



## COMMERCIAL TAKE OF NATIVE REPTILES AND AMPHIBIANS FOR SCIENTIFIC OR EDUCATIONAL INSTITUTIONS

This document is designed to provide essential information about the commercial take of native reptiles and amphibians for scientific or educational institutions. It **does not** provide complete coverage of all commercial take of native reptile and amphibian laws and regulations.

Although this document contains excerpts from Title 14, of the California Code of Regulations, it is the licensee's responsibility to know and obey all regulations in effect while he/she is participating in the commercial take of native reptile and amphibian. Changes to any code may occur at any time during the year.

Any discrepancies between this document and the code from which it was prepared will be enforced and adjudicated according to the official code in effect on the date the activity takes place.

### California Code of Regulations, Title 14 Excerpts

#### **§651. Commercial Take of Native Reptiles and Amphibians for Scientific or Educational Institutions.**

(a) Native reptiles and amphibians may be sold to scientific or educational institutions only by owners of biological supply houses who have been issued a permit by the department for such purposes.

(1) Permits shall be issued on an annual basis, commencing April 1 of each year, and expiring on March 31 of the following year, or for the unexpired portion of any permit year commencing April 1.

(2) To defray costs incurred in the administration of these regulations, a fee of \$50 shall be paid to the department by each applicant upon the filing of an application for a permit.

(3) Applications for a permit to sell native reptiles and amphibians to scientific or educational institutions shall be submitted on forms provided by the department. Applications shall be accompanied by a copy of applicable city or county business permits, and shall include a list of employees or agents authorized by the supply house owner to collect native reptiles or amphibians for the supply house, pursuant to these regulations.

(b) Field Collecting Permit. Native reptiles and amphibians may be taken for sale to scientific or educational institutions only by owners of biological supply houses who have been issued a permit by the department pursuant to subsection (a) above, and by authorized employees or agents of such biological supply houses, only under authority of a field collecting permit issued by the department.

(1) The department may issue a field collecting permit to an owner of a biological supply house upon

receipt by the department of the original copy of a written request for purchase from a faculty or staff member of a scientific or educational institution, accompanied by a statement from the supply house owner indicating (A) the name of the owner, authorized employees, or agents who will collect the specimens requested; (B) the species and number of each species the owner or each employee or agent will collect; and (C) the estimated beginning and ending dates of such collecting.

(2) The field collecting permit shall indicate the names of those authorized to collect the specimens requested by the scientific or educational institution.

(3) The field collecting permit shall indicate the maximum number of each species requested by the scientific or educational institution that the supply house is authorized to collect and possess.

(4) The field collecting permit shall indicate the inclusive dates during which collecting of the specimens requested by the scientific or educational institution is authorized, and the date by which such specimens shall be shipped.

(5) Specimens collected pursuant to a field collecting permit may be held only on the premises of a biological supply house following expiration of the authorized collecting period, but shall not be held on the premises of the supply house later than the authorized shipping deadline.

(c) Each owner, employee, or agent of a biological supply house collecting under authority of this section, shall have in his possession, in addition to his own copy of a field collecting permit, a copy of the permit issued to the biological supply house pursuant to Section 651(a) of these regulations, and, if amphibians are to be collected, a valid commercial fishing license.

(d) Each owner, employee, or agent of a biological supply house collecting under authority of a field collecting permit shall collect only those species and numbers authorized by the field collecting permit. Any species possessed in the field that is not authorized by the field collecting permit shall be considered to have been collected for commercial purposes and shall be a violation of these regulations.

(e) Delivery.

(1) All deliveries or shipments of reptiles or amphibians taken under authority of this section shall be accompanied by the original copy of the field collecting permit issued to the supply house owner. Shipments via the U.S. Postal Service or private carrier shall have this document attached to the outside of the shipping container, which shall be labeled: "Live Reptiles/Amphibians--Handle With Care".

(2) Possession by the scientific or educational institution of the original copy of the field collecting permit, which accompanies the shipment or delivery of the reptiles or amphibians taken pursuant to this section, shall constitute authority for the scientific or educational institution to possess the specimens purchased pursuant to this section.

(f) Methods of Take.

(1) Amphibians shall be taken only by hand or by a dip net.

(2) Reptiles shall be taken only by hand or by the following hand-operated devices: (A) Lizard nooses, (B) Snake tongs, (C) Snake hooks.

(3) It is unlawful to use crowbars, tire irons, jackhammers, winches, explosive devices, or any other method or means of collecting that involves removal or breaking apart of rocks, granite flakes, or other shelters in or about which reptiles or amphibians may be found.

(4) It is unlawful to take reptiles or amphibians by means of pit-traps or can-traps.

(g) Closures.

(1) No reptiles or amphibians may be taken from within the boundaries of State Parks or National Parks or Monuments, including public roadways therein.

(2) No reptiles or amphibians may be taken from within the boundaries of ecological reserves designated by the Commission, including public roadways therein.

(3) No garter snakes (*Thamnophis* sp.) may be taken in San Mateo County.

(h) The supply house owner shall be responsible for compliance by its employees or agents with these

regulations. The department may refuse to authorize owners, employees, or agents of biological supply houses to collect or sell native reptiles or amphibians upon conviction of a violation of these regulations by a court of competent jurisdiction.

(i) Any permit issued pursuant to these regulations may be cancelled or suspended at any time by the commission for cause after notice and opportunity to be heard, or without a hearing upon conviction of a violation of these regulations by a court of competent jurisdiction.

#### **§658. Commercial Take of Bullfrogs (*Rana Catesbeiana*) for Sale to Scientific or Educational Institutions.**

(a) Permit Required of Supplier. Permits shall be issued only to qualified scientific supply houses which sell bullfrogs to bona fide scientific or educational institutions. Such supply houses shall be responsible for compliance by its employees with these regulations. The commission shall approve the qualifications of applicants under this section, and the department shall issue the permit following approval by the commission. See subsection 699(b) of these regulations for the fee for this permit.

(b) Market Order Issued by Supplier. A qualified scientific supply house shall issue a market order to each employee before that employee collects bullfrogs. Each market order shall specify the exact number of bullfrogs to be collected, the collecting locality, and the dates, not to exceed seven (7) consecutive days, required for the employee to fill that order.

(c) Licenses and Permits Required of Employees. Each employee who collects bullfrogs for a qualified scientific supply house shall have a commercial fishing license and a scientific collecting permit issued by the department. Each boat used for this purpose shall be registered as a commercial fishing vessel.

(d) Market Order in Possession of Employees. Each employee shall have a market order in his possession when bullfrogs are being collected. No bullfrogs in excess of the numbers specified on the market order may be taken or possessed by the employee of a qualified scientific supply house.

(e) Commercial Fishing Reports Required. The commercial fishing provisions of the Fish and Game Code shall apply to the take of bullfrogs.

(f) Closed Areas. No bullfrogs may be taken for sale north of Interstate 80 in the Valley Sportfishing District described in section 12.00, title 14, California Administrative Code.

(g) Open Areas and Seasons. Bullfrogs may be taken for sale for scientific or educational purposes only in the following sportfishing districts or parts thereof, and only during the specified dates, except as provided in subsection (h):

(1) Southern District as described in section 6.00, title 14, CAC-August 1 through November 30.

(2) Colorado River District as described in section 7.00, title 14, CAC-August 1 through November 30.

(3) South of Interstate 80 in the Valley District as described in section 12.00, title 14, CAC, and in the remainder of the state-May 1 through November 30.

(h) The department may issue permits to owners of biological supply houses to collect bullfrogs during the closed season, but only for sale to a bona fide scientific or educational institution as determined by the department. The supply house owner shall submit a written request to the department for the permit. An original letter, under the scientific or educational institution's letterhead and from a staff or faculty member requesting the purchase of a stated number of bullfrogs, shall accompany the request.

(i) Restricted Sale. Except for bullfrogs sold, leased, or rented for use in frog jumping contests as defined in Fish and Game Code section 6880, bullfrogs taken under authority of a permit issued pursuant to this section may be sold only to bona fide scientific or educational institutions and may be used only for scientific or educational purposes, and may not be sold, purchased, or traded for any other use.

(j) Delivery of Bullfrogs. A licensed employee shall deliver or ship all captured bullfrogs to the premises of the scientific supply house.

(k) Bullfrog Capture Methods. Bullfrogs may be captured only by hand. No spears, gigs, hooks, or other devices which might injure bullfrogs may be used.

(l) Application Requirements. Permit applications shall be submitted on forms furnished by the department. They may be filed with the department at any time. Application for renewal of a permit for the following calendar year may be filed concurrently with the annual report in December.

(m) Notification of Warden. Before collecting bullfrogs, the supplier shall notify a warden in the area where the employee wishes to collect. Such notification may be given by letter, telephone, or personal contact and shall include the canals and exact location on each of entry and departure, the dates of collection, and approximate length of time during which collecting is to be done. The employee shall carry his commercial fishing license, scientific collecting permit and market order at all times when collecting. These documents and specimens shall be shown upon demand to any person authorized by the department to enforce the provisions of the Fish and Game Code or regulation made pursuant thereto.

(n) Cancellation and Suspension of Permits. Any permit may be cancelled or suspended at any time by the commission for cause after notice and opportunity to be heard, or without a hearing upon conviction of a violation of these regulations by a court of competent jurisdiction.