



New Nongame Regulations Frequently Asked Questions

- **What is the white list?**

The white list - the species in Texas Administrative Code, §65.331(d) - is the list of nongame species that it is lawful to collect and use for commercial purposes (buy, sell, barter, trade, etc.). Species listed in §65.331(e) **cannot be collected for commercial purposes**. Possession and sale of species listed in §65.331(e) is legal, provided the stock is lawfully acquired and the permit holder is in compliance with documentation requirements.
- **Where can I collect species on the white list?**

Species on the white list may be collected only on **private** land or water with the permission of the landowner.
- **Where is it illegal to collect nongame wildlife?**

Nongame wildlife may **NOT** be collected on public land, from public water, or on public roads and the rights-of-way of public roads.
- **Can I collect/possess species that are not on the white list?**

Yes, provided you have a hunting license, you may collect and possess up to **six** specimens of each species **for personal, non-commercial use**. The collection or use of native nongame species not on the white list for commercial activities is **prohibited**. **A partial list of species for which commercial activity is prohibited can be found in §65.331(e)**. This prohibition applies to wildlife originating in Texas only. Permitted nongame dealers may possess specimens with documentation of legal acquisition from out of state. **Threatened and endangered species §65.331(g) may not be collected, propagated or sold, and may only be legally transported or possessed if a person meets the requirements specified in the threatened and endangered species regulations.**
- **Are there nongame species that the rules do not apply to?**

Yes – nongame birds, nongame fish, insects, bobcats, coyotes, mountain lions, rabbits, and bison. The possession and/or sale of ALL other nongame species is regulated by the rules. Please refer to section §65.331(d) and (e) for a complete list of species. **NOTE:** A separate regulation (31 TAC §65.82) makes it unlawful to knowingly take or possess **diamondback terrapin**. Possession and sale of live armadillos is restricted.
- **What are the new provisions concerning soft shell turtles, red-eared sliders and common snapping turtles?**

The new rules prohibit the collection of **ANY** nongame wildlife on **public** land or water, which includes all species of turtles. However, soft shell turtles, red-eared sliders and common snapping turtles may be collected on **private** land and water for purposes of commercial activity, provided the person collecting, buying, or selling also possesses the appropriate permit and complies with the applicable recordkeeping and reporting requirements.
- **Can I still sell nongame species that are not on the white list?**

Bobcats, mountain lions, and rabbits may be taken and sold without a permit; however, a hunting license is required. Live coyotes are currently under a statewide rabies quarantine imposed by the Texas Department of Health that prohibits them from being transported or sold in Texas. If coyotes are attacking or about to attack domestic animals or fowl, they may be taken without a hunting license.

- **I make and sell decorative objects out of nongame wildlife. Do I still need a nongame permit?**
 Only if you collect or obtain live wildlife prior to creating a processed product for sale, in which case you will need to possess a nongame dealer permit. If you obtain items such as shells, skins, etc. from a nongame dealer, you do not need a permit if the items meet the definition of a processed product (wildlife or wildlife parts that have been treated to prevent decomposition or they are incapable of decomposition).
- **I have more than six box turtles of a single species that are my pets. What do I do with the excess turtles?** A person who possesses more than the possession limit of any species as part of a personal, non-commercial collection may continue to maintain possession. However, such persons cannot engage in commercial activity with those specimens and the collection must be reported to the department by November 1, 2010. Required reporting can be done by contacting the Wildlife Diversity Program at the Austin headquarters (512-389-4481) and providing the department with the following information: name, address, phone number, species and quantity.
- **I have box turtles that breed in captivity. Will I be allowed to sell their offspring?** The holder of a nongame dealer permit may engage in the captive breeding and sale of species of nongame wildlife on the prohibited list, which includes the box turtle. This provision does not apply to species designated as threatened or endangered.
- **I am a dealer and I have numerous turtles that were legally collected but are now prohibited. What do I do with these turtles?** The new rules require dealers in possession of prohibited species to divest all prohibited inventory by **May 1, 2008**.
- **Can I sell species listed in §65.331(e) that are donated to me?**
 No, you may not resell any species listed in 65.331(e) that are donated to you.
- **May I import nongame species from out of state for purposes of commercial activity?**
 Yes, you may import any species of nongame wildlife, other than state threatened species, from a lawful out of state source and subsequently sell the wildlife (including sales out of state), provided you possess a nongame dealer permit; the wildlife was lawfully taken, obtained, or propagated in the state of origin; you have notified the department within 24 hours of each instance of importation or exportation; and you have complied with the recordkeeping requirements.
- **How do I notify TPWD within 24 hours if I export or import affected nongame wildlife?**
 The rules require a Notice of Import/Export to be completed and mailed to the department within 24 hours of any instance of import or export of nongame wildlife. Requests for Notice of Import/Export forms may be made to the department by e-mail (dealer_notice@tpwd.state.tx.us) or by phone (512-389-4481). If notifying by e-mail, the e-mail should contain the following information: your nongame dealer's permit number, date, time, source and contact information (if importing), destination (if exporting), species and quantity. Notice of Import/Export forms may also be downloaded at <http://www.tpwd.state.tx.us/business/permits/land/wildlife/#nongame>.
- **Can I import Texas indigo snakes from out-of-state and breed or sell them with a nongame dealer permit?**
 No. Texas indigo snakes are listed as a threatened species in Texas. Rules concerning threatened and endangered species are provided under Chapter 65, Subchapter G of the Texas Administrative Code.

- **I am a dealer but I do not trade in Texas specimens. Do I need a permit?**

If the species are included in the white list, a nongame dealer permit is required in order to sell them legally in Texas. In the event that a specimen is purchased from out of state, a Notice of Import/Export must be completed and sent to the department within 24 hours of the transaction.

- **Can I sell box turtles in Texas?**

Box turtles may be legally bred and sold in Texas, provided that a person has documentation that the brood stock was legally obtained from an out-of-state source. A nongame dealer permit is required.

- **I am a dealer but I only trade in exotic snakes. Do I need a permit?**

A nongame or nongame dealer permit is required in the event that commercial activity is conducted involving nongame species which are native to Texas. A commercial controlled exotic snake permit is required in the event that commercial activity is conducted involving venomous snakes not indigenous to Texas, several species of python, and the green anaconda.