

# Wild Pigs

## A Tasty Problem

Presented to the California Fish and Game Commission  
Wildlife Resources Committee by Commission Staff  
September 9, 2015

# Wild Pigs

- Valued game animal
  - Sport and food
  - Ranch income
  - DFW revenue
- Pest for many landowners
  - Property damage
- Not native to California
  - Habitat destruction

# Current Legal Status – Depredation

- Landowners may kill as depredators
  - May kill any number and at any time
  - Permit and reporting requirements
  - May discard

(Fish and Game Code, sections 4181, 4181.1, 4181.2, 4188; and California Code of Regulations, Title 14, Section 401)

# Current Legal Status – Hunting

- Licensed hunters may take as game animal with tags
  - No limit on kill, but only during daylight hours
  - May not waste

(Fish and Game Code, sections 4188, 4650-4657; and California Code of Regulations, Title 14, sections 368, 708.13)

# Problem?

- Depredation control burdensome for some landowners
- Permit and reporting requirements for depredation seen as unnecessary

# Assembly Bill 2268 (2015)

- Introduced by Assembly Member Bigelow to resolve depredation concerns
- Failed to reach agreement on solution
  - Sportsmen feared loss of DFW revenue and status as game animal
  - Some public feared would cause senseless killing
  - Would require using revenue to compensate landowners

# Potential Answers?

- Keep wild pig as game animal
- Replace hunting tags with endorsement
- Eliminate depredation reporting and permit requirements
- Revise Commission Policy on Wild Pigs

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 290**

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**Introduced by Assembly Member Bigelow**

February 11, 2015

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An act to amend ~~Section 3953 of~~ Sections 714, 3953, 4181, 4181.1, 4188, 4650, 4654, and 13005 of, to repeal Sections 4181.2, 4656, and 4657 of, and to repeal and add Sections 4651, 4652, 4653, and 4655 of, the Fish and Game Code, relating to mammals.

LEGISLATIVE COUNSEL'S DIGEST

AB 290, as amended, Bigelow. Game mammals: ~~Big Game Management Account~~. *wild pig depredation.*

(1) Existing law defines the term “wild pig” for purposes of managing, taking, or hunting that species.

The bill would also define “pigs” and prohibit the release of pigs into uncontrolled areas. The bill would provide that an area shall be deemed controlled if the pigs are regularly cared for and enclosed by a lawful fence, as defined. The bill would provide that an owner of a pig that escapes from a controlled area who has complied with this provision is not deemed to be in violation of any law that prohibits the release of any animal.

(2) Existing law requires the Department of Fish and Wildlife to prepare a management plan for wild pigs and provides that funds deposited in the Big Game Management Account shall be available to the department to be used for, among other things, acquiring land, completing projects, and implementing programs to benefit specified game mammals. Existing law authorizes the department to make grants

to reimburse or enter into contracts or other agreements with nonprofit organizations for these purposes.

The bill would delete the requirement that the department prepare a management plan for wild pigs. The bill would also require an amount of not less than 25% and not more than 40% of funds appropriated to the department from revenue generated from the sale of wild pig validations to be used to remediate land damaged by wild pigs. The bill would also authorize the use of funds from this account for grants and reimbursement to, and contracts with, state and federal land management agencies for projects on lands that are open for hunting.

(3) Existing law requires a person to procure, as specified, either a hunting license and a wild pig tag or a depredation permit in order to take a wild pig. However, existing law provides that any wild pig that is encountered while in the act of inflicting injury to, or damaging or destroying, or threatening to immediately damage or destroy, land or other property may be taken immediately by the owner or the owner's employee or agent, as specified. Existing regulations prohibit a person with a hunting license and a wild pig tag from taking a wild pig between  $\frac{1}{2}$  hour after sunset and  $\frac{1}{2}$  hour before sunrise.

This bill would revise and recast the provisions applicable to wild pigs by, among other things, replacing the wild pig tag requirement with a validation on the hunting license that would allow for the unlimited take and possession of wild pigs. The bill would set the price of a wild pig validation at \$15 for residents and \$30 for nonresidents. The bill would prohibit the taking of wild pigs at night unless the department is notified by 3:00 p.m. prior to the planned take or, if the daylight hours before the planned take are not on a business day, by 3:00 p.m. of the last business day before the planned take and the person taking the wild pig possesses a valid hunting license. The bill would provide that the notification provided for the planned take under these provisions applies to the night designated in that notification and the six nights following.

The bill would authorize landowners and lessees and their agents to take wild pigs on land owned or leased by the landowner or lessee without obtaining a hunting license, wild pig validation, or depredation permit if certain conditions exist.

(4) The bill would make other technical and conforming changes to these provisions.

(5) Because the bill would create new crimes, it would impose a state-mandated local program.

(6) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing law establishes the Big Game Management Account within the Fish and Game Preservation Fund. Existing law requires revenue from the sale of antelope, elk, deer, wild pig, bear, and sheep tags, be deposited in the Big Game Management Account, except as provided. Existing law requires funds deposited in the Big Game Management Account be expended solely for specified purposes and pursuant to specified limitations. Existing law requires an advisory committee, which includes interested nonprofit organizations that, among other requirements, have goals and objectives directly related to the management and conservation of big game species, review and provide comments to the department on all proposed projects funded from the Big Game Management Account.~~

~~This bill would make nonsubstantive changes to these provisions.~~

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

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

1     SECTION 1. Section 714 of the Fish and Game Code is  
2     amended to read:  
3     714. (a) In addition to Section 3031, 3031.2, 7149, 7149.05,  
4     or 7149.2 and notwithstanding Section 3037, the department shall  
5     issue lifetime sportsman’s licenses pursuant to this section. A  
6     lifetime sportsman’s license authorizes the taking of birds,  
7     mammals, fish, reptiles, or amphibia anywhere in this state in  
8     accordance with law for purposes other than profit for the life of  
9     the person to whom issued unless revoked for a violation of this  
10    code or regulations adopted pursuant to this code. A lifetime  
11    sportsman’s license is not transferable. A lifetime sportsman’s  
12    license does not include any special tags, stamps, or other  
13    entitlements.  
14    (b) A lifetime sportsman’s license may be issued to residents,  
15    as follows:

1 (1) To a person 62 years of age or over upon payment of a base  
2 fee of seven hundred thirty dollars (\$730).

3 (2) To a person 40 years of age or over and less than 62 years  
4 of age upon payment of a base fee of one thousand eighty dollars  
5 (\$1,080).

6 (3) To a person 10 years of age or over and less than 40 years  
7 of age upon payment of a base fee of one thousand two hundred  
8 dollars (\$1,200).

9 (4) To a person less than 10 years of age upon payment of a  
10 base fee of seven hundred thirty dollars (\$730).

11 (c) This section does not require a person less than 16 years of  
12 age to obtain a license to take fish, reptiles, or amphibia for  
13 purposes other than profit or to obtain a license to take birds or  
14 mammals, except as required by law.

15 (d) This section does not exempt an applicant for a license from  
16 meeting other qualifications or requirements otherwise established  
17 by law for the privilege of sport hunting or sport fishing.

18 (e) Upon payment of a base fee of four hundred forty-five dollars  
19 (\$445), a person holding a lifetime hunting license or lifetime  
20 sportsman's license shall be issued annually one deer tag  
21 application pursuant to subdivision (a) of Section 4332 and ~~five a~~  
22 ~~wild pig tags~~ *validation* issued pursuant to Section 4654. Lifetime  
23 privileges issued pursuant to this subdivision are not transferable.

24 (f) Upon payment of a base fee of two hundred ten dollars  
25 (\$210), a person holding a lifetime hunting license or lifetime  
26 sportsman's license shall be entitled annually to the privileges  
27 afforded to a person holding a state duck stamp or validation issued  
28 pursuant to Section 3700 or 3700.1 and an upland game bird stamp  
29 or validation issued pursuant to Section 3682 or 3682.1. Lifetime  
30 privileges issued pursuant to this subdivision are not transferable.

31 (g) The base fees specified in this section are applicable  
32 commencing January 1, 2004, and shall be adjusted annually  
33 thereafter pursuant to Section 713.

34 (h) The commission shall adjust the amount of the fees specified  
35 in subdivision (g), as necessary, to fully recover, but not exceed,  
36 all reasonable administrative implementation costs of the  
37 department and the commission relating to those licenses.

38 **SECTION 1.**

39 *SEC. 2.* Section 3953 of the Fish and Game Code is amended  
40 to read:

1 3953. (a) The Big Game Management Account is hereby  
2 established within the Fish and Game Preservation Fund.

3 (b) Except as provided in Section 709, all revenues from the  
4 sale of antelope, elk, deer, ~~wild pig~~, bear, and sheep tags, including  
5 any fundraising ~~tags~~, *tags and wild pig validations*, shall be  
6 deposited in the Big Game Management Account to permit separate  
7 accountability for the receipt and expenditure of these funds.  
8 Within 30 days of the date of the sale, the selling nonprofit  
9 organization shall send the department 95 percent of the total  
10 auction sale price of the ~~tag~~, *tag or validation*, with an itemized  
11 receipt showing the sale price and the 5-percent reduction retained  
12 by the nonprofit organization as a vendor's fee.

13 (c) Funds deposited in the Big Game Management Account  
14 shall be available for expenditure upon appropriation by the  
15 Legislature to the department. These funds shall be expended solely  
16 for the purposes set forth in this section and Sections 3951 and  
17 3952, and Chapter 5 (commencing with Section 450) of Division  
18 1, Chapter 7 (commencing with Section 4650), and Chapter 11  
19 (commencing with Section 4900), including acquiring land,  
20 completing projects, and implementing programs to benefit  
21 antelope, elk, deer, ~~wild pigs~~, bear, and sheep, and expanding  
22 public hunting opportunities and related public outreach. *An*  
23 *amount of not less than 25 percent and not more than 40 percent*  
24 *of funds appropriated to the department from revenue generated*  
25 *from the sale of wild pig validations shall be used to remediate*  
26 *lands damaged by wild pigs.* Any land acquired with funds from  
27 the Big Game Management Account shall be acquired in fee title  
28 or protected with a conservation easement and, to the extent  
29 possible, be open or provide access to the public for antelope, elk,  
30 deer, ~~wild pig~~, bear, or sheep hunting. The department may also  
31 use funds from the Big Game Management Account to pay for  
32 administrative and enforcement costs of the programs and activities  
33 described in this section. The amount allocated from the account  
34 for administrative costs shall be limited to the reasonable costs  
35 associated with administration of the programs and activities  
36 described in this section.

37 (d) The department may *use funds from the Big Game*  
38 *Management Account to make a grant* grants to, reimburse, or  
39 enter into a ~~contract~~ *contracts* or other ~~agreement~~, *agreements*, as  
40 defined in subdivision (a) of Section 1571, with a ~~nonprofit~~

1 ~~organization for the use of the funds from the Big Game~~  
2 ~~Management Account~~ *nonprofit organizations or state and federal*  
3 *land management agencies for projects on lands that are open for*  
4 *hunting* to carry out the purposes of this section, including related  
5 habitat conservation projects.

6 (e) An advisory committee, as determined by the department,  
7 that includes interested nonprofit organizations that have goals  
8 and objectives directly related to the management and conservation  
9 of big game species and primarily represent the interests of persons  
10 licensed pursuant to Section 3031 shall review and provide  
11 comments to the department on all proposed projects funded from  
12 the Big Game Management Account to help ensure that the  
13 requirements of this section are met. The department shall post  
14 budget information and a brief description on an Internet Web site  
15 for all projects funded from the Big Game Management Account.

16 (f) ~~A big game project~~ *Big game projects* authorized pursuant  
17 to this section ~~is~~ *are* not subject to Part 2 (commencing with  
18 Section 10100) of Division 2 of the Public Contract Code or Article  
19 6 (commencing with Section 999) of Chapter 6 of Division 4 of  
20 the Military and Veterans Code.

21 (g) The department shall maintain the internal accountability  
22 necessary to ensure compliance with the collection, deposit, and  
23 expenditure of funds specified in this section.

24 *SEC. 3. Section 4181 of the Fish and Game Code is amended*  
25 *to read:*

26 4181. (a) Except as provided in Section 4181.1, any owner or  
27 tenant of land or property that is being damaged or destroyed or  
28 is in danger of being damaged or destroyed by elk, bear, beaver,  
29 ~~wild pig, wild~~ turkeys, or gray squirrels, may apply to the  
30 department for a permit to kill the animals. Subject to the  
31 limitations in subdivisions (b) and (d), the department, upon  
32 satisfactory evidence of the damage or destruction, actual or  
33 immediately threatened, shall issue a revocable permit for the  
34 taking and disposition of the animals under regulations adopted  
35 by the commission. The permit shall include a statement of the  
36 penalties that may be imposed for a violation of the permit  
37 conditions. Animals so taken shall not be sold or shipped from the  
38 premises on which they are taken except under instructions from  
39 the department. No iron-jawed or steel-jawed or any type of  
40 metal-jawed trap shall be used to take any bear pursuant to this

1 section. No poison of any type may be used to take any gray  
2 squirrel or wild turkey pursuant to this section. The department  
3 shall designate the type of trap to be used to ensure the most  
4 humane method is used to trap gray squirrels. The department may  
5 require trapped squirrels to be released in parks or other  
6 nonagricultural areas. It is unlawful for any person to violate the  
7 terms of any permit issued under this section.

8 (b) The permit issued for taking bears pursuant to subdivision  
9 (a) shall contain the following facts:

10 (1) Why the issuance of the permit was necessary.

11 (2) What efforts were made to solve the problem without killing  
12 the bears.

13 (3) What corrective actions should be implemented to prevent  
14 reoccurrence.

15 ~~(e) With respect to wild pigs, the department shall provide an~~  
16 ~~applicant for a depredation permit to take wild pigs or a person~~  
17 ~~who reports taking wild pigs pursuant to subdivision (b) of Section~~  
18 ~~4181.1 with written information that sets forth available options~~  
19 ~~for wild pig control, including, but not limited to, depredation~~  
20 ~~permits, allowing periodic access to licensed hunters, and holding~~  
21 ~~special hunts authorized pursuant to Section 4188. The department~~  
22 ~~may maintain and make available to these persons lists of licensed~~  
23 ~~hunters interested in wild pig hunting and lists of nonprofit~~  
24 ~~organizations that are available to take possession of depredating~~  
25 ~~wild pig carcasses.~~

26 ~~(d)~~

27 (c) With respect to elk, the following procedures shall apply:

28 (1) Prior to issuing a depredation permit pursuant to subdivision  
29 (a), the department shall do all of the following:

30 (A) Verify the actual or immediately threatened damage or  
31 destruction.

32 (B) Provide a written summary of corrective measures necessary  
33 to immediately alleviate the problem.

34 (C) Determine the viability of the local herd, and determine the  
35 minimum population level needed to maintain the herd.

36 (D) Ensure the permit will not reduce the local herd below the  
37 minimum.

38 (E) Work with affected landowners to develop measures to  
39 achieve long-term resolution, while maintaining viability of the  
40 herd.

1 (2) After completing the statewide elk management plan  
 2 pursuant to Section 3952, the department shall use the information  
 3 and methods contained in the plan to meet the requirements of  
 4 subparagraphs (C), (D), and (E) of paragraph (1).

5 *SEC. 4. Section 4181.1 of the Fish and Game Code is amended*  
 6 *to read:*

7 4181.1. (a) Any bear that is encountered while in the act of  
 8 inflicting injury to, molesting, or killing, livestock may be taken  
 9 immediately by the owner of the livestock or the owner's employee  
 10 if the taking is reported no later than the next working day to the  
 11 department and the carcass is made available to the department.

12 ~~(b) Notwithstanding Section 4652, any wild pig that is~~  
 13 ~~encountered while in the act of inflicting injury to, molesting,~~  
 14 ~~pursuing, worrying, or killing livestock or damaging or destroying,~~  
 15 ~~or threatening to immediately damage or destroy, land or other~~  
 16 ~~property, including, but not limited to, rare, threatened, or~~  
 17 ~~endangered native plants, wildlife, or aquatic species, may be taken~~  
 18 ~~immediately by the owner of the livestock, land, or property or~~  
 19 ~~the owner's agent or employee, or by an agent or employee of any~~  
 20 ~~federal, state, county, or city entity when acting in his or her official~~  
 21 ~~capacity. The person taking the wild pig shall report the taking no~~  
 22 ~~later than the next working day to the department and shall make~~  
 23 ~~the carcass available to the department. Unless otherwise directed~~  
 24 ~~by the department and notwithstanding Section 4657, the person~~  
 25 ~~taking a wild pig pursuant to this subdivision, or to whom the~~  
 26 ~~carcass of a wild pig taken pursuant to this subdivision is~~  
 27 ~~transferred pursuant to subdivision (c), may possess the carcass~~  
 28 ~~of the wild pig. The person in possession of the carcass shall make~~  
 29 ~~use of the carcass, which may include an arrangement for the~~  
 30 ~~transfer of the carcass to another person or entity, such as a~~  
 31 ~~nonprofit organization, without compensation. The person who~~  
 32 ~~arranges this transfer shall be deemed to be in compliance with~~  
 33 ~~Section 4304. A violation of this subdivision is punishable pursuant~~  
 34 ~~to Section 12000. It is the intent of the Legislature that nothing in~~  
 35 ~~this subdivision shall be interpreted to authorize a person to take~~  
 36 ~~wild pigs pursuant to this subdivision in violation of a state statute~~  
 37 ~~or regulation or a local zoning or other ordinance that is adopted~~  
 38 ~~pursuant to other provisions of law and that restricts the discharge~~  
 39 ~~of firearms.~~

40 (e)

1 (b) The department shall make a record of each report made  
2 pursuant to subdivision (a) ~~or (b)~~ and may have an employee of  
3 the department investigate the taking or cause the taking to be  
4 investigated. ~~The person taking a wild pig shall provide information~~  
5 ~~as deemed necessary by the department.~~ Upon completion of the  
6 investigation, the investigator may, upon a finding that the  
7 requirements of this section have been met with respect to the  
8 particular bear ~~or wild pig~~ taken under subdivision ~~(a) or (b)~~; (a),  
9 issue a written statement to the person confirming that the  
10 requirements of this section have been met. ~~The person who took~~  
11 ~~the wild pig may transfer the carcass to another person without~~  
12 ~~compensation.~~

13 ~~(d)~~

14 (c) Notwithstanding Section 4763, any part of any bear lawfully  
15 possessed pursuant to this section is subject to Section 4758.

16 ~~(e)~~

17 (d) Nothing in this section prohibits federal, state, or county  
18 trappers from killing or trapping bears when the bears are killing  
19 or molesting livestock, but no iron-jawed or steel-jawed or any  
20 type of metal-jawed trap shall be used to take the bear, and no  
21 person, including employees of the state, federal, or county  
22 government, shall take bear with iron-jawed or steel-jawed or any  
23 type of metal-jawed traps.

24 *SEC. 5. Section 4181.2 of the Fish and Game Code is repealed.*

25 ~~4181.2. For the purposes of this article relating to damage~~  
26 ~~caused by wild pigs, “damage” means loss or harm resulting from~~  
27 ~~injury to person or property. The department shall develop~~  
28 ~~statewide guidelines to aid in determining the damage caused by~~  
29 ~~wild pigs. The guidelines shall consider various uses of the land~~  
30 ~~impacted by pigs.~~

31 *SEC. 6. Section 4188 of the Fish and Game Code is amended*  
32 *to read:*

33 4188. (a) If a landowner or tenant applies for a permit under  
34 Section 4181 for ~~wild pigs or wild turkeys~~, or under Section 4181.5  
35 for deer, the department shall notify the landowner or tenant about  
36 available options for allowing access by licensed hunters, including,  
37 but not limited to, access authorized pursuant to Article 3  
38 (commencing with Section 1570) of Chapter 5 of Division 2 to  
39 control ~~wild pigs, wild turkeys, turkeys~~ and deer.

1 (b) The commission, in lieu of a permit as described in  
 2 subdivision (a), and with the consent of, or upon the request of,  
 3 the landowner or tenant, under appropriate regulations, may  
 4 authorize the issuance of permits to persons holding valid hunting  
 5 licenses to take wild pigs, wild turkeys, turkeys or deer in sufficient  
 6 numbers to stop the damage or threatened damage. Before issuing  
 7 permits to licensed hunters, the department shall investigate and  
 8 determine the number of permits necessary, the territory involved,  
 9 the dates of the proposed hunt, the manner of issuing the permits,  
 10 and the fee for the permit.

11 *SEC. 7. Section 4650 of the Fish and Game Code is amended*  
 12 *to read:*

13 4650. (a) Wild pigs, as used in this chapter, means code, are  
 14 free-roaming pigs not distinguished by branding, ear marking, or  
 15 other permanent identification methods.

16 (b) For purposes of this code, pigs are of the species *sus scrofa*  
 17 *and sus srofa domestica*.

18 *SEC. 8. Section 4651 of the Fish and Game Code is repealed.*

19 ~~4651. (a) The department shall prepare a plan for the~~  
 20 ~~management of wild pigs. Under the plan, the status and trend of~~  
 21 ~~wild pig populations shall be determined and management units~~  
 22 ~~shall be designated within the state. The plan may establish pig~~  
 23 ~~management zones to address regional needs and opportunities.~~  
 24 ~~In preparing the plan, the department shall consider available,~~  
 25 ~~existing information and literature relative to wild pigs.~~

26 ~~(b) The plan may include all of the following:~~

27 ~~(1) The distribution and abundance of wild pigs, as described~~  
 28 ~~in Section 3950.~~

29 ~~(2) A survey of range conditions.~~

30 ~~(3) Recommendations for investigations and utilization of wild~~  
 31 ~~pigs.~~

32 ~~(4) Encouraging mitigation of depredation by sport hunting~~  
 33 ~~pursuant to this chapter.~~

34 ~~(5) Live trapping and relocation of wild pigs to areas suitable~~  
 35 ~~and accessible to mitigation of depredation, with the consent of~~  
 36 ~~the landowner and after prior consultation with adjacent landowners~~  
 37 ~~who, in the department's opinion may be impacted, pursuant to~~  
 38 ~~this chapter.~~

39 *SEC. 9. Section 4651 is added to the Fish and Game Code, to*  
 40 *read:*

1 4651. (a) Except as specified in subdivision (b), wild pigs may  
2 be taken at any time of the year, and in any number by any person  
3 in possession of a valid hunting license and wild pig validation  
4 and it shall be unlawful to possess any wild pig without first  
5 procuring a wild pig validation pursuant to Section 4654.

6 (b) Notwithstanding subdivision (a), Section 3007, or any other  
7 provision of this code or regulations adopted pursuant to this code  
8 requiring possession of a hunting license, a landowner or lessee,  
9 or an agent tenant of either the landowner or lessee in immediate  
10 possession of written authority from the landowner or lessee, shall  
11 not be required to obtain a hunting license, wild pig validation,  
12 or depredation permit to take wild pigs on land owned or leased  
13 by the landowner or lessee, if that land, or property on that land,  
14 is being damaged or destroyed or is in danger of being damaged  
15 or destroyed by wild pigs. However, it shall be unlawful to possess  
16 any wild pig taken pursuant to this subdivision by any person who  
17 does not possess a valid wild pig validation, except a person who  
18 took the wild pig pursuant to this subdivision.

19 SEC. 10. Section 4652 of the Fish and Game Code is repealed.

20 ~~4652. It is unlawful to take any wild pig, except as provided~~  
21 ~~in Section 4181, without first procuring a tag authorizing the taking~~  
22 ~~of that wild pig in accordance with this chapter.~~

23 SEC. 11. Section 4652 is added to the Fish and Game Code,  
24 to read:

25 4652. (a) Notwithstanding Section 3000, it is unlawful to take  
26 any wild pig between one-half hour after sunset and one-half hour  
27 before sunrise at the place of the taking, except as provided in  
28 subdivision (b) of this section and subdivision (b) of Section 4651.

29 (b) A wild pig may be taken between one-half hour after sunset  
30 and one-half hour before sunrise at the place of the taking, if the  
31 department receives prior notice pursuant to Section 4653 and the  
32 person taking the wild pig possesses a valid hunting license.

33 SEC. 12. Section 4653 of the Fish and Game Code is repealed.

34 ~~4653. The department may determine the design and type of~~  
35 ~~information to be included on the wild pig tag and prescribe the~~  
36 ~~procedures for the issuance and use of the tag.~~

37 SEC. 13. Section 4653 is added to the Fish and Game Code,  
38 to read:

39 4653. (a) A person who intends to take a wild pig between  
40 one-half hour after sunset and one-half hour before sunrise shall

1 provide to the department his or her name and the location where  
2 the taking of the wild pig is expected to occur by telephoning the  
3 regional office nearest to the location of the expected take no later  
4 than 3:00 p.m. prior to the night or morning of the take, or, if the  
5 daylight hours before the planned take are not on a business day,  
6 no later than 3:00 p.m. of the last business day before the planned  
7 take.

8 (b) The notification provided pursuant to subdivision (a) shall  
9 apply to the night designated in that notification and the six nights  
10 following.

11 SEC. 14. Section 4654 of the Fish and Game Code is amended  
12 to read:

13 4654. (a) Any resident of this state, 12 years of age or older,  
14 who possesses a valid hunting license, may procure ~~the number~~  
15 ~~of a wild pig tags corresponding to the number of wild pigs that~~  
16 ~~may legally be taken by one person during the license year~~  
17 ~~validation~~ upon payment of a base fee of fifteen dollars (\$15), for  
18 ~~each wild pig tag. (\$15).~~

19 (b) Any nonresident, 12 years of age or older, who possesses a  
20 valid California nonresident hunting license, may procure ~~the~~  
21 ~~number of a wild pig tags corresponding to the number of wild~~  
22 ~~pigs that may legally be taken by one person during the license~~  
23 ~~year validation~~ upon payment of a base fee of ~~fifty thirty~~ dollars  
24 ~~(\$50), for each wild pig tag. (\$30).~~

25 (c) The base fees specified in this section are applicable to the  
26 ~~2004 2015~~ license year, and shall be adjusted annually thereafter  
27 pursuant to Section 713.

28 SEC. 15. Section 4655 of the Fish and Game Code is repealed.

29 ~~4655. Wild pig tags are valid only during that portion of the~~  
30 ~~current hunting license year in which wild pigs may be taken or~~  
31 ~~possessed in any area of the state.~~

32 SEC. 16. Section 4655 is added to the Fish and Game Code,  
33 to read:

34 4655. (a) Pigs shall not be released into uncontrolled areas.  
35 An area shall be deemed controlled if the pigs are regularly cared  
36 for and enclosed by a lawful fence as defined in Section 17121 of  
37 the Food and Agriculture Code.

38 (b) An owner of a pig that escapes from a controlled area who  
39 has complied with subdivision (a) shall not be in violation of any  
40 law that prohibits the release of any animal.

1     *SEC. 17. Section 4656 of the Fish and Game Code is repealed.*

2     ~~4656. Revenues received pursuant to this chapter shall be~~  
3 ~~deposited in the Big Game Management Account established in~~  
4 ~~Section 3953. These funds shall be available for expenditure by~~  
5 ~~the department as set forth in Section 3953. The department shall~~  
6 ~~maintain all internal accounting measures necessary to ensure that~~  
7 ~~all restrictions on these funds are met.~~

8     *SEC. 18. Section 4657 of the Fish and Game Code is repealed.*

9     ~~4657. The holder of a wild pig tag shall keep the tag in his or~~  
10 ~~her possession while hunting wild pig. Before the taking of any~~  
11 ~~wild pig, the holder of a wild pig tag, except for wild pig tags~~  
12 ~~issued through the Automated License Data System, shall legibly~~  
13 ~~write or otherwise affix his or her hunting license number to the~~  
14 ~~wild pig tag. Upon the killing of any wild pig, the date of the kill~~  
15 ~~shall be clearly marked by the holder of the tag on both parts of~~  
16 ~~the tag. Before transporting the pig, a tag shall be attached to the~~  
17 ~~carcass by the holder of the tag. The holder of the wild pig tag~~  
18 ~~shall immediately, upon harvesting a pig, notify the department~~  
19 ~~in a manner specified by the commission.~~

20     *SEC. 19. Section 13005 of the Fish and Game Code is amended*  
21 *to read:*

22     13005. (a) Notwithstanding Section 13001, the fees collected  
23 from lifetime sportsman's licenses and privileges issued pursuant  
24 to Section 714, lifetime hunting licenses and privileges issued  
25 pursuant to Section 3031.2, and lifetime sport fishing licenses and  
26 privileges issued pursuant to Section 7149.2 shall be deposited as  
27 follows:

28     (1) Twenty dollars (\$20) from the initial issuance of each  
29 lifetime license shall be deposited in the Fish and Game  
30 Preservation Fund for use in accordance with Section 711.

31     (2) The balance of the fees collected shall be deposited in the  
32 Lifetime License Trust Account which is hereby created in the  
33 Fish and Game Preservation Fund. Except as provided in this  
34 section, that principal amount of the money in the account from  
35 the fee for a lifetime license shall not be used, except for  
36 investment.

37     (b) The money in the Lifetime License Trust Account may be  
38 transferred and invested through the Surplus Money Investment  
39 Fund and all interest shall accrue to the account pursuant to  
40 subdivision (g) of Section 16475 of the Government Code.

1 (c) Upon issuance of a lifetime license or lifetime privilege  
 2 issued pursuant to Section 714, 3031.2, or 7149.2, the department  
 3 shall transfer the following amounts from the Lifetime License  
 4 Trust Account to the Fish and Game Preservation Fund:

5 (1) Twenty-nine dollars and twenty-five cents (\$29.25) for an  
 6 annual resident hunting license or an annual resident sport fishing  
 7 license.

8 (2) Seven dollars and twenty-five cents (\$7.25) for a junior  
 9 hunting license.

10 (3) Nine dollars and twenty-five cents (\$9.25) for one second-rod  
 11 stamp or validation issued pursuant to Section 7149.4 or ~~Section~~  
 12 ~~7149.45.~~

13 (4) Two dollars and fifty cents (\$2.50) for one sport fishing  
 14 ocean enhancement stamp or validation issued pursuant to  
 15 subdivision (a) of Section 6596 or subdivision (a) of Section  
 16 6596.1.

17 ~~(5) Three dollars and fifty cents (\$3.50) for one Bay-Delta sport~~  
 18 ~~fishing enhancement stamp or validation issued pursuant to Section~~  
 19 ~~7360 or Section 7360.1.~~

20 ~~(6)~~

21 (5) Three dollars and seventy-five cents (\$3.75) for one steelhead  
 22 trout catch report-restoration card issued pursuant to Section 7380.

23 ~~(7)~~

24 (6) One dollar (\$1) for one salmon punchcard issued pursuant  
 25 to regulations adopted by the commission.

26 ~~(8)~~

27 (7) Nineteen dollars and twenty-five cents (\$19.25) for a deer  
 28 tag application issued pursuant to subdivision (a) of Section 4332.

29 ~~(9) Eight dollars and seventy-five cents (\$8.75) for five wild~~  
 30 ~~pig tags issued pursuant to Section 4654.~~

31 ~~(10)~~

32 (8) Ten dollars (\$10) for one state duck stamp or validation  
 33 issued pursuant to Section 3700 or 3700.1.

34 ~~(11)~~

35 (9) Six dollars and twenty-five cents (\$6.25) for one upland  
 36 game bird stamp or validation issued pursuant to Section 3682 or  
 37 3682.1.

38 *SEC. 20. No reimbursement is required by this act pursuant*  
 39 *to Section 6 of Article XIII B of the California Constitution because*  
 40 *the only costs that may be incurred by a local agency or school*

1 *district will be incurred because this act creates a new crime or*  
2 *infraction, eliminates a crime or infraction, or changes the penalty*  
3 *for a crime or infraction, within the meaning of Section 17556 of*  
4 *the Government Code, or changes the definition of a crime within*  
5 *the meaning of Section 6 of Article XIII B of the California*  
6 *Constitution.*

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May 16, 2014

Mike Gatto  
Chair, Assembly Appropriations Committee  
State Capitol  
Sacramento, CA 95814

**RE: Assembly Bill 2268 (Bigelow) - OPPOSE**

Dear Assemblymember Gatto,

On behalf of The Humane Society of the United States (HSUS), the nation's largest animal protection organization, I write to request that the Assembly Appropriations committee **refuse to release AB 2268 from the suspense file.**

The HSUS is a stakeholder on wild pig management issues in many states, and we have most recently been involved in efforts to modify state policies in Vermont and New York. In California, we have maintained a proactive and engaged posture with respect to stakeholder dialogue. The HSUS initiated conversations with key NGO stakeholders during 2012 and 2013 in an effort to talk through the problem from various vantage points, learn what other states are doing, review existing science for lessons on what works and what doesn't, and identify our respective "dealbreakers" with regard to any changes in the state's approach. We also met once with Department of Fish and Wildlife (DFW) staff to indicate our interest in working collaboratively on identifying possible effective solutions. During this time, we submitted substantive comments as part of a CEQA process led by California Department of State Parks (CDPR) for a proposed pig eradication project in the San Diego area (a copy of those comments is attached).

When we first discovered that Assemblymember Bigelow intended to amend his spot bill to address this issue, we immediately contacted his office to express our concern, which paralleled the issues described in our letter to him dated April 23, 2014 (attached). At Assemblymember Bigelow's request the bill passed out of the Assembly Water, Parks and Wildlife Committee without amendments as a "work in progress" and that "future substantive amendments may be contemplated." (AB 2268, WPW Analysis). The analysis goes on to state that "[t]he author has been working with stakeholders to see if agreement can be reached on amendments that would lift the restrictions on taking of wild pigs. *The author's office has committed to bring this bill back to this committee for a hearing if substantive amendments are later adopted.*" (Italics in original.)

Assemblymember Bigelow's office held a stakeholder meeting at DFW on May 9, 2014. The meeting agenda stated that the issue AB 2268 is trying to address is to "resolve California's extreme wild pig problem," but no evidence has been provided by DFW, the Farm Bureau, or the Assemblymember's office that the kinds of ideas embodied in the amendments your committee possesses will accomplish that. On the contrary, it is our strong opinion that the proposed policy changes could exacerbate the problem. Rather than address the root causes of

the wild pig populations in California – such as import, transport, and captive hunting preserves – AB 2268 simply makes it easier for private landowners to shoot pigs.

While the proposed policy changes may temporarily relieve a specific landowner’s immediate damage issue, it will not reduce the pig population and could actually increase pig presence on public and private lands and cause more serious dispersal of pigs to new areas of California. To the extent that California experiences such continued dispersals, the damage to state parks, wildlife areas, ecological reserves and other public lands may bear the brunt – costing the state untold millions in rehabilitation and mitigation efforts. State funds would be far more wisely spent developing professional plans for targeted – and humane – eradication projects to protect sensitive habitats and special places.

In our stakeholders meeting on May 9th, DFW staff described a change to validation tags as holding the potential to expand pig hunting. One DFW staffperson stated: “The Department always proposes hunting as the first solution to a species overpopulation issue.” However, there is strong evidence that more hunting and killing by landowners is unlikely to achieve the desired outcome when it comes to wild pigs. New York state regulators recently banned all hunting and trapping of pigs, stating: “[h]unters have offered to assist our efforts by hunting for boars wherever they occur, but experience has shown this to be counter-productive. As long as swine may be pursued by hunters, there is a potential conflict with our eradication efforts.”<sup>1</sup> Texas, which dramatically liberalized the take of wild pigs several years ago, is still only annually hunting less than a third of the number of pigs necessary to just stabilize the wild pig population. Because sport hunting is ineffective at eliminating entire groups of wild pigs in a region, the activity tends to disperse their populations to new areas – actually expanding their range instead of decreasing it. To date the only state that has been successful at lowering their pig population is Kansas, which banned sport hunting and canned/captive hunts of pigs. Cage traps, such as those we have recommended be utilized, are the most effective control method in areas where pig densities are high, and yet AB 2268 makes no mention whatsoever of such options and directs no such activities.

From a fiscal perspective, California will continue to experience damage to sensitive habitats caused by non-native wild pigs who were originally released into the state by escape from farming and hunting operations.<sup>2</sup> While DFW may speculate that they will take in more revenue from the sale of wild pig validation tags, that is conjecture until there is a bona fide analysis to demonstrate as much. The state could very well lose money. Finally, we think AB 2268 proposes a disingenuous funding scheme by simultaneously re-classifying pigs from big game to non-game species *and* yet continuing to funnel tag funds into the Big Game Preservation Fund. AB 2268 does not clearly stipulate that those funds be spent on projects to rehabilitate habitat (public and private) damaged by pigs or on alternative population control methods known to be more effective (e.g., immuno-contraception, targeted colony trapping projects).

The matrix below identifies the specific items that we raised in our April 23<sup>rd</sup> letter and the degree to which the amendments before you relate to our concerns:

HSUS Concern	Addressed in amendments?
Expressly authorize live traps	No
Prohibit the use of hounds	No
Prohibit the use of snares	No
Prohibit the use of aircraft	No
Prohibit breeding of wild pigs	No
Prohibit transport of wild pigs	No
Prohibit import of wild pigs	No
Prohibit canned/captive hunts	No
Allow funds to be spent on colony trap purchase/loan	No
<i>Not</i> designating funds from non-game pig tags to Big Game account	Yes – and the funds <i>are</i> going into the Big Game account
Identify funds to be used on law enforcement and to address problems created by wild pigs (e.g., study of non-lethal options like immunocontraception)	No
Require consistency with lead-free ammunition requirement or require pig carcasses shot with lead to be buried or removed	No
Require hunting license for <i>all</i> take	Yes – however, landowners won’t be required to have hunting license except for night take

The amendments do nothing to address the need to not just deal with wild pigs on the back end (once they're here and causing damage) but on the front end: by prohibiting new sources of pigs from import, transport, breeding and captive (fenced) hunting operations.

AB 2268 is a bill that's correct in its current form: to require more study. California's wild pig problem is significant enough – and complex enough – to deserve adequate review, discussion and certainly a thorough review and consideration by the Assembly policy committee. More study of the problems pigs are presenting in rural, urban and suburban areas; on public and on private lands. Management options must be studied for their humanness and their efficacy at truly resolving this problem, rather than liberalizing take in a haphazard fashion that satisfies only an immediate issue in one small area while potentially exacerbating others. One needs only to look to the effort that CDPR went to recently with regard to developing its pig eradication project in the San Diego area to see how much time, effort, resources and stakeholder work is needed. To address the matter through state policy needs more time and thoughtfulness than is available with the time remaining in this legislative session. Make no mistake: if AB 2268 were to become law, there will not be fewer wild pigs in California.

Please do not hesitate to contact me with any questions. We appreciate your humane leadership and commitment to advancing good policy and promoting a fair process.

Sincerely,



Jennifer Fearing  
California Senior State Director  
916-992-3667 t  
[jfearing@humanesociety.org](mailto:jfearing@humanesociety.org) e

*Attachments*

cc: Speaker Toni Atkins  
Arnie Sowell, Policy Director, Office of the Speaker  
Assemblyman Anthony Rendon, Chair, Water, Parks & Wildlife committee  
Diane Colborn, Chief consultant, Water, Parks & Wildlife committee  
Assemblymember Frank Bigelow  
Chuck Bonham, Director, Department of Fish & Wildlife  
Scott Sadler, Lehman, Levi, Pappas & Sadler

---

<sup>1</sup> Department of Environmental Conservation Commissioner Joe Martens, as quoted in:  
<http://www.democratandchronicle.com/story/news/local/2014/04/28/new-york-urasian-boar-eradication-hunting/8414445/>  
<sup>2</sup> Conservation Biology Institute, "An Assessment of Known and Potential Impacts of Feral Pigs (*Sus scrofa*) in and near San Diego County with Management Recommendations," prepared for the Nature Conservancy, October 2009.



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Lona Williams

April 23, 2014

Assemblymember Frank Bigelow  
State Capitol  
Sacramento, CA 95814

**RE: Assembly Bill 2268**

Dear Assemblymember Bigelow,

On behalf of The Humane Society of the United States, the nation's largest animal protection organization, I write to put our thoughts on the record regarding efforts to change wild pig management approaches in California as they may relate to your ongoing work with AB 2268.

We appreciate the efforts you are making to engage stakeholders to look into this issue. We agree that wild pigs can be problematic; but feel it is important to acknowledge at the outset that they didn't get here on their own, and to stress that this is not a problem unique to California. States have been undertaking a broad array of approaches to reduce pig populations and damage. But to date the only state that has been successful at lowering their pig population is Kansas, which banned sport hunting and canned/captive hunts of pigs. Texas' population persists despite allowing take day and night with automatic weapons and aerial shooting. We should strive to learn from these states' experiences as we venture into any new paradigm here.

As discussions move forward, we think it is important to highlight that any changes to California's wild pig management approach should:

- **Specify allowable methods of take and prohibit inhumane methods** – Authorize the use of live traps (with preference for colony traps over smaller box traps) and gunshot. Specifically prohibit the use of hounds for take, spears and knives (already prohibited), snares, use of aircraft (fixed-wing or helicopters), and other methods not expressly authorized.
- **Prohibit activities which undermine the goal of reducing the population** – Specifically prohibit breeding, transport, import and private hunting operations enclosed by a fence (see <http://www.hosshog hunting.com/hunts.html>). If pigs are to become a non-game species, then there is not a management objective that is well served by allowing activities that create incentives to continue the proliferation of wild pigs.

- **Direct funds from tags to programs related to pig-related issues** – For example, funds should be allocated to increase law enforcement efforts and/or grants to restore important habitats destroyed by wild pigs or purchase of live colony traps to loan to landowners. If pigs are going to be designated non-game, then it is not appropriate to put the validation tag funds into the big game account. There should be some nexus between the funds collected and the addressing of problems created by the existence of wild pigs, including study of non-lethal options like immunocontraception.
- **Make consistent with current law** – Require non-lead ammunition use and/or require carcasses to be removed or buried prior to July 2019 when all lead ammunition will be prohibited for the take of wildlife statewide.
- **Address public safety concerns** – Require a hunting license for all take, especially if night take is considered. Hunting and firearms safety should be of utmost importance.

I am attaching recent comments we submitted raising concerns about a Department of Parks and Recreation proposal to deal with pig damage issues as a good reference. We have also been involved in similar discussions in other states – notably, New York and Vermont – which have undertaken considerable changes in pig management approaches.

As such, we are happy to continue the dialogue with your office and other stakeholders, and trust that any changes made to AB 2268 to reflect any consensus which can be reached will also have the benefit of being analyzed, vetted and discussed by the Water, Parks and Wildlife committee.

Thank you again for your consideration of our concerns and for including us in your discussions.

Sincerely,



Jennifer Fearing  
California Senior State Director  
916-992-3667 t  
[jfearing@humanesociety.org](mailto:jfearing@humanesociety.org) e

*Attachment*

cc: Members of the Water, Parks & Wildlife committee  
Scott Sadler, Lehman, Levi, Pappas & Sadler



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Lona Williams

July 8, 2013

**Sent via Email ([enviro@parks.ca.gov](mailto:enviro@parks.ca.gov))**

Luke Serna, Associate Park & Recreation Specialist  
2797 Truxtun Road  
San Diego, CA 92106

**Comments re: CDPR's "NOTICE OF AVAILABILITY AND INTENT TO ADOPT  
AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
FOR THE PROPOSED FERAL PIG ERADICATION AND CONTROL PROJECT"**

Dear Mr. Serna,

On behalf of the members and supporters of The Humane Society of the United States and The Fund for Animals (collectively "the HSUS"), the HSUS submits the following comments to be considered with respect to the California Department of Parks and Recreation's (CDPR) proposed project regarding the eradication of nonnative feral pigs in San Diego County.

For the following reasons, The HSUS generally supports the CDPR's proposal to address the threats to natural and industrial resources, public health and safety caused by feral pigs. However, we oppose the use of aerial gunning as a control method, and believe that the CDPR's proposal fails to properly consider the use of nonlethal control options as well as a strategy to prevent new populations from forming in the area.

**I. Aerial Gunning**

Aerial gunning is a wildlife management method that involves shooting animals from low-flying fixed-wing aircraft or helicopters on private and public lands and, The HSUS adamantly opposes the use of aerial gunning as a means of resolving conflicts with wildlife populations because it is unnecessarily cruel, dangerous and costly compared to other wild pig control methods.

Pursuit with low-flying aircraft, and the added intensity of loud gunfire, can physically and psychologically harm both wild pigs and non-target species, resulting in injury (or death), anxiety, stress, and fear. Given how difficult it is to aim at a

moving animal from the air, wounding and crippling rates are likely to be significant. Animals injured in these operations are often left to suffer for hours or days before finally succumbing to their wounds. Not to mention, because these operations may be conducted year round, pregnant or lactating females may be killed leaving their young to starve to death.

Aerial gunning operations are also inherently costly and dangerous activities because it requires highly trained pilots to fly at low speeds and altitudes while in pursuit of targeted animals. Since 1989, USDA-Wildlife Services, a federal agency that conducts predator control operations in the western U.S., has crashed at least 22 helicopters or planes while conducting aerial gunning operations, resulting in at least 7 fatalities and 25 injuries.

For these reasons, we strongly discourage San Diego County from using aerial gunning as a method of controlling the county's wild pig population.

## **II. Contraception**

The concept of managing certain wildlife populations non-lethally, through immunocontraception, is no longer a theoretical construct and has proved highly successful with wild horses, urban deer, wapiti, over 110 different species of zoo animals, and even wild African elephants in South Africa. To be sure, the subject is still controversial and evokes strong reactions from state fish and game agencies, but the record of success is well-documented in the scientific literature. The HSUS and NPS have a history of cooperating on these efforts, including the contraception of wild horses on Assateague Island National Seashore off Maryland and Virginia and of white-tailed deer on Fire Island National Seashore off New York.

The natural history of the feral pig more or less dictates that the contraceptive agent either be administered remotely, through oral delivery, or by dart, or, alternatively, as a permanent sterilant, after capture. While we normally work with contraceptives so that the process is reversible in wild animals if management objectives change, in the case of feral pigs in San Diego county, we suspect that CDPR would be more interested in a permanent sterilant, which would not just stabilize the feral pig population but could, over time, help eliminate reproduction and reduce the current population over time. The HSUS does not necessarily support the notion that feral pigs must be eradicated, but we understand that it may be CDPR's goal and we hope we can work together to make the pursuit of that goal as humane as possible.

Letter to Luke Serna  
July 8, 2013  
Page 3 of 6

There are a number of potential contraceptive and sterilization approaches available for mammals. Porcine zona pellucida (PZP) vaccines have worked in a variety of species, but because the antigen is derived from the pig, it does not work in pigs. This has been validated by testing in several wild species around the world, without success.

However, one product that is effective in pigs is GonaCon™ is a single-shot, multiyear vaccine that stimulates the production of antibodies that bind to the gonadotropin-releasing hormone (GnRH) in an animal's body. GnRH signals the production of sex hormones (e.g., estrogen, progesterone and testosterone). By binding to GnRH, the antibodies reduce GnRH's ability to stimulate the release of these sex hormones. All sexual activity is decreased, and animals remain in a nonreproductive state as long as a sufficient level of antibody activity is present.

GonaCon™ was developed by the U.S. Department of Agriculture's National Wildlife Research Center (NWRC) in Fort Collins, Colorado. This immunocontraceptive, GonaCon™, has been tested in several mammals, including pigs. In preliminary studies led by Dr. Lowell Miller at NWRC, GonaCon™ has effectively contracepted domestic pigs, feral pigs captured in the United States, and European wild boar captured in England.

Unfortunately, like PZP, GonaCon™ requires periodic booster inoculations and that is probably not a practical approach for wild pigs. Contracepting feral hogs may also be hampered to some extent by the thick undergrowth in which these animals are found, which would make it difficult to deliver a fertility control agent remotely, via darting. However, for the same reason, we suspect that lethal control of feral pigs by shooting would be no less difficult. Feeding stations could be used to draw pigs to a site for darting, though pigs may become wary of feeding stations over time. Therefore, if feeding stations are used to facilitate darting, this technique may have to be combined with other techniques. Contraception or sterilization can also be implemented by delivering the agent to live-captured hogs. This would be a time-consuming approach, but may not take much more time than trapping pigs for lethal removal. As stated previously, we believe the time put into this project would be worthwhile given the development of a model, humane approach to feral pig control which then could be applied elsewhere around the country.

Another promising approach is currently being developed by researchers at Auburn University is an oral/nasal, pig-specific immuno-contraceptive method for controlling wild pig reproduction. Researchers in the College of Veterinary Medicine at Auburn University have identified technologies for blocking the union of the sperm with the egg and thus interfering with

reproduction. Research studies to date have resulted in patented technologies that strongly suggest that reproduction in pigs can be blocked or substantially reduced by the immuno-contraceptive approach developed by Auburn researchers.

In view of the considerable commercial potential of this technology, Auburn University has formed a public/private partnership with the Auburn Research and Technology Foundation / PhageCon, LLC for the commercialization of the technology developed in this overall project. The necessary elements are in place with the Auburn University/ ARTF / PhageCon, LLC partnership for the successful development and commercialization of the technology that will result in the reduction of wild pig populations and therefore reduce or eliminate the ecological, economic, and health problems associated with the wild pigs. For these reasons, we highly recommend that officials in San Diego County contact researchers at Auburn University to determine if the county would be considered an acceptable test site for this new and innovative product.

### **III. Use of dogs**

The proposal mentions that dogs will be used to locate pigs. The dogs are to be trained only to find and corner the animals, but not to attack. Unfortunately, although these “bay” dogs are not trained to attack, altercations can and likely will occur between the two animals. When cornered, feral pigs may become aggressive and can act unpredictably, putting both species in serious danger. Furthermore, the use of bay dogs can be incredibly stressful and harmful not only to the feral pigs they are chasing, but to non-target wildlife as well. Although eradication of these non-native pigs may be necessary, it should be done in the most humane and ethical manner possible.

### **IV. Strategies to prevent future proliferation of feral pigs should be considered**

Feral pigs are voracious foragers that can wreak substantial ecological damage on natural resources and threaten humans and other animals.<sup>1</sup> The foraging, rooting and wallowing behavior of these animals can cause significant damage to agricultural crops, trees and other plants, and

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<sup>1</sup> See LeoRoth, *Feral Hogs Damage Property and Wildlife*, ROCHESTER DEMOCRAT & CHRONICLE (Oct. 23, 2011) available at <http://www.democratandchronicle.com/article/20111023/SPORTS0103/110230352/1007/SPORTS/Feral-hogs-damage-property-wildlife>.

Letter to Luke Serna  
July 8, 2013  
Page 5 of 6

erosion of river and stream banks and destruction of wetlands.<sup>2</sup> In addition, feral pigs proliferate rapidly, and populations of feral pigs and wild boar have exploded in the southern United States over the last two decades.<sup>3</sup> If conditions are right, these animals can breed at six months of age and have three litters a year averaging four-six piglets each litter.<sup>4</sup>

If eradication of a population is truly the goal, it only seems logical to take further steps to prevent future populations from being introduced into the county and state. Wildlife managers in other states have noted that maintenance of wild populations of feral pigs as a game species for purposes of regulated hunting would be problematic, because these animals adapt well to virtually any habitat, compete with native wildlife such as deer, bear, turkey, squirrels and waterfowl for food, and even consume the nests and eggs of native ground-nesting birds and reptiles, fawns and turkey poults.<sup>5</sup> Further, feral hogs and wild boar carry transferrable diseases.<sup>6</sup>

The CDPR's eradication effort will only be effective at preventing these threats if there is not any additional influx of feral pigs into the state, nor additional intentional breeding. Therefore, prohibiting the captive possession, import and breeding of feral pigs is an important step to preventing the threats to natural and industrial resources, public health and safety in the future. California currently has several private hunting preserves that stock these non-native, invasive pigs.<sup>7</sup>

There is substantial evidence that free-roaming feral pig populations are frequently the result of escape or release of animals from these private hunting preserves. A USDA study conducted for New York's Invasive Species Council in 2010 found that "shooting preserves can be a source of feral swine populations that threaten natural resources, agriculture, human health

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<sup>2</sup> Roth, *supra* n.1.

<sup>3</sup> The problems cause by proliferation of feral hog populations have even been highlighted by several major television networks, e.g., ABC Nightline's March 7, 2012 *Extreme Exterminators* segment (<http://abcnews.go.com/Nightline/video/extreme-extermimators-hunt-wild-hogs-15874111>); and Discovery Channel's *Hogs Wild* television series (<http://dsc.discovery.com/tv-schedules/series.html?paid=1.15451.26288.40518.1>).

<sup>4</sup> Roth, *supra* n.1.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* See also Sequoyah NWR, Feral Hog Management Plan (2010) available at <http://www.fws.gov/southwest/refuges/oklahoma/sequoyah/PDF/2010SequoyahFeralHogPlan.pdf> (feral hogs are known to carry at least 13 diseases – including brucellosis, pseudo rabies, tuberculosis, bubonic plague and anthrax – and pose a threat to the health of both humans and other animals); Sabine NWR, Draft Feral Hog Management Plan (2010), available at <http://www.fws.gov/swlrefugecomplex/pdf/Sabine2010HogPlan.pdf> (from October 2007 to September 2008, a total of 223 feral hogs were taken in the refuge complex, and of the feral hogs tested for disease, nearly half tested positive for pseudo rabies); USDA-NWDP, Feral Swine Disease Surveillance (Oct. 2011) at [http://www.aphis.usda.gov/wildlife\\_damage/nwdp/feral\\_swine.shtml](http://www.aphis.usda.gov/wildlife_damage/nwdp/feral_swine.shtml) (Feral swine "can be reservoirs of disease and may act as a host to a number of parasites, leaving the United States domestic swine industry vulnerable to disease.").

<sup>7</sup> See Hoss Hog Hunting Adventures at <http://www.hosshog hunting.com/>, Broadside Boars Hunting Adventures at <http://www.broadsideboarshunting.com/european-hog-hunt.htm>, and All Season outfitters at [http://www.pig-hunt.com/?page\\_id=285](http://www.pig-hunt.com/?page_id=285).

Letter to Luke Serna  
July 8, 2013  
Page 6 of 6

and safety, and property.”<sup>8</sup> The study noted that populations of feral pigs in New York state are found near private hunting preserves, and specifically attributed the “source of feral swine populations” in 8 of 10 states to be “game preserve escapees” and/or “hunter releases.”<sup>9</sup>

If eradication is the goal, feral pigs should be recognized as injurious species, and by prohibiting import, breeding, and captive possession of these species, California would join a growing list of states and other governmental entities attempting to address the significant threats caused by the escape, release and proliferation of these animals. In the last year alone, New York and Vermont passed legislation prohibiting captive possession and breeding of feral pigs.

## **Conclusion**

To be clear, the HSUS and its members do not support the unregulated killing of wildlife species. We understand the need to prevent threats to natural and industrial resources, public health, and safety caused by the escape, release and proliferation of feral pigs. However, we strongly believe that the CDPR must act to ensure that no more destruction of wildlife occur than is absolutely necessary to address the threats posed. This position also underlies our support for the prohibitions on import, captive possession, and release into the wild of feral pigs, as allowing such activities would substantially increase the risk of further proliferation of these species in the state. This position also reinforces our support of more humane control methods, such as contraception.

Sincerely,



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<sup>8</sup> USDA-APHIS, *Status of Feral Swine in New York State*, at 13 (2010), available at <http://www.pressconnects.com/assets/pdf/CB172981412.PDF>.

<sup>9</sup> *Id.* at 16-19.