

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME California Fish and Game Commission	CONTACT PERSON David Thesell	EMAIL ADDRESS fgc@fgc.ca.gov	TELEPHONE NUMBER 916 902-9291
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Add Sections 679.1 et seq. 679.9, Title 14, CCR, Re: Possession of Wildlife and Wildlife Rehabilitation			NOTICE FILE NUMBER Z

A. ESTIMATED PRIVATE SECTOR COST IMPACTS *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- | | |
|---|---|
| <input type="checkbox"/> a. Impacts business and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input checked="" type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance |
| <input type="checkbox"/> c. Impacts jobs or occupations | <input type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input type="checkbox"/> h. None of the above (Explain below): |

No new compliance costs necessarily incurred

*If any box in Items 1 a through g is checked, complete this Economic Impact Statement.
If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.*

2. The California Fish and Game Commission estimates that the economic impact of this regulation (which includes the fiscal impact) is:
(Agency/Department)

- Below \$10 million
 Between \$10 and \$25 million
 Between \$25 and \$50 million
 Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a [Standardized Regulatory Impact Assessment](#) as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: 80

Describe the types of businesses (Include nonprofits): Nonprofit wildlife rehabilitation facilities and supporting satellite facilities

Enter the number or percentage of total businesses impacted that are small businesses: 100%

4. Enter the number of businesses that will be created: 0 eliminated: 0

Explain: Regulatory amendments are to clarify and codify facility standards that are already widely practiced.

5. Indicate the geographic extent of impacts: Statewide
 Local or regional (List areas): _____

6. Enter the number of jobs created: 0 and eliminated: 0

Describe the types of jobs or occupations impacted: N/A; No change induced for labor demand or jobs to meet standards that are already widely practiced.

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? YES NO

If YES, explain briefly: _____

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ECONOMIC IMPACT STATEMENT (CONTINUED)

B. ESTIMATED COSTS *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ 14,000
- a. Initial costs for a small business: \$ 1,000 Annual ongoing costs: \$ 0 Years: 1
- b. Initial costs for a typical business: \$ 0 Annual ongoing costs: \$ 0 Years: 1
- c. Initial costs for an individual: \$ 500 Annual ongoing costs: \$ 0 Years: 1
- d. Describe other economic costs that may occur: No new costs for typical businesses as most already meet standards. Appox. 5% of primary rehabilitation & satellite facilities may spend from \$500-\$1,000 in initial costs (see Addendum).

2. If multiple industries are impacted, enter the share of total costs for each industry: N/A

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. *Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ N/A

4. Will this regulation directly impact housing costs? YES NO
- If YES, enter the annual dollar cost per housing unit: \$ _____
- Number of units: _____

5. Are there comparable Federal regulations? YES NO

Explain the need for State regulation given the existence or absence of Federal regulations: CA Fish and Game Commission has authority to regulate wildlife rehabilitation facilities within the state.

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ N/A

C. ESTIMATED BENEFITS *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: Sets site-specific conditions to protect native wildlife, agriculture interests, animal welfare, health & welfare of CA residents, and worker safety with enhanced biosecurity protocols, improved caging requirements, and protocols for animals suspected to have a communicable disease (see Addendum).

2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority?

Explain: CA Fish and Game Commission has authority to regulate wildlife rehabilitation facilities within the state.

3. What are the total statewide benefits from this regulation over its lifetime? \$ See Addendum

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: N/A

D. ALTERNATIVES TO THE REGULATION *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: There are no other alternatives to consider that would meet the program objectives.

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ECONOMIC IMPACT STATEMENT (CONTINUED)

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ best practices* Cost: \$ 14,000

Alternative 1: Benefit: \$ N/A Cost: \$ N/A

Alternative 2: Benefit: \$ N/A Cost: \$ N/A

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: *The proposed regulations are to clarify and codify wildlife rehab. best practices and facility standards that are already widely implemented to ensure continued benefits. Costs are for enclosure improvements.

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? YES NO

Explain: In many instances, performance standards are specified without the requirement of particular means.

E. MAJOR REGULATIONS *Include calculations and assumptions in the rulemaking record.*

California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million? YES NO

*If YES, complete E2. and E3
If NO, skip to E4*

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

(Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 1: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 2: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

YES NO

If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.

5. Briefly describe the following:

The increase or decrease of investment in the State: No effect on the level of investment in the State is anticipated.

The incentive for innovation in products, materials or processes: No effect on the incentive for innovation in products, materials, or processes is anticipated.

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: Benefits to the health and welfare of CA residents, worker safety, and the environment are anticipated.

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FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

a. Funding provided in _____

Budget Act of _____ or Chapter _____, Statutes of _____

b. Funding will be requested in the Governor's Budget Act of _____

Fiscal Year: _____

2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

Check reason(s) this regulation is not reimbursable and provide the appropriate information:

a. Implements the Federal mandate contained in _____

b. Implements the court mandate set forth by the _____ Court.

Case of: _____ vs. _____

c. Implements a mandate of the people of this State expressed in their approval of Proposition No. _____

Date of Election: _____

d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: _____

e. Will be fully financed from the fees, revenue, etc. from: _____

Authorized by Section: _____ of the _____ Code;

f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in _____

3. Annual Savings. (approximate)

\$ _____

4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

5. No fiscal impact exists. This regulation does not affect any local entity or program.

6. Other. Explain _____

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FISCAL IMPACT STATEMENT (CONTINUED)

B. FISCAL EFFECT ON STATE GOVERNMENT *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

It is anticipated that State agencies will:

a. Absorb these additional costs within their existing budgets and resources.

b. Increase the currently authorized budget level for the _____ Fiscal Year

2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

3. No fiscal impact exists. This regulation does not affect any State agency or program.

4. Other. Explain [See addendum](#)

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

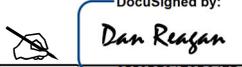
2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

4. Other. Explain _____

FISCAL OFFICER SIGNATURE

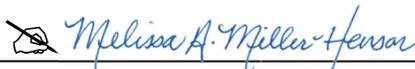
DocuSigned by:

Dan Reagan

DATE

6/18/2024

The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

AGENCY SECRETARY

 Melissa A. Miller-Henson Bryan Cash

7/25/2024

DATE

June 13, 2024

Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER



DATE

STD 399 Addendum

Repeal Section 679 and Add Sections 679.1, 679.2, 679.3, 679.4, 679.5, 679.6, 679.7, 679.8 and 679.9, and Chapters 2 and 3 of the Native Wildlife Rehabilitation 679 Regulations Manual Title 14, California Code of Regulations Regarding the Possession of Wildlife and Wildlife Rehabilitation

Economic Impact Statement

Background

The California Department of Fish and Wildlife (Department) currently oversees 80 permitted wildlife rehabilitators who operate wildlife rehabilitation facilities throughout the state. These facilities employ or involve approximately 3,000 staff and volunteers. Additionally, there are approximately 550 satellite facilities overseen by sub-permittees operating under a wildlife rehabilitation permit, which is valid for three years.

Section 679 of Title 14, California Code of Regulations underwent a minor regulatory change in 2007. However, several necessary changes were not addressed during that rulemaking process. The proposed regulations aim to establish current requirements for the care and possession of injured, orphaned, and diseased wildlife, address known deficiencies regarding facility operations, enclosures, humane care, and treatment standards and protect the animal welfare, safety, and well-being of rehabilitation animals.

Section A. Estimated Private Sector Cost Impacts

Question 1.

Answer b. Minor impacts to small businesses. 80 wildlife rehabilitation permit holders operate wildlife rehabilitation facilities throughout the state (more than half operate as nonprofit entities); approximately 550 satellite facilities operated by sub-permittees.

Many wildlife rehabilitation facilities currently meet or exceed the proposed requirements of this rulemaking. Extensive outreach and feedback have been incorporated into the crafting of these provisions to avoid undue cost impacts to affected private sector entities. For those few facilities that have not met all the specified standards, variances are available to permit additional time to upgrade. It is estimated that approximately 5% of wildlife rehabilitation facilities, including satellite facilities and home-based wildlife rehabilitators, will require minor improvements to their enclosures to meet the new requirements. It is estimated that 4 wildlife rehabilitation facilities will have to perform minor to moderate improvements to their enclosures at a cost of \$1,000 or less. It is estimated that approximately 28 satellite facilities will have to perform minor modifications to their enclosures at a cost of \$500 or less. The total estimated cost (statewide) is estimated to be \$14,000 or less. A wildlife rehabilitator, including permit holders, their designees and sub-permittees may submit a variance request for department approval of alternative enclosure sizes, design, or construction materials that differ from the proposed requirements at no cost (\$0).

Additionally, attention has been given to ensure that training requirements can be met at no cost or optional additional costs to wildlife rehabilitation staff. Training options have been expanded to include such options as monthly facility safety meetings. The proposed annual reports and triage plans have already been prepared by wildlife rehabilitation staff, but submittal to the Department will now be required.

Question 6. Number of jobs created and eliminated.

The Commission does not anticipate that the proposed regulation would induce any impact on the creation or elimination of jobs because the proposed regulatory action is not anticipated to stimulate or diminish demand for services related to wildlife rehabilitation as no new tasks are induced by the proposed regulatory action.

Section B. Estimated Costs

Question 1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime?

Compliance with the proposed regulation is expected to incur minimal to no new costs. Most businesses already adhere to the new standards. An estimated 5% of rehabilitation and satellite facilities may incur initial costs between \$500 and \$1,000. The total statewide cost of this regulation over its lifetime is estimated to be \$14,000 for businesses and individuals.

Section C. Estimated Benefits

Question 1. Briefly summarize the benefits of the regulation.

Anticipated benefits of the regulation include consistency with current wildlife rehabilitation standards: with the codification that California's wildlife rehabilitation practices align with the most current standards and scientifically-based requirements to: (1) protect animal welfare, native wildlife, human health and safety; (2) meet Department goals for conservation and management of native wildlife species; and (3) increase public awareness of the ethical standards maintained by wildlife rehabilitators in California.

While most wildlife rehabilitation facilities currently meet the proposed requirements, codifying best practices ensures that these facilities will continue to maintain current standards and scientifically based requirements for temporarily possessing and rehabilitating native wildlife for release back into the wild. The proposed changes allow the Department to require site-specific best practices to protect, native wildlife, agricultural interests, the state's environment, animal welfare, health and welfare of California residents, and worker safety. Additionally, best practices will include enhanced biosecurity protocols, improved caging requirements, and standardized reporting protocols for animals known or suspected to have a communicable disease.

This action will increase the efficiency and ability for public to get wildlife to rehabilitators (currently record keeping for satellite facilities and regulation/memorandum of understanding information is limited). Requiring an emergency action plan will prevent costly responses from having the state respond to facilities impacted by wildfires or storms.

Question 3. What are the total statewide benefits from this regulation over its lifetime?

The total statewide benefits of the proposed regulation are difficult to specify as the majority of regulated wildlife rehabilitation facilities are currently meeting the standards described in this action, such that the benefits are already in full effect. The proposed regulations are to ensure that these standards are codified and may be updated as needed to the latest best practices so as to perpetuate the benefits over time.

Question 4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation.

The Commission does not anticipate that the proposed regulation would induce any impacts on the expansion of businesses currently doing business within the state.

Fiscal Impact Statement

Section A. Fiscal Effect on Local Government

Answer 5. No fiscal impact exists. This regulation does not affect any local entity or program.

Section B. Fiscal Impact on State Government

Answer 3. No fiscal impact exists. This regulation does not affect any State agency or program. No change in costs or savings to state agencies is expected as a direct result of the proposed amendments to Section 679. The Department currently oversees 80 wildlife rehabilitation facilities and approximately 550 satellite facilities each year. The Department has estimated that the specification of standards for wildlife rehabilitation facilities, improved oversight, and support to permittees throughout the state by the Department's Native Wildlife Rehabilitation Program will not change costs for staff time or materials. The Department's Wildlife Health Laboratory program costs will remain unchanged and within currently existing budgets and resources.

Answer 4. Other. Explain: Per California Fish and Game Code Section 713, the fees charged by the Department and printed on application forms will be updated to the most current year fee amounts. The change in fee amount is not a result of this rulemaking, but due to Fish and Game Code Section 713, which directs the Department to adjust fees consistent with the implicit price deflator for state government each year. The fees have been continuously adjusted by the Department's License and Revenue Branch. This action will update the fee amount shown on the forms to the most current year's fee.

Section C. Fiscal Effect on Federal Funding of State Programs

Answer 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.