

Staff Summary for June 11-12, 2025

18. Wildlife Rehabilitation (Consent)**Today's Item**Information Action

Consider approving sufficiently related changes to regulations adopted by the Commission on December 12, 2025 for the proposed amendments related to wildlife rehabilitation.

Summary of Previous/Future Actions

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| <ul style="list-style-type: none"> • Wildlife Resources Committee (WRC) vetting • Notice hearing • Approved changes to noticed regulations • Discussion hearing • Adoption hearing • Today consider approving additional sufficiently related changes to regulations. | <p>September 15, 2022, May 17, 2023, September 21, 2023, and January 16, 2024; WRC</p> <p>June 19-20, 2024</p> <p>August 14-15, 2024</p> <p>October 9-10, 2024</p> <p>December 11-12, 2024</p> <p>June 11-12, 2025</p> |
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Background

Under multiple authorities in California Fish and Game Code, the Commission adopts regulations governing possession of wildlife and wildlife rehabilitation; pursuant to those regulations, the Department oversees permitting for wildlife rehabilitators in the state through its Native Wildlife Rehabilitation Program. A wildlife rehabilitator provides animal care and rehabilitation of sick, injured, and orphaned native wildlife, as well as wildlife conservation education and outreach to diverse local communities. At its December 2024 meeting, the Commission adopted updated regulations for possession of wildlife and wildlife rehabilitation. Refer to exhibits 1 and 2 for additional background.

Updates since the last meeting

On April 15, 2025, Commission staff submitted the rulemaking to the Office of Administrative Law (OAL) for review and approval. In response to concerns identified by OAL related to clarity and consistency, on May 27, 2025 Commission staff withdrew the rulemaking file to address the identified concerns.

Commission staff developed sufficiently-related changes to the regulatory language to address OAL's concerns, necessitating a notice. On June 10, 2025, Commission staff published a notice of revised proposed regulatory language (Exhibit 3). Included with the notice was an addendum to the initial statement of reasons (ISOR) and updated proposed regulatory language (exhibits 4 and 5). The public comment period ended on June 11, 2025.

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

Commission staff: Under a motion to adopt the consent calendar, approve the revised proposed regulations as reflected in exhibits 4, 5 and 6.

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Exhibits

1. [Staff summary for Agenda Item 13, June 19-20, 2025 Commission meeting \(for background purposes only\)](#)
2. [Staff summary for Agenda Item 15, August 14-15, 2024 Commission meeting \(for background purposes only\)](#)
3. [Notice of revised proposed regulatory language, dated June 10, 2025](#)
4. [Addendum to ISOR](#)
5. [Revised proposed regulatory language](#)
6. [Revised proposed DFW 679 Manual \(Form DFW 479\)](#)
7. [Detailed list of changes to regulatory language](#)

Motion

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations for items 12 through 21 on the consent calendar.

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 (For background purposes only)

13. Wildlife Rehabilitation

Today's Item

Information

Action

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

Summary of Previous/Future Actions

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

Background

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

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

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

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

Draft Proposed Regulations

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

The draft proposed regulation changes include:

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

Draft Proposed Forms

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

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

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

Ongoing External and Internal Dialogue

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

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

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

Next Steps

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

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

Significant Public Comments (N/A)

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Recommendation

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

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

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

Exhibits

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

Motion

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

OR

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

Staff Summary for December 11-12, 2024
 (For background purposes only)

15. Wildlife Rehabilitation

Today's Item

Information

Action

Consider adopting proposed amendments to regulations regarding wildlife rehabilitation.

Summary of Previous/Future Actions

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

Background

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

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

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

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

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require a 15-day public notice to allow for public review. After the 15-day public notice period, staff expects to submit the rulemaking to the Office of Administrative Law.

Significant Public Comments

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

Recommendation

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

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

Exhibits

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

Motion

Moved by _____ and seconded by _____ that the Commission repeals Section 679, adopts sections 679.1 through 679.9 and Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual, and amends Section 703, related to the possession of

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wildlife and wildlife rehabilitation. The Commission also authorizes staff to publish a 15-day notice to allow for comments on the additional proposed changes to the regulations.

Commissioners
Erika Zavaleta, President
Santa Cruz

Samantha Murray, Vice President
La Jolla

Jacque Hostler-Carmesin, Member
McKinleyville

Eric Sklar, Member
Saint Helena

Darius W. Anderson, Member
Kenwood

STATE OF CALIFORNIA
Gavin Newsom, Governor

Fish and Game Commission



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June 10, 2025

TO ALL INTERESTED AND AFFECTED PARTIES:

Pursuant to the requirements of California Government Code Section 11346.8, subdivision (c), and Section 44 of Title 1 of the California Code of Regulations, the California Fish and Game Commission (Commission) is providing you with a notice of sufficiently related changes to proposed regulations concerning the possession of wildlife and wildlife rehabilitation published in the California Regulatory Notice Register on August 2, 2024, Notice No. Z2024-0719-02.

The Commission is providing notice of revisions to the proposed repeal of Section 679, the newly proposed regulatory language in sections 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8 and 679.9, and Chapter 2 and Chapter 3 of the Native Wildlife Rehabilitation 679 Regulations Manual, and proposed amendments to Section 703, Title 14, California Code of Regulations (CCR).

Because these regulations are different from, yet sufficiently related to, the regulations originally proposed on August 2, 2024, the Administrative Procedure Act requires that we make the changes available to you. The proposed changes to the regulations are indicated as;

- Notice dated July 19, 2024 (published in the California Notice Register on August 2, 2024)
 - Language originally proposed to be deleted is shown in ~~strikeout~~.
 - Language originally proposed to be added is shown in underline.
- Notice dated August 26, 2024
 - Language originally proposed to be added but now proposed to be removed is shown as ~~underline~~.
 - Language newly proposed to be added is shown in double-underline.
- Notice dated December 30, 2024
 - Language originally proposed to be added but now proposed to be removed is shown in ~~highlighted double underline~~.
 - Language newly proposed to be added is shown in highlighted double.

underline.

- Notice dated June 10, 2025
 - Language originally proposed to be repealed but now proposed to be retained is shown as unmodified text.
 - Language originally proposed to be added but now proposed to be removed is shown in ~~**bold, highlighted, double-underline/double strikeout.**~~
 - Language newly proposed to be added is shown in **bold, highlighted, double-underline.**

Pursuant to Administrative Procedure Act requirements, we are providing you with the text of all sections of the originally proposed regulatory language even though there are no revisions to the originally proposed repeal of Sections 679. An addendum to the informational statement of reasons is also available for review on the Commission's website at <https://fgc.ca.gov/Regulations/2024-New-and-Proposed#sec-679>.

Please refer to the attached description of the specific edits to the proposed regulatory language.

Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on June 11, 2025. Emailed comments must be submitted to FGC@fgc.ca.gov. Mailed comments should be addressed to California Fish and Game Commission, PO Box 944209, Sacramento, CA 94244-2090.

Please refer to the original notice (<https://fgc.ca.gov/Regulations/2024-New-and-Proposed#sec-679>) for more information.

Sincerely,

Jenn Bacon
Regulatory Analyst

Associated Documents:

1. Addendum to Initial Statement of Reasons
2. Detailed list of changes to the proposed regulations
3. Proposed regulatory language
4. Proposed Chapters 2 and 3 of the Native Wildlife Rehabilitation 679 Regulations Manual

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,” “conspesific,” “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 “Conspesific.” 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 permit holder 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 permit holders 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 permit holder 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 permit holder 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 permit holders 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 subsection (c)(2): establishes the process for the department to review a variance request, for a requestor to request department approval to continue using an enclosure during the review, and the timeline for the department to notify the requestor of an approval or denial of a variance. 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

Proposed Regulatory Language

~~Section 679, Title 14, California Code of Regulations, is repealed:~~

§ 679. Possession of Wildlife and Wildlife Rehabilitation.

~~(a) General Prohibition on Possession of Wildlife. Except as provided in subsection (b) below or as otherwise authorized, it is unlawful for any person to possess any live game mammal or bird, exotic game mammal, nongame mammal or bird, furbearer, reptile or amphibian.~~

~~(b) Temporary Confinement of Wildlife. Except for big game mammals listed in Section 350, or exotic game mammals listed in Section 375, Title 14, CCR, injured, diseased or orphaned animals may be temporarily confined by persons if they notify the nearest regional office of the department within forty-eight (48) hours of finding or confining such wildlife. Notification shall include name and address; the species of wildlife and a description of its injury, disease or condition; the date and location the wildlife was found; and the location where the wildlife is confined. Confined animals must be disposed of pursuant to department direction, which may include placement in a department-approved wildlife rehabilitation facility. (Department offices: Northern Region (Redding), North Central Region (Rancho Cordova), Bay Delta Region (Yountville), Central Region (Fresno), South Coast Region (San Diego), Inland Deserts Region (Ontario), and Marine Region (Monterey).)~~

~~(c) Prohibition on Possession of Big Game Mammals, Exotic Game Mammals, or Fully Protected, Threatened or Endangered Species Except Under Department Permit. No person or wildlife rehabilitation facility may possess any big game mammal listed in Section 350, exotic game mammal listed in Section 375, Title 14, CCR, or any fully protected, endangered or threatened bird, mammal, fish, reptile or amphibian without specific written authorization from the department.~~

~~(d) Prohibition on Picking up Disabled Wildlife in a Department Designated Oil/Toxic Spill Area. No person may enter a department designated oil/toxic spill area for the purpose of picking up disabled wildlife or transport or possess wildlife disabled by an oil spill or other spilled toxic substance unless that person has completed the training required by subsections 817.02(i) and (j), Title 14, CCR, and has authorization from the department. Designated oil/spill areas shall be clearly posted by the department.~~

~~(e) Wildlife Rehabilitation Facilities.~~

~~(1) Wildlife Rehabilitation Facility Defined. For the purposes of these regulations, a wildlife rehabilitation facility is defined as a site where activities are undertaken to restore to a condition of good health, for the purpose of release to the wild, animals occurring naturally and not normally domesticated in this state.~~

~~(2) Approval of Wildlife Rehabilitation Facility.~~

~~(A) The department may approve and issue a permit in the form of a Memorandum of Understanding (MOU) to only those wildlife rehabilitation facilities which meet the wildlife care standards set forth in the Minimum Standards for Wildlife Rehabilitation, 2000, Third Edition manual published jointly by the International Wildlife Rehabilitation Council and the National Wildlife Rehabilitators Association; or as provided in the MOU. The above wildlife care standards are hereby adopted and made a part of this Title 14. All wildlife rehabilitation facilities, regardless of when established, shall comply with the wildlife care standards.~~

~~(B) A person seeking a MOU with the department for operating a new wildlife rehabilitation facility shall submit to the department two letters from permitted facilities in the nearby vicinity (the permitted facilities will be identified by the department), stating that they believe~~

there is a need for a new facility. Within 30 days of receiving the letters, the department will provide a written determination stating whether such a facility is needed. If the department determines that there is not a need for a new facility the applicant may request a hearing before the commission to show cause why their permit request should not be denied. If the department determines that a new wildlife rehabilitation facility is needed, that person shall submit, along with this written determination, an application packet to the department that contains all of the following:

1. A complete application form "Wildlife Rehabilitation Permit Application/Renewal form," FG 542 (Rev 03/07) which is hereby incorporated by reference;
2. Documentation of the applicant's experience working (paid or unpaid) at a permitted wildlife rehabilitation facility. The applicant must document four hundred hours within a two year period of experience working with a permitted wildlife rehabilitation facility in California, or experience that the department determines is equivalent, to be eligible for a permit.
3. A letter from a veterinarian who agrees to sponsor the applicant by overseeing diagnoses, medication and surgical procedures by the proposed facility.
4. Pictures or diagrams of the proposed facility's caging or proposed caging sufficient to demonstrate that the caging will be appropriate for the types of animals the facility is planning to rehabilitate and will comply with the standards identified in subsection (e)(2)(A).
5. A statement of general intent that includes a list of the species and number of animals that the applicant proposes to rehabilitate and hold at the proposed facility; and plans describing the proposed facility's record-keeping system, animal intake process, euthanasia protocol, plan for carcass disposal, protocol for handling public phone calls, volunteer training protocol, animal diets, and disinfectant and disease control protocols. Plans provided as part of this statement must be consistent with the requirements of subsection (f) and the standards identified in subsection (e)(2)(A).
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.

(C) The department shall determine whether the application is complete and request any additional information it believes is necessary to evaluate the proposal. The department may enter into a MOU with the California Council for Wildlife Rehabilitators (CCWR) for the purpose of obtaining CCWR's assistance with processing and evaluating applications. Such assistance may include but is not limited to helping review and evaluate applications, inspecting proposed facilities, and preparing recommendations to the department. Any MOU between the department and CCWR may also provide for payment by the department from revenue generated by the application and inspection fees collected under subsection (e)(2) to reimburse CCWR's expenses in providing assistance to the department. Within sixty days of receiving the application, the department shall make a determination that the applicant and the proposed facilities meet the requirements in subsection (e)(2). If the department determines that the application is incomplete or that the applicant or the proposed facilities do not meet the requirements in subsection (e)(2), the department shall deny the permit and will return the inspection fee.

(D) If the department determines that the application is complete and that the applicant and the proposed facilities meet the requirements in subsection (e)(2), the proposed facility shall be inspected by the department, CCWR or another designee. Failure to cooperate with

inspectors provided by the department, CCWR or another designee may result in application denial.

(E) After inspection of the proposed facility, the department shall approve a MOU to permit a new wildlife rehabilitation facility only if the applicant and facility meets all applicable standards specified above. The department may deny a permit if the applicant has failed to allow an inspection of the proposed facility by the department or its designee or it is found that the facility does not meet the minimum standards. An applicant has one year to build the proposed facility from the time the MOU is signed by both parties. If the applicant has not built the proposed facility within one year of when the MOU was signed the permit will be revoked. Any person denied a permit under these regulations may request a hearing before the commission to show cause why their permit request should not be denied. MOU will be valid for three years. At the end of three years if a permittee wishes to renew a wildlife rehabilitation permit, a permit renewal form FG 542 (Rev 03/07) will be submitted along with a processing fee of \$41.00 pursuant to Fish and Game Code Section 2150.2 and adjusted annually pursuant to Fish and Game Code 713.

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

- (1) Responsibility for Costs Incurred. The operator of a wildlife rehabilitation facility shall be responsible for any and all costs incurred in connection with the treatment, confinement or transportation of wildlife.
- (2) Liability. The operator of a wildlife rehabilitation facility shall indemnify, defend and save harmless the State, its officers, agents, and employees from any and all claims and losses occurring or resulting to any person or property in connection with the treatment, confinement or transportation of wildlife.
- (3) Restrictions Related to Holding Wildlife. Wildlife temporarily held for rehabilitation must be maintained separate from domestic animals and shall not be displayed to the public. Such wildlife shall have minimal direct human contact. Every effort shall be made to prevent imprinting.
- (4) Department Approval Requirement for Release of Wildlife Back into the Wild. Rehabilitated wildlife may be released back into the wild only as directed by the department. The department may provide bands and tags for rehabilitated wildlife when deemed necessary by the department. If any animal cannot be released, it shall be transferred to a zoological garden, museum, college, university or other educational/research institution or wildlife exhibitor. If it cannot be released or transferred, it shall be humanely euthanized. These regulations do not authorize any person, facility or organization to accept, possess or relocate nuisance wildlife. Any healthy wildlife trapped in towns or cities or removed from under buildings or otherwise taken or trapped in accordance with Section 4152 or 4180, Fish and Game Code shall be immediately released in the area where trapped or disposed of as directed or authorized by the department. Any such wildlife that has been determined by a veterinarian to be so seriously ill that it cannot be treated shall be euthanized and tested as directed by the appropriate county public health agency or the department.
- (5) Notification Requirement for Dead or Diseased Animals. The operator of a wildlife rehabilitation facility shall notify the nearest department region office within twenty-four (24) hours if any animal dies of a disease specified in the facility's permit or is suspected to have died from one of those diseases and shall make the dead animal available for delivery to the department or other facility as directed by the department.
- (6) Written Record Requirement. The operator of a wildlife rehabilitation facility shall maintain a written record for each animal being cared for. This record shall include the name and address

~~of the person finding the animal, the location where the animal was found (when available), a description of its condition and treatment, the dates it was received and transferred from the facility and the location of its final disposition.~~

- ~~(7) Availability of Records. The operator of a wildlife rehabilitation facility shall make all records, wildlife being rehabilitated and any materials used for the confinement, treatment, or care of wildlife, available for inspection by department employees or employees of the Department of Food and Agriculture or Department of Health Services or any other person authorized to enforce these regulations.~~
- ~~(8) All wildlife rehabilitation facility personnel, professional and volunteer, shall satisfactorily complete one department-approved wildlife rehabilitation training session each year. Training may include sessions of wildlife identification, wildlife capture and restraint, wildlife laws and regulations, veterinary medical and other subjects approved by the department. The training shall be a minimum of two hours.~~
- ~~(g) Compliance With Other Restrictions. These regulations, or any permit issued pursuant thereto, do not authorize possession of any wild animal in violation of any other Federal, state, city, or county law, ordinance or regulation, including but not limited to any California Department of Health Services Rabies Control regulations.~~

(h) This section shall only apply to a permittee holding a valid permit or MOU issued pursuant to this section prior to [Date to be inserted by OAL].

(i) This section shall remain in effect only until Decemer 31, 2025, and as of January 1, 2026 is repealed.

Credits

NOTE: Authority cited: Sections 200, 1050, 2000, 2127, 2150.2, 3005.5, 3800 and 4150, Fish and Game Code. Reference: Sections 200, 713, 1008, 2000, 2001, 2150.4, 2192, 3005.5, 3511, 3800, 3950, 3965, 4150, 4190, 4700 and 4800, Fish and Game Code; and Section 8670.61.5, Government Code.

Proposed Regulatory Language

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

§ 679.1 Definitions.

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

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

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

(x) Veterinarian of Record. A veterinarian, currently licensed by the State of California, who agrees in writing to provide and direct veterinary treatment for rehabilitation animals pursuant to Section 679.3.

(y) Wildlife Rehabilitation. The temporary possession, treatment, and care of a rehabilitation animal, for the purpose of restoring it to a condition of good health for its release to suitable habitat in the wild.

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

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

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

Proposed Regulatory Language

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

§ 679.2 Transportation and Confinement of Live Wildlife.

(a) Temporary Confinement of Wild Animals. A person who is not authorized by the department under a permit or sub-permit issued pursuant to Section 679.3; has not previously had a permit or sub-permit revoked or denied by the department; has not violated any provision of Section 597 of the Penal Code; or has not been convicted of a crime of moral turpitude, may temporarily confine for no more than 24 hours, or in the case of a California licensed veterinarian no more than 48 hours, an injured, diseased, or orphaned wild animal, except for big game mammals listed in Section 350 or exotic game mammals listed in Section 325, for the purposes of transferring such an animal to a permittee, their sub-permittee, or designee, or the department.

(1) A person shall provide the following information to a permittee, **their designee, or sub-permittee**, or the department in writing via email at Rehabwildlife@wildlife.ca.gov or telephone at (916) 358-2790, within 24 hours of confining any such animal: name and telephone number; taxonomic group or species of animal; description of its condition; date and location the animal was found; and location where the animal is currently confined. At the direction of a permittee, their sub-permittee, or designee, or the department, any such person shall perform one of the following actions: immediately release the animal at the location where it was found; temporarily confine the animal until the department, a permittee, or their designee can take possession of the animal; if able transport the animal to a permittee, their sub-permittee, or designee; or if able transport the animal to the department or a location the department deems necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests.

(2) A California licensed veterinarian shall comply with subsection 679.5(b)(**21**) prior to transporting a wild animal, and any animal care records specific to that animal, to a permittee, **their designee, or sub-permittee**, or the department.

(3) A person shall not knowingly temporarily confine or transfer for the purpose of rehabilitation any wild animal listed pursuant to subsection 671.6(c) of these regulations or any animal identified by the department as an invasive species pursuant to Food and Agricultural Code Section 5260.5, that include but are not limited to nutria, American bullfrog, African clawed frog, common coqui, red-eared slider, watersnake (*Nerodia* species), pin-tailed whydah, and mute swan.

(4) A person may transport for the purposes of rehabilitation any injured, diseased, or orphaned wild mammal that is lawfully trapped, notwithstanding Subsection 465.5(g)(1) or having been convicted of a crime of moral turpitude; or any injured, diseased, or orphaned migratory bird pursuant to federal regulation 50 CFR 21.31(a).

(b) Prohibition on Possession of Big Game Mammals, Exotic Game Mammals or Fully Protected, Threatened or Endangered Species Except Under Department Permit. Section 679.2(a) notwithstanding, no person shall possess any big game mammal listed in Section 350 or exotic game mammal listed in Section 375, or any fully protected, endangered, or threatened species listed in Section 670.5, without specific written authorization from the department.

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

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

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

Proposed Regulatory Language

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

§ 679.3 Permits for Wildlife Rehabilitation.

(a) Permit. The department may issue a person a wildlife rehabilitation permit valid for 3 years from the date of issuance and may amend existing permits with the conditions it determines are necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests.

(1) Limited Scope. A permit issued pursuant to this section does not supersede any law, or the need for any other applicable permit, license, or other entitlement. Permits issued under this section are non-transferrable between any person.

(2) Qualifications. Any person who is a resident of the state of California pursuant to Fish and Game Code Section 70, can qualify for and be issued a permit if an applicant possesses the qualifications specified in subsections 679.3(a) through (c) and is at least 21 years of age.

(3) Conferring. The department may confer with any person to verify information on the application, at any stage of the application process, and where applicable may require written proof of that information pursuant to Fish and Game Code subsection 1054(b). An applicant shall provide such information to the department in writing via email at Rehabwildlife@wildlife.ca.gov within 30 calendar days **of the day the department's sent the request for information**, or the department shall deny the application.

(4) Initial Request. A person seeking a wildlife rehabilitation permit shall first submit an initial request in writing to the department via email to Rehabwildlife@wildlife.ca.gov that includes the following information:

(A) Copies of two letters stating there is a need for a new wildlife rehabilitation facility to increase local or regional capacity to possess rehabilitation animals, written within 12 months from the date of initial written request for a permit, on letterhead stationery listing the printed name, title, handwritten signature, or electronic signature in accordance with California Civil Code **§Section** 1633.5(b), date of signature, and affiliation of the signatory.

1. One letter shall be submitted by a permittee possessing a valid permit or sub-permit.

2. The second letter shall be submitted by any of the following persons: a permittee possessing a valid wildlife rehabilitation permit; department staff, Regional Manager, or their designee; a veterinarian licensed in the State of California; or a duly authorized representative of a federal, tribal, state, or a local agency with jurisdiction over wildlife or animal care located in the same county or adjacent county to an applicant.

(B) List of taxonomic groups or species of animal proposed to be temporarily possessed for the purposes of rehabilitation using the following categories: amphibian, reptile, bird, mammal.

(C) Required Experience. Description of at least 1,000 hours experience of animal care, husbandry, and handling experience under the supervision of a permitted wildlife rehabilitator, their **designee, or sub-permittee**~~their sub-permittee, or designee~~ in California, completed within 5 years from the date of the initial approval request, or experience that the department determines to be equivalent as described herein.

(D) The department shall provide approval or denial of the initial request pursuant to the requirements listed herein, in writing via email within 30 calendar days. No person shall

temporarily possess a rehabilitation animal until the department has issued a permit pursuant to subsection 679.3(a).

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

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

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

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

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

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

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

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

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

(D) Examination Content. The basic wildlife rehabilitation examination shall test applicants on general wildlife rehabilitation concepts, standard rehabilitation practices, species-specific rehabilitation techniques, diseases of concern in California, the life history of California native wildlife and other species that may be rehabilitated, ethical codes of conduct, applicable laws, and any other wildlife rehabilitation-related topics that the department

determines are necessary to know and understand. It shall consist of 50 definitions, multiple-choice, and true-false questions; and applicants shall be allowed up to 120 minutes to complete it. The specialty rehabilitation examination shall test applicants on the general wildlife rehabilitation concepts, standard rehabilitation practices, species-specific rehabilitation techniques, diseases of concern in California, the life history of California native wildlife species of specialty rehabilitation animals that may be rehabilitated, ethical codes of conduct, applicable laws, and any other wildlife rehabilitation-related topics that the department determines are relevant with respect to the specialty rehabilitation authorization(s) the applicant is seeking. It shall consist of 30 definitions, multiple-choice, and true-false questions; and applicants shall be allowed up to 90 minutes to complete it.

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

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

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

- relevant references that the department may contact to verify such experience of the designee.
- b. The department may consider one credit hour of education in veterinary medicine, biological sciences, wildlife rehabilitation, or similar courses as a substitute for one hour of experience, up to 100 hours of the required experience based on: the number of hours of education and topic of the curriculum; completion of a certificate, degree, or similar qualification; if the education was obtained at an accredited institution or program recognized by the U.S. Department of Education; and submission of relevant original transcript(s) if applicable.
4. Public Contact Information. Telephone number, email address, physical address, and website, if applicable, of the proposed facility that the department will provide as a resource to the public on the department's website at <http://wildlife.ca.gov/wildliferehab>.
5. Rehabilitation Animals. Maximum number of rehabilitation animals that are proposed to be temporarily possessed at the proposed facility in the following categories: amphibian, reptile, bird, mammal.
6. Declaration of Enclosures. Description of each type of pre-release enclosure that shall meet the requirements listed in Chapter 2 and Chapter 3 of the ~~Native Wildlife Rehabilitation DFW 679 Regulations~~ Manual that shall include the following information for each type of enclosure: length, width, and height in feet and inches; enclosure materials; and photographs, diagrams, blueprints, or other written plans. Applications for variances, per subsection 679.4(c), must be included for any proposed or existing deviations.
7. Facility Operation Protocols. ~~Standard operating procedures~~ Description of all facility operation protocols ~~standard operating procedures~~ that shall include the following information:
- a. Data storage method to maintain required records pursuant to subsection 679.4(a)(6)5(c).
- b. Protocol for euthanasia that shall include euthanasia methods for each taxonomic group or species of proposed rehabilitation animal, list of qualified personnel pursuant to subsection 679.5(ec)(1), how controlled substances will be stored, if applicable, and methods of animal carcass disposal.
- c. Protocol for staff and volunteer training that shall include the number of hours and frequency of training.
- d. Protocol for intake and triage rehabilitation of animals pursuant to subsection 679.5(b)(64).
- e. Protocol for the humane care of rehabilitation animals pursuant to subsection 679.5(a)(1) through (4).
- f. Biosafety plan to prevent and control parasites, communicable diseases, vectors and pathogens pursuant to subsection 679.5(a)(5).
- g. Contingency plan to allow for a person, identified by a permittee or their designee, and meeting all requirements of these regulations as a designee defined in subsection 679.1(da)(4), to provide continuity of care of rehabilitation animals for up to the expiration date of the valid permit term if the permittee or designee is no longer able to temporarily possess rehabilitation animals for any reason.

8. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.

(B) Veterinarian of Record Agreement. Written agreement signed by an applicant and a California licensed veterinarian who agrees to be the veterinarian of record under a permit, in a form provided by the department, that shall include the following information:

1. Applicant Information. Applicant name, date of birth, GO ID (if applicable), mailing address, telephone number, email address, facility name (if applicable), county, and physical address.

2. Veterinarian Information. Full name, license number, license expiration date, telephone number, email address, physical address, and employer name, if applicable.

3. Acknowledgement of permittee responsibilities, that shall include:

a. Maintaining current veterinarian information, including regular hours of availability to treat rehabilitation animals possessed by the permittee.

b. Providing required records for any rehabilitation animal such that a licensed veterinarian can make an informed assessment of the condition of an animal and treatment plan or euthanasia of the animal.

c. Relying on the licensed veterinarian to best address the administration of medication and treatment prescribed for the rehabilitation animal.

d. Adhering to the standing orders of a veterinarian for medication use and treatment prescribed for the rehabilitation animal.

e. Recognizing that the purpose of providing care or treatment of a rehabilitation animal is to restore them to a condition of good health for their release to the wild.

4. Acknowledgement of veterinarian responsibilities, that shall include:

a. Providing veterinary consultation for a rehabilitation animal such as standing orders to perform routine procedures for animal care, treatment procedures, or similar protocol.

b. Provisioning, storing, and documenting all controlled drugs, if applicable, pursuant to all federal and state laws.

c. Considering the ethics regarding the life **natural** history and welfare of a rehabilitation animal when providing treatment of that animal.

d. Relying on the permittee or their designee to best address the humane care needs of a rehabilitation animal.

e. Recognizing that the purpose of providing care or treatment of a rehabilitation animal is to restore them to a condition of good health for their release to the wild.

5. List of species of rehabilitation animal that the veterinarian is specially trained if applicable; species of rehabilitation animal that the veterinarian is not able to handle or provide services for any reason; and the veterinarian services that may be provided by the veterinarian at their sole discretion: Physical examinations; dispensing, administering, prescribing medication; screening and preventative care; diagnostic services; surgical procedures; euthanasia; necropsy; carcass disposal.

6. A permittee, their designee, or veterinarian of record may terminate this agreement at any time and for any reason; a permittee or their designee shall notify the department of any such change pursuant to subsection 679.4(a)(76)(B).
7. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
- (C) List of Persons. A list of each authorized person, as defined pursuant to **Subsection 679.1(b)** of these regulations, shall include the following information in a form provided by the department. ~~that shall include the following information:~~
1. Applicant information. Full name, date of birth, GO ID (if applicable), mailing address, telephone number, email address, facility name (if applicable), facility website (if applicable), physical address, and mailing address if different.
 2. Authorized person information. Full name, telephone number, email address, physical address, mailing address if different, brief description of relevant experience, and list of species or taxonomic group of rehabilitation animal authorized to handle. An authorized person shall be listed under only one valid permit at any time.
 3. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.
- (D) Facility Emergency Action Plan. A written plan describing emergency protocol in the event of an evacuation from a proposed facility, in a form provided by the department, that shall include a date of incorporation of the plan and the following information:
1. Applicant name, date of birth, GO ID (if applicable), mailing address, telephone number, email address, facility name (if applicable), county, and physical address.
 2. List of animal capture equipment, such as nets, personal protective equipment, or chemical immobilization equipment, if applicable;
 3. List of animal transport equipment that shall include the quantity, size dimensions, and brief description of each cage, which can include the animal intended to occupy each cage (species, size, type) and the maximum number of animals per cage;
 4. List of emergency animal supplies designated for each species of taxonomic group of rehabilitation animal that shall include: a 3 calendar day supply of animal feed, or list of required food supplies and nearest location of such food, food and water receptacles, portable water containers, specialty feeding supplies, artificial heating source, artificial cooling source, bedding, cleaning and disinfectant supplies, and basic veterinary medical supplies;
 5. Facility safety and emergency alert items on the premises, first aid kits; smoke and carbon monoxide detectors; fire extinguishers; emergency exit signage, if applicable; "animals on premise" signage; eye wash stations, if applicable; utility shut-off valves such as gas, water, and electricity valves; and breaker boxes; fire alarms; visual alarms; radio communications; telephone tree; audible alarms; mobile alert app;
 6. List of local emergency telephone numbers that shall include first responders, animal services, public health agencies, hospital, and other points of contact if applicable; and department regional office;

7. Evacuation leads for assembly area, first aid, responder liaison, and animal evacuation;
8. Evacuation protocol instructions for animal release criteria, animal transport criteria, assembly area with primary and secondary locations, staging area with primary and secondary locations, and primary and secondary evacuation routes.
9. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.

(E) Authorization to Access Property. Written authorization for the department to access a property where a wildlife rehabilitation facility, satellite facility, or rehabilitation animal is temporarily possessed, in a form provided by the department, signed by the property owner or their authorized representative stating that the department shall have access to conduct inspections pursuant to ~~subsections~~Section 679.7(a)(1) and (2).

1. Applicant Information. Applicant name, date of birth, GO ID (if applicable), mailing address, telephone number, email address, facility name (if applicable), county, and physical address.
2. Property Owner Information. Full name, title, telephone number, email address, physical address, mailing address if different.
3. Property owner acknowledgement and signature. Certify that the declaration is true and correct, and that the department has permission from the undersigned to enter a property to conduct an inspection pursuant to ~~subsections~~Section 679.7(a)(1) and (2).
4. Applicant acknowledgement and signature. Certify that the declaration is true and correct, and that the department has permission from the undersigned to enter a property to conduct an inspection pursuant to ~~subsections~~Section 679.7(a)(1) and (2).

(F) Compliance with Local Laws. An applicant for a new permit or a request for permit renewal shall provide written documentation, such as a letter from a local agency with jurisdiction over zoning, that demonstrates that the proposed facility is in compliance with all local laws.

(7) Issuance of Permit. The department shall issue a permit if an applicant meets all requirements listed pursuant to these regulations and Chapter 2 and Chapter 3 of the ~~Native Wildlife Rehabilitation~~DFW 679 Regulations Manual and passes a facility inspection pursuant to Section 679.7. The department shall determine which taxonomic group or species of rehabilitation animal an applicant is authorized to temporarily possess based on ~~the~~ conditions the department determines are necessary to protect native wildlife, animal welfare, human health and safety, or agriculture interests.

(8) Renewal of Permit. A permittee or their designee may submit an application packet to renew a permit with the required fee, postmarked no later than 60 calendar days before the valid permit expires, via the U.S. Postal Service or overnight carrier to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244, that shall include the following information: information listed in subsection 679.3(a)(6)(A) through (F); list of sub-permittees that shall include their full name, telephone number, email address, physical address and mailing address of the satellite facility; and payment to the department of a nonrefundable fee adjusted annually pursuant to Fish and Game Code Section 713.

(A) Up to 45 calendar days after the valid permit expires, a permittee or their designee may apply to renew the permit by paying a nonrefundable late fee, pursuant to Section 703(c)(2) of these regulations, with any application for renewal. The department shall deny any application for renewal postmarked later than 45 calendar days after the existing permit

expired. Except as provided in paragraphs (B) and (C) below, the department shall seize, pursuant to Section 679.8, any rehabilitation animal possessed by a permittee, their **designee, or sub-permittee** ~~their sub-permittee, or designee~~ later than 45 calendar days after the permit expired.

(B) **Except as provided in this paragraph, a permittee, their designee, sub-permittee, qualified handler, or authorized person, shall not temporarily possess any new rehabilitation animals after a permit expires. If a wild animal is transported by any person to a permittee, their designee, sub-permittee, qualified handler, or authorized person, whose permit is expired, the animal may be temporarily confined pursuant to Section 679.2. The department may provide a temporary permit extension for up to 60 calendar days, in writing via email, to a permittee to temporarily possess and/or intake rehabilitation animals if the permittee submitted an application for renewal postmarked no later than 45 calendar days after the permit expired, and the department finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall be met during the application renewal process. A permit extension shall expire either 60 calendar days after it is granted, the permit is renewed, or the permit application is denied whichever occurs first. The department may grant an additional permit extension if it needs more than 60 calendar days to review the renewal application, and it finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall continue to be met.** ~~Except as provided in this paragraph, a permittee shall not intake any new rehabilitation animals after a permit expires. If an animal is brought to a wildlife rehabilitator whose permit is expired, the animal may be temporarily possessed per subsection 679.2(a). The department may provide a written 60-calendar day permit extension to a permittee to temporarily possess and/or intake rehabilitation animals if the permittee submitted an application for renewal postmarked no later than 45 calendar days after the permit expired, and the department finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall be met during the application renewal process. A permit extension shall expire either 60 calendar days after it is granted, the permit is renewed, or the permit application is denied whichever occurs first. The department may grant an additional permit extension if it needs more than 60 calendar days to review the renewal application, and it finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall continue to be met.~~

(C) If a permit expires while the Department is reviewing the application for renewal, the department may provide written approval to a permittee, their **designee, or sub-permittee, or designee** to continue to intake and temporarily possess rehabilitation animals under an expired permit if the department finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall be met during the application renewal process.

(9) Facility Change. A permittee, their designee or sub-permittee shall notify the department in writing via email at RehabWildlife@wildlife.ca.gov at least 60 calendar days prior to any change in physical address of a wildlife rehabilitation facility or satellite facility, or construction of a new facility or satellite facility.

(A) A permittee, their designee, or sub-permittee who requests to amend a valid permit or sub-permit may submit an application packet to the department via the U.S. Postal Service

or overnight carrier to the department's License and Revenue Branch, P.O. Box 944209, Sacramento, CA 94244 that shall contain the following required documentation using forms provided by the department listed in subsections 679.3(a)(6)(A) ~~1.3~~ through ~~7~~ ~~679.3(a)(6)(D) and (E).~~

(B) An applicant shall submit the appropriate completed application and fees for a permit amendment request.

(C) The department shall approve or deny a permit amendment request following completion of a department inspection pursuant to Section 679.7.

(10) Permit Fees. The department shall charge a fee for a new permit, or a request for permit renewal, or a permit amendment as specified in subsection 703(c)(2) of these regulations.

(A) New Permit Fees. An applicant for a new permit shall submit a completed application for a Native Wildlife Rehabilitation Permit with the nonrefundable application fee and a refundable inspection fee listed pursuant to subsection 703(c)(2)(B)1 of these regulations. The inspection fee shall be refunded if the department denies the new permit application and no inspection is performed by the department or its designee.

~~(B) Permit Amendment Fees. An applicant for a permit amendment for specialty rehabilitation authorization or new facility change shall submit a completed application for a Specialty Rehabilitation Authorization with the nonrefundable application fee and a refundable inspection fee. The inspection fee shall be refunded if the department denies a permit amendment request and no inspection is performed by the department or its designee.~~

(B) Permit Renewal Fees. An applicant for a permit renewal shall submit a completed application for a Native Wildlife Rehabilitation Permit with the nonrefundable application fee listed pursuant to subsection 703(c)(2)(B)2. of these regulations. The department shall not charge an inspection fee for a permit renewal.

~~(C) Permit Renewal Fee. An applicant for a permit renewal shall submit a completed application for a Native Wildlife Rehabilitation Permit with the nonrefundable application fee. The department shall not charge an inspection fee for a permit renewal.~~

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

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

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

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

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

(A) Application form.

1. Applicant and Facility Information. Description of applicant and facility as described in subsection 679.3(a)(6)(A)1 above.

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

3. Specialty Rehabilitation Animals. A list of proposed specialty rehabilitation animals, and the maximum number of animals by species able to be temporarily possessed at one time in the following categories: large carnivore, ungulate, bald or golden eagle or peregrine or prairie falcon, venomous snake.

4. Declaration of Enclosures. Description of each type of animal enclosures that shall meet the requirements listed in Chapter 2 and Chapter 3 of the ~~Native Wildlife Rehabilitation~~ DFW 679 Regulations Manual as described in subsection 679.3(a)(6)(A)6 above.

5. Qualified Handlers. A list of the following minimum number of qualified handlers as defined pursuant to subsection 679.1(~~pa~~)(16), one of which may be the applicant, for each taxonomic group or species of proposed specialty rehabilitation animal: **3 qualified handlers - large carnivore, 2 qualified handlers - ungulate, 2 qualified handlers - bald or golden eagle or peregrine or prairie falcon, 2 qualified handlers - venomous snake.** ~~large carnivore, ungulate, bald or golden eagle or peregrine or prairie falcon, venomous snake.~~ An applicant shall demonstrate that a qualified handler, that is not the applicant, has completed the following minimum hours animal care and handling experience with animals in the same taxonomic group, or closely related taxa of the same Order, as the proposed specialty rehabilitation animal: 300

hours of carnivore experience; 100 hours of ungulate experience; 100 hours of raptor experience; and 80 hours of venomous snake experience.

6. Facility Operation Protocols. Description of all facility operation protocols that shall include all required information listed pursuant to subsection 679.3(a)(6)(A)7 in writing in a form provided by the department.

67. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.

(B) Veterinarian of Record Agreement. Written agreement signed by an applicant and a California licensed veterinarian who agrees to be the veterinarian of record under the specialty rehabilitation authorization for an existing permit, in a form provided by the department, as described in subsection 679.3(a)(6)(B) above.

(C) Facility Emergency Action Plan. A written plan describing emergency protocol in the event of an evacuation from a proposed facility, in a form provided by the department, as described in subsection 679.3(a)(6)(D) above.

(D) Authorization to Access Property. Written authorization, in a form provided by the department, as described in subsection 679.3(a)(6)(E) above.

(E) Proof of valid permit or license, or other written documentation demonstrating that an applicant will not be violating any local laws, from a local agency with jurisdiction over zoning that allows an applicant to temporarily possess all proposed specialty rehabilitation animals at the facility.

(3) Final Approval. The department shall amend a permit to authorize a permittee or their designee to conduct specialty rehabilitation of the animals listed in subsection 679.3(b) if an applicant meets all standards pursuant to these regulations. A permittee or their designee may temporarily possess such specialty rehabilitation animals only at the wildlife rehabilitation facility or satellite facility location approved by the department.

(c) Sub-Permit. The department ~~shall may~~ amend a permit to ~~authorize allow~~ a permittee to add a sub-permittee under that permit. A new permittee may request approval from the department to add a sub-permittee no sooner than 12 months from the date the permit was issued by the department.

(1) Application Packet. A permittee seeking to add a sub-permittee shall submit to the department, via email at Rehabwildlife@wildlife.ca.gov, the information listed in subsections 679.3(a)(5) and 679.3(a)(6)(B) through (F) and the requirements listed below in a form provided by the department:

(A) Sub-Permit Application Form.

1. Permittee Information. Full name, mailing address if different, telephone number, email address, ALDS GO ID; facility name, facility physical address, facility telephone number, facility email address, facility website if applicable.
2. Sub-Permittee Information. Full name, date of birth, mailing address if different, telephone number, email address, ALDS GO ID if applicable; satellite facility name, satellite facility physical address, satellite facility mailing address if different, and satellite facility telephone number.
3. Required Experience. Demonstrated completion of at least 500 hours of animal care, husbandry, and handling experience, completed within 5 years from the date of the

initial request, under the supervision of a permitted wildlife rehabilitator in California; or experience that the department deems equivalent. An applicant shall provide the name, affiliation, telephone number, email, and mailing address of relevant references that the department may contact to verify such experience. The department may consider one credit hour of education as a substitute for one hour of experience, up to 150 hours of the required experience based on the criteria listed in subsection 697.3(a)(6)(A)2a.

4. Public Contact Information. Satellite facility telephone number, email address, physical address, and website, if applicable, and type of wildlife accepted at the proposed facility that the department will provide as a resource to the public on the department website at <http://wildlife.ca.gov/wildliferehab>.
5. Proposed Rehabilitation Animals. Maximum number of proposed rehabilitation animals that can be temporarily possessed at any time in the following categories: (i) amphibian, (ii) reptile, (iii) bird, (iv) mammal.
6. Declaration of Enclosures. Description of each type of animal enclosure that shall meet the requirements listed in Chapter 2 and Chapter 3 of the department's ~~Native Wildlife Rehabilitation~~DFW 679 Regulations Manual and which includes the following information: length, width, and height in feet and inches; enclosure materials; and photographs, diagrams, blueprints, or other written plans.
7. Facility Operation Protocols Plan. Description of all facility operation protocols ~~standards~~ ~~operating procedures~~ that shall include all required information listed pursuant to subsection 679.3(a)(6)(A)7 in writing in a form provided by the department.
8. Acknowledgement and Signature. Certify under penalty of perjury that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.

(2) Approval of Sub-Permit. The department shall amend a permit to add a sub-permit under a the permit if a permittee and sub-permittee meet all requirements pursuant to these regulations.

(A) A permittee or their designee, ~~or the department,~~ or ~~the department's~~their designee, shall conduct an initial inspection of the proposed satellite facility prior to department approval or denial of such a request pursuant to subsection 679.7(b)(1)(A). A sub-permittee shall not temporarily possess any rehabilitation animal until the department has provided final approval of a sub-permit.

(B) A sub-permittee shall operate no more than one satellite facility, located no more than 100 air miles from the physical location of the facility operated by the permittee or their designee, and shall not be listed as a sub-permittee or designee under any other permit.

(d) Denial of Permit, Sub-permit, or Specialty Rehabilitation Authorization. Unless the department finds an action other than a denial, such as a written warning issued by the department to the permittee or their designee, would likely cause such persons to cure an existing violation or not violate in the future, the department shall deny approval of a permit, sub-permit, or specialty rehabilitation authorization if an applicant, their designee, sub-permittee, or qualified handler:

(1) fails to comply with any provision of these regulations, Fish and Game Code Section 1054, or Penal Code Section 597; or

(2) has violated any law existing in any other state or in any local governing entity, or any federal statute, regulation, or rule, that is related to wild animals, including, but not limited to, 16 USC 1531 (Endangered Species Act), 26 USC 3372 (Lacey Act), or 50 CFR 21 (Migratory Bird Treaty Act); or

(3) has been convicted of a crime of moral turpitude.

(e) **Transition Period. A person holding a valid permit or memorandum of understanding (MOU) issued pursuant to 679 prior to [Date to be added by OAL], shall be authorized by the department to operate under their permit or MOU requirements through December 31, 2025. Thereafter, a person who was issued such a permit or MOU and would like to continue temporarily possessing wildlife for the purpose of rehabilitation shall comply with the requirements listed pursuant to sections 671.1 and 679.1 through 679.9. Transition Period. A permittee issued a permit prior to January 1, 2025, pursuant to Section 679, shall be authorized by the department to operate under those requirements until June 30, 2025. Thereafter, a permittee, their sub-permittee, designee, authorized person, and qualified handler shall comply with the requirements listed pursuant to subsections 671.1 and 679.1 through 679.9 of these regulations, notwithstanding a variance approved by the department pursuant to subsection 679.4(c).**

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

Reference: Sections 713, 1008, 2000, 2081, 2118, 2120, 2126, 2150.4, 2186, 2192, 3000.5, 3511, ~~4800~~ and ~~3960.4~~~~4801.5~~, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

Proposed Regulatory Language

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

§ 679.4. Facility and Enclosure Standards for Rehabilitation Animals

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

- (1) Responsibility for Costs Incurred. A permittee, their **designee, or** sub-permittee ~~or designee~~ shall be responsible for any and all costs incurred in connection with the temporary confinement, temporary possession, treatment, or transportation of any rehabilitation animal while the rehabilitation animal is temporarily confined or temporarily possessed by a such a person.
- (2) Liability. A permittee, their **designee, or** sub-permittee ~~or designee~~ shall indemnify, defend, and save harmless the State, its officers, agents, and employees from any claims and losses occurring or resulting to any person or property in connection with the capture or treatment, confinement, or transportation of any rehabilitation animal while in the possession of such a person.
- (3) Continuing Education. A permittee, their designee, sub-permittee, authorized persons, and qualified handlers shall complete at least 8 hours of continuing education each year. **Continuing education constitutes education and training that a permittee, their designee, or sub-permittee has determined is most beneficial to maintain facility operations and to protect the welfare of each rehabilitation animal that they hold in trust for the purposes of release to the wild.**
- (4) Display or Possession of Permit and Emergency Action Plan. A permittee, their **designee, or** sub-permittee ~~or designee~~ shall display the permit, or a copy of the permit issued by the department, and any other required permits in a location at the facility that is visible to staff, volunteers, and the public. An authorized person and qualified handler shall retain a copy of the permit in their possession in a location where it can be readily provided to the department or a designee of the department. A permittee, their **designee, or** sub-permittee ~~or designee~~ shall retain a copy of the facility emergency action plan required pursuant to sub-section 679.3(a)(6)(D) and notify all personnel of its location and content.
- (5) Authorized Persons. A permittee, their designee, or sub-permittee shall communicate with an authorized person listed pursuant to subsection 679.3(a)(6)(C) either in writing by email, or by telephone, at least once every 7 calendar days regarding the status, condition, and welfare of each rehabilitation animal under the care of the authorized person.

 - (A) A permittee, their designee, or sub-permittee shall provide an authorized person with the medical records and a plan for the care of each rehabilitation animal that includes instructions for the feeding and care of that animal. An authorized person shall adhere to a plan for the care of each rehabilitation animal provided by the permittee, their designee, or sub-permittee.
 - (B) An authorized person shall not possess an animal for more than 180 days except pursuant to subsection 679.5(b)(7).
 - (C) An authorized person shall transfer a rehabilitation animal to the permittee, their designee, or sub-permittee, or the department, within a time period designated by the permittee, their designee, or sub-permittee, or the department, if the permittee, their designee, or sub-permittee, or the department requires the rehabilitation animal to undergo a physical

examination, humane euthanasia, or for any reason required to protect the welfare of the animal, native wildlife, human health, and human safety.

(56) Required Records. A permittee, their designee, sub-permittee, authorized person, and qualified handler shall maintain all required records, whether written or electronic, for at least 5 years unless otherwise specified by the department or otherwise stated by these regulations. All records shall be written in English, and a permittee, their designee, sub-permittee, authorized person, and qualified handler may keep duplicate records written in other languages.

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

1. Permittee information: Full name, ALDS GO ID, telephone number, email address, physical address, mailing address if different, facility name, and facility physical address;
2. Summary of patient outcome: List of patient outcomes, by taxonomic group, categorized as Released (R), Transferred to other facility (T), Euthanized (E), Died in Care (D), Dead on Arrival (DOA), Reunited with Parent (RU), Remains in Care (RIC);
3. Wild animal intakes. List of intakes by species or common name, patient outcome, and total number of animals received by species;
4. Rehabilitation raptor transfers to licensed falconers. List of any rehabilitation raptor temporarily transferred to a licensed falconer pursuant to sub-section 679.5(b)(54).
5. Continuing education. Brief description of training and continuing education hours completed by all persons required under the permit;
6. Non-releasable wildlife. List of non-releasable animals possessed pursuant to Section 671.1, or these regulations, or other authorization by the department.
7. Acknowledgement and signature. Certify that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.

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

(67) Operational Changes/ Administrative Updates. A permittee, or their designee, or sub-permittee shall notify the department in writing via email at RehabWildlife@wildlife.ca.gov of any of the following changes under a permit: the need for administrative update to a permit or sub-permit for any of the following changes listed in subsections 679.4(a)(7)(A) and (B). Changes specified in (a)(7) of this section are administrative updates that do not constitute an amendment to a permit or sub-permit and the department shall not charge a fee for such administrative updates as listed pursuant to subsection 703(c)(2)(B).

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

(B) Changes to Veterinarian of Record. written notification to the department at least 15 calendar days prior to any foreseeable removal or change in designee, sub-permittee, qualified handler, or veterinarian of record. It shall be the sole responsibility of the A permittee or their designee, and their sub-permittee, shall to ensure that a valid and

accurate Veterinarian of Record is listed on a permit and sub-permit at all times, ~~except if a licensed veterinarian is removed for any reason that could not reasonably be foreseen~~. A permittee, their designee, or their sub-permittee shall ~~notify the department, on a form provided by the department, within 30 calendar days of the change to submit to the department in writing~~ via email at Rehabwildlife@wildlife.ca.gov, ~~in a form provided by the department, a new Veterinarian of Record pursuant to subsection 679.3(a)(6)(B)~~.

~~(78)~~ Compliance With Other Restrictions. These regulations, or any permit issued pursuant thereto, do not authorize the take or possession of any wild animal in violation of the Fish and Game Code, regulations adopted pursuant thereto, or any other law.

~~(89)~~ Notification of Fully Protected Species Intake. A permittee, their ~~designee, or~~ sub-permittee ~~or designee~~, authorized person, or qualified handler shall notify the department in writing via email at Rehabwildlife@wildlife.ca.gov or by telephone at (916) 358-2790 within 24-hours of receiving any live or dead gray wolf (*Canis lupus*) or California condor (*Gymnogyps californianus*); ~~A permittee, their designee, sub-permittee, authorized person, or qualified handler shall notify the department in writing via email at Rehabwildlife@wildlife.ca.gov or by telephone at (916) 358-2790 notwithstanding any state or federally listed species that shall be reported to the department~~ within 5 calendar days ~~including~~ of receiving the following live or dead ~~animals followingspecies listed in subsections 679.4(a)(9)(A) through (C)~~, from the public a black bear (*Ursus americanus*), mountain lion (*Puma concolor*), gray wolf (*Canis lupus*), wolverine (*Gulo gulo*), ringtail (*Bassariscus astutus*), Sierra Nevada red fox (*Vulpes vulpes necator*), Sacramento Valley fox (*Vulpes vulpes patwin*), island fox (*Urocyon littoralis*), San Joaquin kit fox (*Vulpes macrotis mutica*), golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*), and California condor (*Gymnogyps californianus*);

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

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

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

~~(10)~~ Notification of Specialty Rehabilitation Animal Intake. A permittee, their ~~designee, or~~ sub-permittee ~~or designee~~, authorized person, or qualified handler shall notify the department in writing via email at Rehabwildlife@wildlife.ca.gov or by telephone at (916) 358-2790 within 24-hours of receiving for intake any of the following live or dead animals: Black bear (*Ursus americanus*), mountain lion (*Puma concolor*), deer (*Odocoileus hemionus*), pronghorn (*Antilocapra americana*), elk (*Cervus canadensis*), wild sheep (*Ovis canadensis*), golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*). At the direction of the department, a permittee, their subpermittee, designee, authorized person, or qualified handler shall perform one of the following actions: temporarily confine the animal until the department or a permittee,

their sub-permittee, or designee with specialty rehabilitation authorization for that animal, can take possession of the animal; transport the animal to the department or a location the department deems necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests; immediately release the animal at the location where it was found; or humanely euthanize the animal.

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

- (1) All enclosures shall be fully enclosed with walls and a roof or ceiling, unless otherwise specified by the department, to protect native wildlife, animal welfare, human health and safety, and agricultural interests. Enclosures shall be secured at all times to prevent ingress or egress by any wild or domestic animal and be free of any object or substance that could foreseeably cause injury or harm to any rehabilitation animal.
- (2) Conspecific or non-conspecific rehabilitation animals that naturally co-occur may be held in the same enclosure provided that the welfare of each animal is maintained, and all requirements are met pursuant to these regulations.
- (3) No person shall allow any rehabilitation animal to propagate.
- (4) All enclosures shall have sufficient drainage to prevent standing water from accumulating, except for pools or drinking water required pursuant to the ~~Native Wildlife Rehabilitation~~DFW 679 Regulations Manual.
- (5) All enclosures shall maintain the range of ambient air temperature, and adequate ventilation, that is necessary to ensure the welfare of each rehabilitation animal.
- (6) Visual and physical separation shall be maintained between a rehabilitation animal and personal domestic animals, non-conspecific rehabilitation animals, and restricted species except where otherwise permitted in these regulations.
- (7) Written protocols to prevent and respond to escape of the following specialty rehabilitation animals shall be clearly posted on the enclosure: large carnivores, ungulates, and venomous snakes.
- (8) All enclosures shall be labeled in writing with an enclosure identifier, such as name or number, and such persons shall maintain a list that identifies the location and type of enclosure (neonate, limited mobility, pre-release conditioning), as a required record.

(c) Variances to Enclosure Requirements. A permittee, their **designee, or** sub-permittee **or designee** shall submit to the department in writing via email at Rehabwildlife@wildlife.ca.gov a request for variance of any enclosure construction required in these regulations or the ~~Native Wildlife Rehabilitation~~DFW 679 Regulations Manual.

- (1) A permittee, their **designee, or** sub-permittee **or designee** shall provide, in a form provided by the department, the following information:
 - (A) Applicant information. Full name, ALDS GO ID, telephone number, email address, physical address, and mailing address if different;
 - (B) Location of requested variance. Provide location of variance as the wildlife rehabilitation facility, satellite facility, or other location (authorized person).

(C) Category of variance. Provide category of variance as minimum size, maximum number of animals, construction design or materials, or location change.

(D) Type of variance. Provide type of variance as new construction, existing construction, or modification of existing construction, and a brief description of the request.

(E) Reasons for request. List reason for the variance request as the requirement will result in undue hardship due to physical limitations, excessive cost, and/or other restrictions.

(F) Acknowledgement and signature. Certify that the declaration is true and correct, and that the wildlife described is legally possessed by the undersigned.

(2) The department shall review a written request for a variance to enclosure requirements and provide notification of variance approval or denial, and any terms and conditions imposed by the department, in writing to the requestor within 15 calendar days of receiving all required information from a permittee, their **designee, or** sub-permittee ~~or designee~~. The department may provide written approval to the requestor to continue using an enclosure that is the subject of the variance request during the variance request review if the department finds that the conditions necessary to protect animal welfare, human health, and human safety shall be met during the review process.

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

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

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

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

NOTE: Authority cited: Sections 200, 1050, ~~2015~~, 2081, 2120, 2121, 2122, 2127, 2150, 2150.4, 2192, ~~2835~~, 3005.5, 3800 and 4150, and 5050, Fish and Game Code.
Reference: Sections 1008, 1801, 2000, 2118, 2120, 2123, 2150.4, 2186, 3511, 3960.4, 4800 and 4801.5 and 12159, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

Proposed Regulatory Language

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

§ 679.5. Humane Care Standards

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

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

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

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

(C) Chronic Wasting Disease. **A permittee, their designee, sub-permittee, qualified handler, or authorized person, Such persons** shall confine in isolation for 10 calendar days from its date of intake an ungulate specialty rehabilitation animal in an indoor enclosure, notwithstanding an ungulate specialty rehabilitation animal that is euthanized and tested for chronic wasting disease with the department.

1. A permittee, their designee, sub-permittee, or qualified person shall euthanize an ungulate specialty rehabilitation animal upon intake if it shows clinical signs or symptoms consistent with a disease of concern, or if the location found and county of origin is not known, and notify the department pursuant to subsection 679.5(a)(8)(A) herein.
2. A permittee, their designee, sub-permittee, or qualified person shall not transfer to any person, or release to the wild, an ungulate specialty rehabilitation animal outside of its county of origin.
3. A permittee, their designee, sub-permittee, or qualified person shall only temporarily possess for the purpose of rehabilitation an ungulate specialty rehabilitation animal between March 1 and October 31 of each calendar year; such persons shall either release to the wild within its county of origin at the location found a healthy ungulate specialty rehabilitation animal, or euthanize an ungulate specialty rehabilitation animal, no later than October 31 of that calendar year.

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

(9) Notification Requirement for Violations Related to Animals. Such a person shall report to the department by telephone at (888) 334-2258, or via text to 847411 (tip411) by texting "CAL TIP", within 48 hours of becoming aware of a rehabilitation animal suspected to have been intentionally harmed in violation of Penal Code Section 597, or a violation of Fish and Game Code. A reporting party may report a suspected violation of any law to a local law enforcement agency, in addition to reporting to the department.

(10) Import and Export of Rehabilitation Animals. No permittee, their sub-permittee, designee, authorized person, qualified handler, or any other person shall export to another state, or import from another state, a rehabilitation animal, without prior written notification to the department and written approval from the applicable state agency of the exporting/importing state. A permittee, their sub-permittee, designee, authorized person, or qualified handler may accept a wild animal that was imported by a person and is in need of rehabilitation. This section does not supersede other required state or federal permits.

(b) Treatment of Wildlife in Possession. A permittee, their ~~designee, or~~ sub-permittee ~~or designee~~, authorized person, and qualified handler shall comply with the following requirements for the treatment of rehabilitation animals:

(1) Medical Care. A person shall not perform any procedure on a rehabilitation animal that is likely to fail to improve or maintain the welfare of the animal; permanently impair the ability of the animal to survive on its own in the wild; or permanently physically alter the animal and is not medically necessary, such as spaying or neutering, without written prior approval from the department.

(2) Standing Order. A permittee, their ~~designee, or~~ sub-permittee ~~or designee~~, authorized person, or qualified handler, and any employee or volunteer supervised by such a person, shall adhere to the written standing protocol, provided by a California licensed veterinarian acting within the scope of their professional licensure, for routine medical care to treat a taxonomic group or species of rehabilitation animal based on the animal condition, age class, and life history of a specific rehabilitation animal.

(3) Medications. A permittee, their ~~designee, or~~ sub-permittee ~~or designee~~, authorized person, or qualified handler, and any employee or volunteer supervised by such a person, shall administer, store, track, and dispose of all medications, including controlled drugs, in accordance with state and federal laws. Controlled drugs shall be kept in a safe and locked place that is only accessible to such person or staff or volunteer supervised by such person.

(4) Raptor Rehabilitation. A permittee, their ~~designee~~, sub-permittee, ~~authorized person~~, or ~~qualified handler designee~~ may temporarily transfer a rehabilitation raptor to a California general ~~falconer~~ or master falconer licensed pursuant to sub-section 670(e)(6)(C) and approved by the department as a sub-permittee pursuant to sub-section 679.3(b) and (c), for the purpose of rehabilitation under the requirements listed pursuant to these regulations. A rehabilitation raptor shall not be listed under a falconry license and shall remain solely under a permit issued pursuant to Section 679.3. A California general or master falconer shall release to the wild a rehabilitation raptor pursuant to subsection 670(h)(3) or return a rehabilitation

raptor to the permittee or their designee no longer than 180 calendar days from the date of initial intake by the permittee or their designee.

(A) A permittee or their designee shall provide a licensed general or master falconer with written authorization, as a required record, for the temporary transfer of a rehabilitation raptor that shall include the following information:

1. Transfer Information. Date of temporary transfer; permittee full name, telephone number, email address, physical address, and mailing address, if different; licensee full name, telephone number, email address, physical address, and mailing address, if different; physical address where the rehabilitation raptor will be temporarily transferred.
2. Animal Information. Common or species name; age class; sex, if known; date of initial intake; animal intake number or permanent identifier, if applicable; medical condition(s) of the animal, if applicable; and estimated total length of rehabilitation, for the purposes of release to the wild, not to exceed 180 calendar days from the date of initial intake, notwithstanding approval by the department for long-term possession pursuant to sub-section 679.5(a)(7~~6~~).

(5) Surrogate Animal. A permittee, their **designee, or** sub-permittee ~~or designee~~ may use a wild animal possessed by a permittee, their sub-permittee, or designee to provide parental care to a conspecific neonate or juvenile rehabilitation animal for the purpose of the animal's release to the wild. A surrogate animal shall be used for a conspecific neonate or juvenile rehabilitation animal for a period not to exceed 90 calendar days in a calendar year. An animal shall not be used as a surrogate animal in a manner that harms the welfare of that animal.

(6) Patient Record. A permittee, their **designee, or** sub-permittee ~~or designee~~, authorized person, or qualified handler shall maintain a record of each rehabilitation animal that shall include, but not be limited to, the following information:

(A) Intake History. Intake documentation that shall include the following information: date and time of intake; full name and telephone number of the person who transferred the animal if known; date and location where animal was found, if known; and dates of transfer, if applicable.

(B) Animal Information. Animal information documentation shall include the common species name or scientific name; age class and sex, if known; animal identification number; temporary bands, tags, or marks, or permanent identifier, if applicable; physical examination findings, medical condition, and treatment plan; type and dates of treatment; full name or initials of persons providing such treatment; and dates of transfer, if applicable.

(C) Patient Outcome. The outcome of each rehabilitation animal shall be documented in writing and listed as: (R) release to the wild, (T) transferred to another facility, (P) pending and remains in care, (E) euthanized, (D) died in care, (DOA) dead on arrival, or (RU) reunited with parent.

(7) Long-Term Possession. Except as provided below, **a permittee, their designee, sub-permittee, qualified handler, or authorized person, Such persons** shall not possess a rehabilitation animal for longer than 180 calendar days from the date of initial intake. **a permittee, their designee, sub-permittee, qualified handler, or authorized person, Such persons** may submit a request to the department in writing via email at Rehabwildlife@wildlife.ca.gov for approval to possess a rehabilitation animal for longer than 180 calendar days to improve and maintain the welfare of the animal. The department shall require such a person to provide the patient record, a written plan for care of the animal, and the estimated date of release to the wild.

(A) Approval of a Request. The department shall approve a request to temporarily possess a rehabilitation animal for longer than 180 calendar days if the department determines that such approval is necessary to improve or maintain the welfare of the animal. The approval shall authorize temporary possession of the animal until the estimated date of release to the wild, unless the department determines that such duration should be shortened or extended to protect native wildlife, animal welfare, human health and safety, or agriculture interests. The department shall notify the requestor, in writing via email, of the approval or denial to temporarily possess a rehabilitation animal for longer than 180 calendar days within 15 calendar days of receipt of the request.

(B) Denial of a Request. The department shall deny a request to temporarily possess a rehabilitation animal for longer than 180 calendar days if the department determines that such approval will harm the welfare of the animal. That animal shall be seized in place, transferred, humanely euthanized, or released to the wild pursuant to Section 679.8(c).

(c) Animals not Released to the Wild. A permittee, their **designee, or** sub-permittee ~~or designee~~ shall either euthanize or request to the department placement at a permitted facility a rehabilitation animal that cannot be ~~returned~~ released to the wild pursuant to Section 679.6.

(1) Euthanasia. A permittee, their **designee, or** sub-permittee ~~or designee~~ shall euthanize a rehabilitation animal using the euthanasia methods listed in the ~~Native Wildlife Rehabilitation~~ DFW 679 Regulations Manual.

(A) A permittee, their **designee, or** sub-permittee ~~or designee~~ shall require a person performing euthanasia of any rehabilitation animal to receive the following minimum hours of euthanasia training:

1. 2-hours training on euthanasia methods that do not require the use of a controlled drug, provided by a permittee, their designee, or sub-permittee, or an individual approved by such persons; or
2. 4-hours training on euthanasia methods that require the use of a controlled drug excluding sodium pentobarbital, provided by a licensed veterinarian, registered veterinary technician, or an individual certified by the California Animal Welfare Association or similar organization; or
3. 8-hours training on euthanasia methods that require administering of sodium pentobarbital without the presence of a licensed veterinarian, provided by a licensed veterinarian, registered veterinary technician, or an individual certified by the California Animal Welfare Association.

~~(B) A permittee, their designee, and sub-permittees shall dispose of the carcass of a rehabilitation animal that has been chemically euthanized using one of the following methods: incineration at a qualified facility; rendering at a qualified facility; burying to a minimum depth of 6 feet; transfer to an entity with a permit or authorization to possess; or transfer to the National Eagle Repository at the direction of the U.S. Fish and Wildlife Service.~~

(2) Permanent Placement. A permittee, their **designee, or** sub-permittee ~~or designee~~ may request to the department, in writing via email at Rehabwildlife@wildlife.ca.gov, **to approve permanent approval for** placement of a rehabilitation animal that is considered by the requestor to be unsuitable for release to the wild.

(A) Request for Placement. A requestor shall submit to the department the following information, in a form provided by the department:

1. Requesting Party. Full name, GO ID number, physical address, mailing address if different, telephone number, email address, and facility name if applicable.
2. Animal Identification. Intake date; animal intake number; common species or scientific name; age/age class; sex; weight; and microchip, tag, or other identifier if applicable.
3. Animal Examination. Date of last examination that shall be performed no later than 30 calendar days from the date of request; full name, telephone number, email address, title, veterinarian or registered veterinary technician license number if applicable, and signature of person performing examination.
4. Animal Condition. List and provide a brief description of conditions that may prevent the animal from surviving in the wild: permanent visual impairment; amputated limb, foot, or wing; permanent damage to skin, scale, scute, fur, or feathers; permanent inability to display the physical ability needed to survive in the wild and brief description; permanent inability to display the natural life history behaviors of its species and brief description; permanent spinal injury, paralysis, or paresis.
5. Animal Welfare. List of requirements needed to maintain the welfare of the animal: temporary or long-term medication, temporary or long-term medical treatment, enclosure modification, special diet, modified feeding, must be housed with other animals, must be housed alone.
6. Suggested Placement Option. A requestor may provide one or more suggested placement options for consideration by the department at its sole discretion.

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

(C) Department Approval or Denial of Request.

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

(d) Use of Rehabilitation Animals for Scientific or Educational Purposes. A permittee, their ~~designee, or~~ sub-permittee ~~or designee~~, authorized person, qualified handler, and any employee or volunteer supervised by such persons, shall not transfer, take, or possess the carcass or parts thereof of any rehabilitation animal for scientific, educational, and/or propagation purposes except

as authorized by the department pursuant to Section 251.4 (mountain lion carcass or parts thereof), Section 650, or other sections of the Fish and Game Code or regulations adopted pursuant thereto.

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

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

Reference: Sections 1008, ~~4018~~, 1801, 2000, ~~2120~~, ~~2126~~, 2150.4, 2118, 2186, 2190, 3005, ~~3861~~, ~~3960.4~~ and 4801.5, Fish and Game Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

Proposed Regulatory Language

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

§ 679.6. Release of Rehabilitation Animals to the Wild

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

physical location, or a landmark that may be reasonably used to infer the physical location, of the site of origination or release of any large carnivore and ungulate rehabilitation animal.

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

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

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

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

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

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

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

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

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

Proposed Regulatory Language

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

§ 679.7. Inspection of Wildlife Rehabilitation Facilities

(a) Inspections by the Department.

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

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

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

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

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

1. Request for Extension. A permittee, their **designee, or** sub-permittee ~~or designee~~ may request to the department, in writing via email at RehabWildlife@wildlife.ca.gov, up to an additional 30 calendar days to implement the required changes no later than 5 calendar days before the 45 **calendar** day deadline described in subsection ~~679.7(a)(31)(AC)~~. The department shall approve such a request in writing via email, within 5 calendar days of receiving the request from a permittee, their **designee, or** sub-permittee ~~or designee~~, if the department determines that the requester can reasonably implement the required changes within the requested extension of time, and that such an approval will not harm native wildlife, animal welfare, human health or safety, or agricultural interests.
2. Animal Possession. The department may allow a permittee, their **designee, or** sub-permittee ~~or designee~~ that has failed an inspection to continue temporarily possessing rehabilitation animals of a species or taxonomic group approved by the department, if the department determines that such an approval shall not harm native wildlife, animal welfare, human health or safety, or agricultural interests.

(D) The department shall revoke a permit or sub-permit or specialty rehabilitation authorization if the permittee, their **designee, or** sub-permittee ~~or designee~~, authorized person, or qualified handler refuses to allow an inspection by the department.

1. A refusal to allow an inspection shall be inferred if: after three reasonable attempts by the department to schedule an inspection, such a person is unavailable for inspection; or, such a person refuses to allow the department to fully inspect any area of a facility, enclosure, equipment, required record, or any rehabilitation animal or part of a rehabilitation animal.
2. The department shall reinstate a permit or sub-permit if the permittee, their **designee, or** sub-permittee ~~or designee~~, authorized person, or qualified handler allows the department to conduct an inspection and no violations of these regulations are observed during that inspection.

(2) Other Inspections. The department may conduct a scheduled inspection of any wildlife rehabilitation facility, satellite facility, enclosure, equipment, required record, or any rehabilitation animal or part of a rehabilitation animal confined by or in the possession of, a permittee or their sub-permittee, designee, authorized person, or qualified handler for any other purpose during a reasonable time of the day and any day of the week when such person is present. A permittee or their **designee, or** sub-permittee ~~or designee~~, authorized person, or qualified handler shall allow the department access to inspect any area of a facility, enclosure, equipment, required record, and rehabilitation animal during the inspection.

(b) Inspections by a Permittee or Their Designee.

(1) Except as provided in sub-section 679.7(b)(2), a permittee or their designee shall conduct an inspection of any satellite facility, enclosure, equipment, and required record belonging to or in the possession of, and any rehabilitation animal temporarily confined or possessed by, a sub-permittee or authorized person, at least once during the valid permit period and no sooner than 6 months after the last inspection. A permittee or their designee shall conduct an inspection during a reasonable time of the day, any day of the week, when a sub-permittee or authorized person is present. **The department shall determine if a sub-permittee or authorized person passes or fails an inspection; the department shall use the information documented by a permittee or their designee during an inspection pursuant to subsection (b)(1)(A) and other substantially-related evidence that the department**

possesses or obtains, and make determination based on the need to protect native wildlife, animal welfare, human health or safety, and agriculture interests.

(A) A permittee or their designee shall document in writing in a form provided by the department, the following information during an inspection and submit the form to the department in writing via email at Rehabwildlife@wildlife.ca.gov within 30 calendar days of conducting an inspection:

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

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

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

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

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

Reference: Sections 1008, 1801, 2000, 2122, 2123, 2150.4, 2190, 3005 and 12159, Fish and Game

Code; Section 597, Penal Code; and Title 50 Code of Federal Regulations, Parts 14, 16, 17, 21.29, 21.30, 21.31, 22, and 23.

Proposed Regulatory Language

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

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

- (a) Seizure of Live Animals Possessed Pursuant to a Valid Permit or Sub-Permit. The department shall seize any rehabilitation animal temporarily possessed by a permittee, their sub-permittee, designee, authorized person, or qualified handler if such a person has violated any provision of the Fish and Game Code, these regulations, or Penal Code section 597; violated the terms or conditions of a permit or sub-permit; or is no longer able to temporarily possess rehabilitation animals for any reason, unless the department finds:
- (1) an action other than a seizure, such as a written warning issued to such persons is expected to cause such a person to cure an existing violation or not violate in the future; or
 - (2) the violation did not adversely impact, and is not likely to adversely impact, animal welfare; native wildlife; human health and safety; or agricultural interests of this state.
- (b) Seizure of Live Animals Possessed by a Person with an Invalid Permit or Sub-Permit. The department shall seize any rehabilitation animal possessed by a person whose permit or sub-permit has been denied pursuant to Section 679.3 or revoked pursuant to Section 679.9, or whose permit or sub-permit has expired, except for a person whose permit expired and either:
- (1) 45 or fewer calendar days have passed since the permit expired; or
 - (2) more than 45 calendar days have passed since the permit expired, but the Department has issued an approval pursuant to sub-section 679.3(a)(8)(B) or (C) to continue possessing rehabilitation animals.
- (c) Animals Seized Pursuant to Paragraphs (a) or (b) or Subsection 679.5(a)(7)(B). The department shall, at its sole discretion and taking into account animal welfare, native wildlife, agricultural interests of the state, and human health or safety, determine that an animal that is seized pursuant to paragraph (a) or (b) or Section 679.5(a)(~~87~~**(B)**) shall be:
- (1) seized in place;
 - (2) transferred to a person authorized to possess such rehabilitation animal or a facility operated by the department;
 - (3) humanely euthanized; or
 - (4) released to the wild.
- (d) Costs Incurred Pursuant to Paragraphs (a) Through (c). Costs incurred by either the department or another party for actions taken pursuant to paragraphs (a) through (c), including costs incurred for the care and possession of animals taken pursuant to paragraphs (a) through (c), shall be paid by the person from whom the live animal was seized. The department or other party may initiate a civil action for cost recovery.

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

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

Proposed Regulatory Language

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

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

(a) Revocation of a Permit by the Department. The department shall revoke a permit if a permittee, their **designee, or** sub-permittee ~~or designee~~, authorized person, or qualified handler has violated any provision of the Fish and Game Code or regulations adopted pursuant thereto, Penal Code section 597, or the terms and conditions of the permit or a sub-permit, or has been convicted of a crime of moral turpitude, unless the department finds:

(1) An action other than a revocation, such as a written warning with a description of the changes required to meet the standards in these regulations, would likely cause a permittee or their designee to cure an existing violation or not violate in the future; and

(2) **There is little likelihood that there will be any harm to wildlife possessed by the permittee, native wildlife, agricultural interests of this state, or human health or safety, as based on the totality of the circumstances including but not limited to:**

(A) the nature, scope, irreversibility, and severity of the violation; the acknowledgment and awareness by the permittee of the harm caused by the violation; and

(B) the extent to which the permittee cooperated with the department; and, measures undertaken by the permittee to remediate the violation. ~~A violation has either not severely adversely impacted or is not likely to severely adversely impact the welfare of wildlife possessed by the permittee; native wildlife; agricultural interests of this state; or human health or safety.~~

(b) Revocation of a Sub-Permit by the Department. The department shall revoke a sub-permit if either:

(1) The permittee, **their designee,** sub-permittee ~~or designee, or their~~ authorized person(s), **or qualified handler**, has violated any provision of the Fish and Game Code or regulations adopted pursuant thereto, Penal Code section 597, or the terms and conditions of the permit or a sub-permit, or has been convicted of a crime of moral turpitude, unless the department finds:

(A) An action other than a revocation, such as a written warning issued to **a permittee, their designee, or sub-permittee would likely cause a permittee, their designee, sub-permittee, authorized person, or qualified handler, to cure an existing violation or not violate in the future; and** ~~the permittee, sub-permittee, or their designee would likely cause the permittee, sub-permittee, or their designee to cure an existing violation or not violate in the future; and~~

(B) **There is little likelihood that there will be any harm to wildlife possessed by the sub-permittee, native wildlife, agricultural interests of this state, or human health or safety, as based on the totality of the circumstances including but not limited to, the nature, scope, irreversibility, and severity of the violation; the acknowledgment and awareness by the permittee of the harm caused by the violation; the extent to which the sub-permittee cooperated with the department; and, measures undertaken by the sub-permittee to remediate the violation. ~~A violation has either not severely adversely impacted or is not likely to severely adversely impact animal welfare; native wildlife; agricultural interests of this state; and human health and human safety.~~**

(2) The permit is no longer valid, except for the following:

- (A) A sub-permittee listed under a contingency plan approved by the department as a person allowed to provide continuity of care of rehabilitation animals for up to the expiration date of the valid permit term pursuant to sub-section 679.3(a)(6)(A)7g; or
- (B) A sub-permittee authorized by the department to operate under an invalid permit pursuant to sub-section 679.8(b)(1) and (2).
- (c) ~~Revocation of a Sub-Permit by the Permittee. A permittee or their designee shall revoke a sub-permit if a sub-permittee has relocated; retired; is no longer able to work/volunteer; failed an inspection; or refused three or more inspections; or is no longer in good standing under the permit. The permittee or their designee shall notify the department within 5 calendar days of revoking a sub-permittee for any reason, in writing via email at Rehabwildlife@wildlife.ca.gov, and provide the following information in a form provided by the department:~~ Request to Remove a Designee, Sub-Permittee, Authorized Person, or Qualified Handler. A permittee or their designee **shall** request **an amendment** to the department in writing via email at Rehabwildlife@wildlife.ca.gov **an amendment to the permit** to remove a designee, sub-permittee, authorized person, or qualified handler from the permit and shall provide the following information in a form provided by the department:
- (1) Permittee Information. Full name, GO ID, telephone number, email address, physical address, mailing address if different, facility name.
 - (2) Sub-permittee, Designee, Authorized Person, Qualified Handler Information. Full name, telephone number, email address, physical address, mailing address if different, satellite facility name if applicable.
 - (3) Reason for Revocation. ~~Sub-permittee~~ Person has relocated; is no longer able to work/volunteer; has retired; has failed inspection with brief description of non-compliant items; has refused inspection with a brief description and date of each attempt to schedule an inspection; is not in good standing under permit with a brief description of reason for not being in good standing.
- (d) Proof of Service and Method of Service. A notification of a denial issued pursuant to section 679.3 or this section, or department revocation issued pursuant to this section, or a notification of a denial of a variance request pursuant to sub-section 679.47(bc), shall include a proof of service indicating the date the department sent the notification. The department shall send such a notification by United States Postal Service, overnight carrier, or electronic mail.
- (e) Request for Reconsideration. Any applicant whose application for a permit or sub-permit is denied pursuant to section 679.3, whose application for a specialty rehabilitation authorization is denied pursuant to section 679.3, or whose variance request is denied pursuant to sub-section 679.4(c) may submit a written request for reconsideration to the department.
- (1) A request for reconsideration shall set forth the reasons why the Department should reconsider the denial and may include any relevant documents.
 - (2) A request for reconsideration shall contain a statement signed and dated by the applicant or permittee under penalty of perjury that states in effect, "I declare under penalty of perjury that the information contained in this request for reconsideration is true and correct."
 - (3) An applicant shall send a request for reconsideration via electronic mail no later than 30 calendar days after the date on the proof of service described in paragraph (ed), to the following email address: Rehabwildlife@wildlife.ca.gov. The department shall not accept a request for reconsideration that is submitted after the 30 calendar day deadline or is not signed under penalty of perjury.

(4) The department shall consider any information submitted with the request for reconsideration, and within 60 calendar days may, in its sole discretion, sustain, reverse, or amend its permitting decision. The basis for this action may include, but is not limited to, a mistake of fact or law, or because the permittee or applicant has taken corrective actions to meet all requirements and standards pursuant to department direction. If the permitting decision is reversed or amended, the department must determine that a reversal or amendment of its permitting decision will not likely **severely** adversely impact animal welfare; native wildlife; agricultural interests of this state; and human health and human safety.

(5) Denial Hearing. Any person whose denial is sustained by the department may request a hearing before the commission to show cause why their permit request should not be denied. The request for a hearing shall be sent by electronic mail no later than 30 calendar days after the date on the proof of service described in paragraph (d) to the following email address: fgc@fgc.ca.gov. The commission shall not accept a request for a hearing that is submitted after the 30 calendar day deadline.

(f) Revocation Hearing. Any permittee or sub-permittee whose permit or sub-permit has been revoked by the department may request a hearing before the commission to show cause why their permit or sub-permit should not be revoked.

(1) The request for a hearing shall be sent by electronic mail no later than 30 calendar days after the date on the proof of service described in paragraph (d) to the following email address: fgc@fgc.ca.gov. The commission shall not accept a request for a hearing that is submitted after the 30 calendar day deadline.

(g) Effect on the Seizure, Transfer, Euthanasia, or Release of Wildlife. Nothing in this section, sub-section 679.3(a)(**93**), or sub-section 679.3(c)(4) shall affect the seizure, transfer, euthanasia, or release of wildlife pursuant to Section 679.8.

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

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

Proposed Regulatory Language

Section 703, Title 14, California Code of Regulations, is hereby amended as follows:

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

[No changes to subsections (a) through (b)]

(c) Applications, Forms and Fees for multi-year permits valid from date of issuance.

[No changes to subsection (c)(1)]

(2) Native Wildlife Rehabilitation Permits

(A) Application and Inspection Fees. All fees, except for late fees, are subject to Section 713 of the Fish and Game Code and may be adjusted to include other fees required by license agents, pursuant to Fish and Game Code Section 1055.

(B) Fees.

	<u>Permit Type</u>	<u>Application Fee</u>	<u>Inspection Fee</u>	<u>Late Fee</u>
<u>1.</u>	<u>Wildlife Rehabilitation Permit, Primary Facility – New Application. Fees are for new permit applicants.</u>	\$69.04 <u>68.25</u> <u>(non-refundable)</u>	\$191.32 <u>189.00</u> <u>(refundable)</u>	<u>No Fee</u>
<u>2.</u>	<u>Wildlife Rehabilitation Permit, Primary Facility – Renewal Application.</u>	\$69.04 <u>68.25</u> <u>(non-refundable)</u>	<u>No Fee</u>	<u>\$25.00</u> <u>(non-refundable)</u>
<u>3.</u>	<u>Wildlife Rehabilitation Sub-Permit – New Application.</u>	<u>No Fee</u>	<u>No Fee</u>	<u>No Fee</u>
<u>4.</u>	<u>Wildlife Rehabilitation Permit, Specialty Rehabilitation Authorization – Permit Amendment.</u>	\$69.04 <u>68.25</u> <u>(non-refundable)</u>	\$191.32 <u>189.00</u> <u>(refundable)</u>	<u>No Fee</u>
<u>5.</u>	<u>Wildlife Rehabilitation Permit, Facility Change – Permit Amendment.</u>	\$69.04 (non-refundable) <u>No Fee</u>	\$191.32 <u>189.00</u> <u>(refundable)</u>	<u>No Fee</u>
<u>6.</u>	<u>Wildlife Rehabilitation Permit, Sub-Permit, or Specialty Rehabilitation Authorization – Administrative Update.</u>	<u>No Fee</u>	<u>No Fee</u>	<u>No Fee</u>

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

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

Native Wildlife Rehabilitation 679 Regulations Manual

1ST EDITION



California Department of Fish and Wildlife
January 2025

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Chapter 1. California Native Wildlife Rehabilitation

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

(a) Introduction

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

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

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

(b) Getting Started

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

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

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

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

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

(d) Training and Resources

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

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

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

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

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

(e) Facility Operations

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

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

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

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

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

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

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

*Continuing education requirement (8.0 hours per year)

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

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

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

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

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

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

(h) Public Information and Outreach

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

Example of standard response (animal welfare)

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

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

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

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

Example of standard response (human-wildlife conflict)

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

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

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

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

(a) Enclosure Requirements

- (1) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall know the basic ecology, natural behavior, and life history of the species or taxa of each rehabilitation animal they temporarily possess. Behavioral and environmental enrichment shall be provided to each animal that is suitable for the developmental stage, condition, and rehabilitation stage of that animal. [Note: This requirement is intended to ensure there is sufficient knowledge to maintain and improve the welfare of each animal.]
- (2) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall maintain visual and physical separation of the enclosures between each rehabilitation animal, ~~and with any domestic animal, restricted species, non-rehabilitation wild animals, and any person~~ **not performing wildlife rehabilitation activities**. ~~Each enclosure shall have visual and physical separation maintained between each rehabilitation animal and any domestic animal, restricted species, non-conspecific rehabilitation animal, other wild animals, and any person.~~ [Note: This requirement is intended to minimize the risk of habituation or mal-imprinting of any animal.]
- (3) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall use the animal enclosure type, as listed in sub-section (b) Table 4 below, that is specific to the stage of rehabilitation of each rehabilitation animal: neonate enclosure, limited mobility enclosure, pre-release conditioning enclosure.
(A) "Pre-release conditioning" means the stage of the rehabilitation process during which a permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall evaluate for release to the wild a rehabilitation animal in accordance with sections 671.6 and 679.6 of these regulations. [Note: This requirement is intended to ensure that a rehabilitation animal is physically and behaviorally ready to be released to suitable habitat in the wild.]
- (4) A permittee, their designee, or sub-permittee shall request a variance from the department for consideration by the department to use any enclosure that may not meet requirement for minimum enclosure size, or differ in construction materials, or any other requirements listed in Tables 4 through ~~15~~ **14** herein pursuant to **subsection Section** 679.4(c). [Note: There is no cost to request a variance. The department does not charge a fee for variances.]
- (5) A permittee, their designee, or sub-permittee shall adhere to the terms and conditions provided in a variance approved by the department. ~~A variance may be approved for a temporary enclosure or permanent structure, as specified on the approved variance form with the terms and conditions set by the department.~~
- (6) The department shall review any existing variances, and the terms and conditions set by the department, at the time of permit renewal by the permittee or their designee. [Note: This requirement is intended to ensure that the variance continues to maintain and improve the welfare of each rehabilitation animal potentially affected by that variance, e.g., modified pre-release conditioning enclosure.]
- (7) A temporary enclosure, as defined in these regulations, is a fully enclosed structure with four walls, a door, roof, and floor, that prevents the ingress or egress of any animal at will, and it is not permanently ~~attached~~ **affixed** to any surface. [Note: This requirement is intended to allow for the use of prefabricated enclosures, such as modular kennel cages or animal crates to house rehabilitation animals at a certain stage of rehabilitation as specified in these regulations.]
- (8) Provided it meets the minimum enclosure size requirements listed in Tables **7, 9, 11, 12, 14, and 15** ~~7 through 15~~ herein, a temporary enclosure may be used to house a neonate rehabilitation animal of any species or taxa. [Note: This requirement is intended to allow for the use of prefabricated enclosures, such as modular kennel cages or animal crates to house rehabilitation animals at a certain stage of rehabilitation as specified in these regulations.]
- (9) Provided it meets the minimum enclosure size requirements and pre-release conditioning enclosure requirements listed in Tables **7, 9, 11, 12, 14, and 15** ~~7 through 15~~ herein, a temporary enclosure may be used to house rehabilitation animals that have reached the pre-release conditioning stage of rehabilitation of the

following species or taxa: amphibians, reptiles, birds, mammal species of the Orders Carnivora, Chiroptera, Didelphimorphia, Eulipotyphla (formerly Insectivora), Lagomorpha, and Rodentia, excluding any large carnivore specialty rehabilitation animal, ungulate specialty rehabilitation animal, eagle or falcon specialty rehabilitation animal, badger, bobcat, coyote, wolverine, North American beaver, and river otter.

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

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

(c) Amphibian and Reptile Requirements

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

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

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

(e) Mammal Requirements

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

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

Order	Animal Type	Minimum Requirements
(1) Carnivora	(A) Badger	<p><u>1. Walls, floor, and roof shall be constructed of either or a combination of the listed materials:</u></p> <p>a. <u>9-gauge 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p>b. <u>Concrete 1-inch x 1-inch welded steel wire.</u></p> <p><u>2. Roof shall be constructed of either or a combination of the listed materials:</u></p> <p>a. <u>11-gauge chain link with any mesh size; or</u></p> <p>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></p> <p>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p><u>23. Wall and roof material shall be affixed to posts consisting of either one of the following materials and spaced no more than 8 feet apart:</u></p> <p>a. <u>A minimum of 24-inch x 4-inch wood fence post; or</u></p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p><u>24. Walls shall be buried at least 3 feet deep down and 5 feet inward at a 90-degree angle. [Note: This requirement is intended to prevent animal escape by digging.]</u></p> <p><u>45. Floors shall be constructed of concrete and covered with a minimum of 1 foot of soil or similar natural substrate at a minimum depth of 1 foot [Note: This requirement is intended to prevent animal escape by digging.]</u></p> <p><u>56. Each enclosure shall have the following enrichment:</u></p> <p>a. <u>1 hide box or sheltered retreat with the minimum dimensions of 2.5 feet x 2 feet x 2 feet (L x W x H). [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]; and</u></p> <p>b. <u>At least one area of the floor a minimum of 4-feet x 4-feet (L x W) covered with at least 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended to allow each animal claw and dig at will.]; and</u></p> <p>c. <u>At least 1 tree stump or tree limb at least 6 feet long with a minimum diameter of 4 inches securely attached either horizontally or at an angle between 30-degrees and 60-degrees to the wall [Note: This is intended to allow an animal to climb and scratch.]</u></p>
	(B) Bobcat	<p><u>1. Walls and floor shall be constructed of either or a combination of the listed materials:</u></p> <p>a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p>b. <u>1-inch by 2-inch welded steel wire with mesh size no larger than 1-inch x 2-inches; or</u></p>

Order	Animal Type	Minimum Requirements
		<p>c. <u>Concrete.</u></p> <p>2. <u>Roof shall be constructed of either or a combination of the listed materials:</u></p> <p>a. <u>11-gauge chain link with mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior roof; or</u></p> <p>b. <u>1-inch by 2-inch wWelded steel wire with mesh size no larger than 1-inch x 2-inches; or</u></p> <p>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining area consisting of either a or b; or</u></p> <p>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p>3. <u>Wall and roof materials shall be affixed to posts consisting of one of the listed materials and spaced no more than 8 feet apart:</u></p> <p>a. <u>A minimum of 24-inch X 4-inch wood fence post; or</u></p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p>4. <u>Walls constructed of 11-gauge chain link or welded steel wire shall be buried at least 1 foot deep down and 1 foot inward at a 90-degree angle if floors are not constructed of concrete [Note: This requirement is intended to prevent escape by digging.]</u></p> <p>5. <u>Floors shall be constructed of either one of the following:</u></p> <p>a. <u>Soil or other similar natural substrate; or</u></p> <p>b. <u>Concrete covered with soil or other similar natural substrate at a minimum depth of 6 inches; or</u></p> <p>c. <u>Welded steel wire with mesh size no larger than 1-inch x 2-inches covered with soil or similar natural substrate at a minimum depth of 1 foot6 inches; or</u></p> <p>d. <u>11-gauge chain link with mesh no larger than 2.5 inches covered with soil or similar natural substrate at a minimum depth of 1 foot.</u></p> <p>6. <u>Each enclosure shall have the following enrichment:</u></p> <p>a. <u>3 wooden beams or tree limbs at least 6 feet long with a minimum diameter of 4 inches wide securely attached either horizontally or at an angle between 30-degrees and 60-degrees to the enclosurewall [Note: This is intended to allow an animal to climb and scratch]; and</u></p> <p>b. <u>1 elevated platform that is placed at a minimum height of 4 feet above the floor with a minimum area of 6 square feet; and</u></p> <p>c. <u>1 hide box or sheltered retreat with the minimum dimensions of 2.5 feet x 2 feet x 2 feet (L x W x H). [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u></p>
	(C) Coyote	<p>1. <u>Walls and roof shall be constructed of either:</u></p> <p>a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p>b. <u>1-inch X 2-inch wWelded steel wire with a mesh size no larger than 1-inch x 2-inch.</u></p> <p>2. <u>Roof shall be constructed of either or a combination of the listed materials:</u></p> <p>a. <u>11-gauge chain link with mesh size no larger than 2.5 inches; or</u></p> <p>b. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></p> <p>c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p>

Order	Animal Type	Minimum Requirements
		<p>e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p>23. Wall and roof materials shall be affixed to posts consisting of one of the following listed materials and spaced no more than 8 feet apart:</p> <p>a. <u>A minimum of 24-inch x 4-inch wood fence post; or</u></p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p>24. Walls shall be buried at least 2 feet deep and 2 feet 1 foot down and 1 foot inward at a 90-degree angle if floors are not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</p> <p>45. Floors shall be constructed of either:</p> <p>a. <u>Soil or similar natural substrate; or</u></p> <p>b. <u>11- gauge chain link covered with soil, or similar natural substrate at a minimum depth of 6 inches 1 foot; or</u></p> <p>c. <u>Welded steel wire covered with soil, or similar natural substrate at a minimum depth of 1 foot 6 inches; or</u></p> <p>d. <u>Concrete covered with soil, or similar natural substrate at a minimum depth of 6 inches 1 foot 6 inches.</u></p> <p>56. Each enclosure shall have the following enrichment:</p> <p>a. <u>1 hide box or sheltered retreat that is with the minimum dimensions of 4 feet x 3 feet x 3 feet (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]; and either</u></p> <p>b. <u>At least 2 wood beams or tree limbs at least 6 feet long and a minimum diameter of 4 inches wide securely attached horizontally or at an angle between 30-degrees and 60-degrees; and/or</u></p> <p>c. <u>1 elevated platform that is placed at a minimum height of 3 feet above the floor with and a minimum of 6 square feet.</u></p>
	(D) Ermine, Mink, Weasel	<p><u>1. Walls shall be constructed of either or a combination of the listed materials:</u></p> <p>a. <u>Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch; or</u></p> <p>b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches with steel hardware cloth with a mesh size no larger 1-inch x 1-inch affixed to the interior wall; or</u></p> <p>c. <u>Wood panels; or</u></p> <p>d. <u>Fiberglass panels; or</u></p> <p>e. <u>Polyvinyl chloride (PVC) panels or other similar solid material.</u></p> <p><u>2. Roof shall be constructed of either or a combination of the listed materials:</u></p> <p>a. <u>Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch; or</u></p> <p>b. <u>Wood panels; or</u></p> <p>c. <u>Fiberglass panels; or</u></p> <p>d. <u>Polyvinyl chloride (PVC) panels.</u></p> <p><u>3. Wall and roof material shall be affixed to posts consisting of one of the listed materials:</u></p> <p>a. <u>A minimum of 2-inch x 4-inch wood fence posts; or</u></p> <p>b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p><u>4. Walls shall be buried at least 1 foot down and 1 foot inward at a 90-degree angle if floors are not constructed of concrete [Note: This requirement is intended to prevent escape by digging].</u></p> <p><u>5. Floors shall be constructed of either:</u></p>

Order	Animal Type	Minimum Requirements
		<p><u>a. Welded steel wire or chain link covered with soil or similar natural substrate at a minimum depth of 1-foot 6 inches; or</u></p> <p><u>b. Concrete covered with soil or similar natural substrate at a minimum depth of 1 foot.</u></p> <p><u>6. Each enclosure shall have the following enrichment:</u></p> <p><u>a. 2 wood beams or tree limbs at least 4 feet long with a minimum diameter of 3 inches placed on the floor either horizontally or at an angle between 30-degrees and 60-degrees; and</u></p> <p><u>b. 1 hide box or sheltered retreat with the minimum dimensions of 1.5 feet x 1 foot x 1 foot (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will].</u></p>
	<u>(E) Fisher</u>	<p><u>1. Walls shall be constructed of either:</u></p> <p><u>a. 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p><u>b. Welded steel wire with a mesh size no larger than 1-inch x 1-inch.</u></p> <p><u>2. Roof shall be constructed of either or a combination of the listed materials:</u></p> <p><u>a. 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p><u>b. Welded steel wire with a mesh sized no larger than 1-inch x 1-inch; or</u></p> <p><u>c. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p><u>d. Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p><u>e. Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p><u>3. Wall and roof materials shall be affixed to posts consisting of one of the listed materials:</u></p> <p><u>a. A minimum of 2-inch x 4-inch wood fence posts, or</u></p> <p><u>b. A minimum of 2-inch diameter metal fence posts.</u></p> <p><u>4. Walls shall be buried at least 1 foot down and 1 foot inward at a 90-degree angle if the floor is not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</u></p> <p><u>5. Floors shall be constructed of either:</u></p> <p><u>a. Soil or similar natural substrate; or</u></p> <p><u>b. 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soil or similar natural substrate at a minimum depth of 1 foot; or</u></p> <p><u>c. Welded steel wire covered with soil or similar natural substrate at a minimum depth of 1-foot 6 inches; or</u></p> <p><u>d. Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches.</u></p> <p><u>6. Each enclosure shall have the following enrichment:</u></p> <p><u>a. At least 4 wood beams or tree limbs at least 4 feet long with a minimum diameter of 6 inches placed on the floor either horizontally or at an angle between 30-degrees and 60-degrees; and</u></p> <p><u>b. 2 elevated platforms that are placed at varying heights a minimum of 2 feet high above the floor with a minimum area of 2 square feet; and</u></p> <p><u>c. At least 1 hide box or sheltered retreat with the minimum dimensions of 2.5-feet x 2-feet x 1.5-feet (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u></p>
	<u>(F) Fox, Gray and Sierra</u>	<p><u>1. Walls shall be constructed of either or a combination of the listed materials:</u></p> <p><u>a. Welded steel wire with a mesh size no larger than 1-inch x 2-inch; or</u></p>

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

Order	Animal Type	Minimum Requirements
		<p><u>d. Polyvinyl chloride (PVC) panels covering no more than ½ the roof area with the remaining roof area consisting of material listed in a.</u></p> <p><u>3. Wall and roof materials shall be affixed to posts consisting of one of the listed materials:</u></p> <p><u>a. A minimum size of 2-inch x 4-inch wood fence posts, or</u></p> <p><u>b. A minimum size of 2-inch diameter metal fence posts.</u></p> <p><u>4. Walls constructed of welded steel wire shall be buried at least 2 feet down and 2 feet inward at a 90-degree angle if floor is not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</u></p> <p><u>5. Floors shall be constructed of either:</u></p> <p><u>a. Soil or similar natural substrate; or</u></p> <p><u>b. Welded steel wire with a mesh size no larger than 1-inch x 2-inch covered with soil or similar natural substrate at a minimum depth of 6 inches-2 feet; or</u></p> <p><u>c. 11-gauge chain link with a mesh size no larger than 2.5 inches covered with soil or similar natural substrate at a minimum depth of 1 foot 2 feet; or</u></p> <p><u>d. Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches.</u></p> <p><u>6. Each enclosure shall have the following enrichment:</u></p> <p><u>a. 2 shrubs, bushes, or similar vegetation. [Note: This requirement is intended to provide a visual barrier for each animal to fully hide behind at will.]; and</u></p> <p><u>b. At least one area of the floor, a minimum size of 12 square feet, with a minimum of 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended for each animal to be able to express its natural behavior, such as to dig and burrow at will.]; and</u></p> <p><u>c. At least 2 hide boxes or sheltered retreats with the minimum dimensions of 3 feet x 1.5 feet x 1 foot (L x W x H) [Note: This requirement is intended an animal to be fully hidden and ingress and egress at will.].</u></p>
	<u>(H) Marten</u>	<p><u>1. Walls shall be constructed of either or a combination of the listed materials:</u></p> <p><u>a. 11-gauge chain link with a mesh size no larger than 2.5 inches covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p><u>b. Welded steel wire with mesh size no larger than 1-inch x 1-inch; or</u></p> <p><u>c. Wood panels; or</u></p> <p><u>d. Fiberglass panels; or</u></p> <p><u>e. Polyvinyl chloride (PVC) panels; or</u></p> <p><u>f. Concrete.</u></p> <p><u>2. Roof shall be constructed of either or a combination of the listed materials:</u></p> <p><u>a. 11-gauge chain link with a mesh size no larger than 2.5 inches covered with steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior wall; or</u></p> <p><u>b. Welded steel wire with mesh size no larger than 1-inch x 1-inch; or</u></p> <p><u>c. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u></p> <p><u>d. Fiberglass or polyvinyl chloride (PVC) panels no more than ½ of the roof area with the remaining roof area consisting of either a or b;</u></p> <p><u>e. Polyvinyl chloride (PVC) panels no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p><u>3. Wall and roof materials shall be affixed to posts consisting of one of either:</u></p>

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

Order	Animal Type	Minimum Requirements
		<p>d. <u>11-gauge chain link covered with soil or similar substrate at a minimum depth of 1 foot.</u></p> <p>6. <u>Each enclosure shall have the following enrichment:</u></p> <p>a. <u>3 wood beams or tree limbs at least 2 feet long with a minimum diameter of 2 inches placed on the floor either horizontally or secured to a wall at an angle between 30-degrees and 60-degrees; and</u></p> <p>b. <u>1 pool or water feature constructed of plastic, aluminum, fiberglass, concrete, or metal that is a minimum of 2 feet in diameter filled with a minimum of 6 inches of clean water; and</u></p> <p>c. <u>1 hide box or sheltered retreat with the minimum dimensions of 2 feet x 1.5 feet x 1.5 feet. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u></p> <p>7. <u>Other species shall not be housed in enclosures designated for raccoons. [Note: This requirement is intended to prevent transmitting raccoon roundworm to other animals.]</u></p>
	(D) Fox	<p>1. Walls and roof shall be constructed of either:</p> <p>a. 1-inch x 1-inch welded steel wire; or</p> <p>b. Concrete (walls only);</p> <p>2. Roof shall be constructed of 1-inch x 1-inch welded steel wire.</p> <p>3. Wall and roof materials shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart:</p> <p>a. 4-inch x 4-inch wood fence posts; or</p> <p>b. 2-inch diameter metal fence posts;</p> <p>4. Walls constructed of 1-inch x 1-inch welded steel wire shall be buried a minimum of 2 feet deep and 2 feet inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</p> <p>5. Floors shall be constructed of either:</p> <p>a. Soil or similar natural substrate; or</p> <p>b. Concrete covered with soil or similar natural substrate of a minimum depth of 6 inches.</p> <p>6. Each enclosure shall have the following enrichment:</p> <p>a. 2 tree limbs with a minimum diameter of 2 inches; and</p> <p>b. 1 hide box or sheltered retreat with the minimum dimensions of 2 feet x 1.5 feet x 1.5 feet [Note: This requirement is intended an animal to be fully hidden and ingress and egress at will]; and</p> <p>c. 1 wood ramp at minimum of 6 feet long and 4 inches wide placed horizontally or at an angle of 30 degrees to 60 degrees; or</p> <p>d. 1 wood platform a minimum of 2 feet high and a minimum area of 4 square feet.</p> <p>7. Kit fox species shall have at least one area of the floor a minimum of 4 feet x 4 feet shall have at least 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended for each animal to be able to express its natural behavior, such as to dig and burrow at will.]</p>
	(E) Fisher, Marten	<p>1. Walls shall be constructed of either:</p> <p>a. 11-gauge chain link; or</p> <p>b. 1-inch x 1-inch welded steel wire; or</p> <p>c. Concrete.</p> <p>2. Roof shall be constructed of either:</p> <p>a. 11-gauge chain link; or</p> <p>b. 1-inch x 1-inch welded steel wire.</p> <p>2. Wall and roof materials shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart:</p> <p>a. 4-inch x 4-inch wood fence posts; or</p> <p>b. 2-inch diameter metal fence posts.</p>

Order	Animal Type	Minimum Requirements
		3. Walls constructed of chain link or welded steel wire shall be buried at least 1.5 feet deep and 1.5 feet inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging]. 4. Floors shall be constructed of one of the following materials: <ol style="list-style-type: none"> a. Soil; b. Mulch; or c. Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches. 5. Each enclosure shall have the following enrichment: <ol style="list-style-type: none"> a. 2 tree limbs at least 4 feet in length with a minimum diameter of 12 inches placed horizontally, vertically, or at an angle between 30 degrees to 60 degrees; and b. 1 hide box or sheltered retreat that has the minimum dimensions of 1.5 feet x 1.5 feet x 1.5 feet. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]
	<u>(F) Raccoon</u>	a. Walls and roof shall be constructed of either: <ol style="list-style-type: none"> a. 0.5-inch x 1-inch welded steel wire; or b. 11-gauge chain link. b. Wall and roof materials shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart: <ol style="list-style-type: none"> a. 4-inch x 4-inch wooden fence post; or b. 2-inch diameter metal fence post. c. Walls constructed of 0.5-inch x 1-inch welded steel wire, or 11-gauge chain link shall be buried at a minimum of 1 foot deep and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging]. d. Floor shall be constructed of either; and covered with soil, or similar natural substrate with a minimum depth of 6 inches: <ol style="list-style-type: none"> a. Concrete; or b. 0.5-inch x 1-inch welded steel wire. e. Each enclosure shall have the following enrichment: <ol style="list-style-type: none"> a. 3 tree limbs with a minimum diameter of 2 inches placed either horizontally or at an angle of 30 degrees to 60 degrees; and b. 1 pool or water feature constructed of plastic, aluminum, rubber, or metal that is a minimum of 2 feet in diameter and can hold a minimum of 6 inches of water; and c. 1 hide box or sheltered retreat with minimum dimensions of 2 feet x 1.5 feet x 1.5 feet. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.] f. Other species shall not be housed in enclosures designated for raccoons. [Note: This requirement is intended to prevent transmitting raccoon roundworm to other animals.]
	<u>(G) Ringtail</u>	<ol style="list-style-type: none"> 1. Walls shall be constructed of either or a combination of the listed materials: <ol style="list-style-type: none"> a. <u>1-inch x 1-inch welded steel wire with a mesh size no larger than 1-inch x 1-inch welded steel wire; or</u> b. <u>11-gauge chain link with a mesh size no larger than 1-inch x 1-inch; or</u> c. <u>Wood panels; or</u> d. <u>Fiberglass panels; or</u> e. <u>Polyvinyl chloride (PVC) panels; or</u> f. <u>Concrete.</u> 2. Roof shall be constructed of either or a combination of the listed materials: <ol style="list-style-type: none"> a. <u>1-inch x 1-inch welded steel wire with a mesh size no larger than 1-inch x 1-inch; or</u> b. <u>11-gauge chain link with a mesh size no larger than 1-inch x 1-inch; or</u> c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u>

Order	Animal Type	Minimum Requirements
		<p>d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u> e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p>3. <u>Walls and roof material shall be affixed to posts consisting of either one of the following materials and spaced no more than 8 feet apart:</u> a. <u>A minimum of 2-inch 4-inch x 4-inch wooden fence post; or</u> b. <u>A minimum of 2-inch diameter metal fence post.</u></p> <p>4. <u>Walls constructed of either 1-inch x 1-inch welded steel wire, or 11-gauge welded steel wire or chain link shall be buried a minimum of 1 foot deep down and 1 foot inward at a 90-degree angle if floor is not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging.]</u></p> <p>5. <u>Floors shall be constructed of either:</u> a. <u>Concrete covered with soil, or similar natural substrate with a minimum depth of 3 inches 6 inches; or</u> b. <u>Soil or similar natural substrate; or</u> c. <u>11-gauge chain link with a mesh size no larger than 1-inch x 1-inch covered with soil or other similar natural substrate at a minimum depth of 1 foot; or</u> d. <u>Welded steel wire with a mesh size no larger than 1-inch x 1-inch covered with soil or other similar natural substrate at a minimum depth of 6 inches 4-foot.</u></p> <p>6. <u>Each enclosure shall have the following enrichment:</u> a. <u>3 wood beams or tree limbs at least 3 feet long with a minimum diameter of 2 inches placed on the floor either horizontally or secured to the enclosure wall at an angle between 30-degrees and 60-degrees; and</u> b. <u>1 elevated platform that is a minimum height of 4 feet to above the ground with a minimum area of 2 square feet; and</u> c. <u>1 hide box or sheltered retreat that is a with the minimum dimensions of 1.5-feet x 1 foot x 1 foot (L x W x H) [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u></p>
	(J) Weasel, Ermine, Mink	1. Walls and roof shall be constructed of 0.5-inch x 0.5-inch welded steel wire. 2. Walls and roof material shall be affixed to posts consisting of one of the following materials and spaced no more than 8 feet apart: a. 4-inch x 4-inch wood fence posts; or b. 2-inch diameter metal fence post. 3. Walls constructed of 0.5-inch x 0.5-inch welded steel wire shall be buried at least 1 foot deep and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent escape by digging]. 4. Floors shall be constructed of either: a. 0.5-inch x 0.5-inch welded steel wire; or b. Concrete covered with soil, or similar natural substrate at least 1 foot deep. 5. Each enclosure shall have the following enrichment: a. 2 tree limbs a minimum of 4 feet long with a minimum diameter of 3 inches placed horizontally on the ground or at an angle between 30-degrees and 60-degrees; and b. 1 hide box or sheltered retreat with minimum dimensions of 1.5 feet x 1 foot x 1 foot [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will].
	(K) River Otter	1. <u>Walls and roof shall be constructed of either or a combination of the listed materials:</u>

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

Order	Animal Type	Minimum Requirements
		<ul style="list-style-type: none"> a. <u>A minimum of 24-inch x 4-inch wood fence posts; or</u> b. <u>A minimum of 2-inch diameter metal fence post.</u> 3. <u>Walls constructed of 1-inch x 1-inch welded steel wire shall be buried at least 1 foot down and 1 foot inward at a 90-degree angle. [Note: This requirement is intended to prevent animal escape by digging.]</u> 4. <u>Floors shall be constructed of either:</u> <ul style="list-style-type: none"> a. 1-inch by 1-inch welded steel wire covered with soil, or similar natural material a minimum depth of 3-inches at least 1 foot deep; <u>or</u> b. <u>Concrete covered with soil, or similar natural material a minimum depth of 3-inches at least 1 foot deep.</u> 5. <u>Each enclosure shall have the following enrichment:</u> <ul style="list-style-type: none"> a. <u>2 tree limbs with a minimum of at least 3 feet long with a minimum diameter of 4 inches placed horizontally on the floor; and</u> b. <u>1 hide box or sheltered retreat with the minimum dimensions of 2 feet x 1.5 feet x 1.5 feet (L x W x H). [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</u> 6. <u>Other species shall not be housed in enclosures designated solely for skunks. [Note: This requirement is intended to prevent transmitting skunk roundworm to other animals.]</u>
	(M) Wolverine	<ul style="list-style-type: none"> 1. <u>Walls shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches; or</u> b. <u>Concrete 1-inch x 1-inch welded steel wire; or</u> c. Concrete. 2. <u>Roof shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches; or</u> b. <u>1-inch x 1-inch welded steel wire with a mesh size no larger than 2-inches x 2-inches; or</u> c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u> d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u> e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u> 3. <u>Wall and roof materials shall be affixed to posts consisting of either one of the following materials:</u> <ul style="list-style-type: none"> a. <u>A minimum of 2-inch 4-inch x 4-inch wood fence posts, or</u> b. <u>A minimum of 2-inch diameter metal fence posts.</u> 4. <u>Walls constructed of chain link or welded steel wire shall be buried at least 1.5 feet deep down and 1.5 feet inward at a 90-degree angle if floor is not constructed of concrete [Note: This requirement is intended to prevent animal escape by digging].</u> 5. <u>Floors shall be constructed of either:</u> <ul style="list-style-type: none"> a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches covered with soil, or similar natural substrate at a minimum depth of 1 foot; or</u> b. <u>1-inch x 1-inch welded steel wire with a mesh size no larger than 2-inches x 2-inches covered with soil, or similar natural substrate at a minimum depth of 1 foot; or</u> c. <u>Concrete covered with soil, or similar natural substrate at a minimum depth of 6 inches; or</u> d. <u>Soil, or similar natural substrate.</u> 6. <u>Each enclosure shall have the following enrichment:</u>

Order	Animal Type	Minimum Requirements
		<ul style="list-style-type: none"> a. <u>2 wood beams or tree limbs at least 4 feet in length with a minimum diameter of 3 inches placed on the floor horizontally or secured to a wall at an angle between 30-degrees and 60-degrees; and</u> b. <u>1 hide box or sheltered retreat with the minimum dimensions of 3 feet x 2 feet x 2 feet (L x W x H). [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]; and</u> c. <u>At least one area of the floor, a minimum of 4-feet x 4-feet, shall have with at least 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended to allow each animal claw and dig at will.].</u>
(2) Chiroptera	(A) All Bats	<ul style="list-style-type: none"> 1. <u>Enclosures shall have a double-door entry system that is closed and secured at all times. [Note: This requirement is intended to prevent animal escape by flying.]</u> 2. <u>Walls and roof shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> a. <u>Wood panels covering at least 1/4 and up to 1/2 of the wall area; or</u> b. <u>Plastic panels covering at least 1/4 and up to 1/2 of the wall area; and/or</u> c. <u>Wall area not constructed of wood or plastic shall be constructed of coated polyvinyl chloride (PVC) or welded wire mesh with a mesh size no larger than 1-inch x 0.5-inch Polycarbonate plastic aluminum tubing.</u> 3. <u>Wall and roof material shall be affixed to posts consisting of one of the listed materials and spaced no more than 8 feet apart:</u> <ul style="list-style-type: none"> a. <u>A minimum of 24-inch x 4-inch wood fence posts; or</u> b. <u>A minimum of 2-inch diameter metal fence post.</u> 4. <u>Interior walls shall be covered with either polycarbonate vinyl or polypropylene plastic mesh with mesh size no larger than 1/6 inches x 1/6 inches or smaller polypropylene mesh. [Note: This requirement is intended to prevent injury to each animal.]</u> 5. <u>Roof shall be constructed of either Ceilings shall be covered with shade cloth, tarp, or similar material covering at least 1/3 up to 1/2 of the ceiling area [Note: This requirement is intended to provide shelter for each animal.]:</u> <ul style="list-style-type: none"> a. <u>Wood covering at least 1/4 and up to 1/3 of the roof area; or</u> b. <u>Plastic covering at least 1/4 and up to 1/3 of the roof area; or</u> c. <u>Metal covering at least 1/4 and up to 1/3 of the roof area; and</u> d. <u>Roof area not constructed of wood, plastic, or metal shall be constructed of fiberglass netting or similar soft net material.</u> 6. <u>Floors shall be constructed of either the following material [Note: This requirement is intended to prevent injury to each animal.]:</u> <ul style="list-style-type: none"> a. <u>Concrete covered with carpet, mat, or other soft material; or</u> b. <u>Soil; or</u> c. <u>Non-abrasive sand. [Note: This requirement is intended to prevent injury to each animal.]</u> 7. <u>Enclosure shall have the following enrichment [Note: This requirement is intended for each animal of a cavity or crevasse crevice dwelling or foliage roosting species to be fully hidden and to climb, hang, or roost at will.]:</u> <ul style="list-style-type: none"> a. <u>2 hide boxes or sheltered retreat with minimum dimension of no larger than 6 inches x 6 inches 1.5 inches x 6 inches (L x W x H), or cloth pouches, placed a minimum of 5 feet high above the floor; and</u> b. <u>2 cloth pouches (6 inches x 6 inches x 6 inches), or similar sheltered retreat placed a minimum of 5 feet high; and</u> be. <u>2 tree branches at least a minimum of 3 feet long with a minimum diameter of 0.5 inches with artificial or natural leaves and secured from the ceiling. [Note: This requirement is intended for each animal of a crevasse dwelling or foliage roosting species to be fully hidden and to climb, hang, or roost at will.]</u>
(3) Didelphimorphia	(A) Opossum	<ul style="list-style-type: none"> 1. <u>Walls and roof shall be constructed of either or a combination of the listed materials:</u> <ul style="list-style-type: none"> a. <u>0.5-inch x 1-inch welded steel wire with a mesh size no larger than 0.5-inch x 1-inch; or</u>

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

Order	Animal Type	Minimum Requirements
		<ol style="list-style-type: none"> a. <u>Welded steel wire with a mesh no larger than 0.5-inch x 1-inch and covered with steel hardware cloth with a mesh size no larger than 0.5-inches x 1-inch, shade cloth, or similar material affixed to the interior of the wall; or</u> b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with steel hardware cloth with a mesh size no larger than 0.5-inches x 1-inch, shade cloth, or similar material affixed to the interior of the wall; or</u> c. <u>Solid panels of wood, fiberglass, or polyvinyl chloride (PVC).</u> <ol style="list-style-type: none"> 2. <u>Roof shall be made of either or a combination of the listed materials:</u> <ol style="list-style-type: none"> a. <u>Welded steel wire with a mesh no larger than 0.5-inch x 1-inch covered with no more than 30% UV shade cloth; or</u> b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches covered with no more than 30% UV shade cloth; or</u> c. <u>Wood Tarps; or</u> d. <u>Fiberglass Shade cloth; or</u> e. <u>Other similar non-transparent material [Note: This requirement is intended to provide visual barrier to predators.]</u> 3. <u>Walls and roof material shall be affixed shall be affixed to posts consisting of either one of the following materials and spaced no more than 8 feet apart:</u> <ol style="list-style-type: none"> a. <u>A minimum of 2-inch4-inch x 4-inch wood fence posts; or</u> b. <u>A minimum of 2-inch diameter metal fence post.</u> 4. <u>Walls constructed of 0.5-inch x 1-inch welded steel wire or chain link shall be buried a minimum of at least 1 foot deep down and 1 foot inward at a 90-degree angle. [Note: This requirement is intended to prevent animal escape by digging.]</u> 5. <u>The floor shall be constructed of 0.5-inch x 1-inch welded steel wire covered with soil or similar natural substrate at a minimum depth of 6 inches. Floor shall be constructed of either:</u> <ol style="list-style-type: none"> a. <u>Soil, or other similar natural substrate; or</u> b. <u>Welded steel wire with a mesh no larger than 0.5-inch x 1-inch covered with soil or similar natural substrate at a minimum depth of 6 inches1 foot; or</u> c. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soil or similar natural substrate at a minimum depth of 1 foot.</u> 6. <u>Each enclosure shall have the following enrichment:</u> <ol style="list-style-type: none"> a. <u>Straw bales, y Vegetation, shade cloth, tarp, or similar soft material lining at least 2 of the four walls; and</u> b. <u>1 of item 1 item of wood, bone, antler, or similar tooth-resistant materials [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]; and</u> c. <u>1 hide box or sheltered retreat with the minimum dimension of 1.5-feet x 1.5 feet x 1.5 feet.</u>
(6) Rodentia	(A) Chipmunk, Ground Squirrel	<ol style="list-style-type: none"> 1. <u>Walls shall be constructed of either or a combination of the listed materials:</u> <ol style="list-style-type: none"> a. <u>Welded steel wire with a mesh size no larger 0.5-inch x 0.5-inch 16-gauge chain link covered with 0.5-inch x 0.5-inch welded steel wire [Note: This requirement is intended to provide a visual barrier for each animal.]; or</u> b. <u>Wood panels0.5-inch x 3-inch welded steel wire; or</u> c. <u>Concrete.</u> 2. <u>Roof shall be constructed of either or a combination of the listed materials:</u> <ol style="list-style-type: none"> a. <u>Welded steel wire with mesh size no larger than 0.5-inch x 0.5-inch 16-gauge chain link; or</u> b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches 0.5-inch x 3-inch welded steel wire; or</u>

Order	Animal Type	Minimum Requirements
		<p><u>c. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u> <u>d. Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u> <u>e. Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</u></p> <p><u>3. Walls and roof constructed of 16-gauge chain link, or 0.5-inch x 3-inch welded steel wire material shall be affixed to posts consisting of either one of the following materials and spaced no more than 8 feet apart:</u> <u>a. A minimum of 2-inch x 4-inch wood fence posts; or</u> <u>b. A minimum of 2-inch diameter metal fence posts.</u></p> <p><u>4. Walls constructed of 16-gauge chain link, or 0.5-inch x 3-inch welded steel shall be buried 1.5 feet deep down and 1.5 inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</u></p> <p><u>5. Floor shall be constructed of either one of the following materials [Note: This requirement is intended to prevent animal escape by digging.]:</u> <u>a. 16-gauge chain link covered with soil, or similar natural substrate at a minimum depth of 1.5 feet; or</u> <u>b. 0.5-inch x 3-inch welded steel wire with a mesh size no larger 0.5-inch x 0.5-inch covered with soil, or similar natural substrate at a minimum depth of 1.5 foot; or</u> <u>c. Concrete covered with soil, or similar natural substrate at a minimum depth of 1.5 feet6 inches.</u></p> <p><u>6. Each enclosure shall have at least 1 wood stump or tree limb of a minimum diameter of 2 inches</u> <u>7. Each enclosure shall have the following enrichment:</u> <u>a. 1 hide box or sheltered retreat with the minimum dimensions of 1 foot x 1 foot x 1 foot [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]; and</u> <u>b. At least 1 wood stump or tree limb at least 2 feet long with a minimum diameter of 2 inches; and</u> <u>c. At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.].</u></p>
	<p><u>(B) Flying Squirrel, Tree Squirrel</u></p>	<p><u>1. Walls and roof shall be constructed of either or a combination of the listed materials:</u> <u>a. 16-gauge chain link covered with 0.5-inch x 0.5-inch welded steel wire on the interior wall; or</u> <u>b. 0.5-inch x 3-inches welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch;</u> <u>b. Wood panels; or</u> <u>c. Concrete.</u></p> <p><u>2. Roof shall be constructed of either or a combination of the listed materials:</u> <u>a. 16-gauge chain link covered with 0.5-inch x 0.5-inch welded steel wire; or</u> <u>b. 0.5-inch x 3-inch welded steel wire with mesh size no larger than 0.5-inch x 0.5-inch.</u> <u>b. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of a; or</u> <u>c. Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of a; or</u> <u>d. Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of a.</u></p> <p><u>3. Walls shall be constructed of 16-gauge chain link covered with hardware cloth on the interior side, or at least ¼ inches x 3-inches welded steel wire shall be buried 1 foot down and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent animal ingress or egress by digging].</u></p>

Order	Animal Type	Minimum Requirements
		<p>3. Each enclosure shall have at least 3 tree limbs or tree branches of 3 inches minimum diameter; 1 elevated platform placed at a minimum height of 4 feet, and at least 1 hide box or sheltered retreat placed at a minimum height of 4 feet. [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]</p> <p>45. Floors shall be constructed of either or 16-gauge chain link covered with hardware cloth or welded steel wire, covered with soil or similar natural substrate. [Note: This requirement is intended to prevent animal escape by digging. [Note: This requirement is intended to prevent animal escape by digging.]:</p> <p>a. Soil, or other similar natural substrate; or</p> <p>b. Welded steel wire or chain link covered with soil, or similar natural substrate at a minimum depth of 1 foot; or</p> <p>c. Concrete covered with soil, or similar natural substrate at a minimum depth of 6-inches.</p> <p>56. Each enclosure shall have the following enrichment:</p> <p>a. At least 1 hide box or sheltered retreat placed at a minimum height of 4 feet [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will.]; and</p> <p>b. 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]; and</p> <p>c. 3 wood beams or tree limbs at least 3 feet long of 3 inches minimum diameter; and</p> <p>d. 1 elevated platform placed at a minimum height of 4 feet above the floor; and</p>
	(C) Marmot	<p>1. Walls and floor shall be constructed of either or a combination of the listed materials:</p> <p>a. 11-gauge 9-gauge chain link with a mesh size no larger than 2.5 inches; or</p> <p>b. 1-inch x 1-inch welded steel wire with a mesh size no larger than 1-inch x 1-inch; or</p> <p>c. Concrete.</p> <p>2. Roof shall be constructed of either or a combination of the listed materials:</p> <p>a. 119-gauge chain link with a mesh size no larger than 2.5 inches; or</p> <p>b. 1-inch x 1-inch welded steel wire with a mesh size no larger than 2-inch x 3-inch; or</p> <p>c. Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</p> <p>d. Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</p> <p>e. Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b.</p> <p>3. Walls and roof not constructed of concrete shall be affixed to posts consisting of either one of the following materials no more than 8 feet apart:</p> <p>a. A minimum of 24-inch x 4-inch wood; or</p> <p>b. A minimum of 2-inch diameter metal post.</p> <p>4. Walls constructed of 9-gauge chain link or 1-inch x 1-inch welded steel wire chain link or welded steel wire shall be buried at least 3 feet down and 5 feet inward at a 90-degree angle. [Note: This requirement is intended to prevent animal escape by digging.]</p> <p>5. Floor material shall be constructed of either [Note: This requirement is intended to prevent animal escape by digging.]: covered with soil or similar natural substrate at least 12 inches deep.</p> <p>a. Welded steel wire covered with soil, or similar natural substrate at a minimum depth of 6 inches 1-foot, or</p> <p>b. 11-gauge chain link with a mesh size no larger than 2.5 inches and covered with soil, or similar natural substrate at a minimum depth of 1 foot; or</p> <p>c. Concrete covered with soil, or similar natural substrate at a minimum depth of 6 inches.</p>

Order	Animal Type	Minimum Requirements
		<p>6. <u>Each enclosure shall have the following enrichment:</u></p> <ul style="list-style-type: none"> a. <u>At least one area of the floor a minimum of 4-feet x 4-feet shall have at least 6 cubic feet of soil or similar natural substrate. [Note: This requirement is intended to allow each animal claw and dig at will.]; and</u> b. <u>1 log or rock that is a minimum of 18 inches tall and 18 inches in diameter [Note: This requirement is intended for each animal to perch at will]; and</u> c. <u>1 hide box or sheltered retreat with the minimum dimensions of 2.5 feet x 2 feet x 2 feet [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]; and</u> d. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u>
	(D) Muskrat	<p>1. <u>Walls and roof shall be constructed of 11-gauge chain link either or a combination of the listed materials:</u></p> <ul style="list-style-type: none"> a. <u>11-gauge chain link with mesh size no larger than 2.5 inches with steel hardware cloth with a mesh size no larger than 0.5-inches x 1-inch affixed to the interior wall; or</u> b. <u>Welded steel wire with a mesh size no larger than 1-inch x 1-inches; or</u> c. <u>Fiberglass panels; or</u> d. <u>Polyvinyl chloride (PVC) panels; or</u> e. <u>Concrete.</u> <p>2. <u>Roof shall be constructed of either or a combination of the listed materials:</u></p> <ul style="list-style-type: none"> a. <u>11-gauge chain link with mesh size no larger than 2.5 inches; or</u> b. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inches; or</u> c. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u> d. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b; or</u> e. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of either a or b</u> <p>3. <u>Walls and roof material shall be affixed shall be affixed to posts consisting of either one of the following materials and spaced no more than 6 feet apart:</u></p> <ul style="list-style-type: none"> a. <u>A minimum of 24-inch x 4-inch wood fence post; or</u> b. <u>A minimum of 2-inch diameter metal fence post.</u> <p>4. <u>Walls constructed of chain link or welded steel wire shall be buried at least 1 foot deep down and 1 foot inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging.]</u></p> <p>5. <u>Floors shall be constructed of either concrete, soil, or non-abrasive sand and covered with rubber drainage mats:</u></p> <ul style="list-style-type: none"> a. <u>Soil, or non-abrasive sand and covered with rubber drainage mats; or</u> b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches covered with soil, or non-abrasive sand at a minimum depth of 6-inches; or</u> c. <u>Welded steel wire with a mesh size no larger than 1-inch x 2-inches covered with soil, or non-abrasive sand at a minimum depth of 6-inches; or</u> d. <u>Concrete covered with rubber drainage mats.</u> <p>6. <u>Each enclosure shall have the following enrichment:</u></p> <ul style="list-style-type: none"> a. <u>1 hide box or sheltered retreat with at the minimum dimension of 1.5 feet x 1.5 feet x 1 foot [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]; and</u> b. <u>Pool at least 24 feet in diameter, constructed of metal, plastic, or concrete and filled with fresh clean water at least 2 feet deep; and</u>

Order	Animal Type	Minimum Requirements
		<p>c. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u></p>
	<p>(E) <u>Native Mouse, Native Rat, Vole, Pocket Gopher</u></p>	<p>1. <u>Walls and floors shall be constructed of either or a combination of the listed materials [Note: This requirement is intended to prevent animal escape by digging or chewing.]</u>:</p> <p>a. <u>Glass; or</u> b. <u>Plastic; or</u> c. <u>Acrylic; or</u> d. <u>3/8 inches x 3/8 inches metal wire mesh [Note: This requirement is intended to prevent animal escape by digging.]</u></p> <p>2. <u>Floors shall be covered with straw, paper bedding, soil, or other natural substrate at a minimum depth of <u>2</u> inches.</u></p> <p>3. <u>Each enclosure shall have the following enrichment:</u></p> <p>a. <u>1 hide box or sheltered retreat; and</u> b. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u></p>
	<p>(F) <u>Native Rat, Kangaroo and Woodrat</u></p>	<p>1. <u>Walls and floors shall be constructed of either or a combination of the listed materials:</u></p> <p>a. <u>Glass; or</u> b. <u>Plastic; or</u> c. <u>Acrylic; or</u> d. <u>Welded steel wire with a mesh size no larger than 3/8 inches [Note: This requirement is intended to prevent animal escape by digging or chewing.]</u></p> <p>2. <u>Floors shall be covered with straw, paper bedding, soil, or other natural substrate at a minimum depth of 2 inches.</u></p> <p>3. <u>Each enclosure shall have the following enrichment:</u></p> <p>a. <u>1 hide box or sheltered retreat; and</u> b. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u></p>

Order	Animal Type	Minimum Requirements
	<p>(FG) North American Beaver</p>	<ol style="list-style-type: none"> 1. <u>Walls shall be constructed of either or a combination of the listed materials:</u> <ol style="list-style-type: none"> a. <u>11-gauge chain link with mesh size no larger than 2.5 inches; or</u> b. <u>Concrete.</u> 2. <u>Roof shall be constructed of 11-gauge chain link, either or a combination of the listed materials:</u> <ol style="list-style-type: none"> a. <u>11-gauge chain link with a mesh size no larger than 2.5 inches; or</u> b. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of a; or</u> c. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of a; or</u> d. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of a.</u> 3. <u>Walls and roof 11-gauge chain link material shall be affixed to posts consisting of either one of the following materials and spaced no more than 8 feet apart:</u> <ol style="list-style-type: none"> a. <u>A minimum of 24-inch x 4-inch wood fence post; or</u> b. <u>A minimum of 2-inch diameter metal fence post.</u> 4. <u>Walls constructed of 11-gauge chain link shall be buried at least 1.5 feet deep down and 1.5 feet inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</u> 5. <u>Floors shall be constructed of either: concrete and covered with soil or other similar material, or heavy duty rubber drainage mats.</u> <ol style="list-style-type: none"> a. <u>Soil, or other similar natural material; or</u> b. <u>Chain link covered with soil, or other similar natural material at a minimum depth of 1 foot 4.5 feet; or</u> c. <u>Concrete and covered with soil or other similar material at a minimum depth of 6 inches 4.5 feet, or heavy-duty rubber drainage mats.</u> 6. <u>Each enclosure shall have the following enrichment:</u> <ol style="list-style-type: none"> a. <u>1 hide box or sheltered retreat with the following minimum dimensions of 4-feet x 2-feet x 2 feet [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will]; and</u> b. <u>Tree limbs and trunks of the following native variety readily available at all times to each animal: willow, cottonwood, aspen, or poplar. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u> 7. <u>Each enclosure shall have a pool at least 3-10 feet in diameter constructed of metal or concrete with the following requirements:</u> <ol style="list-style-type: none"> a. <u>Juvenile animals, and adult conspecifics housed with juveniles, shall have a sloped pool entrance with water at least 6 inches deep in the shallow end and no more than 2 feet deep in the deep end [Note: This requirement is intended for each animal to ingress and egress at will from the pool.]; and</u> b. <u>Adult animals, not housed with juvenile conspecifics, shall have a ramped or sloped entry pool filled with water at least 3 feet</u>

Order	Animal Type	Minimum Requirements
	<p>(G) North American Porcupine</p>	<ol style="list-style-type: none"> 1. <u>Walls shall be constructed of either or a combination of the listed materials:</u> <ol style="list-style-type: none"> a. <u>11-gauge chain link with a mesh size no larger 2.5 inches covered with 0.5-inch x 0.5-inch welded steel wire steel hardware cloth affixed to the interior wall [Note: This requirement is intended to prevent injury to each animal and provide a visual barrier.]; or</u> b. <u>Concrete.</u> 2. <u>Roof shall be constructed of either or a combination of the listed materials:</u> <ol style="list-style-type: none"> a. <u>11-gauge chain link with a mesh size of no larger than 2.5 inches; or</u> b. <u>Wood panels covering no more than ½ of the roof area with the remaining roof area consisting of a;</u> c. <u>Fiberglass panels covering no more than ½ of the roof area with the remaining roof area consisting of a.</u> d. <u>Polyvinyl chloride (PVC) panels covering no more than ½ of the roof area with the remaining roof area consisting of a.</u> 3. <u>Walls and roof material constructed of 11-gauge chain link shall be affixed to posts consisting of either one of the following materials and spaced no more than 8 feet apart:</u> <ol style="list-style-type: none"> a. <u>A minimum of 24-inch x 4-inch wood fence post; or</u> b. <u>A minimum of 2-inch diameter metal fence post.</u> 4. <u>Walls constructed of 11-gauge chain link shall be buried at least 1 foot deep down and 1 foot inward at a 90-degree angle, using concrete foundation. [Note: This requirement is intended to prevent animal escape by digging.]</u> 5. <u>Floors shall be constructed of either:</u> <ol style="list-style-type: none"> a. <u>Soil or similar natural substrate; or</u> b. <u>11-gauge chain link with a mesh size no larger than 2.5 inches and covered in soil, or other similar natural substrate at a minimum depth of 1 foot; or</u> c. <u>Concrete covered with soil or similar natural substrate at a minimum depth of 6 inches.</u> 6. <u>Each enclosure shall have the following enrichment:</u> <ol style="list-style-type: none"> a. <u>2 tree limbs a minimum of 6 feet long with a minimum diameter of 4 inches either placed horizontally or at an angle between 30-degrees and 60-degrees securely attached to the wall; and</u> b. <u>1 elevated platform a minimum of 2 feet high above the floor and a minimum of 16 square feet; and</u> c. <u>1 hide box or sheltered retreat at least with the minimum dimensions of 4-feet x 2 feet x 2 feet; and</u> d. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u>
	<p><u>(I) Pocket Gopher</u></p>	<ol style="list-style-type: none"> 1. <u>Walls shall be constructed of either of the listed materials:</u> <ol style="list-style-type: none"> a. <u>Plastic; or</u> b. <u>Acrylic; or</u> c. <u>Welded steel wire with a mesh size no larger than 3/8 inches [Note: This requirement is intended to prevent animal escape by digging.]</u> 2. <u>Floors shall be covered with straw, paper bedding, soil, or other natural substrate at a minimum depth of 6 inches.</u> 3. <u>Each enclosure shall have the following enrichment:</u> <ol style="list-style-type: none"> a. <u>1 hide box or sheltered retreat; and</u> b. <u>At least 2 tooth-resistant items such as fibrous vegetation, wood, bone, or antler. [Note: This requirement is intended to prevent overgrown teeth and injury to each animal.]</u>

(g) Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Mammals.**Table 57.**

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

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

(6) Rodentia

(A) Chipmunk, Ground Squirrel squirrels	1.5 feet x 1 feet foot x 1 feet foot	6	6 feet x 4 feet x 4 feet 8 feet x 6 feet x 6 feet 6 feet x 4 feet x 6 feet	6	6 feet x 4 feet x 4 feet 8 feet x 6 feet x 6 feet 6 feet x 4 feet x 6 feet	4 1
(B) Flying Squirrel	1.5 feet x 1 feet foot x 1 feet foot	4	8 feet x 6 feet x 8 feet 8 feet x 4 feet x 8 feet	4	8 feet x 6 feet x 8 feet 8 feet x 4 feet x 8 feet	1
(C) Ground Squirrel	1.5 feet x 1 foot x 1 foot	6	8 feet x 6 feet x 6 feet	6	8 feet x 6 feet x 6 feet	4
(BCD) Tree squirrel	1.5 feet x 1 foot x 1 foot 2 feet x 1 foot x 1.5 feet	6	8 feet x 6 feet x 8 feet 4 feet x 4 feet x 8 feet	6 5	8 feet x 6 feet x 8 feet 4 feet x 4 feet x 8 feet	1
(DE) Marmot	1.5 feet x 1 foot x 1 foot 2 feet x 1 foot x 1.5 feet	4 6	8 feet x 6 feet x 6 feet	6	8 feet x 6 feet x 6 feet	1
(DEF) Muskrat	1.5 feet x 1 foot x 1 foot 2 feet x 1 foot x 1 foot	6	8 feet x 6 feet x 6 feet 6 feet x 4 feet x 6 feet	6	8 feet x 6 feet x 6 feet 6 feet x 4 feet x 6 feet	1
(E)(F)(G) Native mouse, rat , vole	1.5 feet x 1 feet foot x 1 feet foot	8	1.5 feet x 1 foot x 1 foot 4 feet x 2 feet x 2 feet	8	1.5 feet x 1 foot x 1 foot 4 feet x 2 feet x 2 feet	1
(GH) Native Rat (Kangaroo and Woodrat)	1.5 feet x 1 foot x 1 foot	8	1.5 feet x 1 foot x 1 foot	8	1.5 feet x 1 foot x 1 foot	1
(FH) North American Beaver	2 feet x 1.5 feet x 1.5 feet	3	40 feet x 25 feet x 6 feet	3	40 feet x 25 feet x 6 feet	1
(GI) North American Porcupine	2 feet x 1.5 feet x 1.5 feet	1	8 feet x 6 feet x 6-8 feet	1	8 feet x 6 feet x 6-8 feet	1
(EJK) Pocket gopher	1.5 feet x 1 foot x 1 foot 2 feet x 1 foot x 1 foot	6	1.5 feet x 1 foot x 1 foot 4 feet x 3 feet x 6 feet	6	1.5 feet x 1 foot x 1 foot 4 feet x 3 feet x 6 feet	1

(h) Bird Requirements

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

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

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

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

(i) Pre-release Conditioning Enclosure Requirements; Birds (Excluding Waterbirds). Table 6 8.

Order	Species Animal Type	Minimum Requirements
(1) All Birds, excluding waterbirds	(A) All Birds, unless otherwise indicated excluding waterbirds	<ol style="list-style-type: none"> 1. Enclosures shall have a double door system to prevent escape and shall be secured at all times unless otherwise specified in these regulations [Note: This requirement is intended to prevent ingress or egress by any animal.]. 2. Walls shall be constructed of the following either or a combination of the listed materials: <ol style="list-style-type: none"> a. Wood covering at least 1/4 and up to 1/2 of the lower wall area covered with soft netting affixed to the interior wall 9-gauge chain link covered with nylon netting on the interior wall; or b. Galvanized metal panels covering at least 1/4 and up to 1/2 of the lower wall area covered with soft netting affixed to the interior wall 0.5 inches by 0.5 inches welded steel wire covered with nylon netting on the interior wall; or c. Plastic panels covering at least 1/4 and up to 1/2 of the lower wall area covered with soft netting affixed to the interior wall; or d. Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch covering at least 1/4 and up to 1/2 of the lower wall area; and/or and covered with soft netting affixed to the interior wall. e. Welded steel wire mesh with a mesh size no larger than 1-inch x 1-inch covering the remaining wall area, and with soft netting or steel hardware cloth with a mesh size no larger than 0.5-inch x 0.5-inch affixed to the interior of the remaining wall area. 3. Roof shall be constructed of one of the following either: <ol style="list-style-type: none"> a. Wood covering at least ¼ up to ½ of the ceiling roof area; or b. Plastic covering at least ¼ up to ½ of the ceiling roof area; or c. Metal covering at least ¼ up to ½ of the ceiling roof area; or d. Fiberglass mesh netting or similar soft mesh netting material covering the remaining ceiling roof area. 4. Wall and roof materials shall be affixed to posts consisting of either and spaced no more than 6 feet apart: <ol style="list-style-type: none"> a. A minimum size of 2-inch x 4-inch wood fence post, or b. A minimum size of 2-inch metal fence post. 5. Walls shall be buried at least 6-inches 1 foot deep down and 1 foot 6 inches inward outward at a 90-degree angle if floors are not constructed of concrete or wood. [Note: This requirement is intended to prevent predatory animal ingress by digging.] 6. Floors shall be constructed of either one of the following: <ol style="list-style-type: none"> a. Rounded rock such as pea gravel; or b. Non-abrasive sand; or c. Concrete covered with rounded rock, such as pea gravel, or non-abrasive sand, soil, or similar substrate at a minimum depth of 3-inches; or d. Welded steel wire with mesh size no larger than 1/2-inch x 1/2-inch covered with rounded rock, soil, or similar natural substrate at a minimum depth of 3-inches; or e. Wood covered with rounded rock, soil, soil, or similar natural substrate at a minimum depth of 3-inches. 7. Each enclosure shall have the following enrichment: <ol style="list-style-type: none"> a. At least 3 static perches constructed of wood or rope with a minimum diameter of 2 inches placed at a minimum height of 52 feet above the ground; and b. At least 2 dynamic perches, such as a tree limb, with a minimum diameter of 21-inch placed at a minimum height of 5 feet above the ground; and c. 1 shallow pan filled with clean water, soil, or bathing dust at least 1 inch deep. [Note: This requirement is intended for each animal to ingress and egress at will to preen and clean its feathers.]

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

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

Order	Species Animal Type	Minimum Requirements
(86) Falconiformes	(A) American Kestrel, Merlin, Kite	<p>1. Walls shall be constructed with either or a combination of the listed materials [Note: This requirement is intended to prevent injury to each animal]:</p> <ol style="list-style-type: none"> Wood and covered with soft netting on the interior wall; or Galvanized metal and covered with soft netting on the interior wall; or 0.5-inch x 0.5-inch welded steel wire Welded steel wire with a mesh size no larger than 0.5-inch x 0.5-inch and covered with soft netting on the interior wall; or 911-gauge chain link with a mesh size of no larger than 2.5 inches and covered with soft netting on the interior wall. <p>2. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> A minimum of 3 different perches placed at different heights; and At least 1 hide box or sheltered retreat with the minimum dimensions of 8 inches x 8 inches x 8 inches (L x W x H) constructed of wood, plastic, or similar material, placed a minimum of 4 feet high above the ground [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will]. At least 1 hide box or sheltered retreat with minimum dimensions of 6 inches x 6 inches x 6 inches (L x W x H) constructed of wood, plastic, or similar material, placed a minimum of 4 feet high [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will].
(7) Galliformes	(A) Quail, Sage Grouse	<p>1. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> At least 2 artificial or live shrubs, bushes, or similar vegetation placed on the ground [Note: This requirement is intended to allow each animal to be fully hidden at will].and At least 1 hide box or sheltered retreat with the minimum dimensions of 18 inches by 18 inches by 18 inches (L x W x H) placed on the floor [Note: This requirement is intended for each animal to be fully hidden and ingress and egress at will].
(48) Passeriformes	(A) Corvids [Note: This includes, crows, ravens, jays, grackles, magpies.]	<p>1. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> At least 2 wood logs or wood stumps a minimum diameter of 6 inches placed on the ground a static perch of at least 0.5-inch diameter; and At least 2 artificial or live shrubs, bushes, or similar vegetation At least 2 wood logs or stumps of various diameter a minimum of 6 inches diameter; and At least 2 hide boxes or sheltered retreats with the minimum dimensions of 3 feet x 1.5 feet x 1 foot (L x W x H) [Note: This requirement is intended an animal to be fully hidden and ingress and egress at will]. At least 1 dynamic perch, such as a wood branch, a minimum length of 2 feet and at least 0.5-inch diameter secured from the ceiling; and At least one area of the floor a minimum size of 8 square feet, covered with mulch or bark, mixed with rocks or shells. [Note: This requirement is intended for each animal to be able to express its natural behavior.]. 1 open plastic pool or similar "dig box" at least 4 feet by 2 feet filled with mulch or bark mixed with 2-inch minimum diameter rocks
	(B) Shrikes	<p>1. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> At least 2 perches of various diameters placed at a minimum height of 4 feet above the ground; and At least 2 wood branches with thorns or similar spiked surface. [Note: This requirement is intended to allow for each animal to impale or cache their food.]
	(C) Swallows	<p>1. Each enclosure shall have the following enrichment:</p> <ol style="list-style-type: none"> At least 2 static wood perches of various diameters placed at a minimum height of 4 feet above the ground at the end of each enclosure; and 1 dynamic perch comprised of nylon rope or similar material, at least 10 feet in length placed at a minimum height of 6 feet at the end of each enclosure above the ground [Note: This requirement is intended to allow each animal to roost at will.]
	(D) Bushtits	<p>1. Each enclosure shall have the following enrichment:</p>

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

(j) Minimum Enclosure Size Requirements for Neonate and Pre-release Conditioning Enclosures and Maximum Number of Animals Per Enclosure; Birds
(Notwithstanding Excluding Waterbirds). Table 7 9.

(Length x Width x Height)

Order	Animal Type	Neonate ¹	Max # ¹	Juvenile ²	Max # ²	Adult ³	Max # ³
(1) Accipitriformes	(EA) Cooper's Hawk, Red-shouldered Hawk	<u>2 feet x 1.5 feet x 2 feet</u>	<u>3</u>	<u>30 feet x 12 feet x 12 feet</u>	<u>4</u>	<u>30 feet x 12 feet x 12 feet</u>	<u>2</u>
	(EB) Harris', Rough-legged, Red-tailed Hawk	<u>2 feet x 1.5 feet x 2 feet</u>	<u>1</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>3</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>2</u>
	(EC) Northern Harrier	<u>2 feet x 1.5 feet x 2 feet</u>	<u>3</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>4</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>2</u>
	(ED) Osprey	<u>3 feet x 3 feet x 3 feet</u>	<u>3</u>	<u>100 feet x 16 feet x 16 feet</u>	<u>4</u>	<u>100 feet x 16 feet x 16 feet</u>	<u>2</u>
	(DE) Sharp-shinned Hawk	<u>2 feet x 1.5 feet x 1.5 feet</u>	<u>3</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>1</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>1</u>
	(EF) Swainson's Hawk, Ferruginous Hawk	<u>3 feet x 3 feet x 3 feet</u>	<u>3</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>6</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>2</u>
	(AG) Turkey Vultures	<u>3 feet x 3 feet x 3 feet</u>	3 <u>1</u>	100 50 feet x 16 feet x 16 feet	6 <u>4</u>	100 50 feet x 20 16 feet x 16 feet	6 <u>4</u>
(2) Apodiformes	(BA) Hummingbirds	<u>12 inches x 6 inches x 6 inches</u> 3 inches W x 2 inches H	<u>2</u>	<u>4 feet x 2 feet x 6 feet</u>	<u>6</u>	<u>4 feet x 4 feet x 8 feet</u>	42
	(AB) Swifts	<u>12 inches x 6 inches x 6 inches</u> 4 inches W x 2 in H	<u>8</u>	<u>16 feet x 16 feet x 8 feet</u>	<u>12</u>	<u>16 feet x 16 feet x 8 feet</u>	<u>12</u>
(23) Caprimulgiformes	(A) Nighthawks, Nightjars, Poorwills	<u>1.5 feet x 1.5 feet x 1 foot</u> 6 inches x 8 inches x 8 inches	<u>4</u>	<u>16 feet x 8 feet x 8 feet</u> 12 feet x 16 feet x 8 feet	<u>4</u>	<u>16 feet x 8 feet x 8 feet</u> 12 feet x 16 feet x 8 feet	<u>4</u>
(4) Columbiformes	(A) Dove, Pigeon	<u>1.5 feet x 1.5 feet x 1 foot</u> 6 inches W x 3 inches H	<u>3</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>10</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>10</u>
(5) Cuculiformes	(A) Roadrunners	<u>1.5 feet x 1.5 feet x 1.5 feet</u>	<u>3</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>8</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>6</u>
(6) Falconiformes	(EA) American Kestrel	<u>2 feet x 1.5 feet x 1.5 feet</u>	<u>3</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>4</u>	<u>16 feet x 8 feet x 8 feet</u>	2 <u>4</u>
	(B) Kites	<u>2 feet x 1.5 feet x 1.5 feet</u>	<u>4</u>	<u>30 feet x 10 feet x 12 feet</u>	6 <u>3</u>	<u>30 feet x 10 feet x 12 feet</u>	6 <u>3</u>
	(AC) Merlin	<u>2 feet x 1.5 feet x 1.5 feet</u>	<u>3</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>4</u>	<u>50 feet x 10 feet x 12 feet</u>	<u>3</u>
(7) Galliformes	(A) Quail	<u>1.5 feet x 1.5 feet x 1.5 feet</u>	<u>12</u>	<u>8 feet x 8 feet x 8 feet</u>	<u>12</u>	<u>8 feet x 8 feet x 8 feet</u>	<u>4</u>
	(B) Sage Grouse	<u>1.5 feet x 1.5 feet x 1.5 feet</u>	<u>8</u>	<u>12 feet x 8 feet x 8 feet</u>	<u>8</u>	<u>12 feet x 8 feet x 8 feet</u>	<u>4</u>
(58) Passeriformes	(A) Species less than 6 inches (adult size)* (unless otherwise listed)	<u>12 inches x 6 inches x 6 inches</u> 4 inches W x 2 inches H	<u>6</u>	<u>8 feet x 8 feet x 8 feet</u>	<u>6</u>	<u>8 feet x 8 feet x 8 feet</u>	<u>6</u>
	(B) Species greater than 6 inches (adult size)* (unless otherwise listed)	<u>12 inches x 6 inches x 6 inches</u> 6 inches W x 3 inches H	4 <u>8</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>4</u>	<u>16 feet x 8 feet x 8 feet</u>	<u>4</u>
	(C) Swallows	12 inches x 6 inches x 6 inches	<u>5</u>	16 feet x 16 8 feet x 8 feet	<u>12</u>	16 feet x 16 8 feet x 8 feet	<u>12</u>

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

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

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

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

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

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

Order	Animal Type	Minimum Requirements
		The pool shall have a haul-out area (floating platform) with a minimum dimension of 2 feet by 2 feet minimum just above water level covered with non-abrasive material, such as matting [Note: This allows an above-water area within a pool to offer food while preventing injury to sensitive feet].
(65) Gruiformes	(A) Coot	1. Each enclosure shall have the following enrichment: <ul style="list-style-type: none"> a. At least 2 hides of artificial or live vegetation or shrubs, such a potted plant, placed on the floor [Note: This requirement is intended to allow each animal to be fully hidden at will]. Each enclosure shall have a pool [Note: This requirement ensures these species have access to clean water for bathing, swimming, and exercise]. b. A minimum of 2 flat perching platforms 1 foot by 2 feet placed at various heights placed a minimum of 4 feet above the ground [Note: This requirement is to encourage flight exercise and ensures these species have access to clean water for bathing and exercise and appropriate perching surfaces to prevent injury to sensitive feet]. c. At least 2 hides of emergent vegetation or shrubs [Note: This requirement is intended to allow each animal to be fully hidden from view at will].
	(B) Crane	1. Walls shall be constructed of either or a combination of the listed materials of one of the following [Note: This requirement is intended to prevent injury as a result of and any animal getting stuck in fencing with larger gaps]: <ul style="list-style-type: none"> a. Coated wire mesh with a mesh size no larger than 1-inch x 0.5-inch coated wire mesh; or b. Steel hardware cloth with a mesh size no larger than 1-inch x 0.5-inch hardware cloth. 2. Walls shall have a minimum of the lower at least the first 6-feet constructed of either [Note: This requirement serves to prevent animal injury due to a tendency to run into non-opaque walls when startled or performing natural jumping behaviors]: <ul style="list-style-type: none"> a. <u>Wood; or</u> b. <u>Fiberglass (or similar opaque material).</u>
	(C) Rails	1. Each enclosure shall have the following enrichment. Each enclosure shall have at least one shallow wading pool with clean water for bathing. [Note: This requirement allows rehabilitation animals to perform natural history behaviors and maintain clean, waterproof plumage]. <ul style="list-style-type: none"> a. <u>At least 2 hides of artificial or live vegetation or shrubs, such a potted plant, placed on the floor [Note: This requirement is intended to allow each animal to be fully hidden at will].</u>
(76) Pelecaniformes	(A) Bittern Egret, Heron Ibis, Stork	1. Each enclosure shall have the following enrichment: <ul style="list-style-type: none"> a. <u>At least 3 wood perches at least 2-inches in diameters placed at various heights with a minimum height of 3-feet height [Note: This requirement ensures varied perching surfaces to prevent injury to sensitive feet plus encourages flight.] At least one shallow wading pool [Note: This requirement ensures these species have access to clean water for bathing and exercise.]; and</u> b. <u>At least 2 hides of artificial or live vegetation or shrubs, such a potted plant, placed on the floor [Note: This requirement is intended to allow each animal to be fully hidden at will.] At least 3 wood perches at least 2-inches in diameters placed at various heights with a minimum height of 4 feet height [Note: This requirement ensures varied perching surfaces to prevent injury to sensitive feet plus encourages flight].</u>
	(B) Pelican	1. Each enclosure shall have the following enrichment: <ul style="list-style-type: none"> a. <u>At least A minimum 2 perches with a minimum diameter of 2 inches covered with artificial grass or similar material placed a minimum height of 6 feet 3-6 feet high above the ground [Note: This requirement is intended to encourage each animal to fly This requirement encourages athletic flight for these very large birds.]; and</u> b. <u>At least A minimum 2 ground-level stump or stump-like perches with a minimum diameter of 6 inches and a minimum of 18 inches tall enough to avoid feather breakage and soiling [Note: This requirement allows pelicans to perch off the ground when eating or resting at ground level]; and</u>

Order	Animal Type	Minimum Requirements
		2. Pool edges shall be covered with textured material such as rubber tire tread, anti-fatigue matting, or artificial grass [Note: This requirement is to prevent foot injuries from developing in care injury to each animal].
(107) Suliformes	(A) Boobies Cormorants	1. 2 Pool edges shall be covered with anti-fatigue mats, rubber tire tread, or similar textured material. [Note: This requirement is intended to prevent each animal from developing foot injuries.] Each enclosure shall have at least one pool for swimming and bathing. [Note: This requirement ensures birds have access to clean water for bathing and exercise]. 2. 3 Each enclosure shall have the following enrichment: a. At least A minimum of 2 perches with a minimum diameter of 1-inch and covered with anti-fatigue mats, or similar rubber mat material, or artificial grass, or similar textured material; and b. Perches shall be elevated at varying heights with a minimum height of 4 feet; and c. A minimum of 2 ground-level stump or stump-like perches with a minimum of 6 inches in diameter and at least 1 foot tall placed on the floor [Note: This requirement is intended to allow each animal to perch off the ground when eating or resting.].
(8) Pedicipediformes	(A) Grebes	1. Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds]. 2. Pool roof and wall support shall be constructed of either: a. 1 inch PVC pipe; or b. 1 inch metal galvanized pipe. 3. Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]: a. Shade cloth; or b. Soft, knotless netting. 4. Each Pied-billed grebe enclosure shall have the following enrichment: a. At least 2 hides or sheltered retreats of emergent aquatic vegetation [Note: this requirement is necessary because the species requires additional visual barriers to reduce stress].
(9) Procellariiformes	(A) Albatross	1. Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds]. 2. Pool roof and wall support shall be constructed of either: a. 1 inch PVC pipe; or b. 1 inch metal galvanized pipe. 3. Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]: a. Shade cloth; or b. Soft, knotless netting.
	(B) Fulmar, Shearwater petrel, Storm petrel	1. Each enclosure shall be comprised of a pool only with no land area [Note: This requirement is necessary to protect the welfare of this subset of obligate waterbirds that have rehabilitation needs that differ from other waterbirds]. 2. Pool roof and wall support shall be constructed of either: a. 1 inch PVC pipe; or b. 1 inch metal galvanized pipe. 3. Pool roof shall be covered of either [Note: this requirement is intended to create a structure that completely surrounds the pool and prevents animal ingress or egress from the pool at will]: a. Shade cloth; or b. Soft, knotless netting.

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

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

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

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

(Length x Width x Height).

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

Order	Animal Type	Neonate ¹	Max # ¹	Juvenile ²	Max # ²	Adult ³	Max # ³
(1) Anseriformes	(A) Dabbling duck	20 inches x 10 inches x 10 inches	8	10 feet x 6 feet x 8 feet	6	10 feet x 6 feet x 8 feet	6
	(B) Diving duck, Merganser, Stiff-tailed duck	10 inches x 10 inches x 10 inches	4	Pool Only*	4	Pool Only*	4
	(C) Native geese	19 inches x 14 inches x 14 inches	4	18 feet x 10 feet x 8 feet	6	18 feet x 10 feet x 8 feet	6
	(D) Native swan	19 inches x 14 inches x 14 inches	2	20 feet x 12 feet x 8 feet	3	20 feet x 12 feet x 8 feet	3
(2) Charadriiformes	(A) Alcid	10 inches x 10 inches x 10 inches	3	Pool Only*	4	Pool Only*	4
	(B) Gull, Tern (species less than 14 inches, adult size)	1 foot x 15 inches x 1.5 feet	6	10 feet x 6 feet x 8 feet 4 feet x 8 feet x 8 feet	6	10 feet x 6 feet x 8 feet 4 feet x 8 feet x 8 feet	6
	(C) Gull, Jaeger, Skua (species greater than 14 inches, based on size of adults)	18 inches x 18 inches x 18 inches	2	16 feet x 8 feet x 10 feet	4	16 feet x 8 feet x 10 feet	4
	(D) Red Phalarope, Red-necked Phalarope	1 foot x 1 foot x 1 foot	4	4 feet x 6 feet x 6 feet	6	Pool Only*	56
	(E) Plover, Sandpiper, shorebird (species less than 10 inches, based on size of adults) (unless otherwise listed)	1 foot x 1 foot x 1 foot	4	6 feet x 4 feet x 6 feet	6	6 feet x 4 feet x 6 feet	6
	(F) Shorebird (species greater than 10 inches, based on size of adults) (unless otherwise listed)	1 foot x 1 foot x 1.5 feet	4	6 feet x 4 feet x 6 feet	6	8 feet x 4 feet x 8 feet	6
	(G) Tern, oystercatcher, skimmer, Wilson's Phalaropes (species greater than 14 inches, based on size of adults)	2 feet x 1 foot x 1.5 feet	3	16 feet x 10 feet x 8 feet	6	16 feet x 10 feet x 8 feet	6
(3) Coraciiformes	(A) Kingfishers	3 inches x 3 inches	1	16 feet x 8 feet x 8 feet	8	16 feet x 8 feet x 8 feet	4
(4) Gaviiformes	(A) Loons	4 feet x 29 inches x 22 in	2	Pool Only*	4	Pool Only*	2
(5) Gruiformes	(A) Coots	10 inches x 10 inches x 10 inches	6	10 feet x 6 feet x 8 feet 6 feet x 10 feet x 8 feet	4	10 feet x 6 feet x 8 feet 6 feet x 10 feet x 8 feet	4
	(B) Cranes	2 feet x 2 feet x 2 feet	1	25 feet x 10 feet x 25 feet 10 feet x 25 feet x 10 feet	4	25 feet x 10 feet x 25 feet 10 feet x 25 feet x 10 feet	4
	(C) Rail species (species less than 10 inches, based on size of adults)	1 foot x 1 foot x 1 foot	2	6 feet x 4 feet x 3 feet 4 feet x 6 feet x 3 feet	4	6 feet x 4 feet x 3 feet 4 feet x 6 feet x 3 feet	3
	(D) Rail species (species greater than 10 inches, based on size of adults)	1 foot x 1.5 feet x 1.5 feet	2	8 feet x 4 feet x 4 feet 4 feet x 8 feet x 4 feet	2	8 feet x 4 feet x 4 feet 4 feet x 8 feet x 4 feet	4

Order	Animal Type	Neonate ¹	Max # ¹	Juvenile ²	Max # ²	Adult ³	Max # ³
(6) Pelecaniformes	(A) Bittern, Egret, Heron, Ibis, Stork, (species less than 20 inches, based on size of adults)	1 foot x 1 foot x 1 foot	4	12 feet x 4 feet x 8 feet 4 feet x 12 feet x 8 feet	4	12 feet x 4 feet x 8 feet 4 feet x 12 feet x 8 feet	4 4
	(B) Bittern, Egret, Heron, Ibis, Stork, (species greater than 20 inches)	2 feet x 1 foot x 1 foot	3	25 feet x 10 feet x 10 feet 10 feet x 25 feet x 10 feet	4	25 feet x 10 feet x 10 feet 10 feet x 25 feet x 10 feet	3 4
	(C) Frigatebird	2 feet x 1 foot x 1 foot	3	30 feet x 12 feet x 12 feet 12 feet x 30 feet x 12 feet	1	30 feet x 12 feet x 12 feet 12 feet x 30 feet x 12 feet	1
	(D) Pelican, Brown	1.5 feet x 1.5 feet x 1.5 feet	10 3	100 feet x 20 feet x 20 feet 12 feet x 30 feet x 10 feet	2035 4	100 feet x 20 feet x 20 feet 12 feet x 30 feet x 10 feet	2035 6
	(E) Pelican, White	1.5 feet x 1.5 feet x 1.5 feet	10 3	100 feet x 20 feet x 20 feet 12 feet x 30 feet x 10 feet	620	100 feet x 20 feet x 20 feet 12 feet x 30 feet x 10 feet	1020 4
(7) Podicipediformes	(A) Grebes	10 inches x 10 inches x 10 inches	6	Pool Only*	4	Pool Only*	4
(8) Procellariiformes	(A) Albatross	40 inches x 27 inches x 30 inches	1	30 feet x 15 feet x 12 feet 15 feet x 30 feet x 12 feet	3	Pool Only*	2
	(B) Fulmars, Storm Petrels	17 inches x 11 inches x 11 inches	1	Pool Only*	4	Pool Only*	5
	(C) Petrel species, Shearwaters (unless otherwise indicated)	17 inches x 11 inches x 11 inches	1	Pool Only*	4	Pool Only*	5
(9) Suliformes	(A) Boobies, Cormorants	1.5 feet x 1.5 feet x 1.5 feet	1	20 feet x 10 feet x 8 feet 10 feet x 20 feet x 8 feet	3 1	20 feet x 10 feet x 8 feet	3 1

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

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

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

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

<u>Order</u>	<u>Animal Type</u>	<u>Juvenile² Pool</u>	<u>Adult³ Pool</u>
(1) <u>Anseriformes</u>	(A) <u>Dabbling Duck</u>	<u>4 feet x 1.5 feet</u>	<u>4 feet x 1.5 feet</u>
	(B) <u>Diving Duck</u>	<u>6 feet x 3 feet</u> 6 feet x 2 feet	<u>6 feet x 3 feet</u> 6 feet x 2 feet
	(C) <u>Native geese</u>	<u>6 feet x 2 feet</u> 6 feet x 3 feet	<u>6 feet x 2 feet</u> 6 feet x 3 feet
	(D) <u>Native swan</u>	<u>8 feet x 3 feet</u>	<u>8 feet x 3 feet</u>
(2) <u>Charadriiformes</u>	(A) <u>Alcid</u>	<u>6 feet x 3 feet</u> 4 feet x 2 feet	<u>6 feet x 3 feet</u> 4 feet x 2 feet
	(B) <u>Gull, Jaeger, Oystercatcher, Skimmer, Skua, Tern (species less than 14 inches)</u>	<u>4 feet x 1 foot</u>	<u>4 feet x 1 foot</u>
	(C) <u>Gull, Jaeger, Oystercatcher, Skimmer, Skua, Tern (species greater than 14 inches)</u>	<u>4 feet x 1 foot</u>	<u>4 feet x 1 foot</u>
	(D) <u>Red Phalarope, Red-necked Phalarope</u>	<u>4 feet x 1 inch</u> 3 feet x 1 inch	<u>4 feet x 6 inches</u>
	(E) <u>Plover, Sandpiper, Shorebirds (species less than 10 inches)</u>	<u>3 feet x 1 inch</u>	<u>3 feet x 1 inch</u>
	(F) <u>Plover, Sandpiper, Shorebirds (species greater than 10 inches)</u>	<u>3 feet x 2 inches</u>	<u>3 feet x 2 inches</u>
	(G) <u>Tern, oystercatcher, skimmer, Wilson's Phalaropes (species greater than 14 inches, based on size of adults)</u>	<u>4 feet x 1 foot</u>	<u>4 feet x 1 foot</u>
(3) <u>Coraciiformes</u>	(A) <u>Kingfisher</u>	<u>4 feet x 6 inches</u>	<u>4 feet x 6 inches</u>
(4) <u>Gaviiformes</u>	(A) <u>Loon</u>	<u>8 feet x 3 feet</u>	<u>8 feet x 3 feet</u>
(5) <u>Gruiformes</u>	(A) <u>Crane</u>	<u>4 feet x 4 inches</u>	<u>4 feet x 4 inches</u>
	(B) <u>Rail (species less than 10 inches)</u>	<u>3 feet x 3 inches</u>	<u>3 feet x 3 inches</u>
	(C) <u>Rail (species greater than 10 inches)</u>	<u>4 feet x 8 inches</u>	<u>4 feet x 8 inches</u>
	(D) <u>Coot</u>	<u>4 feet x 1.5 feet</u>	<u>4 feet x 1.5 feet</u>
(6) <u>Pelecaniformes</u>	(A) <u>Bittern, Egret, Heron, Ibis, Stork (species less than 20 inches)</u>	<u>2 feet x 6 inches</u>	<u>2 feet x 6 inches</u>
	(B) <u>Bittern, Egret, Heron, Ibis, Stork (species greater than 20 inches)</u>	<u>2 feet x 6 inches</u>	<u>2 feet x 6 inches</u>
	(C) <u>Frigatebird</u>	<u>No Pool</u>	<u>No Pool</u>
	(A) <u>Pelican, Brown</u>	<u>10 feet x 2 feet</u>	<u>10 feet x 2 feet</u>
	(B) <u>Pelican, White</u>	<u>10 feet x 2 feet</u>	<u>10 feet x 2 feet</u>
(7) <u>Podicipediformes</u> Podicipediformes	(A) <u>Grebes</u>	<u>6 feet x 3 feet</u>	<u>6 feet x 3 feet</u>
(8) <u>Procellariiformes</u>	(A) <u>Albatross</u>	<u>10 feet x 3 feet</u>	<u>10 feet x 1.5 feet</u>
	(B) <u>Fulmar, Storm Petrel</u>	<u>4 feet x 1.5 feet</u> 6 feet x 2 feet	<u>4 feet x 1.5 feet</u> 4 feet x 1 foot
	(C) <u>Fulmar, Petrel species, Shearwater (unless otherwise indicated)</u>	<u>6 feet x 3 feet</u>	<u>6 feet x 3 feet</u>
(9) <u>Suliformes</u>	(A) <u>Boobies, Cormorant</u>	<u>8 feet x 3 feet</u> 8 feet x 2 feet	<u>8 feet x 3 feet</u> 8 feet x 2 feet

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

(e)(o) Specialty Rehabilitation Animal Requirements

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

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

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

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

~~(e)~~(p) Specialty Rehabilitation Animal Enclosure Requirements for Pre-release Conditioning. Table ~~44~~ 13.

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

Order	Animal Type	Minimum Requirements
		<p>e. Bottom half constructed of solid wood or metal panels and top half constructed of 11-gauge chain link covered internally with woven wire mesh or shade cloth; and</p> <p>2. Top of walls Walls shall have an external 3-foot kick back security barrier affixed to the top of the wall at an outward angle between 30-degrees and 60-degrees [Note: This requirement is intended to prevent predatory animals from entering the enclosure] and constructed of either:</p> <p>a. g Galvanized steel panels; or</p> <p>b. p Polyvinyl chloride (PVC) panels; or</p> <p>c. f Fiberglass panels; or</p> <p>d. b Barbed wire; and/or</p> <p>e. e Electric fencing.</p> <p>3. Walls materials shall be affixed to fence posts that shall be either constructed of one of the following and spaced at least 6 feet apart and no more than 12 feet apart:</p> <p>a. A minimum of 4-inch x 4 4-inch wood fence post; or</p> <p>b. A minimum of 2-inch diameter galvanized steel.</p> <p>4. Floor shall be constructed of either one of the following:</p> <p>a. s Soil or similar natural substrate; or</p> <p>b. c Concrete covered with mulch, soil, or other natural substrate at least at a minimum depth of 6 inches deep.</p> <p>5. Other species shall not be housed in enclosures designated solely for ungulates. [Note: This requirement is intended to prevent transmitting any disease of concern between free-roaming ungulates and ungulate rehabilitation animals.] If natural shelter is unavailable within the enclosure, then a shelter of at least 100 square feet shall be constructed of wood or metal panels with a minimum of 2 walls and a roof [Note: This requirement is intended to allow each animal to fully ingress and egress at will].</p>
(3) Carnivora	(A) American Black Bear	<p>1. Walls shall be constructed of the listed materials in the following manner [Note: This requirement is intended to prevent animal escape from the enclosure.]:</p> <p>a. Vertical galvanized steel posts a minimum diameter of 2 inches in diameter spaced no more than 8 feet apart; and</p> <p>b. Horizontal galvanized bottom perimeter steel posts a minimum diameter of 2 inches in diameter placed no more than 3 inches above the ground; and</p> <p>c. 9-gauge chain link wire shall be affixed to the vertical and horizontal steel posts and will extend below grade buried at least 18 inches downward, and 18 inches inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</p> <p>2. Each enclosure shall be secured in one of the following manners [Note: This requirement is intended to prevent animal escape by climbing.], either:</p> <p>a. A fully enclosed roof constructed of 9-gauge wire with horizontal beams of galvanized steel posts at least 2 inches in diameter, spaced no more than 8 feet apart, and attached to walls; or</p> <p>b. Walls constructed with an internal 3-foot kick back at an angle between 30-degrees and 60-degrees constructed of galvanized steel panels, or polyvinyl chloride (PVC) panels, or fiberglass panels. The 3-foot kick back shall barb wire or electric fencing affixed to the panels.</p> <p>2. Walls of an outdoor enclosure shall have a 3-foot security barrier affixed to the top of the wall at an outward angle between 30-degrees and 60-degrees [Note: This requirement is intended to prevent predatory animals from entering the enclosure] and constructed of either:</p> <p>a. Galvanized steel panels; or</p> <p>b. Polyvinyl chloride (PVC) panels; or</p> <p>c. Fiberglass panels; or</p>

Order	Animal Type	Minimum Requirements
		<p><u>d. Barbed wire; or</u> <u>e. Electric fencing.</u></p> <p><u>3. Roof of an indoor enclosure shall be constructed of the listed materials in the following manner [Note: This requirement is intended to prevent animal escape from the enclosure.]:</u></p> <p><u>a. Galvanized steel posts a minimum diameter of 2 inches spaced no more than 8 feet apart; and</u> <u>b. 9-gauge chain link affixed to the galvanized steel posts.</u></p> <p><u>34. Floor shall be constructed of either in one of the following manners:</u></p> <p><u>a. Soil or similar natural substrate; or</u> <u>b. Rounded rock such as pea gravel; or</u> <u>c. Concrete.</u></p> <p><u>a. Outside enclosures shall have soil, pea gravel, or similar natural substrate; and</u> <u>b. Inside enclosure shall be constructed of concrete.</u></p> <p><u>45. Each enclosure shall have one den at least a minimum size of 6 feet x 6 feet x 6 feet (L x W x H) with a lockable ground-level guillotine door that shall be constructed of the listed materials [Note: This requirement is intended to allow for the safe capture, confinement, and transfer of each animal in a crate to and from the enclosure.] that shall be constructed of either:</u></p> <p><u>a. Concrete or cinder blocks; or and</u> <u>b. 1 lockable ground-level door constructed of galvanized steel, such as a guillotine door.</u></p> <p><u>Cinder blocks.</u></p> <p><u>56. Each enclosure shall have the following enrichment:</u></p> <p><u>a. At least 3 tree limbs at least 6 feet long and with a minimum diameter of 12 inches in diameter securely attached horizontally or vertically.</u> <u>b. A pool at least 3 feet in diameter and constructed of metal, concrete, or high-density polyethylene plastic that is at least 3 feet x 3 feet and filled with clean water at least 1 foot deep.</u></p>
	(B) Mountain Lions	<p><u>1. Walls shall be constructed of the listed materials in the following manner [Note: This requirement is intended to prevent animal escape from the enclosure.]:</u></p> <p><u>a. Vertical galvanized steel posts a minimum diameter of 2 inches in diameter spaced no more than 8 feet apart; and</u> <u>b. Horizontal galvanized bottom perimeter steel posts a minimum diameter of 2 inches in diameter placed no more than 3 inches above the ground; and</u> <u>c. 9-gauge chain link wire shall be affixed to the vertical and horizontal steel posts and will extend below grade buried at least 18 inches downward, and 18 inches inward at a 90-degree angle [Note: This requirement is intended to prevent animal escape by digging].</u></p> <p><u>2. Roof of the enclosure shall be fully enclosed and constructed of the listed materials in the following manner [Note: This requirement is intended to prevent animal escape from the enclosure.]:</u></p> <p><u>a. Galvanized steel posts a minimum diameter of 2 inches spaced no more than 10 feet apart; and attached to walls with 2-inch galvanized steel cross beams spaced no more than 10 feet apart and attached to walls</u> <u>b. of 9-gauge wire, chain link affixed to the galvanized steel posts.</u></p> <p><u>3. Floor shall be constructed of either in one of the following manners:</u></p> <p><u>a. Soil or similar natural substrate; or</u> <u>b. Rounded rock such as pea gravel; or</u> <u>c. Concrete.</u></p> <p><u>a. Outside enclosures shall have soil, rounded rock such as pea gravel, or other natural substrate; and</u> <u>b. Inside enclosures shall be constructed of concrete and covered with mulch, soil, or other natural substrate at a minimum depth of 3 inches.</u></p>

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

Order	Animal Type	Minimum Requirements
		<p>6. Each enclosure shall have the following enrichment:</p> <ul style="list-style-type: none"> a. <u>At least 2 static perches or tree limbs of various diameters of at least 0.5 inches in diameter of 2 inches placed at a minimum height of 8 feet different heights (minimum of 4 feet high); and</u> b. <u>At least 2 dynamic perches, such as a tree limb, with a minimum diameter of 2 inches placed at a minimum height of 8 feet; and</u> bc. <u>1 shallow pan constructed of plastic or metal, of at least 4 feet x 4 feet filled with water, soil, or bathing dust and minimum of 6 inches deep; or</u> ed. <u>At least 16 square feet of floor space covered at a minimum depth of 6 inches of soil or similar bathing dust. [Note: This requirement is intended for each animal to preen and clean its feathers.]</u>
(5) Squamata	(A) Venomous Snake	<p>1. Walls, floor, and roof shall be constructed of either: plastic, glass, or similar smooth surface material with a secure locking lid, at least 6 airholes with a minimum diameter of 0.25 inches or similar means of ventilation.</p> <ul style="list-style-type: none"> a. Plastic; or b. Glass or similar smooth surface material; and c. With a secure locking lid or door and containing at least 6 airholes with a maximum diameter of 0.25 inches. [Note: This requirement is intended for adequate ventilation and preventing ingress or egress at will.] <p>2. Each enclosure shall have the following enrichment items:</p> <ul style="list-style-type: none"> a. At least 1 hide or shelter box [Note: This requirement is intended to allow each animal to be fully hidden and ingress and egress at will.]; a b (UVB) <u>A full-spectrum ultraviolet light or access to natural sunlight between 8 hours and 10 hours in a at least 8-hours each 24-hour period day. [Note: This requirement is intended to mimic the natural diurnal process for each animal.]; and</u> c. A heat and humidity source such as a heat lamp and humidity chamber. <p>3. Floor shall be covered with soil, non-abrasive sand, or other natural substrate at least at a minimum depth of 3 inches deep.</p> <p>4. Each enclosure shall contain a label that is clearly and conspicuously posted on the outside, stating "Venomous animals" and the common and scientific name and number of snake(s) contained inside.</p> <p>5. Each enclosure shall be kept inside a lockable building clearly posted with the following information: poison control telephone number and location of nearest hospital with antivenom. A first aid kit shall be made readily available within the building.</p> <p>6. Capture equipment (e.g. wide-jaw humane snake tongs, snake hooks, snake tube, nylon snake bags) and personal protective equipment shall be used to handle a venomous snake for any purpose and be made readily available and accessible at all times to qualified handlers [Note: This requirement is intended to protect native wildlife, animal welfare, human health, and human safety. Examples of proper equipment to capture, handle, and transfer a venomous snake may include wide-jaw humane snake tongs, snake hooks, snake tube, and nylon snake bags.]</p> <p>7. A permittee, their sub permittee, or designee shall notify the department in writing by email at Rehabwildlife@wildlife.ca.gov within 24 hours of a venomous snake bite resulting in human death or escape of a venomous snake from its enclosure.</p>

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

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

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

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

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

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

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

(a) Care and Treatment Requirements

(1) A permittee, their designee, and sub-permittees shall only intake rehabilitation animals of a species that they are able to identify with reasonable certainty and temporarily possess in a manner that protects the welfare of that animal, human health, and human safety.

(2) A permittee, their designee, and sub-permittees shall transfer a rehabilitation animal to another wildlife rehabilitation facility if for any reason the welfare of the animal cannot be maintained or improved, such as inadequate enclosure, lack of species-specific expertise, inability to provide appropriate veterinary medical care, or unique conspecific requirements.

(3) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall triage rehabilitation animals upon intake and respond with proper treatment. [Note: The best initial course of action for many animals is to temporarily confine in a warm, quiet, and dark enclosure isolated from other animals; stabilize with fluid therapy; examine for signs of trauma; and monitor for signs of disease. Euthanasia may be the most appropriate and humane triage response to prevent unnecessary pain and suffering.]

(4) A permittee, their designee, and sub-permittees shall develop an individual treatment plan for each rehabilitation animal that includes a preliminary assessment of any proposed treatment, and the impact of the recovery process on the welfare of the animal, as based on **credible science as defined in Fish and Game Code Section 33. the best available scientific literature, case studies, or derived from similar species or situational scenarios.** [Note: A wildlife rehabilitator may seek veterinary consultation from any licensed veterinarian, or guidance from another wildlife rehabilitator, as needed.]

(5) A permittee, their designee, and sub-permittees shall adopt written standard procedures for basic veterinary medical treatment and treatment plans for specific species or taxa of rehabilitation animal provided by a licensed veterinarian (i.e., standing orders) pursuant to subsection 679.5(b). [Note: This requirement is intended to reduce a rehabilitation animal's risk of habituation or mal-imprinting, prolonged handling, and unnecessary physical or behavioral stress.]

(6) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall be able to reasonably determine when a rehabilitation animal is required to be seen by a veterinarian for veterinary medical care services including, but not limited to: surgery; diagnosis of medical condition; and prescribing of drugs, medicine, and appliances. [Note: This requirement is intended to protect animal welfare and prevent the unnecessary pain or needless suffering of each animal.]

(7) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall know the nutritional requirements of each rehabilitation animal based on the life history, species, age class, and physical condition of the animal. [Note: This requirement is intended to prevent common nutritional deficiencies known to affect the endocrine, gastrointestinal, nervous, skeletal, and vascular systems, such as metabolic bone disease, by providing a proper diet. Rehabilitation animals with pre-existing nutritional disorders may or may not be recoverable, depending on the severity of the deficiency.]

(8) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall allow a rehabilitation animal to feed independently as soon as the animal is able to express the behavioral and physical traits required for feeding that are appropriate to its species, age class, and condition. [Note: This requirement is necessary as neonate and juvenile animals are at risk of habituation or mal-imprinting during any stage of rehabilitation; a habituated or mal-imprinted animal is unable to express the natural life history behaviors of its species and is less likely to survive in the wild.]

(b) Cleaning Requirements

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

(2) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall disinfect the enclosure

of any rehabilitation animal suspected of or known to have a communicable disease, including compliance with any requirements of a local or state public health agency with jurisdiction once that animal has been removed from the enclosure.

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

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

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

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

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

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

(d) Communicable Wildlife Diseases

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

(2) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall report any rehabilitation animal suspected or known to have a disease of concern, as determined by the Fish and Game Commission to be a communicable disease of potentially significant consequence to an affected population of native wildlife, domestic animal, or humans in California, to the proper reporting agency, as indicated in Table 16 17, pursuant to subsection ~~679.5(a)(7)~~ 679.5(a)(8). [Note: This requirement is intended to aid the investigation and monitoring of potential disease outbreaks and mortality events by the department's Wildlife Health Laboratory pursuant to California Fish and Game Section 1008.]

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

<u>Disease of Concern</u>	<u>Taxa Affected</u>	<u>Etiologic Agent</u>	<u>Clinical Signs or Symptoms</u>	<u>Reporting Agency</u>
(1) <u>Adenovirus Hemorrhagic Disease</u>	<u>Deer</u>	<u>Virus</u>	Progressive <u>Progressive</u> weight loss, mouth sores, death	<u>Department of Fish and Wildlife</u>
(2) <u>Chronic Wasting Disease</u>	<u>Deer, elk</u>	<u>Prion</u>	<u>Progressive weight loss, loss of awareness, loss of natural fear, death</u>	<u>Department of Fish and Wildlife</u>
(3) <u>Highly Pathogenic Avian Influenza Virus</u>	<u>Avifauna, mammals</u>	<u>Virus</u>	<u>Lethargy, tremors, head tilt, death</u>	<u>Department of Fish and Wildlife</u>
(4) <u>Rabbit Hemorrhagic Disease Virus</u>	<u>Rabbits, hares</u>	<u>Virus</u>	<u>Lethargy, bleeding from nostril, neurologic symptoms, death</u>	<u>Department of Fish and Wildlife</u>
<u>(45) Rabies Virus</u>	<u>Mammals*</u>	<u>Virus</u>	<u>Loss of fear response, aggression, drooling, lethargy, paralysis, death</u> <u>*California primary vector species: Bat, skunk, fox.</u>	<u>Local Health Department</u>
(5) <u>SARS-COV-2</u>	<u>Mammals</u>	<u>Virus</u>	<u>Cough, fatigue, body pain, diarrhea, loss of taste/smell, death</u>	<u>Department of Public Health</u>
(6) <u>Snake Fungal Disease</u>	<u>Snakes</u>	<u>Fungus</u>	<u>Poor body condition, scabs, skin ulcers, discolored scales, cloudy eyes</u>	<u>Department of Fish and Wildlife</u>
(7) <u>White Nose Syndrome</u>	<u>Bats</u>	<u>Fungus</u>	<u>White powdery fungus on muzzle, ears, wings, limbs; emaciation; death.</u>	<u>Department of Fish and Wildlife</u>

(f) Non-Releasable Animal Requirements

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

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

(g) Euthanasia Requirements

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

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

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

(4) A permittee, their designee, sub-permittees, other properly trained personnel, and licensed veterinarian shall euthanize a rehabilitation animal using only the methods of euthanasia listed in Table ~~1718~~.

(5) A permittee, their designee, sub-permittees, authorized persons, and qualified handlers shall not use any method of euthanasia not listed in Table ~~1718~~, including the following unacceptable methods of euthanasia: Thoracic compression, freezing, suffocation, carbon monoxide, ether, and any method of take prohibited pursuant to the California Fish and Game Code or any other ordinance, regulation, or statute. [Note: This requirement is intended to prohibit the use of any euthanasia method that does not protect animal welfare and determined to be inhumane.]

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

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

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

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

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

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

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

APPENDICES

Appendix A. California Fish and Game Code Excerpts

§1050. General License Provisions

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

§2000. Taking And Possessing In General

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

§2120. Regulations Governing Wild Animals

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

§2121. Escape or Release of Wild Animals

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

§2122. Regulations for Guidance of Enforcement Officers

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

§2127. Eligible Local Entities

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

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

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

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

§2150.2. Establishment of Fees

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

§2150.4. Inspection of Wild Animal Facilities

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

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

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

§2192. Regulation and Enforcement

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

§3005.5. Methods of Taking

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

§3800. Nongame Birds

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

§4150. Nongame Mammals

All mammals occurring naturally in California which are not game mammals, fully protected mammals, or fur-bearing mammals, are nongame mammals. Nongame mammals or parts thereof may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission.

Appendix B. Federal Law and Regulation Excerpts

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

Appendix C. Wildlife Rehabilitation Resources

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

Professional Associations

California Council for Wildlife Rehabilitators: <https://ccwr.org/>

National Wildlife Rehabilitators Association: <https://www.nwrawildlife.org/>

International Wildlife Rehabilitators Council (IWRC):

IWRC Certified Wildlife Rehabilitator Program, <https://cwrexam.org>

American Veterinary Medical Association: <https://www.avma.org/>

Agency Resources

CDFW, Native Wildlife Rehabilitation Program: <https://wildlife.ca.gov/wildliferehab>

CDFW, Wildlife Health Laboratory: <https://wildlife.ca.gov/WHL>

California Department of Food and Agriculture (CDFA): <https://www.cdfa.ca.gov/>

CDFA, California Animal Response Emergency System: https://www.cdfa.ca.gov/AHFSS/Animal_Health/eprs/cares/

California Department of Consumer Affairs (CDCA), Veterinary Medical Board License Search:

<https://www.breeze.ca.gov/datamart/mainMenu.do>

CDCA, California Veterinary Medical Board: <https://www.vmb.ca.gov/>

USFWS, 2022. Migratory Bird Permitting Handbook: <https://www.fws.gov/policy-library/hbindex>

USDA National Agricultural Library, Animal Welfare Act: <https://www.nal.usda.gov/animal-health-and-welfare/animal-welfare-act>

USDA National Agricultural Library, Disaster Planning with Animals: <https://www.nal.usda.gov/animal-health-and-welfare/disaster-planning-animals>

International Air Transport Association (IATA) Live Animals Regulations:

<https://www.iata.org/en/publications/store/live-animals-regulations/>

National Association of State Public Health Veterinarians: <http://nasphv.org/>

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

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

True/False

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

Multiple Choice

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

ANSWER KEY

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

Description of Specific Edits to Regulatory Language and Department Regulatory Manual

Edits Made to Proposed Regulatory Language

**Note: The proposed regulatory language includes the changes made after the December 31, 2024 15-Day notice.*

Section 679

Subsections (c), and (e) through (e)(2)(A) will no longer be repealed. This change is necessary to clarify for permit holders with existing valid permits the requirements under which they shall continue to operate a wildlife rehabilitation facility once the proposed regulations go into effect. These provisions are necessary to establish how a current permit holder may continue to temporarily possess wildlife for the purpose of rehabilitation pursuant to the transition period established in the proposed subsection 679.3(e). Specifically, the Commission and Department propose to allow this transition period for current permit holders to meet all of the requirements of the new regulations for specialty rehabilitation authorizations, minimum enclosure sizes, and enclosure requirements specific to construction materials, substrate, and enrichment items. The Commission finds, based on the Department's experience, that a transition period is proper to provide current permit holders with a reasonable period of time to submit the required information for variance and specialty rehabilitation authorization requests to the Department; and allows time for the Department to process the required information and approve or deny such requests for each current permit holder. The Commission also finds, in the Department's experience, based on permit holder feedback, that this period of time reasonably allows for current permit holders to construct or modify existing enclosures as desired by the permit holder in compliance with the proposed regulations.

Subsection (h): Establishes that the requirements pertain only to current permit holders with an existing valid permit. This provision is necessary to provide permit holders currently operating a wildlife rehabilitation facility, inspected and approved under this section, with a reasonable period of time to comply with the proposed regulations. In the Commission and Department's experience, this requirement is reasonable specific to current permit holders since such persons will need to submit the required information for variance and specialty rehabilitation authorization requests to the Department.

Subsection (i): The Commission finds, based on the Department's experience, that a transition period is proper to provide current permit holders with a reasonable period of time to submit the required information for variance and specialty rehabilitation authorization requests to the Department; and allows time for the Department to process the required information and approve or deny such requests for each current permit holder. The Commission also finds, in the Department's experience, based on permit holder feedback, that this period of time reasonably allows for current permit holders to construct or modify existing enclosures as desired by the permit holder in compliance with the proposed regulations.

All Sections

For all sections, the order of persons listed under a permit has been updated to “permittee, their designee, or sub-permittee”. This change is necessary to properly reflect the role of each person under a permit by level of responsibility. Specifically, the permittee is the primary point of contact for the Department under the permit, whereas a designee may be approved by the permittee to conduct activities on their behalf under the permit, such as overseeing the wildlife rehabilitation facility and representing the permittee in communications with the Department whereas the sub-permittee is approved by the permittee only to conduct activities at a satellite facility under a sub-permit.

Section 679.1

Subsection (p): “~~is~~” was replaced with “as” to make the sentence grammatically correct. The language “A person that is a permittee, their designee, or sub-permittee shall meet the required experience as listed in subsection 679.3(b)(2)(A)2.” This change is necessary to clarify that the minimum hours of required experience is different (greater) for a handler that is also the person possessing the specialty rehabilitation authorization under the permit. Specifically, the person possessing the specialty rehabilitation authorization has greater responsibility under the permit and must demonstrate more extensive expertise to provide rehabilitation and treatment, not just general care and handling, of a specialty rehabilitation animal. Handlers that are not the person possessing the specialty rehabilitation authorization must demonstrate expertise sufficient to properly handle and restrain a specialty rehabilitation animal while it receives such rehabilitation and treatment, and therefore the minimum hours of required experience is lesser. This is to ensure that only individuals with sufficient experience are qualified to safely manage some rehabilitation animals.

Section 679.2

Subsection (a)(2) replaced reference to subsection “679.5(b)(2)” with “679.5(b)(1)” to provide a proper reference.

Section 679.3

Subsection (a)(3): Language updated to, “...within 30 calendar days of the date the department sent the request for information...” This change is necessary to clarify when an applicant must submit written proof of requested information. Adding the language “department sent the request” clarifies when the 30-day clock starts.

Subsection (a)(4)(A): Replaced the symbol “~~§~~” with “Section 1633.5(b)”. This change is necessary to make the language within the regulations consistent.

Subsection (a)(6)(A)7.a.: Replaced reference to subsection “~~679.5(e)~~” with “679.4(a)(6)” to provide a proper reference.

Subsection (a)(6)(A)7.b.: Replaced reference to subsection “~~679.5(e)(4)~~” with “679.5(c)” to provide a proper reference.

Subsection (a)(6)(A)7.d.: Replaced reference to subsection “~~679.5(b)(4)~~” with “679.5(b)(6)” to provide a proper reference.

Subsection (a)(6)(A)7.e.: Replaced reference to subsection “~~679.5(1) through (4)~~” with “679.5(a)” to provide a proper reference.

Subsection (a)(6)(A)7.g.: Replaced reference to subsection “679.1(a)(4)” with “679.1(d)” to provide a proper reference.

Subsection (a)(6)(B)4.c.: Added the word “natural” to clarify that only the species-specific life history behaviors displayed by a rehabilitation animal in the wild should be assessed when considering the ethics of veterinarian responsibilities specific to wildlife rehabilitation. This is necessary so that wild animals are not considered for treatment with criteria for prognosis and disposition in the same manner as a domestic or exotic animal of a similar taxa (e.g., pet parakeet versus wild passerine).

Subsection (a)(6)(B)6: Replaced reference to subsection “679.4(a)(6)(B)” with “679.4(a)(7)” to provide a proper reference.

Subsection (a)(6)(C): Replaced reference to “~~Section 679.9~~” with “subsection 679.1(b)” to provide a proper reference.

Subsection (a)(6)(E): Replaced reference to “~~subsections 679.7(a)(1) and (2)~~” with “Section 679.7” to provide a proper reference.

Subsection (a)(6)(E)3: Replaced reference to “~~subsections 679.7(a)(1) and (2)~~” with “Section 679.7” to provide a proper reference.

Subsection (a)(6)(E)4: Replaced reference to “~~subsections 679.7(a)(1) and (2)~~” with “Section 679.7” to provide a proper reference.

Subsection (a)(7): The language has been updated to read, “...authorized to temporarily possess based on the conditions necessary to protect...”. The language “~~the department determines are~~” has been removed as it was redundant language.

Subsection (a)(8)(B): The language was updated to read, “Except as provided in this paragraph, a permittee, their designee, sub-permittee, qualified handler, or authorized person, shall not temporarily possess any new rehabilitation animals after a permit expires. If a wild animal is transported by any person to a permittee, their designee, sub-permittee, qualified handler, or authorized person, whose permit is expired, the animal may be temporarily confined pursuant to Section 679.2. The department may provide a temporary permit extension for up to 60 calendar days, in writing via email, to a permittee to temporarily possess and/or intake rehabilitation animals if the permittee submitted an application for renewal postmarked no later than 45 calendar days after the permit expired, and the department finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall be met during the application renewal process. A permit extension shall expire either 60 calendar days after it is granted, the permit is renewed, or the permit application is denied whichever occurs first. The department may grant an additional permit extension if it needs more than 60 calendar days to review the renewal application, and it finds that the conditions necessary to protect native wildlife, animal welfare, human health or safety, and agriculture interests shall continue to be met.” This is necessary as unpermitted facilities may be out of compliance and could pose dangers to rehabilitation animals and surrounding wildlife. Extensions are necessary because it may be in the best interest of rehabilitation animals to not be subject the stress of transportation or relocation. The Commission finds based on the Department’s experience that the time periods in this subsection are adequate to allow facilities to come into compliance while maintaining animal welfare.

Subsection (a)(9)(A): Replaced reference to “~~subsections 679.3(a)(6)(A) 1,3 through 7; 679.3(a)(6)(D)~~” with “subsections 679.3(a)(6)(A) through (E)” to provide a proper reference.

Subsection (b)(1): Remove “(A)” from the reference to the subsection to provide a proper reference.

Subsection (b)(2)(A)5: Replaced reference to “~~subsection 679.1(a)(16)~~” with “subsection 679.1(p)” to provide a proper reference. The language “3 qualified handlers - large carnivore, 2 qualified handlers - ungulate, 2 qualified handlers - bald or golden eagle or peregrine or prairie falcon, 2 qualified handlers - venomous snake” was added. This addition is necessary to outline the number of qualified handlers that are required for each specialty rehabilitation species, to ensure proper care and handling of those species.

Subsection (c): Language was updated to read, “The department shall amend a permit to authorize...” This is necessary because unless permittees or sub-permittees violate the criteria in subsection (c)(1)(A), the Department has no basis to deny the permit amendment. Without a pathway to deny the permit, the Department would be forced to allow unqualified sub-permittees to be added to the permit.

Subsection (c)(1)(A)3: Remove “a” from the subsection reference to provide clarity to the correct subsection reference.

Subsection (c)(2): Remove “a” from “...a sub-permit under the permit...”. The “a” was a typographical error and should not have been included.

Subsection (c)(2)(B): Updated the language to read, “...the department, or the department’s designee...”. This change was made to clarify that the department or a designee of the department can conduct a satellite facility inspection.

Subsection (e): The language was updated to read, “A person holding a valid permit or memorandum of understanding (MOU) issued pursuant to 679 prior to [Date to be added by OAL], shall be authorized by the department to operate under their permit or MOU requirements through December 31, 2025. Thereafter, a person who was issued such a permit or MOU and would like to continue temporarily possessing wildlife for the purpose of rehabilitation shall comply with the requirements listed pursuant to sections 671.1 and 679.1 through 679.9.” This is necessary to extend the transition deadline, as the regulations would not be in effect before June 30, 2025 and rehabilitators will need additional time to meet the new regulation requirements.

Section 679.4

Subsection (a)(3): Language was updated to read, “Continuing education constitutes education and training that a permittee, their designee, or sub-permittee has determined is most beneficial to maintain facility operations and to protect the welfare of each rehabilitation animal that they hold in trust for the purposes of release to the wild.” This provision is necessary to clarify that wildlife rehabilitators should stay current with the practices and latest advancements in wildlife rehabilitation that are relevant to maintaining their facility operations and protecting the species-specific welfare of rehabilitation animals accepted for intake into the facility.

Subsection (a)(6)(A)4: Replaced reference to subsection “~~679.5(b)(5)~~” with “679.5(b)(4)” to provide a proper reference.

Subsection (a)(7)(B): The language was updated to read, “Changes in Veterinarian of Record. A permittee, or their designee, and their sub-permittee, shall ensure that a valid and accurate Veterinarian of Record is listed on a permit and sub-permit at all times. A permittee, their designee, or their sub-permittee shall notify the department, on a form provided by the department, within 30 calendar days of the change via email at Rehabwildlife@wildlife.ca.gov.” This change is necessary to ensure that all of the Veterinarian of Record’s responsibilities, outlined in Section 679.3(a)(6)(B)4, continue to be administered by a California licensed veterinarian. This change is also necessary to clarify when and how the department should be notified about a change in the Veterinarian of Record, and how long the permittee, designee, or sub-permittee has to replace the Veterinarian of Record.

Subsection (a)(7): The language has been updated to read, “administrative update to a permit or sub-permit for any of the changes listed in subsection 679.4(a)(7)(A) through (C).” This change was made to clarify exactly what administrative changes will require a notification to the Department.

Subsection (a)(9): The language has been updated to read, “A permittee, their designee, sub-permittee, authorized person, or qualified handler shall notify the department in writing via email at Rehabwildlife@wildlife.ca.gov or by telephone at (916) 358-2790 within 5 calendar days of receiving any live or dead animals of the species listed in subsection 679.4(a)(9)(A) through (C).” replaces “~~notwithstanding any state or federally listed species that shall be reported to the department within 5 calendar days including the following live or dead animals:~~”. This change clarifies the methods and time periods of notification to the department for the intake of certain imperiled species (and other special status species) as listed in this provision. This change is necessary to ensure that the Department is aware of possession of these species to allow the Department to monitor them and take other actions for the benefit of the species when warranted.

In subsection (a)(9)(A) the scientific name of Giant garter snake was updated to reflect the correct scientific name.

Section 679.5

Subsections (a)(8) and subsections (a)(8)(A) through (B): The language was updated to read, “...A permittee, their designee, sub-permittee, qualified handler, or authorized person”. This change is necessary to clarify who must notify the appropriate agency when working with diseases of concern and properly reflects the role of each person under a permit by level of responsibility. Specifically, the permittee is the primary point of contact for the Department under the permit, whereas a designee may be approved by the permittee to conduct activities on their behalf under the permit, such as overseeing the wildlife rehabilitation facility and representing the permittee in communications with the Department whereas the sub-permittee is approved by the permittee only to conduct activities at a satellite facility under a sub-permit. Consistent with this change, authorized person(s) and qualified handlers are not authorized to operate a facility or represent the permittee to the Department.

Subsection (b)(4): The language was updated to read, “...California general falconer or master falconer licensed pursuant to subsection 670(e)(6)...”. The addition of the word falconer is necessary to differentiate general falconers and master falconers. The change to the referenced section is necessary to provide the correct referenced subsection.

Subsection (b)(4)(A)2: Replaced reference to subsection “~~679.5(a)(6)~~” with “679.5(a)(7)” to provide a proper reference.

Subsection (c)(2)(A)6: The language “~~at its sole discretion~~” was removed as it is unnecessary for the regulation, since the Department is already specified as the only entity authorized to make placement decisions.

Subsection (c)(2)(C)2: replace reference to subsection “~~(c)(2)(A)~~” with “(c)(2)(B)” to provide a proper reference.

Section 679.6

Subsection (a): Added “not” to “the animal is observed to be habituated or mal-imprinted” to further clarify the criteria for evaluating a rehabilitation animal for release to the wild. This is necessary so that wildlife rehabilitators do not release rehabilitation animals that have been habituated or mal-imprinted, as such wild animals could cause conflict with humans, exhibit behaviors that are not natural to its species, and have a reduced likelihood of surviving in the wild.

Section 679.7

Subsection (a)(1)(C): The language has been updated to read, “Except as provided in subsections 679.3(d) and 679.9(a) and (b), the department shall provide a permittee...”. The change to the referenced subsections is needed reference the correct subsections. The change from ~~may~~ to shall is necessary to remove unnecessary discretion from the regulation, since the Department should always send a list of changes when the specified conditions are met.

Subsection (a)(1)(C)1: The language has been updated to read, “...before the 45-calendar day deadline described in subsection (a)(1)(C).” The addition of “calendar” is necessary to clarify between calendar and working/business days. The change to the referenced subsection is necessary to direct readers to the correct referenced subsection.

Subsection (b)(1): The sentence, “The department shall determine if a sub-permittee or authorized person passes or fails an inspection, using the information documented by a permittee or their designee during an inspection pursuant to subsection (b)(1)(A) and any other substantially-related evidence that the department possesses or obtains, based on the conditions required to protect native wildlife, animal welfare, human health or safety, and agriculture interests.” has been added. This clarifies that the Department makes an independent determination regarding the disposition (pass or fail) of an inspection performed by a permittee or their designee. This is necessary because the Department may have other relevant, compelling evidence that a sub-permittee should pass or fail, beyond just the inspection report, and should be allowed to consider that evidence alongside that report. Notably, an inspection failure does not in and of itself mandate a particular remedial response.

Subsection (b)(1)(A)8: The word “~~determination~~” has been replaced with “recommendation”. This change is necessary as the permittee and their designee cannot make determinations, on behalf of or representing the Department, for a sub-permittee or authorized person to pass or fail an inspection. The permittee and their designee may only make recommendations, or a request, to the Department specific to the observations they have

documented during an inspection of a sub-permittee operating a satellite facility or an authorized person.

Section 679.8

No changes.

Section 679.9

Subsection (a)(2): The language, “Based on the totality of the circumstances, including but not limited to, the nature, scope, irreversibility, and severity of the violation; the acknowledgment and awareness by the permittee of the harm caused by the violation; the extent to which the permittee cooperated with the department; and, measures undertaken by the permittee to remediate the violation, the likelihood that there will be any harm to wildlife possessed by the permittee, native wildlife, agricultural interests of this state, or human health or safety.” has been added. This is necessary to define how the Department will determine whether or not to revoke a permit. This change is necessary to clarify the criteria used by the department in making this type of determination for permit revocation or another, less harsh, penalty in the case of minor, technical, or easily correctable violations.

Subsection (b)(1): The language has been updated to read, “The permittee, their designee, sub-permittee, authorized person(s), or qualified handler...” This change is necessary to properly reflect the role of each person under a permit by level of responsibility. Additionally, it is necessary to add qualified handler to this list of persons to clarify that they are only allowed to handle specialty rehabilitation animals under a permit as a privilege by the Department that is revokable. The permittee is the primary point of contact for the Department under the permit, whereas a designee may be approved by the permittee to conduct activities on their behalf under the permit, such as overseeing the wildlife rehabilitation facility and representing the permittee in communications with the Department whereas the sub-permittee is approved by the permittee only to conduct activities at a satellite facility under a sub-permit. Consistent with this change, authorized person(s) and qualified handlers are not authorized to operate a facility or represent the permittee to the Department.

Subsection (b)(1)(B): The language, “Based on the totality of the circumstances, including but not limited to, the nature, scope, irreversibility, and severity of the violation; the acknowledgment and awareness by the sub-permittee of the harm caused by the violation; the extent to which the sub-permittee cooperated with the department; and, measures undertaken by the permittee to remediate the violation, the likelihood that there will be any harm to wildlife possessed by the sub-permittee, native wildlife, agricultural interests of this state, or human health or safety.” This change is necessary to clarify the criteria used by the department in making this type of determination for sub-permit revocation or another, less harsh, penalty in the case of minor, technical, or easily correctable violations.

Subsection (d): Replaced “679.7(b)” with “679.4(c)” In subsection to provide proper reference.

Subsection (e)(3): Replaced “paragraph (e)” with “paragraph (d)” to provide a proper reference.

Subsection (e)(4): Removed “severely” from “adverse impact” for clarity and consistency of these regulations. The Commission finds that “severely adversely impacted” and “adversely impacted” mean the same thing. Additionally, the language, “and as specified in subsections

679.3(d) or 679.4(e)(4) as applicable” was added to provide the proper reference for the regulation.

Subsection (g): Reference to “subsection 679.3(a)(9) has been removed as it is no longer a necessary cross-reference. Reference to “679.3(c)(4)” is replaced with “679.3(d)” to provide a proper reference.

Section 703

No changes.

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

**Note: The proposed regulatory language includes the changes made after the December 31, 2024 15-Day notice.*

All Sections

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

Chapter 2

Subsection (a)(3)(A): Language added to explain “pre-release conditioning”. This addition is necessary to define and clarify the stage of rehabilitation whereby a rehabilitation animal is evaluated by a wildlife rehabilitator to determine when and if it is suitable for release into the wild. The Department finds that this process is often most critical in terms of protecting both native wildlife and the health and welfare of the rehabilitation animal, by ensuring the rehabilitation animal can perform the natural life history behaviors that species need to survive in the wild prior to its release. The definition is necessary to ensure that it is well understood what pre-release conditioning is, so that pre-release enclosures and other features are understood.

Subsection (a)(4): The word “~~Section~~” has been changed to “subsection” to correct a typographical error.

Subsections (a)(8) and (a)(9): References to tables “~~7 through 15~~” has been changed to “Tables 7, 9, 11, 12, 14, and 15”. This change is necessary to remove the references to tables that do not specify cage requirements.

Subsection (c)(2): Minor change to “at least 30 calendar days from the date of intake ~~from any species of amphibian or reptile~~, notwithstanding any amphibian or reptile rehabilitation animal that can be released to the wild in a condition of good health prior to the end of the 30 calendar day quarantine period.”. The amended language clarifies the quarantine period requirements for an amphibian or reptile, which is necessary to prevent the spread of herptile diseases.

Chapter 3

Subsection (a)(4): language regarding “best available science” has been changed to “credible science as defined in Fish and Game Code Section 33”. This change is necessary to better define the foundation for rehabilitation animal treatment plans. Credible science is a statutorily

defined term and better specifies the standard of information necessary to justify a treatment plan.

Subsection (d)(2): Replaced "~~679.5(a)(7)~~" with "679.5(a)(8)" in subsection to provide proper reference.