

To: Larry Guzin
From: Steve Tator
Re: Coyote Meeting Held 1/28/14
Date: 1/29/14

This is a summary of what transpired at last night's meeting. Speakers included LAPD and Department of Animal Regulation for Los Angeles.

Animal Regulation began by saying that the neighborhood would probably not be very happy with what he had to say. The city has to abide by California Fish and Wildlife Code Section 465.5 (copy enclosed). The section begins with the sentence "All furbearing and nongame mammals that are legal to trap must be immediately killed or released." The department has a "no kill" policy. If the city were to trap a coyote, it is legally bound to release on the spot by this regulation. The city cannot trap urban wildlife. In fact, the speaker said that if someone called him because there was a coyote in their home, the only thing he could do would be to get the coyote out of the house.

The only exception is that if a wounded or sick animal is trapped, it may be relocated to the Malibu Wildlife Center. The only animals that may be trapped and relocated are mountain lions and bears. The prohibition of relocating animals to the wild is the fear that those animals may have picked up diseases from domesticated animals and transmit the diseases to the wild. In the past, the city had a policy of relocating and/or killing animals, but that has changed.

Apparently the private trapper hired by the Windsor Square resident has used raccoon traps which are ineffective. There are "legal" trappers that can trap the animals in accordance with Fish and Wildlife Code 465.5. The city will not intervene unless they can attempt to trap a sick or injured animal and relocate them to the Malibu Center. Most coyotes are killed by cars, drown or just drop dead from hunger or thirst or disease.

The focus was on protecting your home and making sure food and water sources are not available. Allegedly there are some people that feed coyotes which keeps them around. Even if all coyotes are trapped, there is a pattern of them showing up every few years. The speaker characterized the danger as very minimal and cited the large number of dog attacks. Obviously one can use all means to protect themselves if attacked by a dog or a coyote.



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Trapping - an outdated practice

A variety of species - skunk, opossum, fox, raccoon, deer, coyote, even bobcats, live in and around residential neighborhoods and rural communities.

Wherever they are part of the urban landscape, steps to eradicate them will be futile - an endless cycle where one individual is removed from the environment only to be replaced by another from the surrounding area.

So long as there are the resources - sources of food and/or shelter, there will be the animals that depend upon them - and therein lies the key: reduce or remove the resources, and the population of wild animals will diminish or disappear, for good.

Trapping and/or destroying a wild animal, unless it presents an immediate threat to human health or safety, is not a sound solution, ever.

For more on this, please see our blog post, [Wildlife Intrusion Delusion](#).



Trapping restrictions, for good reason...

In most states trapping is regulated. Below, you'll find references to excerpts of specific laws and regulations pertaining to trapping wildlife in California, with our interpretation of them in blue, below.

California Fish and Wildlife Code

The Code is authoritative law, meaning, it authorizes an act, but, there are regulations that govern how the act shall be carried out.

4152: Non-Game birds and mammals injuring crops and property (includes red fox squirrel and jack rabbits) may be taken any time and in any manner in accordance with the regulations...

4180: Furbearing mammals damaging property may be taken in any manner in accordance with this code and regulations...

Wildlife injuring crops of property can be "take" or killed, but only in accordance with current regulations (below).

Additionally, there must be cause - damage to crops or property before furbearers or non-game mammals may be taken, and then, only the animal(s) causing the damage may be taken - non-target animals that are inadvertently trapped must be immediately released on site.



California Department of Fish and Wildlife Trapping Reference Guide

California Code of Regulations, Title 14

§465.5 (f)(1). Trap Number Requirement. Any person who traps furbearing mammals or nongame mammals shall obtain a trap number issued by and registered with the department. All traps, before being put into use, shall bear only the current registered trap number or numbers of the person using, or in possession of those traps. This number shall be stamped clearly on the trap or on a metal tag attached to the chain of the trap or to any part of the trap.



It is illegal to set or maintain traps that do not bear a number or other identifying mark registered with the Department of Fish and Wildlife. This would include a property owner who wishes to set a trap for a wild animal in his/her backyard. Before doing so, they must receive an identifying number and affix it to the trap.

§465.5 (g)(1). Immediate Dispatch or Release. All furbearing and nongame mammals that are legal to trap must be immediately killed or released. Unless released, trapped animals shall be killed by shooting where local ordinances, landowners, and safety permit. This regulation does not prohibit employees of federal, state, or local government from using chemical euthanasia to dispatch trapped animals.

Trapped animals must be euthanized or released immediately on site. Relocation of trapped wildlife is prohibited.

§465.5 (g)(2). Trap Visitation Requirement. All traps shall be visited at least once daily by the owner of the traps or his/her designee. Each time traps are checked all trapped animals shall be removed.

§465.5 (g)(3). Trap Placement Requirement. Traps may not be set within 150 yards of any structure used as a permanent or temporary residence, unless such traps are set by a person controlling such property or by a person who has and is carrying with him written consent of the landowner to so place the trap or traps.

Simply put, no person may set a trap within 150 yards of a residence without written consent from the owner of that residence. We believe this regulation was initially written to help protect a neighbor's domestic animals from being trapped. Today, we believe it allows neighbors the right to have a say as to the fate of the shared natural resources - the wildlife.

§475 (a). Poison may not be used.

To check on a license or report a possible trapping violation, contact the Department of Fish and Wildlife Trapping License Office 916-928-5852 or one of the regional offices:

- FRESNO - 1234 E. Shaw Ave., Fresno, CA 93710 (559) 222-3761
- MONTEREY - 20 Lower Ragsdale Dr., Monterey, CA 93940 (831) 649-2810
- NAPA - 7329 Silverado Trl., Napa, CA 94558 (707) 944-5500
- ONTARIO - 3602 Inland Empire Blvd., Suite C-220, Ontario, CA 91764 (909) 484-0167
- RANCHO CORDOVA - 1701 Nimbus Rd., Rancho Cordova, CA 95670 (916) 358-2900
- REDDING - 601 Locust St., Redding, CA 96001 (530) 225-2300
- SAN DIEGO - 4949 Viewridge Ave., San Diego, CA 92123 (858) 467-4201



California Penal Code

§597. Cruelty to Animals. (a) Except as provided in subdivision (c) of this section or Section 599c, every person who maliciously and intentionally maims, mutilates, tortures, or wounds a living animal, or maliciously and intentionally kills an animal, is guilty of an offense punishable by imprisonment in the state prison, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment, or, alternatively, by imprisonment in a county jail for not

more than one year, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment. (b) Except as otherwise provided in subdivision (a) or (c), every person who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink, shelter, or to be cruelly beaten, mutilated, or cruelly killed; and whoever, having the charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink, or shelter or protection from the weather, or who drives, rides, or otherwise uses the animal when unfit for labor, is, for every such offense, guilty of a crime punishable as a misdemeanor or as a felony or alternatively punishable as a misdemeanor or a felony and by a fine of not more than twenty thousand dollars (\$20,000). (c) Every person who maliciously and intentionally maims, mutilates, or tortures any mammal, bird, reptile, amphibian, or fish as described in subdivision (d), is guilty of an offense punishable by imprisonment in the state prison, or by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment, or, alternatively, by imprisonment in the county jail for not more than one year, by a fine of not more than twenty thousand dollars (\$20,000), or by both the fine and imprisonment. (d) Subdivision (c) applies to any mammal, bird, reptile, amphibian, or fish which is a creature described as follows: (1) Endangered species or threatened species as described in Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code. (2) Fully protected birds described in Section 3511 of the Fish and Game Code. (3) Fully protected mammals described in Chapter 8 (commencing with Section 4700) of Part 3 of Division 4 of the Fish and Game Code. (4) Fully protected reptiles and amphibians described in Chapter 2 (commencing with Section 5050) of Division 5 of the Fish and Game Code. (5) Fully protected fish as described in Section 5515 of the Fish and Game Code. This subdivision does not supersede or affect any provisions of law relating to taking of the described species, including, but not limited to, Section 12008 of the Fish and Game Code. (e) For the purposes of subdivision (c), each act of malicious and intentional maiming, mutilating, or torturing a separate specimen of a creature described in subdivision (d) is a separate offense. If any person is charged with a violation of subdivision (c), the proceedings shall be subject to Section 12157 of the Fish and Game Code.