

Section 677, Title 14, CCR, is amended to read:

**§ 677 Dog Training and Organizational Field Trials Trial Permits.**

The department may issue dog training and organizational field trial permits authorizing the releasing and taking of domestically reared game birds, bobwhite quail, or coturnix quail. Dog training permits authorizing the releasing and taking of such domestically reared birds may be issued to individual dog trainers. Organizational field trial permits granting similar authority may be issued to organizations which, in the opinion of the department, are bona fide hunting dog organizations.

(a) Applications.

(1) Applications for dog training permits and organizational field trial permits shall be made on forms supplied by the department. The applicant shall specify the exact area where the dog training or field trial activities will occur, the approximate dates when the dog training or field trials will be held, and the approximate number of domestically reared game birds, bobwhite quail or coturnix quail which will be released and taken.

(2) Applications for organizational field trial permits submitted by an incorporated organization shall be signed by an officer of the organization. Applications submitted by unincorporated organizations shall be signed by a member of the organization who will assume responsibility for all activities relating to the releasing, taking, marking and tagging of authorized species of birds during the field trials.

(3) Applications shall be submitted to the regional office of the region wherein the dog training activity or organizational field trials will be conducted.

(b) Authorized periods for dog training and field trials.

(1) In Zone A licensed pheasant club areas, permits will authorize dog training and field trial activities only from July 1 to March 31, except that the department may permit the use of domestically reared game birds for organizational field trials between April 1 and June 30 where ground nesting birds will not be disturbed.

(2) In Zone B licensed pheasant club areas, permits may authorize the training of dogs or the holding of field trials at any time of the year, except that the department may refuse to issue permits valid during the period April 1 through June 30 where ground nesting birds may be disturbed.

(c) Release of birds.

(1) All domestically reared game birds used for dog training or field trial purposes shall be released by hand, mechanical releases or humanely restrained in order to cause the bird to remain in place until flushed by a person or retrieved by a dog.

(2) Bobwhite quail and coturnix quail may be released in any manner for dog training or field trial purposes.

(d) Taking of birds.

(1) Domestically reared game birds released for dog training or field trial purposes may be taken only on the day they are released. Such birds released on one day may not be taken on any following day under the privileges of a dog training or field trial permit.

(2) Bobwhite quail and coturnix quail released for dog training or field trial purposes may be taken on the day of release and on any day thereafter during the term of the permit.

(e) Marking of birds. The Department may require any permittee to mark domestically reared game birds with streamers, coloring, or other conspicuous material prior to their release to distinguish them from other game birds.

(f) Tagging of dead birds. The carcass of each pheasant and Indian chukar shall be tagged with a seal as provided by Sections 3206 and 3207 of the Fish and Game Code. The carcasses of bobwhite quail and coturnix quail need not be tagged.

(g) Inspection of birds. Birds may be inspected and approved by the department's disease laboratory prior to release.

(h) A permit may be suspended temporarily by the Director for a breach or violation of the terms of a permit by the holder thereof, or by any person acting under his direction or control or in cooperation with him. The commission shall be notified of any such suspension and subsequently may revoke or reinstate the permit, or fix the period of suspension, after written notice to the permittee and after he has been afforded an opportunity to be heard.

(i) Any applicant or permittee convicted of a violation of these regulations or the terms and conditions of his permit must appear before the commission prior to issuance of a new permit.—

(j) Conditions of permit. The provisions of Section 3510 of the California Fish and Game Code except as

~~modified by these regulations shall be a condition of all permits.—~~

~~(a) Dog Training When No Wild Birds Are Captured, Injured, or Killed Without Releasing or Taking Birds. A Notwithstanding Section 265 of these regulations, a person may train or practice dogs, to retrieve, or to point or flush game birds, or may train for or participate in or hold field trials, or similar events related to these activities, at any time of the year from sunrise to sunset if no wild birds are released or taken captured, injured, or killed and if no firearms or other means of take are possessed in the field. For the purposes of this section, training a dog on wild or domestically reared game birds where no birds are killed or injured is not take, as defined in Section 86 of the Fish and Game Code or Section 1.80 of these regulations. No person shall retain any accidentally killed bird. Domestically reared birds may be released and taken for dog training or field trials only as provided in Section 677(b). Dogs shall not be trained on or otherwise be allowed to pursue any birds that have special protection under California or federal law, including but not limited to fully protected birds (Section 3511 of the Fish and Game Code) and endangered, threatened or candidate species (Section 670.5 of these regulations and Code of Federal Regulation, Title 50, Section 17.11).~~

~~(b) Release and Take of Birds. Notwithstanding Section 671.6 of these regulations, bobwhite and coturnix quail, domestic pigeons, and the following domestically reared game birds may be released and/or taken during dog training or organizational field trials in accordance with subsection (b)(1) through (b)(5) of this section, general resident game bird regulations, or licensed game bird club regulations; or when engaged in dog training or organizational field trials in accordance with this section: pheasants (*Phasianus colchicus*), including all ring-necked pheasant races, chukar, Hungarian partridge, captive-reared mallard ducks, bobwhite quail, coturnix quail, and other species designated by the Commission.~~

~~(1) Hunting License Required. Each person taking domestically reared game birds must possess a valid California hunting license. In addition, each person, except holders of junior hunting licenses, taking Hungarian partridge, ring-necked pheasant, and chukar must possess a valid Upland Game Bird Stamp.~~

~~(2) Prior Notification Required. Persons releasing and/or taking game birds in accordance with this section during organized field trials or hunt tests shall provide the Department's regional office in the region where the birds will be released and/or taken the following information at least three business days prior to the activity. This notification shall be in letter form, by fax, or by internet. The information required includes:~~

~~(A) The name, address, and telephone number of the person providing the information.~~

~~(B) The location that birds will be released and/or taken.~~

~~(C) The approximate number of each species of bird that will be released and/or taken.~~

~~(D) The approximate number of persons who will be involved in the release and/or take.~~

~~(E) The date and time that birds will be released and/or taken.~~

~~For any event where more than one person may be taking birds, only a single notification is required.~~

~~(3) Restrictions on Release and/or Take of Birds~~

~~The Regional Manager may close any or all parts of the Region to the release and/or take of birds used in conjunction with dog training or field trials when he/she determines it is in the best interest of the State to do so.~~

~~(4) Restrictions On Daily Take.~~

~~(A) Domestically reared game birds released for dog training or field trial purposes may be taken only on the day they are released, except when taken pursuant to general resident game bird regulations.~~

~~(B) Bobwhite quail and coturnix quail released for dog training or field trial purposes may be taken on any day.~~

~~(5) (4) Marking of Birds.~~

~~(A) Prior to Release. If the Department determines that there is a need to distinguish domestically reared game birds used for dog training or field trials from other game birds at a particular location or event, the Regional Manager may require that some or all species of domestically reared game birds used for dog training or field trials be marked with streamers, coloring, or other conspicuous material prior to their release.~~

~~(B) Carcass. The carcass of each pheasant and chukar shall be tagged with a seal as provided by Sections 3206 of the Fish and Game Code. The carcasses of bobwhite quail and coturnix quail need not be tagged. While in the field or returning from the field, all birds must be in a condition that the species can be identified.~~

(65) Inspection of Birds. The department may inspect all birds prior to their release and no birds may be released if the department determines that such releases may have significant potential to transmit diseases to wild bird populations.

NOTE: Authority cited: Sections 200, 202, 203, 3508 and Section-3516, Fish and Game Code.

Reference: Sections 86, 203, 2080, 3500, 3502, 3508, 3511, and 3513-3516, Fish and Game Code.