> <li>3. <u>Each enclosure shall have the following enrichment</u>:               <ol style="list-style-type: none"> <li>a. <u>1 hide box or sheltered retreat; and</u></li> <li>b. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler.</u> [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</li> </ol> </li> </ol>

**(g) Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Mammals.****Table 5.7.**

(Length x Width x Height, in feet, unless otherwise indicated)

Order	Animal Type	Neonate	Neonate Max #	Juvenile Pre-Release	Juvenile Max #	Adult Pre-Release	Adult Max #
(1) Carnivora	(A) Badger	2 feet x 1 <del>feet</del> foot x 1.5 feet	3	16 feet x 10 feet x 6 feet	3	16 feet x 10 feet x 6 feet	1
	(B) Bobcat	2 feet x 1.5 feet x 1.5 feet	4	20 feet x 16 feet x 6 feet	4	20 feet x 16 feet x 6 feet	1
		<del>2.5 feet x 2 feet x 3 feet</del>		<del>24 feet x 16 feet x 8 feet</del>		<del>24 feet x 16 feet x 8 feet</del>	
	(C) Coyote	2 feet x 1.5 feet x 1.5 feet	4	20 feet x 16 feet x 6 feet	4	20 feet x 16 feet x 6 feet	1
		<del>2.5 feet x 2 feet x 3 feet</del>		<del>24 feet x 16 feet x 8 feet</del>		<del>24 feet x 16 feet x 8 feet</del>	
	(D) Ermine, Mink, Weasel Fox	1.5 feet x 1 foot x foot	4	8 feet x 6 feet x 6 feet	4	8 feet x 6 feet x 6 feet	1
		<del>2.5 feet x 2 feet x 3 feet</del>		<del>16 feet x 10 feet x 6 feet</del>		<del>16 feet x 10 feet x 6 feet</del>	
	(E) Fisher Marten	1.5 feet x 1 foot x 1.5 feet	3	16 feet x 8 feet x 6 feet	3	16 feet x 8 feet x 6 feet	1
		<del>1.5 feet x 1 foot x 1 foot</del>		<del>8 feet x 6 feet x 8 feet</del>		<del>8 feet x 6 feet x 8 feet</del>	
	(F) Fox, Gray and Native Red Pacific Fisher	2 feet x 1.5 feet x 1.5 feet	6	16 feet x 8 feet x 6 feet	6	16 feet x 8 feet x 6 feet	1
		<del>2 feet x 1 foot x 1.5 feet</del>		<del>16 feet x 10 feet x 6 feet</del>		<del>16 feet x 10 feet x 6 feet</del>	
	(F) Raccoon	2 feet x 1 foot x 1.5 feet	4	12 feet x 10 feet x 6 feet	4	10 feet x 8 feet x 6 feet	1
	(G) Fox, Kit Ringtail	1.5 feet x 1 foot x 1.5 feet	4	8 feet x 6 feet x 6 feet	4	8 feet x 6 feet x 6 feet	1
		<del>2 feet x 1 foot x 1.5 feet</del>		<del>16 feet x 10 feet x 8 feet</del>		<del>16 feet x 10 feet x 8 feet</del>	
	(H) Marten River Otter	1.5 feet x 1 foot x 1.5 feet	4	8 feet x 6 feet x 6 feet	4	8 feet x 6 feet x 6 feet	1
<del>2 feet x 1 foot x 1.5 feet</del>		<del>40 feet x 25 feet x 6 feet</del>		<del>40 feet x 25 feet x 6 feet</del>			
(I) Raccoon Skunk	2 feet x 1.5 feet x 1.5 feet	6	10 feet x 8 feet x 6 feet	6	10 feet x 8 feet x 6 feet	1	
	<del>2 feet x 1 foot x 1.5 feet</del>		<del>12 feet x 10 feet x 6 feet</del>		<del>12 feet x 10 feet x 6 feet</del>		
(J) Ringtail Weasel, Ermine, Mink	2 feet x 1.5 feet x 1.5 feet	4	10 feet x 8 feet x 6 feet	4	10 feet x 8 feet x 6 feet	1	
	<del>1.5 feet x 1 foot x 1 foot</del>		<del>8 feet x 6 feet x 6 feet</del>		<del>8 feet x 6 feet x 6 feet</del>		
(K) River otter Wolverine	2 feet x 1.5 feet x 1.5 feet	4	40 feet x 25 feet x 6 feet	4	40 feet x 25 feet x 6 feet	1	
	<del>2 feet x 1 foot x 1.5 feet</del>		<del>36 feet x 20 feet x 8 feet</del>		<del>36 feet x 20 feet x 8 feet</del>		
(L) Skunk	2 feet x 1.5 feet x 1.5 feet	4	8 feet x 6 feet x 6 feet	4	8 feet x 6 feet x 6 feet	1	
(M) Wolverine	2 feet x 1.5 feet x 1.5 feet	3	16 feet x 8 feet x 6 feet	1	16 feet x 8 feet x 6 feet	1	
(2) Chiroptera	(A) Bat	4 inches x 4 inches x 6 inches	6	12 feet x 8 feet x 7 feet	20	12 feet x 8 feet x 7 feet	20
(3) Didelphimorphia	(A) Opossum	1.5 feet x 1 <del>feet</del> foot x 1 <del>feet</del> foot	10	6 feet x 4 feet x 4 feet	6	6 feet x 4 feet x 4 feet	1
		<del>foot</del>		<del>8 feet x 6 feet x 6 feet</del>		<del>8 feet x 6 feet x 6 feet</del>	
(4) Eulipotyphla (formerly Insectivora)	(A) Mole, Shrew	1.5 feet x 1 foot x 1 foot	6	1.5 feet x 1 foot x 1 foot	6	1.5 feet x 1 foot x 1 foot	1
		<del>foot</del>		<del>2 feet x 2 feet 2 feet</del>		<del>2 feet x 2 feet 2 feet</del>	
(5) Lagomorpha	(A) Hare	1.5 feet x 1 foot x 1 foot	4	8 feet x 4 feet x 4 feet	4	8 feet x 4 feet x 4 feet	1
		<del>2 feet x 1 foot x 1 feet</del>		<del>20 feet x 20 feet x 6 feet</del>		<del>20 feet x 20 feet x 6 feet</del>	
(B) Rabbit	1.5 feet x 1 <del>feet</del> foot x 1 <del>feet</del> foot	6	8 feet x 4 feet x 4 feet	6	8 feet x 4 feet x 4 feet	1	
		<del>foot</del>	<del>8 feet x 4 feet x 6 feet</del>	<del>8 feet x 4 feet x 6 feet</del>	<del>8 feet x 4 feet x 6 feet</del>	<del>8 feet x 4 feet x 6 feet</del>	<del>1</del>



(6) Rodentia

(A) Chipmunk, <del>Ground Squirrel</del> <u>Ground Squirrels</u>	1.5 feet x 1 <del>foot</del> <u>foot</u> x 1 <del>foot</del> <u>foot</u>	6	<del>6 feet x 4 feet x 4 feet</del> <del>8 feet x 6 feet x 6 feet</del> <del>6 feet x 4 feet x 6 feet</del>	6	<del>6 feet x 4 feet x 4 feet</del> <del>8 feet x 6 feet x 6 feet</del> <del>6 feet x 4 feet x 6 feet</del>	<del>4</del> <del>4</del> <u>4</u>
(B) Flying Squirrel	1.5 feet x 1 <del>foot</del> <u>foot</u> x 1 <del>foot</del> <u>foot</u>	4	<del>8 feet x 6 feet x 8 feet</del> <del>8 feet x 4 feet x 8 feet</del>	4	<del>8 feet x 6 feet x 8 feet</del> <del>8 feet x 4 feet x 8 feet</del>	1
<u>(C) Ground Squirrel</u>	<u>1.5 feet x 1 foot x 1 foot</u>	<u>6</u>	<u>8 feet x 6 feet x 6 feet</u>	<u>6</u>	<u>8 feet x 6 feet x 6 feet</u>	<u>4</u>
<del>(B)(C)(D)</del> <u>(D)</u> Tree squirrel	<del>1.5 feet x 1 foot x 1 foot</del> <del>2 feet x 1 foot x 1.5 feet</del>	6	<del>8 feet x 6 feet x 8 feet</del> <del>4 feet x 4 feet x 8 feet</del>	<del>6</del> <u>5</u>	<del>8 feet x 6 feet x 8 feet</del> <del>4 feet x 4 feet x 8 feet</del>	1
<del>(C)(D)</del> <u>(E)</u> Marmot	<del>1.5 feet x 1 foot x 1 foot</del> <del>2 feet x 1 foot x 1.5 feet</del>	<del>4</del> <u>6</u>	8 feet x 6 feet x 6 feet	6	8 feet x 6 feet x 6 feet	1
<del>(D)(E)</del> <u>(F)</u> Muskrat	<del>1.5 feet x 1 foot x 1 foot</del> <del>2 feet x 1 foot x 1 foot</del>	6	<del>8 feet x 6 feet x 6 feet</del> <del>6 feet x 4 feet x 6 feet</del>	6	<del>8 feet x 6 feet x 6 feet</del> <del>6 feet x 4 feet x 6 feet</del>	1
<del>(E)(F)</del> <u>(G)</u> Native mouse, <del>rat,</del> vole	1.5 feet x 1 <del>foot</del> <u>foot</u> x 1 <del>foot</del> <u>foot</u>	8	<del>1.5 feet x 1 foot x 1 foot</del> <del>4 feet x 2 feet x 2 feet</del>	8	<del>1.5 feet x 1 foot x 1 foot</del> <del>4 feet x 2 feet x 2 feet</del>	1
<del>(G)</del> <u>(H)</u> Native Rat (Kangaroo and Woodrat)	1.5 feet x 1 foot x 1 foot	<u>8</u>	1.5 feet x 1 foot x 1 foot	<u>8</u>	1.5 feet x 1 foot x 1 foot	<u>1</u>
<del>(F)(H)</del> <u>(I)</u> North American Beaver	2 feet x <del>4</del> 1.5 feet x 1.5 feet	3	40 feet x 25 feet x 6 feet	3	40 feet x 25 feet x 6 feet	1
<del>(G)(H)</del> <u>(J)</u> North American Porcupine	2 feet x <del>4</del> 1.5 feet x <del>4</del> 1.5 feet	1	8 feet x 6 feet x <del>6</del> 8 feet	1	8 feet x 6 feet x <del>6</del> 8 feet	1
<del>(E)(J)</del> <u>(K)</u> Pocket gopher	<del>1.5 feet x 1 foot x 1 foot</del> <del>2 feet x 1 foot x 1 foot</del>	6	<del>1.5 feet x 1 foot x 1 foot</del> <del>4 feet x 3 feet x 6 feet</del>	6	<del>1.5 feet x 1 foot x 1 foot</del> <del>4 feet x 3 feet x 6 feet</del>	1

**(h) Bird Requirements**

(1) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall know the distinction between neonate, juvenile, and adult bird species requirements. [Note: This requirement is intended to identify the type of specialized care at each stage of rehabilitation.]

~~(2) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall classify a fledgling bird as a "juvenile" once it reaches the stage of development whereby it can self feed and requires no parental care. [Note: This requirement is necessary because a neonate bird that has left the nest on its own, called a fledgling, and may require parental care for a short period of time often in the form of food provisioning.]~~

~~(3)~~(2) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall adhere to the conditions required to maintain and improve the welfare of any species of waterbird that requires a body of water to feed, hunt, or take flight. [Note: This requirement is intended for each animal of a waterbird species, such as seabirds, wading birds, and waterfowl, to be able to express their natural life history.]

~~(4)~~(3) A permittee, their designee, sub-permittees, and authorized persons shall adhere to the requirements regarding bird enclosures in Tables 8 through 12.

## (i) Pre-release Conditioning Enclosure Requirements; Birds (Excluding Waterbirds). Table 8.

Order	Species Animal Type	Minimum Requirements
(1) All Birds, excluding waterbirds	(A) All Birds, <u>unless otherwise indicated excluding waterbirds</u>	<ol style="list-style-type: none"> <li>1. Enclosures shall have a double door system to prevent escape and shall be secured at all times unless otherwise specified in these regulations [Note: This requirement is intended to prevent ingress or egress by any animal.].</li> <li>2. Walls shall be constructed of <del>the following</del> either or a combination of the listed materials: <ol style="list-style-type: none"> <li>a. <u>Wood covering at least 1/4 and up to 1/2 of the lower wall area covered with soft netting affixed to the interior wall 9-gauge chain link covered with nylon netting on the interior wall;</u> or</li> <li>b. <u>Galvanized metal panels covering at least 1/4 and up to 1/2 of the lower wall area covered with soft netting affixed to the interior wall 0.5 inches by 0.5 inches welded steel wire covered with nylon netting on the interior wall;</u> or</li> <li>c. <u>Plastic panels covering at least 1/4 and up to 1/2 of the lower wall area covered with soft netting affixed to the interior wall;</u> or</li> <li>d. <u>Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch covering at least 1/4 and up to 1/2 of the lower wall area; and/or and covered with soft netting affixed to the interior wall.</u></li> <li>e. <u>Welded steel wire mesh with a mesh size no larger than 1-inch x 1-inch covering the remaining wall area, and with soft netting or steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior of the remaining wall area.</u></li> </ol> </li> <li>3. Roof shall be constructed <del>of one of the following</del> either: <ol style="list-style-type: none"> <li>a. Wood covering at least ¼ up to ½ of the <del>ceiling</del> roof area; or</li> <li>b. Plastic covering at least ¼ up to ½ of the <del>ceiling</del> roof area; or</li> <li>c. Metal covering at least ¼ up to ½ of the <del>ceiling</del> roof area; or</li> <li>d. Fiberglass mesh netting or similar soft mesh netting material covering the remaining <del>ceiling</del> roof area.</li> </ol> </li> <li>4. <u>Wall and roof materials</u> shall be affixed to posts consisting of <del>either and spaced no more than 6 feet apart:</del> <ol style="list-style-type: none"> <li>a. <u>A minimum size of 2-inch x 4-inch wood fence post, or</u></li> <li>b. <u>A minimum size of 2-inch metal fence post.</u></li> </ol> </li> <li>5. Walls shall be buried at least <u>6-inches 1-foot deep down</u> and <u>1-foot 6-inches inward outward</u> at a 90-degree angle <u>if floors are not constructed of concrete or wood.</u> [Note: This requirement is intended to prevent <u>predatory animal</u> ingress by digging.]</li> <li>6. Floors shall be constructed of either <del>one of the following</del>: <ol style="list-style-type: none"> <li>a. <u>Rounded rock such as pea gravel;</u> or</li> <li>b. <del>Non-abrasive sand;</del> or</li> <li>c. <u>Concrete covered with rounded rock, such as pea gravel, or non-abrasive sand, soil, or similar substrate</u> at a minimum depth of 3-inches; <u>or</u></li> <li>d. <u>Welded steel wire with mesh size no larger than 1/2-inch x 1/2-inch covered with rounded rock, soil, or similar natural substrate at a minimum depth of 3-inches;</u> or</li> <li>e. <u>Wood covered with rounded rock, soil, soil, or similar natural substrate at a minimum depth of 3-inches.</u></li> </ol> </li> <li>7. Each enclosure shall have the following enrichment: <ol style="list-style-type: none"> <li>a. At least 3 static perches constructed of wood or rope with a minimum diameter of 2 inches placed at a minimum height of <u>5 2 feet above the ground;</u> and</li> <li>b. At least 2 dynamic perches, such as a tree limb, with a minimum diameter of <u>2 inches 1-inch</u> placed at a minimum height of 5 feet <u>above the ground;</u> and</li> <li>c. 1 shallow pan filled with <u>clean</u> water, soil, or bathing dust at least 1 inch deep. [Note: This requirement is intended for each animal to ingress and egress at will to preen and clean its feathers.]</li> </ol> </li> </ol>

Order	Species Animal Type	Minimum Requirements
(2-7.2) Accipitriformes	(A) Turkey Vultures	<p><del>1. Walls shall be constructed with either or a combination of the listed materials [Note: This requirement is intended to prevent injury to each animal]:</del></p> <ul style="list-style-type: none"> <li><del>a. Wood and covered with soft netting on the interior wall; or</del></li> <li><del>b. Galvanized metal and covered with soft netting on the interior wall; or</del></li> <li><del>c. Plastic pipe and covered with soft netting on the interior wall; or</del></li> <li><del>d. 0.5-inch x 0.5-inch welded steel wire. Welded steel wire with a mesh size no larger than 1-inch x 1-inch and covered with soft netting on the interior wall; or</del></li> <li><del>e. 9-11-gauge chain link with a mesh size of no larger than 2.5 inches and covered with soft netting on the interior wall.</del></li> </ul> <p><del>2. Each enclosure shall have a minimum of 3 flat perches at least 1 foot x 3 feet 2 static perch platforms at least 4 square feet placed at different heights in the enclosure with a minimum height of 6 feet above the ground.</del></p>
	(B-A) All Hawks, Northern Harrier	<p>1. Walls shall be constructed with either or a combination of the listed materials [Note: This requirement is intended to prevent injury to each animal]:</p> <ul style="list-style-type: none"> <li>a. Wood and covered with soft netting on the interior wall; or</li> <li>b. Galvanized metal and covered with soft netting on the interior wall; or</li> <li>c. Plastic pipe and covered with soft netting on the interior wall; or</li> <li>d. 0.5-inch x 0.5-inch welded steel wire. Welded steel wire with a mesh size no larger than 1-inch x 1-inch and covered with soft netting on the interior wall; or</li> <li>e. 9-11-gauge chain link with a mesh size of no larger than 2.5 inches and covered with soft netting on the interior wall.</li> </ul> <p><del>2. Each enclosure shall have a minimum of 3 perches of at least 1 inch in diameter and placed at different heights in the enclosure with a minimum height of 4 feet.</del></p>
	(C-B) Osprey	<p>1. Walls shall be constructed with either or a combination of the listed materials [Note: This requirement is intended to prevent injury to each animal]:</p> <ul style="list-style-type: none"> <li>a. Wood and covered with soft netting on the interior wall; or</li> <li>b. Galvanized metal and covered with soft netting on the interior wall; or</li> <li>c. Plastic pipe and covered with soft netting on the interior wall; or</li> <li>d. 0.5-inch x 0.5-inch welded steel wire. Welded steel wire with a mesh size no larger than 1-inch x 1-inch and covered with soft netting on the interior wall; or</li> <li>e. 9-11-gauge chain link with a mesh size of no larger than 2.5 inches and covered with soft netting on the interior wall.</li> </ul> <p><del>2. Roof shall be constructed of one solid material and one semi-solid material from below 6. Each enclosure shall have one pool at least 4 feet x 4 feet filled with clean water at least 2 feet deep.</del></p> <ul style="list-style-type: none"> <li><del>a. Wood; or</del></li> <li><del>b. Fiberglass; or</del></li> <li><del>c. Similar solid material; and</del></li> <li><del>d. 0.5-inch x 0.5-inch welded steel wire; or</del></li> <li><del>e. 11-gauge chain link.</del></li> </ul> <p><del>3. Each enclosure shall have the following enrichment. Walls and roof constructed materials from "2" shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart:</del></p> <ul style="list-style-type: none"> <li>a. At least 3 perches or tree limbs of various diameters with a minimum diameter of 1.5 inches placed at different heights with a minimum of 6 feet above the ground 4-inch x 4-inch wood fence post; or.</li> <li>b. A shallow pan constructed of plastic or metal, of at least 4 feet x 4 feet filled with clean water with a minimum of 6 inches deep and no more than 12 inches deep, or a 4-foot x 4-foot area of soil or bathing dust [Note: This requirement is intended for each animal to preen and clean its feathers] 2-inch diameter metal fence post.</li> </ul> <p><del>4. Walls shall be buried at least 1 foot down and 1 foot outward at a 90-degree angle. [Note: This requirement is intended to</del></p>

Order	Species Animal Type	Minimum Requirements
		<p><del>prevent predators or pests from entering the enclosure by digging].</del></p> <p><del>5. Floors shall be constructed of either:</del></p> <p><del>a. Natural substrate; or</del></p> <p><del>b. Concrete covered with at least 3 inches of soil, sand, pea gravel, or similar natural substrate.</del></p> <p><del>6. Each enclosure shall have one pool at least 4 feet x 4 feet filled with fresh water at least 2 feet deep.</del></p> <p><del>7. Each enclosure shall have the following enrichment:</del></p> <p><del>a. At least 3 perches or tree limbs of various diameters of at least 1.5 inches in diameter placed at different heights.</del></p> <p><del>A shallow pan constructed of plastic or metal, of at least 4 feet x 4 feet filled with water, soil, or bathing dust and minimum of 6 inches deep and no more than 12 inches deep, or a 4 foot x 4 foot area of soil or bathing dust. [Note: This requirement is intended for each animal to preen and clean its feathers.]</del></p>
	(C) Turkey Vultures	<p><u>1. Walls shall be constructed with either or a combination [Note: This requirement is intended to prevent injury to each animal]:</u></p> <p><u>b. Wood and covered with soft netting on the interior wall; or</u></p> <p><u>c. Galvanized metal and covered with soft netting on the interior wall; or</u></p> <p><u>d. Plastic and covered with soft netting on the interior wall; or</u></p> <p><u>e. Welded steel wire with a mesh size no larger than 1-inch x 1-inch and covered with soft netting on the interior wall; or</u></p> <p><u>f. 11-gauge chain link with a mesh size of no larger than 2.5 inches and covered with soft netting on the interior wall.</u></p> <p><u>2. Each enclosure shall have a minimum of 2 static perch platforms at least 4 square feet placed at different heights in the enclosure with a minimum height of 6 feet above the ground.</u></p>
(3) Apodiformes	(A) Hummingbirds	<p>1. Each enclosure shall have the following enrichment:</p> <p>a. At least 3 feeding stations placed at varying heights a minimum of 2 feet high <u>above the ground</u>; [Note: This requirement is intended to prevent injury to each animal.]; <u>and</u></p> <p><u>b. At least 4 perches with a maximum diameter of 0.5 inches placed at different heights with a minimum of 4 feet above the ground.</u></p>
	(B) Swifts	<p>1. Each enclosure shall have the following enrichment:</p> <p>a. 1 vertical hide box <del>of at least 1 foot x 1 foot and 4 feet long</del> with the minimum dimensions of <u>4 feet 1-foot x 1-foot x 4 feet</u> (L x W x H), comprised of wood, plastic, <del>or brick</del> or similar material, <u>open-ended on both sides</u> such as a chimney, <del>open-ended on both sides</del> and <u>with the bottom of the hide box placed at a minimum of 6 3 feet from the ground</u>; and</p> <p>b. At least 2 walls covered with plywood or similar material. [Note: This requirement is intended to allow each animal to cling to the walls at will.]</p>
(4) Caprimulgiformes	(A) Nighthawks, Nightjars, Poorwills	<p><u>1. Floors shall be constructed of either [Note: This requirement is intended to prevent injury to each animal.]:</u></p> <p><u>a. Soil or similar natural substrate covered with soil or similar natural substrate; or</u></p> <p><u>b. Concrete covered with soil or similar natural substrate at a minimum depth of 3-inches.</u></p> <p><del>2. Each enclosure shall have the following enrichment Floors shall be covered with soil, leaf litter, or similar natural substrate at least 4 inches deep:</del></p> <p>a. At least 3 wood logs, tree branches, or perch at least 6 inches in diameter placed on the floor; and</p> <p>b. At least 4 live native shrubs or similar vegetation.</p>
(5) Cuculiformes	(A) Roadrunners	<p>1. Each enclosure shall have at least 2 of the following enrichment:</p> <p>a. At least 1 wood log or wood stump placed on the floor; and</p> <p>b. At least 1 stationary perch placed <u>at a minimum of 2 feet above the ground</u>; and</p> <p>c. At least 2 artificial or live shrubs, bushes, or similar vegetation. [Note: This requirement is intended to provide a visual barrier for each animal to fully hide behind at will.]</p>

Order	Species Animal Type	Minimum Requirements
(6) Falconiformes	(A) American Kestrel, Merlin, Kite	<p>1. Walls shall be constructed with either <u>or a combination of the listed materials</u> [Note: This requirement is intended to prevent injury to each animal]:</p> <ol style="list-style-type: none"> <li>Wood <u>and covered with soft netting on the interior wall</u>; or</li> <li>Galvanized metal <u>and covered with soft netting on the interior wall</u>; or</li> <li><del>0.5 inch x 0.5 inch welded steel wire</del> <u>Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch and covered with soft netting on the interior wall</u>; or</li> <li><del>9 11-gauge chain link</del> <u>with a mesh size of no larger than 2.5 inches and covered with soft netting on the interior wall</u>.</li> </ol> <p>2. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> <li><del>A minimum of 3 different perches placed at different heights; and</del> At least 1 hide box or sheltered retreat with <b>the</b> minimum dimensions of 8 inches x 8 inches x 8 inches (L x W x H) constructed of wood, plastic, or similar material, placed a minimum of 4 feet high <u>above the ground</u> [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will].</li> <li><del>At least 1 hide box or sheltered retreat with minimum dimensions of 6 inches x 6 inches x 6 inches (L x W x H) constructed of wood, plastic, or similar material, placed a minimum of 4 feet high [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will].</del></li> </ol>
(7) Galliformes	(A) Quail, Sage Grouse	<p>1. <u>Each enclosure shall have the following enrichment:</u></p> <ol style="list-style-type: none"> <li><u>At least 2 artificial or live shrubs, bushes, or similar vegetation placed on the ground [Note: This requirement is intended to allow each animal to be fully hidden at will].and</u></li> <li><u>At least 1 hide box or sheltered retreat with <b>the</b> minimum dimensions of 18 inches by 18 inches by 18 inches (L x W x H) placed on the floor [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will].</u></li> </ol>
(8) Passeriformes	(A) Corvids [Note: This includes, crows, ravens, jays, grackles, magpies.]	<p>1. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> <li><u>At least 2 wood logs or wood stumps a minimum diameter of 6 inches placed on the ground</u> <del>1 static perch of at least 0.5 inch diameter; and</del></li> <li><u>At least 2 artificial or live shrubs, bushes, or similar vegetation</u> <del>At least 2 wood logs or stumps of various diameter a minimum of 6 inches diameter; and</del></li> <li><u>At least 2 hide boxes or sheltered retreats with the minimum dimensions of 3 feet x 1.5 feet x 1 foot (L x W x H) [Note: This requirement is intended an animal to be fully hidden and ingress and egress at will]</u> <del>At least 1 dynamic perch, such as a wood branch, a minimum length of 2 feet and at least 0.5 inch diameter secured from the ceiling; and</del></li> <li><u>At least one area of the floor a minimum size of 8 square feet, covered with mulch or bark, mixed with rocks or shells. [Note: This requirement is intended for each animal to be able to express its natural behavior.].</u> <del>1 open plastic pool or similar "dig box" at least 4 feet by 2 feet filled with mulch or bark mixed with 2 inch minimum diameter rocks</del></li> </ol>
	(B) Shrikes	<p>1. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> <li>At least 2 perches of various diameters placed at a minimum height of 4 feet <u>above the ground</u>; and</li> <li>At least 2 wood branches with thorns or similar spiked surface. [Note: This requirement is intended to allow for each animal to impale or cache their food.]</li> </ol>
	(C) Swallows	<p>1. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> <li>At least 2 static wood perches of various diameters placed at a minimum height of 4 feet <u>above the ground</u> at the end of each enclosure; and</li> <li>1 dynamic perch comprised of nylon rope or similar material, at least 10 feet in length placed at a minimum height of 6 feet <del>at the end of each enclosure</del> <u>above the ground</u> [Note: This requirement is intended to allow each animal to roost at will.]</li> </ol>
	(D) Bushtits	<p>1. <u>Each enclosure shall have the following enrichment:</u></p>

Order	Species Animal Type	Minimum Requirements
		<p>a. <del>Each enclosure shall have</del> At least 1 tree limb or trunk with multiple branches of varying diameters [Note: This requirement is intended to allow each animal to perch.].</p>
	(E) Creeper, Nuthatch	<p>1. <u>Each enclosure shall have the following enrichment:</u></p> <p>a. <u>At least 6 wood logs a minimum of 6 inches in diameter placed vertically with the bottom at a minimum height of 5 feet from the ground.</u></p>
	<del>(E) Quail</del>	<p><del>1. Each enclosure shall have at least one piece of shrub or vegetation. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]</del></p>
(9) Piciformes	(A) Woodpeckers	<p>1. Each enclosure shall have the following enrichment:</p> <p>a. <u>At least 6 wood logs a minimum diameter of 6 inches and a minimum of 3 feet long affixed vertically to the wall, with the bottom at a minimum height of 3 feet above the ground. At least 6 wood logs a minimum of 6 inches in diameter placed vertically at a minimum height of 5 feet; and</u></p> <p>b. <u>At least 1 hide box or sheltered retreat, constructed of wood or similar material, with the minimum dimensions of 1 foot x 1 foot x 1 foot (L x W x H) and placed at a minimum height of 5 feet above the ground. [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will.]</u></p>
(9) 10) Strigiformes	(A) All Owls	<p>1. Walls shall be constructed with either <u>or a combination of the listed materials</u> [Note: This requirement is intended to prevent injury to each animal]:</p> <p>a. <u>Wood and covered with soft netting on the interior wall;</u> or</p> <p>b. <u>Galvanized metal and covered with soft netting on the interior wall;</u> or</p> <p>c. <del>0.5-inch x 0.5-inch welded steel wire</del> <u>Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch and covered with soft netting on the interior wall;</u> or</p> <p>d. <u>11-gauge chain link with a mesh size of no larger than 2.5 inches and covered with soft netting on the interior wall.</u></p> <p>2. Each enclosure shall have the following enrichment:</p> <p>a. <u>At least 2 hides or sheltered retreats constructed of wood, plastic, or similar material, with a minimum size of 1.5 feet x 1.5 feet x 1 foot (L x H x W), placed at a minimum height of 5 feet above the ground. At least 2 perches with a minimum dimension of 1 inch placed at minimum height of 4 feet.</u></p> <p>b. <del>At least 2 hides or sheltered retreats with a minimum dimension of 1 foot x 1 foot x 1 foot (increase size as needed for larger birds) and placed at a minimum height of 5 feet.</del></p>
	(B) Burrowing owls	<p>1. Each enclosure shall have at least 2 hide boxes or sheltered retreats constructed of wood, plastic, or similar material, <del>at least 3 feet long, placed on the ground</del> <u>with a minimum size of 3 feet x 6-inches x 6-inches (L x H x W) and a maximum size of 4 feet x 8-inches x 8-inches, placed on the ground</u> [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will].</p>
	<u>(C) Western screech owls</u>	<p><u>1. Each enclosure shall have at least 2 hides or sheltered retreats constructed of wood, plastic, or similar material, with a minimum size of 8 inches x 12 inches x 8 inches (L x H x W) and a maximum size of 1.5 feet x 1.5 feet x 1 foot (L x H x W), placed at a minimum height of 6 feet above the ground.</u></p>

**(j) Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Birds**  
**(Notwithstanding Excluding Waterbirds). Table 9.**

(Length x Width x Height)

Order	Animal Type	Neonate <sup>1</sup>	Max # <sup>1</sup>	Juvenile <sup>2</sup>	Max # <sup>2</sup>	Adult <sup>3</sup>	Max # <sup>3</sup>
(1) Accipitriformes	<del>(E)</del> (A) Cooper's Hawk, Red-shouldered Hawk	2 feet x 1.5 feet x 2 feet	3	30 feet x 12 feet x 12 feet	4	30 feet x 12 feet x 12 feet	2
	<del>(F)</del> (B) Harris', Rough-legged, Red-tailed Hawk	2 feet x 1.5 feet x 2 feet	1	50 feet x 10 feet x 12 feet	3	50 feet x 10 feet x 12 feet	2
	<del>(D)</del> (C) Northern Harrier	2 feet x 1.5 feet x 2 feet	3	50 feet x 10 feet x 12 feet	4	50 feet x 10 feet x 12 feet	2
	<del>(G)</del> (D) Osprey	3 feet x 3 feet x 3 feet	3	100 feet x 16 feet x 16 feet	4	100 feet x 16 feet x 16 feet	2
	<del>(D)</del> (E) Sharp-shinned Hawk	2 feet x 1.5 feet x 1.5 feet	3	16 feet x 8 feet x 8 feet	1	16 feet x 8 feet x 8 feet	1
	<del>(C)</del> (F) Swainson's Hawk, Ferruginous Hawk	3 feet x 3 feet x 3 feet	3	50 feet x 10 feet x 12 feet	6	50 feet x 10 feet x 12 feet	2
	<del>(A)</del> (G) Turkey Vultures	3 feet x 3 feet x 3 feet	<del>3</del> 1	<del>100 50</del> feet x 16 feet x 16 feet	<del>6</del> 4	<del>100 50</del> feet x <del>20 16</del> feet x 16 feet	<del>6</del> 4
(2) Apodiformes	<del>(B)</del> (A) Hummingbirds	<u>12 inches x 6 inches x 6 inches</u> <del>3 inches W x 2 inches H</del>	2	4 feet x 2 feet x 6 feet	6	4 feet x 4 feet x 8 feet	<del>4</del> 2
	<del>(A)</del> (B) Swifts	<u>12 inches x 6 inches x 6 inches</u> <del>4 inches W x 2 in H</del>	8	16 feet x 16 feet x 8 feet	12	16 feet x 16 feet x 8 feet	12
<del>(2)</del> (3) Caprimulgiformes	(A) Nighthawks, Nightjars, Poorwills	<u>1.5 feet x 1.5 feet x 1 foot</u> <del>6 inches x 8 inches x 8 inches</del>	4	<u>16 feet x 8 feet x 8 feet</u> <del>12 feet x 16 feet x 8 feet</del>	4	<u>16 feet x 8 feet x 8 feet</u> <del>12 feet x 16 feet x 8 feet</del>	4
(4) Columbiformes	(A) Dove, Pigeon	<u>1.5 feet x 1.5 feet x 1 foot</u> <del>6 inches W x 3 inches H</del>	3	16 feet x 8 feet x 8 feet	10	16 feet x 8 feet x 8 feet	10
(5) Cuculiformes	(A) Roadrunners	1.5 feet x 1.5 feet x 1.5 feet	3	16 feet x 8 feet x 8 feet	8	16 feet x 8 feet x 8 feet	6
(6) Falconiformes	<del>(C)</del> (A) American Kestrel	2 feet x 1.5 feet x 1.5 feet	3	16 feet x 8 feet x 8 feet	4	16 feet x 8 feet x 8 feet	<del>2</del> 4
	(B) Kites	2 feet x 1.5 feet x 1.5 feet	4	30 feet x 10 feet x 12 feet	<del>6</del> 3	30 feet x 10 feet x 12 feet	<del>6</del> 3
	<del>(A)</del> (C) Merlin	2 feet x 1.5 feet x 1.5 feet	3	16 feet x 8 feet x 8 feet	4	50 feet x 10 feet x 12 feet	3
(7) Galliformes	(A) Quail	<u>1.5 feet x 1.5 feet x 1.5 feet</u>	<u>12</u>	<u>8 feet x 8 feet x 8 feet</u>	<u>12</u>	<u>8 feet x 8 feet x 8 feet</u>	<u>4</u>
	(B) Sage Grouse	<u>1.5 feet x 1.5 feet x 1.5 feet</u>	<u>8</u>	<u>12 feet x 8 feet x 8 feet</u>	<u>8</u>	<u>12 feet x 8 feet x 8 feet</u>	<u>4</u>
<del>(5)</del> (8) Passeriformes	(A) Species less than 6 inches (adult size)* (unless otherwise listed)	<u>12 inches x 6 inches x 6 inches</u> <del>4 inches W x 2 inches H</del>	6	8 feet x 8 feet x 8 feet	6	8 feet x 8 feet x 8 feet	6
	(B) Species greater than 6 inches (adult size)* (unless otherwise listed)	<u>12 inches x 6 inches x 6 inches</u> <del>6 inches W x 3 inches H</del>	<del>4</del> 8	16 feet x 8 feet x 8 feet	4	16 feet x 8 feet x 8 feet	4
	<del>(C)</del> Swallows	<u>12 inches x 6 inches x 6 inches</u>	5	<u>16 feet x 16 feet x 8 feet</u>	<u>12</u>	<u>16 feet x 16 feet x 8 feet</u>	<u>12</u>



Order	Animal Type	Neonate <sup>1</sup>	Max # <sup>1</sup>	Juvenile <sup>2</sup>	Max # <sup>2</sup>	Adult <sup>3</sup>	Max # <sup>3</sup>
		<u>inches</u> <u>4 inches W x 2 inches H</u>					
	<del>(D)</del> <u>(C)</u> Bushtits	<u>12 inches x 6 inches x 6 inches</u> <u>4 inches W x 2 inches H</u>	6	4 feet x 4 feet x 8 feet	10	4 feet x 4 feet x 8 feet	10
	<del>(E)</del> Quail	<del>1.5 feet x 1.5 feet x 1.5 feet</del>	<del>12</del>	<del>8 feet x 8 feet x 8 feet</del>	<del>12</del>	<del>8 feet x 8 feet x 8 feet</del>	<del>4</del>
	<del>(G)</del> <del>(F)</del> <u>(D)</u> Crows, <u>Ravens</u>	<u>1.5 feet x 1 foot x 1 foot</u> <del>10 inches W x 5 inches H</del>	4	20 feet x 8 feet x 8 feet	6	20 feet x 8 feet x 8 feet	6
	<del>(F)</del> <u>(E)</u> Jays, <del>Crackles</del> , Magpies	<u>1.5 feet x 1 foot x 1 foot</u> <u>6 inches W x 3 inches H</u>	4	16 feet x 8 feet x 8 feet	8	16 feet x 8 feet x 8 feet	6
	<u>(F)</u> Ravens	<u>2 feet x 1.5 feet x 2 feet</u>	<u>1</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>3</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>3</u>
	<u>(G)</u> Swallows	<u>12 inches x 6 inches x 6 inches</u>	<u>5</u>	<u>16 feet x 16 feet x 8 feet</u>	<u>12</u>	<u>16 feet x 16 feet x 8 feet</u>	<u>12</u>
<del>(6)</del> <u>(9)</u> Piciformes	(A) Woodpecker species less than 12 inches (adult size)*	<u>1.5 feet x 1 foot x 1 foot</u> <del>6 inches W x 4 inches H</del>	4	8 feet x 8 feet x 8 feet	4	8 feet x 8 feet x 8 feet	4
	(B) Woodpecker species greater than 12 inches (adult size) *	<u>1.5 feet x 1 foot x 1 foot</u> <u>8 inches W x 6 inches H</u>	4	16 feet x 8 feet x 8 feet	4	16 feet x 8 feet x 8 feet	4
<del>(7)</del> Accipitriformes	<del>(A)</del> Vultures	<del>2 feet x 2 feet x 2 feet</del>	<del>1</del>	<del>100 feet x 16 feet x 16 feet</del>	<del>6</del>	<del>100 feet x 20 feet x 16 feet</del>	<del>6</del>
	<del>(B)</del> Northern Harrier	<del>2 feet x 1.5 feet x 2 feet</del>	<del>1</del>	<del>50 feet x 12 feet x 12 feet</del>	<del>4</del>	<del>50 feet x 12 feet x 12 feet</del>	<del>1</del>
	<del>(C)</del> Swainson's Hawk, Ferruginous Hawk	<del>2 feet x 2 feet x 2 feet</del>	<del>1</del>	<del>50 feet x 12 feet x 12 feet</del>	<del>6</del>	<del>50 feet x 12 feet x 12 feet</del>	<del>6</del>
	<del>(D)</del> Sharp-shinned Hawk	<del>2 feet x 1.5 feet x 1.5 feet</del>	<del>1</del>	<del>16 feet x 8 feet x 8 feet</del>	<del>1</del>	<del>16 feet x 8 feet x 8 feet</del>	<del>1</del>
	<del>(E)</del> Red-shouldered Hawk, Cooper's Hawk	<del>2 feet x 1.5 feet x 2 feet</del>	<del>1</del>	<del>30 feet x 12 feet x 12 feet</del>	<del>4</del>	<del>30 feet x 12 feet x 12 feet</del>	<del>4</del>
	<del>(F)</del> Harris', Rough-legged, Red-tailed Hawk	<del>2 feet x 1.5 feet x 2 feet</del>	<del>1</del>	<del>50 feet x 12 feet x 12 feet</del>	<del>3</del>	<del>50 feet x 12 feet x 12 feet</del>	<del>3</del>
	<del>(G)</del> Osprey	<del>3 feet x 3 feet x 3 feet</del>	<del>3</del>	<del>100 feet x 16 feet x 16 feet</del>	<del>4</del>	<del>100 feet x 16 feet x 16 feet</del>	<del>4</del>
<del>(8)</del> Falconiformes	<del>(A)</del> Merlin	<del>2 feet x 1.5 feet x 1.5 feet</del>	<del>1</del>	<del>16 feet x 8 feet x 8 feet</del>	<del>4</del>	<del>50 feet x 10 feet x 12 feet</del>	<del>3</del>
	<del>(B)</del> Kites	<del>2 feet x 1.5 feet x 1.5 feet</del>	<del>4</del>	<del>30 feet x 10 feet x 12 feet</del>	<del>6</del>	<del>30 feet x 10 feet x 12 feet</del>	<del>6</del>
	<del>(C)</del> American Kestrel	<del>2 feet x 1.5 feet x 1.5 feet</del>	<del>=</del>	<del>16 feet x 8 feet x 8 feet</del>	<del>4</del>	<del>16 feet x 8 feet x 8 feet</del>	<del>2</del>
<del>(9)</del> <u>(10)</u> Strigiformes	(A) Owl species less than 10 inches (adult size)* <del>Burrowing owl, Flammulated owl, Northern pygmy owl, Northern saw-whet, Western screech owl</del>	1.5 feet x 1 feet x 1.5 feet	<u>3</u> <del>1</del>	16 feet x 8 feet x 8 feet	5	16 feet x 8 feet x 8 feet	5
	(B) Owl species greater than 10 inches and less than 18 inches (adult size)* <del>Barn owl, Long-eared owl, Short-eared owl</del>	2 feet x 1.5 feet x 2 feet	<u>3</u> <del>1</del>	30 feet x 10 feet x 12 feet	8	30 feet x 10 feet x 12 feet	8
	(C) Owl species greater than 18 inches (adult size)* <del>Great horned, Spotted owl</del>	2 feet x 1.5 feet x 2 feet	<u>3</u> <del>1</del>	50 feet x 10 feet x 12 feet	6	50 feet x 10 feet x 12 feet	6
	(D) Burrowing owl	<u>1.5 feet x 1 feet x 1.5 feet</u>	<u>3</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>5</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>5</u>

\*In the case of sexually dimorphic species, adult sizes are based on the larger of the two sexes.

**(k) Pre-release Conditioning Enclosure Requirements; Waterbirds (Excluding Pool-Only Waterbirds). Table & 10a.**

Order	Animal Type	Minimum Requirements
(1) All Waterbirds	(A) All Waterbirds, unless otherwise indicated	<ol style="list-style-type: none"> <li>1. Walls shall be constructed with <del>either or a combination of the listed material</del> <u>one of the following materials</u> [Note: This requirement is intended to provide a visual barrier and to prevent injury to each animal]: <ol style="list-style-type: none"> <li>a. <del>Pressure treated wood or composite wood or similar wood and covered with soft netting or shade cloth on the interior wall</del> <u>Wood covering at least 1/4 and up to 1/2 of the lower wall area; or</u></li> <li>b. <del>Meta-welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch covering at least 1/4 and up to 1/2 of the lower wall area and covered with soft netting or shade cloth on the interior wall;</del> <u>or</u></li> <li>c. <del>Plastic pipe such as conduit pipe or polyvinyl chloride (PVC); or Pipe 11-gauge chain link with a mesh size no larger than 2.5 inches covering at least 1/4 and up to 1/2 of the lower wall area; and covered with soft netting or shade cloth on the interior wall.</del></li> <li>d. <u>Welded steel wire with a mesh size no larger than 1-inch x 1-inch covering the remaining wall area, and steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior of the remaining wall area.</u></li> <li><del>e. 0.5-inch by 0.5-inch welded steel wire; or</del></li> <li><del>f. 11-gauge chain link with interior wall covered with soft netting or shade cloth.</del></li> </ol> </li> <li>2. Roof <del>shall be covered by netting or similar non-opaque (transparent) material</del> [Note: This requirement is intended to provide each animal exposure to natural light], <del>shall be constructed of one of the following:</del> <ol style="list-style-type: none"> <li>a. <u>Wood, plastic, or metal covering the entire roof area; or</u></li> <li>b. <u>Mesh netting or similar soft net material covering the entire roof area; or</u></li> <li>c. <u>Wood, plastic, and metal covering at least ¼ up to 1/2 of the roof area; and</u></li> <li>d. <u>Mesh netting or similar soft net material covering the remaining roof area</u> [Note: This requirement is intended to provide each animal exposure to natural light].</li> </ol> </li> <li>3. Wall and roof material shall be affixed to <del>posts consisting either of one of the following materials and spaced no more than 8 feet apart:</del> <ol style="list-style-type: none"> <li>a. <u>A minimum of 2-inches x 4-inch by 4-inch wood fence post; or</u></li> <li>b. <u>A minimum of 2-inch metal fence post.</u></li> </ol> </li> <li>4. Floor shall be constructed of <del>either: concrete, notwithstanding an enclosure comprised of a pool only, and covered with either one of the following materials</del> Walls shall be buried at least 1 foot deep and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent animal ingress by digging]. <ol style="list-style-type: none"> <li>a. <u>Soil; or</u></li> <li>b. <u>Non-abrasive sand; or</u></li> <li>c. <u>River rock or similar smooth flat rocks; or</u></li> <li>d. <u>Concrete covered with anti-fatigue or similar matting; or</u></li> <li>e. <u>Wood.</u></li> </ol> </li> <li>5. Each enclosure shall have a pool with clean water and constructed of either [Note: This requirement allows rehabilitation animals to maintain clean, waterproof plumage and avoid bathing in their food dishes] <del>floor shall be covered with one of the following materials, notwithstanding an enclosure comprised of a pool only;</del> <ol style="list-style-type: none"> <li>a. <del>Soil</del>-Galvanized metal; or</li> <li>b. <del>Non-abrasive sand</del> Fiberglass; or</li> <li>c. <del>River rock or similar smooth flat rocks</del> Concrete; or</li> <li>d. <del>Anti-fatigue or similar matting</del> Polyethylene stock tank.</li> </ol> </li> </ol>

Order	Animal Type	Minimum Requirements
		<p>6. Pool water shall be maintained by either [Note: This requirement is necessary to ensure each animal has access to water quality sufficient to maintain <u>the welfare and health of each animal</u> <del>ensure plumage integrity prior to release, and perform natural history activities.</del>]:</p> <ol style="list-style-type: none"> <li>Filtration and recirculation system combined with surface overflow and siphoning of sunken debris; or</li> <li><u>Constantly running fresh water into the pool combined with surface overflow and siphoning of sunken debris; or</u></li> <li><u>Completely replacing-changing the water when soiled with clean water</u> <del>notwithstanding the special needs of obligate pool birds.</del></li> </ol> <p><del>8. Each enclosure shall have at least 2 flat surface perches, commonly called a “net bottom insert”, constructed of knotless netting with a mesh size of 0.5 inch x 0.5 inch stretched across a plastic/PVC pipe (0.75 inch diameter) and a minimum frame dimension of 1 foot x 1 foot [Note: This requirement is intended to allow each waterbird to perch elevated off the floor, outside of the pool, at will. This allows for increased air flow, reduces the risk of plumage damage or contamination, and prevents injury to each animal].</del></p>
(2) Anseriformes	(A) Dabbling duck	<p>1. Each enclosure shall have <u>the following enrichment of either at least 2 hides such as emergent aquatic vegetation or shrubs</u> [Note: this requirement is intended to allow each animal to be fully hidden from view at will.]:</p> <ol style="list-style-type: none"> <li><u>At least 2 hides or shelter boxes; or</u></li> <li><u>1 visual barrier made of smooth fabric or similar material secured from the ceiling; and</u></li> <li><u>artificial or live vegetation or shrubs, such as potted plants.</u></li> </ol>
	(B) Native geese, native swan	<p>1. Each enclosure shall have <u>the following enrichment of either at least 2 hides such as emergent aquatic vegetation or shrubs</u> [Note: this requirement is intended to allow each animal to be fully hidden from view at will.]:</p> <ol style="list-style-type: none"> <li><u>At least 2 hides or shelter boxes; or</u></li> <li><u>1 visual barrier made of smooth fabric or similar material secured from the ceiling; and</u></li> <li><u>artificial or live vegetation or shrubs, such as potted plants.</u></li> </ol>
	(C) Diving duck, Stiff-tailed duck, Merganser	<p><del>1. Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds.]</del></p> <p><del>2. Pool roof and wall support shall be constructed of either:</del></p> <ol style="list-style-type: none"> <li><del>1 inch PVC pipe; or</del></li> <li><del>1 inch galvanized metal pipe.</del></li> </ol> <p><del>3. Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]:</del></p> <ol style="list-style-type: none"> <li><del>Shade cloth; or</del></li> <li><del>Soft, knotless netting.</del></li> </ol> <p><del>4. Each pool enclosure shall have the following enrichment:</del></p> <ol style="list-style-type: none"> <li><del>At least 2 floating flat surfaces, commonly called a “haul out”, constructed of knotless netting with a mesh size of 0.5 inch x 0.5 inch stretches across a plastic/PVC pipe (0.75 inch diameter) with a minimum frame dimension of 1 foot x 1 foot [Note: This requirement is intended to allow each waterbird housed in a pool-only enclosure to ingress and egress from the water surface to rest at will. Haul outs are distinct from perches. Excessive use may be harmful to the bird and delay release].</del></li> </ol>
(3) Charadriiformes	(A) Alcids	<p><del>1. Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds.]</del></p> <p><del>2. Pool roof and wall support shall be constructed of either:</del></p> <ol style="list-style-type: none"> <li><del>1 inch PVC pipe; or</del></li> <li><del>1 inch galvanized metal pipe.</del></li> </ol> <p><del>3. Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]:</del></p> <ol style="list-style-type: none"> <li><del>Shade cloth; or</del></li> <li><del>Soft, knotless netting.</del></li> </ol> <p><del>4. Each pool enclosure shall have the following enrichment:</del></p>

Order	Animal Type	Minimum Requirements
		<p>a. <del>a. At least 2 floating flat surfaces, commonly called a "haul out", constructed of knotless netting with a mesh size of 0.5 inch x 0.5 inch stretches across a plastic/PVC pipe (0.75 inch diameter) with a minimum frame dimension of 1 foot x 1 foot [Note: This requirement is intended to allow each waterbird housed in a pool only enclosure to ingress and egress from the water surface to rest at will. Haul outs are distinct from perches. Excessive use may be harmful to the bird and delay release].</del></p>
	(B-A) Gull, Tern, Jaeger, Skuas	<p>1. Each enclosure shall have the following enrichment:</p> <p>a. <del>A minimum of 4 flat perching platforms 1 foot by 2 feet placed at various heights</del> <u>At least 2 dynamic perches constructed of wood or rope with a minimum diameter of 2 inches placed a minimum of 4 feet above the ground</u> [Note: This requirement is to encourage flight exercise and ensures these species have access to clean water for bathing and exercise and appropriate perching surfaces to prevent injury to sensitive feet]; <u>and</u></p> <p>b. <u>At least 2 static perches, such as a tree stump or rock, a minimum of 18 inches high placed on the ground</u> [Note: This requirement allows each animal to perch off the ground].</p>
	(C) Red phalarope, Red-necked phalarope	<p><del>1. Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds].</del></p> <p><del>2. Pool roof and wall support shall be constructed of either:</del></p> <p><del>b. 1 inch PVC pipe; or</del></p> <p><del>c. 1 inch galvanized metal pipe.</del></p> <p><del>3. Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]:</del></p> <p><del>a. Shade cloth; or</del></p> <p><del>b. Soft, knotless netting.</del></p> <p><del>4. The pool shall have a haul out area (floating platform) with a minimum dimension of 1 foot by 1 foot minimum just above water level covered with non-abrasive material, such as matting [Note: This allows an above water area within a pool to offer food while preventing injury to sensitive feet].</del></p>
	(D) Sandpiper, Plover, Skimmer, Oystercatcher, Wilson's phalarope	<p><del>1. Each enclosure shall have at least one shallow wading pool filled with clean water [Note: This requirement allows rehabilitation animals to maintain clean, waterproof plumage and avoid bathing in their food dishes].</del></p>
(4) Coraciiformes	(A) Kingfisher	<p><del>1. Floors shall be covered with large flat rocks with a minimum dimension of 1 foot by 1 foot.</del></p> <p><del>2.1. Each enclosure shall have the following enrichment:</del></p> <p>a. <del>At least 2 logs a minimum of 3 feet long and a minimum diameter of 6 4 inches placed vertically horizontally at various heights a minimum of 4 feet above the ground; and</del></p> <p>b. <del>At least 2 flat perches, such as shelves, at least 2-feet x by 6 inches placed at a minimum height of 4 feet above the ground; and</del></p> <p>c. <del>At least one shallow wading pool filled with water [Note: This requirement is intended to allow each animal to bathe and maintain waterproof plumage].</del></p>
(5) Gaviformes	(A) Loon	<p><del>1. Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds].</del></p> <p><del>2. Pool roof and wall support shall be constructed of either:</del></p> <p><del>a. 1 inch PVC pipe; or</del></p> <p><del>b. 1 inch metal galvanized pipe.</del></p> <p><del>3. Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]:</del></p> <p><del>a. Shade cloth; or</del></p> <p><del>b. Soft, knotless netting.</del></p>

Order	Animal Type	Minimum Requirements
		<del>The pool shall have a haul-out area (floating platform) with a minimum dimension of 2 feet by 2 feet minimum just above water level covered with non-abrasive material, such as matting [Note: This allows an above-water area within a pool to offer food while preventing injury to sensitive feet].</del>
(6 5) Gruiformes	(A) Coot	1. Each enclosure shall have the following enrichment: <del>a. At least 2 hides of artificial or live vegetation or shrubs, such a potted plant, placed on the floor [Note: This requirement is intended to allow each animal to be fully hidden at will]. Each enclosure shall have a pool [Note: This requirement ensures these species have access to clean water for bathing, swimming, and exercise].</del> <del>b. A minimum of 2 flat perching platforms 1 foot by 2 feet placed at various heights placed a minimum of 4 feet above the ground [Note: This requirement is to encourage flight exercise and ensures these species have access to clean water for bathing and exercise and appropriate perching surfaces to prevent injury to sensitive feet].</del> <del>c. At least 2 hides of emergent vegetation or shrubs [Note: This requirement is intended to allow each animal to be fully hidden from view at will].</del>
	(B) Crane	1. Walls shall be constructed of either <u>or a combination of the listed materials of one of the following</u> [Note: This requirement is intended to prevent injury <del>as a result of</del> <u>and</u> any animal getting stuck in fencing with larger gaps]: a. <u>Coated wire mesh with a mesh size no larger than 1-inch x 0.5-inch</u> <del>coated wire mesh; or</del> b. <u>Steel hardware cloth with a mesh size no larger than 1-inch x 0.5-inch</u> <del>hardware cloth.</del> 2. Walls shall have <del>a minimum of the lower</del> <u>at least the first</u> 6-feet constructed of either [Note: This requirement serves to prevent animal injury due to a tendency to run into non-opaque walls when startled or performing natural jumping behaviors]: a. Wood; or b. Fiberglass (or similar opaque material).
	(C) Rails	1. <del>Each enclosure shall have the following enrichment. Each enclosure shall have at least one shallow wading pool with clean water for bathing. [Note: This requirement allows rehabilitation animals to perform natural history behaviors and maintain clean, waterproof plumage].</del> a. <u>At least 2 hides of artificial or live vegetation or shrubs, such a potted plant, placed on the floor [Note: This requirement is intended to allow each animal to be fully hidden at will].</u>
(7 6) Pelecaniformes	(A) Bittern Egret, Heron Ibis, Stork	1. Each enclosure shall have the following enrichment: a. <u>At least 3 wood perches at least 2-inches in diameters placed at various heights with a minimum height of 3-feet height [Note: This requirement ensures varied perching surfaces to prevent injury to sensitive feet plus encourages flight.]</u> <del>At least one shallow wading pool [Note: This requirement ensures these species have access to clean water for bathing and exercise].; and</del> b. <u>At least 2 hides of artificial or live vegetation or shrubs, such a potted plant, placed on the floor [Note: This requirement is intended to allow each animal to be fully hidden at will.]</u> <del>At least 3 wood perches at least 2-inches in diameters placed at various heights with a minimum height of 4 feet height [Note: This requirement ensures varied perching surfaces to prevent injury to sensitive feet plus encourages flight].</del>
	(B) Pelican	1. Each enclosure shall have the following enrichment: a. <u>At least A minimum 2 perches with a minimum diameter of 2 inches covered with artificial grass or similar material placed a minimum height of 6-feet 3-6 feet high above the ground</u> [Note: This requirement is intended to encourage each animal to fly. This requirement encourages athletic flight for these very large birds.]; and b. <u>At least A minimum 2 ground-level stump or stump-like perches with a minimum diameter of 6 inches and a minimum of 18 inches tall enough to avoid feather breakage and soiling</u> [Note: This requirement allows pelicans to perch off the ground when eating or resting at ground level]; and

Order	Animal Type	Minimum Requirements
		2. Pool edges shall be covered with textured material such as rubber tire tread, anti-fatigue matting, or artificial grass [Note: This requirement is to prevent <del>foot injuries from developing in care</del> injury to each animal].
(107) Suliformes	(A) Boobies Cormorants	<p>1. <del>2</del> Pool edges shall be covered with anti-fatigue mats, rubber tire tread, or similar textured material. [Note: This requirement is intended to prevent each animal from developing foot injuries.] <del>Each enclosure shall have at least one pool for swimming and bathing [Note: This requirement ensures birds have access to clean water for bathing and exercise].</del></p> <p>2. <del>3</del> Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> <li><del>At least A minimum of 2</del> perches with a minimum diameter of 1-inch and covered with anti-fatigue mats, or similar rubber mat material, or artificial grass, <del>or similar textured material;</del> and</li> <li>Perches shall be elevated at varying heights with a minimum height of 4 feet; and</li> <li><del>A minimum of 2 ground-level</del> stump or stump-like perches with a minimum of 6 inches in diameter and at least 1 foot tall placed on the floor [Note: This requirement is intended to allow each animal to perch off the ground when eating or resting.].</li> </ol>
(8) Pedicipediformes	(A) Grebes	<p>1. <del>Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds].</del></p> <p>2. <del>Pool roof and wall support shall be constructed of either:</del></p> <ol style="list-style-type: none"> <li><del>1 inch PVC pipe; or</del></li> <li><del>1 inch metal galvanized pipe.</del></li> </ol> <p>3. <del>Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]:</del></p> <ol style="list-style-type: none"> <li><del>Shade cloth; or</del></li> <li><del>Soft, knotless netting.</del></li> </ol> <p>4. <del>Each Pied-billed grebe enclosure shall have the following enrichment:</del></p> <ol style="list-style-type: none"> <li><del>At least 2 hides or sheltered retreats of emergent aquatic vegetation [Note: this requirement is necessary because the species requires additional visual barriers to reduce stress].</del></li> </ol>
(9) Procellariiformes	(A) Albatross	<p>1. <del>Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds].</del></p> <p>2. <del>Pool roof and wall support shall be constructed of either:</del></p> <ol style="list-style-type: none"> <li><del>1 inch PVC pipe; or</del></li> <li><del>1 inch metal galvanized pipe.</del></li> </ol> <p>3. <del>Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]:</del></p> <ol style="list-style-type: none"> <li><del>Shade cloth; or</del></li> <li><del>Soft, knotless netting.</del></li> </ol>
	(B) Fulmar, Shearwater-petrel, Storm-petrel	<p>1. <del>Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds].</del></p> <p>2. <del>Pool roof and wall support shall be constructed of either:</del></p> <ol style="list-style-type: none"> <li><del>1 inch PVC pipe; or</del></li> <li><del>1 inch metal galvanized pipe.</del></li> </ol> <p>3. <del>Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]:</del></p> <ol style="list-style-type: none"> <li><del>Shade cloth; or</del></li> <li><del>Soft, knotless netting.</del></li> </ol>

**(I) Pre-release Conditioning Enclosure Requirements; Pool-Only Waterbirds. Table 10b.**

Order	Animal Type	Minimum Requirements
(1) Pool-Only Waterbirds	(A) Pool-Only Waterbirds  (Includes species of diving duck, stiff-tailed duck, merganser, alcid, phalarope, loon, grebe, albatross, fulmar, and petrel)	<ol style="list-style-type: none"> <li>1. Each enclosure shall be comprised of a pool-only with no land area [Note: This requirement is necessary to protect the welfare of this subset of waterbirds that have rehabilitation needs that differ from other waterbirds.]</li> <li>2. Frame of walls and roof shall be constructed of either: <ol style="list-style-type: none"> <li>a. A minimum of 1-inch PVC pipe; or</li> <li>b. A minimum of 1-inch galvanized metal pipe.</li> </ol> </li> <li>3. Roof shall be covered of either [Note: this requirement is intended to create a structure that fully surrounds the pool and prevents animal ingress or egress from the pool-only enclosure at will]: <ol style="list-style-type: none"> <li>a. Shade cloth; or</li> <li>b. Soft, knotless netting.</li> </ol> </li> <li>4. Each enclosure shall have a pool with clean water and constructed of either [Note: This requirement allows rehabilitation animals to maintain clean, waterproof plumage and avoid bathing in their food dishes]: <ol style="list-style-type: none"> <li>a. Galvanized metal; or</li> <li>b. Fiberglass; or</li> <li>c. Concrete; or</li> <li>d. Plastic, such as a polyethylene stock tank.</li> </ol> </li> <li>5. Pool water shall be maintained by either [Note: This requirement is necessary to ensure each animal has access to water quality sufficient to maintain the welfare and health of each animal.]: <ol style="list-style-type: none"> <li>a. Filtration and recirculation system combined with surface overflow and siphoning of sunken debris; or</li> <li>b. Constantly running fresh water into the pool combined with surface overflow and siphoning of sunken debris.</li> </ol> </li> <li>6. Each enclosure shall have the water level of the pool at least 1-foot below the top of the pool edge [Note: This requirement is intended to prevent injury to each animal.].</li> </ol>
(2) Anseriformes	(B) Diving duck, Stiff-tailed duck, Merganser	<ol style="list-style-type: none"> <li>1. Each pool enclosure shall have the following enrichment: <ol style="list-style-type: none"> <li>a. At least 1 flat frame surface with a minimum frame dimension of 1-foot x 1-foot (L x W) constructed of plastic pipe, wood, or similar material, and covered with knotless netting, that is free-floating on the water surface [Note: This requirement is intended to allow each animal to ingress and egress from the water at will and prevent injury to sensitive feet.].</li> </ol> </li> </ol>
(3-2) Charadriiformes	(C) Alcid  (D A) Red phalarope, Red-necked phalarope	<ol style="list-style-type: none"> <li>1. Each pool enclosure shall have the following enrichment: <ol style="list-style-type: none"> <li>a. At least 1 flat frame surface with a minimum frame dimension of 1-foot x 1-foot (L x W) constructed of plastic pipe, wood, or similar material, and covered with knotless netting, that is free-floating on the water surface [Note: This requirement is intended to allow each animal to ingress and egress from the water at will and prevent injury to sensitive feet.].</li> </ol> </li> </ol> <ol style="list-style-type: none"> <li>1. Each pool enclosure shall have the following enrichment: <ol style="list-style-type: none"> <li>a. At least 1 dry-flat surface area with a minimum dimension of 2-foot x 1-foot (L x W) placed above the water-level and covered with rubber mats or similar non-abrasive material [Note: This requirement is necessary to provide animals an area above the water surface to access food while preventing injury to sensitive feet]; and</li> <li>b. At least 2 dynamic or static perches constructed of wood or plastic, and placed at a minimum height of 2 feet above the water surface; and</li> <li>c. Artificial or live emergent aquatic vegetation [Note: This requirement is intended to provide a visual barrier and allow each animal to be fully hidden at will.].</li> </ol> </li> </ol>
(4) Gaviformes	(E) Loon	<ol style="list-style-type: none"> <li>1. Each pool enclosure shall have the following enrichment: <ol style="list-style-type: none"> <li>a. At least 1 flat frame surface with a minimum frame dimension of 1-foot x 1-foot (L x W) constructed of plastic pipe, wood, or similar material, and covered with knotless netting, that is free-floating on the water surface [Note: This requirement is intended to allow each animal to ingress and egress from the water at will and prevent injury to sensitive feet.].</li> </ol> </li> </ol>

Order	Animal Type	Minimum Requirements
(5) <u>Podicipediformes</u>	<del>(F-A) Pied-Billed</del> <u>Grebes</u>	1. <u>Each enclosure shall have the following enrichment [Note: this requirement is necessary because certain grebe species require visual barriers to reduce stress]:</u> a. <u>Artificial or live emergent aquatic vegetation [Note: This requirement is intended to provide a visual barrier and allow each animal to be fully hidden at will.].</u>
(6) <u>Procellariiformes</u>	<del>(G) Albatross</del> <del>(H) Fulmar, Shearwater</del> <del>petrel,</del> <del>Storm-petrel</del>	1. <del>Each pool enclosure shall have the water level of the pool at least 1 foot below the top of the pool edge [Note: This requirement is intended to prevent injury to each animal.].</del> 1. <del>Each pool enclosure shall have the water level of the pool at least 1 foot below the top of the pool edge [Note: This requirement is intended to prevent injury to each animal.].</del>



**(m) Minimum Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Waterbirds. Table 9 11.**

(Length x Width x Height).

Adapted from: *Tables 10.3a and c Minimum Housing Size Guidelines for Waterbirds, pages 158-163. Miller, E. A., and J. Schlieps, editors. 2021. Standards for Wildlife Rehabilitation. National Wildlife Rehabilitators Association: Bloomington, MN.*

Order	Animal Type	Neonate <sup>1</sup>	Max # <sup>1</sup>	Juvenile <sup>2</sup>	Max # <sup>2</sup>	Adult <sup>3</sup>	Max # <sup>3</sup>
(1) Anseriformes	(A) Dabbling duck	20 inches x 10 inches x 10 inches	8	10 feet x 6 feet x 8 feet	6	10 feet x 6 feet x 8 feet	6
	(B) Diving duck, Merganser, Stiff-tailed duck	10 inches x 10 inches x 10 inches	4	Pool Only*	4	Pool Only*	4
	(C) Native geese	19 inches x 14 inches x 14 inches	4	18 feet x 10 feet x 8 feet	6	18 feet x 10 feet x 8 feet	6
	(D) Native swan	19 inches x 14 inches x 14 inches	2	20 feet x 12 feet x 8 feet	3	20 feet x 12 feet x 8 feet	3
(2) Charadriiformes	(A) Alcid	10 inches x 10 inches x 10 inches	3	Pool Only*	4	Pool Only*	4
	(B) Gull, Tern (species less than 14 inches, <u>adult size</u> )	1 foot x 15 inches x 1.5 feet	6	<del>10 feet x 6 feet x 8 feet</del> <del>4 feet x 8 feet x 8 feet</del>	6	<del>10 feet x 6 feet x 8 feet</del> <del>4 feet x 8 feet x 8 feet</del>	6
	(C) Gull, Jaeger, Skua (species greater than 14 inches, <u>based on size of adults</u> )	18 inches x 18 inches x 18 inches	2	16 feet x 8 feet x 10 feet	4	16 feet x 8 feet x 10 feet	4
	(D) Red Phalarope, Red-necked Phalarope	1 foot x 1 foot x 1 foot	4	4 feet x 6 feet x 6 feet	6	Pool Only*	<del>5</del> 6
	(E) Plover, Sandpiper, shorebird (species less than 10 inches, <u>based on size of adults</u> ) (unless otherwise listed)	1 foot x 1 foot x 1 foot	4	6 feet x 4 feet x 6 feet	6	6 feet x 4 feet x 6 feet	6
	(F) Shorebird (species greater than 10 inches, <u>based on size of adults</u> ) (unless otherwise listed)	1 foot x 1 foot x 1.5 feet	4	6 feet x 4 feet x 6 feet	6	8 feet x 4 feet x 8 feet	6
	(G) Tern, oystercatcher, skimmer, Wilson's Phalaropes (species greater than 14 inches, <u>based on size of adults</u> )	2 feet x 1 foot x 1.5 feet	3	16 feet x 10 feet x 8 feet	6	16 feet x 10 feet x 8 feet	6
(3) Coraciiformes	(A) Kingfishers	3 inches x 3 inches	1	16 feet x 8 feet x 8 feet	8	16 feet x 8 feet x 8 feet	4
(4) Gaviiformes	(A) Loons	4 feet x 29 inches x 22 in	2	Pool Only*	4	Pool Only*	2
(5) Gruiformes	(A) Coots	10 inches x 10 inches x 10 inches	6	<del>10 feet x 6 feet x 8 feet</del> <del>6 feet x 10 feet x 8 feet</del>	4	<del>10 feet x 6 feet x 8 feet</del> <del>6 feet x 10 feet x 8 feet</del>	4
	(B) Cranes	2 feet x 2 feet x 2 feet	1	<del>25 feet x 10 feet x 25 feet</del> <del>10 feet x 25 feet x 10 feet</del>	4	<del>25 feet x 10 feet x 25 feet</del> <del>10 feet x 25 feet x 10 feet</del>	4
	(C) Rail species (species less than 10 inches, <u>based on size of adults</u> )	1 foot x 1 foot x 1 foot	2	<del>6 feet x 4 feet x 3 feet</del> <del>4 feet x 6 feet x 3 feet</del>	4	<del>6 feet x 4 feet x 3 feet</del> <del>4 feet x 6 feet x 3 feet</del>	3
	(D) Rail species (species greater than 10 inches, <u>based on size of adults</u> )	1 foot x 1.5 feet x 1.5 feet	2	<del>8 feet x 4 feet x 4 feet</del> <del>4 feet x 8 feet x 4 feet</del>	2	<del>8 feet x 4 feet x 4 feet</del> <del>4 feet x 8 feet x 4 feet</del>	4

Order	Animal Type	Neonate <sup>1</sup>	Max # <sup>1</sup>	Juvenile <sup>2</sup>	Max # <sup>2</sup>	Adult <sup>3</sup>	Max # <sup>3</sup>
(6) Pelecaniformes	(A) Bittern, Egret, Heron, Ibis, Stork, (species less than 20 inches, <u>based on size of adults</u> )	1 foot x 1 foot x 1 foot	4	<u>12 feet x 4 feet x 8 feet</u> <del>4 feet x 12 feet x 8 feet</del>	4	<u>12 feet x 4 feet x 8 feet</u> <del>4 feet x 12 feet x 8 feet</del>	<del>4</del> <u>2</u>
	(B) Bittern, Egret, Heron, Ibis, Stork, (species greater than 20 inches)	2 feet x 1 foot x 1 foot	3	<u>25 feet x 10 feet x 10 feet</u> <del>10 feet x 25 feet x 10 feet</del>	4	<u>25 feet x 10 feet x 10 feet</u> <del>10 feet x 25 feet x 10 feet</del>	<del>2</del> <u>4</u>
	(C) Frigatebird	2 feet x 1 foot x 1 foot	3	<u>30 feet x 12 feet x 12 feet</u> <del>12 feet x 30 feet x 12 feet</del>	1	<u>30 feet x 12 feet x 12 feet</u> <del>12 feet x 30 feet x 12 feet</del>	1
	(D) Pelican, Brown	1.5 feet x 1.5 feet x 1.5 feet	<del>10</del> <u>3</u>	<u>100 feet x 20 feet x 20 feet</u> <del>12 feet x 30 feet x 10 feet</del>	<del>20</del> <u>35</u> <del>4</del>	<u>100 feet x 20 feet x 20 feet</u> <del>12 feet x 30 feet x 10 feet</del>	<del>20</del> <u>35</u> <del>6</del>
	(E) Pelican, White	1.5 feet x 1.5 feet x 1.5 feet	<del>10</del> <u>3</u>	<u>100 feet x 20 feet x 20 feet</u> <del>12 feet x 30 feet x 10 feet</del>	<del>6</del> <u>20</u>	<u>100 feet x 20 feet x 20 feet</u> <del>12 feet x 30 feet x 10 feet</del>	<del>10</del> <u>20</u> <del>4</del>
(7) Podicipediformes	(A) Grebes	10 inches x 10 inches x 10 inches	6	Pool Only*	4	Pool Only*	4
(8) Procellariiformes	(A) Albatross	40 inches x 27 inches x 30 inches	1	<u>30 feet x 15 feet x 12 feet</u> <del>15 feet x 30 feet x 12 feet</del>	3	Pool Only*	2
	(B) Fulmars, Storm Petrels	17 inches x 11 inches x 11 inches	1	Pool Only*	4	Pool Only*	5
	(C) Petrel species, Shearwaters (unless otherwise indicated)	17 inches x 11 inches x 11 inches	1	Pool Only*	4	Pool Only*	5
(9) Suliformes	(A) Boobies, Cormorants	1.5 feet x 1.5 feet x 1.5 feet	1	<u>20 feet x 10 feet x 8 feet</u> <del>10 feet x 20 feet x 8 feet</del>	<del>3</del> <u>1</u>	20 feet x 10 feet x 8 feet	<del>3</del> <u>1</u>

\*For pool-only enclosure size requirements, refer to (n) Minimum Size Requirements for Pre-release Conditioning Pools; Waterbirds. Table 12.

Note: In the case of sexually dimorphic species, adult sizes are based on the larger of the two sexes.

**(m)(n) Minimum Size Requirements for Pre-release Conditioning Pools; Waterbirds. Table 10 12.**

(Pool diameter x depth included as part of total minimum enclosure size).

Order	Animal Type	Juvenile <sup>2</sup> Pool	Adult <sup>3</sup> Pool
(1) Anseriformes	(A) Dabbling Duck	4 feet x 1.5 feet	4 feet x 1.5 feet
	(B) Diving Duck	<u>6 feet x 3 feet</u> <del>6 feet x 2 feet</del>	<u>6 feet x 3 feet</u> <del>6 feet x 2 feet</del>
	(C) Native geese	<u>6 feet x 2 feet</u> <del>6 feet x 3 feet</del>	<u>6 feet x 2 feet</u> <del>6 feet x 3 feet</del>
	(D) Native swan	8 feet x 3 feet	8 feet x 3 feet
(2) Charadriiformes	(A) Alcids	<u>6 feet x 3 feet</u> <del>4 feet x 2 feet</del>	<u>6 feet x 3 feet</u> <del>4 feet x 2 feet</del>
	(B) Gull, Jaeger, Oystercatcher, Skimmer, Skua, Tern (species less than 14 inches)	4 feet x 1 foot	4 feet x 1 foot
	(C) Gull, Jaeger, Oystercatcher, Skimmer, Skua, Tern (species greater than 14 inches)	4 feet x 1 foot	4 feet x 1 foot
	(D) Red Phalarope, Red-necked Phalarope	<u>4 feet x 1 inch</u> <del>3 feet x 1 inch</del>	4 feet x 6 inches
	(E) Plover, Sandpiper, Shorebirds (species less than 10 inches)	3 feet x 1 inch	3 feet x 1 inch
	(F) Plover, Sandpiper, Shorebirds (species greater than 10 inches)	3 feet x 2 inches	3 feet x 2 inches
	<u>(G) Tern, oystercatcher, skimmer, Wilson's Phalaropes (species greater than 14 inches, based on size of adults)</u>	<u>4 feet x 1 foot</u>	<u>4 feet x 1 foot</u>
(3) Coraciiformes	(A) Kingfisher	4 feet x 6 inches	4 feet x 6 inches
(4) Gaviiformes	(A) Loon	8 feet x 3 feet	8 feet x 3 feet
(5) Gruiformes	(A) Crane	4 feet x 4 inches	4 feet x 4 inches
	(B) Rail (species less than 10 inches)	3 feet x 3 inches	3 feet x 3 inches
	(C) Rail (species greater than 10 inches)	4 feet x 8 inches	4 feet x 8 inches
	(D) Coot	4 feet x 1.5 feet	4 feet x 1.5 feet
(6) Pelecaniformes	(A) Bittern, Egret, Heron, Ibis, Stork (species less than 20 inches)	2 feet x 6 inches	2 feet x 6 inches
	(B) Bittern, Egret, Heron, Ibis, Stork (species greater than 20 inches)	2 feet x 6 inches	2 feet x 6 inches
	(C) Frigatebird	No Pool	No Pool
	(A) Pelican, Brown	10 feet x 2 feet	10 feet x 2 feet
	(B) Pelican, White	10 feet x 2 feet	10 feet x 2 feet
(7) <del>Podicipediformes</del> <del>Podicoediformes</del>	(A) Grebes	6 feet x 3 feet	6 feet x 3 feet
(8) Procellariiformes	(A) Albatross	10 feet x 3 feet	10 feet x 1.5 feet
	(B) <del>Fulmar</del> , Storm Petrel	<u>4 feet x 1.5 feet</u> <del>6 feet x 2 feet</del>	<u>4 feet x 1.5 feet</u> <del>4 feet x 1 foot</del>
	(C) <u>Fulmar</u> , Petrel species, Shearwater (unless otherwise indicated)	6 feet x 3 feet	6 feet x 3 feet
(9) Suliformes	(A) Boobies, Cormorant	<u>8 feet x 3 feet</u> <del>8 feet x 2 feet</del>	<u>8 feet x 3 feet</u> <del>8 feet x 2 feet</del>

Note: In the case of sexually dimorphic species, adult sizes are based on the larger of the two sexes.

**(e)(o) Specialty Rehabilitation Animal Requirements**

(1) A permittee, their designee, or sub-permittee if applicable, may rehabilitate a species or taxa classified as a “specialty rehabilitation animal” only under specific authorization from the department pursuant to these regulations: large carnivore (black bear, mountain lion), ungulate (deer, elk, bighorn, pronghorn), venomous snakes, bald eagle, golden eagle, prairie falcon, peregrine falcon.

(2) Each specialty rehabilitation animal enclosure shall have a double-door entry system that is secured at all times. [Note: This requirement is intended to prevent animal escape, or ingress of the enclosure by any other animal or non-authorized person.]

(3) A specialty rehabilitation animal enclosure shall have a method to view the animals from outside the enclosure without opening the door, such as a viewing window, remote camera, or live video feed. [Note: This requirement is intended to prevent habituation or mal-imprinting of a specialty rehabilitation animal.]

(4) A permittee, their sub-permittee, designee, or qualified handler shall notify the department in writing by email at [Rehabwildlife@wildlife.ca.gov](mailto:Rehabwildlife@wildlife.ca.gov) within 24 hours of a specialty rehabilitation animal escaping from its enclosure or making contact with any person that results in human illness, injury or death, such as an animal attack or bite. [Note: This requirement is intended to protect human health and human safety as specialty rehabilitation animals require specialized training to properly handle, restrain, capture, or transport.]

**(e)(p) Specialty Rehabilitation Animal Enclosure Requirements for Pre-release Conditioning. Table 41.13.**

Order	Animal Type	Minimum Requirements
(1) Accipitriformes	(A) Bald Eagle, Golden Eagle	<ol style="list-style-type: none"> <li>1. Walls shall be constructed of <u>either one or a combination of the following listed materials [Note: This requirement is intended to provide visual barrier and prevent animal injury.]:</u> <ol style="list-style-type: none"> <li>a. Wood; or</li> <li>b. Plastic; or</li> <li>c. <del>0.5-inch x 0.5-inch welded steel wire</del> <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch and covered with soft netting or hardware cloth <del>on</del> affixed to the interior wall; or [Note: This requirement is intended to provide visual barrier to prevent animal injury.].</u></li> <li>d. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soft netting or hardware cloth affixed to the interior wall.</u></li> </ol> </li> <li>2. Roof shall be constructed <u>of either: in the following manner:</u> <ol style="list-style-type: none"> <li>a. <u>Wood covering at least 1/3 up to 1/2 of the roof area; or</u></li> <li>b. <u>Plastic covering at least 1/3 up to 1/2 of the roof area; or</u></li> <li>c. <u>Metal covering at least 1/3 up to 1/2 of the roof area; or</u></li> <li>d. <del>Wood, fiberglass, or similar solid materials,</del> <u>covering at least 1/3 up to 1/2 the total ceiling-roof area; and</u></li> <li>e. <u>11-gauge chain link or 0.5-inch x 0.5-inch welded steel wire shall cover the remaining portion of the ceiling-roof area.</u></li> </ol> </li> <li>3. Wall and roof material shall be affixed to <u>either one of the following materials:</u> <ol style="list-style-type: none"> <li>a. <u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence posts, or</u></li> <li>b. <u>A minimum of 2-inch galvanized metal fence posts.</u></li> </ol> </li> <li>4. Walls constructed of <u>chain link or 0.5-inch x 0.5-inch welded steel wire shall be buried at least 1 foot down and 1 foot outward at a 90-degree angle. [Note: This requirement is intended to prevent predator ingress at will.]</u></li> <li>5. Floor shall be constructed of either:             <ol style="list-style-type: none"> <li>a. Soil; or</li> <li>b. Non-abrasive sand; or</li> <li>c. <u>Rounded rock such as pea gravel; or</u></li> <li>d. <u>Concrete covered with soil, non-abrasive sand, or rounded rock such as pea gravel, at least at a minimum depth of 3 inches deep.</u></li> </ol> </li> <li>6. Each enclosure shall have the following enrichment:             <ol style="list-style-type: none"> <li>a. <u>At least 2 perches or tree limbs of various diameters of at least 1.5 inches in diameter placed at different heights (minimum of 4 feet high); and</u></li> <li>b. <u>1 shallow pan constructed of plastic or metal, of at least 4 feet x 4 feet filled with water, soil, or bathing dust and minimum of 6 inches deep; or</u></li> <li>c. <u>At least 16 square feet of floor space covered with at least 6 inches of soil or bathing dust. [Note: This requirement is intended for each animal to preen and clean its feathers.]</u></li> </ol> </li> </ol>
(2) Artiodactyla	(A) Deer, Bighorn, Elk, Pronghorn	<ol style="list-style-type: none"> <li>1. Walls shall be constructed of <u>either one or a combination of the following listed materials [Note: This requirement is intended to provide visual barrier and prevent animal injury.]:</u> <ol style="list-style-type: none"> <li>a. <del>Solid wood or metal panels.</del> <u>Wood; or</u></li> <li>b. <u>Metal panels; or</u></li> <li>c. <del>11-gauge chain link covered internally with woven wire mesh or shade cloth</del> <u>affixed to the interior wall; or</u></li> </ol> </li> </ol>

Order	Animal Type	Minimum Requirements
		<p><del>e. Bottom half constructed of solid wood or metal panels and top half constructed of 11-gauge chain link covered internally with woven wire mesh or shade cloth; and</del></p> <p>2. <del>Top of walls</del> Walls shall have <del>an external</del> a 3-foot <del>kick back</del> security barrier affixed to the top of the wall at an <u>outward</u> angle between 30-degrees and 60-degrees [Note: This requirement is intended to prevent predatory animals from entering the enclosure] and constructed of either:</p> <ol style="list-style-type: none"> <li><del>g</del> Galvanized steel panels; or</li> <li><del>p</del> Polyvinyl chloride (PVC) panels; or</li> <li><del>f</del> Fiberglass panels; or</li> <li><del>b</del> Barbed wire; and/or</li> <li><del>e</del> Electric fencing.</li> </ol> <p>3. Walls materials shall be affixed to fence posts that shall be <u>either constructed of one of the following and spaced at least 6 feet apart and no more than 12 feet apart</u>:</p> <ol style="list-style-type: none"> <li><u>A minimum of 4-inch x 4-inch wood fence post; or</u></li> <li><u>A minimum of 2-inch diameter galvanized steel.</u></li> </ol> <p>4. Floor shall be constructed of <u>either one of the following</u>:</p> <ol style="list-style-type: none"> <li><del>s</del> Soil or similar natural substrate; or</li> <li><del>c</del> Concrete covered with mulch, soil, or other natural substrate <u>at least at a minimum depth of 6 inches deep.</u></li> </ol> <p>5. <u>Other species shall not be housed in enclosures designated solely for ungulates. [Note: This requirement is intended to prevent transmitting any disease of concern between free-roaming ungulates and ungulate rehabilitation animals.] If natural shelter is unavailable within the enclosure, then a shelter of at least 100 square feet shall be constructed of wood or metal panels with a minimum of 2 walls and a roof [Note: This requirement is intended to allow each animal to fully ingress and egress at will].</u></p>
(3) Carnivora	(A) American Black Bear	<p>1. Walls shall be constructed of the listed materials in the following manner [Note: This requirement is intended to prevent animal escape from the enclosure.]:</p> <ol style="list-style-type: none"> <li>Vertical galvanized steel posts a minimum <u>diameter</u> of 2 inches <del>in diameter</del> spaced no more than 8 feet apart; <u>and</u></li> <li>Horizontal galvanized <del>bottom perimeter</del> steel posts a minimum <u>diameter</u> of 2 inches <del>in diameter</del> <u>placed</u> no more than 3 inches above the ground; <u>and</u></li> <li>9-gauge <u>chain link</u> <del>wire shall be</del> affixed to the vertical and horizontal steel posts and <del>will extend below grade</del> buried at least 18 inches <del>downward</del>, and 18 inches inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</li> </ol> <p><del>2. Each enclosure shall be secured in one of the following manners [Note: This requirement is intended to prevent animal escape by climbing.], either:</del></p> <ol style="list-style-type: none"> <li><del>A fully enclosed roof constructed of 9-gauge wire with horizontal beams of galvanized steel posts at least 2 inches in diameter, spaced no more than 8 feet apart, and attached to walls; or</del></li> <li><del>Walls constructed with an internal 3-foot kick back at an angle between 30-degrees and 60-degrees constructed of galvanized steel panels, or polyvinyl chloride (PVC) panels, or fiberglass panels. The 3-foot kick back shall barb wire or electric fencing affixed to the panels.</del></li> </ol> <p>2. Walls of an outdoor enclosure shall have a 3-foot security barrier affixed to the top of the wall at an outward angle between 30-degrees and 60-degrees [Note: This requirement is intended to prevent predatory animals from entering the enclosure] and constructed of either:</p> <ol style="list-style-type: none"> <li><u>Galvanized steel panels; or</u></li> <li><u>Polyvinyl chloride (PVC) panels; or</u></li> <li><u>Fiberglass panels; or</u></li> </ol>

Order	Animal Type	Minimum Requirements
		<p><u>d. Barbed wire; or</u>  <u>e. Electric fencing.</u></p> <p><u>3. Roof of an indoor enclosure shall be constructed of the listed materials in the following manner [Note: This requirement is intended to prevent animal escape from the enclosure.]:</u></p> <p><u>a. Galvanized steel posts a minimum diameter of 2 inches spaced no more than 8 feet apart; and</u>  <u>b. 9-gauge chain link affixed to the galvanized steel posts.</u></p> <p><del>3.</del> <u>4. Floor shall be constructed of either in one of the following manners:</u></p> <p><u>a. Soil or similar natural substrate; or</u>  <u>b. Rounded rock such as pea gravel; or</u>  <u>c. Concrete.</u></p> <p><del>a. Outside enclosures shall have soil, pea gravel, or similar natural substrate; and</del>  <del>b. Inside enclosure shall be constructed of concrete.</del></p> <p><del>4.</del> <u>5. Each enclosure shall have one den at least a minimum size of 6 feet x 6 feet x 6 feet (L x W x H) with a lockable ground-level guillotine door that shall be constructed of the listed materials [Note: This requirement is intended to allow for the safe capture, confinement, and transfer of each animal in a crate to and from the enclosure.] that shall be constructed of either:</u></p> <p><u>a. Concrete or cinder blocks; or and</u>  <u>b. 1 lockable ground-level door constructed of galvanized steel, such as a guillotine door. Cinder blocks.</u></p> <p><del>5.</del> <u>6. Each enclosure shall have the following enrichment:</u></p> <p><u>a. At least 3 tree limbs at least 6 feet long and with a minimum diameter of 12 inches in diameter securely attached horizontally or vertically.</u>  <u>b. A pool at least 3 feet in diameter and constructed of metal, concrete, or high-density polyethylene plastic that is at least 3 feet x 3 feet and filled with clean water at least 1 foot deep.</u></p>
	(B) Mountain Lions	<p><u>1. Walls shall be constructed of the listed materials in the following manner [Note: This requirement is intended to prevent animal escape from the enclosure.]:</u></p> <p><u>a. Vertical galvanized steel posts a minimum diameter of 2 inches in diameter spaced no more than 8 feet apart; and</u>  <u>b. Horizontal galvanized bottom perimeter steel posts a minimum diameter of 2 inches in diameter placed no more than 3 inches above the ground; and</u>  <u>c. 9-gauge chain link wire shall be affixed to the vertical and horizontal steel posts and will extend below grade buried at least 18 inches downward, and 18 inches inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</u></p> <p><u>2. Roof of the enclosure shall be fully enclosed and constructed of the listed materials in the following manner [Note: This requirement is intended to prevent animal escape from the enclosure.]:</u></p> <p><u>a. Galvanized steel posts a minimum diameter of 2 inches spaces no more than 10 feet apart; and and attached to walls with 2-inch galvanized steel cross beams spaced no more than 10 feet apart and attached to walls</u>  <u>b. of 9-gauge wire, chain link affixed to the galvanized steel posts.</u></p> <p><u>3. Floor shall be constructed of either in one of the following manners:</u></p> <p><u>a. Soil or similar natural substrate; or</u>  <u>b. Rounded rock such as pea gravel; or</u>  <u>c. Concrete.</u></p> <p><del>a. Outside enclosures shall have soil, rounded rock such as pea gravel, or other natural substrate; and</del>  <del>b. Inside enclosures shall be constructed of concrete and covered with mulch, soil, or other natural substrate at a minimum depth of 3 inches.</del></p>

Order	Animal Type	Minimum Requirements
		<p>4. Each enclosure shall have one den <del>at least with a minimum size of 6 feet x 6 feet x 6 feet (L x W x H), with a lockable ground-level galvanized steel horizontal or vertical sliding door such as a guillotine door</del> that shall be constructed of the listed materials [Note: This requirement is intended to allow for the safe capture, confinement, and transfer of each animal in a crate to and from the enclosure.] <del>that shall be constructed of either:</del></p> <ol style="list-style-type: none"> <li><del>Concrete or cinder blocks; or and</del></li> <li><u>1 lockable ground-level galvanized steel horizontal or vertical sliding door, such as a guillotine door</u> <del>Cinder blocks.</del></li> </ol> <p>5. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> <li><del>At least 3 wood beams or tree limbs at least 6 feet long and with a minimum diameter of 5 inches wide</del> securely attached horizontally or at an at an angle between 30-degrees and 60-degrees [Note: This requirement is intended to allow each animal to climb and scratch]; and</li> <li>1 elevated platform at least 4 feet x <del>by</del> 8 feet, and at least 2 feet above the ground and no more than 5 feet above the ground. At least two sides of the elevated platform shall have a visual barrier constructed of vegetation, wood, or similar material; and</li> <li>Vegetation at least 3 feet high, such as bushes or shrubs, covering a minimum area of 6 feet x 6 feet of the enclosure [Note: This requirement is intended to allow each animal to be fully hidden at will and to express its natural behaviors such as to cache food.]</li> </ol>
(4) Falconiformes	<del>(B)</del> (A) Peregrine Falcon, Prairie Falcon	<p>1. Walls shall be constructed of <del>either one or a combination of the following listed materials</del> [Note: This requirement is intended to provide visual barrier to prevent animal injury.]:</p> <ol style="list-style-type: none"> <li>Wood; or</li> <li>Plastic; or</li> <li><del>0.5-inch x 0.5-inch w</del> <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch and covered with soft netting or hardware cloth on affixed to the interior wall; or</u> <del>[Note: This requirement is intended to provide visual barrier to prevent animal injury.]</del></li> <li><u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soft netting or hardware cloth affixed to the interior wall.</u></li> </ol> <p>2. Roof shall be constructed of either [Note: This requirement is intended to provide shelter for each animal.] in the following manner:</p> <ol style="list-style-type: none"> <li><del>Wood, fiberglass, or similar solid materials</del> covering at least 1/3 up to 1/2 of the ceiling roof area; <del>and or</del></li> <li><u>Plastic covering at least 1/3 and up to 1/2 of the roof area; or</u></li> <li><u>Fiberglass covering at least 1/3 and up to 1/2 of the roof area; and</u></li> <li><del>or</del> <u>11-gauge chain link or 0.5-inch x 0.5-inch welded steel wire shall cover the remaining portion of the ceiling covering no more than 1/2 of the roof area with the remaining roof area consisting of either a or b.</u></li> </ol> <p>3. Wall and roof material shall be affixed to <del>either one of the following materials:</del></p> <ol style="list-style-type: none"> <li><u>A minimum of 2-inch <del>4-inch</del> x 4-inch wood fence posts; or</u></li> <li><u>A minimum of 2-inch galvanized metal fence posts.</u></li> </ol> <p>4. Walls constructed of <u>chain link or 0.5-inch x 0.5-inch</u> welded steel wire shall be buried at least 1 foot down and 1 foot outward at a 90-degree angle. [Note: This requirement is intended to prevent predator ingress at will.]</p> <p>5. Floor shall be constructed of either:</p> <ol style="list-style-type: none"> <li>Soil; or</li> <li>Non-abrasive sand; or</li> <li><u>Rounded rock such as</u> pea gravel; or</li> <li>Concrete covered with soil, non-abrasive sand, or <u>rounded rock such as</u> pea gravel, <del>at least</del> <u>at a minimum depth of 3 inches deep.</u></li> </ol>



Order	Animal Type	Minimum Requirements
		<p>6. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> <li>At least 2 <u>static perches or tree limbs of various diameters of at least 0.5 inches in constructed of wood or rope with a minimum diameter of 2 inches placed at a minimum height of 8 feet different heights (minimum of 4 feet high); and</u></li> <li>At least 2 <u>dynamic perches, such as a tree limb, with a minimum diameter of 2 inches placed at a minimum height of 8 feet; and</u></li> <li><del>b</del> <u>c. 1 shallow pan constructed of plastic or metal, of at least 4 feet x 4 feet filled with water, soil, or bathing dust and minimum of 6 inches deep; or</u></li> <li><del>e</del> <u>d. At least 16 square feet of floor space covered at a minimum depth of 6 inches of soil or similar bathing dust. [Note: This requirement is intended for each animal to preen and clean its feathers.]</u></li> </ol>
(5) Squamata	(A) Venomous Snake	<ol style="list-style-type: none"> <li>Walls, floor, and roof shall be constructed of <del>either: plastic, glass, or similar smooth surface material with a secure locking lid, at least 6 airholes with a minimum diameter of 0.25 inches or similar means of ventilation.</del> <ol style="list-style-type: none"> <li><u>Plastic; or</u></li> <li><u>Glass or similar smooth surface material; and</u></li> <li><u>With a secure locking lid or door and containing at least 6 airholes with a maximum diameter of 0.25 inches. [Note: This requirement is intended for adequate ventilation and preventing ingress or egress at will.]</u></li> </ol> </li> <li>Each enclosure shall have the following <u>enrichment items</u>: <ol style="list-style-type: none"> <li><del>At least 1 hide or shelter box [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will.];</del></li> <li><del>A full-spectrum ultraviolet</del> <u>b (UVB) light or access to natural sunlight between 8 hours and 10 hours in a at least 8-hours each 24-hour period day</u> [Note: This requirement is intended to mimic the natural diurnal process for each animal.]; and</li> <li><del>A</del> <u>heat and humidity source such as a heat lamp and humidity chamber.</u></li> </ol> </li> <li>Floor shall be covered with soil, non-abrasive sand, or other natural substrate <del>at least at a minimum depth of 3 inches deep.</del></li> <li>Each enclosure shall contain a label that is clearly and conspicuously posted on the outside, stating "Venomous animals" and the common and scientific name <del>and number</del> of snake(s) contained inside.</li> <li>Each enclosure shall be kept inside a lockable building clearly posted with the following information: poison control telephone number and location of nearest hospital with antivenom. A first aid kit shall be made readily available within the building.</li> <li>Capture equipment (<del>e.g. wide-jaw humane snake tongs, snake hooks, snake tube, nylon snake bags</del>) and personal protective equipment shall be used to handle a venomous snake for any purpose and be made readily available and accessible at all times <u>to qualified handlers [Note: This requirement is intended to protect native wildlife, animal welfare, human health, and human safety. Examples of proper equipment to capture, handle, and transfer a venomous snake may include wide-jaw humane snake tongs, snake hooks, snake tube, and nylon snake bags.]</u></li> <li><del>A permittee, their sub permittee, or designee shall notify the department in writing by email at <a href="mailto:Rehabwildlife@wildlife.ca.gov">Rehabwildlife@wildlife.ca.gov</a> within 24 hours of a venomous snake bite resulting in human death or escape of a venomous snake from its enclosure.</del></li> </ol>

~~(g)~~ **Neonate and Limited Mobility Minimum Enclosure Size Requirements and Maximum Number of Animals Per Enclosure; Specialty Rehabilitation Animals. ~~Table 12~~ Table 14.**

(Length x Width x Height, in feet, unless otherwise indicated).

Order	Animal Type	Neonate <sup>1</sup>	Max # <sup>1</sup>	Juvenile <sup>2</sup>	Max # <sup>2</sup>	Adult <sup>2</sup>	Max # <sup>2</sup>
(1) Accipitriformes	(a) Bald Eagle, Golden Eagle	3 feet x 3 feet x 3 feet	3	Based on animal condition	1	<del>100 feet x 16 feet x 16 feet</del> Based on animal condition	3
(2) Artiodactyla	(a) Deer, Pronghorn, Bighorn Sheep	4 feet x 4 feet x 4 feet	2	8 feet x 8 feet x 8 feet	2	Not Allowed	0 N/A
	(b) Elk	6 feet x 6 feet x 4 feet	2	10 feet x 10 feet x 8 feet	2	Not Allowed	0 N/A
(3) Carnivora	(a) Mountain Lion	2 feet x 2 feet x 2.5 feet	3	8 feet x 6 feet x 4 feet	3	Not Allowed	0 N/A
	(b) Black Bear	2 feet x 2 feet x 2.5 feet	3	8 feet x 6 feet x 4 feet	3	Not Allowed	0 N/A
(4) Falconiformes	(a) Peregrine Falcon, Prairie Falcon	3 feet x 3 feet x 3 feet	4	Based on animal condition	1	<del>100 feet x 16 feet x 16 feet</del> Based on animal condition	1
(5) Squamata	(a) Venomous Snake	1.5 times the length of the animal	1	1.5 times the length of the animal	1	1.5 times the length of the animal	1

~~(r)~~ **Pre-Release Conditioning Enclosure Minimum Enclosure Size Requirements and Maximum Number of Animals Per Enclosure; Specialty Rehabilitation Animals. ~~Table 13~~ Table 15.**

(Length x Width x Height, in feet, unless otherwise indicated).

Order	Animal Type	Juvenile <sup>3</sup>	Max # <sup>3</sup>	Adult <sup>3</sup>	Max # <sup>3</sup>
(1) Accipitriformes	(a) Bald Eagle, Golden Eagle	100 feet x 16 feet x 16 feet	3	100 feet x 16 feet x 16 feet	3
(2) Artiodactyla	(a) Deer, Pronghorn, Bighorn Sheep	80 feet x 50 feet x 8 feet	6	Not Allowed	0
	(b) Elk	80 feet x 50 feet x 8 feet	6	Not Allowed	0
(3) Carnivora	(a) Mountain Lion	750 square feet per animal (10 feet minimum height)	5	Not Allowed	0
	(b) Black Bear	750 square feet per animal (10 feet minimum height)	5	Not Allowed	0
(4) Falconiformes	(a) Peregrine Falcon, Prairie Falcon	100 feet x 16 feet x 16 feet	<del>3</del> 2	100 feet x 16 feet x 16 feet	<del>3</del> 2
(5) Squamata	(a) Venomous Snake	1.5 times the length of the animal	1	1.5 times the length of the animal	1

## Chapter 3. Humane Care Requirements (See CCR Title 14, Section 679.5(e))

### (a) Care and Treatment Requirements

- (1) A permittee, their designee, and sub-permittees shall only intake rehabilitation animals of a species that they are able to identify with reasonable certainty and temporarily possess in a manner that protects the welfare of that animal, human health, and human safety.
- (2) A permittee, their designee, and sub-permittees shall transfer a rehabilitation animal to another wildlife rehabilitation facility if for any reason the welfare of the animal cannot be maintained or improved, such as inadequate enclosure, lack of species-specific expertise, inability to provide appropriate veterinary medical care, or unique conspecific requirements.
- (3) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall triage rehabilitation animals upon intake and respond with proper treatment. [Note: The best initial course of action for many animals is to temporarily confine in a warm, quiet, and dark enclosure isolated from other animals; stabilize with fluid therapy; examine for signs of trauma; and monitor for signs of disease. Euthanasia may be the most appropriate and humane triage response to prevent unnecessary pain and suffering.]
- (4) A permittee, their designee, and sub-permittees shall develop an individual treatment plan for each rehabilitation animal that includes a preliminary assessment of any proposed treatment, and the impact of the recovery process on the welfare of the animal, as based on the best available scientific literature, case studies, or derived from similar species or situational scenarios. [Note: A wildlife rehabilitator may seek veterinary consultation from any licensed veterinarian, or guidance from another wildlife rehabilitator, as needed.]
- (5) A permittee, their designee, and sub-permittees shall adopt written standard procedures for basic veterinary medical treatment and treatment plans for specific species or taxa of rehabilitation animal provided by a licensed veterinarian (i.e., standing orders) pursuant to subsection 679.5(b). [Note: This requirement is intended to reduce a rehabilitation animal's risk of habituation or mal-imprinting, prolonged handling, and unnecessary physical or behavioral stress.]
- (6) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall be able to reasonably determine when a rehabilitation animal is required to be seen by a veterinarian for veterinary medical care services including, but not limited to: surgery; diagnosis of medical condition; and prescribing of drugs, medicine, and appliances. [Note: This requirement is intended to protect animal welfare and prevent the unnecessary pain or needless suffering of each animal.]
- (7) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall know the nutritional requirements of each rehabilitation animal based on the life history, species, age class, and physical condition of the animal. [Note: This requirement is intended to prevent common nutritional deficiencies known to affect the endocrine, gastrointestinal, nervous, skeletal, and vascular systems, such as metabolic bone disease, by providing a proper diet. Rehabilitation animals with pre-existing nutritional disorders may or may not be recoverable, depending on the severity of the deficiency.]
- (8) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall allow a rehabilitation animal to feed independently as soon as the animal is able to express the behavioral and physical traits required for feeding that are appropriate to its species, age class, and condition. [Note: This requirement is necessary as neonate and juvenile animals are at risk of habituation or mal-imprinting during any stage of rehabilitation; a habituated or mal-imprinted animal is unable to express the natural life history behaviors of its species and is less likely to survive in the wild.]

### (b) Cleaning Requirements

- (1) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall remove visible organic debris and waste material prior to using disinfectant products (including, but not limited to, those substances listed in subsection c, Table ~~45.16~~), and closely adhere to the safety data sheet if applicable and instructions for proper dilution, use, storage, and disposal of any disinfectant or cleaning products.
- (2) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall disinfect the enclosure of any rehabilitation animal suspected of or known to have a communicable disease, including compliance with any

requirements of a local or state public health agency with jurisdiction once that animal has been removed from the enclosure.

(3) A permittee, their designee, sub-permittees, and authorized persons shall maintain physical separation of raccoon and skunk enclosures from domestic animals, restricted species, and other rehabilitation animals. [Note: This requirement is intended to prevent transmitting raccoon or skunk roundworm (*Baylisascaris procyonis*, *B. columnaris*) to other wild animals, domestic animals, or humans.]

(4) Raccoon enclosures shall only be used to temporarily house raccoons and contain a label that is clearly and conspicuously posted on the outside, stating “Raccoons Only”; skunk enclosures shall only be used to temporarily house skunks and contain a label that is clearly and conspicuously posted on the outside, stating “Skunks Only. These enclosures shall not be used for any other species at any time. [Note: This requirement is intended to ensure that proper cleaning requirements are met for each enclosure. Raccoons and skunks are the primary hosts of roundworm (*B. procyonis*, *B. columnaris*) and typically have no clinical signs. Roundworm eggs are transmitted via feces and can lay dormant for years prior to infecting a host. Roundworm eggs can be killed by flame-sterilizing enclosures between each use. Common detergents and disinfectants are not effective.]

(5) Amphibian and reptile enclosures shall only be used to temporarily house amphibians and reptiles and contain a label that is clearly and conspicuously posted on the outside, stating “Amphibian or Reptile Only”. These enclosures shall not be used for any other taxa at any time. [Note: This requirement is intended to ensure that proper cleaning requirements are met for each enclosure. Amphibians and reptiles are vulnerable to disease and require specific cleaning requirements. Improperly used cleaning agents are harmful to amphibians and reptiles.]

(6) Ungulate specialty rehabilitation enclosures shall only be used to temporarily house specialty rehabilitation ungulates and contain a label that is clearly and conspicuously posted on the outside, stating “Ungulate Only”. These enclosures shall not be used for any other taxa at any time. [Note: This requirement is intended to ensure that proper cleaning requirements are met for each enclosure. Ungulates are vulnerable to certain diseases of concern in California.]

**(c) Common Cleaning Agents to Limit the Transmission of Communicable Wildlife Diseases. Table 14 16.**

Category	Uses
(1) Alcohols	Antiseptic, cleaning instruments (e.g., ethanol, isopropyl alcohol).
(2) Aldehydes	Cold sterilization, disinfectant (e.g., formaldehyde, Wavicide-01™, Cidex®).
(3) Biguanides	Wound care, antiseptic, disinfectant (e.g., chlorhexidine-based products).
(4) Detergents	General cleaning (e.g., laundry/dish soap, enzymatic detergent (e.g., Tergazyme™)).
(5) Herbal-based Solutions	General cleaning, disinfectant (e.g., Concrobium® Broad Spectrum Disinfectant II).
(6) Hypochlorites	Disinfectant for nonmetallic surfaces (e.g., chlorine bleach, calcium hypochlorite).
(7) Iodophores	Surgical preparation, disinfectant, wound care (e.g., Betadine™ solution).
(8) Oxidizing Agents	Disinfectant for nonmetal surfaces (e.g., peroxide-based compounds).
(9) Phenols	General disinfectant, foot baths (e.g., Hil-Phene®).
(10) Quaternary Ammonium Compounds	General cleaning, disinfectant (e.g., KennelSol®).
(11) Stabilized Chlorine Dioxides	General cleaning, disinfectant (e.g., Oxine® Bio-Cide).
<u>(12) Amphibian and Reptile Enclosures (Cleaning Requirements)</u>	<u>Remove organic materials from enclosure, floor, and other potentially contaminated surfaces and use Virkon® Aquatic or 3% bleach disinfectant solution for a minimum of 20-minutes contact time.</u>
<u>(13) Ungulate Enclosures (Cleaning Requirements)</u>	<u>Remove organic materials from enclosure, floor, and other potentially contaminated surfaces, and use either of the following cleaning solutions for a minimum of 10-minutes contact time: 2% sodium hypochlorite solution (1-part household bleach to 1-part water); Tergazyme® enzymatic detergent; or Environ® LpH SE Phenolic disinfectant.</u>

**(d) Communicable Wildlife Diseases**

(1) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall handle a rehabilitation animal using personal protective equipment (such as disposable gloves, face mask) that is appropriate to the life history, species, stage of rehabilitation, and specific risks associated with that ~~animal~~ animal species such as claws, talons, teeth, or beak. [Note: This requirement is intended to protect animal welfare, native wildlife, human health, and human safety by reducing the risk of disease transmission and spread of etiological agents.]

(2) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall report any rehabilitation animal suspected or known to have a disease of concern, as determined by the Fish and Game Commission to be a communicable disease of potentially significant consequence to an affected population of native wildlife, domestic animal, or humans in California, to the proper reporting agency, as indicated in Table ~~16~~ 17, pursuant to subsection 679.5(a)(7). [Note: This requirement is intended to aid the investigation and monitoring of potential disease outbreaks and mortality events by the department's Wildlife Health Laboratory pursuant to California Fish and Game Section 1008.]

**(e) Wildlife Diseases of Concern in California and the Agency to Report Confirmed or Suspected Infected Wildlife.****Table ~~15~~ 17.**

Disease of Concern	Taxa Affected	Etiologic Agent	Clinical Signs or Symptoms	Reporting Agency
<del>(1)</del> <u>(1)</u> Adenovirus Hemorrhagic Disease	Deer	Virus	<del>Progress</del> <u>Progressive</u> weight loss, mouth sores, death	Department of Fish and Wildlife
<del>(4)</del> <u>(2)</u> Chronic Wasting Disease	Deer, elk	Prion	Progressive weight loss, <del>loss of awareness</del> , loss of natural fear, death	Department of Fish and Wildlife
<del>(2)</del> <u>(3)</u> Highly Pathogenic Avian Influenza Virus	Avifauna, mammals	Virus	Lethargy, tremors, head tilt, death	Department of Fish and Wildlife
<del>(3)</del> <u>(4)</u> Rabbit Hemorrhagic Disease Virus	Rabbits, hares	Virus	Lethargy, bleeding from nostril, neurologic symptoms, death	Department of Fish and Wildlife
<del>(4)</del> <u>(5)</u> Rabies Virus	Mammals*	Virus	Loss of fear response, aggression, drooling, lethargy, paralysis, death *California primary vector species: Bat, skunk, fox.	Local Health Department
<del>(5)</del> <u>(6)</u> SARS-COV-2	Mammals	Virus	Cough, fatigue, body pain, diarrhea, loss of taste/smell, death	Department of Public Health
<del>(6)</del> <u>(7)</u> Snake Fungal Disease	Snakes	Fungus	Poor body condition, scabs, skin ulcers, discolored scales, cloudy eyes	Department of Fish and Wildlife
<del>(7)</del> <u>(8)</u> White Nose Syndrome	Bats	Fungus	White powdery fungus on muzzle, ears, wings, limbs; emaciation; death.	Department of Fish and Wildlife

**(f) Non-Releasable Animal Requirements**

(1) A permittee, their designee, sub-permittees, or a licensed veterinarian shall deem a rehabilitation animal as non-releasable in accordance with section 679.6~~(a)~~. [Note: Conditions that would likely prevent an animal from surviving in the wild, may include, but not be limited to: permanent visual impairment; amputated limb, foot, or wing; permanent damage to skin, scale, scute, fur, or feathers; permanent inability to display the natural life history behaviors of its species; permanent spinal injury, paralysis, or paresis.]

(2) A non-releasable rehabilitation animal shall be handled pursuant to subsection 679.5(c) of these regulations. [Note: In rare cases, the department may approve permanent placement of a non-releasable rehabilitation animal at a permitted facility if the department deems the animal to be a suitable candidate for placement and all conditions required to protect the welfare of the animal, native wildlife, human health, and human safety are met. Euthanasia is generally the most compassionate outcome for a wild animal rather than a life in captivity.]

**(g) Euthanasia Requirements**

(1) A permittee, their designee, sub-permittees, and other properly trained personnel that may perform euthanasia of any rehabilitation animal shall meet the euthanasia training minimum hour requirements listed in subsection 679.5(c)(1)(A) 1 through 3.

(2) A permittee, their sub-permittee, or designee shall maintain written documentation of all euthanasia training completed by any personnel as a required record.

(3) Euthanasia training curriculum shall include, but not be limited to, an overview of the history and reasons for euthanasia; humane animal restraint techniques; euthanasia methods and procedures; induction times and verification of death; personnel stress management and safety training; and record keeping and regulation compliance.

(4) A permittee, their designee, sub-permittees, other properly trained personnel, and licensed veterinarian shall euthanize a rehabilitation animal using only the methods of euthanasia listed in Table ~~17~~ 18.

(5) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall not use any method of euthanasia not listed in Table ~~17~~ 18, including the following unacceptable methods of euthanasia: Thoracic compression, freezing, suffocation, carbon monoxide, ether, and any method of take prohibited pursuant to the California Fish and Game Code or any other ordinance, regulation, or statute. [Note: This requirement is intended to prohibit the use of any euthanasia method that does not protect animal welfare and determined to be inhumane.]

(6) A permittee, their designee, sub-permittees, other properly trained personnel, and licensed veterinarians shall obtain permission from the ~~USFWS~~ U.S. Fish and Wildlife Service and the department prior to euthanizing a Bald or Golden Eagle or threatened or endangered species, unless humane considerations warrant prompt euthanasia prior to such notification, and transfer the carcass to the National Eagle Repository pursuant to the Bald and Golden Eagle Protection Act.

(7) A permittee, their designee, and sub-permittees shall select the method of carcass disposal of a rehabilitation animal that is euthanized, or dies of natural causes, based on the condition of the animal carcass, cause of mortality, and species pursuant to all federal, state, and local jurisdiction requirements. A permittee, their designee, and sub-permittees shall dispose of the carcass of a rehabilitation animal that has been chemically euthanized using one of the following methods: incineration at a qualified facility; rendering at a qualified facility; burying to a minimum depth of 6 feet; or transfer of the carcass to an entity with authorization to possess.

(8) A permittee, their designee, sub-permittee, or qualified person shall affix a temporary or permanent mark or tag to the carcass of any rehabilitation animal, that is stored prior to disposal of the carcass, that provides the following information: animal intake number, common or species name, known or suspected disease(s) if applicable.

(9) A permittee, their designee, sub-permittee, or qualified person shall dispose of the carcass of any ungulate specialty rehabilitation animal either by placing the carcass in double-lined plastic bags, or treating it with high-pressure alkaline hydrolysis, and burying the carcass in a landfill operating under a solid waste facilities permit pursuant to Section 21563 of Title 27 California Code of Regulations, in a manner that will reasonably prevent access of the carcass by any animal or person; or incinerating the carcass in a federal Environmental Protection Agency-approved incinerator. A permittee, their designee, sub-permittee, or qualified person shall only dispose of the carcass of an ungulate specialty rehabilitation animal in the state of California. [Note: This requirement is intended to prevent the exposure of animals to the infectious prions that cause Chronic Wasting Disease (CWD). CWD has been confirmed in California deer populations.]

**(h) Acceptable euthanasia methods for rehabilitation animals. Table 18-~~16~~**

EUTHANASIA TYPE	EUTHANASIA METHODS	ANIMAL TYPE
<b>(1) Inhalant Methods</b>	(A) Anesthetic gas [isoflurane, methoxyflurane, sevoflurane]	Small animals (< 15 lbs.)
	(B) Anesthetic gas [halothane, isoflurane]	Bats
	(C) CO <sup>2</sup> [carbon dioxide]	Bird, reptile, small mammals (< 0.5 lbs.) excluding bats
	(D) MS-222 [tricaine methanesulfate]	Amphibians
<b>(2) Injectable Methods</b>	(A) Barbiturate [pentobarbital sodium]	Amphibian, bird, mammal, reptile <sup>+</sup>
	(B) Potassium chloride [prior anesthesia required]	Amphibian, bird, mammal, reptile <sup>+</sup>
	(C) Acepromazine, butorphanol tartrate, xylazine [combination]	Bats
	(D) Pentobarbital sodium [prior anesthesia required]	Bats

EUTHANASIA TYPE	EUTHANASIA METHODS	ANIMAL TYPE
	(E) Alfaxalone	Reptiles
<b>(3) Physical Methods</b>	(A) Cervical luxation/dislocation [prior anesthesia preferred]	Small animals only (< 0.5 lbs.)
	(B) Decapitation [emergency use only]	Small animals only (< 1.0 lbs.)
	(C) Firearm [emergency use only]	Amphibian, bird, mammal, reptile
	(D) Exsanguination [prior anesthesia required]	Amphibian, bird, mammal, reptile <sup>+</sup>
	(E) Pithing [prior anesthesia required]	Amphibian, reptile <sup>+</sup>

## APPENDICES

## **Appendix A. California Fish and Game Code Excerpts**

### **§1050. General License Provisions**

(a) All licenses, permits, tags reservations, and other entitlements authorized by this code shall be prepared and issued by the department.

### **§2000. Taking And Possessing In General**

It is unlawful to take any bird, mammal, fish, reptile, or amphibian except as provided in this code or regulations made pursuant thereto. Possession of a bird, mammal, fish, or reptile or parts thereof in or on the fields, forests, or waters of this state, or while returning therefrom with fishing or hunting equipment is prima facie evidence the possessor took the bird, mammal, fish or reptile or parts thereof.

### **§2120. Regulations Governing Wild Animals**

(a) The commission, in cooperation with the Department of Food and Agriculture, shall adopt regulations governing both (1) the entry, importation, possession, transportation, keeping, confinement, or release of any and all wild animals that will be or that have been imported into this state pursuant to this chapter, and (2) the possession of all other wild animals. The regulations shall be designed to prevent damage to the native wildlife or agricultural interests of this state resulting from the existence at large of these wild animals, and to provide for the welfare of wild animals and the safety of the public.

### **§2121. Escape or Release of Wild Animals**

No person having possession or control over any wild animal under this chapter shall intentionally free, or knowingly permit the escape, or release of such an animal, except in accordance with the regulations of the commission.

### **§2122. Regulations for Guidance of Enforcement Officers**

The commission shall promulgate regulations in cooperation with the State Department of Food and Agriculture for the guidance of enforcing officers. Such regulations shall include a list of the wild animals for which permits that may be issued under this chapter will be refused, and the disposition of such wild animals illegally imported into this state.

### **§2127. Eligible Local Entities**

(a) The department may reimburse eligible local entities, pursuant to a memorandum of understanding entered into pursuant to this section, for costs incurred by the eligible local entities in the administration and enforcement of any provision concerning the possession of, handling of, care for, or holding facilities provided for, a wild animal designated pursuant to Section 2118.

(b) The department may enter into memorandums of understanding with eligible local entities for the administration and enforcement of any provision concerning the possession of, handling of, care for, or holding facilities provided for, a wild animal designated pursuant to Section 2118.

(c) The commission shall adopt regulations that establish specific criteria an eligible local entity shall meet in order to qualify as an eligible local entity.

(d) For the purposes of this division, "eligible local entity" means a county, local animal control officer, local humane society official, educational institution, or trained private individual that enters into a memorandum of understanding with the department pursuant to this section.

### **§2150.2. Establishment of Fees**

The department shall establish fees for permits, permit applications, and facility inspections in amounts sufficient to cover the costs of administering, implementing, and enforcing this chapter.

### **§2150.4. Inspection of Wild Animal Facilities**

(a) The department or an eligible local entity shall inspect the wild animal facilities, as determined by the director's advisory committee, of each person holding a permit issued pursuant to Section 2150 authorizing the possession of a wild animal.



(b) In addition to the inspections specified in subdivision (a), the department or an eligible local entity, pursuant to the regulations of the commission, may inspect the facilities and care provided for the wild animal of any person holding a permit issued pursuant to Section 2150 for the purpose of determining whether the animal is being cared for in accordance with all applicable statutes and regulations. The department shall collect an inspection fee, in an amount determined by the department pursuant to Section 2150.2.

(c) No later than January 1, 2009, the department, in cooperation with the committee created pursuant to Section 2150.3, shall develop, implement, and enter into memorandums of understanding with eligible local entities if the department elects not to inspect every wild animal facility pursuant to subdivisions (a) and (b). Eligible local entities shall meet the criteria established in regulations adopted pursuant to subdivision (b) of Section 2157.

#### **§2192. Regulation and Enforcement**

Notwithstanding Part 2.5 (commencing with Section 18900) of Division 13 of the Health and Safety Code, Section 11356 of the Government Code, or any other provision of law, regulations of the commission relating to the construction, fixtures, and other minimum caging standards adopted by the commission for the confinement of live wild animals pursuant to this chapter are not building standards subject to the approval of the State Building Standards Commission.

#### **§3005.5. Methods of Taking**

It is unlawful to capture any game mammal, game bird, nongame bird, nongame mammal, or furbearer, or to possess or confine any live game mammal, game bird, nongame bird, nongame mammal, or furbearer taken from the wild, except as provided by this code or regulations made pursuant thereto. Any bird or mammal possessed or confined in violation of this section shall be seized by the department. The commission may promulgate regulations permitting the temporary confinement of game mammals, game birds, nongame birds, nongame mammals, or furbearers for the purpose of treating the animals, if injured or diseased.

#### **§3800. Nongame Birds**

(a) All birds occurring naturally in California that are not resident game birds, migratory game birds, or fully protected birds are nongame birds. It is unlawful to take any nongame bird except as provided in this code or in accordance with regulations of the commission or, when relating to mining operations, a mitigation plan approved by the department.

#### **§4150. Nongame Mammals**

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.

**Appendix B. Federal Law and Regulation Excerpts**

YEAR ENACTED	TITLE	DESCRIPTION	WEBSITE
1900	The Lacey Act	Regulates interstate and international commerce in wildlife and controls the transportation of wildlife across state lines. This statute applies to rehabilitators by preventing the rehabilitator from accepting animals from other states, transporting animals into or out of the state, or releasing a rehabilitated animal in another state. [Amended 1981, 2008.]	<a href="https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title18-section42&amp;num=0&amp;edition=prelim">https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title18-section42&amp;num=0&amp;edition=prelim</a>
1900	The Lacey Act Provision	Establishes that the importation or shipment of injurious mammals, birds, fish (including mollusks and crustacea), amphibia, and reptiles, or the offspring or eggs of any of the foregoing animals considered injurious by the Secretary of the Interior are prohibited.	<a href="https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title18-section42&amp;num=0&amp;edition=prelim">https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title18-section42&amp;num=0&amp;edition=prelim</a>
1918	Migratory Bird Treaty Act	Establishes that the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species; including its nest, eggs, or feathers; without prior authorization by the Department of Interior U.S. Fish and Wildlife Service is prohibited.	<a href="https://www.govinfo.gov/content/pkg/USCODE-2020-title16/pdf/USCODE-2020-title16-chap7-subchapll-sec703.pdf">https://www.govinfo.gov/content/pkg/USCODE-2020-title16/pdf/USCODE-2020-title16-chap7-subchapll-sec703.pdf</a>
1940	Bald and Golden Eagle Protection Act	Establishes the requirement that any person who handles these species for wildlife rehabilitation, education, or research purposes must obtain a special purpose permit from the U.S. Fish and Wildlife Service. This includes their parts: feathers, nests, or eggs.	<a href="https://www.govinfo.gov/content/pkg/USCODE-2010-title16/pdf/USCODE-2010-title16-chap5A-subchapll.pdf">https://www.govinfo.gov/content/pkg/USCODE-2010-title16/pdf/USCODE-2010-title16-chap5A-subchapll.pdf</a>
1972	Marine Mammal Protection Act	Establishes a moratorium on taking and importing marine mammals, including parts and products. Rehabilitation of any marine mammal is only permitted by the National Marine Fisheries Service under NOAA.	<a href="https://www.govinfo.gov/content/pkg/USCODE-2017-title16/pdf/USCODE-2017-title16-chap31-subchapll-sec1361.pdf">https://www.govinfo.gov/content/pkg/USCODE-2017-title16/pdf/USCODE-2017-title16-chap31-subchapll-sec1361.pdf</a>
1973	Endangered Species Act	Establishes protection for fish, wildlife, and plant species that are threatened or endangered with extinction.	<a href="https://www.fws.gov/law/endangered-species-act">https://www.fws.gov/law/endangered-species-act</a>
2019	Standard Conditions for Care and Maintenance of Captive Sea Turtles	Establishes jurisdiction between National Oceanic and Atmospheric Administration's National Marine Fisheries Service and the United States Fish and Wildlife Service several codes of federal regulations. Facilities that care for sick or injured sea turtles must comply with the Standard Conditions for Care and Maintenance of Captive Sea Turtles.	<a href="https://www.fws.gov/sites/default/files/documents/seaturtle-standard-conditions-for-care-2019.pdf">https://www.fws.gov/sites/default/files/documents/seaturtle-standard-conditions-for-care-2019.pdf</a>

## **Appendix C. Wildlife Rehabilitation Resources**

Staying current with best practices, accepted techniques, and the latest advancements in wildlife rehabilitation is critical for all wildlife rehabilitators. Several valuable resources exist for reference and review, including books and guides on wildlife rehabilitation standards, ethical codes of conduct, and species-specific rehabilitation techniques, as well as field guides, natural history books, and various organizations. This broader knowledge is critical, as wildlife rehabilitators may often receive calls, questions, or even the animal itself, for a species outside their area of expertise. [NOTE: Additionally, the department has developed and maintains a robust list of opportunities for continuing education through its Continuing Education Framework (PDF) document available on the department website at <https://wildlife.ca.gov/WildlifeRehab>.]

### **Professional Associations**

California Council for Wildlife Rehabilitators: <https://ccwr.org/>  
 National Wildlife Rehabilitators Association: <https://www.nwrawildlife.org/>  
 International Wildlife Rehabilitators Council (IWRC):  
 IWRC Certified Wildlife Rehabilitator Program, <https://cwrexam.org>  
 American Veterinary Medical Association: <https://www.avma.org/>

### **Agency Resources**

CDFW, Native Wildlife Rehabilitation Program: <https://wildlife.ca.gov/wildliferehab>  
 CDFW, Wildlife Health Laboratory: <https://wildlife.ca.gov/WHL>  
 California Department of Food and Agriculture (CDFA): <https://www.cdfa.ca.gov/>  
 CDFA, California Animal Response Emergency System: [https://www.cdfa.ca.gov/AHFSS/Animal\\_Health/eprs/cares/](https://www.cdfa.ca.gov/AHFSS/Animal_Health/eprs/cares/)  
 California Department of Consumer Affairs (CDCA), Veterinary Medical Board License Search:  
<https://www.breeze.ca.gov/datamart/mainMenu.do>  
 CDCA, California Veterinary Medical Board: <https://www.vmb.ca.gov/>  
 USFWS, 2022. Migratory Bird Permitting Handbook: <https://www.fws.gov/policy-library/hbindex>  
 USDA National Agricultural Library, Animal Welfare Act: <https://www.nal.usda.gov/animal-health-and-welfare/animal-welfare-act>  
 USDA National Agricultural Library, Disaster Planning with Animals: <https://www.nal.usda.gov/animal-health-and-welfare/disaster-planning-animals>  
 International Air Transport Association (IATA) Live Animals Regulations:  
<https://www.iata.org/en/publications/store/live-animals-regulations/>  
 National Association of State Public Health Veterinarians: <http://nasphv.org/>

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**Appendix D. CDFW Wildlife Rehabilitation Examination (Example)****Definitions**

1. \_\_\_\_\_. Preventative measures taken to reduce the risk of transmission of communicable diseases from one human, animal, or place to others.
2. \_\_\_\_\_. An item or activity designed to stimulate and encourage a range of innate behaviors of an animal, specific to that species.
3. \_\_\_\_\_. A process that occurs when an animal, not normally domesticated, is repeatedly exposed to anthropogenic stimuli and no longer has a natural behavioral response to that stimuli.
4. \_\_\_\_\_. A specialized form of learning by an animal that occurs during a brief period in early development that provides it with a self-identity and social bonds that are rarely reversible.
5. \_\_\_\_\_. A facility authorized pursuant to Section 679.3, operated by a sub-permittee, that may temporarily possess rehabilitation animals at a location other than the location listed on the permit.

**True/False**

6. Wildlife rehabilitators are authorized to trap and remove “nuisance” wildlife to reduce conflict.
7. Wildlife rehabilitators may decline to intake any animal or species they so choose.
8. CDFW personnel may inspect a rehabilitator's facility and records at any reasonable time.
9. A wildlife rehabilitator may exhibit rehabilitation animals under their Wildlife Rehabilitation Permit.
10. It is permissible to use orphaned baby birds for educational program prior to releasing to the wild.

**Multiple Choice**

11. Which information is NOT required in the CDFW Wildlife Rehabilitation Annual Report?
  - a. Summary of patient outcome (e.g., how many were released, euthanized)
  - b. Name and mailing address of people who submitted animals
  - c. Species of animals received
  - d. Number and type of non-releasable animals held under a restricted species permit
12. Which of the following descriptions describes neonate altricial birds?
  - a. Virtually naked, helpless, and blind
  - b. Covered with a thick down layer
  - c. Active and relatively self-sufficient
  - d. Unable to vocalize
13. Most nestling songbirds fledge at:
  - a. 10-14 days
  - b. 7-10 days
  - c. 28-30 days
  - d. 18-21 days
14. Which characteristic will NOT help you identify a very young bird?
  - a. Foot type/shape
  - b. Length of tail feathers
  - c. Mouth color
  - d. Beak shape
15. Which of the following mammals is NOT a rodent?
  - a. California ground squirrel
  - b. Beaver
  - c. Mexican free-tailed bat
  - d. Nutria
  - e. Marmot

**ANSWER KEY**

1. Biosafety practice
2. Enrichment
3. Habituation
4. Imprinting
5. Satellite facility
6. False
7. True
8. True
9. False
10. False
11. b
12. a
13. d
14. b
15. c



A person may apply for a Wildlife Rehabilitation Permit pursuant to California Code of Regulations Title 14 Section 679.3.

**New Permit** – Complete Sections 1-7     **Permit Renewal** – Complete Sections 1, 3-7

**1. APPLICANT INFORMATION**

Applicant Name (Last, First)		Date of Birth	GO ID # (if applicable)	
Mailing Address (if different from physical address)	City		State	ZIP
Preferred Telephone	Secondary Telephone	Email Address		
Facility Name			County	
Facility Address (physical)	City		State	ZIP
Facility Telephone	Facility Email Address	Facility Website		

**2. APPLICANT REQUIRED EXPERIENCE**

Demonstrate completion of at least 1,000 hours of relevant experience completed no more than 5 years from the date of the application. Relevant education may be accepted as a substitute for up to 300 hours of the required experience.

**VOLUNTEER/WORK EXPERIENCE**

(1) Facility Name		Facility Address		
Contact Name and Title		Telephone	Email	
Start Date	End Date	Time Base (F/T, P/T)	Total Hours	
Describe Experience				

(2) Facility Name		Facility Address		
Contact Name and Title		Telephone	Email	
Start Date	End Date	Time Base (F/T, P/T)	Total Hours	
Describe Experience				

(3) Facility Name		Facility Address		
Contact Name and Title		Telephone	Email	
Start Date	End Date	Time Base (F/T, P/T)	Total Hours	
Describe Experience				

**EDUCATION / TRAINING**

1 Degree:	Completion Date:	1 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	
2 Degree:	Completion Date:	2 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	
3 Degree:	Completion Date:	3 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	



3A. DESIGNEE INFORMATION (if applicable)			
Designee Name (Last, First)	Date of Birth	Email Address	Primary Telephone
Mailing Address	City	State	Zip Code
Physical Address (if different from above)	City	State	Zip Code

**3B. DESIGNEE REQUIRED EXPERIENCE**  
 Demonstrate completion of at least 500 hours of relevant experience completed no more than 5 years from the date of the application. Relevant education may be accepted as a substitute for up to 300 hours of the required experience.

VOLUNTEER/WORK EXPERIENCE			
(1) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Describe Experience			
(2) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Describe Experience			
(3) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Describe Experience			

EDUCATION / TRAINING			
1 Degree:	Completion Date:	1 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	
2 Degree:	Completion Date:	2 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	

4. PUBLIC CONTACT INFORMATION
Desired public contact information to be posted on the CDFW Wildlife Rehabilitation Program webpage (check all that apply): <input type="checkbox"/> Facility Name <input type="checkbox"/> County/City <input type="checkbox"/> Telephone <input type="checkbox"/> Website <input type="checkbox"/> Type of Wildlife Accepted <input type="checkbox"/> Do Not Share

5. PROPOSED REHABILITATION ANIMALS					
Indicate the proposed species to rehabilitate and the maximum number that may be temporarily possessed at any one time.					
AMPHIBIANS		MAX #	REPTILES		MAX #
Frogs, Treefrogs			Lizards		
Newts, Salamanders			Non-Venomous Snake		
Toads			Tortoises		
			Turtles		
CHIROPTERA	MAX #	INSECTIVORA	MAX #	LAGOMORPHA	MAX #
Bats		Mole		Hare	
DIDELPHIMORPHIA	MAX #	Shrew		Rabbit	
Opossum					



RODENTIA	MAX #	RODENTIA	MAX #	RODENTIA	MAX #
Chipmunk		Muskrat		North American Porcupine	
Ground Squirrel		Native Mouse, Rat, Vole		Pocket Gopher	
Flying Squirrel		North American Beaver		Tree Squirrel	
Marmot					
CARNIVORA	MAX #	CARNIVORA	MAX #	CARNIVORA	MAX #
Badger		Foxes		Skunk	
Bobcat		Ringtail		Weasel, Mink, Ermine	
Coyote		River Otter		Wolverine	
Fisher, Marten		Raccoon			

**AVIFAUNA**

U.S. Fish and Wildlife Service (USFWS) migratory bird rehabilitation permit is required *prior* to rehabilitating any wild bird.

No USFWS Permit     USFWS Permit [In Progress] Application Date: \_\_\_\_\_  USFWS Permit #: \_\_\_\_\_

APODIFORMES	MAX #	ACCIPITRIFORMES	MAX #
Swifts		Turkey Vultures	
Hummingbirds		Northern Harrier	
CAPRIMULGIFORMES	MAX #	Swainson's Hawk, Ferruginous Hawk	
Nighthawk, Nightjar, Poorwill		Sharp-shinned Hawk	
CUCULIFORMES	MAX #	Red-shouldered Hawk, Cooper's Hawk	
Roadrunners		Harris' Hawk, Rough-legged Hawk, Red-tailed Hawk	
FALCONIFORMES	MAX #	Osprey	
American Kestrel		COLUMBIFORMES	MAX #
Kite		Doves, Pigeons	
Merlin		PASSERIFORMES	MAX #
PICIFORMES	MAX #	Species less than 6 inches (unless otherwise listed)	
Woodpecker (species less than 12 inches)		Species greater than 6 inches (unless otherwise listed)	
Woodpecker (species greater than 12 inches)		Swallows	
STRIGIFORMES	MAX #	Bushtits	
Burrowing owl		Quail	
Barn owl, Long-eared owl, Short eared owl		Sage Grouse	
Great horned, Spotted owl		Jays, Crackles, Magpies	
Flammulated owl, Northern pygmy owl, Northern saw-whet, Western screech owl		Crows, Ravens	
ANSERIFORMES	MAX #	CHARADRIIFORMES	MAX #
Dabbling Duck		Alcid	
Diving Duck, Merganser, Stiff-tailed Duck		Gull, Tern (species less than 14 inches)	
Native Geese		Gull (species greater than 14 inches), Jaeger, Skua	
Native Swan		Phalaropes	
CICONIIFORMES	MAX #	Shorebirds (species greater than 10 inches)	
Bittern, Heron, Egret, Stork, Ibis (species less than 20 inches)		Oystercatcher, Skimmer, Tern (species greater than 14 inches), Wilson's Phalarope	
Bittern, Heron, Egret, Stork, Ibis (species greater than 20 inches)		Plover, Sandpiper, Shorebirds (less than 10 inches) (unless otherwise listed)	
CORACIIFORMES	MAX #	GRUIFORMES	MAX #
Kingfishers		Cranes	
GAVIIFORMES	MAX #	Rail (species less than 10 inches)	
Loons		Rail (species greater than 10 inches)	
PELECANIFORMES	MAX #	Coots	
Brown Pelican		PROCELLARIIFORMES	MAX #
White Pelican		Albatross	
Frigatebird		Fulmars, Storm Petrels	
Other species		Shearwaters, Other Petrel species	





<b>SULIFORMES</b>	<b>MAX #</b>	<b>PODICIOEDIFORMES</b>	<b>MAX #</b>
Boobies, Cormorants		Grebes	

**6. DECLARATION OF ENCLOSURES**

Provide photographs, diagrams, or other plans, **for each type** of the following enclosures: neonate, pre-release conditioning. Attach documentation as needed.

Variance Request – New Permit    Variance Request – Permit Renewal    Existing Variance– Permit Renewal

<b>AMPHIBIANS</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>REPTILES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CARNIVORA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CHIROPTERA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>DIDELPHIMORPHIA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>EULIPOTYPHIA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>LAGOMORPHA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>RODENTIA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>RACCOONS</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>SKUNKS</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>APODIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					



<b>ACCIPITRIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CAPRIMULGIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CUCULIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>COLUMBIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>FALCONIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PASSERIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PICIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>STRIGIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>ANSERIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CHARADRIIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CICONIIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CORACIIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>GAVIIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					



<b>GRUIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PELECANIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PROCELLARIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PODICIOEDIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>SULIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					

**7. FACILITY OPERATION PLAN**

Briefly describe or attach the following standard procedures for the proposed facility pursuant to these regulations.

- Data Storage Method:
- Animal Intake and Triage Protocol:
- Euthanasia Protocol:
- Animal Care Protocol:
- Animal Husbandry Protocol:
- Biosafety Protocol:
- Training Protocol:
- Contingency Plan: List of person(s) requested by the applicant for Department approval to provide temporary possession and continuity of care for rehabilitation animals if the applicant or their designee are unable to provide care for any reason.

Full Name (Last, First)1	Date of Birth	Email Address	Primary Telephone	
Mailing Address	City		State	Zip Code
Physical Address (if different from above)	City		State	Zip Code
Full Name (Last, First)2	Date of Birth	Email Address	Primary Telephone	
Mailing Address	City		State	Zip Code
Physical Address (if different from above)	City		State	Zip Code



**ACKNOWLEDGEMENT AND SIGNATURE**

"I understand that any information provided to the Department in this application and any additional information provided to the Department related to this application will be subject to the Public Records Act and may be publicly available. I affirm and attest under penalty of perjury that the information provided in this application and any additional information that may be provided to the Department related to this application is true and accurate to the best of my knowledge.

I agree to be responsible for costs incurred for any activities performed under the permit. I understand that the permit is a privilege, and that I may be subject to inspection at any reasonable time or day. I understand that wildlife remains the property of the State and is subject to control by the State.

I shall comply with these regulations and the requirements listed in the Native Wildlife Rehabilitation 679 Regulations Manual. I acknowledge that any violation of these requirements can result in revocation of a permit.

With accordance to [California Civil Code §1633.5\(b\)](#), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it."

Initials	I hereby certify that I have not been convicted of a crime of moral turpitude.
Initials	I hereby certify that I have not violated any provision of these regulations, Fish and Game Code Section 1054, or Penal Code Section 597.
Initials	I hereby certify that I have not violated any law existing in any other state or local governing entity related to the temporary possession or rehabilitation of wildlife.
Initials	I hereby certify that I have not violated any federal statute, regulation, or rule, related to the temporary possession or rehabilitation of wildlife.

Applicant: \_\_\_\_\_  
Signature Print Name Date

**SECTION 3A.** Designee (if applicable): \_\_\_\_\_  
Signature Print Name Date

**SECTION 7.** Contingency Person<sup>1</sup> (required): \_\_\_\_\_  
Signature Print Name Date

**SECTION 7.** Contingency Person<sup>2</sup> (optional): \_\_\_\_\_  
Signature Print Name Date



**SUB-PERMIT APPLICATION**

A permittee shall request approval from the Department to add a sub-permittee pursuant to requirements outlined in California Code of Regulations Title 14, Section 679.3.

1. PERMITTEE INFORMATION			
Applicant Name (Last, First)		Date of Birth	GO ID # (if applicable)
Mailing Address (if different from physical address)	City		State ZIP
Preferred Telephone	Secondary Telephone	Email Address	
Facility Name			County
Facility Address (physical)	City		State ZIP

1A. SUB-PERMITTEE INFORMATION			
Sub-Permittee Name (Last, First)		Date of Birth	GO ID #
Satellite Mailing Address	City		State Zip Code
Satellite Physical Address (if different from above)	City		State Zip Code
Satellite Facility Name (if applicable)	Preferred Telephone	Secondary Telephone	Email

**2. REQUIRED EXPERIENCE**

Sub-permittee must be at least 21 years of age and demonstrate completion of at least 500 hours of work or volunteer experience under the supervision of a wildlife rehabilitation permittee in California completed no more than 5 years from the date of the application. Relevant education may be accepted as a substitute for up to 150 hours of the required experience.

**EXPERIENCE**

(1) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours

Describe Experience

(2) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours

Describe Experience

(3) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours

Describe Experience

**EDUCATION / TRAINING**

1 Degree:	Completion Date:	1 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	
2 Degree:	Completion Date:	2 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	



3A. DESIGNEE INFORMATION (if applicable)			
Designee Name (Last, First)	Date of Birth	Email Address	Primary Telephone
Mailing Address	City		State Zip Code
Physical Address (if different from above)	City		State Zip Code

**3B. DESIGNEE REQUIRED EXPERIENCE**  
 Demonstrate completion of at least 500 hours of relevant experience completed no more than 5 years from the date of the application. Relevant education may be accepted as a substitute for up to 300 hours of the required experience.

VOLUNTEER/WORK EXPERIENCE			
(1) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Describe Experience			
(2) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Describe Experience			
(3) Facility Name		Facility Address	
Contact Name and Title		Telephone	Email
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Describe Experience			

EDUCATION / TRAINING			
1 Degree:	Completion Date:	1 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	
2 Degree:	Completion Date:	2 Certificate/License:	Completion Date:
Accredited Institution:		Program / Course Name:	

4. PUBLIC CONTACT INFORMATION
Desired public contact information to be posted on the CDFW Wildlife Rehabilitation Program webpage (check all that apply): <input type="checkbox"/> Satellite Facility Name <input type="checkbox"/> County/City <input type="checkbox"/> Telephone <input type="checkbox"/> Website <input type="checkbox"/> Type of Wildlife Accepted <input type="checkbox"/> Do Not Share

5. PROPOSED REHABILITATION ANIMALS					
Indicate the proposed species to rehabilitate and the maximum number that may be temporarily possessed at any one time.					
AMPHIBIANS		MAX #	REPTILES		MAX #
Frogs, Treefrogs			Lizards		
Newts, Salamanders			Non-Venomous Snake		
Toads			Tortoises		
			Turtles		
CHIROPTERA	MAX #	INSECTIVORA	MAX #	LAGOMORPHA	MAX #
Bats		Mole		Hare	
DIDELPHIMORPHIA	MAX #	Shrew		Rabbit	
Opossum					



**SUB-PERMIT APPLICATION**

RODENTIA	MAX #	RODENTIA	MAX #	RODENTIA	MAX #
Chipmunk		Muskrat		North American Porcupine	
Ground Squirrel		Native Mouse, Rat, Vole		Pocket Gopher	
Flying Squirrel		North American Beaver		Tree Squirrel	
Marmot					
CARNIVORA	MAX #	CARNIVORA	MAX #	CARNIVORA	MAX #
Badger		Foxes		Skunk	
Bobcat		Ringtail		Weasel, Mink, Ermine	
Coyote		River Otter		Wolverine	
Fisher, Marten		Raccoon			

**AVIFAUNA**

U.S. Fish and Wildlife Service (USFWS) migratory bird rehabilitation permit is required *prior* to rehabilitating any wild bird.

No USFWS Permit     USFWS Permit [In Progress] Application Date: \_\_\_\_\_  USFWS Permit #: \_\_\_\_\_

APODIFORMES	MAX #	ACCIPITRIFORMES	MAX #
Swifts		Turkey Vultures	
Hummingbirds		Northern Harrier	
CAPRIMULGIFORMES	MAX #	Swainson's Hawk, Ferruginous Hawk	
Nighthawk, Nightjar, Poorwill		Sharp-shinned Hawk	
CUCULIFORMES	MAX #	Red-shouldered Hawk, Cooper's Hawk	
Roadrunners		Harris' Hawk, Rough-legged Hawk, Red-tailed Hawk	
FALCONIFORMES	MAX #	Osprey	
American Kestrel		COLUMBIFORMES	MAX #
Kite		Doves, Pigeons	
Merlin		PASSERIFORMES	MAX #
PICIFORMES	MAX #	Species less than 6 inches (unless otherwise listed)	
Woodpecker (species less than 12 inches)		Species greater than 6 inches (unless otherwise listed)	
Woodpecker (species greater than 12 inches)		Swallows	
STRIGIFORMES	MAX #	Bushtits	
Burrowing owl		Quail	
Barn owl, Long-eared owl, Short eared owl		Sage Grouse	
Great horned, Spotted owl		Jays, Crackles, Magpies	
Flammulated owl, Northern pygmy owl, Northern saw-whet, Western screech owl		Crows, Ravens	
ANSERIFORMES	MAX #	CHARADRIIFORMES	MAX #
Dabbling Duck		Alcid	
Diving Duck, Merganser, Stiff-tailed Duck		Gull, Tern (species less than 14 inches)	
Native Geese		Gull (species greater than 14 inches), Jaeger, Skua	
Native Swan		Phalaropes	
CICONIIFORMES	MAX #	Shorebirds (species greater than 10 inches)	
Bittern, Heron, Egret, Stork, Ibis (species less than 20 inches)		Oystercatcher, Skimmer, Tern (species greater than 14 inches), Wilson's Phalarope	
Bittern, Heron, Egret, Stork, Ibis (species greater than 20 inches)		Plover, Sandpiper, Shorebirds (less than 10 inches) (unless otherwise listed)	
CORACIIFORMES	MAX #	GRUIFORMES	MAX #
Kingfishers		Cranes	
GAVIIFORMES	MAX #	Rail (species less than 10 inches)	
Loons		Rail (species greater than 10 inches)	
PELECANIFORMES	MAX #	Coots	
Brown Pelican		PROCELLARIIFORMES	MAX #
White Pelican		Albatross	
Frigatebird		Fulmars, Storm Petrels	
Other species		Shearwaters, Other Petrel species	



<b>SULIFORMES</b>	<b>MAX #</b>	<b>PODCIOEDIFORMES</b>	<b>MAX #</b>
Boobies, Cormorants		Grebes	

**6. DECLARATION OF ENCLOSURES**

Provide photographs, diagrams, or other plans, **for each type** of the following enclosures: neonate, pre-release conditioning. Attach documentation as needed.

Variance Request – New Permit    Variance Request – Permit Renewal    Existing Variance– Permit Renewal

<b>AMPHIBIANS</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>REPTILES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CARNIVORA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CHIROPTERA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>DIDELPHIMORPHIA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>EULIPOTYPHIA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>LAGOMORPHA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>RODENTIA</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>RACCOONS</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>SKUNKS</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>APODIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					





<b>ACCIPITRIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CAPRIMULGIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CUCULIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>COLUMBIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>FALCONIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PASSERIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PICIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>STRIGIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>ANSERIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CHARADRIIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CICONIIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>CORACIIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>GAVIIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					



<b>GRUIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PELECANIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PROCELLARIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>PODICIOEDIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					
<b>SULIFORMES</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Size (L x W x H)					
Quantity					
Material					

**7. FACILITY OPERATION PLAN**

Briefly describe or attach the following standard procedures for the proposed facility pursuant to these regulations.

Data Storage Method:

Animal Intake and Triage Protocol:

Euthanasia Protocol:

Animal Care Protocol:

Animal Husbandry Protocol:

Biosafety Protocol:

Training Protocol:

Contingency Plan: List of person(s) requested by the applicant for Department approval to provide temporary possession and continuity of care for rehabilitation animals if the sub-permittee or their designee are unable to provide care for any reason.

Full Name (Last, First)1	Date of Birth	Email Address	Primary Telephone	
Mailing Address	City	State	Zip Code	
Physical Address (if different from above)	City	State	Zip Code	
Full Name (Last, First)2	Date of Birth	Email Address	Primary Telephone	
Mailing Address	City	State	Zip Code	



SUB-PERMIT APPLICATION

ACKNOWLEDGEMENT AND SIGNATURE

"I understand that any information provided to the Department in this application and any additional information provided to the Department related to this application will be subject to the Public Records Act and may be publicly available. I affirm and attest under penalty of perjury that the information provided in this application and any additional information that may be provided to the Department related to this application is true and accurate to the best of my knowledge.

I agree to be responsible for costs incurred for any activities performed under the permit. I understand that the permit is a privilege, and that I may be subject to inspection at any reasonable time or day. I understand that wildlife remains the property of the State and is subject to control by the State.

I shall comply with these regulations and the requirements listed in the Native Wildlife Rehabilitation 679 Regulations Manual. I acknowledge that any violation of these requirements can result in revocation of a permit.

With accordance to California Civil Code §1633.5(b), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it."

Initials	I hereby certify that I have not been convicted of a crime of moral turpitude.
Initials	I hereby certify that I have not violated any provision of these regulations, Fish and Game Code Section 1054, or Penal Code Section 597.
Initials	I hereby certify that I have not violated any law existing in any other state or local governing entity related to the temporary possession or rehabilitation of wildlife.
Initials	I hereby certify that I have not violated any federal statute, regulation, or rule, related to the temporary possession or rehabilitation of wildlife.

Sub-Permittee: \_\_\_\_\_  
Signature Print Name Date

Permittee: \_\_\_\_\_  
Signature Print Name Date

SECTION 3A. Designee (if applicable): \_\_\_\_\_  
Signature Print Name Date

SECTION 7. Contingency Person<sup>1</sup> (required): \_\_\_\_\_  
Signature Print Name Date

SECTION 7. Contingency Person<sup>2</sup> (optional): \_\_\_\_\_  
Signature Print Name Date



A person can apply for a specialty rehabilitation authorization pursuant to California Code of Regulations (CCR) Title 14 Section 679.3.

1. APPLICANT AND FACILITY INFORMATION			
Name (Last, First)		Date of Birth	GO ID # (if applicable)
Mailing Address (if different from physical address)		City	State ZIP
Primary Telephone	Secondary Telephone	Email Address	
Facility Name			County
Facility Address (physical)		City	State ZIP
Facility Telephone	Facility Email	Facility Website	
2. REQUIRED EXPERIENCE			
Completion of the minimum hours of experience within a 5-year period from the date of the initial application request.			
EXPERIENCE			
(1) Employer Name		Employer Address	
Contact Name and Title	Telephone	Email Address	
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Specialty Rehabilitation Species Handled			
(2) Employer Name		Employer Address	
Contact Name and Title	Telephone	Email Address	
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Specialty Rehabilitation Species Handled			
(3) Employer Name		Employer Address	
Contact Name and Title	Telephone	Email Address	
Start Date	End Date	Time Base (F/T, P/T)	Total Hours
Specialty Rehabilitation Species Handled			
EDUCATION / TRAINING			
1 Degree: Completion Date:		1 Certificate / License: Completion Date:	
Academic Institution:		Program / Course Name:	
2 Degree: Completion Date:		2 Certificate / License: Completion Date:	
Academic Institution:		Program / Course Name:	
3 Degree: Completion Date:		3 Certificate / License: Completion Date:	
Academic Institution:		Program / Course Name:	
3. SPECIALTY REHABILITATION ANIMALS			
Indicate the species of specialty authorization animals and proposed maximum number that may be temporarily possessed at any time.			
<b>LARGE CARNIVORE</b>	<b>UNGULATE</b>	<b>EAGLE, FALCON</b>	<b>VENOMOUS SNAKE</b>
American Black Bear	Deer	Bald Eagle	<i>Crotalus</i> species
Mountain Lion	Elk	Golden Eagle	
	Pronghorn	Peregrine Falcon	
	Bighorn	Prairie Falcon	



**4. DECLARATION OF ENCLOSURES**

Provide photographs, diagrams, or other plans, for each type of pre-release conditioning enclosure that meets all minimum requirements listed in Chapter 2 of the 679 Wildlife Rehabilitation Regulation Manual. Attach documentation as needed.

New Variance Request – New Permit    New Variance Request – Renewal    Existing Variance– Renewal

<b>LARGE CARNIVORE</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Dimensions					
Quantity					
Material					
Substrate					
<b>UNGULATE</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Dimensions					
Quantity					
Material					
Substrate					
<b>VENOMOUS SNAKE</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Dimensions					
Quantity					
Material					
Substrate					
<b>EAGLE, FALCON</b>	ENCLOSURE 1	ENCLOSURE 2	ENCLOSURE 3	ENCLOSURE 4	ENCLOSURE 5
Dimensions					
Quantity					
Material					
Substrate					

**5. Qualified Handlers**

List of qualified handlers, one of which may be the applicant, for *each* type of specialty rehabilitation animal. Large carnivores and ungulates require 3 qualified handlers; eagles, falcons, venomous snakes require 2 qualified handlers.

1. Name (Last, First)	Date of Birth	Telephone Number	Email Address		
Mailing Address	City			State	ZIP
HOURS OF RELEVANT EXPERIENCE / TRAINING					
2. Name (Last, First)	Date of Birth	Telephone Number	Email Address		
Mailing Address	City			State	ZIP
HOURS OF RELEVANT EXPERIENCE / TRAINING					
3. Name (Last, First)	Date of Birth	Telephone Number	Email Address		
Mailing Address	City			State	ZIP
HOURS OF RELEVANT EXPERIENCE / TRAINING					
4. Name (Last, First)	Date of Birth	Telephone Number	Email Address		
Mailing Address	City			State	ZIP
HOURS OF RELEVANT EXPERIENCE / TRAINING					
5. Name (Last, First)	Date of Birth	Telephone Number	Email Address		
Mailing Address	City			State	ZIP
HOURS OF RELEVANT EXPERIENCE / TRAINING					



### **ACKNOWLEDGEMENT AND SIGNATURE**

"I understand that any information provided to the Department in this application and any additional information provided to the Department related to this application will be subject to the Public Records Act and may be publicly available.

I affirm and attest under penalty of perjury that the information provided in this application and any additional information that may be provided to the Department related to this application is true and accurate to the best of my knowledge. I understand that wildlife remains the property of the State and is subject to control by the State."

With accordance to [California Civil Code §1633.5\(b\)](#), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

The Department reserves the right to verify the undersigned claims. Should this verification reveal intentional falsehood by the claimant, the undersigned may be legally obligated to compensate the State for costs associated with verification, and may be subject to criminal, civil, and/or denial or revocation of all rehabilitation-related privileges.

☒ Applicant: \_\_\_\_\_  
Signature Print Name Date

☒ <sup>1</sup>Qualified Handler: \_\_\_\_\_  
Signature Print Name Date

☒ <sup>2</sup>Qualified Handler: \_\_\_\_\_  
Signature Print Name Date

☒ <sup>3</sup>Qualified Handler: \_\_\_\_\_  
Signature Print Name Date

☒ <sup>4</sup>Qualified Handler: \_\_\_\_\_  
Signature Print Name Date

☒ <sup>5</sup>Qualified Handler: \_\_\_\_\_  
Signature Print Name Date



A permittee or their designee shall revoke the authorization of a sub-permittee pursuant to CCR Title 14 subsection 679.9(c).  
 A permittee or their designee shall notify the department within 5 calendar days of a sub-permit revocation.

1. PERMITTEE INFORMATION			
Permittee Name (Last, First)		GO ID # (if applicable)	
Mailing Address (if different from physical address)	City	State	ZIP
Preferred Telephone	Secondary Telephone	Email Address	
Facility Name			
Facility Address (physical)	City	State	ZIP
1A. SUB-PERMITTEE INFORMATION			
Name (Last, First)		GO ID # (if applicable)	
Mailing Address	City	State	Zip Code
Physical Address (if different from above)	City	State	Zip Code
Telephone	Email Address	Satellite Facility Name (if applicable)	
2. REASON(S) FOR REVOCATION (CHECK ALL THAT APPLY)			
<input type="checkbox"/> Person relocated. <input type="checkbox"/> Person retired. <input type="checkbox"/> Person no longer able to work/volunteer.			
<input type="checkbox"/> Person refused 3 or more inspections. (Provide dates and brief description of attempts to schedule inspection)			
<hr/> <hr/>			
<input type="checkbox"/> Person failed inspection. (Brief description of non-compliant items)			
<hr/> <hr/>			
<input type="checkbox"/> Person not in good standing under permit. (Brief description of why no longer in good standing)			
<hr/> <hr/>			

### ACKNOWLEDGEMENT AND SIGNATURE

“I hereby request that the above listed sub-permittee or authorized person be removed from my wildlife rehabilitation permit. I request that the department update any required records, including the Automated License Database System, related to this individual. I have notified the sub-permittee or authorized person of this action.

I certify that all rehabilitation animals temporarily possessed by the sub-permittee or authorized person have been returned to the primary facility or another location, as designated by the Department, or returned to the wild in good condition. I understand that wildlife remains the property of the State of California and is subject to control by the State. I affirm and attest under penalty of perjury that the information provided herein and any additional information that may be provided to the Department is true and accurate to the best of my knowledge.”

With accordance to [California Civil Code §1633.5\(b\)](#), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwriting signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

✎ Permittee / Designee: \_\_\_\_\_  
Signature
Print Name
Date



The Veterinarian of Record Agreement must be signed by a licensed veterinarian in good standing pursuant to the California Veterinary Medical Practice Act and California Code of Regulation Title 14 subsection 679.3(b)(6)2.

- Applicant** – Complete Sections 1 and 3     **Licensed Veterinarian** – Complete Sections 2, 4-5

1. APPLICANT INFORMATION				
Full Name (First)		(Last)	(M.I.)	GO ID# (if applicable)
Title	Primary Telephone		Primary Email	
Facility Name		Facility Telephone		
Facility Mailing Address (if different from physical address)		City	State	ZIP
Facility Physical Address		City	State	ZIP
2. VETERINARIAN INFORMATION				
Full Name (First)		(Last)	(M.I.)	Veterinary License Number (Expiration Date)
Name of Employer		Employer Address		
Primary Telephone		Email Address		
3. APPLICANT RESPONSIBILITIES				INITIAL
Maintain current schedule of availability for a licensed veterinarian to provide treatment of rehabilitation animals.				
Provide all required records if applicable for a rehabilitation animal so that a veterinarian can make an informed assessment of the condition of the animal to determine the treatment plan and outcome of the animal.				
Adhere to the standing orders of a licensed veterinarian for medication use and treatment prescribed for the rehabilitation animal.				
Rely on the licensed veterinarian to best address the administration of medication and veterinary treatment prescribed for the rehabilitation animal.				
Recognize that the purpose of providing care or treatment of a rehabilitation animal is to restore that animal to a condition of good health for its release to the wild.				
4. VETERINARIAN RESPONSIBILITIES				INITIAL
Provide veterinary consultation for a rehabilitation animal such as standing orders to perform routine procedures for animal care, treatment procedures, or similar protocol				
Provision, storage, and documentation of controlled and non-controlled substances pursuant to all federal and state laws.				
Ethical consideration of the welfare and natural history of a rehabilitation animal when providing any treatment.				
Rely on the permittee or their designee to best address the humane care and husbandry needs of a rehabilitation animal.				
Recognize that the purpose of providing care or treatment of a rehabilitation animal is to restore that animal to a condition of good health for its release to the wild.				
5. VETERINARIAN SERVICES THAT MAY BE PROVIDED (check all that apply):				
Physical examinations	<input type="checkbox"/> Yes <input type="checkbox"/> No	Diagnostic Services	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Dispensing Medication	<input type="checkbox"/> Yes <input type="checkbox"/> No	Surgical Procedures	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Administering Medication	<input type="checkbox"/> Yes <input type="checkbox"/> No	Euthanasia	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Prescribing Medication	<input type="checkbox"/> Yes <input type="checkbox"/> No	Necropsy	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Screening / Preventative Care	<input type="checkbox"/> Yes <input type="checkbox"/> No	Carcass Disposal	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Species <u>not</u> able to handle or provide services for (if applicable):				
Special training or experience with the following species (if applicable):				





**ACKNOWLEDGMENT AND SIGNATURE**

“I understand that any information provided to the Department in this application and any additional information provided to the Department related to this application will be subject to the Public Records Act and may be publicly available.

I affirm and attest under penalty of perjury that the information provided in this application and any additional information may be provided to the Department related to this application is true and accurate to the best of my knowledge.

I understand the veterinary client patient relationship and responsibilities associated with providing veterinary medical care for rehabilitation animals. I acknowledge that this agreement does not authorize the veterinarian of record to act as a wildlife rehabilitator. I certify that I shall comply with all codes, regulations, the California Veterinary Medical Practice Act, and the standards listed in the department’s 679 Native Wildlife Rehabilitation Manual. I acknowledge that any violation of these requirements can result in revocation of the permit. I understand that the permittee may select a new veterinarian of record for any reason and shall notify the department of any such change in writing within 10 business days.”

The Department reserves the right to verify the undersigned claims. Should this verification reveal intentional falsehood by the claimant, the undersigned may be legally obligated to compensate the State for costs associated with verification.

With accordance to [California Civil Code §1633.5\(b\)](#), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwriting signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

Licensed Veterinarian \_\_\_\_\_  
Signature Print Name Date

Applicant \_\_\_\_\_  
Signature Print Name Date



A permittee or their designee shall provide a current list of authorized persons approved to conduct certain activities under the permit (e.g., homecare foster volunteers) pursuant to CCR Title 14 Section 679.3. Provide all required information for each authorized person. Additional pages and/or supplemental documentation may be provided with the form.

1. APPLICANT AND FACILITY INFORMATION			
Applicant Name (Last, First)		Date of Birth	GO ID #
Primary Telephone	Secondary Telephone	Email Address	
Facility Name		Facility Website (if applicable)	
Physical Address	City	State	ZIP
Mailing Address (if different from physical address)	City	State	ZIP
2. AUTHORIZED PERSONS			
Full Name		Primary Telephone	Email Address
Mailing Address		Physical Address (if different)	
Relevant Experience – Minimum 40 hours (mark all that apply): <input type="checkbox"/> Education/Degree <input type="checkbox"/> License/Certification <input type="checkbox"/> Permittee Training <input type="checkbox"/> External Training <input type="checkbox"/> Other: _____			
Species or taxonomic group of rehabilitation animal(s) authorized to handle:			
Full Name		Primary Telephone	Email Address
Mailing Address		Physical Address (if different)	
Relevant Experience – Minimum 40 hours (mark all that apply): <input type="checkbox"/> Education/Degree <input type="checkbox"/> License/Certification <input type="checkbox"/> Permittee Training <input type="checkbox"/> External Training <input type="checkbox"/> Other: _____			
Species or taxonomic group of rehabilitation animal(s) authorized to handle:			
Full Name		Primary Telephone	Email Address
Mailing Address		Physical Address (if different)	
Relevant Experience – Minimum 40 hours (mark all that apply): <input type="checkbox"/> Education/Degree <input type="checkbox"/> License/Certification <input type="checkbox"/> Permittee Training <input type="checkbox"/> External Training <input type="checkbox"/> Other: _____			
Species or taxonomic group of rehabilitation animal(s) authorized to handle:			
Full Name		Primary Telephone	Email Address
Mailing Address		Physical Address (if different)	
Relevant Experience – Minimum 40 hours (mark all that apply): <input type="checkbox"/> Education/Degree <input type="checkbox"/> License/Certification <input type="checkbox"/> Permittee Training <input type="checkbox"/> External Training <input type="checkbox"/> Other: _____			
Species or taxonomic group of rehabilitation animal(s) authorized to handle:			
Full Name		Primary Telephone	Email Address
Mailing Address		Physical Address (if different)	
Relevant Experience – Minimum 40 hours (mark all that apply): <input type="checkbox"/> Education/Degree <input type="checkbox"/> License/Certification <input type="checkbox"/> Permittee Training <input type="checkbox"/> External Training <input type="checkbox"/> Other: _____			
Species or taxonomic group of rehabilitation animal(s) authorized to handle:			



**2. AUTHORIZED PERSONS (Continued)**

Full Name	Primary Telephone	Email Address
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Mailing Address	Physical Address (if different)
-----------------	---------------------------------

Relevant Experience – Minimum 40 hours (mark all that apply):  
 Education/Degree  License/Certification  Permittee Training  External Training  Other: \_\_\_\_\_

Species or taxonomic group of rehabilitation animal(s) authorized to handle:

Full Name	Primary Telephone	Email Address
-----------	-------------------	---------------

Mailing Address	Physical Address (if different)
-----------------	---------------------------------

Relevant Experience – Minimum 40 hours (mark all that apply):  
 Education/Degree  License/Certification  Permittee Training  External Training  Other: \_\_\_\_\_

Species or taxonomic group of rehabilitation animal(s) authorized to handle:

Full Name	Primary Telephone	Email Address
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Mailing Address	Physical Address (if different)
-----------------	---------------------------------

Relevant Experience – Minimum 40 hours (mark all that apply):  
 Education/Degree  License/Certification  Permittee Training  External Training  Other: \_\_\_\_\_

Species or taxonomic group of rehabilitation animal(s) authorized to handle:

Full Name	Primary Telephone	Email Address
-----------	-------------------	---------------

Mailing Address	Physical Address (if different)
-----------------	---------------------------------

Relevant Experience – Minimum 40 hours (mark all that apply):  
 Education/Degree  License/Certification  Permittee Training  External Training  Other: \_\_\_\_\_

Species or taxonomic group of rehabilitation animal(s) authorized to handle:

**ACKNOWLEDGEMENT AND SIGNATURE**

I understand that any information provided to the Department in this application and any additional information provided to the Department related to this application will be subject to the Public Records Act and may be publicly available.

I affirm and attest under penalty of perjury that the information provided in this application and any additional information may be provided to the Department related to this application is true and accurate to the best of my knowledge.

The Department reserves the right to verify the undersigned claims. Should this verification reveal intentional falsehood by the claimant, the undersigned may be legally obligated to compensate the State for costs associated with verification and may be subject to criminal, civil, and/or denial or revocation of all rehabilitation-related privileges. The Department requires the signature of the property owner and shall not accept any form signed by a designee or third party for permission to enter the property.

With accordance to [California Civil Code §1633.5\(b\)](#), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

Applicant: \_\_\_\_\_  
Signature Print Name Date



A permittee, their designee, or a sub-permittee shall maintain a written facility emergency action plan pursuant to Section 679.3(a). Retain all supporting documentation with this form as a required record.

1. APPLICANT INFORMATION							
Applicant Name (Last, First)		Date of Birth		GO ID # (if applicable)			
Mailing Address (if different from physical address)		City	State	ZIP			
Primary Telephone		Secondary Telephone		Email Address			
Facility Name (if applicable)			County				
Physical Address		City	State	ZIP			
2. ANIMAL CAPTURE EQUIPMENT (Check All That Apply)							
<input type="checkbox"/>	Nets (Birds)	<input type="checkbox"/>	Catch pole	<input type="checkbox"/>	Dart gun		
<input type="checkbox"/>	Nets (Bats)	<input type="checkbox"/>	Leads / leashes	<input type="checkbox"/>	Darts		
<input type="checkbox"/>	Nets (Mammals)	<input type="checkbox"/>	Bite sticks	<input type="checkbox"/>	Pole syringe / Jab stick		
<input type="checkbox"/>	Nets (Reptiles/Amphibians)	<input type="checkbox"/>	Bite gloves	<input type="checkbox"/>	Immobilization drugs (if applicable)		
<input type="checkbox"/>	Net gun	<input type="checkbox"/>	Animal control pole	<input type="checkbox"/>	Snake tongs		
<input type="checkbox"/>	Live trap	<input type="checkbox"/>	Animal grasper / Y pole	<input type="checkbox"/>	Animal shields		
<input type="checkbox"/>	Protective gloves	<input type="checkbox"/>	Protective eyewear	<input type="checkbox"/>	Protective footwear		
3. ANIMAL TRANSPORT EQUIPMENT							
ITEM [AS APPLICABLE]	BRIEF DESCRIPTION			QUANTITY			
Large animal carrier, metal							
Large animal carrier, plastic							
Large animal carrier, soft sided							
Medium animal carrier, metal							
Medium animal carrier, plastic							
Medium animal carrier, soft sided							
Small animal carrier, metal							
Small animal carrier, plastic							
Small animal carrier, soft sided							
Small animal carrier, cardboard							
Terrarium, mesh							
Reptile / snake bucket							
Aquariums, glass							
Aquariums, plastic							
Transport Carrier "Tie Downs"							
Animal bags							
Trailers							
4. ANIMAL EMERGENCY SUPPLIES							
ITEM	QUANTITY	ITEM	QUANTITY				
Animal food supply (minimum 3-days)		Heating source (e.g., heating pad)					
Food receptacles		Cooling source (e.g., fan)					
Water receptacles		Bedding					
Portable water container(s)		Cleaning supplies					
Specialty feeding supplies		Basic veterinary medical supplies					
5. FACILITY SAFETY [Check all that apply]							
<input type="checkbox"/>	First aid kits	<input type="checkbox"/>	Utility shut off/Breaker	<input type="checkbox"/>	'Animals on	<input type="checkbox"/>	Emergency Exit sign
<input type="checkbox"/>	Smoke/CO <sub>2</sub> detectors	<input type="checkbox"/>	Fire extinguishers	<input type="checkbox"/>	Eye wash station(s)	<input type="checkbox"/>	Landline telephone
If item NOT checked, briefly describe why:							





The Department may conduct visits during a reasonable time of the day, on any day of the week, to inspect any facility, equipment, or wildlife possessed by the permittee, sub-permittee, or their designee, and may enter the facilities when the permittee, sub-permittee, or their designee are present pursuant to CCR Section 679.7.

<b>1. APPLICANT INFORMATION</b>			
Applicant Name (Last, First)	Date of Birth	GO ID # (if applicable)	
Mailing Address (if different from physical)	City	State	ZIP
Preferred Telephone	Secondary Telephone	Email Address	
Facility Name			
Facility Address (physical)	City	State	ZIP
<b>2. PROPERTY OWNER INFORMATION</b>			
Property Owner Name (Last, First)	Title		
Preferred Telephone	Email Address		
Mailing Address (if different from physical)	City	State	ZIP
Physical Address	City	State	ZIP
<b>3. PROPERTY OWNER ACKNOWLEDGEMENT AND SIGNATURE</b>			
<p>I understand that the Department requires the signature of the property owner and shall not accept any form signed by a designee or third party for permission to enter the property. I understand that wildlife remains the property of the State and is subject to control by the State. I understand that the permit is a privilege, and that a permit holder may be subject to inspection at any reasonable time or day.</p> <p>I hereby give permission for the Department, or its designee, to enter my property to conduct visits during a reasonable time of the day, on any day of the week, to inspect any facility, enclosures, equipment, written records, and rehabilitation animals.</p> <p>With accordance to <a href="#">California Civil Code §1633.5(b)</a>, I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.</p> <p> Property Owner: _____</p> <div style="display: flex; justify-content: space-between; width: 80%; margin-left: auto; margin-right: auto;"> <span>Signature</span> <span>Print Name</span> <span>Date</span> </div>			
<b>4. APPLICANT ACKNOWLEDGEMENT AND SIGNATURE</b>			
<p>I understand that any information provided to the Department in this application and any additional information provided to the Department related to this application will be subject to the Public Records Act and may be publicly available.</p> <p>I affirm and attest under penalty of perjury that the information provided in this application and any additional information that may be provided to the Department related to this application is true and accurate to the best of my knowledge. The Department reserves the right to verify the undersigned claims. Should this verification reveal intentional falsehood by the claimant, the undersigned may be legally obligated to compensate the State for costs associated with verification and may be subject to criminal, civil, and/or denial or revocation of all rehabilitation-related privileges.</p> <p>I understand that wildlife remains the property of the State and is subject to control by the State. I understand that the permit is a privilege, and that I may be subject to inspection at any reasonable time or day. I acknowledge that any violation of these requirements can result in revocation of a permit.</p> <p>With accordance to <a href="#">California Civil Code §1633.5(b)</a>, I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.</p> <p> Applicant: _____</p> <div style="display: flex; justify-content: space-between; width: 80%; margin-left: auto; margin-right: auto;"> <span>Signature</span> <span>Print Name</span> <span>Date</span> </div>			



DATE OF INSPECTION:			INSPECTED BY:				
<b>1. REASON FOR INSPECTION</b> [check all that apply]							
<input type="checkbox"/> Facility (New) <input type="checkbox"/> Facility (Renewal) <input type="checkbox"/> Facility (Satellite) <input type="checkbox"/> Re-Inspection <input type="checkbox"/> Variance <input type="checkbox"/> Speciality Rehabilitation Authorization <input type="checkbox"/> Other - Authorized Person <input type="checkbox"/> Other-Qualified Handler							
<b>2. PERSONAL INFORMATION</b>							
Full Name (Last, First)		Permittee Name (if different)		GO ID # (if applicable)	Federal Permit # (if applicable)		
Mailing Address		City	State	ZIP			
Physical Address (if different)			City		State	ZIP	
Primary Telephone		Secondary Telephone		Email Address			
<b>3. FACILITY INFORMATION</b>							
Facility Name		Facility Physical Address		<input type="checkbox"/> Property Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Other			
Number of Staff		Number of Volunteers	Number of Sub-Permittees	Number of Authorized Persons	Number of Qualified Handlers		
<b>TAXONOMIC GROUP</b> [select all that apply] <input type="checkbox"/> Herptile <input type="checkbox"/> Mammal <input type="checkbox"/> Waterbird <input type="checkbox"/> Raptor <input type="checkbox"/> Passerine/Other Avifauna				<b>SPECIALTY REHABILITATION</b> [select all that apply] <input type="checkbox"/> Large Carnivore <input type="checkbox"/> Ungulate <input type="checkbox"/> Venomous Snake <input type="checkbox"/> Eagle, Osprey, Falcon			
<b>4. INSPECTION REQUIREMENTS</b> (E = Exceed Requirements, M = Meets Requirements, F = Fails to meet Requirements, N/A = Not Applicable)							
<b>FACILITY REQUIREMENTS (TITLE 14 CCR § 679.3 AND 679.4)</b>				<b>E</b>	<b>M</b>	<b>F</b>	<b>N/A</b>
Permit(s) clearly visible and on display at the facility							
Veterinarian of Record Agreement							
Facility Operation Plan							
Facility Emergency Action Plan - current and readily accessible							
Fire alarms, fire extinguishers, emergency exits (if applicable)							
Emergency evacuation procedures - clearly visible and on display							
Current List of Sub-Permittees							
Current List of Authorized Persons							
Current List of Qualified Handlers							
Personnel training protocol (if applicable)							
Public Reporting protocol							
Satellite facility inspection records							
Authorized persons inspection records							
Succession Plan for continued care of rehabilitation animals if no longer able to provide care							
<b>ENCLOSURE REQUIREMENTS (TITLE 14 CCR § 679.4 (b))</b>				<b>E</b>	<b>M</b>	<b>F</b>	<b>N/A</b>
Enclosures constructed and secured at all times to prevent ingress or egress by any animal.							
Enrichment suitable for the development stage and condition of each rehabilitation animal.							
Enclosures have sufficient drainage to prevent standing water from accumulating.							
Enclosure Labels: Common species name(s), number of animals, identification of each animal.							
Visual and physical separation between rehabilitation animals and non-conspecific rehabilitation animals.							
Visual/physical separation between rehabilitation animals and domestic animals and restricted species.							
Rehabilitation animals have minimal direct human contact and not displayed to the public.							
Pre-Release Enclosures Minimum Size - Waterbirds							
Pre-Release Enclosures Minimum Size - Raptors							
Pre-Release Enclosures Minimum Size – Passerines/Other Avifauna							
Pre-Release Enclosures Minimum Size - Mammals							
Pre-Release Enclosures Minimum Size - Herptiles							
Pre-Release Enclosures Minimum Size - Venomous Snake							



Pre-Release Enclosures Minimum Size – Large Carnivore				
Pre-Release Enclosures Minimum Size – Ungulate				
Pre-Release Enclosures Minimum Size – Specialty Rehabilitation Raptors				
<b>HUMANE CARE AND TREATMENT STANDARDS (TITLE 14 CCR § 679.5)</b>	<b>E</b>	<b>M</b>	<b>F</b>	<b>N/A</b>
Food/Water: Suitable Animal Diet, Clean fresh water				
Food/Water Receptacles: Clean and sanitary receptacles				
Food Safety Protocol: Safely handle, prepare, and store rehabilitation animal food				
Biosecurity Practices: Protocol to control pests and parasites				
Biosecurity Practices: Protocol to prevent communicable diseases, cleaning and disinfecting schedule				
Euthanasia protocol: List of euthanasia trained staff				
Euthanasia protocol: Euthanasia methods by taxa/species				
Euthanasia protocol: Use & storage of controlled substances				
Carcass storage and disposal protocols				
Triage Criteria: Protocol for how rehabilitation animals are triaged upon intake.				
Required Records – Availability (Intake history, patient record, annual reports – last 5 years only)				

**5. ENCLOSURES INSPECTION**

Use Tables 1-3. Add additional documentation as needed.

**6. INSPECTION NOTES**

ITEMS THAT FAIL TO MEET REQUIREMENTS (OBSERVED DEFICIENCIES):

ITEMS THAT EXCEED REQUIREMENTS:

OTHER ITEMS OBSERVED DURING THE INSPECTION:

**7. INSPECTION DETERMINATION**

- PASS - Meets all requirements
- FAIL - Does not meet all requirements (recommend re-inspection)
- FAIL - Does not meet all requirements (recommend denial)
- FAIL - Does not meet all requirements (recommend revocation)

**CERTIFICATION OF INSPECTION**

“I have inspected this facility and affirm that the information provided in this inspection report and any additional information that may be provided to the Department related to this inspection is true and accurate to the best of my knowledge. I hereby certify the results of the inspection pursuant to the requirements listed in Title 14 CCR 679.”

✍ Authorized Inspector: \_\_\_\_\_  
 Signature                                  Print Name                                  Title                                  Date

✍ Permit Holder/Designee: \_\_\_\_\_  
 Signature                                  Print Name                                  Title                                  Date





**Table 1.** Mammal Enclosure Inspection (including specialty rehabilitation).

	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____
	SPECIES:	SPECIES:	SPECIES:	SPECIES:
679 Enclosure Dimensions*				
Dimensions				
Construction				
Double door with locks (if applicable)				
Secured doors				
Substrate				
Predator proof				
Visual barrier				
Hide boxes or sheltered retreat				
Sufficient drainage				
Pool (if applicable)				
Enrichment				
Additional notes:				

\*679 Native Wildlife Rehabilitation Regulation Manual – refer to tables for minimum enclosure and enrichment requirements.  
 Mammals – Table 5-6  
 Specialty Mammals – Table 12-13  
 Duplicate this page as needed



**Table 2.** Avian Enclosure Inspection (including specialty rehabilitation).

	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____
	SPECIES:	SPECIES:	SPECIES:	SPECIES:
679 Enclosure Dimensions*				
Dimensions				
Construction				
Double door with locks (if applicable)				
Secured doors				
Substrate				
Predator proof				
Visual barrier				
Hide boxes, nest box, or sheltered retreat (if applicable)				
Sufficient Drainage				
Pools (if applicable)				
Enrichment				
Additional notes:				

\*679 Native Wildlife Rehabilitation Regulation Manual – refer to tables for minimum enclosure and enrichment requirements.  
 Bird (not waterbirds) – Tables 7 and 8  
 Waterbirds – Tables 9-11  
 Eagles & Falcons – Tables 12-13  
 Duplicate this page as needed



**Table 3.** Amphibian and Reptile Enclosure Inspection (including specialty rehabilitation).

	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____
	SPECIES:	SPECIES:	SPECIES:	SPECIES:
679 Enclosure Dimensions*				
Dimensions				
Construction				
Securable door/enclosure				
Substrate				
Predator proof				
Hide box/sheltered retreat				
Temperature/humidity control				
UV light				
Water feature (if applicable)				
Labeled "Venomous" (if applicable)				
Enrichment				
Additional notes:				

\*679 Native Wildlife Rehabilitation Regulation Manual – refer to tables for minimum enclosure and enrichment requirements.  
 Amphibians and Reptiles – Table 4  
 Venomous Snakes – Table 12-13  
 Duplicate this page as needed



DATE OF INSPECTION:		INSPECTED BY:					
<b>1. REASON FOR INSPECTION</b> (check all that apply)							
<input type="checkbox"/> Inspection (New) <input type="checkbox"/> Re-Inspection <input type="checkbox"/> Speciality Rehabilitation (no large carnivores) <input type="checkbox"/> Authorized Person <input type="checkbox"/> Variance							
<b>2. PERMITTEE INFORMATION</b>							
Permittee Name (Last, First)		GO ID # (if applicable)		Federal Permit # (if applicable)			
<b>3. SUB-PERMITTEE INFORMATION</b>							
Sub-Permittee Name (Last, First)		Telephone Number		Federal Permit # (if applicable)			
Mailing Address (if different from physical address)		City		State	Zip Code		
Physical Address		City		State	Zip Code		
Email Address:		Facility Name (if applicable)					
<b>4. FACILITY INFORMATION</b>							
Facility Name		Facility Physical Address		<input type="checkbox"/> Property Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Other			
Number of Staff		Number of Volunteers	Number of Sub-Permittees	Number of Authorized Persons	Number of Qualified Handlers		
<b>TAXONOMIC GROUP</b> [select all that apply] <input type="checkbox"/> Herptile <input type="checkbox"/> Mammal <input type="checkbox"/> Waterbird <input type="checkbox"/> Raptor <input type="checkbox"/> Passerine/Other Avifauna			<b>SPECIALTY REHABILITATION</b> [select all that apply] <input type="checkbox"/> Large Carnivore <input type="checkbox"/> Ungulate <input type="checkbox"/> Venomous Snake <input type="checkbox"/> Eagle, Osprey, Falcon				
<b>5. INSPECTION REQUIREMENTS</b> (E = Exceed Requirements, M = Meets Requirements, F = Fails to Meet Requirements, N/A = Not Applicable).							
<b>REQUIREMENT (FACILITY OPERATIONS)</b>				E	M	F	N/A
Permit is at the facility and easily accessible							
Proof of other valid permit(s), if applicable							
Required records (Section 679.5(c))							
Procedure for accepting calls from the public							
Procedure for accepting injured, sick, or orphaned wild animals from the public							
Procedure for keeping domestic animals on property separate from rehabilitation animals							
Training Protocols for staff/volunteers, including training records (i.e., dates, description of training)							
<b>REQUIREMENT (HEALTH AND SAFETY)</b>				E	M	F	N/A
Protocol for handling rabies vector species							
Protocol for communicable disease transmission, prevention, and control							
Protocol for Personal Protection Equipment (PPE) use							
Location of fire alarms, fire extinguishers, emergency exits (if applicable)							
Emergency evacuation procedures clearly visible and on display							
Food safety protocols to safely handle, prepare, and store animal food and human food							
Carcass storage and disposal protocols							
Facility and enclosure cleaning schedule protocol							
<b>REQUIREMENT (ANIMAL WELFARE)</b>				E	M	F	N/A
Procedures for the use & storage of controlled substances							
Euthanasia protocols including list of euthanasia certified staff							
Indoor and outdoor enclosure requirements (Section 679.4(b))*							



<b>6. ENCLOSURES INSPECTION</b>
Use Tables 1-3. Add additional documentation as needed.
<b>7. INSPECTION NOTES</b>
ITEMS THAT FAIL TO MEET REQUIREMENTS (OBSERVED DEFICIENCIES):
ITEMS THAT EXCEED REQUIREMENTS:
OTHER ITEMS OBSERVED DURING THE INSPECTION:
<b>8. INSPECTION DETERMINATION</b>
<input type="checkbox"/> PASS - Meets all requirements <input type="checkbox"/> FAIL - Does not meet all requirements (recommend re-inspection) <input type="checkbox"/> FAIL - Does not meet all requirements (recommend denial) <input type="checkbox"/> FAIL - Does not meet all requirements (recommend revocation)

**ACKNOWLEDGEMENT AND SIGNATURE**

I understand that any information provided to the Department in this application and any additional information provided to the Department related to this application will be subject to the Public Records Act and may be publicly available.

I affirm and attest under penalty of perjury that the information provided in this application and any additional information may be provided to the Department related to this application is true and accurate to the best of my knowledge.

The Department reserves the right to verify the undersigned claims. Should this verification reveal intentional falsehood by the claimant, the undersigned may be legally obligated to compensate the State for costs associated with verification and may be subject to criminal, civil, and/or denial or revocation of all rehabilitation-related privileges. The Department requires the signature of the property owner and shall not accept any form signed by a designee or third party for permission to enter the property.

With accordance to [California Civil Code §1633.5\(b\)](#), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

✎ Permittee: \_\_\_\_\_  

Signature
Print Name
Date

“I have inspected these facilities and affirm that the information provided herein is accurate regarding the requirements listed in Title 14 CCR 679. I hereby certify the following results of the inspection.

✎ Inspector: \_\_\_\_\_  

Signature
Print Name
Date



**Table 1.** Mammal Enclosure Inspection (including specialty rehabilitation).

	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____
	SPECIES:	SPECIES:	SPECIES:	SPECIES:
679 Enclosure Dimensions*				
Dimensions				
Construction				
Double door with locks (if applicable)				
Secured doors				
Substrate				
Predator proof				
Visual barrier				
Hide boxes or sheltered retreat				
Sufficient drainage				
Pool (if applicable)				
Enrichment				
Additional notes:				

\*679 Native Wildlife Rehabilitation Regulation Manual – refer to tables for minimum enclosure and enrichment requirements.

Mammals – Table 5-6

Specialty Mammals – Table 12-13

Duplicate this page as needed



**Table 2.** Avian Enclosure Inspection (including specialty rehabilitation).

	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____
	SPECIES:	SPECIES:	SPECIES:	SPECIES:
679 Enclosure Dimensions*				
Dimensions				
Construction				
Double door with locks (if applicable)				
Secured doors				
Substrate				
Predator proof				
Visual barrier				
Hide boxes, nest box, or sheltered retreat (if applicable)				
Sufficient Drainage				
Pools (if applicable)				
Enrichment				
Additional notes:				

\*679 Native Wildlife Rehabilitation Regulation Manual – refer to tables for minimum enclosure and enrichment requirements.

Bird (not waterbirds) – Tables 7 and 8

Waterbirds – Tables 9-11

Eagles & Falcons – Tables 12-13

Duplicate this page as needed



**Table 3.** Amphibian and Reptile Enclosure Inspection (including specialty rehabilitation).

	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____	ENCLOSURE # _____
	SPECIES:	SPECIES:	SPECIES:	SPECIES:
679 Enclosure Dimensions*				
Dimensions				
Construction				
Securable door/enclosure				
Substrate				
Predator proof				
Hide box/sheltered retreat				
Temperature/humidity control				
UV light				
Water feature (if applicable)				
Labeled "Venomous" (if applicable)				
Enrichment				
Additional notes:				

\*679 Native Wildlife Rehabilitation Regulation Manual – refer to tables for minimum enclosure and enrichment requirements.  
 Amphibians and Reptiles – Table 4  
 Venomous Snakes – Table 12-13  
 Duplicate this page as needed





A permittee, their sub-permittee, or designee may submit a request for variance of any required enclosure construction design, size, or materials to the Department of Fish and Wildlife pursuant to subsection 679.4(c) of Title 14, California Code of Regulations. The Department shall provide notification of a denial of a variance request pursuant to subsections 679.7(b) and 679.9(c).

1. APPLICANT INFORMATION						
Applicant Name (Last, First)		Facility Name (if applicable)		GO ID #	Primary Telephone	Email Address
Mailing Address (if different from physical address)			City	State	ZIP	
Physical Address			City	State	ZIP	
2. LOCATION OF REQUESTED VARIANCE						
<input type="checkbox"/> Wildlife Rehabilitation Facility (Permittee) <input type="checkbox"/> Satellite Facility (Sub-Permittee)			<input type="checkbox"/> Other Location (Authorized Person): _____			
3. CATEGORY OF VARIANCE						
<input type="checkbox"/> Minimum Size <input type="checkbox"/> Max # Animals <input type="checkbox"/> Construction Design/Materials <input type="checkbox"/> Location Change (alternate site on/off property)						
4. TYPE OF VARIANCE						
<input type="checkbox"/> New Construction <input type="checkbox"/> Existing Construction <input type="checkbox"/> Modification of Existing Construction			Describe change or difference from the requirement(s) (attach additional documentation as needed):			
5. REASON(S) FOR REQUEST <small>[MARK ALL THAT APPLY]</small>						
<input type="checkbox"/> Requirement will result in an undue hardship because of physical limitations of the facility, site, or its utility services. <input type="checkbox"/> Requirement will result in an undue hardship because of excessive costs of additional or altered construction elements. <input type="checkbox"/> Requirement will result in an undue hardship because of other restrictions (e.g., HOA, ordinance, zoning, historically or culturally significant site): _____						

**ACKNOWLEDGEMENT AND SIGNATURE**

"I declare under penalty of perjury that the information contained in this request for variance and any additional information that may be provided to the Department related to this request is true and accurate. I understand that any information provided to the Department herein will be subject to the Public Records Act and may be publicly available.

The Department reserves the right to verify the undersigned claims. Should this verification reveal intentional falsehood by the claimant, the undersigned may be legally obligated to compensate the State for costs associated with verification.

With accordance to [California Civil Code §1633.5\(b\)](#), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

Applicant: \_\_\_\_\_  
Signature
Print Name
Date

VARIANCE DETERMINATION <small>[***Official Use Only***]</small>	
<input type="checkbox"/> Approve [No Inspection Required] <input type="checkbox"/> Approve [Inspection Required] <input type="checkbox"/> Deny – Fails to meet requirements to protect native wildlife, animal welfare, human health and safety, or agricultural interests	Required Conditions (attach supplemental documentation as needed):
<input type="checkbox"/> Authorized Staff: _____ <span style="margin-left: 150px;">Signature</span> <span style="margin-left: 150px;">Print Name</span> <span style="margin-left: 150px;">Title</span> <span style="margin-left: 150px;">Date</span>	







A permittee, their sub-permittee, or designee may request to the Department approval for permanent placement of a rehabilitation animal considered by such persons to be unsuitable for release to the wild pursuant to CCR Title 14 Section 679.6. A requestor shall notify the department via email at [RehabWildlife@wildlife.ca.gov](mailto:RehabWildlife@wildlife.ca.gov) within 30 calendar days of the last examination and submit required information.

1. REQUESTING PARTY			
Name (Last, First)		GO ID #	
Mailing Address (if different from physical address):		City	State Zip
Physical Address:		City	State Zip
Telephone Number	Email Address	Facility Name (if applicable)	
2. ANIMAL INFORMATION			
Common Species or Scientific Name:		Animal Intake #:	Intake Date:
Age/Age Class:	Sex:	Weight:	Microchip/Tag/Other Identifier (if applicable):
3. ANIMAL EXAMINATION (*NO LATER THAN 30 CALENDAR DAYS FROM DATE OF REQUEST)			
Date of Last Exam*	Name (Last, First)	Title	
Physical Address of Exam	Telephone Number	Email address	
Signature of Examiner		Veterinarian / Registered Veterinary Technician License No. (if applicable)	
4. ANIMAL CONDITION (Check all that apply)			
<input type="checkbox"/> Amputated limb, foot, or wing at or above humero-ulnar joint		<input type="checkbox"/> Permanent visual impairment	
<input type="checkbox"/> Permanent damage to skin, scales, scute, fur, feathers		<input type="checkbox"/> Permanent spinal injury, paralysis, or paresis	
<input type="checkbox"/> Permanent inability to display the physical ability needed to survive in the wild (e.g., forage, hunt, fly)			
<input type="checkbox"/> Permanent inability to display natural life history behaviors of its species (e.g., habituate, mal-imprint)			
Briefly describe:			
5. ANIMAL WELFARE REQUIREMENTS (Check all that apply)			
<input type="checkbox"/> Requires Medication (temporary)		<input type="checkbox"/> Requires Medication (long-term)	
<input type="checkbox"/> Requires Medical Treatment (temporary)		<input type="checkbox"/> Requires Medical Treatment (long-term)	
<input type="checkbox"/> Requires Enclosure Modifications		<input type="checkbox"/> Requires Special Diet / Modified Feeding	
<input type="checkbox"/> Must Be Housed with Other Animals		<input type="checkbox"/> Must Be Housed Alone	
6. SUGGESTED PLACEMENT OPTIONS (If applicable)			

**Acknowledgement and Signature**

"I understand that any information provided to the Department in this document and any additional information provided to the Department related to this report will be subject to the Public Records Act and may be publicly available. I affirm and attest under penalty of perjury that the information provided in this document and any additional information that may be provided to the Department related to this report is true and accurate to the best of my knowledge."

The Department reserves the right to verify the undersigned claims. Should this verification reveal intentional falsehood by the claimant, the undersigned may be legally obligated to compensate the State for costs associated with verification.

With accordance to [California Civil Code §1633.5\(b\)](#), I acknowledge that by providing my electronic signature for this form, I agree that my electronic signature is legal binding equivalent to a handwritten signature. I hereby confirm that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

Requesting Party: \_\_\_\_\_  
 Signature \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

PERMANENT PLACEMENT DETERMINATION [***Official Use Only***]			
<input type="checkbox"/> Approve [No Other Examination Required]	<input type="checkbox"/> Approve [Other Examination Required]	Approved Facility:	
<input type="checkbox"/> Deny [Fails to protect animal welfare, native wildlife, human health, or human safety]		<input type="checkbox"/> Euthanize <input type="checkbox"/> Transfer <input type="checkbox"/> Release	
Authorized Staff: _____			
Signature	Print Name	Title	Date

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT**

DEPARTMENT NAME <b>California Fish and Game Commission</b>	CONTACT PERSON <b>David Thesell</b>	EMAIL ADDRESS <b>fgc@fgc.ca.gov</b>	TELEPHONE NUMBER <b>916 902-9291</b>
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 <b>Add Sections 679.1 et seq. 679.9, Title 14, CCR, Re: Possession of Wildlife and Wildlife Rehabilitation</b>			NOTICE FILE NUMBER <b>Z</b>

**A. ESTIMATED PRIVATE SECTOR COST IMPACTS** *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- |   |   |
|---|---|
| <input type="checkbox"/> a. Impacts business and/or employees   | <input type="checkbox"/> e. Imposes reporting requirements              |
| <input checked="" type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance |
| <input type="checkbox"/> c. Impacts jobs or occupations         | <input type="checkbox"/> g. Impacts individuals                         |
| <input type="checkbox"/> d. Impacts California competitiveness  | <input type="checkbox"/> h. None of the above (Explain below):          |

**No new compliance costs necessarily incurred**

*If any box in Items 1 a through g is checked, complete this Economic Impact Statement.  
If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.*

2. The California Fish and Game Commission estimates that the economic impact of this regulation (which includes the fiscal impact) is:  
(Agency/Department)

- Below \$10 million  
 Between \$10 and \$25 million  
 Between \$25 and \$50 million  
 Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a [Standardized Regulatory Impact Assessment](#) as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: 80

Describe the types of businesses (Include nonprofits): Nonprofit wildlife rehabilitation facilities and supporting satellite facilities

Enter the number or percentage of total businesses impacted that are small businesses: 100%

4. Enter the number of businesses that will be created: 0 eliminated: 0

Explain: Regulatory amendments are to clarify and codify facility standards that are already widely practiced.

5. Indicate the geographic extent of impacts:  Statewide  
 Local or regional (List areas): \_\_\_\_\_

6. Enter the number of jobs created: 0 and eliminated: 0

Describe the types of jobs or occupations impacted: N/A; No change induced for labor demand or jobs to meet standards that are already widely practiced.

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?  YES  NO

If YES, explain briefly: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

**B. ESTIMATED COSTS** *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ 14,000
- a. Initial costs for a small business: \$ 1,000 Annual ongoing costs: \$ 0 Years: 1
- b. Initial costs for a typical business: \$ 0 Annual ongoing costs: \$ 0 Years: 1
- c. Initial costs for an individual: \$ 500 Annual ongoing costs: \$ 0 Years: 1
- d. Describe other economic costs that may occur: No new costs for typical businesses as most already meet standards. Appox. 5% of primary rehabilitation & satellite facilities may spend from \$500-\$1,000 in initial costs (see Addendum).

2. If multiple industries are impacted, enter the share of total costs for each industry: N/A

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. *Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ N/A

4. Will this regulation directly impact housing costs?  YES  NO  
 If YES, enter the annual dollar cost per housing unit: \$ \_\_\_\_\_  
 Number of units: \_\_\_\_\_

5. Are there comparable Federal regulations?  YES  NO

Explain the need for State regulation given the existence or absence of Federal regulations: CA Fish and Game Commission has authority to regulate wildlife rehabilitation facilities within the state.

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ N/A

**C. ESTIMATED BENEFITS** *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: Sets site-specific conditions to protect native wildlife, agriculture interests, animal welfare, health & welfare of CA residents, and worker safety with enhanced biosecurity protocols, improved caging requirements, and protocols for animals suspected to have a communicable disease (see Addendum).

2. Are the benefits the result of:  specific statutory requirements, or  goals developed by the agency based on broad statutory authority?

Explain: CA Fish and Game Commission has authority to regulate wildlife rehabilitation facilities within the state.

3. What are the total statewide benefits from this regulation over its lifetime? \$ See Addendum

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: N/A

**D. ALTERNATIVES TO THE REGULATION** *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: There are no other alternatives to consider that would meet the program objectives.

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ best practices\* Cost: \$ 14,000

Alternative 1: Benefit: \$ N/A Cost: \$ N/A

Alternative 2: Benefit: \$ N/A Cost: \$ N/A

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: \*The proposed regulations are to clarify and codify wildlife rehab. best practices and facility standards that are already widely implemented to ensure continued benefits. Costs are for enclosure improvements.

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?  YES  NO

Explain: In many instances, performance standards are specified without the requirement of particular means.

**E. MAJOR REGULATIONS** *Include calculations and assumptions in the rulemaking record.*

*California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.*

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million?  YES  NO

*If YES, complete E2. and E3  
If NO, skip to E4*

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: \_\_\_\_\_

Alternative 2: \_\_\_\_\_

*(Attach additional pages for other alternatives)*

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 1: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 2: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

YES  NO

*If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.*

5. Briefly describe the following:

The increase or decrease of investment in the State: No effect on the level of investment in the State is anticipated.

The incentive for innovation in products, materials or processes: No effect on the incentive for innovation in products, materials, or processes is anticipated.

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: Benefits to the health and welfare of CA residents, worker safety, and the environment are anticipated.

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**FISCAL IMPACT STATEMENT**

**A. FISCAL EFFECT ON LOCAL GOVERNMENT** *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

a. Funding provided in \_\_\_\_\_

Budget Act of \_\_\_\_\_ or Chapter \_\_\_\_\_, Statutes of \_\_\_\_\_

b. Funding will be requested in the Governor's Budget Act of \_\_\_\_\_

Fiscal Year: \_\_\_\_\_

2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

*Check reason(s) this regulation is not reimbursable and provide the appropriate information:*

a. Implements the Federal mandate contained in \_\_\_\_\_

b. Implements the court mandate set forth by the \_\_\_\_\_ Court.

Case of: \_\_\_\_\_ vs. \_\_\_\_\_

c. Implements a mandate of the people of this State expressed in their approval of Proposition No. \_\_\_\_\_

Date of Election: \_\_\_\_\_

d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: \_\_\_\_\_  
\_\_\_\_\_

e. Will be fully financed from the fees, revenue, etc. from: \_\_\_\_\_

Authorized by Section: \_\_\_\_\_ of the \_\_\_\_\_ Code;

f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in \_\_\_\_\_

3. Annual Savings. (approximate)

\$ \_\_\_\_\_

4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

5. No fiscal impact exists. This regulation does not affect any local entity or program.

6. Other. Explain \_\_\_\_\_  
\_\_\_\_\_



**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**FISCAL IMPACT STATEMENT (CONTINUED)**

**B. FISCAL EFFECT ON STATE GOVERNMENT** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

*It is anticipated that State agencies will:*

a. Absorb these additional costs within their existing budgets and resources.

b. Increase the currently authorized budget level for the \_\_\_\_\_ Fiscal Year

2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

3. No fiscal impact exists. This regulation does not affect any State agency or program.

4. Other. Explain See addendum

**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

4. Other. Explain \_\_\_\_\_

FISCAL OFFICER SIGNATURE

DocuSigned by:  
  
Dan Reagan

DATE  
6/18/2024

*The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

AGENCY SECRETARY

 Melissa A. Miller-Henson Bryan Cash

7/25/2024

DATE  
June 13, 2024

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER



DATE

## **STD 399 Addendum**

### **Repeal Section 679 and Add Sections 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8 and 679.9, and Chapters 2 and 3 of the Native Wildlife Rehabilitation 679 Regulations Manual Title 14, California Code of Regulations Regarding the Possession of Wildlife and Wildlife Rehabilitation**

#### **Economic Impact Statement**

##### **Background**

The California Department of Fish and Wildlife (Department) currently oversees 80 permitted wildlife rehabilitators who operate wildlife rehabilitation facilities throughout the state. These facilities employ or involve approximately 3,000 staff and volunteers. Additionally, there are approximately 550 satellite facilities overseen by sub-permittees operating under a wildlife rehabilitation permit, which is valid for three years.

Section 679 of Title 14, California Code of Regulations underwent a minor regulatory change in 2007. However, several necessary changes were not addressed during that rulemaking process. The proposed regulations aim to establish current requirements for the care and possession of injured, orphaned, and diseased wildlife, address known deficiencies regarding facility operations, enclosures, humane care, and treatment standards and protect the animal welfare, safety, and well-being of rehabilitation animals.

##### **Section A. Estimated Private Sector Cost Impacts**

###### ***Question 1.***

**Answer b.** Minor impacts to small businesses. 80 wildlife rehabilitation permit holders operate wildlife rehabilitation facilities throughout the state (more than half operate as nonprofit entities); approximately 550 satellite facilities operated by sub-permittees.

Many wildlife rehabilitation facilities currently meet or exceed the proposed requirements of this rulemaking. Extensive outreach and feedback have been incorporated into the crafting of these provisions to avoid undue cost impacts to affected private sector entities. For those few facilities that have not met all the specified standards, variances are available to permit additional time to upgrade. It is estimated that approximately 5% of wildlife rehabilitation facilities, including satellite facilities and home-based wildlife rehabilitators, will require minor improvements to their enclosures to meet the new requirements. It is estimated that 4 wildlife rehabilitation facilities will have to perform minor to moderate improvements to their enclosures at a cost of \$1,000 or less. It is estimated that approximately 28 satellite facilities will have to perform minor modifications to their enclosures at a cost of \$500 or less. The total estimated cost (statewide) is estimated to be \$14,000 or less. A wildlife rehabilitator, including permit holders, their designees and sub-permittees may submit a variance request for department approval of alternative enclosure sizes, design, or construction materials that differ from the proposed requirements at no cost (\$0).

Additionally, attention has been given to ensure that training requirements can be met at no cost or optional additional costs to wildlife rehabilitation staff. Training options have been expanded to include such options as monthly facility safety meetings. The proposed annual reports and triage plans have already been prepared by wildlife rehabilitation staff, but submittal to the Department will now be required.

***Question 6. Number of jobs created and eliminated.***

The Commission does not anticipate that the proposed regulation would induce any impact on the creation or elimination of jobs because the proposed regulatory action is not anticipated to stimulate or diminish demand for services related to wildlife rehabilitation as no new tasks are induced by the proposed regulatory action.

**Section B. Estimated Costs**

***Question 1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime?***

Compliance with the proposed regulation is expected to incur minimal to no new costs. Most businesses already adhere to the new standards. An estimated 5% of rehabilitation and satellite facilities may incur initial costs between \$500 and \$1,000. The total statewide cost of this regulation over its lifetime is estimated to be \$14,000 for businesses and individuals.

**Section C. Estimated Benefits**

***Question 1. Briefly summarize the benefits of the regulation.***

Anticipated benefits of the regulation include consistency with current wildlife rehabilitation standards: with the codification that California's wildlife rehabilitation practices align with the most current standards and scientifically-based requirements to: (1) protect animal welfare, native wildlife, human health and safety; (2) meet Department goals for conservation and management of native wildlife species; and (3) increase public awareness of the ethical standards maintained by wildlife rehabilitators in California.

While most wildlife rehabilitation facilities currently meet the proposed requirements, codifying best practices ensures that these facilities will continue to maintain current standards and scientifically based requirements for temporarily possessing and rehabilitating native wildlife for release back into the wild. The proposed changes allow the Department to require site-specific best practices to protect, native wildlife, agricultural interests, the state's environment, animal welfare, health and welfare of California residents, and worker safety. Additionally, best practices will include enhanced biosecurity protocols, improved caging requirements, and standardized reporting protocols for animals known or suspected to have a communicable disease.

This action will increase the efficiency and ability for public to get wildlife to rehabilitators (currently record keeping for satellite facilities and regulation/memorandum of understanding information is limited). Requiring an emergency action plan will prevent costly responses from having the state respond to facilities impacted by wildfires or storms.

**Question 3. What are the total statewide benefits from this regulation over its lifetime?**

The total statewide benefits of the proposed regulation are difficult to specify as the majority of regulated wildlife rehabilitation facilities are currently meeting the standards described in this action, such that the benefits are already in full effect. The proposed regulations are to ensure that these standards are codified and may be updated as needed to the latest best practices so as to perpetuate the benefits over time.

**Question 4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation.**

The Commission does not anticipate that the proposed regulation would induce any impacts on the expansion of businesses currently doing business within the state.

### **Fiscal Impact Statement**

#### **Section A. Fiscal Effect on Local Government**

**Answer 5.** No fiscal impact exists. This regulation does not affect any local entity or program.

#### **Section B. Fiscal Impact on State Government**

**Answer 3.** No fiscal impact exists. This regulation does not affect any State agency or program. No change in costs or savings to state agencies is expected as a direct result of the proposed amendments to Section 679. The Department currently oversees 80 wildlife rehabilitation facilities and approximately 550 satellite facilities each year. The Department has estimated that the specification of standards for wildlife rehabilitation facilities, improved oversight, and support to permittees throughout the state by the Department's Native Wildlife Rehabilitation Program will not change costs for staff time or materials. The Department's Wildlife Health Laboratory program costs will remain unchanged and within currently existing budgets and resources.

**Answer 4.** Other. Explain: Per California Fish and Game Code Section 713, the fees charged by the Department and printed on application forms will be updated to the most current year fee amounts. The change in fee amount is not a result of this rulemaking, but due to Fish and Game Code Section 713, which directs the Department to adjust fees consistent with the implicit price deflator for state government each year. The fees have been continuously adjusted by the Department's License and Revenue Branch. This action will update the fee amount shown on the forms to the most current year's fee.

#### **Section C. Fiscal Effect on Federal Funding of State Programs**

**Answer 3.** No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

**From:** Anna Reams  
**Sent:** Friday, November 1, 2024 8:49 PM  
**To:** Wildlife WHL Rehab [RehabWildlife@wildlife.ca.gov](mailto:RehabWildlife@wildlife.ca.gov)

**Subject:** Comments on 679 regulation

Hi all, These may have already been addressed but if not here they are.

Table 7 1c

The max number of coyote juveniles should be at least a litter which can be 9

table 7 3A

The max number of Opossums should be litter size which can be 10

Table 8 1A

Crows will damage any soft netting creating a safety hazard within the aviary (getting caught)

Double door entry...a little overkill can this be heavy screening hung in the doorway for crows?

Can Floors be aviary hardware cloth covered with natural materials such as soil,  
pine needles, etc?

Table 8 (5A)

Roadrunners should have another perch at least 6-8 feet above the second perch or stump as they perch high off the ground at night and for safe escape.

Thank you  
Anna

*Anna Marie Reams  
Director,*

*Wildlife Care of SoCal*

[www.wildlifecareofsocal.org](http://www.wildlifecareofsocal.org)

<https://wildlifecareofventura.org/donate/>

Wildlife Care of Southern California/Facebook

*Formerly (Wildlife Care of Ventura County)*

*City of Simi Valley, State, Federal and USDA permits*

**From:** Sharron Baird

**Sent:** Tuesday, November 19, 2024 1:05 PM

**To:** Wildlife WHL Rehab [RehabWildlife@wildlife.ca.gov](mailto:RehabWildlife@wildlife.ca.gov)

**Subject:** My changes to manual

Chapter 1, pg. 8, (f) Wildlife Rehabilitation List of Persons

(3) Subpermittee

I have real issues with the wording of 'without supervision'. It should read WITHOUT DIRECT SUPERVISION. You want them supervised, otherwise why be a subpermittee? And why would a permitted person want someone under their permit unsupervised? People say they can always require supervision but they can't. It is in the manual without supervision and any volunteer can take that up that it is written that way and they don't need supervision.

(7) No licensed veterinarian, giving their time and services free is going to take an exam on wildlife. Most home rehabbers don't have vets that are wildlife vets. We have vets willing to see animals but count on us to help with care and tell them what is necessary.

Chapter 2

3 Remember, not all cages have posts. They are wire panels clipped together.

5-Rabbit. It says to line cage with shade cloth, wood, etc. If cages are 'lined' with these items the rabbits will eat them. Even if put on the outside of the cage they will eat them, but lining a cage is not good for the rabbits.

Ground squirrels will eat wood panels. Might be good for the squirrel's teeth but not for the rehabber's pocketbook.

4- wire buried in ground. This is not necessary if the cage has an attached wire bottom. Either/or buried in ground of attached wire bottom

p. 28 Tree Squirrels.

1/2" x 2" is perfect. They need to be able to get toe holds in the wire.

Why give specific number of branches? Most home rehabbers have to hunt for branches, especially in the cities. Or give a range, or just say a couple of branches.

p. 30 Rats

Kangaroo rats and most other rats prefer to make a burrow than to have a hidey box. My hidey boxes slowly disappear under the substrate...

Table 7

Ground squirrels are communal and often come in large numbers. If a whole litter is found you will have 7-10 siblings. We are not going to split them up in a cage. They like numbers.

This is all I have had time to go through at the moment.

My concern is that instead of being a guide this is telling people specifically what they have to do. The health and development of the animal needs to be considered but most importantly the expertise of the rehabilitator. We have already be screened by DFW and deemed capable of taking care of these animals. Let us do our jog. When an inspection is done they don't have to count the branches in a cage but see if the animal is in a suitable habitat for the short time they are in it.

Once again I want to mention that an authorized person taking baby squirrels is going to have them up to four months when they are ready to go in a pre-release cage, not 30 days. In busy baby season I don't want the animals put through the stress of getting caught, packed up and driven to my house so I can just send them back to the AP to finish their job. I am in contact with my AP's 3-4 times a week. I know how the babys are doing.

Sharron

**From:** Pamela Turner

**Sent:** Wednesday, November 13, 2024 3:09 PM

**To:** FGC <FGC@fgc.ca.gov>;

**Subject:** Comments on the Draft Native Wildlife Rehabilitation 679 Regulations Manual

Dear Sir or Madam:

Thank you for this opportunity to comment on the Draft Native Wildlife Rehabilitation 679 Regulations Manual. I have been a volunteer wildlife rehabilitator for over twenty years, and although I have worked with many species, my specialty is the rehabilitation of crows and ravens.

I have one general comment on the pre-release conditioning enclosure requirements for birds (Table 2). The rest of my comments focus on the particular needs of crows and ravens.

--Table 2 says that the flooring of aviaries must either be of concrete, or have walls buried 1 foot deep and 1 foot inward at a 90 degree angle to prevent animal ingress by digging. My home aviary is constructed with a 1"x1" metal wire flooring covered by 4 inches of pea gravel. I also know of home aviaries with solid wooden floors. Please consider wire and wood variations on aviary flooring, which accomplish the goal of preventing ingress by burrowing animals just as well as concrete or buried wall material.

--The minimal enclosure size requirements for ravens are insufficient. Crows and ravens are lumped together in Table 9, as if they are similar sized birds, with similar enclosure needs.

--A minimal neonate enclosure for crows and ravens is set at 10" wide and 5 " high. While this size might (barely) fit the maximum of 4 neonate crows, it would in no way be sufficient for 4 neonate ravens. Generally, ravens are about 3 times the size and weight of crows at a similar stage of development.

--The minimal juvenile and adult aviary enclosure is the same for both crows and ravens (max of 6 birds), despite the size difference between crows and ravens. At 20'x8'x8', the minimum enclosure size for crows and ravens represents 1,280 cubic feet of space.

--This minimal enclosure space is only **17%** of the space deemed appropriate for red-tailed hawks (the minimum of 50'x12'x12' for red-tails equals 7,200 cubic feet). Yet red-tails and ravens are similar-sized birds: red-tails are 45-69 cm in length, compared to 56-69 cm for ravens, red-tails weigh 690-1460 g, compared to 689-1625 g for ravens, red-tails have a wingspan of 114-133 cm compared to 116-118 for ravens. (Size data from the Cornell Bird Lab's "All About Birds" website).

--Ravens, particularly juvenile ravens, are preyed upon by red-tailed hawks something I have witnessed first-hand. As noted in Table 4, the pre-release conditioning enclosure is "intended for each animal to display the natural behaviors required of that species to survive in the wild such as flying, swimming, *predator avoidance*, hunting and foraging" (emphasis mine). Without a sufficiently large pre-release enclosure, juvenile ravens are highly unlikely to have the flying skills they need to survive upon release.

--I respectfully suggest that crows and ravens be given separate consideration, and that the minimum enclosure requirements for ravens be similar to the requirements for red-tailed hawks.

Thank you for your kind consideration of these comments.

Regards,

Pamela Turner



**From:** Kat McGowan

**Sent:** Friday, November 18, 2024 11:23 AM

**To:** Wildlife WHL Rehab [RehabWildlife@wildlife.ca.gov](mailto:RehabWildlife@wildlife.ca.gov)

**Subject:** Comments on the Draft Native Wildlife Rehabilitation 679 Regulations Manual

Thank you for this opportunity to comment on the proposed updates to the Wildlife Rehabilitation 679 Regulations Manual.

I have worked at two California wildlife rehabilitation hospitals as a volunteer wildlife rehabilitator over a period of 10 years. I specialize in corvids and raptors.

I'd like to comment on the requirements for pre-release conditioning enclosures (Table 2).

It specifies that the flooring of aviaries must either be of concrete, or have walls buried 1 foot deep and 1 foot inward at a 90 degree angle to prevent animal ingress by digging.

Although I do not have an aviary of my own, I have cared for birds in multiple aviaries in satellite facilities and in hospital environments with well-constructed and well-maintained wood flooring, and found these to be entirely adequate at preventing predator access, as well as effectively excluding pests attracted to food. In addition, they're safer for juvenile birds who are still learning to fly. Please consider including well-maintained waterproofed wood flooring as an option for rehab aviaries.

Secondly, I'd like to note that crows and ravens have dramatically different needs, due in large part to size and social requirements. Currently, the regulations specify that the minimal juvenile and adult aviary enclosure is the same for both crows and ravens (max of 6 birds), despite the substantial size difference between crows and ravens.

Ravens are roughly the same size as red-tailed hawks, and require ample space in order to develop the skill and strength to fly. Red-tails are 45-69 cm in length, comparable to 56-69 cm for ravens, red-tails weigh 690-1460 g, compared to 689-1625 g for ravens, red-tails have a wingspan of 114-133 cm compared to 116-118 for ravens. (Size data from the Cornell Bird Lab's "All About Birds" website).

Red-tailed hawks are allotted 7,200 cubic feet in rehabilitation. At 20'x8'x8', the minimum enclosure size for crows and ravens represents 1,280 cubic feet of space. While this may be adequate for crows, it is not sufficient for ravens. Please consider increasing the minimum size requirement for ravens so that they are adequately prepared for release.

Thank you for your consideration.

Kat McGowan

**From:** Cynthia Myers  
**Sent:** Friday, November 22, 2024 7:31 AM  
**To:** Wildlife WHL Rehab [RehabWildlife@wildlife.ca.gov](mailto:RehabWildlife@wildlife.ca.gov)

**Subject:** Comments re: Udated Draft of DFW 679 Regulations Manual

Hello,

I have a few comments below about the current draft that you sent out earlier this month. This version without all the strike-outs and other mark-ups was easier for me to navigate and understand, so much appreciated.

Thank you all for the ongoing opportunity to review and submit comments or suggestions,

Cindy Myers

Rainbow CA

San Diego Humane Society/PW

Education/bat team volunteer

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- Page 8, Table 2, (4) – For Authorized Person, should it say “direct supervision” or just “supervision?” Wondering what exactly “direct supervision” would entail for an inspecting CDFW officer. Telehealth is provided as an example, so perhaps that would be clear to an inspecting officer.
- Page 25, Table 6, (2) –
  2. a and b – We would still be required to have at least 1 solid wall or equivalent in every flight enclosure for bats? If b. was changed to an “or” at the end, that would allow the wire mesh on all 4 walls, rather than requiring a solid wall for at least ¼ of the wall area. Not sure why bat enclosures are required to have solid wall area when I don’t see such a requirement for comparably sized birds, the word “or” allows more flexibility to meet the same goal.
  7. The sand reference should be listed as c. included in 6. above for floors, not under 7. for enrichment.
    - a. The hide box dimensions for length and height should not be “up to” but should state “at least” 6 inches long and high. The minimum depth of 2” is fine, but most bat boxes are wider and taller than 6”, even the small ones sometimes built to hang in bat pre-release enclosures.

(2) Chiroptera	(A) All Bats	<p style="text-align: center;"><small>This requirement is intended to allow each animal claw and dig its way:</small></p> <ol style="list-style-type: none"> <li>1. Enclosures shall have a double-door entry system that is closed and secured at all times. [Note: This requirement is intended to prevent animal escape by flying.]</li> <li>2. Walls shall be constructed of either or a combination of the listed materials:           <ol style="list-style-type: none"> <li>a. Wood panels covering at least 1/4 and up to 1/2 of the wall area; or</li> <li>b. Plastic panels covering at least 1/4 and up to 1/2 of the wall area; and <del>or</del></li> <li>c. Wall area not constructed of wood or plastic shall be constructed of coated polyvinyl chloride (PVC) or welded wire mesh with a mesh size no larger than 1-inch x 0.5-inch.</li> </ol> </li> <li>3. Wall and roof material shall be affixed to posts consisting of one of the listed materials:           <ol style="list-style-type: none"> <li>a. A minimum of 2-inch x 4-inch wood fence posts; or</li> <li>b. A minimum of 2-inch diameter metal fence post.</li> </ol> </li> <li>4. Interior walls shall be covered with either polycarbonate vinyl or polypropylene plastic mesh with mesh size no larger than 1/6 inches x 1/6 inches. [Note: This requirement is intended to prevent injury to each animal.]</li> <li>5. Roof shall be constructed of either. [Note: This requirement is intended to provide shelter for each animal.]:           <ol style="list-style-type: none"> <li>a. Wood covering at least 1/4 and up to 1/3 of the roof area; or</li> <li>b. Plastic covering at least 1/4 and up to 1/3 of the roof area; or</li> <li>c. Metal covering at least 1/4 and up to 1/3 of the roof area; and</li> <li>d. Roof area not constructed of wood, plastic, or metal shall be constructed of fiberglass netting or similar soft net material.</li> </ol> </li> <li>6. Floors shall be constructed of either. [Note: This requirement is intended to prevent injury to each animal.]:           <ol style="list-style-type: none"> <li>a. Concrete covered with carpet, mat, or other soft material; or</li> <li>b. Soil; or</li> </ol> </li> <li>7. Non-abrasive sand. Enclosure shall have the following enrichment: [Note: This requirement is intended for each animal of a cavity or crevice dwelling or foliage roosting species to be fully hidden and to climb, hang, or roost at will.]:           <ol style="list-style-type: none"> <li>a. 2 hide boxes or sheltered retreat with dimensions of up to 6 inches x 2 inches x 6 inches (L x W x H), or cloth pouch, placed a minimum of 5 feet high above the floor; and</li> <li>b. 2 tree branches at least 3 feet long with a minimum diameter of 0.5 inches with artificial or natural leaves and secured from the ceiling.</li> </ol> </li> </ol>
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# Lindsay Wildlife Experience



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## Peter Flowers

Hospital and Rehabilitation Manager

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## Recipient Name

California Fish and Game Commission  
fgc@fgc.ca.gov

I am writing to express concerns over the proposed timeline for the regulatory changes concerning wildlife rehabilitation.

As you know the regulatory framework governing wildlife rehabilitation in the state has not changed for many decades and the standards set by the 2020 National Wildlife Rehabilitation Association is now 25 years old.

Permitted wildlife rehabilitators operate on a non-profit basis, making it a challenge to ask all of them in the state to comply to the currently proposed adoption date of April 1, 2025.

It is a laudable goal to bring rehabilitation standards to a 21st century standard and ensure that wildlife is being treated with compassion at the best levels of care. It is my belief that without a more gradual rollout to allow rehabber to adjust that wildlife care may be severely impacted across the state due to the financial and space obligations required to come into compliance.

While the process has been ongoing for about a year, in its current form it is not ready for roll out and there is still much disagreement over finding a balance between acceptable rehabilitation standards and housing that more closely resembles requirements for permanent captivity. Wildlife rehabilitation is a system more focused on not only healing from injuries but also ensuring the wild nature of the animal and moving them out as soon as possible since the risk of additional injury in captivity is greatly increased over animals that spend their lives in captivity. To this end the proposed regulations do not adequately take the nature and natural behaviors into account. This will require fundamental changes to what has currently been proposed.

The current structure of the proposed regulations appear to be geared toward a variance based system for those that do not exactly meet the requirements which on its face would seem to undermine the idea of well written regulations that allow for individual species variations. CDFW will likely be overwhelmed with these requests based on their current staffing and what is the point of having regulations if the majority is under a variance. This seems to speak to adjustments being needed in the regulations themselves.

If wildlife rehabilitators are unable to adjust, then many may be forced to close or at best be forced to severely reduce their abilities and capacities. This will lead to increases in unnecessary euthanasia or even in placing wildlife into the hands of inexperienced well-meaning unpermitted members of the public as they will feel they have nowhere to turn.

Lindsay Wildlife Experience prides itself on being one of the first wildlife rehabilitators in the nation that predates the existence of state or federal permitting. We set the standards of the time and our

replace with  
**LOGO**

record speaks for itself to this day. We want to participate in the creation of wildlife rehabilitation standards but strongly believe that this is happening too fast and a period of adjustment is badly needed.



**Peter J Flowers, RVT**  
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