

State of California
Fish and Game Commission
Addendum to 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

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| I. Initial Statement of Reasons | Date: May 1, 2024 |
| II. Amended Initial Statement of Reasons | Date: July 23, 2024 |
| III. Addendum to Initial Statement of Reasons | Date: June 10, 2025 |
| IV. Dates and Locations of Scheduled Hearings | |

(a) Notice Hearing

Date: June 19-20, 2024	Location: Mammoth Lakes, CA
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(b) Discussion Hearings

Date: August 14-15, 2024	Location: Fortuna, CA
Date: October 9-10, 2024	Location: Sacramento, CA

(c) Adoption Hearing

Date: December 11-12, 2024	Location: Sacramento, CA
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V. Update

The Commission adopted the proposed regulations in December 2024. In accordance with the Administrative Procedures Act, the final approved rulemaking package was submitted to the Office of Administrative Law (OAL). The review by OAL resulted in requested changes to the adopted language. This in turn, necessitated the withdrawal of the package for the purpose of correction.

This addendum to the initial statement of reasons (ISOR) provides clarity and rational for each of the proposed changes that were not included in the ISOR.

Proposed Regulations

The Commission proposes to repeal Section 679, Title 14, CCR and form DFG 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. 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 permit holders. 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 2.**
 - Add Section 679.1
 - Add Section 679.2
 - Add Section 679.3
2. **Part 3.**
 - Add Section 679.4
 - Add Chapter 2 of the DFW 679 Manual
3. **Part 4.**
 - Add Section 679.5
 - Add Chapter 3 of the DFW 679 Manual
4. **Part 5.**
 - Add Section 679.6
 - Section 679.7
 - Section 679.8
 - Section 679.9
5. **Part 6.**
 - 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," "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," "sub-permit," "ungulate specialty rehabilitation," "venomous snake specialty rehabilitation," "veterinarian of record," "wildlife rehabilitation," "wildlife rehabilitation facility." 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 the staff or volunteer personnel that may be allowed to temporarily possess a rehabilitation animal under a permit for the purposes of rehabilitation and the minimum qualifications such a person must demonstrate to maintain the welfare of each animal. The Commission and Department find that more than half of wildlife rehabilitators have established and rely on a network of trained personnel to temporarily provide care for rehabilitation animals of a certain species, age class, or stage of rehabilitation at locations other than the location of the facility listed on the permit (such as a "homecare foster volunteer" bottle-feeding neonate squirrels at their house overnight).
- 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 during the rehabilitation process. The Commission finds that, in the Department's experience, these species of native bird require highly specialized experience to safely handle and rehabilitate for the purpose of their release to the wild. Specifically, neonate eagles may require up to 2 years of care for proper growth and development (behavioral/physical); and falcons are aerial hunters that require live prey testing in flight for proper pre-release conditioning.
- 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.

- Add subsection (g) to define “Euthanasia.” This provision is necessary to clarify the requirements and conditions necessary to maintain the welfare of each animal.
- 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 each black bear and mountain lion during the rehabilitation process. The Commission finds that, in the Department’s experience, these species of native large carnivore require highly specialized care and experience to safely handle and rehabilitate for the purpose of their release to the wild in a manner that protects human health and safety. Specifically, neonate and juvenile black bears are at increased risk of habituation for all stages of rehabilitation; and juvenile mountain lions are ambush hunters that require live prey testing for proper pre-release conditioning.
- 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 provision is necessary to clarify when and how a wildlife rehabilitator determines if a neonate or juvenile wild animal is an orphan animal and acceptable for temporary possession as a rehabilitation animal under these regulations. The Commission finds that, in the Department’s experience, a wild 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. Specifically, certain species may not require “intervention” and intake by a wildlife rehabilitator. Further, certain species of rehabilitation animal will require specialized pre-release conditioning (such as live prey testing) prior to release to the wild if accepted for intake as an orphan animal.
- 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.
- 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.” 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 to clarify the requirements and conditions necessary to maintain the welfare of each ungulate during the rehabilitation process. The Commission and Department find that neonate and juvenile mule deer, elk, bighorn, and pronghorn require highly specialized care by individuals possessing specific training and experience to handle and manage these animals safely. Specifically, ungulates are at increased risk of habituation for all stages of rehabilitation and mule deer are at risk of Chronic Wasting Disease, a disease of concern that requires specific protocols for intake (quarantine), euthanasia, biosafety, cleaning, and release back into the wild.
- Add subsection (w) to define “Venomous Snake Specialty Rehabilitation.” This provision is necessary to clarify the requirements and conditions necessary to maintain the welfare of each venomous snake during the rehabilitation process. The Commission and Department find that venomous snakes, such as rattlesnakes, require highly specialized care by individuals with specific training and experience to handle, restrain, and rehabilitate these animals in a manner that protects human health and safety at all times.
- Add subsection (x) to define “Veterinarian of Record.” This provision is necessary to clarify that some wildlife rehabilitation activities, such as surgery, standing orders, and prescribing or administering medication, must be performed by a California licensed veterinarian with relevant experience in handling or treating wildlife or similar species or taxa.

- 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.
- 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.
- 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 permit holder 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. A permit is issued to an individual based on that individual’s training and experience. Permits are highly individualized with respect to the permittee.
- 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. The applicant must be 21 years of age or older as they may have to handle and possess controlled substances. The Commission and Department find that a minimum age of 21 years is most appropriate to obtain and demonstrate at least 1,000 hours of relevant experience and training in temporarily possessing, handling, and caring for wildlife for the purpose of rehabilitation. Further, an applicant must establish they are a legal state resident so that the department can properly enforce the requirements of these regulations. A permit holder in temporary possession of California native wildlife must have clear ties to the state, and physically reside here, rather than just visiting on a temporary or transient basis, since rehabilitation animals cannot be exported or otherwise transferred from the state and may be temporarily possessed for up to 180 calendar days prior to releasing to suitable habitat in the wild in California. The Commission and Department find this provision necessary to clarify to the public and any applicant that the permit is a privilege or benefit that non-residents cannot obtain.

- Add subsection (a)(3): “Conferring” establishes the process by which the department verifies the completeness and accuracy of any required information during the application process. Information provided by the applicant could be incomplete or unclear to the department. This provision is necessary to verify that information provided by an applicant on a wildlife rehabilitation permit application is clear, 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 in a specific geographical area or region. This ensures that an applicant and the department do not invest time and resources into continuing the permit process if the department finds that a new facility is 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. These professionals provide the department with a level of understanding of the rehabilitation need in the area based on criteria such as the volume of calls received from the public and local agencies; number of sick, injured or orphaned wildlife; the complexity of intake cases; and other local knowledge. 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 by gaining expertise and local knowledge from the area in question.
- Add subsection (a)(4)(B): establishes the requirement of an applicant to submit a list of the native wildlife species that they propose to accept for intake for the purposes of rehabilitation. This provision is necessary for the department to understand the wildlife rehabilitation services being proposed in the local area. Additionally, it is necessary for the department to verify that the 1000 hours of minimum experience demonstrates relevant proficiency of the applicant to rehabilitate the specific species that will be proposed on the permit. The department has found that some applicants may propose to temporarily possess species they have no prior experience of rehabilitating.

- 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. Before a permit is issued, the department must verify that the facility meets all appropriate standards, such as caging and enclosure requirements and appropriate emergency protocols.
- For all of subsection (a)(5) "Wildlife Rehabilitation Examination": Establishes the requirement and process for an applicant to take the free California State Wildlife Rehabilitation Examination administered by the department. The department will administer the exam online by providing an applicant with a password-protected html link such that the department can identify and track each individual taking the exam. These provisions are necessary for the department to evaluate an applicant's ability to demonstrate their knowledge and understanding of general wildlife rehabilitation concepts, standard rehabilitation practices, species-specific rehabilitation techniques, applicable laws, and of various requirements under these regulations. The department has found that those who are able to demonstrate their knowledge and understanding of rehabilitation have a higher success rate of rehabilitating animals for release back into the wild. This is also a requirement of other states with similar wildlife rehabilitation regulations. Additionally, the provisions provide the requirements to pass the examination and possible penalties for unauthorized communication, publication, and sharing of exam content. 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. Further, this provision establishes the process by which an applicant who fails the exam may request to retake it up to three times. The Commission finds, based on the department's experience, that an applicant may be able to address the factors contributing to their initial failure of the exam (such as unanticipated power outage, internet failure, or deficiency in knowledge of a certain topic) prior to retaking the exam. Limiting the period and number of attempts to retake the exam is necessary because an applicant who fails more than three times is unlikely to be able to remedy their failure to demonstrate the knowledge, competency and expertise required of a wildlife rehabilitator to pass the exam.
- For all of 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): “Wildlife rehabilitation permit application” establishes the required information to be submitted by the applicant on a wildlife rehabilitation permit application form provided by the department. The Commission finds, based on the Department’s experience, that these provisions are necessary to clarify the required contents of the specified form.
- Add subsection (a)(6)(A)1. “Applicant and Facility Information” requires an applicant to provide personal identifying information for the department to verify and establish valid identification for an applicant (customer profile) in an online Automated License Data System (ALDS). ALDS is the automated system used by the department to issue and track licenses and permits issued by the department.
- Add subsection (a)(6)(A)2. “Required Experience” requires an applicant to provide professional references and a brief description of their 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. Applicants may have already completed some formal education that is applicable to wildlife rehabilitation. These educational hours can be applied to, but not replace all, the hours of required experience. The department has found that hands-on experience and training is more valuable than formal education alone when working with wildlife for the purposes of rehabilitation, and therefore education can only account for a portion of the required experience that must be demonstrated by the applicant. Additionally, 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 nearly half of all states (45%). 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. Because information provided by the applicant could be incomplete or unclear, the department may need to contact references to verify that the applicant’s education is relevant and appropriate for the requested permit.
- 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.
- 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.

- 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 of rehabilitation animals (capacity) that may be temporarily possessed at any one time at the proposed facility. This provision is necessary to clarify the required standards based on the maximum number of animals allowed in each type of enclosure, as well as the relevant federal permits that may be required. The Commission finds, based on the department’s experience, that this requirement ensures that an applicant has properly evaluated the actual versus desired capacity of the proposed facility.
- Add subsection (a)(6)(A)6. “Declaration of Enclosures” establishes information from an applicant specific to the type of enclosures that are or intended to be constructed at the proposed facility. This provision is necessary for the department to ensure that each proposed enclosure meets the requirements listed in the DFW 679 Manual. In the Department’s experience, requiring the submission of animal enclosure details allows both the applicant and the department to determine if a request for one or more variances will be needed, or desired, to allow for any deviations from the requirements if appropriate to protect and maintain animal welfare.
- Add subsection (a)(6)(A)7. “Facility Operation 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.
- For all of subsection (a)(6)(C): “List of Persons” establishes for the Department all personnel approved as an authorized person by the applicant to temporarily confine rehabilitation animals, as part of the rehabilitation process, at a location other than the facility listed on the permit. 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. In the Department's experience, more than half of wildlife rehabilitators rely on a network of these type of trained personnel to temporarily provide care for rehabilitation animals of a certain species, age class, or stage of rehabilitation (such as a "homecare foster volunteer" bottle-feeding neonate squirrels at their house overnight). This provision is necessary for the Department to properly record and track authorized persons that may be in temporary possession of rehabilitation animals; and ensure that the standards established in these regulations are met by all persons listed on a permit.

- 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.
- For all of subsection (a)(6)(E): "Authorization to Access Property" establishes written authorization by the property owner, in a form provided by the department, for the Department to access a premises to conduct an inspection of a wildlife rehabilitation facility, satellite facility, or rehabilitation animal is temporarily confined or possessed at the property. 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. Further, the Commission and Department find this provision notifies a property owner that is not an applicant that the Department may conduct a scheduled inspection, during a reasonable time of day, any day of the week, of any facility, enclosure, equipment, required record, or any rehabilitation animal temporarily possessed under the permit. The applicant and property owner 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 (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. 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.

- For all of 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. Further, this provision clarifies to the permitholder that they will be subject to a nonrefundable late fee for the department to proceed with processing a renewal application for a permit that is up to 45 days past the expiration of its valid period. The Commission finds that, in the Department’s experience, late fees are an effective incentive for permitholders to initiate a timely renewal application process prior to the expiration of a valid permit. Late fees can offset the administrative cost and inconvenience to the department while renewing an existing permit that has expired so that a permitholder can continue temporarily possessing rehabilitation animals without the department needing to seize and transfer such animals to another facility.
- For all of subsection (a)(9): “Facility Change” establishes the notification process and requirements for a wildlife rehabilitator with an existing permit to notify the Department of construction of a new facility or a change in physical address of the facility listed on the permit. Further, these provisions clarify to the permitholder that the department will approve or deny a permit amendment only after completing an inspection of the new facility. This requirement is necessary to ensure that when a wildlife rehabilitator moves to a new facility, the department can ensure that the new infrastructure meet all requirements of these regulations, including through an inspection.
- For all of subsection (a)(10): “Permit Fees” establishes the authority and process for the department to require a fee with a specified application package. These provisions authorize cost recovery through fees associated with the application process. Further, these provisions clarify if any fee is nonrefundable and under what circumstances a fee may be refundable. The provisions are necessary because permit processing is a labor-intensive process for department staff, and inspections require travel and other costly burdens on department staff, so recovery of at least some of the costs is warranted. Refunding inspection fees is appropriate if an inspection is not performed.
- Add subsection (a)(10)(A): “New Permit Fees” establishes the 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 Renewal Fees” establishes the process for the department to require a nonrefundable application fee for permit 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)(D): “Permit Amendment Fees” establishes the process for the department to require a nonrefundable renewal fee. There is not an inspection fee for a permit amendment. This provision is necessary to clarify any costs associated with applying for a new permit.
- For all of 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 effectively handle and care for these animals while protecting native wildlife, animal welfare, human health or safety, and agriculture interests.
- 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 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.
- For all of subsection (c): “Sub-Permit” establishes the process and requirements for an applicant to apply for a sub-permit under a valid wildlife rehabilitation permit. In the Department’s experience, more than half of wildlife rehabilitators rely on a network of these type of trained personnel to temporarily provide care for rehabilitation animals of a certain species, age class, or stage of rehabilitation (such as a “homecare foster volunteer” bottle-feeding neonate squirrels at their house overnight). These provisions are necessary for the Department to properly record and track authorized persons that may be in temporary possession of rehabilitation animals; and ensure that the standards established in these regulations are met by all persons listed on a permit, including possessing the experience, planning, tools, and infrastructure necessary to competently and humanely rehabilitate wildlife that requires specialized skill.

- Add subsection (c)(1): “Application Packet” establishes the information required in a sub-permit application packet including: 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 protocols. These provisions are necessary to collect basic information, to ensure that sub-permittees have the education and/or experience, and that they possess the proper infrastructure and planning, necessary to rehabilitate wildlife that requires specialized skill. 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 proposed sub-permit applicant meets all application and inspection requirements. Additionally, this provision clarifies for the applicant the process for an initial inspection of a proposed satellite facility and the requirements for satellite facility operation by any sub-permittee listed on a permit. This inspection provision is necessary because rehabilitation facilities may not be adequate despite assertions in the application, so live verification that the facility meets applicable standards is necessary. The subsection further specifies that a sub-permittee is limited to operating a satellite facility under one permit only and located within 100 air miles from the facility operated by the permitholder. The Commission finds, based on the Department’s experience, that this provision is necessary because a wildlife rehabilitator cannot provide proper oversight of a satellite facility, and any rehabilitation animals temporarily possessed by a sub-permittee, if they cannot travel to the satellite facility within a reasonable timeframe to conduct inspections as required in these regulations.
- For all of subsection (d): “Denial of Permit, Sub-permit, or Specialty Rehabilitation Authorization” establishes the standards and criteria for denying approval of a wildlife rehabilitation permit, sub-permit, or specialty rehabilitation authorization by the department. These provisions are necessary to clarify the specific reasons for which the department will deny an application. Specifically, it is important for the public, applicants, and permitholders to understand the type of violations that would warrant a department denial and under what circumstances the department would take an alternative action to prevent or cure an existing violation when considering 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 permitholders 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 and inform the permittee, their designee, sub-permittees, authorized persons, and qualified handlers of the financial responsibility for permitted wildlife rehabilitation activities and to inform the public of the requirements under these regulations. It is necessary to ensure that the permittee, their designee, or sub-permittees are prepared for the financial burden of facility operations. The Commission finds, based on the Department’s experience, that the out-of-pocket costs to wildlife rehabilitators can be onerous and, at times, unpredictable, based on the unique needs of each rehabilitation animal due to the diversity of native species and volume of animals that may be accepted for intake at a facility. Further, they are necessary so permittees and other personnel understand that the department (nor any other state entity or agency) is not liable for these costs.
- 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, sub-permittees, authorized persons, and qualified handlers, must complete 8 hours of wildlife rehabilitation training each year. Best practices in wildlife rehabilitation are continually updating based on greater understanding of specific species needs, treatment options, veterinary medical techniques, and the credible science that is readily available. The Commission and Department find 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, protect native wildlife, human health and safety, and improve animal welfare. Eight hours represents a minimum annual investment in learning necessary to keep apprised of new developments and maintain good rehabilitation practices.
- 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 to be readily available. These provisions are necessary to assure the public that wildlife rehabilitation facilities are legitimate, authorized facilities operated by a wildlife rehabilitator with valid relevant permits. Additionally, it is important that a current

facility emergency action plan is readily accessible, easy for personnel to locate and follow in the case of emergencies. The Commission and Department find that most wildlife rehabilitators would be unprepared to safely evacuate all personnel and rehabilitation animals from the premises in case of an evacuation, such as during a wildfire.

- For all of subsection (a)(5): “Authorized Persons” establishes the process and requirement that a permittee, their designee, or sub-permittee shall communicate with all authorized persons at least once every 7 calendar days. These provisions are necessary to ensure that an authorized person temporarily confining any rehabilitation animal outside of the facility has all of the information required to properly care for that animal based on its unique needs throughout the rehabilitation process for the purpose of release back into the wild. Additionally, these provisions ensure that the permittee, sub-permittee or designee is kept up to date regarding the condition and welfare of each rehabilitation animal being provided care outside of the facility. Specifically, an authorized person lacks the level of expertise and experience of the permit holder and requires their supervision and guidance. The Department has experience with some permittees that have not communicated with sub-permittees for some time, which can result in indefinite supervision and difficulty in tracking animals and their disposition.
- Add subsection (a)(5)(A): establishes the requirement that a wildlife rehabilitator will provide an authorized person with the medical records and animal care plan for each rehabilitation animal they may provide temporary care for outside of the facility. This provision is necessary to ensure that the authorized person has the information about the rehabilitation animal to properly care for it; for example, a diet plan and feeding schedule for a neonate raccoon.
- Add subsection (a)(5)(B): clarifies the requirement that an authorized person cannot care for a rehabilitation animal for more than 180 days (with limited exceptions). This provision is necessary to ensure that rehabilitated wildlife are only possessed temporarily by an authorized person while being rehabilitated prior to release to the wild. The Commission finds that, based on the Department’s experience, adult rehabilitation animals unnecessarily kept for over 180 days are more likely to become habituated and lose the skills necessary to survive on their own in the wild (such as predator avoidance).
- Add subsection (a)(5)(C): establishes the requirement that an authorized person shall return a rehabilitation animal to the Department or the wildlife rehabilitator (permittee, their designee, or sub-permittee) at their direction. This provision is necessary to protect the health and welfare of each rehabilitation wildlife and ensure that a rehabilitation animal will suffer no delay in receiving physical examinations, urgent veterinary medical treatment, or humane euthanasia for any reason.

- For all of subsection (a)(6): “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 federal migratory bird rehabilitation permit 5-year record retention requirement established by the US Fish and Wildlife Service. The Commission finds that, in the Department’s experience, the records and data maintained by wildlife rehabilitators is valuable for the purpose of tracking, monitoring, and identifying potential wildlife health issues and diseases of concern in native wildlife populations on a statewide and local-level.
- For all of subsection (a)(6)(A): “Annual Report” establishes the requirement and process for a wildlife rehabilitator to submit an annual report to the department in a form provided by the department. This provision clarifies that the required information shall include permittee information to verify the identity of the person submitting the form, summary of patient outcomes, wild animal intakes, rehabilitation raptor transfers, continuing education hours, list of non-releasable animals, and acknowledgement and signature to sign under penalty of perjury that all the information is true and accurate. 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)(6)(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.
- For all of subsection (a)(7): “Administrative Updates” establishes the requirements and process for an individual to notify the department of any administrative changes under the permit. This provision ensures that the department is aware of any changes to a permitted facility, other than a change in location or construction of a new facility, that may impact facility operations in a manner that does not otherwise harm animal care and welfare. These provisions are necessary to ensure that the permittee and their personnel are accessible and compliant under the terms and conditions of the permit. Each time period noted in the provisions is based on stakeholder feedback regarding reasonable periods for wildlife rehabilitators to be able to comply with the notification requirements.
- Add subsection (a)(7)(A): establishes the process and time frame to notify the Department of any change to a wildlife rehabilitation facility or satellite facility specific to the 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. The Commission and Department find that 10 calendar days will give individuals enough time to provide department notification of these types of changes to their information.

- Add subsection (a)(7)(B): establishes the process and time frame to notify the Department of any change in Veterinarian of Record under the permit. This provision is necessary to ensure that the department maintains current contact information for the licensed veterinarian providing their services, such as standing orders, to the wildlife rehabilitator and their personnel under the permit. The Commission and Department find that 30 calendar days is appropriate and reasonable for individuals to provide department notification of the need for this change given that a licensed veterinarian may need to be replaced as the Veterinarian of Record for reasons that may be unanticipated and unforeseen (such as death or disability) by the wildlife rehabilitator.
- 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 differentiate the difference between a permit amendment and an administrative update and ensure that the permittee, their sub-permittee, or designee understand all requirements for notifying the department of any administrative update.
- Add subsection (a)(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.
- All of the subsection (a)(9): “Notification of Fully Protected Species Intake” establishes the requirements and process to notify the department upon intake into a wildlife rehabilitation facility of any live or dead gray wolf (*Canis lupus*) or California condor (*Gymnogyps californianus*). This provision is necessary to ensure that the department is notified in a timely fashion to allow transfer of either species because these animals are not allowed to be temporarily possessed under a wildlife rehabilitation permit issued by the department. The handling, transport, and carcass disposal of these animals require specific direction and authorization by the department or U.S. Fish and Wildlife Service. The Commission and Department find that notification within 24 hours is reasonable and warranted given the specific conditions required to protect animal welfare, human health, and safety upon intake of these animals. Additionally, this provision specifies the process to notify the department upon intake into a facility of certain species of amphibians, reptiles, birds, or mammals. The Commission and Department find this provision is necessary to track and monitor occurrences of these specific species of concern to help inform research, management, and conservation actions as appropriate. Fully protected species are at increased risk of extinction or permanent harm to local populations in California.
- Add subsection (a)(10): “Notification of Specialty Rehabilitation Animal Intake” establishes the requirements and process to notify the department of intake into a wildlife rehabilitation facility of any live or dead specialty rehabilitation 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. The Commission and Department find that notification within 24 hours is reasonable and warranted given the specific conditions required to protect animal welfare, human health, and safety while temporarily confining these species of specialty rehabilitation animal.

- For all of subsection (b): “Enclosure Requirements” establishes the requirements to obtain, construct, and maintain enclosures for the purpose of wildlife rehabilitation. Additionally, requirements for housing conspecific and non-conspecific animals are specified. These provisions are necessary to ensure that wildlife rehabilitators meet the minimum requirements, and those listed in the DFW 679 Manual, to maintain animal welfare, including by limiting the possibility of animal escapees or predation of rehabilitation animals (animal ingress or egress at will), avoiding the proliferating of populations under rehabilitation, preventing flooding which could cause death, injury and/or disease, allowing contact between naturally co-occurring rehabilitation animals when beneficial and disallowing co-habitation when detrimental, and maintaining adequate environmental conditions for animal housing. These provisions are based on credible science and standards used by the American Zoological Association and other wildlife rehabilitation organizations across the United States.
- For all of subsection (c): “Variances to Enclosure Requirements” establishes the process of requesting a variance for any enclosure that differs in construction design or construction materials from the requirements listed in the DFW 679 Manual. This provision is necessary to specify standards by which a variance may be requested and what documentation is necessary. The Commission finds, based on the Department’s experience, that there are times that an enclosure requirement cannot be met by a wildlife rehabilitator, yet the enclosure still benefits the welfare, health, and well-being of rehabilitation animals. For example, a wildlife rehabilitator is prevented from constructing an outdoor pre-release enclosure higher than 6 feet due to local zoning ordinances but the height requirement for a specific species of rehabilitation animal is 7 feet. The totality of the enclosure parameters may be such that 6 feet is adequate in that case-specific circumstance. The variance, as approved on a case-by-case basis, provides a reasonable and ethical pathway for wildlife rehabilitators to maintain compliance with the regulations. This provision is necessary to implement that type of exception. The information provided in the variance request will assist the department in deciding if the variance is appropriate. Lastly, these provisions inform wildlife rehabilitators and the public of the variance approval and denial process as well as the consequences of not complying with the regulation. This is necessary so that rehabilitators can understand under what conditions their variance requests will be granted or denied, and so that the department can take appropriate action in the event of a denial.
- Add subsection (c)(1): establishes the information required for an applicant to submit a variance request, in a form provided by the Department, that includes the physical 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

- Add subsections (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. This provision is necessary so that the requestor understands the requirements and process for the department to consider a variance request.
- 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.
- 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)

- Chapter 2 Facility and Enclosure Requirements: This chapter establishes the enclosure requirements for each taxonomic group, age of the animals, and each stage of the animal’s rehabilitation process. These requirements ensure that the needs are met for an animal to express behaviors reflecting their natural life histories, as well as ensure that the animals have the best opportunity for successful rehabilitation and release. These requirements are based on best practices of various wildlife rehabilitation organizations across the United States, the American Zoological Association’s caging requirements, stakeholder input, and credible science related to successful wildlife rehabilitation practices. This chapter also establishes a process for rehabilitators to comply with the regulations when they are unable to meet enclosure requirements. Variances for caging requirements are reviewed on a case-by-case basis and determinations are made in the best interest of the animal.
- 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.
- 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.
- 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 4” 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 5” 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.
- Add Chapter 2 (f): “Pre-release Conditioning Enclosure Requirement; Mammals. Table 6” 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.
- Add Chapter 2 (g): “Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals per Enclosure; Mammals. Table 7” 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.
- 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.
- 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.

- Chapter (h)(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.
- Chapter (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.
- Add Chapter 2 (i): “Pre-release Conditioning Enclosure Requirements; Birds (excluding waterbirds). Table 8” 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.
- 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 9” 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.
- 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.
- 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.
- Add Chapter 2 (m): “Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Waterbirds. Table 1” 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.

- Add Chapter 2 (n): “Minimum Size Requirements for Pre-release Conditioning Pools; Waterbirds. Table 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.
- Add Chapter 2 (o): “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.
- Add Chapter 2 (p): “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.
- Add Chapter 2 (q): “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.
- Add Chapter 2 (r): “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.

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.

- For all of 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. The Commission finds that, based on the Department's experience, these provisions are necessary to ensure that both the basic animal care needs, and specialized requirements as based on species or animal condition, are met for rehabilitation animals during each stage of the rehabilitation process.

- Add subsection (a)(1): "Animal Care" establishes that the appropriate care and treatment must be provided based on the specific needs of the individual animal. This provision is necessary for the health and wellbeing of animals during rehabilitation. In the Department's experience, a rehabilitation animal's care should be tailored to the specific species, age class, health, and stage of rehabilitation to ensure that animal has the best chance for potential release back to the wild.
- 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.
- Add subsection (a)(5): "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.
- 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.
- For all of subsection (a)(8): "Notification Requirement for Diseases of Concern" establishes the requirement for notification of exposure (or potential exposure) to a disease of concern to an appropriate public agency. The Commission and Department

find these provisions are necessary for the prevention and control of communicable diseases known to harm wildlife, domestic animals, or people; and to protect native wildlife, animal welfare, human health and safety, and the agricultural interests of the state. Further, this provision ensures that the proper authorities are aware of disease events for tracking purposes, and to act if warranted.

- 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.
- 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.
- For all of subsection (b): “Treatment of Wildlife in Possession” establishes the requirements for the treatment of a wild animal temporarily confined or possessed for the purposes of rehabilitation. The provisions clarify for wildlife rehabilitators, members

of the public, licensed veterinarians, and other interested parties, what types of treatment may be allowable in a manner that protects native wildlife and the welfare, health, and wellbeing of the animal for the purpose of its release to the wild. These provisions are necessary because they will ensure that the likelihood of improper treatment of wildlife will be reduced, including for standard protocols, certain medication and surgery, long-term possession, and transfer outside of a wildlife rehabilitation facility.

- 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 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.
- For all of subsection (b)(4)(A): establishes the process and requirements for the department to authorize the temporary transfer of a rehabilitation raptor to a general falconer or master falconer with a valid license. This provision clarifies the process by which a falconer can assist with rehabilitation of raptors. This provision is necessary because to be successfully rehabilitated and released into the wild, certain species of raptors require specialized exercises for flight and hunting during the pre-release conditioning stage of rehabilitation. 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. Additionally,

these provisions are necessary to ensure that a licensed falconer adheres to the care and treatment required by the wildlife rehabilitator for the purpose of releasing the rehabilitation raptor to the wild. The Commission finds, based on the Department's experience, that these provisions are necessary for the Department and wildlife rehabilitator to track which rehabilitation raptors are temporarily transferred to a falconer and to properly monitor the welfare, health, and wellbeing of each animal.

- 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.
- For all of subsection (b)(6): "Patient Record" establishes the requirements for maintaining a record of each rehabilitation animal in a format selected by the wildlife rehabilitator and made readily available to the Department during an inspection or upon request, to track, monitor, and protect the welfare, health, and well-being of each animal. Specifically, this provision requires that a wildlife rehabilitator must document any information known about a wild animal upon intake, physical examination findings after intake, animal care/treatment plan, and the final disposition of each animal as reported in an annual report (patient outcome). This provision allows for the Department and wildlife rehabilitator to document the provenance of each wild animal admitted under the permit and supports the department's statewide wildlife disease monitoring efforts. The Commission and Department find these provisions necessary to establish the best course of treatment, based on the unique needs of that rehabilitation animal, and adjust it as appropriate.
- Add subsection (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 (b)(7)(A) through (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.
- For all of subsection (c): "Animals not Released to the Wild" establishes the requirements, process and outcomes (final disposition) for a rehabilitation animal thought to not be a suitable candidate for release to the wild by a wildlife rehabilitator. The provisions are necessary because wildlife rehabilitators must be informed of the proper ways to handle rehabilitation animals when they cannot be released.

- For all of 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. This provision clarifies the training requirements for an individual allowed to euthanize a rehabilitation animal. Minimum hours of training are based on the euthanasia method consistent with the requirements established in state statute and regulations, including the California Veterinary Medicine Practice Act. The Commission and Department find these provisions are necessary to ensure that euthanasia methods requiring personnel to oversee or administer controlled drugs are performed safely and legally. Furthermore, this provision is necessary to ensure that euthanasia is performed properly in a manner that does not cause undue pain or suffering to any rehabilitation animal.
- For all of subsection (c)(2): “Permanent Placement” establishes the requirements and process for a requestor to request department approval and captive placement by the department for a rehabilitation animal thought to not be a suitable candidate for release to the wild. These provisions establish for wildlife rehabilitators and members of the public that permanent placement of a rehabilitation animal is not at the discretion of the wildlife rehabilitator and not often in the best interest of native wildlife or that individual animal. These provisions are necessary because in the Department’s experience, a wildlife rehabilitator may have difficulty making the decision to humanely euthanize a rehabilitation animal that has been in their care for weeks or months, but ultimately, is unable to express the skill needed to survive on its own in the wild. In those cases, a wildlife rehabilitator may seek options to place the rehabilitation animal in a captive setting regardless of whether it is in the best interest of that animal. Wild animals become easily stressed and often exhibit physical or behavioral self-harm in captive settings, and euthanasia can be the most humane outcome to protect the welfare, health and wellbeing of that animal.
- 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 unable to be released to the wild.
- Add subsections (c)(2)(B): “Department Consideration of a Request” establishes the process for how the department shall review a request by a wildlife rehabilitator for consideration of permanent placement of a rehabilitation animal. 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): “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. The Commission finds, based on the Department's experience, that this clarification ensures that a wildlife rehabilitator understands the requirements for proper compliance with all provisions of their permit, that rehabilitation animals are not improperly handled by any person, and that additional authorizations (typically permits) are necessary to utilize rehabilitation animals for other purposes.
- 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)

- Chapter 3 Humane Care Requirements: Chapter 3 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. Wildlife rehabilitation requires specialized skills that ensure an animal not become habituated to humans, ensure the animals do not needlessly suffer, and that all requirements and processes are aimed towards the eventual release of an animal back into the wild. These provisions are based on best practices of various wildlife rehabilitation organizations throughout the United States, credible science, and success rates of various techniques of wildlife rehabilitation. 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.
- 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.
- 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.
- 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.

- 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.
- 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) “Common 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.
- 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.
- 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” 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.
- 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.
- 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) “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” which establishes the process and criteria for determining 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. The Commission and Department find that ensuring these release criteria are met will increase the likelihood that released rehabilitation animals can reasonably survive on their own in the wild, contribute their

ecological function to the fullest extent, and not pose a danger to humans or other wildlife.

- 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)(3) “Release of specialty rehabilitation animals” establishes the requirement to mark, collar, or tag a large carnivore or ungulate prior to release, at a location 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)(3)(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. Marking animals upon release allows the Department the ability to track survivorship and reintegration of released wildlife, human-wildlife conflict caused by released wildlife, to facilitate research, and to know when previously rehabilitated animals are readmitted for subsequent issues. 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)(3)(B) establishes the requirement to notify the department of a forthcoming public dissemination regarding the intake, rehabilitation, and/or release of any large carnivore or ungulate rehabilitation animal. The Department has experienced situations where rehabilitation animals have been spotlighted in media released by rehabilitation facilities that can lead to misperceptions or misunderstanding by the public regarding native wildlife. By portraying rehabilitation animals as “pets”, tame or docile, or personalizing an individual animal, it becomes difficult for those wildlife rehabilitators to later have to release or humanely euthanize the animal, as appropriate, or can engender animus from the public upon the animal’s release or euthanasia. This provision is necessary to prevent that situation from occurring by giving the Department an opportunity and sufficient time to work with a

facility to promote more constructive messaging that better protects native wildlife. Likewise, this provision is necessary to allow for the 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)(4) “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 to uninfected areas.
- 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” which establishes the list of invasive or exotic animals that are prohibited to be temporarily possessed for rehabilitation purposes. Certain non-native species are detrimental to California’s ecosystems; these species are the subject of active control and/or eradication efforts and should not be released. 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.

- For all of subsection (a): “Inspections by the Department” establishes the process for the department to perform wildlife rehabilitation facility inspections including the inspection of rehabilitation animals, enclosures, equipment, and required records. These provisions are necessary to ensure that regulations are being followed, and that all of the requirements are met to protect the welfare of each rehabilitation animal, biosecurity, and human health and safety. The Commission finds, based on the Department’s experience, that these provisions are also necessary to clarify for wildlife rehabilitators and members of the public of the Department’s authority to conduct these inspections.
- Add subsection (a)(1) “Inspections During Application Process” which establishes the requirement that an inspection of facilities be performed during an application, renewal, variance or amendment process. This provision clarifies the required

information collected in a form by the Department. Inspections during the application process are necessary to ensure that the information provided in a permit application or permit amendment application is complete and 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) which establish 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. This 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)(B) which establishes that the department may conduct an inspection at any reasonable time during the day under the auspices of a permit application, renewal, variance or amendment process. This provision is necessary to specify that the department's inspections should be conducted at times that are not unreasonably inconvenient to a wildlife rehabilitator or their wildlife rehabilitation facility personnel, so that knowledgeable personnel can be on hand to answer questions, furnish documentation as requested, and provide access to areas within the facility. Furthermore, the Commission and Department find this provision is needed to ensure that the Department has the authority to gain access to any areas necessary to conduct the inspection.
- Add subsection (a)(1)(C) which establishes the department's process and requirements for notification to a person who has failed an inspection, including the communication of required changes and how to request a re-inspection. This provision is necessary to specify for wildlife rehabilitators who have failed an inspection how they will be notified, and how and in what time frame they must come into compliance and request a re-inspection. Notification of required changes is unnecessary in the case of a denial, since the purpose of notification is to allow the permittee to cure the violations so that a permit may be issued or remain valid, which is not possible in the case of a denial as established in these regulations.
- 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, since some changes may require more than 45 days to complete. The Department, in its experience, has determined that 75 days is an adequate amount of time for rehabilitation facilities or satellites to complete changes that would be required. The Commission finds that notification to the Department no later than five calendar days before the deadline to complete changes is a reasonable amount of time for the Department to process and respond to extension requests.

- 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 to a rehabilitation animal. This provision is necessary because in many cases, although violations of the wildlife rehabilitation regulations are meaningful, failures of inspections do not necessarily result in immediate, harmful consequences for animal welfare, native wildlife, or human health and safety. Examples of these types of violations include erroneous or incomplete documentation, having permits not visible when necessary, having a pre-release conditioning enclosure that exceeds the maximum number of animals by only a few rehabilitation animals on a transient or temporary basis when the release of those animals is imminent, or other technical violations. In these types of cases, it may be in the best interests of rehabilitation animals to maintain their presence on site, avoiding costs and resources associated with relocation, and sparing the animal(s) the stress of transfer. Therefore, this provision, in those cases where animals can remain on site, maintains continuity of care, minimizes undue stress to the animal(s), and alleviates pressure on other rehabilitation facilities from intaking additional patients.
- For all of subsection (a)(1)(D) which establishes the department authority, process, and criteria 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, and human health and safety. Inspections of wildlife rehabilitation facilities are necessary to ensure compliance with these regulations, and that the conditions required to protect animal health and welfare, biosecurity, and human safety are being met. The Commission and Department find that revocation is a reasonable and proper response to wildlife rehabilitators that refuse to allow an inspection, since these conditions cannot be ensured without an inspection, and regulation violations may be occurring. These provisions are necessary because the Commission has determined, based on the Department’s experience, that a good faith effort by a permittee to allow an inspection may take several attempts, because of a need from a permittee or their designee based on unforeseen reasons, such as a last-minute conflict or emergency, or other reasonable reasons requiring that Department to cancel and reschedule an inspection. However, in the Department’s experience, an excess of three reasonable attempts on the part of the department more than likely represents a deliberate avoidance on the part of the rehabilitator.
- Add subsection (a)(2) “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. The Commission has determined, based on the Department’s experience, that reasons other than a routine inspection during an application, renewal, variance or amendment process may be warranted under the auspices of the permit. Examples include investigating reports of suspected violations received by the Department and inspections that may occur opportunistically during a scheduled meeting onsite at a facility.

- 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.

- For all of 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 or human safety. The Commission finds, based on the Department’s experience, that certain situations may warrant urgent removal of a rehabilitation animal (particularly when death or permanent harm are imminent) from a facility. In such cases, this provision ensures that the Department can take immediate possession of a rehabilitation animal to transport it for the purpose of physical examination, veterinary medical treatment, or humane euthanasia as needed.
- 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. The Commission finds that these provisions will allow the department to avoid overly harsh penalties in the case of minor, technical, or easily correctable violations.
- For all of 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 in a manner that is lawful and proper without a valid permit. An individual needs to maintain a valid permit or sub-permit to perform wildlife rehabilitation activities. In the Department’s experience, a wild animal that is unlawfully possessed is at greatest risk of permanent harm such as being mal-imprinted or habituated, injury, and even death due to a lack of expertise and training by individuals that do not possess a valid permit.
- 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.
- For all of subsection (c): “Animals Seized Pursuant to Paragraphs (a) or (b) or Sub-section 679.5(a)(7)(B)” establishes the process and criteria under which department will determine how to seize a rehabilitation animal. This provision specifies the methods by which the department can seize an animal and allows for the department to make a case-by-case determination based on the unique needs of each

rehabilitation animal. This provision is necessary because the animal welfare and humane care requirements needed to protect the safety and well-being of each animal may vary widely even within the same age class, species, or stage of rehabilitation. Furthermore, this provision is necessary to clarify for wildlife rehabilitators and members of the public what factors the department must consider when determining the method of seizure.

- 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.

- For all of 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. The provision is necessary because the duty to rectify past violations and to not recommit them is important to the continued operation of wildlife rehabilitation facilities, so that the welfare of animals, native wildlife, human health and safety, are preserved into the future.
- Add subsection (a)(2) establishes additional criteria under which the department may take alternative action to permit revocation. The provision is necessary so the department can revoke permits for violations that are serious, for which permittees do not take responsibility or cooperate to rectify the situation, and/or for which the violation caused actual harm and may cause harm in the future; but not revoke permits in circumstances where these factors are found to be less harmful. The Department has expertise in making these types of determinations. The Commission has determined, based on the department’s experience, that this provision will allow the department to avoid overly harsh penalties in the case of minor, technical, or easily correctable violations.

- For all of subsection (b): “Revocation of a Sub-Permit by the Department” establishes the conditions under which the department may revoke a sub-permit.
- For all of subsection (b)(1): establishes the specific conditions under which the department may revoke a sub-permit and conditions under which the department may take alternative action to sub-permit revocation. This provision is necessary to protect animal welfare, the safety and well-being of rehabilitation animals, and human health and safety, at a satellite facility. It is necessary to ensure that such facilities cannot continue to operate under their sub-permit if they are not following the regulations, violated the 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. The Commission has determined, based on the department’s experience, that this process allows the department and sub-permittee feasible options to potentially correct the violations and continue rehabilitation efforts if deemed appropriate by the department. Additionally, this provision will allow the department to avoid overly harsh penalties in the case of minor technical, or easily correctable, violations.
- For all of subsection (b)(2): establishes additional criteria under which the department may take alternative action to revocation of a sub-permit. This provision will allow the department to avoid overly harsh penalties in the case of minor, technical, or easily correctable violations. The provision is necessary so the department can revoke sub-permits for violations that are serious, for which sub-permittees do not take responsibility and cooperate to rectify the situation, and/or for which the violation caused actual harm and may cause harm in the future; but to not revoke sub-permits in circumstances where these factors are less harmful. The Department has expertise in making these types of determinations. The Commission has determined, based on the department’s experience, that this provision will allow the department to avoid overly harsh penalties in the case of minor, technical, or easily correctable violations.
- Add subsection (c) “Request to Remove a Designee, Sub-Permittee, Authorized Person, or Qualified Handler.” establishes the conditions under which a permittee 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 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 the 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.
- For all of 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. This process will ensure accountability and transparency by the department throughout the request for reconsideration process.
- 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.
- For all of subsection (f) “Revocation Hearing” establishes the process for an applicant to request a hearing 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, and is a separate, more rigorous process from revocation because permit revocation is a more serious action than permit denial, since permit holders are likely to have invested more significant resources and have possessed wildlife animals when the permit was active.
- 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. Specifically, the Department oversees at least 83 wildlife rehabilitation permits for permit holders to operate wildlife rehabilitation facilities throughout the state; and estimates that at least 200 sub-permits will be issued under the proposed subsection 679.3. The Department requires the inspection of each wildlife rehabilitation facility and satellite facility as specified in the new regulations. The Commission finds, based on the Department’s experience, that these fees are necessary to partially offset the administrative cost to the department for each permitting process.
- For all of subsection (2)(A) through (B): establishes 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. Specifically, these provisions establish the fee total, if any, by permit or amendment type and fee category and if the fee is refundable or non-refundable for an applicant. 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, Title 14, Section 679(e)(2)(B)6. The proposed late fees, unlike the base fees, are not adjusted annually pursuant to Fish and Game Code Section 713. Late fees serve as a deterrent against delinquency and are not subject to indexing because they are additional charges applied to a base fee when a permit holder does not submit a renewal application process prior to the expiration of an existing permit.
- 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.

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