

**TITLE 800. DEPARTMENT OF WILDLIFE CONSERVATION
CHAPTER 25. WILDLIFE RULES**

SUBCHAPTER 37. NUISANCE WILDLIFE CONTROL PROGRAM

PART 3. WILDLIFE AND FERAL HOG NUISANCE AND DEPREDATION RULES

800:25-37-12. General Provisions

In addition to the statutory provisions of Title 29 OS 4-135, the following general provisions shall apply to the issuance of a Nuisance and Depredation Permit:

1. The Department of Wildlife Conservation (Department) shall create a complaint/permit form, which must be completed and signed by the landowner/lessee and an authorizing Department employee before a permit can be issued.
2. If the complaint form is approved, the Department shall issue a nuisance/depredation permit. A copy of the permit must be kept on the person of the permittee and all individuals authorized in writing to help the permittee while conducting nuisance wildlife ~~or feral swine~~ control. The permit will detail:
 - (A) date of complaint received and effective dates of control activities;
 - (B) location;
 - (C) method of control;
 - (D) landowner/lessee information and signature;
 - (E) name and address of designated agent(s);
 - (F) the signature of authorizing Oklahoma Department of Wildlife Conservation employee.
3. Each permit holder shall:
 - (A) be in possession of a valid Hunting License or proof of exemption, and a valid Fishing & Hunting Legacy permit or proof of exemption and/or a valid Trapping License or proof of exemption. Landowners and/or lessees controlling nuisance wildlife on land owned or leased by them shall be exempt from the Hunting License, Trapping License and the Fishing & Hunting Legacy permit.
 - (B) be at least 16 years of age for wildlife ~~or feral swine~~ control at night with firearms.
 - (C) any person whose hunting or trapping license privileges are revoked and is not legally able to purchase a hunting or trapping license, shall not be allowed to possess, or operate under the authority of a depredation permit.
4. Big game (deer, antelope, elk) complaints must comply with the provisions of 800:25, Subchapter 30.

800:25-37-13. Exemptions

- (a) Employees of the Oklahoma Department of Wildlife Conservation and the Oklahoma Department of Agriculture Wildlife Services Division are exempt.
- (b) Employees of any city, town or county government shall be exempt from purchasing or possessing the annual Hunting License and Fishing & Hunting Legacy permit while they are on duty.
- (c) Certified Nuisance Wildlife Control Operators acting on a documented wildlife complaint in accordance with 800:25, Subchapter 37, Part 1.
- ~~(d) Permittees controlling feral swine only shall be exempt from possessing the hunting license and Fishing and Hunting Legacy permit.~~

800:25-37-14. Specific Provisions

The following provisions shall be in effect to establish the legal methods that may be used to control nuisance/depredating wildlife ~~or feral swine~~ under such a permit.

- (1) permittees are authorized to trap, shoot or euthanize nuisance wildlife in accordance with the stipulations on the permit.
- (2) The sale, trade, barter, gifting or retention of beavers and coyotes or parts thereof, including live coyotes, taken under authority of a Depredation Permit is allowed. A copy of the depredation complaint form

including the permittee's name and signature must accompany the coyote, beaver or parts thereof. The provisions of Title 29 O.S. 7-503A apply to live coyotes.

(3) permittees must follow all state and federal laws that apply except as otherwise provided in this section.

(4) All wildlife ~~and or feral swine~~ taken under a Nuisance and Depredation Permit shall be disposed of in a proper manner to prevent harm to the public. Carcasses shall be disposed of in accordance with O.S. Title 21, Section 1223.

(5) Traps and other similar devices set shall be checked at least once every 24 hours.

(6) All traps, snares and similar devices shall have the permit holder's name attached (except landowners).

(7) Signs must be conspicuously posted to inform the public that traps are in use. Signs must have minimum dimensions of 5" by 8" and the wording "TRAPS" must be included and be conspicuous on the signs and printed in letters at least 2" tall (except landowners).

(8) The following are legal methods which may be allowed under a Nuisance and Depredation Permit:

(A) box or live traps;

(B) smooth-jawed single spring or double spring offset jawed leg-hold steel traps with a jaw spread of no more than eight inches;

(C) snares which have a locking device that prevents the loop from having a circumference less than 10 inches;

(D) body gripping style traps; size 330 may be used for water sets only; and

(E) shooting where permitted by law or by city ordinance.

(9) All trapping devices must be placed in a manner that will:

(A) minimize the risk of non-target species;

(B) minimize the risk to public and pets; and

(C) be out of the view of the general public.

(10) Shooting with firearms shall be subject to all state, county and municipal restrictions and ordinances.

(11) Night shooting may be allowed under a Depredation Permit only under the following conditions:

(A) Permittee must notify the game warden(s) in the county where activity will occur twenty-four (24) hours prior to such activity;

(B) night shooting beavers shall be with shotguns with buckshot or smaller only; and

~~(C) there are no firearm restrictions for night shooting feral swine; and~~

~~(D)~~ must be conducted in a safe manner to prevent injury to people, livestock ~~and~~ damage to personal property.

800:25-37-16. Feral swine night shooting exemptions

The following rules detail exemptions to shoot feral swine at night under provisions of T29 4-135:

(1) Night Shooting exemptions will only be issued to the deed-holding landowner or a written designee. Only one exemption will be issued per property. The landowner or their written designee may obtain an immediate exemption to night shoot by contacting their game warden in the county in which their property is located. A game warden in an adjoining county may also be contacted to immediately issue the exemption. If the landowner or their written designee does not speak to the game warden by telephone, the landowner or their written designee may leave a voice mail message, send a text message or email to the game warden which will serve as sufficient means for an immediate exemption to shoot feral swine at night. The Wildlife Department may also create an electronic exemption issuance and notification system.

(2) If the initial contact is through the game warden, then the game warden will be responsible for following up with the requesting party to issue a night shooting exemption.

(3) Exemptions shall be valid for one year. Exemptions shall contain the landowner's name, the name of the written designee (if landowner designates someone in place of himself or herself) claiming the exemption, the person's address, and contact information, plus either a legal

description or a listing of the landowner's acreage and location relative to the nearest roadways (eg: ½ mile west of the intersection of Hwy 177 and Tooley Rd; on the north side of the roadway; 280 acres). Persons shooting feral swine on a night exemption may not shoot from, to, on or across any public roadway. Anyone under age 18 is recommended to be immediately accompanied by an adult.

(4) Exemptions may be revoked for violations within the last three years of Title 800:25-37-16; Title 29 Section 5-411; Title 29 Section 5-203.1; or municipal law violations (night shooting in a prohibited area).

(5) During the period outside of the 16-day regular firearms deer season – and in areas where firearms deer season(s) is/are not in effect – the landowner or their written designee can allow anyone to night shoot on the landowner's property by providing written or electronic (text/email) permission. All shooters must carry a copy of their written landowner permission while night shooting. At least one person in the group must have a copy of the landowner's or written designee's exemption (written or electronic copy). Any person night shooting during this time period is encouraged to provide some type of advance notification to the local game warden, but advanced notification is not required.

(6) During the 16-day regular firearms deer season – only the landowner or their written designee can night shoot on the property listed on their exemption, and he or she is required to provide some type of advanced notification to the local game warden. The advanced notification can be by text message, voice mail message, email, or through an electronic notification system. Family members (parents, children, grandchildren, sons-in-laws and daughters-in-laws) can assist an exemption holder. At least one person in the group must have a copy of the exemption while night shooting.

(7) Night vision equipment, including image-enhancement technology and thermal imaging technology will be allowed, as will infra-red or what are commonly called 'night scopes'. The use of a hand-held or other powerful light (firearms mounted) shall be allowed and for the purposes of night shooting feral swine, vehicle headlights and vehicle mounted headlights will be allowed. Motor-driven land conveyances to pursue or follow feral swine will be allowed.

(8) There are no firearm restrictions for night shooting feral swine.

(9) Persons controlling only feral swine shall be exempt from possessing the hunting license and Fishing and Hunting Legacy permit.