

STAFF SUMMARY FOR FEBRUARY 7-8, 2018

30. ITEMS OF INTEREST FROM PREVIOUS MEETINGS (NON-MARINE)**Today's Item****Information** ☒**Action** ☐

This is a standing agenda item for FGC staff and DFW to provide FGC with updates on non-marine items of interest from previous meetings. For this meeting:

- (A) Receive and discuss DFW update on trapping license fees analysis

Summary of Previous/Future Actions

(A)

- FGC discussion Dec 6-7, 2017; San Diego
- **Today's discussion Feb 7-8, 2018; Sacramento**

Background**(A) DFW trapping costs analysis**

In Feb 2016, FGC received a petition (Tracking No. 2015-009) from the Center for Biological Diversity and Project Coyote requesting that FGC raise commercial trapping license fees to a level necessary to recover all reasonable administrative and implementation costs associated with the trapping program, consistent with Fish and Game Code Section 4006(c). The petition language defines a "commercial trapping license" as a license used for trapping with the intent to sell furs and separates that activity from licensees that provide trapping services for a fee (such as a pest operator). In Apr 2016, FGC referred the petition to DFW for further evaluation and recommendation.

In Oct 2017, following FGC staff and DFW review of the petition, FGC denied the petition as it was determined to require legislation to enable the requested regulation change. However, DFW described a related effort to conduct an analysis of the administrative and implementation costs associated with trapping licenses, and offered to provide a status update at the Dec 2017 FGC meeting and to present its draft findings at the Feb 2018 FGC meeting. Following the discussion, FGC revised its rulemaking timetable to specify that trapping license fees would be considered at the Jun, Aug, and Oct 2018 meetings, in the event that adjustments to the trapping license fees are needed based on DFW's analysis. DFW provided the status update at the Dec 2017 FGC meeting.

Today, DFW will present an update on the trapping license fees analysis (Exhibit 1).

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [DFW memo, received Jan 31, 2018](#)

Motion/Direction (N/A)

2018 JAN 31 AM 8:35

Memorandum

Date: January 25, 2018

To: Valerie Termini
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Agenda Item for the February 7-8, 2018, Fish and Game Commission Meeting**
Re: Item 30: Receive and discuss Department's update on trapping license fees analysis

The Department of Fish and Wildlife (Department) has completed the attached estimate of its reasonable administrative and implementation costs relating to trapping licenses. The Department will be prepared to discuss this estimate at the upcoming February 7-8 Fish and Game Commission meeting in Sacramento.

If you have any questions regarding this item, please contact Mr. Stafford Lehr, Deputy Director of Wildlife and Fisheries Division at (916) 653-4673.

Attachments

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Item 30: Department of Fish and Wildlife Update on Trapping License Fees Analysis

February 7-8, 2018, Fish and Game Commission Meeting

I. Petition

The Center for Biological Diversity and Project Coyote filed a petition with the Fish and Game Commission (Commission) on December 4, 2015 to "Raise Trapping License Fees in Compliance with Fee Recovery Mandate Pursuant to Fish and Game Code §4006(c) and SB 1148." The petitioners further filed a writ of mandate on September 15, 2017, directing the Commission to raise trapping license fees in accordance with section 4006(c) of the California Fish and Game Code (all statutory references herein are to the California Fish and Game Code). At the February 2018 Commission meeting, the California Department of Fish and Wildlife (Department) committed to analyze the costs consistent with section 4006(c). The following is the Department's analysis of the costs consistent with section 4006(c).

II. Laws related to trapping licenses

Section 4005(a) states that, "every person, other than a fur dealer, who traps fur-bearing mammals or nongame mammals, designated by the commission or who sells raw furs of those mammals or nongame mammals, shall procure a trapping license." Thus, the Department offers a trapping license, which is required for individuals who wish to trap furbearing, game or nongame mammals in California, whether for purposes of recreation and commerce in fur, or for professional nuisance wildlife control.

Section 4005(b) states that, "The department shall develop standards that are necessary to ensure the competence and proficiency of applicants for a trapping license. No person shall be issued a license until he or she has passed a test of his or her knowledge and skill in this field." Thus, Department Wildlife Branch Staff have developed and update as needed a trapping license examination (trapping exam), accompanied by a study guide that contains all of the background information from which the exam draws its questions.

Section 4006 states:

(a) A trapping license shall be issued as follows:

(1) To any resident of this state over the age of 16 years upon payment of a base fee of forty-five dollars (\$45), as adjusted under Section 713.

(2) To any resident of this state under the age of 16 years upon payment of a base fee of fifteen dollars (\$15), as adjusted under Section 713.

(3) To any person not a resident of this state upon payment of a base fee of two hundred twenty-five dollars (\$225), as adjusted under Section 713.

(b) A license shall not be issued to a nonresident if the state in which he or she resides does not provide for issuance of a nonresident trapping license to California residents. Also, a nonresident issued a license under this subdivision may take only those species, and may take or possess only that quantity of a species that a resident of California may take or possess under a nonresident trapping license or permit in the state of residence of that nonresident.

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(c) The commission shall adjust the amount of the fees specified in subdivision (a), as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses.

Based upon the Implicit Price Deflator for State and Local Government Purchases of Goods and Services set forth in section 713, the current actual Resident license cost is \$117.42; the current actual Junior license cost is \$39.40; and the current actual Non-Resident license cost is \$579.00.

III. Cost Analysis: Section 4006(c) Reasonable administrative and implementation costs of the Department relating to trapping licensing (see associated spreadsheet)

The attached Department spreadsheet estimates costs associated with section 4006(c). The costs include those of Department Branches and Regions: License and Revenue Branch (LRB), Wildlife Branch, and Regional Staff (including Front Counter, Law Enforcement). The spreadsheet estimates costs only for Fiscal Year 2016-17, which was the first full year following the ban on bobcat trapping. The Department's costs fall into three major categories: 1) issuing of trapping licenses (including trapping exams); 2) monitoring of harvest through the compilation of trapper reports into the Department's Licensed Trappers and Dealers Report; and 3) trapping license suspension and appeals process.

1. Trapping exam/issuance of trapping licenses

To obtain a Department trapping license, applicants must first request an appointment to take the Department administered trapping license examination, which the Department offers at its Regional Offices. Upon successful completion of the trapping exam, the Department issues the applicant a trapping certificate of competence and proficiency card (trapper certification), similar to the hunter safety card that the Department issues to hunters upon successful completion of hunter safety training. An applicant must provide this card to LRB to purchase a Department trapping license for the first time.

The Trapper Certification is a lifetime certification. Once an applicant has successfully completed the trapping exam and purchased his or her first trapping license, the Automated License and Data System (ALDS) assigns a permanent "Trapper Number" to the individual. In any subsequent year, that trapper may purchase a trapping license, provided his or her trapping license is in good standing with the Department and the Commission.

To estimate the cost of issuing a trapping license, staff were interviewed via telephone at each of the Department's Regional Offices that administer the trapping exam. The attached spreadsheet includes an estimate, by Regional Office and job classification, of the number of hours spent administering trapping exams and issuing trapping licenses.

2. Harvest monitoring/reporting costs

For those trappers who specify upon purchase of a trapping license that they will participate in recreational trapping or commerce in fur, there is an additional requirement that they report to the Department on their take of Furbearing and Nongame species.

Section 467 of Title 14 of California Code of Regulations states that "All holders of trapping licenses must submit to the department a sworn statement or report by July 1 of his/her annual take of fur for the preceding trapping season..."

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The report of annual take (trapping reports) may be filed either electronically through ALDS, or filled out on a form and mailed to LRB. Upon LRB's receipt of a trapper's annual report (electronically or by paper), LRB inspects the report for completeness, and, if LRB finds the report to be complete, LRB documents the report as "received" in ALDS and forwards the report to the Wildlife Branch. Wildlife Branch then compiles the individual, annual reports of trappers, into a comprehensive Licensed Fur Trappers' and Dealers' Report, and posts it to the Department's website.

To estimate the costs associated with harvest monitoring and reporting for trapping licenses, Wildlife Branch staff estimated the time spent in Fiscal Year 2016-17 related to harvest monitoring and reporting. Activities for which Department staff spent time include:

- ALDS testing and review of forms and workflows between LRB and Wildlife Branch
- Updating the Department Trapping License Examination and Reference Guide
- Coordinating with regional offices on testing materials and test administration
- Inputting trapper reports into ALDS
- Producing data extracts and statistical summaries of Trapper Report data
- Preparing and posting annual Licensed Fur Trappers' and Dealers' Report to the Department website
- Responding to internal and external informational requests related to the issuance of trapping licenses

3. Trapping license suspension and appeals process

If the Department does not receive a trapper's report by the July 1st due date, the Department will suspend the trapping license. LRB staff notifies the trapper of the license suspension and the appeals process. LRB then notifies Fish and Game Commission staff of all suspended licenses. If the Department suspends his or her trapping license, the trapper can appeal to the Commission for reinstatement of the trapping license. If the trapper appeals the suspension, Office of General Counsel staff represents the Department during the administrative appeals process. The attached spreadsheet includes the estimated Department costs of the appeal. This analysis does not include Commission costs associated with suspensions and appeals.

Item 30 Attachment
Trapping License Fees Analysis: 2016-17 License Year

Trapping License Fees Total Costs	\$ 56,692.90
Departmental Overhead	\$ 18,447.87
Grand Total	\$ 75,140.77
Licenses Issued Annually	700
License Cost per Trapper	\$ 107.34

Sources:

2016-17 CALHR Salary schedules (median of salary range)
2016-17 CDFW benefit rates (50.553%) Peace officers (59.548%)
2016-17 Departmental Overhead Rate, Budget Branch (32.54%)
2016-17 License issuance data, License and Revenue Branch
Hourly rate calculations per SAM 8740 (REV 01/2017)

Wildlife Branch (WLB)
Personnel Costs

Classification	Activity	Hours FY 16-17	Hourly Cost	Total
Senior Environmental Scientist Supervisor	Oversight of Trapping License Administration and Implementation	24.0	85.74	\$ 2,057.76
Environmental Scientist - C	Special License Testing; Review ALDS forms, workflows and documents	4.0	\$ 52.47	\$ 209.88
Environmental Scientist - C	Updating the CDFW Trapping License Examination	4.0	\$ 52.47	\$ 209.88
Environmental Scientist - C	Updating the CDFW Trapping License Examination Reference Guide	24.0	\$ 52.47	\$ 1,259.28
Environmental Scientist - C	Coordination with regional offices on test administration	8.0	\$ 52.47	\$ 419.76
Environmental Scientist - C	Answering and coordinating internal and external questions or problems by phone or email related to recreational and commercial trapping in California	120.0	\$ 52.47	\$ 6,296.40
Environmental Scientist - C	Answering and coordinating internal and external questions or problems by phone or email related to depredation trapping in California	120.0	\$ 52.47	\$ 6,296.40
Environmental Scientist - C	Compiling data tables, archiving paper copy reports, writing and posting the Licensed Fur Trappers' and Dealers' Report.	80.0	\$ 52.47	\$ 4,197.60
Scientific Aid	Enter Licensed Trapper Reports in ALDS	16.0	\$ 14.36	\$ 229.76
Total Annual Cost				\$21,176.72

Regional Offices

Regional Office Personnel including Law Enforcement Division (LED) Costs

Region	Activity	Hours FY 16-17	Hourly Cost	Total
Region 1				
Natural Resource Volunteer Program (NRVP)	Trapping License Examination scheduling and administration	15	\$ -	\$ -
Lieutenant Specialist	Oversees NRVP with Trapping License Examination	0.5	\$ 57.50	\$ 28.75
Region 2				
Program Technician	Trapping License Examination scheduling and administration	16.5	\$ 25.54	\$ 421.41
Office Technician	Trapping License Examination scheduling and administration	16.5	\$ 28.40	\$ 468.60
Seasonal Clerk	Trapping License Examination scheduling and administration	16.5	\$ 14.36	\$ 236.94
Region 3				
Staff Services Analyst	Trapping License Examination scheduling and administration	8.0	\$ 39.02	\$ 312.16
Region 4				
Lieutenant Specialist	Trapping License Examination scheduling and administration	2.5	\$ 57.50	\$ 143.75
Associate Governmental Program Analyst	Trapping License Examination scheduling and administration	2.5	\$ 47.35	\$ 118.38
Region 5				
Natural Resource Volunteer Program (NRVP)	Trapping License Examination scheduling and administration	276.0	\$ -	\$ -
Lieutenant Specialist	Oversees NRVP with Trapping License Examination	12.0	\$ 57.50	\$ 690.00
Associate Governmental Program Analyst	Trapping License Examination scheduling	1.0	\$ 47.35	\$ 47.35
Region 6				
No LED or other personnel costs				
Total Annual Cost				\$ 2,467.34

License and Revenue Branch (LRB)

Personnel Costs

Classification	Activity	Hours FY 16-17	Hourly Cost	Total
Associate Governmental Program Analyst	Maintains webpage, notices, forms, fees, and document library. Regulatory work.	173.3	\$ 47.35	\$ 8,205.76
Program Technician II (PT II)	Customer service, data entry, and license issuance	520.0	\$ 28.40	\$ 14,768.00
Program Technician I (PT I)	Cashiering	173.3	\$ 25.54	\$ 4,426.08
Mail Machines Operator I (MMO I)	Receives, processes incoming and outgoing mail	173.3	\$ 24.53	\$ 4,251.05
Total Personnel Cost				\$31,650.89

LRB Personnel including Materials and Postage Costs

Item	LY 2016/17
1) Personnel Costs (detail above)	\$31,650.89
4) Postage - 710 letters @ \$.46.5	\$ 330.00
5) Paper (2130 @ .02)	\$ 43.00
6) Envelopes (710 @ .04)	\$ 28.00
Total Annual Cost	\$32,051.89

Office of General Counsel (OGC)

Personnel Costs

Classification	Activity	Hours FY 16-17	Hourly Cost	Total
Attorney III	Representation of DFW in administrative appeals of license actions	12.0	\$ 83.08	\$ 996.96
Total Annual Costs				\$ 996.96