

# FINAL NOTICE OF STATUTORY NONCOMPLIANCE

## Government Code §11340.7

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March 2, 2026

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

California Fish & Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

California Department of Fish & Wildlife  
P.O. Box 944209  
Sacramento, CA 94244-2090

Attorney General's Office  
California Department of Justice  
Attn: Public Inquiry Unit  
P.O. Box 944255  
Sacramento, CA 94244-2550

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### **Re: Petition 2025-003 — Failure to Issue Written Decision Under Gov. Code §11340.7**

To the Commission:

This letter constitutes a Final Notice of Statutory Noncompliance concerning Petition 2025-003, submitted pursuant to Government Code §11340.7.

The Commission accepted Petition 2025-003 on June 11, 2025. To the extent that acceptance constituted receipt under Government Code §11340.7(a), the 60-day statutory period expired on August 11, 2025.

Under §11340.7(a), within 60 days of receipt, the agency must:

- Deny the petition in writing and state the reasons for the denial; or
- Schedule the matter for a public hearing in accordance with applicable rulemaking procedures.

To date, no written grant, denial, partial denial, or notice scheduling a hearing compliant with §11340.7 has been issued or transmitted to the petitioner. No written decision stating the reasons for agency action has been provided.

Government Code §11340.7(d) further requires that any written decision be transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. No such decision appears in the California Regulatory Notice Register.

References to potential environmental review do not suspend or toll the mandatory duty imposed by §11340.7 to issue a written decision within the statutory timeframe. The statute requires a written determination; it does not authorize indefinite deferral.

Accordingly, the Commission is presently in noncompliance with Government Code §11340.7.

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## **Opportunity to Cure**

The petitioner remains willing to resolve this matter without judicial intervention.

The Commission is hereby provided thirty (30) days from receipt of this notice to:

- Issue a written decision granting or denying Petition 2025-003, in whole or in part, stating the reasons for the action taken; and
- Transmit that decision to the Office of Administrative Law as required by §11340.7(d).

If a compliant written decision is not issued within that period, petitioner will consider filing a Petition for Writ of Mandate pursuant to Code of Civil Procedure §1085 to compel compliance with the statutory duty.

This notice is provided to afford the Commission an opportunity to cure the procedural deficiency without litigation.

Sincerely,

Pat Wright  
LegalizeFerrets.org