

Introduced by Senator Nielsen
(Coauthors: Senators Berryhill and Stone)
(Coauthor: Assembly Member Olsen)

February 25, 2015

An act to amend Section 4155 of the Fish and Game Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

SB 457, as introduced, Nielsen. Bobcat Protection Act of 2013.

Existing law, the Bobcat Protection Act of 2013, makes it unlawful to trap any bobcat, or attempt to do so, or to sell or export any bobcat or part of any bobcat taken in the area surrounding Joshua Tree National Park, as specified. The act requires the Fish and Game Commission to amend its regulations to prohibit the trapping of bobcats adjacent to the boundaries of each national or state park and national monument or wildlife refuge in which bobcat trapping is prohibited. The act also requires the commission, commencing January 1, 2016, to consider whether to prohibit bobcat trapping within, and adjacent to, preserves, state conservancies, and any other public or private conservation areas identified to the commission by the public as warranting protection, and to amend its regulations accordingly, as specified. The act requires the commission to delineate the boundaries of an area in which bobcat trapping is prohibited pursuant to these provisions using readily identifiable features, such as highways or other major roads, such as those delineated for Joshua Tree National Park.

This bill would provide that these features also include, but are not limited to, landmarks, and would make other nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4155 of the Fish and Game Code is
 2 amended to read:
 3 4155. (a) ~~Beginning January 1, 2014, it~~ *It* shall be unlawful
 4 to trap any bobcat, or attempt to do so, or to sell or export any
 5 bobcat or part of any bobcat taken in the area surrounding Joshua
 6 Tree National Park, defined as follows: East and South of State
 7 Highway 62 from the intersection of Interstate 10 to the intersection
 8 of State Highway 177; West of State Highway 177 from the
 9 intersection of State Highway 62 to the intersection with Interstate
 10 10; North of Interstate 10 from State Highway 177 to State
 11 Highway 62.
 12 (b) (1) Through the commission's next regularly scheduled
 13 mammal hunting and trapping rulemaking process occurring after
 14 January 1, 2014, the commission shall amend its regulations to
 15 prohibit the trapping of bobcats adjacent to the boundaries of each
 16 national or state park and national monument or wildlife refuge in
 17 which bobcat trapping is prohibited.
 18 (2) Commencing January 1, 2016, the commission shall consider
 19 whether to prohibit bobcat trapping within, and adjacent to,
 20 preserves, state conservancies, and any additional public or private
 21 conservation areas identified to the commission by the public as
 22 warranting protection. The commission, as necessary, shall amend
 23 its regulations through its next subsequently scheduled mammal
 24 hunting and trapping rulemaking process to prohibit bobcat
 25 trapping in any area determined by the commission to warrant
 26 protection.
 27 (3) The commission shall delineate the boundaries of an area
 28 in which bobcat trapping is prohibited pursuant to paragraph (1)
 29 or (2) using readily identifiable ~~features, such as features,~~
 30 *including, but not limited to,* highways ~~or other major roads, roads,~~
 31 *or landmarks,* such as those delineated for Joshua Tree National
 32 Park in subdivision (a).
 33 (c) The prohibition on the trapping of bobcats in the areas
 34 designated pursuant to subdivisions (a) and (b) shall not apply to
 35 the taking of any bobcat by employees of the department acting

1 in an official capacity, to a taking in accordance with the conditions
2 of a scientific, educational, or propagation permit pursuant to
3 Section 1002 by the holder of that permit, or to the lawful taking
4 of bobcats found to be injuring crops or other property pursuant
5 to Section 4152 or other provisions of this code or regulations
6 adopted pursuant to this code.

7 (d) Notwithstanding Section 2016 or any other provisions of
8 ~~this code, on and after January 1, 2014, code~~, it shall be unlawful
9 to trap any bobcat, or attempt to do so, on any private land not
10 belonging to the trapper without the express written consent of the
11 owner of that property. The placing or possession of any trap or
12 the possession of a bobcat or part thereof on any land is prima
13 facie evidence of a violation of this subdivision.

14 (e) Consistent with the requirements of subdivision (c) of
15 Section 4006, the commission shall set trapping license fees and
16 associated fees, including, but not limited to, shipping tags required
17 pursuant to Section 479 of Chapter 6 of Subdivision 2 of Division
18 1 of Title 14 of the California Code of Regulations, for the 2014–15
19 season, and any subsequent seasons in which bobcat trapping is
20 allowed, at the levels necessary to fully recover all reasonable
21 administrative and implementation costs of the department and
22 the commission associated with the trapping of bobcats in the state,
23 including, but not limited to, enforcement costs.

24 (f) This section does not limit the ability of the department or
25 the commission to impose additional requirements, restrictions,
26 or prohibitions related to the taking of bobcats, including a
27 complete prohibition on the trapping of bobcats pursuant to this
28 code.

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