



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

C-4

For the meeting of: July 28, 2015

Date: July 22, 2015
To: Board of Supervisors
From: Supervisor Rex Bohn
Subject: A Letter Regarding the Proper Implementation Process of AB1213 Related to the Bobcat Protection Act of 2013.

RECOMMENDATION(S): That the Board of Supervisors authorize the Chair to sign a letter to the Department of Fish and Wildlife Director and the Fish and Game Commission Executive Director stating the need for proper implementation of AB1213.

SOURCE OF FUNDING: N/A

DISCUSSION: Assembly Bill 1213 is the Bobcat Protection Act of 2013. The Humboldt County Fish and Game Advisory Commission has been monitoring this Bill since its creation. At the January 20, 2015 Fish and Game Advisory Commission meeting, members discussed their concerns on how the implementation of this Bill was being handled, and asked the Board to send a letter to the Department of Fish and Wildlife Director and the Fish and Game Commission Executive Director expressing their concerns. The Board of Supervisors took action on January 27, 2015 and voted to send a letter.

As the California Fish and Game Commission will be holding hearings on August 5, 2015 at the River Lodge in Fortuna, related to AB 1213, the Board of Supervisors is again being asked to send a follow-up letter reiterating its position on the implementation process of AB 1213 related to the Bobcat Protection Act of 2013 to ensure appropriate implementation of the Act.

Prepared by Kathy Hayes

Signature [Signature]

REVIEW:

Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

☒ XX Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor _____ Seconded by Supervisor _____

Ayes _____
Nays _____
Abstain _____
Absent _____

SEE ACTION SUMMARY

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: _____

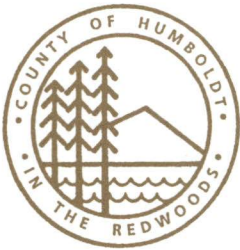
By: _____
Kathy Hayes, Clerk of the Board

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: Humboldt County Fish and Game Advisory Commission

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS: Letter to the California Fish and Game Commission.



BOARD OF SUPERVISORS

COUNTY OF HUMBOLDT

825 5TH STREET

EUREKA, CALIFORNIA 95501-1153 PHONE (707) 476-2390 FAX (707) 445-7299

July 28, 2015

California Fish and Game Commission
1416 9th Street, Suite #1320
Sacramento, CA 95814

Dear Commissioners:

The Humboldt County Fish & Game Advisory Commission has monitored AB 1213 since its introduction in February of 2013.

In reviewing the legislative history on this statute, it is important to note that the introduced version of the bill dated February 22, 2013 and an amended version of the bill dated March 19, 2013 banned the taking, selling or exportation of bobcats in California. These versions of the bill were unacceptable to the Assembly Water, Parks and Wildlife Committee at a hearing that occurred on April 2, 2013. The author was asked to amend the bill to narrow the focus to deal with his unique district issues. That language was amended on April 24, 2013 to accommodate the committee's concerns and that version of the bill advanced on April 29, 2013. It is important to retain this legislative history so that the law may be correctly interpreted as it moves to regulatory implementation.

As the Department of Fish and Wildlife and the Fish and Game Commission are preparing implementation regulations for AB 1213, signed into law on October 11, 2013, we believe it is proper to follow up on the Governor's signing message for this bill (below):

In order to ensure appropriate implementation of this Act, I am asking the Legislature to work with my Department to secure funding to survey our bobcat population. Based on this work, the Department and the commission should consider setting population thresholds and bobcat tag limitations in its upcoming rulemaking.

The Humboldt County Board of Supervisors object to the following:

Economic Impact: In developing its economic analysis, it is our understanding that the department did not survey a significant number, if any, of individual trappers that would be affected by the proposed regulations to determine what the actual cost impact on them, their families and their communities would be. Please provide information regarding where the department obtained its economic impact information and why the information from trappers was not included.

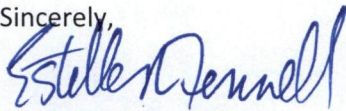
Inadequate due process: Prior to the drafting of the proposed regulations, trappers repeatedly asked for public workshops in areas, such as Redding and Bishop, where many trappers reside and could attend workshops to participate and to provide input relative to the costs and other impacts of the proposed regulations on themselves and their communities. However, workshops were not held in these locations and, as a result, many individual trappers did not have an opportunity to personally participate in discussions of matters that directly affected them. Instead, meetings for public participation were held primarily in areas where there are few, if any trappers and those who oppose trapping of bobcats could more easily attend and make known their anti-trapping views. Trappers believe that this resulted in a disproportionately higher level of input from those who would ban trapping.

It is critical to the credibility of the legislative process and the Department and Commission's roles that the correct facts guide the regulations which include both clear instructions on the funding element from the Governor and the Department of finance and the policy guidance the Legislature provided; and possibly most important, that equality to all stakeholders be afforded.

Ultimately, we request that the Commission reject both options one and two and seek an alternative that is more scientifically based and affords a more equitable due process to all stakeholders.

We thank you for looking into this and look forward to your response. Responses should be directed to the Humboldt County Board of Supervisors, and cc'd to the Humboldt County Fish & Game Advisory Commission, P.O. Box 922, Ferndale, CA 95536.

Sincerely,



Estelle Fennell, Chair

CC: Mr. Sonke Mastrup, Executive Director, California Fish and Game Commission
Mr. Charlton Bonham, Director, Department of Fish and Wildlife
Governor Edmund G. Brown