

From: [FGC](#)
To: CLIFFNotes@legalizeferrets.org
Subject: Re: Question on the ferret issue
Date: Thursday, January 9, 2020 11:28:57 AM

Dear Mr. Wright,

Your question of whether or not the word "domestic" added to ferrets would make them legal in California is "no" unless a regulatory change under the Administrative Procedures Act is approved by all reviewing authorities.

This would require a full regulatory review simply because it changes the meaning of the current regulations. And during regulatory review it would be subject to authorities granted by the State Legislature to make the amendment and allow for review and approval by other agencies that may be affected by the change such as Food and Agriculture, Fish and Wildlife, Health Services, Office of Administrative Law, etc.

Jon

From: CLIFFNotes@legalizeferrets.org <CLIFFNotes@legalizeferrets.org>
Sent: Thursday, January 9, 2020 09:28 AM
To: FGC <FGC@fgc.ca.gov>
Subject: RE: Question on the ferret issue

Thank you very much.

I appreciate the time it must have taken you to answer the question. It was much more than I thought.

But I'm still missing one piece. **If domestic ferrets were classified as domestic – would they be legal?**

I'm getting conflicting information from different parts of our state government.

And I realize this must be a pain for you. I appreciate your efforts and I'm sure other people do, too.

Pat Wright
LegalizeFerrets.org
(619) 303-0645 or cell (619) 757-7426

From: FGC <FGC@fgc.ca.gov>
Sent: Thursday, January 9, 2020 9:02 AM
To: CLIFFNotes@legalizeferrets.org
Subject: Re: Question on the ferret issue

Dear Mr. Wright,

To answer a more simplified question of whether or not California's ferret ban based on the ferret's classification as a wild animal would require specific access to data we don't have for actions that took place between 1945 to 1975.

Section 671, Title 14, California Code of Regulations (CCR), subsection (b), states "The commission has determined the below listed animals are not normally domesticated in this state..." So, yes, the Fish and Game Commission has determined that ferrets are "not normally domesticated" in California.

Based on limited annual comparison of printings of Title 14, CCR, and annual Fish and Game Codes we have here at the office, it is believed that ferrets were added to the prohibited/restricted species list in 1945; however, the minutes for the 1945 meetings are at State Archives. It is unknown if this was to comply with legislation.

As part of an amendment filed and effective on 1/24/1975, the language "not normally domesticated in this state" was added to Section 671. The minutes for 1975 do not show any comments, discussion or debate concerning the addition of this language, which was just one of the changes made to this regulatory action.

Unfortunately records were only required to be kept for a few years prior to 1985. Since 1985, State agencies are required to keep rulemaking records forever (due to limited spacing our office we keep records in the commission records for five years and then we send them to State Archives where the public can access them directly).

So unfortunately, neither the Commission office, nor State Archives will have a copies of any regulatory actions prior to 1985, which may or may not have included the reason for the amendment, who submitted the request for the amendment, discussions and/or analysis.

Sincerely,

Jon Snellstrom
Commission staff

From: CLIFFNotes@legalizeferrets.org <CLIFFNotes@legalizeferrets.org>
Sent: Wednesday, January 8, 2020 12:40 PM
To: FGC <FGC@fgc.ca.gov>
Subject: RE: Question on the ferret issue

Hello Mr. Snellstrom –

Today is my day to re ask people a more simplified version of the question:

Is California's ferret ban based on the domestic ferret's classification as a wild animal?

I do appreciate your earlier response. You are the only one of 4 who did respond. My apologies for making the question confusing.

I'd love to get an answer to share with our supporters in our Sunday email newsletter.

Pat Wright

LegalizeFerrets.org

(619) 303-0645 or cell (619) 757-7426

From: FGC <FGC@fgc.ca.gov>
Sent: Friday, January 3, 2020 6:51 AM
To: CLIFFNotes@legalizeferrets.org
Cc: Yaun, Michael@FGC <Michael.Yaun@fgc.ca.gov>; Ashcraft, Susan@FGC <Susan.Ashcraft@fgc.ca.gov>; Miller-Henson, Melissa@FGC <Melissa.Miller-Henson@fgc.ca.gov>
Subject: Re: Question on the ferret issue

Dear Mr. Wright,

I wanted to provide you with some additional information regarding your email request “We would greatly appreciate a statement from the Legislative Analyst’s office and appreciate your attention to this matter which has frustrated us oh these so many years!” The Commission staff cannot respond on behalf of, nor make a request of, the California Legislative Analyst’s Office (LAO). To make requests of LAO, you can contact Mike Greer, LAO Manager, at (916) 319-8360 or mike.greer@lao.ca.gov.

Sincerely,

Jon Snellstrom

From: CLIFFNotes@legalizeferrets.org <CLIFFNotes@legalizeferrets.org>
Sent: Tuesday, December 17, 2019 08:03 AM
To: Miller-Henson, Melissa@FGC <Melissa.Miller-Henson@fgc.ca.gov>
Cc: Cornman, Ari@FGC <Ari.Cornman@FGC.ca.gov>; Fonbuena, Sherrie@FGC <Sherrie.Fonbuena@fgc.ca.gov>; Snellstrom, Jon@FGC <Jon.Snellstrom@fgc.ca.gov>
Subject: Question on the ferret issue

I hope you will indulge me yet again – but this issue has been bothering me and creating confusion. I first asked it of the Legislative Analyst’s office who said they don’t know. And then last week the

Department of Natural Resources who have yet to acknowledge it. So here it is:

The ferret owners of California would like to ask your help to more clearly understand our issue in California. A few things have happened that seem to contradict each other.

First – Does the California Fish and Game Commission have the right to restrict ownership of a domestic animal?

We thought not. We were told the reason they can't classify domestic ferret as a domestic animal is then they would lose jurisdiction over pet ferrets. Jurisdiction would then fall to the Department of Agriculture. Adding to the problem, there is limited statewide regulation of domestic animals as it is done on the county level.

We were asked, who would then regulate ferrets? What about any prohibitions and environmental consequences? Fish and Game concluded with California just can't have unregulated ferrets.

But, when asked about this – The California Research Library gave us this link:

Why can't I have a hedgehog, sugar glider, ferret, or other restricted, non-native species as a pet in California?

<https://www.wildlife.ca.gov/Living-with-Wildlife/Restricted-Pet-Species>

Which states:

To protect public health and safety, agriculture, wildlife, and natural resources, California's restrictions apply to many kinds of wild and **domestic** animals that are legal pets elsewhere, including hedgehogs, gerbils, degus, prairie dogs, sugar gliders, fur-ranch foxes, monkeys, and Quaker parakeets. The departments of Food and Agriculture, Health Services and Fish and Wildlife are mandated to protect these interests. [Section 671, Title 14, of the California Code of Regulations \(CCR\)](#) was established to restrict the possession of thousands of different species of animals for one or more of the following reasons: (1) because their numbers are threatened or endangered in the wild, (2) because they pose a threat to our native fish and wildlife, agriculture or public health and safety. The Legislature, in [Section 2118 of the Fish and Game Code](#), included all species of the Order Insectivora on its list of prohibited species.

Why are ferrets listed as wild in the first place? The common refrain –

§2116. Wild Animal As used in this chapter, "wild animal" means any animal of the class Aves (birds), class Mammalia (mammals), class Amphibia (frogs, toads, salamanders), class Osteichthyes (bony fishes), class Monorhina (lampreys), class Reptilia (reptiles), class Crustacea (crayfish), or class Gastropoda (slugs, snails) which is **not normally domesticated in this state as determined by the commission**.

Since there was never any hearing or evidence presented, how did domestic ferrets get determined by the F&G Commission to not be normally domesticated in this state?

Since it is factual that domestic ferrets are indeed domestic animals – what about the state constitution:

CIVIL CODE - CIV

DIVISION 2. PROPERTY [654 - 1422] (Heading of Division 2 amended by Stats. 1988, Ch. 160, Sec. 13.)

PART 1. PROPERTY IN GENERAL [654 - 749] (Part 1 enacted 1872.)

TITLE 1. NATURE OF PROPERTY [654 - 663] (Title 1 enacted 1872.)

655.

There may be ownership of all inanimate things which are capable of appropriation or of manual delivery; of all **domestic animals**; of all obligations; of such products of labor or skill

as the composition of an author, the good will of a business, trade marks and signs, and of rights created or granted by statute.

(Enacted 1872.)

California's policy on domestic ferrets is inconsistent and confusing.

Are they wild or domestic?

Does the state have the right to prohibit the ownership of domestic animals?

We would greatly appreciate a statement from the Legislative Analyst's office and appreciate your attention to this matter which has frustrated us oh these so many years!

From: Miller-Henson, Melissa@FGC <Melissa.Miller-Henson@fgc.ca.gov>

Sent: Friday, October 11, 2019 7:13 PM

To: CLIFFNotes@legalizeferrets.org

Cc: Cornman, Ari@FGC <Ari.Cornman@FGC.ca.gov>; Fonbuena, Sherrie@FGC <Sherrie.Fonbuena@fgc.ca.gov>; Snellstrom, Jon@FGC <Jon.Snellstrom@fgc.ca.gov>

Subject: Re: Please disregard my previous email --- I found it! RE: PowerPoint Presentation for Oct 9th Meeting

Pat, thanks for confirming you could get it to play. Hope you have a great weekend!

Melissa

Sent from my iPhone

On Oct 11, 2019, at 5:01 PM, "CLIFFNotes@legalizeferrets.org" <CLIFFNotes@legalizeferrets.org> wrote:

Nevermind – I got it, after a long pause. Sorry to be a bother!

From: CLIFFNotes@legalizeferrets.org <CLIFFNotes@legalizeferrets.org>

Sent: Friday, October 11, 2019 4:50 PM

To: 'Cornman, Ari@FGC' <Ari.Cornman@FGC.ca.gov>; 'Miller-Henson, Melissa@FGC' <Melissa.Miller-Henson@fgc.ca.gov>

Cc: 'Fonbuena, Sherrie@FGC' <Sherrie.Fonbuena@fgc.ca.gov>; 'Snellstrom, Jon@FGC' <Jon.Snellstrom@fgc.ca.gov>

Subject: RE: PowerPoint Presentation for Oct 9th Meeting

Speaking of technical difficulties. The video of the meeting switches to a blank screen and background music when you get to item 9 – Is there video of the meeting?

Thank you!

Pat Wright

LegalizeFerrets.org

(619) 303-0645 or cell (619) 757-7426

From: Cornman, Ari@FGC <Ari.Cornman@FGC.ca.gov>

Sent: Thursday, October 10, 2019 9:23 AM

To: Miller-Henson, Melissa@FGC <Melissa.Miller-Henson@fgc.ca.gov>;
CLIFFNotes@legalizeferrets.org

Cc: Fonbuena, Sherrie@FGC <Sherrie.Fonbuena@fgc.ca.gov>; Snellstrom, Jon@FGC
<Jon.Snellstrom@fgc.ca.gov>

Subject: RE: PowerPoint Presentation for Oct 9th Meeting

Pat,

We wanted to let you know that we did get the video working, and showed it on Day 2 of the Commission meeting. All of the Commissioners, plus Commission and Department staff that were present viewed it.

Ari

Ari Cornman, Wildlife Advisor
California Fish and Game Commission
[1416 Ninth Street, Room 1320](http://1416NinthStreet.com)
[Sacramento, CA 95814](http://Sacramento,CA95814.com)
Phone: 916-653-1595

From: Miller-Henson, Melissa@FGC <Melissa.Miller-Henson@fgc.ca.gov>

Sent: Wednesday, October 9, 2019 11:12 AM

To: CLIFFNotes@legalizeferrets.org

Cc: Fonbuena, Sherrie@FGC <Sherrie.Fonbuena@fgc.ca.gov>; Snellstrom, Jon@FGC
<Jon.Snellstrom@fgc.ca.gov>; Cornman, Ari@FGC <Ari.Cornman@FGC.ca.gov>

Subject: Fwd: PowerPoint Presentation for Oct 9th Meeting

Pat, am forwarding back to you the PPT presentation that we received for today's commission meeting. If you open the file and click on the photo in the final slide, there is no embedded link to a video as you intended. I also looked for a link in the alt text box, but there is nothing there either.

In the future if you submit a PPT with an embedded video or hyperlink, please do let us know when you send it so that we can confirm everything is working properly.

Thanks in advance,

Melissa

Melissa Miller-Henson, Executive Director
California Fish and Game Commission
1416 Ninth Street, Suite 1320
Sacramento, California 95814
916.208.4447 Cell
916.653.4899 Office

"The difference between the difficult and the impossible is
that the impossible takes a little longer time." - Lady Aberdeen

From: CLIFFNotes@legalizeferrets.org <CLIFFNotes@legalizeferrets.org>

Sent: Saturday, October 5, 2019 02:21 PM

To: FGC <FGC@fgc.ca.gov>

Subject: PowerPoint Presentation for Oct 9th Meeting

I read the deadline was Friday – I hope you can make an exception and include this.
Otherwise I will use only handouts.

I never received a response about our petition for regulation change being wrong. We
are not asking the Commission to remove ferrets from the prohibited species list. We
are asking them to not refer to domestic ferrets as wild animals.

Thank you,

Pat Wright

LegalizeFerrets.org

(619) 303-0645 or cell (619) 757-7426