

STAFF SUMMARY FOR OCTOBER 9-10, 2019

9. WILDLIFE AND INLAND FISHERIES PETITIONS FOR REGULATION CHANGE**Today's Item**Information Action

This is a standing agenda item for FGC to act on regulation petitions from the public that are related to wildlife and inland fisheries issues. For this meeting:

- (A) Action on petitions for regulation change received at the Aug 2019 meeting
- (B) Pending regulation petitions referred to FGC staff and DFW for review – *none scheduled*

Summary of Previous/Future Actions

(A)

- Receive petitions
- **Today's actions on petitions**

Aug 7-8, 2019; Sacramento
Oct 9-10, 2019; Valley Center

(B)

N/A

Background

Pursuant to Section 662, any request for FGC to adopt, amend, or repeal a regulation must be submitted on form FGC 1, "Petition to the California Fish and Game Commission for Regulation Change" (Section 662, Title 14). Petitions received at an FGC meeting are scheduled for consideration at the next business meeting under (A), unless the petition is rejected under 10-day staff review as prescribed in subsection 662(b). A petition may be (1) denied, (2) granted, or (3) referred to committee, staff or DFW for further evaluation or information-gathering. Referred petitions are scheduled for action under (B) once the evaluation is completed and a recommendation made.

(A) *Petitions for regulation change*

Four petitions received at the Aug meeting are scheduled for action:

- I. *Petition #2019- 013: Authorize falconers and raptor propagators to receive non-releasable raptors from rehabilitation facilities (Exhibit A2)*
- II. *Petition #2019-016 AM 1: Authorize spring bear hunting (Exhibit A3)*
- III. *Petition #2019-017 AM 1: Establish an open archery season for bear and deer hunting in Marble Mountain and Trinity Alps wilderness areas (Exhibit A4)*
- IV. *Petition #2019-018: Exempt ferrets from the list of restricted species (Exhibit A5)*

Staff recommendations and rationales are provided in Exhibit A1; also see Exhibit A6 as background for staff recommendation on Petition #2019-018.

(B) *Pending regulation petitions.* This is an opportunity for staff to provide a recommendation on petitions previously referred by FGC to staff, DFW, or a committee for review.

No pending regulation petitions are scheduled for action at this meeting.

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Significant Public Comments

1. One comment on Petition #2019-016 (spring bear hunting) was received, in support of a spring bear hunt as proposed in the petition (Exhibit A7).
2. Several comments on Petition #2019-018 (ferrets) were received with the following perspectives:
 - a. The executive director of United California Ferret Alliance states that Petition #2019-018 comes from a separate, independent organization. She recounts her organization's efforts to pursue legislation to legalize ferrets as pets (Exhibit A8).
 - b. Several ferret organizations and individual commenters in support of the petition state that ferrets are domesticated and provide substantiating information, links to websites, and journal articles in support of that view (exhibits A9-A14); dispute that ferrets cause environmental damage (Exhibit A15); and urge FGC to base its decisions on sound science (Exhibit A16).
 - c. Commenters sent 199 additional emails in support of the petition, stating that domestic ferrets are not wild animals (see Exhibit A17 for a sample email).

Recommendation

- (A) **FGC staff:** Adopt staff recommendations as reflected in Exhibit A1.
DFW: See Exhibit A1 for recommendations.

Exhibits

- A1. Table of petitions and staff recommendations received at Aug 2019 FGC meeting, revised Sep 27, 2019
- A2. Petition #2019- 013, received Jun 10, 2019
- A3. Petition #2019-016 AM 1, received Jul 31, 2019
- A4. Petition #2019-017 AM 1, received Jul 31, 2019
- A5. Petition #2019-018, received Jul 10, 2019
- A6. FGC memo regarding considerations for ferret legalization, associated with Petition #2016-008, dated Oct 10, 2016 (provided for background purposes)
- A7. Email from Gary Ward, received Sep 24, 2019
- A8. Email from Megan Mitchell, United California Ferret Alliance, received Jul 11, 2019
- A9. Email from the World Ferret Union and the World Ferret Information Centre, received Sep 16, 2019
- A10. Email from Karl A. Swartz, received Sep 8, 2019
- A11. Email from Kathleen Dodson, received Sep 9, 2019
- A12. Email from Josh Hall, received Sep 6, 2019
- A13. Email from Donna Ferreira, received Sep 23, 2019
- A14. Email from Mishele Barker, received Sep 25, 2019
- A15. Email from Monica Hail, received Sep 17, 2019
- A16. Email from Rene Gandolfi, received Sep 23, 2019
- A17. Email from Juliana Lenny, received Sep 8, 2019

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Motion/Direction

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations as reflected in Exhibit A1.

OR

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations as reflected in Exhibit A1, except for Petition # _____ for which the action is _____.