

State of California
Department of Fish and Wildlife
Amended Initial Statement of Reasons for Regulatory Action
Add Section 712.5
Title 14, California Code of Regulations
Re: Declaration of Importation of Dead Fish and Wildlife

[Underlined text indicates an addition, ~~Strikethrough indicates text deleted~~]

I. Date of Initial Statement of Reasons: September 7, 2021

Date of Amended Initial Statement of Reasons: January 26, 2022

II. Public Hearing

~~No public hearing is scheduled for this action. The Department will hold a public hearing if one is requested in writing to the contact below no later than 15 days prior to the close of the written comment period. If a hearing is requested, the Department will, to the extent practicable, provide notice of the time, date, and place of the hearing by mailing the notice to every person who has filed a request for notice~~

A public hearing was requested pursuant to Government Code section 11346.8, and is scheduled as follows:

Date: February 11, 2022

Time: 1:30 p.m. – 3:30 p.m.

Format: Virtual Hearing via Zoom (link and access information posted to:
<https://wildlife.ca.gov/Notices/Regulations/Import>)

III. Description of Regulatory Action

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

Purpose of Amended Initial Statement of Reasons (ISOR)

This Amended ISOR clarifies the background and intent of the Department of Fish and Wildlife's (Department) proposed regulatory amendments, summarizes public questions or comments received during the original 45-day comment period, and justifies resulting changes to the regulatory text and the inclusion of the updated Form DFW 901 (New 01/01/2022) ("Declaration Form"). All comments received during the original 45-day comment period, the 15-day continuation of public comment period, and at the Public Hearing will be responded to by the Department in the Final Statement of Reasons (FSOR), followed by a full review of the documents by the Office of Administrative Law in compliance with the Administrative Procedures Act. The final regulation is expected to be published by April 1, 2022, and all aforementioned documents will be posted to the Department's website at that time.

The previous proposed regulation text, form, and description of the proposed regulatory action were widely publicized. Approximately 900,000 hunting and angling licensees

received a notice of the original regulatory action via email which directed recipients to the full proposed rulemaking file on the Department's website. Other forms of notification were also used including the Department's monthly Hunter Update, interested parties list, tribal governments, and the OAL California Regulatory Notice Register. As a result, the public provided substantial constructive comments which have been studied by the Department, and certain changes have been introduced to the proposal.

Summary of Public Comments on the Original Proposed Regulation:

The primary topics addressed in the public comments were :

- Confusion whether the regulation and the required form were for both live (pets, aquarium, etc.) and dead wildlife.
 - Response: Fish and Game Code section 2353 includes a longstanding requirement for the public to declare dead birds, mammals, fish, reptiles, or amphibia imported into California. The proposed regulation and Declaration Form only apply to dead fish and wildlife, specifically dead birds, mammals, fish, reptiles, or amphibia. The importation of live animals is regulated under separate laws and regulations.
 - Action taken: The proposed regulation and Declaration Form have been reworded to clarify that only *dead* fish and wildlife are to be identified for importation.
- Concern that the law abiding public will be subject to citation and penalty for not completing the form.
 - Response: Fish and Game Code section 2353 has long required the public to declare dead fish and wildlife imported into California. The proposed regulatory amendments and Declaration Form will simplify and make easier compliance with this existing statutory requirement by providing an online submission option and enabling submission within 24 hours of entry into the state to accommodate practical travel considerations. The Department does not expect this update to have any effect on the number of citations issued for failing to declare imported wildlife.
 - Action taken: The Department intends to make compliance with FGC section 2353 and the completion of the Declaration Form as easy as possible with online access, fillable by smart phones. Methods available will be: access the Declaration Form on the Department's website and either (1) print, handwrite, and submit by mail or (2) use the fillable online updated Declaration Form for electronic submission.
- Concern that there may not be sufficient time to complete the form before entry.
 - Response: FGC section 2353 provides that a declaration is to be submitted to the Department or a designated state or federal agency "at or immediately before the time of entry into the state." The Department acknowledges this concern, and this is one of the reasons it has decided to update the Declaration Form. The Declaration

- Form provides additional time for the public to comply with this existing requirement, specifically, enabling up to 24 hours from the time of entry to accommodate practical travel considerations, such as the absence of Department offices or agricultural check stations at every point of entry.
- Action taken: The Department finds that it is reasonable to interpret “at...the time of entry” to include within 24 hours from the time of entry to enable the public to complete traveling and submit the form. The Department has clarified this in the proposed regulatory text, ISOR, and Declaration Form.
 - Concern that people who live near California’s borders with other states will have to complete multiple forms for their cross border hunting and angling take.
 - Response: For decades, Fish and Game Code section 2353 has required members of the public to declare dead fish and wildlife imported into California. Multiple cross border hunting and fishing take has always required declaration. This proposal will update the form used to make those declarations easier, and allows up to 24 hours from the time of entry to accommodate practical travel considerations.
 - Action taken: The Department has clarified this in the ISOR and Declaration Form to make it as easy as possible to declare take and submit the form.
 - Concerns that the new regulation and form requirement will burden the public and Department with added expense, time and result in unneeded growth of bureaucracy.
 - Response: Fish and Game Code section 2353 includes a longstanding requirement for the public to declare dead birds, mammals, fish, reptiles, or amphibia imported into California. This is not a new requirement.
 - The previous Form DFG 901 available on the Department’s website was only available to be printed, hand filled, and mailed to the Department prior to entry or submitted at the border on entry. It requires multiple copies of each form to be filled out by hand. The Department is seeking to make compliance with FGC section 2353 easier for the public with the option of online submission of the form..
 - Action Taken: The Declaration Form will (after adoption) be made available online to print and submit by mail or complete and submit entirely online. The Department anticipates that this easier additional method of completing the Declaration Form online will result in less time and effort for the public. The Department has clarified this in the ISOR and Declaration Form.
 - Concerns for how to bring in processed meat that is packaged/frozen, trophies (taxidermy).
 - Response: The proposed regulation and Declaration Form apply to dead fish and wildlife including parts. The proposed action does not affect how meat or trophies are processed or packaged. This proposal relates to the manner of declaring the importation. If the fish and wildlife parts have been processed prior to entry the Declaration Form provides options for inputting that description.
 - Action Taken: Clarification to the Declaration Form has been made for categorizing

such whole or parts of fish and wildlife.

- Concerns that the form is an unnecessary strategy to enforce CWD regulations.
 - Response: FGC section 2353 is a longstanding statute that requires the public to declare dead birds, mammals, fish, reptiles, or amphibia imported into California. The Department included an informational reference to Chronic Wasting Disease on the Declaration Form as an opportunity to remind hunters about the other regulatory requirements for bringing out of state hunter harvested carcasses into the state in a safe and legal manner to reduce the risk of introducing Chronic Wasting Disease to this state.
 - Action Taken: The Declaration Form has an informational reference regarding Chronic Wasting Disease. The Department has clarified this in the ISOR and Declaration Form.

Background and Intent of Proposed Regulation

A new section 712.5 will be added to Title 14, California Code of Regulations (CCR). The new regulation section will detail the requirements of FGC section 2353 and include the statutorily required declaration via a new Form DFW 901 (New 01/01/2022) Declaration of Importation of Dead Fish and Wildlife. ~~identify Form DFW 901 (New 11/2021) Declaration of Importation of Fish and Wildlife., incorporated by reference. In accordance with Fish and Game Code (FGC) section 2353~~

Fish and Game Code section 2353 is a long-standing state law that provides that dead birds, mammals, fish, reptiles, or amphibians shall not be imported or possessed in this state unless a declaration is submitted to the Department at or immediately before the time of entry in the form and manner prescribed by the Department:

“Birds, mammals, fish, reptiles, or amphibians shall not be imported or possessed in this state unless...[a] declaration is submitted to the department or a designated state or federal agency at or immediately before the time of entry, in the form and manner prescribed by the department.”

Previously, the Department provided the public with form FG 901 (Rev 1/2013) on its website to enable people to use the form to comply with FGC section 2353 when importing dead fish and wildlife. For many years the public used this Declaration Form by printing multiple copies of the form for each entry and both mailing it to the Department and submitting it at agricultural check stations near the border upon entry into this state.

Although Fish and Game Code section 2353 does not explicitly require the Department to adopt a regulation prescribing the form and manner of declaring imported wildlife, the Department has concluded that it would be most prudent for the declaration form, Form DFW 901, to be incorporated into the Department’s regulations in order to formalize the declaration form and promote compliance with the statutory declaration requirement. Consequently, the intent of this proposed regulation is to incorporate and update the previous form FG 901 into regulation and also make submission of the Declaration

Form easier for the public by offering an online submission option and enabling submission within 24 hours of entry to accommodate practical travel considerations.

In general, the Declaration Form required by FGC section 2353 is a helpful tool for the Department to gather information about what dead birds, mammals, fish, reptiles, or amphibians are imported in the state, and is also a beneficial tool for the public to keep records of their lawful importations of fish and wildlife.

FGC section 2353 states in full:

“DIVISION 3. FISH AND GAME GENERALLY [2000 - 2945] (Division 3 enacted by Stats. 1957, Ch. 456.)

CHAPTER 4. Importation and Transportation of Dead Birds, Mammals, Fish, Reptiles, and Amphibia [2345 - 2401] (Heading of Chapter 4 amended by Stats. 1972, Ch. 974.)

ARTICLE 1. Dead Wild Birds, Mammals, Fish, Reptiles, and Amphibia [2345 - 2371] ((Heading of Article 1 amended by Stats. 1972, Ch. 974.)

2353.

(a) Birds, mammals, fish, reptiles, or amphibians shall not be imported or possessed in this state unless all of the following requirements are met:

(1) The animals were legally taken and legally possessed outside of this state.

(2) This code and regulations adopted pursuant thereto do not expressly prohibit their possession in this state.

(3) A declaration is submitted to the department or a designated state or federal agency at or immediately before the time of entry, in the form and manner prescribed by the department.

(b) Birds, mammals, fish, reptiles, or amphibians legally taken and legally possessed outside of this state may be imported into this state and possessed without a declaration if the shipment is handled by a common carrier under a bill of lading or as supplies carried into this state by common carriers for use as food for the passengers.

(c) The commission and the department shall not modify this section by any regulation that would prohibit the importation of lawfully killed migratory game birds taken in any other state or country and transported into this state pursuant to the migratory bird regulations adopted annually by the Secretary of the Interior.

(Amended by Stats. 2007, Ch. 285, Sec. 45. Effective January 1, 2008.)”

A new form DFW 901 (New 11/2021) will be incorporated by reference in Section 712.5 of Title 14, CCR. The Declaration of Importation of Fish and Wildlife form will allow the public to conveniently declare fish or wildlife from out of state upon entry into the state. The information requested/provided in the form is necessary to establish the legality of the importation of fish or wildlife per the statutory requirements provided in Fish and Game Code section 2353.

Section 712.5

The proposed regulatory text in the new Section 712.5 further explains the statutory requirement of FGC section 2353.

The Department proposes to add a new Section 712.5 to title 14, California Code of Regulations (CCR). This new regulation section is necessary to formalize the declaration process required under FGC section 2353 and assist the public with fully complying with that statute.

The form DFW 901 (New 01/01/2022) Declaration of Importation of Dead Fish and Wildlife will be incorporated by reference, and provides a mechanism for complying with FGC section 2353. The regulatory proposal also makes submission of the Declaration Form easier for the public by offering an online submission option, in addition to the print/mail option, and also providing up to 24 hours from time of entry for submission to accommodate practical travel considerations.

The information requested/provided in the Declaration Form is necessary to establish compliance with importation requirements provided in Fish and Game Code section 2353.

Examples of situations where the Declaration Form would be applicable include dead fish and wildlife imported into California from out of state/country:

- Legally taken for personal consumption;
- Legally taken for trophy or taxidermy;
- Legally taken for scientific or other research, notwithstanding other laws for their possession and/ or importation; and
- Other legal uses.

Form DFW 901 (New 01/01/2022) The content requirements of the form are:

The updated form DFW 901 (New 01/01/2022) Declaration of Importation of Dead Fish and Wildlife will be incorporated by reference, and provides a mechanism for complying with FGC section 2353. The regulatory proposal makes submission of the Declaration Form easier for the public by offering an online submission option, in addition to the print/mail option, and also providing up to 24 hours from time of entry for submission to accommodate practical travel considerations.

1. Instructions to send a copy copies of the completed form to the Department by mail or via internet prior to or at the time (within 24 hours) of entry and to retain one additional copy with the imported fish or wildlife.
 - By this action the requirements of FGC section 2353 are fulfilled. The Department maintains the forms to track the number and species imported into the state, and to follow-up with persons importing fish or wildlife, if there are questions or concerns about the imported species or parts.
2. Identify themselves by name, address, contact telephone; First Name, Last Name, Address, Date of Birth, Telephone number, and email address (Voluntary).

- This information is necessary to confirm the identity of the person declaring imported fish or wildlife. ~~and to locate that individual in the future, if for any reason there was a question about the information provided.~~
3. Provide proof of identity with a government issued driver's license or other photo identification card.
 - This information is needed to prevent fraudulent representation of the person importing fish or wildlife.
 4. Identify the vehicle license number in which the animal(s) are imported into California.
 - This information ~~provides additional means~~ is needed to confirm the means by which the fish or wildlife was imported into the state.
 5. Provide the location and date of entry.
 - This information confirms the importation of the dead animals.
 6. Provide information demonstrating legal possession ~~proof that the take is to possess in California by specifying~~ describing the type, number ~~or parts~~ of animals to be brought into the state in conformance with state law.
 - Information regarding the species, quantity, sex and antler points (when applicable) of the fish or wildlife imported is needed to specifically describe the wildlife that is being imported. ~~, and specific parts the fish or wildlife imported is needed to ensure the take was legal that the species and parts to be imported are lawful to possess or transport in California. Only some parts of a harvested deer or elk can be imported per section 712, Title 14, CCR to prevent the spread of Chronic Wasting Disease.~~
 7. Provide the condition of the animal, whether entire carcass or parts.
 - Information regarding the condition of the fish or wildlife imported is needed to specifically describe the wildlife that is being imported. The carcass or parts may be processed and frozen.
 8. Provide proof of legal take with the required out-of-state hunting, fishing licenses or tags. ~~and harvest location.~~
 - Out-of-state hunting and fishing tag and license information maintained by that state demonstrates that the wildlife is legally possessed and imported. [Note: If the hunting or fishing where the fish or wildlife was taken required no licensing, indicate so in the required field.]
 9. Provide the location of the harvest by specifying the State and County or Country.
 - Information regarding the harvest location of the fish or wildlife imported provides specific information that tends to establish the items were legally taken and possessed.
 10. Certify that the declaration is true and correct and that the fish or wildlife described are legally possessed/imported by the undersigned.
 - The person completing the form certifies that the importation is lawful and signs the form accordingly, indicating they have provided accurate information as required per FGC section 2353.

11. An informational box is included on the Declaration Form to remind hunters of the importance of Chronic Wasting Disease (CWD) and the existence of the separate regulation, CCR, title 14, section 712, that limits what portions of deer or elk (cervids) carcasses may be imported into the state. ~~Information regarding Chronic Wasting Disease~~

~~Chronic Wasting Disease is a prion~~ an easily spread fatal disease that affects deer and elk (cervids) ~~among other hoofed species.~~ Symptoms include dramatic weight loss and neurological issues, and is always fatal to animals that develop it. The World Health Organization has urged that ~~agents~~ carriers of all known prion diseases are not allowed to enter the human food chain.

(b) Goals and Benefits of the Regulation

The proposed regulation and Declaration Form further explain the requirements of Fish and Game Code section 2353 and provide the public with an easier option to comply with the statute by enabling the submission of the Declaration Form online and within 24 hours of entry into the state. Previously, the Declaration Form did not have an online submission option, rather the public printed and submitted multiple hard copies of the Declaration Form both upon entry into this state and mailed to the Department.

The Declaration Form will provide the public with many options for inputting the details of their importation of dead birds, mammals, fish, reptiles, or amphibians and will also assist the declarant by establishing a record for the purpose of demonstrating their compliance with Fish and Game Code section 2353.

The proposed regulation and Declaration Form do not have significant direct or indirect non-monetary benefits including the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity, and the increase in transparency in business and government.

~~The proposed regulations will prescribe the form and its contents for use by the public in satisfying the requirements of Section 2353, Fish and Game Code. The public is required by statute to declare the legal take and possession of animals taken out of state and imported to California. The Declaration of Importation of Fish and Wildlife form will allow the fishing and hunting public to conveniently declare fish or wildlife from out of state upon entry into the state.~~

~~The form will provide the specific benefit of providing a simple method for the public to declare their legal take, identifying the species, license/tags and out of state location of their hunting and fishing, that demonstrate compliance with other state hunting and fishing laws and that they may legally import such animals, parts, and may possess them in California. The illegal take of animals and fish is detrimental to the environment, it is prohibited in California and enforced by the Department. The form provides the individual declarant a record for the purpose of demonstrating their legal take and possession of the listed items.~~

~~The regulation and form do not have significant direct or indirect non-monetary benefits including the protection of public health and safety, worker safety, the prevention of~~

~~discrimination, the promotion of fairness or social equity, and the increase in transparency in business and government. The state's environment may have a slight benefit from prohibiting the importation of illegal take.~~

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

Authority: Section 2353, Fish and Game Code

Reference: ~~Section~~ Sections 80 and 2353, Fish and Game Code

(d) Specific Technology or Equipment Required by Regulatory Change. None

(e) Identification of Reports or Documents Supporting Regulation Change. None

(f) Public Discussions of Proposed Regulations Prior to Notice Publication. None

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives have been proposed. FGC section 2353 ~~requires~~ authorizes the Department to prescribe a form for public use in declaring the importation fish and wildlife.

(b) No Change Alternative

The no change alternative would fail to provide a form in compliance with section 2353. ~~the public with a formalized by regulation version of the updated Declaration Form, making compliance with FGC section 2353 questionable for the public.~~

(c) Description of Reasonable Alternatives that Would Lessen Adverse Impact on Small Business. None.

V. Mitigation Measures Required by Regulatory Action: None.

VI. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has 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. None. ~~The Department concludes that it is unlikely that any adverse economic impact will affect any business, the Declaration of Importation form imposes no fees or costs, and does not require any action by any business.~~

(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. None.

~~The Department concludes that it is unlikely that any economic impact will adversely affect or benefit any business. The regulation and form do not have direct or indirect~~

~~non-monetary benefits to the health and welfare of California residents, or worker safety. The state's environment may have a slight benefit from prohibiting the importation of illegal take.~~

(c) Cost Impacts on a Representative Private Person or Business. None.

~~The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The Declaration of Importation form imposes no fees or costs, other than the preparation and mailing or emailing of the one page form.~~

(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.

Effect on Small Business:

~~The Department concludes that it is unlikely that any adverse economic impact will affect small business, since the regulation does not require any action by any business. This proposed action would be followed by individuals seeking to import their caught game into the state of California.~~

III. VII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State: None.

~~The cumulative effects of the changes statewide are expected to be neutral with regard to the creation or elimination of jobs within the State.~~

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State: None.

~~The cumulative effects of the changes statewide are expected to be neutral with regard to the creation or elimination of businesses within the State.~~

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State: None.

~~The cumulative effects of the changes statewide are expected to be neutral with regard to the expansion of businesses within the State.~~

(d) Benefits of the Regulation to the Health and Welfare of California Residents: None.

~~The cumulative effects of the changes statewide are expected to be neutral with regard to the health and welfare of California residents~~

(e) Benefits of the Regulation to Worker Safety: None.

~~The cumulative effects of the changes statewide are expected to be neutral with regard to worker safety.~~

(f) Benefits of the Regulation to the State's Environment: None.

~~The cumulative effects of the changes statewide are expected to be neutral with regard to the state's environment, however there may have a slight benefit from prohibiting the importation of illegal take.~~

Amended Informative Digest/Policy Statement Overview

The Department of Fish and Wildlife proposes to implement the requirements of Fish and Game Code (FGC) section 2353, specifically the provision for a Declaration of Importation for Dead Fish and Wildlife Form. The proposed regulation is necessary to implement the requirements of FGC section 2353, which states:

“Birds, mammals, fish, reptiles, or amphibians shall not be imported or possessed in this state unless...[a] declaration is submitted to the department or a designated state or federal agency at or immediately before the time of entry, in the form and manner prescribed by the department.”

The previous proposed regulation text, updated form, and description of the proposed regulatory action were widely publicized. Approximately 900,000 hunting and angling licensees received a notice of the original regulatory action via email which directed recipients to the full proposed rulemaking file on the Department’s website. Other forms of notification were also used including the Department’s monthly Hunter Update, interested parties list, tribal governments, and the OAL California Regulatory Notice Register. As a result, the public provided substantial constructive comments which have been studied by the Department, and certain changes have been introduced to the proposal. The Amended ISOR clarifies the background and intent of the proposed regulatory revisions, summarizes public questions or comments received during the original 45-day comment period, and justifies resulting changes to the regulatory text and form DFW 901.

Regulatory Proposal

A new section 712.5 will be added to title 14, CCR. The new regulation section will identify an updated Declaration Form, Form DFW 901 (New 11/01/21) (New 01/01/2022) Declaration of Importation of Dead Fish and Wildlife (“Declaration Form”). The updated Declaration Form ~~Declaration of Importation of Fish and Wildlife form~~ will allow the public to more conveniently declare fish or wildlife imported from out of state upon entry into the state.

The Department finds that the most prudent interpretation of FGC 2353 would require adoption of the declaration form as a regulation, and it is reasonable to interpret “at or immediately before the time of entry” to mean “prior to or at the time (within 24 hours) of entry” to accommodate practical travel considerations. The Department has clarified this in the proposed regulatory text, ISOR, and updated Declaration Form.

The updated Declaration Form requires the public to:

1. Mail or submit online a copy of the completed form to the Department and retain a copy with the imported fish or wildlife. ~~Instructions to send copies of the completed form to the Department by mail or via internet and to retain one additional copy~~
2. Identify themselves by name, address, telephone, etc.
3. Provide proof of identity with state issued driver’s license or other form of photo identification.
4. Identify the vehicle license number in which the animal(s) are imported into California.
5. Provide the location and date of entry.
6. Provide information ~~proof~~ that the take is legal to possess in California by specifying the type, number or parts of animals to brought into the state in conformance with state law.

7. Provide the condition of the animal, whether the entire carcass or parts.
8. Provide proof of legal take with the required out-of-state hunting, fishing licenses or tags.
9. Provide the location of the harvest by specifying the State and County or Country.
10. Certify that the declaration is true and correct and that the fish or wildlife described are legally possessed/imported by the undersigned.

Benefits of the Proposed Regulations

The proposed regulations will prescribe the form and its contents for use by the public in satisfying the requirements of FGC section 2353. The public is required by statute to declare the legal take and possession of animals taken out of state and imported to California. The Declaration of Importation of Fish and Wildlife form will allow the fishing and hunting public to conveniently declare fish or wildlife from out of state upon entry into the state.

The form will provide the specific benefit of providing a simple method for the public to declare their legal take, identifying the species, license/tags and out of state location of their hunting and fishing, that demonstrate compliance with other state hunting and fishing laws and that they may legally import such animals, parts, and may possess them in California. The illegal take of animals and fish is detrimental to the environment, it is prohibited in California and enforced by the Department. The form provides the individual declarant a record for the purpose of demonstrating their legal take and possession of the listed items.

The regulation and form do not have significant direct or indirect non-monetary benefits including the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity, and the increase in transparency in business and government. The state's environment may have a slight benefit from prohibiting the importation of illegal take.

Consistency and Compatibility with Existing Regulations

~~The Legislature has delegated authority to the Department to adopt regulations prescribing the form and manner of the required Declaration of Importation.~~ The Department has reviewed existing regulations in title 14, CCR, and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. Department staff have searched the CCR and have found no other state regulations that set forth these requirements.