

Take of Coyotes: Statute, Regulation, and Policy



Presented by Commission staff to the
Wildlife Resources Committee of the California Fish and Game Commission on
May 15, 2025



Presentation Outline

- What are statutes, regulations and policies?
- What statutes are related to take of coyotes?
 - Nongame Mammal
 - Depredation
- What regulations are related to take of coyotes?
- What Commission policies are related to coyotes?
- What are problems with current statutes, regulations and policies?
- What are some of the needs of people and businesses in California?





Statute | Regulation | Policy



What is a Statute?

Legislative bills
"chapters" by
Secretary of
State

Passed through
both houses of
legislature

Signed by
Governor or
became law
without signature

In California, 29
statutory
"codes"

- Examples
 - Vehicle Code
 - Probate Code
 - Fish and Game Code





Fish and Game Code - Sample

**Section 205.
Fish, Amphibia
and Reptiles**

**Open and
Closed Seasons**

**Bag,
Possession and
Size Limits**

**Manner and
Means of Take**





What is a Regulation?

Rule or standard adopted by a state agency



Implements, interprets or makes specific a statute



Agency must have authority granted in statute



Public process is called "rulemaking"

- Examples
 - Education (5)
 - Natural Resources (14)
 - Waters (23)

Water Conservation Regulations

Regular Regulations

- Rulemaking to [Make Conservation a California Way of Life](#) – (Effective Date: January 1, 2025)
- Rulemaking on [Water Loss Control](#) – (Effective Date: July 1, 2023)
- Rulemaking on [Urban Water Supplier Monthly Water Conservation Reports](#) – (Effective Date: October 1, 2020)
- Rulemaking on [Waste and Unreasonable Water Uses](#) – (Started 2017, In-progress)



Commission Regulations: Title 14

**Section 7.50
Subsection (44)(A)
Eagle Lake**

**2 trout per day, 4 in
possession**

**Start Saturday
preceding Memorial
Day**

**End last day in
February**



What is a Policy?

**Formal
Declaration of
Agency Stance on
a Subject**

**Guiding
Framework or
Principles for
Decision-Making**

**Ensure Consistent
Application of
Statutes and
Regulations**

**Non-Binding
Outside the
Agency**

- **Examples**
 - Education: No Child Left Behind
 - Natural Resources: No net loss of wetlands
 - Waters: Focus on water conservation



Commission Policies: Trout

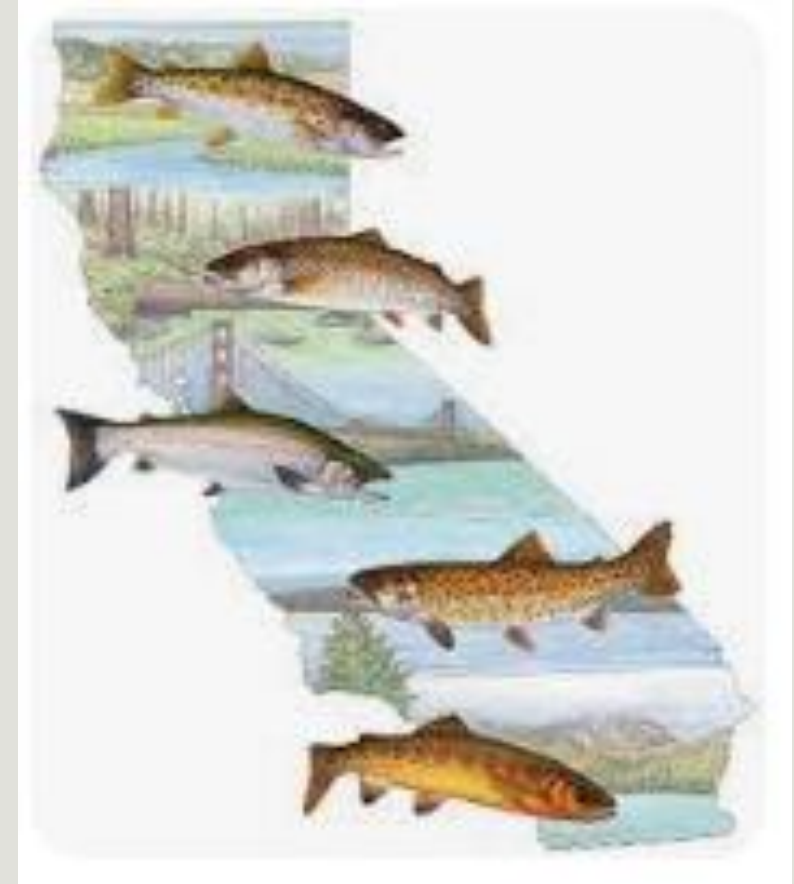


**Guidance to CA
Department of Fish
and Wildlife, per
Fish and Game Code**

**Golden Trout Policy
Trout Policy**

**Commission-
Designated Wild
Trout Waters**

**Introduction of Non-
Native Species**



Credit: California Department of Fish and Wildlife



Statutes Authorizing Take of Coyote

Two Statutes Authorizing Take of Coyote



**Section 4150:
Nongame Mammal
Definition, No Take,
Trapping**

**Section 4152: Permits
Take if Injuring Crops
or Other Property
("Depredation")**



Section 4150: Nongame Mammals

Defines nongame mammal: Coyote meets definition

No take except as provided in code or regulations adopted by Commission

Trapping: Prohibited for recreation and selling raw fur



Credit: Xavier Mascarenas/The Sacramento Bee



Section 4152: Depredation

Nongame mammals found to be injuring growing crops or other property may be taken

Specified officials and professionals may take nongame mammals



Exempt from license and entitlement requirement in Section 3007



Commission Regulation Related to Take of Coyote

Section 472: General Provisions (Nongame Animals)



Nongame birds
and mammals
may not be
taken, except...

Coyote, weasel,
skunk, opossum,
moles, starling,
etc.

At any time of
the year

In any number





Policies Related to Take of Coyote

Two Commission Policies

**Depredation
Control Policy**



**Terrestrial
Predator Policy**



Credit: www.ptreyes.org/activities/coyote

Commission Depredation Control Policy



Wildlife species maintained in harmony with available habitat whenever possible

If injury or damage to private property, depredation control methods directed toward offending animals

Depredation upon intensively managed wildlife species by Department



Credit: Will County Forest Preserve

		If your predator of concern is a:						
		Dog	Coyote	Mtn Lion	Black Bear	Gray Wolf	Fox	Bobcat
Consider these tools:	Livestock guardian dog	●	●	●	●	●	●	●
	Donkey	●	●	NA	NA	NA	●	NA
	Llama	●	●	NA	NA	NA	●	NA
	Woven-wire fencing w/ trip wire	●	●	NA	NA	NA	NA	NA
	Permanent electric fencing	●	●	●	?	●	●	●
	Temporary electric fencing	●	●	?	NA	●	●	●
	Electro-net fencing	●	●	NA	NA	NA	●	●
	Fladry or turbo fladry	NA	?	NA	NA	●	NA	NA
	Attractant (carcass) removal	●	●	●	●	●	●	●
	Human presence / stockmanship	NA	NA	NA		●	NA	NA
	Night pen (small-scale operations)	●	●	●	●	●	●	●
	Fright tactics / devices		?	?	?	?	?	?

Credit: USDA-APHIS

Commission Terrestrial Predator Policy



Promote the value of native terrestrial predators in the context of ecosystem-based management

Minimize adverse impacts on wildlife, reduce adverse impacts to humans: Health and safety, private property, agriculture, etc.

Sustainable conservation and management strategies necessary to encourage coexistence

Minimize habituation. Human safety is a priority. Consider lethal and nonlethal controls that are efficacious, humane, feasible.





What is the problem with current statutes, regulations, and policies?

Unlimited “Indiscriminate” Take

Taking a coyote which has not been “found to be injuring growing crops or other property”



“Found to be injuring” = having injured, in the act of injuring, or about to injure



Credit: Flickr



North American Model of Wildlife Conservation: Tenet Four

Wildlife Should Only be Killed for a Legitimate Purpose

Wildlife shall be taken by legal and ethical means, in the spirit of “fair chase” and permitted only for food, fur, self-defense, and the protection of property. In other words, not for frivolous or wasteful reasons.

Title 14, Section 472 permits all coyote killing, with or without legitimate purpose.



What are some of the needs of people and businesses in California?



Stated Needs in Public Comments

Protect Livestock

**Minimize Unnecessary
Lethality**

**Protect Human Safety
and Pets**

**Preserve Recreational
Hunting Opportunity**

**Maintain Ecological
Role in Urban and
Rural Areas**

END

END

Interactions: Public Safety

- Wildlife has demonstrated aggressive action – resulted in physical contact with human
 - Exhibiting “immediate threat” to public health and safety, given totality of circumstances
 - Immediate threat = exhibiting one or more aggressive behaviors directed toward human, reasonably believed not due to presence of responders
- Foremost consideration is protecting human life
- Responding to public safety wildlife incidents a priority
- CDFW or other responsible law enforcement entity must respond



Credit: Flickr



Designation as nongame: *Statute*

Fully protected mammals: Wolverine,
northern elephant seal, ring-tailed
cat, bighorn sheep

Furbearing mammals: Raccoon,
muskrat, red fox, beaver, river otter,
marten

Section 4150. California Fish and Game Code

(a) A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A nongame mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission.



Depredation

Section 4152. California Fish and Game Code

(a) Except as provided in Section 4005, nongame mammals that are **found to be injuring growing crops or other property may be taken at any time or in any manner** in accordance with this code and regulations adopted pursuant to this code by the owner or tenant of the premises or employees and agents in immediate possession of written permission from the owner or tenant thereof.



Designation as nongame: *Regulation*

Section 472. California Code of
Regulations, Title 14

(a) The following nongame birds and
mammals may be taken at any time of
the year and in any number except as
prohibited in Chapter 6: ... coyote, ...