



New Nongame Regulations Frequently Asked Questions

- **What is the white list?**
The white list - the species in §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 or possessed for commercial purposes.**
- **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/posses 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 species not on the white list for commercial activities is **prohibited.**
- **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.**
- **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 contained in the rules.
- **Can I still sell nongame species that are not on the white list?**
Bobcats, coyotes, mountain lions, and rabbits may be taken and sold without a permit; however, a hunting license is required.
- **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 he or she must report the collection to the department by November 1, 2008. This can be done by contacting any TPWD Law Enforcement office or 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?** For the time being, sale of captive-bred offspring is **prohibited**. The department anticipates the creation of a captive-breeding at some point in the near future.
- **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 of the rules.
- **How do I notify TPWD within 24 hours if I export or import affected nongame wildlife?**
Although 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, the department has not yet delivered those forms to nongame dealers. In the meantime, Notice of Import/Export 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.

The department will soon be mailing Notice of Import/Export forms to dealers, but dealers will still be able to provide notice via e-mail.