

**Pat Wright**  
4515 Panorama Drive  
La Mesa, CA 91941  
pat@pan.sdcoxmail.com  
(619) 757-7426

**Date: December 18, 2024**

**Melissa Miller-Henson, Executive Director**  
California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

**CC:** Ari Cornman, Wildlife Advisor  
Michael Yaun, General Counsel

**Subject: Final Notice: Failure to Comply with the Administrative Procedure Act (APA)**

**Dear Ms. Miller-Henson and Members of the California Fish and Game Commission,**

I am writing to formally escalate my concerns regarding the Commission's continued failure to comply with the **Administrative Procedure Act (APA)** in response to our petition challenging the classification of domestic ferrets as wild and detrimental animals under **14 CCR 671**.

On December 9th, we requested a formal response within **10 business days**, which has now passed without acknowledgment or substantive engagement. This failure to act violates the Commission's legal obligations under **Government Code Sections 11340.6 and 11340.7**.

**Legal Violations:**

1. **Failure to Respond:** Under the APA, the Commission is required to respond to petitions for regulatory changes within 30 days. Your silence constitutes a clear **violation of state law**.
2. **Inadequate Process:** Redirecting us to complete Form FGC-1 does not fulfill your obligation to substantively evaluate our petition and provide a legally supported response.
3. **Denial of Due Process:** The Commission's failure to act deprives us of our statutory right to transparency, public participation, and a fair review of our petition.

**Notice of Legal Action:**

Given the Commission's failure to respond, I am prepared to take the following actions:

1. File a **writ of mandate** under **Government Code Section 11350** to compel the Commission to act in accordance with the APA.
2. Pursue further legal remedies to invalidate the classification of ferrets under **14 CCR 671**, based on the lack of scientific evidence and procedural compliance.

## **Final Opportunity to Respond:**

To avoid further escalation, I am offering the Commission a **final opportunity** to provide a substantive response within **5 business days** of this letter. The response must include:

1. A timeline for initiating rulemaking proceedings to address the reclassification of domestic ferrets, **or**
2. A clear and legally supported explanation for rejecting the petition.

Should I fail to receive an appropriate response within this time frame, I will proceed with the necessary legal action to hold the Commission accountable.

The Commission has a legal and ethical duty to comply with the APA and provide transparency in its decision-making process. I strongly urge you to take this matter seriously and respond accordingly.

**Enclosures:** To provide full context, I am enclosing copies of my prior email communications with Mr. Ari Cornman. These demonstrate our repeated efforts to clarify the applicability of the APA and seek a substantive response, as well as the Commission's failure to address the petition appropriately.

Sincerely,



**Pat Wright**

LegalizeFerrets.org

(619) 757-7426

pat@pan.sdcoxmail.com

### **CC:**

- Ari Cornman, Wildlife Advisor
- Michael Yaun, General Counsel

**pat@pan.sdcoxmail.com**

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**From:** pat@pan.sdcoxmail.com  
**Sent:** Monday, December 9, 2024 2:04 PM  
**To:** 'Cornman, Ari@FGC'  
**Subject:** RE: Form FGC-1

Dear Mr. Cornman,

I am writing to follow up on my previous inquiries regarding the Administrative Procedure Act (APA) and my petition to the California Fish and Game Commission. As of now, I have not received a response to my questions, and I am seeking clarification on the next steps for addressing the procedural aspects of my petition.

The Office of Administrative Law (OAL) recently suggested that the Office of Administrative Hearings (OAH) might be an appropriate forum to resolve these concerns. However, I would prefer to resolve this matter directly with your office to avoid unnecessary escalation.

To help me understand the Commission's position and next steps, could you please provide clarity on the following:

1. Could you clarify the Commission's obligations under the Administrative Procedure Act (APA) regarding petitions such as mine? Specifically, what steps are required to ensure compliance with APA procedural rules?
2. What is the expected timeline for the Commission to provide a formal response to my petition, as mandated by the APA?
3. Does the APA require a public hearing or specific review process for my petition? If so, has the Commission initiated this process?
4. Are there specific APA provisions that the Commission believes my petition does not satisfy? If so, could you provide details to help me address these concerns?
5. If the Commission does not act on this petition, would an administrative hearing through the Office of Administrative Hearings (OAH) be an appropriate forum to address potential APA compliance issues?

I kindly request a response within 10 business days to help me determine the appropriate path forward. I remain hopeful that we can work together to address this matter constructively and in a timely manner.

Thank you for your time and attention, and I look forward to your response.

Pat Wright  
(619) 757-7426

**From:** pat@pan.sdcoxmail.com <pat@pan.sdcoxmail.com>  
**Sent:** Wednesday, December 4, 2024 12:11 PM

To: 'Cornman, Ari@FGC' <Ari.Cornman@FGC.ca.gov>

Subject: RE: Form FGC-1

Dear Ari,

Thank you for your quick response and for reminding me about Form FGC-1. I appreciate your willingness to assist.

I'd like to clarify that my petition is not a routine request for regulation change but is being submitted under the **Administrative Procedures Act (APA)**. The APA establishes specific requirements for agency responses to petitions challenging or seeking clarity on existing regulations. My submission seeks a substantive review of the classification of domestic ferrets and falls within the APA framework.

As such, I believe the use of Form FGC-1, specific to Title 14, Section 662(b), may not be applicable in this context. However, if you believe it is legally required, could you kindly provide the statutory or regulatory basis for this requirement under the APA process?

I am more than willing to work with you to ensure that all necessary documentation is provided, but I respectfully request that the APA framework and its protections be acknowledged in handling this petition.

Thank you for your attention, and I look forward to your guidance.

Sincerely,

Pat Wright

Pat Wright

(619) 757-7426

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**From:** Cornman, Ari@FGC <[Ari.Cornman@FGC.ca.gov](mailto:Ari.Cornman@FGC.ca.gov)>

**Sent:** Wednesday, December 4, 2024 12:02 PM

**To:** [pat@pan.sdcxmail.com](mailto:pat@pan.sdcxmail.com)

**Cc:** Yaun, Michael@FGC <[Michael.Yaun@fgc.ca.gov](mailto:Michael.Yaun@fgc.ca.gov)>

**Subject:** RE: Form FGC-1

Dear Pat,

This is a friendly reminder that the petition you submitted regarding ferrets, tracking number 2024-15, does not include form FGC-1. Per Title 14, Section 662(b), we will be forced to reject your petition under staff review if the form is not submitted. If you need help filling it out or have other questions, please feel free to reply to this message and I can help you through it.

Sincerely,

Ari

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Ari Cornman, Wildlife Advisor  
California Fish and Game Commission  
715 P Street, 16<sup>th</sup> Floor  
Sacramento, CA 95814  
Phone: (562) 618-5368

Value Wildlife? [Value Scientists](#).

**From:** [pat@pan.sdcoxmail.com](mailto:pat@pan.sdcoxmail.com) <[pat@pan.sdcoxmail.com](mailto:pat@pan.sdcoxmail.com)>  
**Sent:** Wednesday, November 13, 2024 12:26 PM  
**To:** Cornman, Ari@FGC <[Ari.Cornman@FGC.ca.gov](mailto:Ari.Cornman@FGC.ca.gov)>  
**Subject:** RE: Form FGC-1

**WARNING:** This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Dear Ari,

Thank you for providing the Form FGC-1 and assigning tracking number 2024-15.

While we appreciate your assistance, I want to emphasize that we have previously submitted multiple petitions for regulation changes regarding the classification of domestic ferrets. Our intention is not merely to file additional forms but rather to secure a comprehensive review of the Commission's classification of domestic ferrets as wild and detrimental animals. This classification has been applied without any supporting studies or evidence to justify such a designation, despite our repeated requests.

Our primary concern is that our petitions have been consistently dismissed with responses that focus solely on the prohibition of wild animal permits. This response does not address our actual request: a reevaluation of domestic ferrets' classification based on their established status as domestic animals. We are seeking a genuine dialogue and review on this matter, as well as transparency regarding the criteria used for these determinations.

Please let us know if there is an alternative course of action or a different process through which we may present this matter more substantively to the Commission. Our goal is to ensure that our concerns are given due consideration beyond the brief public comment periods we have previously experienced.

Thank you again for your time and assistance.

Sincerely,  
Pat Wright

Pat Wright  
(619) 757-7426

**From:** Cornman, Ari@FGC <[Ari.Cornman@FGC.ca.gov](mailto:Ari.Cornman@FGC.ca.gov)>  
**Sent:** Wednesday, November 13, 2024 11:39 AM  
**To:** [pat@pan.sdcoxmail.com](mailto:pat@pan.sdcoxmail.com)  
**Cc:** Yaun, Michael@FGC <[Michael.Yaun@fgc.ca.gov](mailto:Michael.Yaun@fgc.ca.gov)>  
**Subject:** Form FGC-1

Pat,  
Per our phone conversation today, I've attached Form FGC-1. As a reminder, all petitions for regulation change must be submitted on this form to be compliant with the Commission's regulation (California Code of Regulations, Title 14, Section 662). Your petition has been given tracking number 2024-15.  
If you have any questions or need help with the form, please feel free to reply to this email.  
Sincerely,

Ari

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Ari Cornman, Wildlife Advisor  
California Fish and Game Commission  
715 P Street, 16<sup>th</sup> Floor  
Sacramento, CA 95814  
Phone: (562) 618-5368

Value Wildlife? [Value Scientists](#).