

## STAFF SUMMARY FOR JUNE 10-11, 2015

**29. BOBCAT TRAPPING****Today's Item****Information** **Action** 

Discussion of proposed regulation changes to implement the Bobcat Protection Act of 2013.

**Summary of Previous/Future Actions**

- |  |                                   |
|--|-----------------------------------|
| • WRC vetting                                  | Jul 28, 2014; Sacramento          |
| • WRC vetting                                  | Sep 17, 2014; Sacramento          |
| • Notice hearing                               | Dec 3, 2014; Van Nuys             |
| • Update from DFW                              | Feb 11-12; Sacramento             |
| • Update from DFW                              | Apr 8-9, 2015; Santa Rosa         |
| • <b>Today's update and discussion hearing</b> | <b>Jun 9, 2015; Mammoth Lakes</b> |
| • Adoption hearing                             | Aug 4-5, 2015; Fortuna            |

**Background**

At its Dec 2014 meeting, FGC authorized staff to work with DFW to prepare a rulemaking to implement the Bobcat Protection Act of 2013 (Section 4155, Fish and Game Code) using readily identifiable features to delineate the boundaries of buffer zones where bobcat trapping is prohibited around national and state parks, national monuments, and national wildlife refuges in which commercial bobcat trapping is prohibited. FGC approved the concept of establishing bobcat trapping zones and prohibiting bobcat trapping in the balance of the state. In addition, FGC authorized inclusion of an option for a complete ban on commercial and sport bobcat trapping.

The notice of proposed regulatory action was published on May 29, 2015. The proposed regulatory changes will not affect the take of bobcats with a hunting license and bobcat tags or under a depredation permit issued by DFW.

Two options are proposed for consideration:

- **Option 1:** Create an extensive Bobcat Trapping Closure Area within which commercial trapping of bobcats is not permitted, as well as delineating property-specific closure areas around national and state parks and national monuments and wildlife refuges in which commercial bobcat trapping is prohibited. Fees to recover the costs of DFW's administration and enforcement of the regulations are also proposed to be established in Section 702.
- **Option 2:** A complete ban on commercial bobcat trapping in California. With the exception of depredation trapping, this option would ban all trapping of bobcats statewide.

DFW recommends implementing the designated bobcat trapping closures under Option 1 and monitoring the participation of trappers, enforcement effort and administration of the new regulation for a period of at least two years. To recover the costs of the new regulations in Option 1, DFW recommends the following fees:

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Bobcat Trapping Validations	\$1,137.00 per validation
Bobcat Shipping Tags	\$ 35.00 per pelt

**Special Presentation – Jean Su, Center for Biological Diversity (CBD)**

President Baylis approved a request by CBD staff to provide a brief presentation with CBD's views of the fiscal and legal implications of adopting the statewide ban versus a zonal approach.

**Significant Public Comments (received since the last meeting)**

1. Mono County Board of Supervisors requests FGC consider including Mono County in the ban, or establishing buffer zones around national and state parks and the Mono Basin National Forest Scenic Area (Exhibit 4). *(A Mono County representative, Mr. Tim Alpers, will also speak to this request during public discussion.)*
2. Toiyabe Chapter, Sierra Club requests no trapping zone for Mono Basin Watershed (Exhibit 5).
3. Trinity County Board of Supervisors supports establishment of zones per Option 1 (Exhibit 6).
4. Over 1,000 letters supporting Option 2 (Exhibit 7).

**Recommendation (N/A)****Exhibits**

1. DFW memo
2. Initial statement of reasons
3. DFW presentation (to be hand-delivered at meeting)
4. Letter from Mono County Board of Supervisors, received Apr 9, 2015
5. Letter from Range of Light Group, Sierra Club Toiyabe Chapter, received Apr 4, 2015
6. Letter from Trinity County Board of Supervisors, received Apr 28, 2015
7. Sample letter from Emily Swayer, received Apr 21, 2015

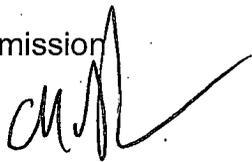
**Motion/Direction (N/A)**

# Memorandum

Date: May 14, 2015

To: Sonke Mastrup  
Executive Director  
Fish and Game Commission

From: Charlton H. Bonham  
Director



**Subject: Agenda Item for the June 11 Fish and Game Commission Meeting Regarding Amendments to Sections 478, 479, and 702, Title 14, California Code of Regulations (CCR) Re: Bobcat Protection Act**

The Department of Fish and Wildlife (Department) requests that the Fish and Game Commission (Commission) publish notice of its intent to amend the bobcat trapping regulations and fees in sections 478, 479, 702, Title 14, CCR. The Commission authorized the notice of the intended amendments on December 3, 2014. The Department is proposing significant changes to the existing regulations in order to conform to the statutory requirements set forth in Section 4155, Fish and Game Code.

Two Options are proposed for consideration:

Option 1. Creation of an extensive Bobcat Trapping Closure Area within which trapping of bobcats is not permitted, as well as delineating Property Specific Closure Areas around national and state parks and national monuments and wildlife refuges in which bobcat trapping is prohibited. Fees to recover the costs of the Department's administration and enforcement of the regulations are also proposed to be established in Section 702.

Option 2. A complete prohibition on bobcat trapping in California. With the exception of depredation trapping, this option would ban all trapping of bobcats statewide.

The Department recommends implementing the designated bobcat trapping closures under Option 1 and monitoring the participation of trappers, enforcement effort and administration of the new regulation for a period of at least two years.

In order to recover the costs of the new regulations in Option 1, the Department recommends the following fees:

Bobcat Trapping Validations	\$1,137.00 per validation
Bobcat Shipping Tags	\$ 35.00 per pelt

If you have any questions regarding this item, please contact Dr. Eric Loft, Chief, Wildlife Branch at (916) 445-3555 or [Eric.Loft@wildlife.ca.gov](mailto:Eric.Loft@wildlife.ca.gov).

Sonke Mastrup, Executive Director  
May 14, 2015  
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Attachments

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STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION  
(Pre-publication of Notice Statement)

Amend Sections 478, 479 and 702  
Title 14, California Code of Regulations  
Re: Implementation of the Bobcat Protection Act of 2013

I. Date of Initial Statement of Reasons: April 14, 2015

II. Dates and Locations of Scheduled Hearings:

- (a) Notice Hearing:                      Date: December 3, 2014  
  Location: Van Nuys
- (b) Discussion Hearing:                 Date: June 11, 2015  
  Location: Mammoth Lakes
- (c) Adoption Hearing:                  Date: August 5, 2015  
  Location: Fortuna

III. Description of Regulatory Action:

(a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

The Fish and Game Commission (Commission) proposes to implement the provisions of Fish and Game Code (FGC) Section 4155, the Bobcat Protection Act of 2013. Specifically, with this rulemaking the Commission will address the following requirements of Section 4155:

*“(b)(1) Through the commission’s next regularly scheduled mammal hunting and trapping rulemaking process occurring after January 1, 2014, the commission shall amend its regulations to prohibit the trapping of bobcats adjacent to the boundaries of each national or state park and national monument or wildlife refuge in which bobcat trapping is prohibited.*

*(b)(3) The commission shall delineate the boundaries of an area in which bobcat trapping is prohibited pursuant to paragraph (1) or (2) using readily identifiable features, such as highways or other major roads, such as those delineated for Joshua Tree National Park in subdivision (a).*

*(e) Consistent with the requirements of subdivision (c) of Section 4006, the commission shall set trapping license fees and associated fees, including, but not*

*limited to, shipping tags required pursuant to Section 479 of Chapter 6 of Subdivision 2 of Division 1 of Title 14 of the California Code of Regulations, for the 2014–15 season, and any subsequent seasons in which bobcat trapping is allowed, at the levels necessary to fully recover all reasonable administrative and implementation costs of the department and the commission associated with the trapping of bobcats in the state, including, but not limited to, enforcement costs.*

*(f) This section does not limit the ability of the department or the commission to impose additional requirements, restrictions, or prohibitions related to the taking of bobcats, including a complete prohibition on the trapping of bobcats pursuant to this code.”*

This rulemaking proposes to amend sections 478, 479 and 702, Title 14, CCR to restrict the take of bobcats by trapping in all or portions of the state. The proposed regulatory changes will not affect the take of bobcats with a hunting license and bobcat hunting tags under subsection 478.1, or under a depredation permit issued pursuant to Section 401.

## **BOBCAT TRAPPING IN CALIFORNIA**

### Trapping Regulations Generally

In California, bobcats are classified as a nongame mammal (FGC § 4150). Under current regulations, bobcats may be trapped under the authority of a general trapping license (Title 14 § 478). The Department of Fish and Wildlife (Department) requires that individuals successfully pass a written test of competence and proficiency in trapping before applicants can be issued a trapping license (FGC § 4005). A trapping license fee of \$115 is required for residents over 16 years of age; non-resident trapping license fees are set at \$570 (FGC §4006). Licensed trappers may take bobcats during the open season for trapping (Nov. 24 through Jan. 31; Title 14 § 478) and no additional trapping license validation is currently required. It is unlawful for any person to trap for the purposes of recreation or commerce in fur any furbearing or nongame mammal with any body-gripping trap (Title14 § 465.5). The only legal trap for bobcat is a live box trap and all traps must be visited daily. Each trap is uniquely identified with the Trapper’s ID number (Title14 § 465.5). Trappers are required to report all of their harvest annually to the Department (Title 14 § 467).

### Shipping Tags

A shipping tag is required to be affixed to bobcat furs (pelts) or products that are sold or traded interstate or out of the country in accordance with the *Convention on International Trade in Endangered Species of Wild Flora and Fauna* (CITES) and Title 14 Section 479. In California, only licensed trappers (or licensed fur dealers) may purchase shipping tags and engage in commerce in bobcat furs or products. The Department makes these shipping tags available to licensed trappers during, and for

two weeks following, the open season for bobcats. Trappers must supply information on the place, time, date and method of take as part of the tagging process. The Department currently charges an administrative fee of \$3 per pelt for the issuance of shipping tags.

### Bobcat Trapping Data

The Department monitors the number of trappers and requires all trappers to report their harvest at the end of each license year (fiscal year) in order to maintain a valid trapping license. Together, these data are used to compile the Licensed Fur Trapper and Dealer's Report and the Bobcat Harvest Assessment each year. These reports monitor annual bobcat harvest relative to the quotas established in accordance with the requirements of CITES and allow the Department to understand trends in the amount and distribution of bobcat harvest. These reports are available to the public on the Department's

website: <https://www.dfg.ca.gov/wildlife/hunting/uplandgame/reports/bobcat.html>

In 1981, the Department developed sustainable harvest quotas for bobcats in response to bobcat trapping levels that exceeded 20,000 animals per year in the late 1970's. Estimates of bobcat density were based on data obtained through targeted scientific studies of bobcat populations in San Diego County, Eastern Siskiyou County, and the Mojave Desert region. In accordance with CITES, the Department developed a maximum harvest quota of 14,400 bobcats per year which was submitted to and approved by the U.S. Fish and Wildlife Service Office of Scientific Authority. The quota was established to ensure that trade in bobcat furs was not a potential detriment to the health of the state's bobcat population.

The level of bobcat trappers has declined over for the past two decades (2013-14 Bobcat Harvest Assessment) and the number of all trappers has declined dramatically from an average of over 2,500 trapping licenses sold annually during the 1980's to an average of less than 800. Of these, about 200 trap bobcats, over the past 20 years (refer to Exhibit A). Bobcat trappers have comprised an average of 25 percent of all trappers over this period and harvest by trappers in California has been less than 20% of the annual quota since 1989.

### **PROPOSED REGULATIONS**

The Department is providing two options for the Commission to consider in implementing the Bobcat Protection Act:

#### **OPTION 1 (RECOMMENDED):**

#### **PARTIAL CLOSURE OF THE STATE TO BOBCAT TRAPPING AND ESTABLISHING CLOSURE BOUNDARIES AROUND PROTECTED AREAS.**

As required in subsection 4155(b)(1) of the FGC, the Department identified each national or state park and national monument or wildlife refuge that would require closure areas in accordance with the statute. The Department's initial assessment based on the Lands Coverage in the Department's Geographic Information System identified 283 individual management units for wildlife refuges and parks. These represent a total of 186 designated national and state parks, national monuments and wildlife refuges (refer to Exhibits B and C). Pursuant to FGC section 4155(b)(2), the Commission may consider whether to prohibit bobcat trapping adjacent to additional conservation areas in 2016.

For clarity, this ISOR will refer to "national or state park and national monument or wildlife refuge" inclusively as "protected area(s)."

**Option 1** prohibits trapping of bobcats surrounding all protected areas identified above by: 1) closing certain large areas of the state where harvest of bobcats by trapping has historically been low; and 2) delineating closure boundaries adjacent to 23 specific protected areas in remaining portions of the state.

Delineation of specific highway and road boundaries surrounding each of the 186 protected areas in the state would require dozens of additional pages of regulation resulting in a very complex and difficult to understand mosaic of areas where trapping would be prohibited. By proposing a larger, contiguous closure encompassing most of the 186 protected areas, this proposal fully implements the statute while resulting in a less complicated system of closures that should be clearer to the public, the trapping community, and the Department's enforcement staff.

The map depicted in Exhibit C represents the cumulative distribution of bobcat trapping harvest by county between November 2003 and January 2013. These data indicate that relatively low numbers of bobcats have been harvested over a large part of the central and southwestern portion of the state over the past decade. Trapping harvest is concentrated in two areas in the northeastern and southeastern portions of the state. Therefore, the Department is recommending that a large area of the central and southwestern portion of the state be closed to bobcat trapping. As mentioned above, development of individual closure regulations surrounding all 186 properties in areas with low levels of trapping creates an unnecessarily complicated regulatory scheme that would be both difficult to understand and to enforce. Under the proposed approach, approximately 60% of the state would be closed to bobcat trapping, and the number of protected areas requiring property-specific closure boundaries is reduced from 186 to 23 properties. Exhibit B specifies which protected areas (indicated by reference to the new subsection number) will have delineated closures. Exhibit D shows the location of the "Bobcat Trapping Closure Area" and the 18 "Property-Specific Closure Areas" surrounding the remaining 23 protected areas (note that some protected areas have been grouped within a single property-specific closure).

## **Effect of a Partial Closure on the Department's Bobcat Program**

The Department will incur costs associated with managing bobcat harvest under both options. However, if Option 1 is adopted, the Department anticipates greater costs associated with the development of a bobcat management plan compared to current efforts. Management plan costs under Option 1 are anticipated to be about twice those under Option 2 because of the higher levels of take associated with an ongoing trapping program. Under the recommended option, the Department would:

- 1) Report annual harvest from trapping, hunting, and depredation including compliance with CITES.
- 2) Develop a new management plan for bobcat trapping and hunting.
- 3) Collect biological information from harvested bobcats as identified through the development of the management plan.

Because trapping accounts for the majority of bobcat harvest statewide, costs associated with each of these categories would be higher than those under Option 2 (below). The management plan and harvest reporting would be of greater breadth and more expensive under Option 1.

The implementation costs presented in detail in Table 1 of the Economic Impact Assessment (refer to Section VII) do not include the costs that the Department would incur in developing and implementing a bobcat population survey as proposed in the Governor's signing message. Necessary surveys and monitoring of bobcat populations would likely only be possible with additional funding from the legislature or other sources.

## **Effect of a Partial Closure on the Department's Law Enforcement Program**

Imposing new trapping closures will require learning where bobcat trapping is legal versus prohibited in California by all who are affected. There may be initial uncertainty in distinguishing between areas legal to trap and those that are closed. Enforcement staff anticipates an increase in false reports of illegal trapping activity, and therefore the Department anticipates an increase of approximately ten percent in enforcement costs for at least the first few years.

### **Proposed Amendments to Existing Regulations (Option 1):**

- Amend Section 478, Bobcat, by adding descriptions of a "Bobcat Trapping Closure Area" and 18 "Property-Specific Closure Areas" surrounding 23 protected areas and incorporate editorial changes and re-numbering of the text for clarity.

Necessity: Adding boundary descriptions to the regulations implements the statutory requirement that the protected area around each national or state

park and national monument or wildlife refuge be identified using readily identifiable features, such as highways or other major roads, §4155(b)(1) and (b)(3), FGC.

## **OPTION 2:**

### **PROHIBIT BOBCAT TRAPPING THROUGHOUT CALIFORNIA. (Requested for consideration by the Commission on December 3, 2014)**

Fish and Game Code subsection 4155(f) affirms the Commission's authority to impose greater restrictions including a complete prohibition on bobcat trapping. The Commission, at its December 2014 meeting, directed the Department to include in this proposal an option to prohibit bobcat trapping in California. The regulatory change proposed in Option 2 implements this directive by prohibiting bobcat trapping in California.

#### **Effect of a Prohibition on Bobcat Trapping in California**

The Department will incur costs associated with managing bobcat harvest under both options. Option 2 proposes a complete ban on bobcat trapping in California. The take of bobcats with a hunting license and take of bobcats under a depredation permit would continue to be allowed. Under Option 2, the Department would:

- 1) Report annual harvest from hunting and depredation.
- 2) Develop a new management plan focused primarily on bobcat hunting.
- 3) Collect biological information from harvested bobcats as identified in the management plan.

Hunting of bobcats is less likely to result in impacts to the population because the total take is considerably lower than trapping and there are limits on the number of animals each hunter can take. Effort related to harvest reporting costs is projected at approximately 50 percent of existing baseline costs. Similarly, the preparation of a bobcat management plan under Option 2 is projected to be approximately half the cost of a management plan under Option 1. Without trapping, the lower level of bobcats taken under Option 2 will result in a less complicated management plan.

The implementation costs presented in detail in Table 1 of the Economic Impact Assessment (refer to Section VII) do not include the costs that the Department would incur in developing and implementing a bobcat population survey as proposed in the Governor's signing message. Necessary surveys and monitoring of bobcat populations would likely only be possible with additional funding from the legislature or other sources.

## **The Effect of a Complete Prohibition on the Department's Law Enforcement Program**

Under a complete prohibition on bobcat trapping, the nature of the Department's enforcement activities is projected to shift from routine patrol and enforcement of existing trapping regulations to focus on investigative efforts aimed at detecting and preventing unlawful bobcat trapping. Intelligence gathered indicates some in-state and some out-of-state unlawful trappers may move into California in areas wherever bobcat trapping is banned, especially those with historically high bobcat trapping success. Reasons include reduced or no competition, no daily trap check requirement, use of illegal leg-hold traps which are deployed in much greater numbers and are much more difficult to find, and no seasonal restrictions

Unlawful trappers using illicit techniques may trap earlier in the season and well past the normal end of the trapping season resulting in increased law enforcement effort. Banning bobcat trapping will not eliminate the cost of bobcat trapping enforcement. The Law Enforcement Division anticipates that the enforcement effort will increase for at least the first few years after a ban is implemented.

Additionally, there would be no other trappers in the field to provide the tips wildlife officers rely upon to make many good cases. Lawful trappers are keenly aware of other trappers who work in their areas and provide many tips of unlawful activities that wildlife officers would not always discover on their own. Under Option 2, the Department expects some level of illegal take to continue due to the demand for pelts and the potential profits from their sale.

Conclusion: Wherever bobcat trapping is banned (whether a partial or full ban), the Department anticipates illegal trapping will continue based largely upon the high prices derived from bobcat pelts over the last few years. Because California's Sierra Nevada mountains, particularly the southern and east side, have a healthy bobcat population with high-value pelts, this region may continue to attract commercial bobcat trappers. Though unlawfully taken in California, these pelts could be easily transported across state lines and sold in another state where trapping is lawful. This action would violate state and federal laws but would require significant increases in investigative work to detect and prove.

### **Proposed Amendments to Existing Regulations (Option 2):**

- Amend Section 478 by prohibiting bobcat trapping throughout California.

Necessity: Prohibiting bobcat trapping would implement the Commission's authority to regulate take of bobcats pursuant to FGC sections 200, 202, and 4150, and affirmed in subdivision (f) of FGC section 4155.

- Amend Section 479 eliminating pelt tags, fees and department marks for bobcats

taken by trapping.

Necessity: If prohibited, there is no reason for the Department to continue to offer tags or marks, or to collect fees for pelt shipping tags.

### **Department Recommendation**

The Department recommends Option 1. This would include establishment of designated bobcat trapping closures, monitoring bobcat take levels, participation of trappers, enforcement effort and costs, and administration of the new regulation for a period of at least two years. The Department last reviewed its bobcat harvest strategy in its 2004 Environmental Document assessing Furbearing and Nongame Mammal Hunting and Trapping, which concluded that the level of take associated with bobcat trapping in California is insignificant relative to natural production and mortality in the species. Bobcats are a renewable resource, provide opportunity for the public to use and enjoy wildlife, and the Department considers the current levels of take to continue to be sustainable. The history of trapping in California illustrates that the population has sustained significantly higher levels of annual harvest in the past with no lasting consequence.

### **COST RECOVERY**

Fish and Game Code section 4155(e) requires the Commission to set trapping license fees and associated fees at the levels necessary to fully recover all reasonable administrative and implementation costs associated with the trapping of bobcats in the state. Based on factors such as past effort by bobcat trappers, law enforcement effort, and ongoing administrative costs, the Department recommends that new fees be applied to the Trapping License for those intending to take of bobcats and also to the shipping tags for bobcat pelts. Since many licensed trappers do not pursue bobcats, the Department proposes to establish a new "Bobcat Trapping Validation." The range of fees proposed to recover the costs of the Department and the Commission associated with the bobcat trapping program is presented in Section VII of this ISOR.

In evaluating the proposed fees the Department considered the following:

1. The Department will incur ongoing costs even under a full prohibition on bobcat trapping (Option 2). Enforcement costs are projected to increase due to the increased investigation time required to deter unlawful bobcat trapping. Because legal trapping will no longer occur, there would be no mechanism to recover these ongoing costs.
2. Under a partial closure (Option 1), the complex boundary descriptions and unfamiliarity with the regulation could lead to initial difficulty in enforcement, including some unintended illegal take of bobcat, and mistaken reports of illegal activity. These will result in some added cost to current operations which may subside over time.

3. Whether a partial or full ban of trapping is adopted, the Department would pursue development of a management plan for bobcats in California.
4. To fully recover costs of the trapping program under Option 1, the Department proposes that trappers pursuing bobcats be required to purchase an annual trapping license, an annual Bobcat Trapping Validation, and pay a higher per pelt shipping tag charge.
5. It is not possible to accurately predict the outcome of higher fees and reduced trapping opportunity on the viability of bobcat trapping as a business enterprise. A new assessment should be made following at least two seasons with the partial ban and fees in place to determine if the Bobcat Trapping Validation Fee and shipping tag fees require adjustment in order to fully recover costs associated with the trapping of bobcats.
6. The 'no cost' for personal use and "department mark" provisions in Section 479 are proposed to be removed in accordance with the statutory requirement that the Commission "set trapping license fee and associated fees" to fully recover all reasonable costs associated with trapping bobcats. (FGC § 4155(e)). The Department mark is no longer necessary since shipping tags will be attached to every pelt as proposed in amended subsection 479(a)(2). (Note: Up to five bobcat pelts may be taken for personal use (not for sale) each year under a hunting license and bobcat hunting tags).

### **New Bobcat Trapping Validation and Fee**

The Department proposes to establish a new "Bobcat Trapping Validation." At this point the Department is not proposing an increase in the general trapping license fee, but the validation will be required if the licensed trapper intends to take bobcats. A separate fee is proposed to be paid annually for the validation and issued through the Automated License Data System (ALDS) in the same manner as the license.

### **Increased Fee for Shipping Tags**

Bobcat pelt shipping tags (refer to Exhibit E) are required to be placed by the Department on each pelt in order to transport or ship pelts out of state or country. The Department issues the tag in accordance with CITES. (Note: While the bobcat is not listed as a threatened or endangered species, it is included in Appendix II of CITES to control trade and limit opportunity for illegal take). The present fee is \$3.00 per pelt. The Department proposes to increase the fee and require that all bobcat pelts taken under a trapping license shall be tagged.

### **Fee Determination**

In determining the proposed fee schedule to recover its costs, the Department considered how different price points on either item may influence trapper response. Any change in fees designed to recover Department costs must consider that price increases may induce substantial drops in participation such that cost recovery

objectives are defeated. Additionally, in general, fee increases for commercial licenses have been shown to induce an increase in effort that may result in an increase in tagged pelts. Those with lower levels of commitment to trapping may drop out; the moderately committed, may also reduce effort; but the most enterprising may continue to trap but with an increase in trapping effort by placing more traps in more areas over more days during the season.

The cost of a trapping license and the proposed bobcat validation may be perceived as an initial entry cost. The validation is in that way, a “sunk cost” that will effectively diminish as a per unit operating cost with each additional pelt taken. In contrast, shipping tags are a variable cost depending on the number of pelts taken by each trapper. As such, each shipping tag is a recurring cost that may be perceived as more directly cutting into an individual trapper’s profit per pelt.

If the tag price is too high, some may seek to evade that final cost by illegally transferring pelts to other states for shipping. On the other hand, if the combined bobcat validation and license fee exceeds neighboring states’ non-resident trapping fees, California trappers may choose to go out-of-state. At some level, higher license fees may encourage unlawful behavior. While most people are law-abiding, fee setting should be mindful of any possible unintended consequences.

The Department will incur a certain level of bobcat-related enforcement, management and administrative costs whether or not bobcat trapping continues in California. The Department will logically incur incremental increases in enforcement, management, and administrative costs under the partial bobcat trapping closure proposed under Option 1. Total program costs under Option 1 are estimated at approximately \$212,000 per year (refer to Table 1 on page 19).

As described in the Economic Impact Assessment (refer to Section VII), the Department assumed an annual sale of 160 bobcat validations and 860 shipping tags for purposes of calculating cost recovery. At these volumes, the proposed fee for the bobcat trapping validation would range from \$0 to \$1,325 and the proposed fee for each shipping tag would range from \$0 to \$245 per pelt. A range of potential fees is presented with the recommended fee combination of \$35 per shipping tag and \$1,137 for the proposed Bobcat Trapping Validation.

### **Proposed amendments to fee regulations**

- Amend Section 702, Fees, by adding a new subsection (d)(1) to require (in addition to the trapping license fee set forth in the Fish and Game Code) the payment of a Bobcat Trapping Validation Fee set at \$[ 0 – 1,325 ] and subject to annual adjustment.

Necessity: Adding the new Bobcat Trapping Validation fee implements the statutory requirement that the Commission set trapping license fees and

associated fees to fully recover all reasonable costs associated with trapping bobcats. (FGC § 4155(e)).

- Amend Section 479, Bobcat Pelts, by deleting the current bobcat pelt shipping tag fee from subsection (c)(5); and Amend Section 702, Fees, adding a new subsection (d)(2), Shipping Tags, and increasing the fee from \$3 to \$[ 0 - 245 ] and subject to annual adjustments. Additionally, there are editorial changes and re-numbering of the text for clarity.

Necessity: Increasing the current fee for a bobcat shipping tag implements the statutory requirement that the Commission set trapping license fees and associated fees, including, but not limited to, shipping tags to fully recover all reasonable costs associated with trapping bobcats. (FGC, §4155(e)). The Commission established Section 702 as the location for tags and fees; this section is the logical place for new bobcat fees.

- Amend Section 479 by deleting the ‘no cost’ provision and ‘department mark’ on pelts not for sale in subsection (a)(1) and by eliminating the listed Method of Take in subsection (c)(4).

Necessity: Removing the ‘no cost’ is in accordance with the statutory requirement that the Commission “set trapping license fee and associated fees” to fully recover all reasonable costs associated with trapping bobcats. (FGC § 4155(e)). The Department mark is no longer necessary since shipping tags will be attached to every pelt as amended in subsection 479(a)(2). The use of hounds is prohibited in FGC Section 3960(b), so specifying the method of take is no longer necessary.

### **Department Fee Recommendation**

Price allocation between the two items supports shipping tag fees set at \$35, and bobcat validation fee set at \$1,137.

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 4150, and 4155, Fish and Game Code. Reference: Sections 3960, 4150, and 4155, Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change: None

(d) Identification of Reports or Documents Supporting Regulation Change:

2004 Environmental Document

2013-14 Bobcat Harvest Assessment

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

The Commission and Department received comments from interested parties regarding bobcat trapping regulations at the Wildlife Resources Committee (WRC) meetings in Sacramento in July and September of 2014. The WRC recommended that the Commission authorize staff to work with the Department to prepare a rulemaking to implement the Bobcat Protection Act mandate. The recommendations of the WRC and CDFW staff were further discussed and accepted at the Commission meetings on October 8, 2014 in Mount Shasta; in Sacramento on December 3, 2014 and February 12, 2015; and in Santa Rosa on April 9, 2015.

Prior to publication of the Notice of Proposed Rulemaking, the Commission and Department received more than 49,000 emails and other correspondence from the public largely expressing their desire to have the Fish and Game Commission ban bobcat trapping throughout the entire state, consistent with FGC Section 4155(f). Some alternatives were proposed, such as the use of Global Positioning System (GPS) coordinates to delineate closure areas, but none were found to be consistent with the statutory requirements. Suggestions were made for additional protected areas that were beyond the scope of the current rulemaking. Other areas may be considered by the Commission in 2016 pursuant to FGC Section 4155(b)(2) if the Commission adopts Option 1.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Prohibit trapping adjacent to protected areas by delineating closure boundaries using highways and roads surrounding all protected areas.

The Department has determined that there are 186 protected areas within the state where trapping must be further prohibited to implement the statute. While meeting the letter of the statute, delineation of specific highway and road boundaries surrounding each of the 186 protected areas would require dozens of additional pages of regulation and result in a very complex and difficult to understand mosaic of areas where trapping would be prohibited or authorized.

This alternative would create an unnecessarily complicated regulatory scheme that would be both difficult for the public to understand and for the Department to enforce. The Department does not recommend this as an alternative for further consideration.

2. Prohibit trapping within a predetermined distance adjacent to protected areas and requiring trappers to use GPS technology to determine the location of

traps.

GPS technology is highly effective and in wide use by the public in many applications. With proper equipment trappers may determine their location with adequate precision in a matter of seconds. Trappers have recommended this method as an effective alternative in establishing a closure boundary surrounding each protected area.

The Department has determined that using GPS technology to define closure boundaries is inconsistent with the requirement of the statute to use “readily identifiable features, such as highways or other major roads.” Therefore, the Department does not recommend this as an alternative for further consideration.

(b) No Change Alternative:

The statutory mandate to promulgate regulations is set forth in Fish and Game Code Section 4155(b)(1):

“Through the commission’s next regularly scheduled mammal hunting and trapping rulemaking process occurring after January 1, 2014, the commission shall amend its regulations to prohibit the trapping of bobcats adjacent to the boundaries of each national or state park and national monument or wildlife refuge in which bobcat trapping is prohibited.”

Therefore the Commission has no discretion to consider the no change alternative.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment. Therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action have been assessed, and the following initial

determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The Commission does not anticipate significant statewide adverse economic impact directly affecting business, although the proposed fee increases may reduce the ability of California bobcat trapping businesses to compete with businesses in other states.

The principle businesses that are expected to be impacted by the proposed regulatory changes are approximately 200 licensed trappers which Department records indicate have historically taken bobcat and paid the current shipping tag fee. Their income is not derived solely from the take of bobcat pelts during the relatively short bobcat trapping season, but also from other animals lawfully taken for profit. Whether the increase in fees or the reduction in opportunity from limitations on trapping areas, as described in Option 1, or a complete ban as described in Option 2, the economic loss to the state as a whole is expected to be very small and would not significantly affect California businesses or their ability to compete with businesses in other states.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any significant impacts on the creation or elimination of jobs within the State because a partial or full ban would affect only a small number of licensed commercial trappers whose income is not derived solely from bobcat pelts but also from other animals lawfully taken for profit.

The Commission anticipates potential benefits to the health and welfare of California residents through the enhancement of non-consumptive use benefits. Non-consumptive uses that could increase include: the observation of bobcats in the wild and the perceived value of the bobcat population's contribution to ecosystem functioning.

The Commission does not anticipate benefits to worker safety because this regulatory action will not impact health, welfare or worker safety.

The Commission anticipates possible benefits to bobcat populations because the regulations required by statute will place further limitations on the take of bobcats.

(c) Cost Impacts on a Representative Private Person or Business:

If Option 1 is adopted, the Commission anticipates increased costs to the business of commercial trappers because of the additional fees for the Bobcat Trapping Validation and increased fees for shipping tags on pelts. The Commission expects these fees to be entirely absorbable by passing on this cost to the consumers of bobcat pelts. Private persons, not involved in commerce in bobcat products will not be impacted by any cost.

A statewide ban would impact a small number of licensed trappers who will no longer derive any income from the sale of bobcat pelts. However, licensed trappers could continue to derive income from the legal take of other animals.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

(e) Nondiscretionary Costs/Savings to Local Agencies: None

(f) Programs Mandated on Local Agencies or School Districts: None

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None

(h) Effect on Housing Costs: None

VII. Economic Impact Assessment

For purposes of this Economic Impact Assessment the Department considered cost recovery figures based on the statewide 5-year average of 200 licensed bobcat trappers taking an average of 1,070 pelts annually. However given that any increase in fees for trapping bobcats may deter participation in trapping, we have chosen to evaluate the proposed fee structure assuming a 20% decline in both numbers of trappers and numbers of shipping tags sold.

Currently, each trapper is required to purchase an annual trapping license at a cost of \$115 (2014) and a CITES shipping tag at a cost of \$3 (2014) per pelt. There are a very small number of non-resident and junior trappers who do not contribute significantly to the revenues derived from such sales. It should also be noted that the majority of licensed trappers do not target bobcat. In addition, many trappers are licensed for pest control which does not provide allowance to sell any bobcat pelts taken for depredation purposes. The proposed regulatory requirements and fee changes will not affect the take of bobcats under the authority of a depredation permit issued by the Department.

The total revenue received from bobcat trappers, apart from pest control trappers, over the 2013-2014 commercial bobcat trapping season was about \$27,500. The majority of this revenue (\$23,000) came from the sale of licenses, and shipping tag sales accounted for an additional \$4,500.

Subsection 4155(e), FGC, requires the Commission to:

*“set trapping license fees and associated fees, including, but not limited to, shipping tags required pursuant to Section 479 of Chapter 6 of Subdivision 2 of Division 1 of Title 14 of the California Code of Regulations, for the 2014–15 season, and any subsequent seasons in which bobcat trapping is allowed, at the levels necessary to fully recover all reasonable administrative and implementation costs of the department and the commission associated with the trapping of bobcats in the state, including, but not limited to, enforcement costs.”*

## **Existing Costs**

The Department currently incurs approximately \$161,000 in enforcement, management, and administrative costs to implement the bobcat trapping program under existing regulations.

### **Enforcement Costs**

Under current regulations, the Law Enforcement Division expends substantial enforcement effort during the 69 day bobcat trapping season. Twelve officers including a supervising lieutenant put in about 2,000 hours in the field over the season. Along with vehicle mileage, the current costs incurred by the Department in the enforcement and administration of bobcat trapping regulations are approximately \$154,000 annually.

### **Wildlife Program Costs**

In addition to enforcement, environmental scientists and scientific aides in the Department’s Wildlife Branch and regional offices currently expend about 160 hours annually compiling bobcat harvest data for the annual Bobcat Harvest Report. Total Department costs for this effort are estimated at \$6,700.

## **Option 1 Costs**

### **Regulation Development and Startup Costs**

Initial costs associated with both options include Department and Commission

costs associated with the development of the rulemaking. Total rulemaking costs, including overhead, are estimated at approximately \$31,300. Although both options are considered in the current rulemaking, much of this effort has been directed at Option 1. We therefore allocated 75% of the total rulemaking cost, or \$23,500, to development of Option 1 and \$7,800 to Option 2.

The Automated Data License System (ALDS) will incur an item-specific startup cost of approximately \$715 to develop and test the proposed bobcat trapping validation item. The ALDS startup cost and non-recurring regulation development and review costs are amortized over a five-year period in the proposed cost recovery fee schedule.

#### Enforcement Costs

The proposed bobcat trapping closures under Option 1 are projected to increase annual enforcement costs by about 10% to approximately \$169,000. This increase is anticipated to result from the increased effort to enforce the new closure areas. Additional investigative time is also likely to be necessary to detect and deter unlawful trapping activity within closure areas supporting high bobcat populations.

#### Wildlife Program Costs

Bobcat Harvest Reports will continue to be prepared under both options. Under Option 1, the Department will continue to incur the same level of costs as under the existing program, or approximately \$6,700 per year. Both options also include development of a Bobcat Management Plan. Under Option 1, the Department envisions developing a more detailed plan requiring approximately three months of staff time at a total cost of approximately \$31,600.

### **Option 2 Costs**

#### Regulation Development and Startup Costs

Initial costs associated with both options include Department and Commission costs associated with the development of the rulemaking. Because the regulatory effort under Option 2 is less complicated than under Option 1, rulemaking costs were estimated at 25% of the total initial rulemaking cost, or \$7,800 for Option 2. Since Option 2 proposes a complete ban on bobcat trapping, no further startup costs are expected.

#### Enforcement Costs

Enforcement costs under a complete trapping ban were estimated based on the anticipated shift from routine patrol activities to a focus on detailed investigative

work necessary to detect and deter unlawful bobcat trapping activity. Wildlife enforcement costs under this scenario were derived using data from past investigations targeting unlawful trappers. A typical recent case involved over 800 hours of officer personnel time over a period of 4.7 months and almost 12,000 vehicle miles. The total cost for this single case was approximately \$63,100. If wildlife officers pursue an average of 3 cases per year under Option 2, then total enforcement costs would be approximately \$189,000.

#### Wildlife Program Costs

Bobcat Harvest Reporting would continue under Option 2, although at a reduced level. Without trapping, the annual report would focus on take of bobcats under a hunting license and bobcat hunting tags as well as bobcats taken under the authority of a depredation permit issued by the Department. The Department's cost of preparing the annual report is estimated at 50% of the current effort, or approximately \$3,300. A Bobcat Management Plan is proposed under Option 2, but at a similarly reduced level; without trapping, the plan would focus on general habitat conditions and monitoring the level of human-caused mortality through hunting and depredation take. The Department's costs for preparing the Bobcat Management Plan under Option 2 are estimated at 50% of the effort under Option 1, or approximately \$16,700.

Table 1. Bobcat Protection Act Implementation Costs by Option

Start up Costs							
Cost Description	Hours (Option 1)	Hours (Option 2)	Rate <sup>1</sup>	Existing Baseline Costs	Total Costs (Option 1)	Total Costs (Option 2)	
<b>CDFW Startup Costs</b>							
Regulation Development & Review				\$ -	\$ 17,400	\$ 5,800	
Validation Item ALDS Development	12	0	\$ 59.58	\$ -	\$ 715	\$ -	
<b>Startup Subtotal</b>				\$ -	\$ 18,115	\$ 5,800	
<b>Overhead</b>			35%	\$ -	\$ 6,340	\$ 2,030	
<b>Total Startup Costs</b>				\$ -	\$ 24,455	\$ 7,830	
<b>Amortized over 5 years:</b>				\$ -	\$ 4,891	\$ 1,566	
Ongoing Costs							
Cost Description	Baseline Hours	Hours (Option 1)	Hours (Option 2)	Rate	Existing Baseline Costs	Total Costs (Option 1)	Total Costs (Option 2)
<b>Law Enforcement Costs</b>							
<b>Routine Patrol</b>							
Officer	1,400	1,540		\$ 49.21	\$ 68,894	\$ 75,783	\$ -
Lieutenant	200	220		\$ 56.38	\$ 11,276	\$ 12,404	\$ -
Vehicle costs (Mileage)	18,750	20,625		\$ 0.565	\$ 10,594	\$ 11,653	\$ -
<b>Case Investigation</b>							
Officer Investigation	400	440	2,445	\$ 49.21	\$ 19,684	\$ 21,652	\$ 120,318
Vehicle costs (Mileage)	6,250	6,875	35,331	\$ 0.565	\$ 3,531	\$ 3,884	\$ 19,962
<b>Enforcement Subtotal</b>					\$ 113,979	\$ 125,377	\$ 140,280
<b>Overhead</b>				35%	\$ 39,893	\$ 43,882	\$ 49,098
<b>Total Enforcement Costs</b>					\$ 153,872	\$ 169,259	\$ 189,379
<b>Wildlife Program Costs</b>							
<b>Harvest Report</b>							
Harvest Report: Data Entry Staff - Scientific Aid	80	80	40	\$ 13.90	\$ 1,112	\$ 1,112	\$ 556
Harvest Report: Data Analysis - Environmental Scientist C	80	80	40	\$ 48.08	\$ 3,846	\$ 3,846	\$ 1,923
<b>Management Plan</b>							
Management Plan: Data Analysis - Environmental Scientist C		400	200	\$ 48.08	\$ -	\$ 19,232	\$ 9,616
Management Plan: GIS - Research Program Specialist II		60	40	\$ 55.24	\$ -	\$ 3,315	\$ 2,210
Management Plan: Scientific Aid		60	40	\$ 13.90	\$ -	\$ 834	\$ 556
<b>Wildlife Program Subtotal</b>					\$ 4,958	\$ 28,338	\$ 14,860
<b>Overhead</b>				35%	\$ 1,735	\$ 9,918	\$ 5,201
<b>Total Wildlife Program Costs</b>					\$ 6,693	\$ 38,256	\$ 20,062
<b>Ongoing Costs Total</b>					\$ 160,565	\$ 207,515	\$ 209,440
<b>Amortized Startup Costs (from Above)</b>					\$ -	\$ 4,891	\$ 1,566
<b>Regulatory Option Annual Costs</b>					\$ 160,565	\$ 212,406	\$ 211,006

1 Rates include wages and benefits together and overhead separately  
 Sources: California Department of Human Resources, California Department of Fish and Wildlife Accounting Branch, Law Enforcement Division, Wildlife Branch, Regulations Unit Analysis.

### Proposed Future Work

The implementation costs presented in detail in Table 1 do not include the costs that the Department would incur in developing and implementing an additional bobcat population study as proposed in the Governor’s signing message. Extensive field research on bobcat population dynamics would likely only be possible with additional outside funding from the legislature and/or other sources.

## Proposed Fee Schedule for Cost Recovery

As shown in Table 1, the Department's implementation costs under Option 1 are approximately \$212,000 per year. The Department proposes to recover these costs by apportioning fees between the sales of a new bobcat trapping validation and shipping tags required for bobcat pelts. The Department considered a range of fee combinations for the bobcat trapping validation and the shipping tags based on the assumption that the number of commercial bobcat trapping licenses and tags sold will decline by approximately 20% from the 5-year average of 200 trappers and 1,070 tags sold.

Table 2: Range of potential fee combinations for cost recovery under proposed Option 1 based on projected annual sales of 160 Trapping Validations and 860 Shipping Tags.

Recovery Ratio Tags / Validations		CITES Tag	Bobcat Validation
0%	100%	\$0	\$1,325
1%	99%	\$3	\$1,309
2%	98%	\$5	\$1,298
4%	96%	\$10	\$1,271
6%	94%	\$15	\$1,244
8%	92%	\$20	\$1,218
10%	90%	\$25	\$1,191
12%	88%	\$30	\$1,164
14%	86%	\$35	\$1,137
16%	84%	\$40	\$1,110
18%	82%	\$45	\$1,083
22%	78%	\$55	\$1,029
26%	74%	\$65	\$976
30%	70%	\$75	\$922
34%	66%	\$85	\$868
39%	61%	\$95	\$814
43%	57%	\$105	\$761
47%	53%	\$115	\$707
51%	49%	\$125	\$653
55%	45%	\$135	\$599
59%	41%	\$145	\$546
63%	37%	\$155	\$492
67%	33%	\$165	\$438
71%	29%	\$175	\$384
75%	25%	\$185	\$331
79%	21%	\$195	\$277
83%	17%	\$205	\$223
87%	13%	\$215	\$169
91%	9%	\$225	\$116
95%	5%	\$235	\$62
100%	0%	\$245	\$0

All fees are subject to annual price indexing in accordance with Section 713, FGC.

The Department's recommended range of allocation options is highlighted in Table 2. The bobcat validation fee is proposed as an additional authorization for any licensed trapper intending to take bobcats, whether for personal use or pelt sales. This charge is proposed to be in addition to the basic resident trapping license fee of \$115. The shipping tag fee is charged for each pelt taken under a trapping license with a bobcat validation, and thus will be a variable cost depending on the number of pelts shipped by each trapper.

The proposed price change on the shipping tag is anticipated to be perceived as more directly cutting into an individual trapper's profit per pelt. The validation is in a sense a "sunk cost" and will effectively diminish as a per unit operating cost with each additional pelt taken. How many bobcats a trapper will take is an unknown at the beginning of the season, so how much the validation expense cuts into a trapper's profit per pelt is also an unknown. Since the tag price is a more readily apparent per pelt levy on a trapper's net income, it is anticipated that higher shipping tag fees may incentivize unlawful behavior to evade the additional charges. For comparison, the price for a shipping tag is \$5 in Nevada and \$3 in Arizona. Some trappers may be willing to take the risk of transferring their pelts to states with lower shipping tag fees. While this violates several laws, fee setting should be mindful of any possible unintended consequences.

Given the potential for unlawful out-of-state pelt transfers, the maximum tag fee is proposed to be around \$35 per pelt. Assuming 160 bobcat validations sold and 860 shipping tags sold, the constraints of price allocation between the two items supports shipping tag fees set at \$35, and the bobcat validation fee set at \$1,137. Conceivably the combinations of shipping tags and bobcat validation fees to either side of the \$35/\$1,137 combination might also be feasible without disrupting trapping activity to the point that declining participation would impact the Department's ability to recover program costs. These other combinations are a \$30 shipping tag fee with a bobcat validation at \$1,164 or a \$40 shipping tag fee with the bobcat validation at \$1,110.

Bobcat pelts prices vary depending on market demand, supply of pelts, and pelt quality. Reported prices for quality pelts have reached highs of \$1200. Bobcat pelts sold at the 2015 fur auction in Fallon, Nevada, had an average price of \$330 ([http://www.nvtrappers.org/Fur%20Sale%20Reports/fallon\\_2015.htm](http://www.nvtrappers.org/Fur%20Sale%20Reports/fallon_2015.htm)). At the \$35 rate, the proposed shipping tag fee would represent about 10% of the average pelt price.

Under the proposed fee structure of \$35 per shipping tag and \$1,137 per validation, the compliance cost to an individual bobcat trapper with the median take of 10 bobcat pelts would be:

General trapping license	\$115
Bobcat trapping validation	\$1,137

Pelt shipping tag (\$35 each x10)	\$350
Total Compliance Cost (10 pelts)	\$1,602

The market price for bobcat pelts would affect the reasonableness of these costs for each trapper. With the assumption of 10 pelts per season, the trapper cost per pelt would be approximately \$160. The three percent ALDS fee, individual trapper travel and equipment costs are not included in this illustration as this regulatory action does not affect those costs directly.

The response of trappers to new fees will impact the probable revenue collected to recover the costs of this regulatory action. The Option 1 partial closure will have increased costs over current Department costs but the proposed new fees are intended to fully recoup those new costs. Under a complete prohibition, Department costs are projected to be somewhat higher than those incurred currently, with no commercial bobcat trapping fee revenue to offset costs.

(a) Effects of the regulation on the creation or elimination of jobs within the State

Option 1 - The cumulative effects of the changes statewide are estimated to be neutral to the creation or elimination of jobs in California. Although some decrease in trapping effort may result from the increase in fees, no effects on the creation or elimination of jobs are expected because of the relatively small number of bobcat trappers affected.

Option 2 - The cumulative effects of the changes statewide are estimated to be neutral to the creation or elimination of jobs in California. A statewide ban on bobcat trapping will only affect those licensed trappers seeking bobcat and then only to the extent that this seasonal part of their business is eliminated.

(b) Effects of the regulation on the creation of new businesses or the elimination of existing businesses within the State

Option 1 - The cumulative effects of the changes statewide are estimated to be neutral to the creation or elimination of businesses in California. Although some decrease in trapping effort may result from limiting the areas of the state where bobcat trapping is permitted and the increase in fees, no effects on the creation or elimination of jobs are expected because the regulatory action will affect a limited season (2.5 months) for a relatively small number of bobcat trappers.

Option 2 - The cumulative effects of the changes statewide are estimated to be neutral to the creation or elimination of businesses in California. A statewide ban on bobcat trapping will only affect the small number of licensed trappers seeking bobcat and then only to the extent that this seasonal part of their business is eliminated.

(c) Effects of the regulation on the expansion of businesses currently doing business

within the State

Option 1 - The cumulative effects of the changes statewide are estimated to be neutral to the expansion of businesses in California. The regulation may have a limiting effect on trappers and is unlikely to expand business.

Option 2 - The cumulative effects of the changes statewide are estimated to be neutral to the expansion of businesses in California. A statewide ban on bobcat trapping may have a limiting effect on trappers and is unlikely to expand business.

(d) Benefits of the regulation to the health and welfare of California residents

The proposed regulations are anticipated to potentially increase the welfare of California residents through the enhancement of non-consumptive use benefits. Non-consumptive uses that could increase include: the sighting of bobcats in the wild and the perceived value of the bobcat population's contribution to ecosystem functioning.

(e) Benefits of the regulation to worker safety

The proposed regulations are not anticipated to impact worker safety conditions.

(f) Benefits of the regulation to the State's environment

The proposed regulations are in response to the requirements of Section 4155, Fish and Game Code. The statute and regulations will benefit the state's bobcat population by either: Option 1 - extending the protected area where bobcat trapping is already prohibited within national and state parks, national monuments and wildlife refuges; or, Option 2 – a statewide ban on bobcat trapping.

## Informative Digest/Policy Statement Overview

Amend sections 478, 479, and 702, Title 14, California Code of Regulations.

The statutory mandate to promulgate regulations to place restrictions on bobcat trapping is set forth in Fish and Game Code Section 4155, the Bobcat Protection Act of 2013, which states in subsection (b)(1):

“Through the commission’s next regularly scheduled mammal hunting and trapping rulemaking process occurring after January 1, 2014, the commission shall amend its regulations to prohibit the trapping of bobcats adjacent to the boundaries of each national or state park and national monument or wildlife refuge in which bobcat trapping is prohibited.”

In addition, Fish and Game Code Section 4155(e) directs the Commission to set trapping license fees and associated fees at the levels necessary to fully recover all reasonable administrative and implementation costs of the department and the commission associated with the trapping of bobcats in the state, including, but not limited to, enforcement costs. A range of potential fees is presented with the recommended fee combination of \$35 per shipping tag and \$1,137 for the proposed Bobcat Trapping Validation. The proposed regulatory changes will not affect the take of bobcats with a hunting license and bobcat hunting tags under subsection 478.1, or under a depredation permit issued pursuant to Section 401.

### PROPOSED REGULATORY CHANGES

Option 1: Partial closure of the state to bobcat trapping and establishing property-specific closure boundaries around protected areas.

- Amend Section 478, Bobcat, by adding descriptions of a statewide “Bobcat Trapping Closure Area” and 18 “Property-Specific Closure Areas” surrounding 23 protected areas and incorporate editorial changes and re-numbering of the text for clarity.
- Amend Section 702, Fees, by adding a new subsection (d)(1) to require (in addition to the trapping license fee set forth in the Fish and Game Code) the payment of a Bobcat Trapping Validation Fee set at \$[ 0 – 1,325 ] and subject to annual adjustment.
- Amend Section 479, Bobcat Pelts, by moving the current bobcat pelt shipping tag fee from subsection (c)(5); and Amend Section 702, Fees, adding a new subsection (d)(2), Shipping Tags, and increasing the fee from \$3 to \$[ 0 - 245 ] and subject to annual adjustments. Additionally, there are editorial changes and re-numbering of the text for clarity.
- Amend Section 479 by deleting the ‘no cost’ provision and ‘department mark’ on pelts not for sale in subsection (a)(1), each pelt will be required to have a Department issued shipping tag; and, by eliminating the listed Method of Take in subsection (c)(4).

Option 2: Total prohibition on bobcat trapping in California.

- Amend Section 478 by prohibiting bobcat trapping throughout California.
- Amend Section 479 eliminating pelt tags, fees, and department marks for bobcats taken by trapping.

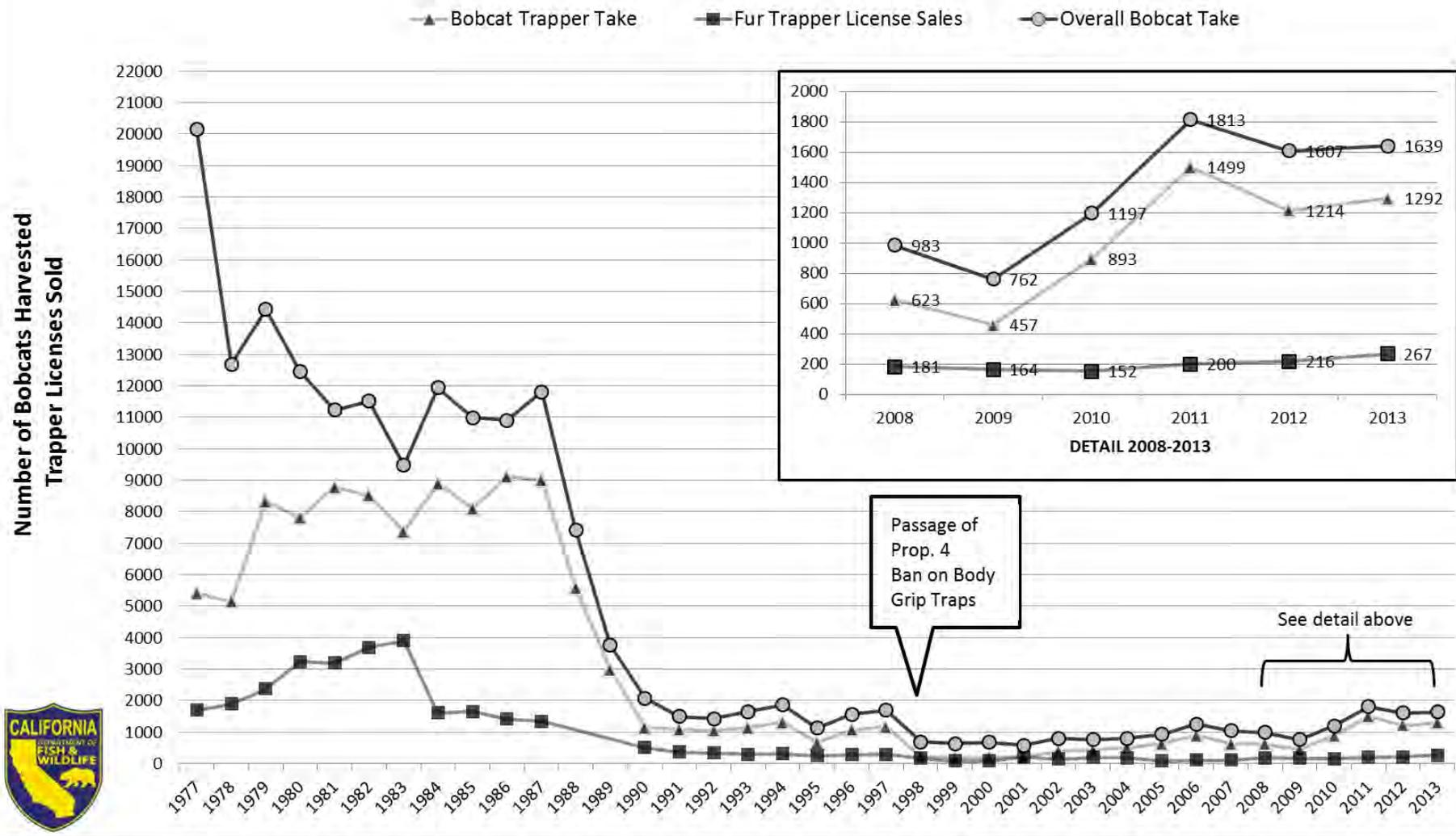
#### BENEFITS OF THE PROPOSED ACTION:

The benefits of the proposed regulations to the environment, whether of a partial trapping ban as described in Option 1, or a full ban as described in Option 2, will be through the improved protection of bobcat populations and the enhancement of non-consumptive use benefits. Non-consumptive uses anticipated to potentially increase include: the observation of bobcats in the wild and the perceived value of the bobcat population's contribution to ecosystem functioning.

#### EVALUATION OF INCOMPATIBILITY WITH EXISTING REGULATIONS:

Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate the commercial trapping of bobcat. No other State agency has the authority to promulgate such regulations. The Commission has searched the CCR for any regulations regarding bobcat trapping and has found no such regulation; therefore the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing State regulations.

## Bobcat Trapper Harvest and Participation in Relation to Overall Bobcat Take in California 1977-2013



**LIST OF PROTECTED PROPERTIES AS REQUIRED IN SECTION 4155, FGC.** (national or state park and national monument or wildlife refuge)

(Properties not identified as Specific are incorporated into the statewide Bobcat Trapping Closure Area 478(d))

Property Specific Closure Areas Section 478	Property Type	PROPERTY NAME	Property Specific Closure Areas Section 478	Property Type	PROPERTY NAME
	State Park	Ano Nuevo SP		State Park	MacKerricher SP
	State Park	Agua Caliente County Park (ABDSP)		State Park	Malakoff Diggins SHP
<b>e(1)</b>	State Park	Ahjumawi Lava Springs SP		State Park	Malibu Creek SP
	State Park	Anderson Marsh SHP		State Park	Manchester SP
	State Park	Andrew Molera SP		State Park	Marconi Conference Center SHP
	State Park	Angel Island SP		Refuge	Marin Islands National Wildlife Refuge
	State Park	Annadel SP		State Park	Marsh Creek State Park (SHP)
	State Park	Antelope Valley Indian Museum (SHP)		State Park	Marshall Gold Discovery SHP
	State Park	Anza-Borrego Desert SP	<b>e(1)</b>	State Park	McArthur-Burney Falls Memorial SP
<b>e(2)</b>	State Park	Arthur B. Ripley Desert Woodland SP		State Park	McLaughlin Eastshore SP
	State Park	Bale Grist Mill SHP		State Park	Mendocino Headlands SP
	State Park	Bidwell Mansion SHP		State Park	Mendocino Woodlands SP
	State Park	Bidwell-Sacramento River SP		Refuge	Merced National Wildlife Refuge
	State Park	Big Basin Redwoods SP	<b>e(12)</b>	Refuge	Modoc National Wildlife Refuge
<b>e(3)</b>	Refuge	Bitter Creek National Wildlife Refuge		State Park	Montana de Oro SP
	Refuge	Blue Ridge National Wildlife Refuge		State Park	Monterey SHP
<b>e(4)</b>	State Park	Bodie SHP		State Park	Morro Bay SP
	State Park	Border Field SP		State Park	Mount Diablo SP
	State Park	Bothe-Napa Valley SP		State Park	Mount San Jacinto SP
	State Park	Burton Creek SP		State Park	Mount Tamalpais SP
	State Park	Butano SP		National Monument	Muir Woods National Monument
	State Park	Calaveras Big Trees SP		State Park	Navarro River Redwoods SP
	State Park	California Citrus SHP		State Park	Old Sacramento SHP
	State Park	California Indian Heritage Center SP		State Park	Old Town San Diego SHP
<b>e(5)</b>	State Park	Castle Crags SP		State Park	Olompali SHP
	Refuge	Castle Rock National Wildlife Refuge		State Park	Pacheco SP
	State Park	Castle Rock SP		State Park	Palomar Mountain SP
	State Park	Caswell Memorial SP		State Park	Patrick's Point SP

**LIST OF PROTECTED PROPERTIES AS REQUIRED IN SECTION 4155, FGC.** (national or state park and national monument or wildlife refuge)

(Properties not identified as Specific are incorporated into the statewide Bobcat Trapping Closure Area 478(d))

Property Specific Closure Areas Section 478	Property Type	PROPERTY NAME	Property Specific Closure Areas Section 478	Property Type	PROPERTY NAME
	State Park	China Camp SP		State Park	Petaluma Adobe SHP
	State Park	Chino Hills SP		State Park	Pfeiffer Big Sur SP
<b>e(6)</b>	State Park	Chumash Painted Cave SHP		State Park	Pigeon Point Light Station SHP
<b>e(7)</b>	Refuge	Cibola National Wildlife Refuge		National Park	Pinnacles National Park
<b>e(11)</b>	Refuge	Clear Lake National Wildlife Refuge		Refuge	Pixley National Wildlife Refuge
	State Park	Clear Lake SP		State Park	Placerita Canyon SP
	Refuge	Coachella Valley National Wildlife Refuge		State Park	Plumas-Eureka SP
	State Park	Colonel Allensworth SHP		State Park	Point Cabrillo Light Station SHP
	State Park	Columbia SHP		State Park	Point Mugu SP
	State Park	Crystal Cove SP		State Park	Point Sur SHP
	State Park	Cuyamaca Rancho SP		State Park	Portola Redwoods SP
	State Park	D.L. Bliss SP		State Park	Prairie Creek Redwoods SP
<b>e(8)</b>	National Park	Death Valley National Park		State Park	Pio Pico SHP
	State Park	Del Norte Coast Redwoods SP		State Park	Railtown 1897 SHP
	Refuge	Delevan National Wildlife Refuge	<b>e(13)</b>	State Park	Red Rock Canyon SP
	National Monument	Devils Postpile National Monument		National Park	Redwood National Park
	Refuge	Don Edwards San Francisco Bay NWR		State Park	Richardson Grove SP
	State Park	Donner Memorial SP		State Park	Robert Louis Stevenson SP
	State Park	Ed Z'berg Sugar Pine Point SP		State Park	Russian Gulch SP
	State Park	El Presidio de Santa Barbara SHP		Refuge	Sacramento National Wildlife Refuge
	Refuge	Ellicott Slough National Wildlife Refuge		Refuge	Sacramento River National Wildlife Refuge
	State Park	Emerald Bay SP	<b>e(14)</b>	State Park	Saddleback Butte SP
	State Park	Empire Mine SHP		Refuge	Salinas River National Wildlife Refuge
	State Park	Esterero Bluffs SP		State Park	Salt Point SP
	Refuge	Fallon National Wildlife Refuge		State Park	Samuel P. Taylor SP
	State Park	Folsom Powerhouse SHP		State Park	San Bruno Mountain SP
	State Park	Fort Humboldt SHP		Refuge	San Diego Bay National Wildlife Refuge
	State Park	Fort Ord Dunes SP		Refuge	San Diego National Wildlife Refuge

**LIST OF PROTECTED PROPERTIES AS REQUIRED IN SECTION 4155, FGC.** (national or state park and national monument or wildlife refuge)

(Properties not identified as Specific are incorporated into the statewide Bobcat Trapping Closure Area 478(d))

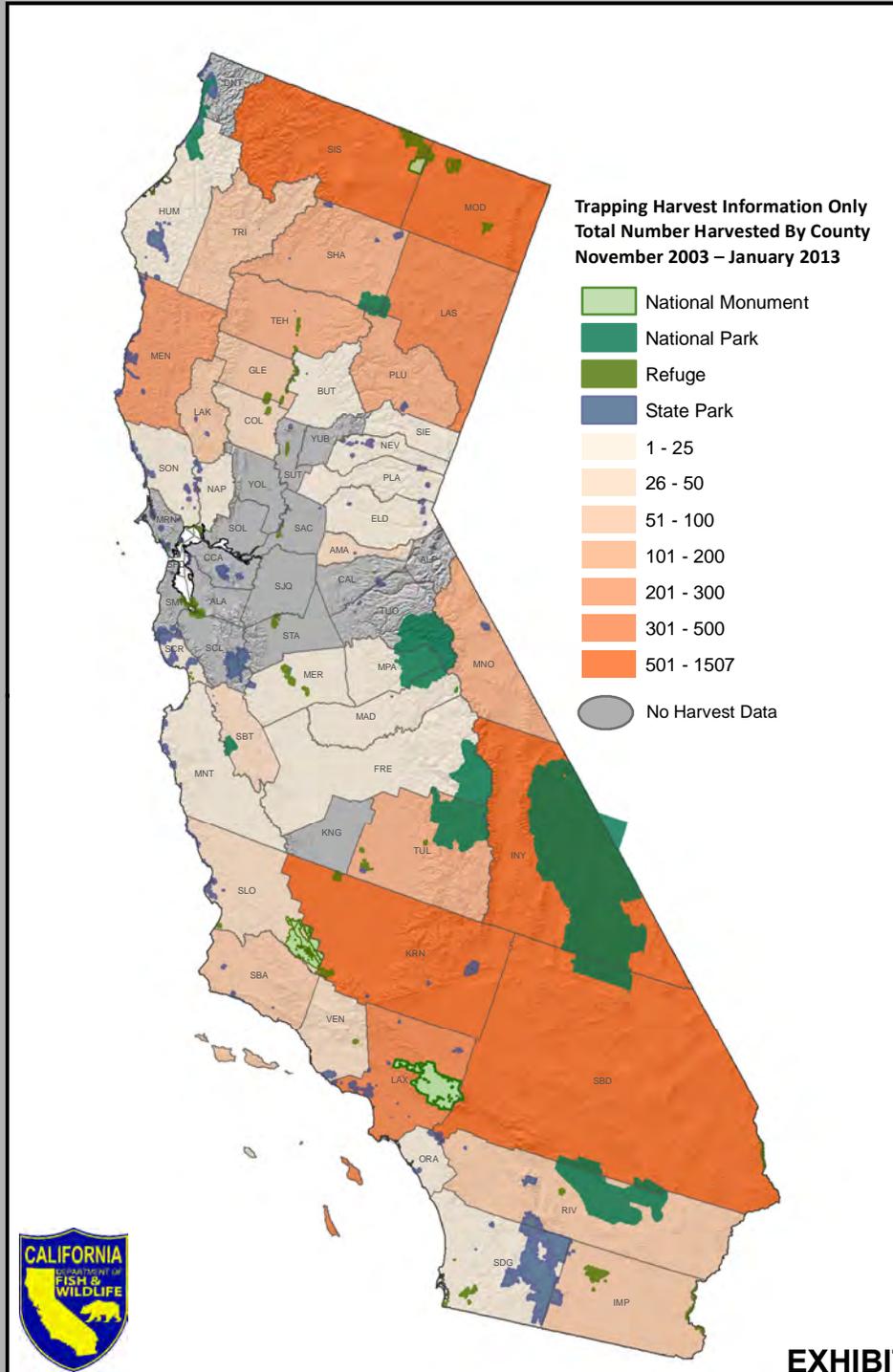
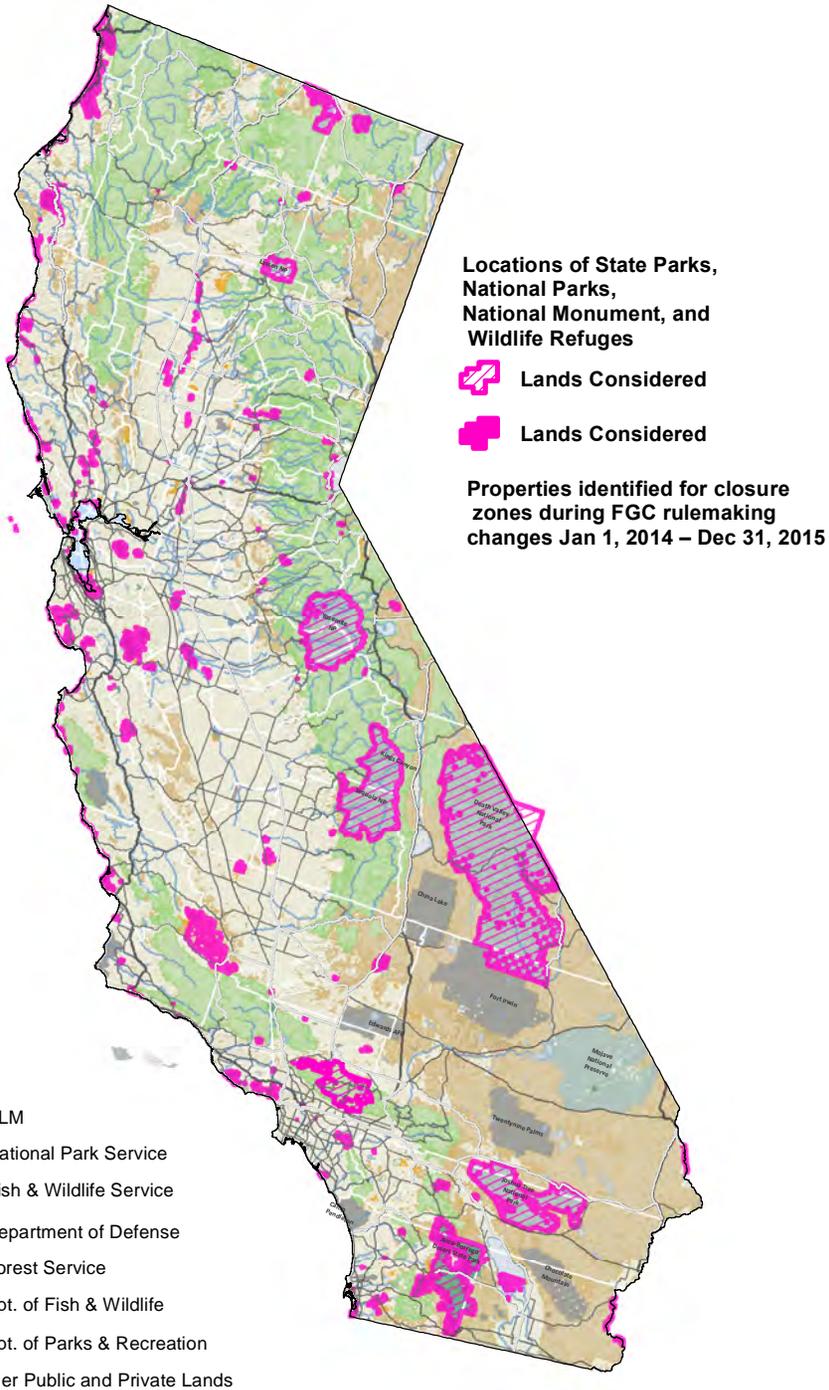
Property Specific Closure Areas Section 478	Property Type	PROPERTY NAME	Property Specific Closure Areas Section 478	Property Type	PROPERTY NAME
	State Park	Fort Ross SHP		National Monument	San Gabriel Mountains National Monument
	State Park	Fort Tejon SHP		Refuge	San Joaquin River National Wildlife Refuge
	State Park	Fremont Peak SP		State Park	San Juan Bautista SHP
	State Park	Garrapata SP		Refuge	San Luis National Wildlife Refuge
	State Park	Gaviota SP		Refuge	San Pablo National Wildlife Refuge
	State Park	Governor's Mansion SHP		State Park	San Pasqual Battlefield SHP
	State Park	Great Valley Grasslands SP		State Park	Santa Susana Pass SHP
	State Park	Grizzly Creek Redwoods SP	<b>e(15)</b>	State Park	Shasta SHP
	State Park	Grover Hot Springs SP		State Park	Sinkyone Wilderness SP
	Refuge	Guadalupe-Nipomo Dunes NWR		Refuge	Sonny Bono Salton Sea NWR
	State Park	Harmony Headlands SP		State Park	Sonoma Coast SP
<b>e(9)</b>	Refuge	Havasu National Wildlife Refuge		State Park	Sonoma SHP
	State Park	Hearst San Simeon SP		State Park	South Yuba River SP
	State Park	Hendy Woods SP		State Park	State Indian Museum (SHP)
	State Park	Henry Cowell Redwoods SP		Refuge	Stone Lakes National Wildlife Refuge
	State Park	Henry W. Coe SP		State Park	Sugarloaf Ridge SP
	Refuge	Hopper Mountain National Wildlife Refuge		State Park	Sutter Buttes SP
	State Park	Humboldt Lagoons SP		Refuge	Sutter National Wildlife Refuge
	State Park	Humboldt Redwoods SP		State Park	Sutter's Fort SHP
	Refuge	Humboldt Bay National Wildlife Refuge		State Park	The Forest of Nisene Marks SP
<b>e(7)</b>	Refuge	Imperial National Wildlife Refuge		Refuge	Tijuana Estuary NP
	State Park	Indian Grinding Rock SHP		Refuge	Tijuana Slough National Wildlife Refuge
	State Park	Jack London SHP		State Park	Tolowa Dunes SP
	State Park	Jedediah Smith Redwoods SP		State Park	Tomales Bay SP
	National Park	Joshua Tree National Park	<b>e(16)</b>	State Park	Tomo-Kahni SHP
	State Park	Julia Pfeiffer Burns SP		State Park	Topanga SP
	Refuge	Kern National Wildlife Refuge	<b>e(11)</b>	Refuge	Tule Lake National Wildlife Refuge
	National Park	Kings Canyon National Park		State Park	Van Damme SP
	State Park	La Purisima Mission SHP		State Park	Washoe Meadows SP

**LIST OF PROTECTED PROPERTIES AS REQUIRED IN SECTION 4155, FGC.** (national or state park and national monument or wildlife refuge)

(Properties not identified as Specific are incorporated into the statewide Bobcat Trapping Closure Area 478(d))

Property Specific Closure Areas Section 478	Property Type	PROPERTY NAME	Property Specific Closure Areas Section 478	Property Type	PROPERTY NAME
e(10)	National Park	Lassen Volcanic National Park		State Park	Wassama Round House SHP
e(11)	National Monument	Lava Beds National Monument		State Park	Watts Towers of Simon Rodia SHP
	State Park	Leland Stanford Mansion SHP	e(17)	State Park	Weaverville Joss House SHP
	State Park	Leo Carrillo SP		State Park	Wilder Ranch SP
	State Park	Limekiln SP		State Park	Will Rogers SHP
	State Park	Los Angeles SHP	e(18)	State Park	William B. Ide Adobe SHP
	State Park	Los Encinos SHP		State Park	Woodland Opera House SHP
e(11)	Refuge	Lower Klamath National Wildlife Refuge		National Park	Yosemite National Park

# Lands Requiring Closure under the Bobcat Protection Act (FGC 4155)

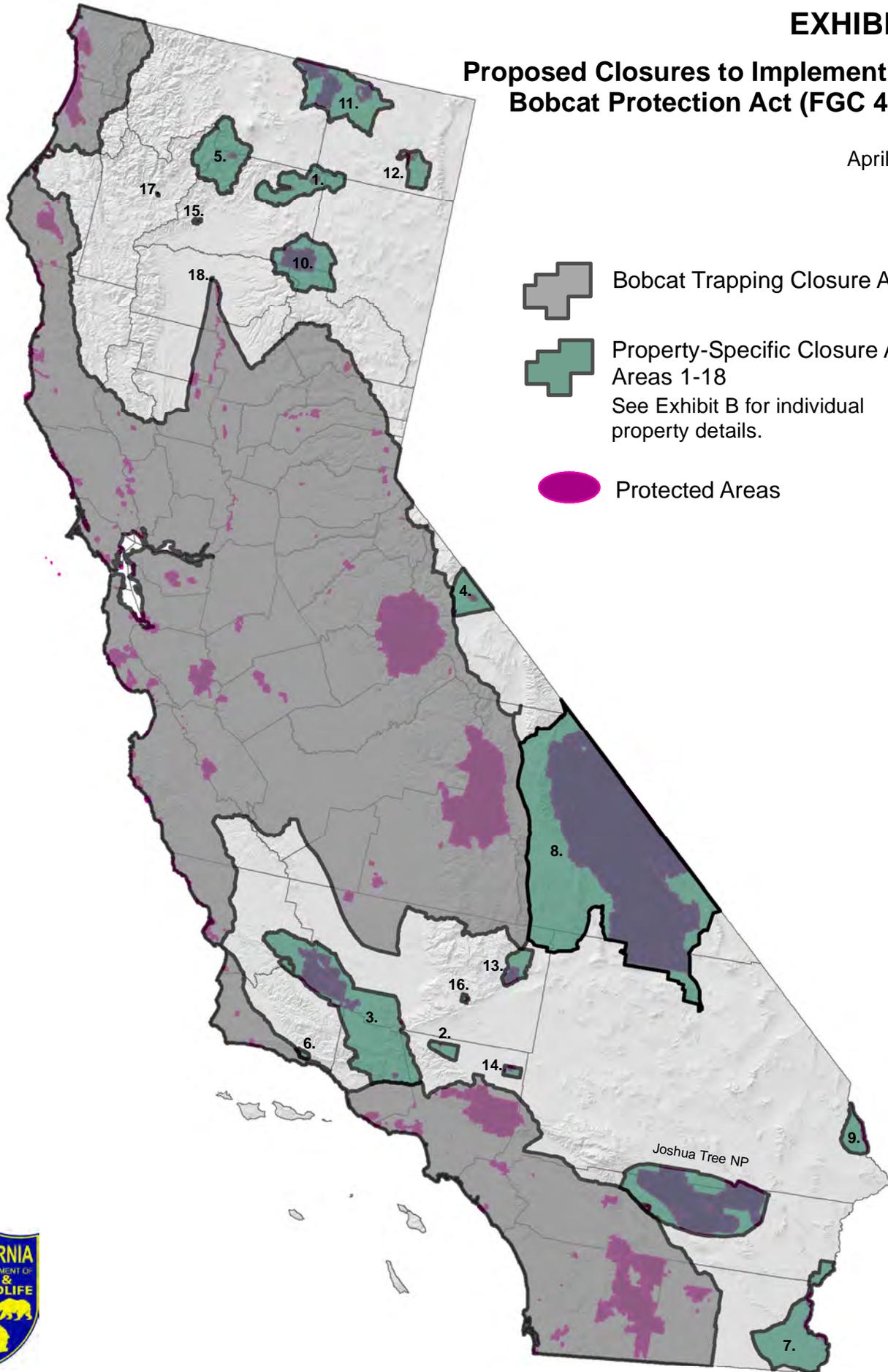


**EXHIBIT C**

# EXHIBIT D

## Proposed Closures to Implement the Bobcat Protection Act (FGC 4155)

April 2015



Bobcat Trapping Closure Area



Property-Specific Closure Area  
Areas 1-18

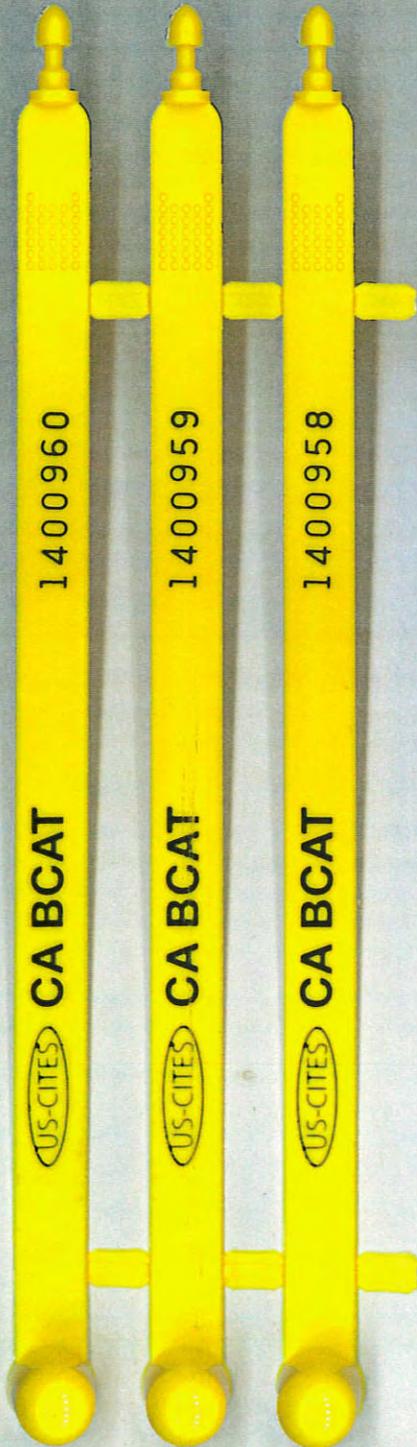
See Exhibit B for individual  
property details.



Protected Areas



EXHIBIT E  
PELT SHIPPING TAGS





Larry Johnston ~ District One   Fred Stump ~ District Two   Tim Alpers ~ District Three  
Tim Fesko ~ District Four   Stacy Corless ~ District Five

**BOARD OF SUPERVISORS  
COUNTY OF MONO**

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517  
(760) 932-5530 • FAX (760) 932-5531

April 7, 2015

Mr. Charlton Bonham, Director (email: [director@wildlife.ca.gov](mailto:director@wildlife.ca.gov))  
California Department of Fish and Wildlife  
1416 9<sup>th</sup> Street, 12<sup>th</sup> Floor  
Sacramento, CA 95814

Mr. Sonke Mastrup, Executive Director (email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov))  
California Fish and Game Commission  
1416 9<sup>th</sup> Street, Suite 1320  
Sacramento, CA 95814

RECEIVED AT

APR 09 2015

COMMISSION MEETING  
AGENDA ITEM 29

*Did not attend  
Written comment delivered*

**Re: Actions of the Fish and Game Commission, December 2014 meeting relative to implementation of AB 1213 (Chapter 748, Statutes of 2013)**

Dear Mr. Bonham and Mr. Mastrup:

The Mono County Board of Supervisors wished to provide the following for consideration prior to the adoption regulations for the implementation of AB 1213. Mono County is a community with a deep appreciation for natural resources and seeks to ensure that state legislation and regulations which seek to protect those resources reflect our County's ongoing commitment to preserving them for future generations.

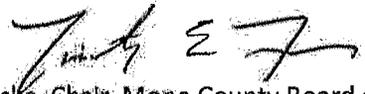
At the Fish and Game Commission Meeting scheduled for April 8<sup>th</sup> and 9<sup>th</sup> in Sonoma County, it is our understanding the Commission will continue its deliberation on the implementation of AB 1213 from 2013, the Bobcat Protection Act of 2013. The Board is requesting the Commission consider the following prior to the development of final Rulemaking for ab 1213:

- 1) The State consider including all of Mono County in the temporary ban of trapping of Bobcats until the State completes its population survey of the Bobcats. Continue depredation of this species without this data would seem to endanger its longevity. Our Board requires additional data to help better inform future trapping efforts.

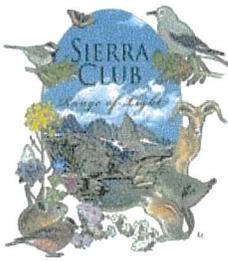
If the Commission or State Department of Fish and Wildlife cannot proceed with Option 1) above then the Board is requesting that:

- 2) The Commission consider establishing in Mono County buffer zones for protection of the Bobcats around any and all State parks, National Parks, Mono County scenic resources and specifically within the Mono Basin National Forest Scenic Area until the population study is completed.

As we understand that the Commission's June 2015 meeting will be held in Mono County, we expect there to be ample and additional public comment on this matter. We offer our County's collaboration in working with State agencies on this issue so that both the natural resources of Mono County are preserved while the issue of trapping is thoroughly reviewed by regulatory agencies. Thank you for your consideration.

Sincerely,   
Timothy E Fesko, Chair, Mono County Board of Supervisors

Cc: Governor Edmund G Brown, Jr



*Range of Light Group*  
*Toiyabe Chapter, Sierra Club*  
*Counties of Inyo and Mono, California*  
*P.O. Box 1973, Mammoth Lakes, CA, 93546*  
*Rangeoflight.sc@gmail.com*

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FISH AND GAME  
COMMISSION



2015 APR -9 AM 10:45

April 2, 2015

Mr. Sonke Mastrup  
Executive Director  
California Fish and Game Commission  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(Copy to: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov))

Subject: April 9, 2015 meeting, agenda item # 29: Bobcat trapping regulations

Dear Mr. Mastrup:

The Range of Light Group (ROLG) of Sierra Club (Toiyabe Chapter) provides these comments on possible changes to bobcat trapping regulations: agenda item # 29, scheduled for discussion at the Commission's meeting on April 9 (day 2 of the 2 day meeting).

The Range of Light Group has approximately 400 members, most of whom live in Mono and Inyo Counties. ROLG represents the Sierra Club in Inyo and Mono Counties focusing on the areas of outings, education, and protecting the environment including its flora and fauna. These activities include participation as a group and as individuals in various conservation/restoration projects.

The Mono Basin is within the geographical area of our group. Many of our members recreate in the Mono Basin area. Some are volunteers for conservation and education activities conducted in the Basin. A number of our members also belong to the Mono Lake Committee. Our group is concerned to protect the ecological integrity of the Mono Basin as well as its attractiveness to local users and visitors. Mono Lake and the adjacent area is a significant contributor to the economic health of Mono County.

We understand that the Mono Lake Committee has submitted comments supporting designation of the Mono Basin watershed as a regional "no trapping" zone, as allowed for implementation in 2016 under AB 1213. We are aware that a statewide ban on bobcat trapping has been proposed and discussed and realize that should such a ban be adopted then a separate "no trapping" designation for the Mono Basin watershed would not be necessary.

We appreciate that one of the concerns of the Fish and Game Commission (FGC) in establishing "no trapping" zones relates to the zone having recognizable and enforceable boundaries. ROLG feels that boundary designation is more of a problem in the case of hunting than it is for trapping. Most bobcat trapping is done by a small number of commercial trappers. In the age of readily available, inexpensive GPS devices, including GPS apps on smart phones, it is reasonable to expect that these commercial trappers be responsible for respecting the boundaries of "no-trapping" zones so long as the boundaries are readily available. Of course, where possible, we recommend clearly observable boundaries such as roads and already demarcated boundaries of wilderness areas. We urge the Commission to work with the Mono Lake Committee (as well as with the various other state and federal agencies) to ascertain and establish the best boundaries for a "no-trapping" zone in the Mono Basin Watershed.

Although bobcat trapping numbers in Mono County vary from year to year, and area to area within the county, there has over time been a significant increase in the number of bobcats trapped and killed. As long as the foreign demand for bobcat pelts remains high, it is likely that the increased number of bobcats trapped will remain constant or very possibly increase further (unless over-trapping eventually leads to a decline in numbers trapped). Wildlife biologists are increasingly aware of the many negative impacts to the ecological integrity of an area that result from significant reduction in the natural number of a predator species (such as the bobcat). A "no-trapping" zone designation for the Mono Basin watershed will help enhance the health and naturalness of the area which accounts for its attractiveness to local as well as non-local visitors (including many foreign visitors) who are attracted by the basin's wild nature and ecological integrity. A "no-trapping" designation will also enable the area to serve as a safe reservoir from which replenishment (recruitment) can occur should bobcat populations outside the "no-trapping" area decline to undesirable levels.

One of the problems regarding the sustainability of the bobcats in our area (and statewide) is the lack of reliable recent data, and data over time, regarding bobcat numbers. We are informed that the Bishop Bureau of Land Management (BLM) region has recently begun a ten year project to obtain reliable information about the number of bobcats in our area. From this data hopefully conclusions can be made regarding the actual existing numbers, the optimal and minimum desirable populations from an ecological perspective, and the natural range of variability of the population from year to year and region to region. We commend the BLM for this study and hope the state will follow through on the governor's desire expressed when signing AB1213 that bobcat survey(s) be undertaken. At the same time and given the significant increase in the number of trapped bobcats annually, we do not think it prudent to wait for ten years for the conclusion of the BLM study in order to determine appropriate measures such as the establishment of a "no-trapping" zone in the Mono Basin watershed. Ultimately, it may also be desirable to establish "limits" on the number of bobcats that can be trapped by an individual trapper annually, or limits on total "take" annually within specific regions and perhaps revision of the total annual statewide take allowed.

The governor's message upon signing AB1213 also mentioned the need to secure adequate funding to finance study of the bobcat population in the state. As most trapping is done as a commercial enterprise, we feel that license and tag fees should be set at such a level as to provide the needed funding for such study as well as for enforcement of trapping regulations (as provided for in AB1213).

We do not know the extent to which (if at all) bobcats were traditionally hunted or trapped by the several Paiute tribes of Mono and Inyo County. We understand that traditional Paiute usages are upheld within the Mono Basin Scenic Area. We expect that traditional Paiute usages as regards bobcat hunting and trapping be recognized and upheld where applicable in any changes in regulations and "no-trapping" zones while at the same time maintaining optimal populations for the well ecological integrity.

Thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in cursive script that reads "Malcolm Clark". The signature is written in black ink and is positioned above the typed contact information.

Malcolm Clark, conservation chair  
Range of Light Group, Toiyabe Chapter, Sierra Club  
rangeoflight.sc@gmail.com or  
wmalcolm.clark@gmail.com (my email)  
PO Box 1973 (Range of Light mail box)  
PO Box 3328, Mammoth Lakes, CA 93546 (my mail box)  
760-924-5639 (my phone, land line)



# TRINITY COUNTY

Board of Supervisors

P.O. BOX 1613, WEAVERVILLE, CALIFORNIA 96093-1613  
PHONE (530) 623-1217 FAX (530) 623-8365

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COMMISSION

2015 APR 28 PM 5:42

MLS

April 21, 2015

California Fish and Game Commission  
PO Box 944209  
Sacramento, CA 94244-2090

Dear Commissioners:

This letter is in regards to the implementation to AB1213 which refers to the management of bobcat trapping. It has come to our attention that the Department of Fish and Wildlife is recommending a zone concept with a north and a south zone open to bobcat trapping. The intent of the act is to create buffer zones excluding bobcat trapping around state parks, refuges, national parks, monuments, and others areas deemed appropriate; there are 200 plus areas in the state. Considering the enormity of the acts intended task, we think the Departments recommendation of just two zones to be the most practical approach to administer this designation.

It has also been brought to our attention that the commission is considering an alternative statewide ban on bobcat trapping as a management strategy to be implemented under this act. It will remove trapping as a management tool for the Department and eventually the bobcat population will exceed the carrying capacity of its habitat and become a public nuisance as the mountain lion has become. In the interest of our constituency, we cannot be supportive of this alternative.

We realize that your charge as a commission and the Department is very complex considering the diversity of California. Perhaps a logical compromise is a limit on the number of bobcats taken. The Department and its professional staff would establish such a limit.

Thank you for your consideration.

Sincerely,

Judy Morris, Chairman  
Trinity County Board of Supervisors

Cc: The Honorable Mike McGuire, Member of the California State Senate  
The Honorable Jim Wood, Member of the California State Assembly  
Mr. Irl Everest  
Trinity County Fish and Game Advisory Commission

KEITH GROVES  
DISTRICT 1

JUDY MORRIS  
DISTRICT 2

KARL FISHER  
DISTRICT 3

BILL BURTON  
DISTRICT 4

JOHN FENLEY  
DISTRICT 5

April 10, 2015

Mr. Sonke Mastrup Executive Director  
California Fish & Game Commission  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814

RECEIVED  
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FISH AND GAME  
COMMISSION

2015 APR 21 PM 1:00

MIS

**RE: Support for a state wide ban on bobcat trapping in California**

Dear Mr. Mastrup,

I am a concerned citizen and speak on behalf of my California native neighbors, the bobcats. I would VERY MUCH like to see a complete ban on bobcat trapping. I live in a rural area and enjoy many species of wild animals including bobcats. We have a resident bobcat that has lived on our land for the last 4 years. Even though I have cats and small dogs there has never been any problems. The bobcat likes to gopher hunt and lounge in the sun. Bobcats pose very little threat to humans, unless of course you are a hobbyist chicken farmer. In that case, bobcats offer the lesson of how to build a sound chicken coop. They are majestic, small predators that should be respected and protected for future generations. The human community is so terrified of predator animals that many species will slowly disappear. But with the bobcats small size and disinterest in harming humans and large livestock, there is a great responsibility to protect them in the wild.

I see that many of the opponents of this bill are from hunting and trapping groups and their biggest argument is that the Governor, in his signing of AB 1213, called for a bobcat population survey. This is used by the opponents to proclaim that until this is done there is no reason to protect the bobcat and that this isn't "sound science". This thought process is ridiculous! This is the thought process of a young child that wants something. Sound science would be to protect the animal and its numbers in the wild while waiting for the population survey to come in. What if we find out that the population of bobcats is catastrophically low? Should people really be trapping bobcats, with no bag-limit, before we know? I would think that common sense can answer this question.

Another argument by opponents seems to be that bobcats could get so vast in numbers (if not trapped) so as to perhaps, take over California. This doesn't seem to be a problem in nature, other then with regards to humans. Animals have a very keen ability to procreate in stable numbers to their given environment. If you take trapping out of the equation, they still have much stacked against them with loss of habitat to human construction, roadways, pesticides, loss of accessible water, etc.

I have read that there are fewer then 100 commercial trappers harvesting bobcats. This number represents a bleak few to the majority of citizens who find this practice a disgusting disregard to our natural resource management. Wildlife is considered to be a public asset and should not be used for the profit of the few.

It is clear that a state wide ban is simpler and more economical than determining boundaries, methods for determining those boundaries, creating documentation describing boundaries and regulations. There will be constant letters, groups, speakers voicing for new areas of land and parks to be included in the protected group. Also buffer zones around protected areas must be considered with the territory and linkage needs of the protected population in mind.

If this ban is NOT implemented then a major overhaul of trapping laws needs to take place. First and foremost a reasonable bag limit needs to be established. There is a limit on hunting, which is a more difficult task then checking traps, why none on trapping? Trapping fees need to be raised substantially in order to make sure that the profit margin on pelts to China is not sustainable. This would weed out the need to trap in the first place.

These are just a few points to be made on behalf of the bobcats. There are thousands of years of natural history pointing to the fact that bobcats are important residence of California and have a significant role in the ecology that surrounds us. Please, please, please do what is right for the California majority and vote yes on banning bobcat trapping.

Sincerely,

  
Emily Sawyer