

## Regulations for Trapping Garden Pests

Oct 3 2016

Q: My yard backs up to US Forest Service land and consequently I have all kinds of critters trying to get my fruit and vegetables. I have installed a 7 foot plastic mesh deer fence which works well. I also put 3 ft. chicken wire fencing around many of my plots to keep rabbits out. Mice, squirrels, voles and the occasional raccoon either go through the fences, or climb over or go under. I've started using snap type rat traps for the mice, which also handles the squirrels, ground squirrels, and seems to deter the raccoons after a snap or two. I occasionally get small rabbits, Scrub Jays and Juncos in the trap, even when the traps are partially covered. My neighbor said she'd lend me two of her live traps and offered to relocate the critters out of the neighborhood. But another friend told me that relocating animals is not allowed, and I may need a permit to use the traps in my yard. I'm confused but do not want to give up my garden. What are the rules?

A: The snap style rat trap is essentially designed for use in an interior situation, in a house, attic, basement, crawl space, barn, or shed to lethally trap mice, woodrats and Norway rats. It is baited and set when used. There are no known regulations, requirements or reporting needed when used in this manner. While also effective in lethally trapping small rodents in the garden, once placed outdoors the traps fall under the jurisdiction of the California Department of Fish and Wildlife.

If at all possible, use fences and methods of excluding animals from gaining access to the garden this requires no Department of Fish and Wildlife oversight, is nonlethal, and is not too difficult to maintain once installed.

If you do use the snap type rattrap they do not require a permit or license for the rat trap placed in the garden, however we do not recommend them as there is no way to control what you catch in them. If they were to catch a protected species (or game species like rabbits) by law you are required to report it to the Department of Fish and Wildlife for proper disposal. And if you decide to use your neighbors live traps, you may need to apply for a trapping license through the Calif. Department of Fish and Wildlife. And once the animal is caught, depending on what it is, it must be euthanized and cannot be relocated. All the unprotected mammals such as the raccoons, ground squirrels and mice will need to be euthanized and disposed of, but the birds such as the Scrub Jay or Junco are federally protected under the Migratory Bird Treaty Act and must be released in the same spot, it cannot be relocated.

Another option is to hire a pest control company to remove the animals for you but this also may require a trapping license depending on the type of animal and you will need to pay the pest control company.

Details on trapping regulations are found on-line at: <https://www.wildlife.ca.gov/Licensing/Trapping>