

Staff Summary for October 8-9, 2025

8. Regulation Change Petitions (Wildlife and Inland Fisheries) (Consent)**Today's Item**Information ☐Action ☒

This is a standing agenda item for the Commission to receive new regulation change petitions and act on regulation change petitions received from the public at previous meetings. This meeting will address:

- (A) Action on previously received regulation change petitions
- (B) Receipt of new petitions for regulation change
- (C) Comments received on referred petitions not yet scheduled for action

Summary of Previous/Future Actions**(A) *Petitions for Regulation Change - Scheduled for Action***

- Received Petition 2025-04 August 13-14, 2025
- Today potentially act on petitions **October 8-9, 2025**

(B) *New Petitions for Regulation Change - Receipt*

- Today receive new petitions October 8-9, 2025
- Potentially act on new petitions **December 10-11, 2025**

(C) *Comments Received on Referred Petitions (N/A)***Background****(A) *Petitions for Regulation Change - Scheduled for Action***

Petitions received at the previous meeting are scheduled for Commission consideration at the next regularly scheduled business meeting. A petition may be: (1) denied, (2) granted, or (3) referred to a Commission committee, staff, legal counsel, or the Department for further evaluation or information gathering. Referred petitions are scheduled for action once a recommendation is received. Today, two petitions are scheduled for action:

- I. *Petition 2023-13*: Request to clarify regulatory language regarding the use of traps, including type of traps and disposition of animals trapped (Exhibit A2)
- II. *Petition 2025-09*: Request to allow non-salmonid fishing in currently closed areas of the upper Klamath River (Exhibit A3)

The Department has provided a memorandum with a recommendation for Petition 2023-13 (Exhibit A4). Rationale for the staff recommendation for Petition 2025-09 is provided in Exhibit A1.

(B) *New Petitions for Regulation Change - Receipt*

Pursuant to Section 662, any person requesting that the Commission adopt, amend, or repeal a regulation must complete and submit Form FGC 1. Petitions submitted by the

Staff Summary for October 8-9, 2025

public are “received” at this meeting if they are delivered by the public comment or supplemental comment deadlines or delivered in person to the Commission meeting.

Under the Bagley-Keene Open Meeting Act, the Commission cannot discuss or act on any matter not included on the agenda, other than to determine whether to schedule issues raised by the public for consideration at future meetings. Thus, petitions for regulation change generally follow a two-meeting cycle of receipt and decision. The Commission will act on petitions received at today’s meeting at the next regularly-scheduled Commission meeting (December 10-11, 2025) following staff evaluation, unless the petition is rejected under the 10-day staff review as prescribed in subsection 662(b).

The Commission received two new petitions for regulation change by the comment deadline for this meeting (exhibits B1 and B2).

(C) ***Comments Received on Referred Petitions***

This sub-item is for receiving public comments for any petition previously referred for review and recommendation, but not yet ready for Commission action. Action on any referred petition will be scheduled once the Commission receives a recommendation.

Today, there are no comments on previously referred petitions.

Significant Public Comments (N/A)

Recommendation

Commission staff: Grant in part and deny in part Petition 2023-13 based on the rationale in Exhibit A4, and deny Petition 2025-09 for the reasons provided in Exhibit A1.

Department: Grant in part and deny in part Petition 2023-13 based on the rationale in Exhibit A4.

Exhibits

- A1. [Summary of petitions for regulation change scheduled for action, with staff recommendations](#)
- A2. [Petition 2023-13, received November 8, 2023](#)
- A3. [Petition 2025-09, received August 4, 2025](#)
- A4. [Department memo regarding Petition 2023-13, received October 2, 2025](#)
- B1. [Petition 2025-10, received August 6, 2025](#)
- B2. [Petition 2025-12, received September 4, 2025](#)

Motion

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations for items 3 through 9 on the consent calendar.

California Fish and Game Commission
Petitions for Regulation Change — Action (updated September 30, 2025)

CFGC - California Fish and Game Commission CDFW - California Department of Fish and Wildlife WRC - Wildlife Resources Committee MRC - Marine Resources Committee , MR - Marine Region

Grant: CFGC is willing to consider the petitioned action through a process Deny: Not willing to consider the petitioned action Refer: Need more information before the final decision

Tracking No.	Date Received	Name of Petitioner	Short Description	CFGC Receipt	CFGC Initial Action Date	Initial Staff Recommendation	Scheduled for Final Action	Final Staff Recommendation
2023-13	11/8/2023	Rebecca Dmytryk	Clarify regulatory language regarding the use of traps including type of traps, and disposition of animals trapped.	12/13-14/2023	2/14-15/2024	REFER to CDFW for review and recommendation.	10/8-9/2025	GRANT in part and DENY in part, based on the rationale in CDFW's memo (Exhibit A4).
2025-09	8/4/2025	Brandon Worthington	Request to establish on the upper Klamath River a catch-and-release fishery using artificial lures and barbless hooks, prohibit take and possession and angling of Chinook salmon, change bag limit for hatchery steelhead trout and steelhead, and restore year-round angling season.	8/13-14/2025	10/8-9/2025	DENY: CDFW's objective for the Klamath River Basin is for populations of anadromous and non-anadromous fish to reach levels that will allow long-term, sustainable fisheries as quickly as possible. CDFW is committed to reevaluating the sport fishing regulations in the dam removal reach annually, and CFGC anticipates future modifications as the habitat stabilizes and recovery advances. Wild trout populations are increasing and habitat is steadily improving, but they are not yet confirmed to be at levels compatible with sport fishing.		



Tracking Number: (2023-13)

SECTION I: Required Information.

1. Person or organization requesting the change (Required)

Name of primary contact person: **Rebecca Dmytryk**

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Sections 200, 203, 219, 265, 3003.1, 4005 and 4009.5, Fish and Game Code. Reference: Sections 110, 200, 203, 203.1, 265, 3003.1, 4004, 4005, 4009.5, 4152 and 4180, Fish and Game Code.

3. Overview (Required) - Summarize the proposed changes to regulations:

Petitioner seeks to have section §465.5 amended to comply with Fish and Game Code, specifically sections 4180 and 4152, and to clarify certain sections that are somewhat ambiguous. Please see the suggested changes being proposed:

- 1) *§ 465.5 Use of Traps (c) Prohibition on Trapping for the Purposes of Recreation or Commerce in Fur. It is unlawful for any person to trap for the purposes of recreation or commerce in fur any furbearing mammal or nongame mammal with any body-gripping trap. A body-gripping trap is one that grips the mammal's body or body part, including, but not limited to, steel-jawed leg-hold traps, padded-jaw leg-hold traps, conibear traps, and snares. Cage and box traps, nets, suitcase-type live beaver traps, and common rat and mouse traps shall not be considered body-gripping traps and may be used to trap for the purposes of recreation or commerce in fur any furbearing or nongame mammal.*



Tracking Number: (_____)

- 2) *§ 465.5 Use of Traps (d) Prohibition on Exchange of Raw Fur. It is unlawful for any person to buy, sell, barter, or otherwise exchange for profit, or to offer to buy, sell, barter, or otherwise exchange for profit, the raw fur, as defined by Section 4005 of the Fish and Game Code, of any furbearing mammal or nongame mammal that was trapped in this state, with a body-gripping trap as described in subsection (c) above.*
- 3) *§ 465.5 Use of Traps (f) Use of Non-Body-Gripping Traps for Purposes of Recreation or Commerce in Fur. Any person who utilizes non-body-gripping traps for the take of furbearing mammals and nongame mammals for purposes of recreation or commerce in fur must comply with the provisions of subsections (g)(1) through (3) below.*
- 4) *§ 465.5 Use of Traps (g) Use of Conibear Traps, Snares, Cage and Box Traps, Nets, Suitcase-type Live Beaver Traps and Common Rat and Mouse Traps for Purposes Unrelated to Recreation or Commerce in Fur. Conibear traps, snares, cage and box traps, nets, suitcase-type live beaver traps and common rat and mouse traps may be used by individuals to take authorized mammals for purposes unrelated to recreation or commerce in fur, including, but not limited to, the protection of property, in accordance with subsections (1) through (5) below. Except for common rat and mouse traps, all traps used pursuant to this subsection must be numbered as required by subsection (f)(1) above. The prohibitions of subsections (c) and (d) above shall apply to any furbearing or nongame mammal taken by a conibear trap or snare pursuant to this subsection (g).* (f) Use of Traps for Purposes Unrelated to Recreation or Commerce in Fur. Any person who utilizes non-body-gripping traps, cage or box traps, nets, suitcase-type live beaver traps, conibear traps, snares, or traps authorized under 465.5 (e)(1), to take authorized mammals for purposes unrelated to recreation or



Tracking Number: (_____)

commerce in fur, including, but not limited to, the protection of property as granted under FGC § 4152 and FGC § 4180, must comply with each of the following provisions.

(1) Trap Number Requirement. (...)

(2) Immediate Dispatch or Release (...)

(3) Trap Visitation Requirement. (...)

(4) Trap Placement Requirement. (...)

(5) Placement of Conibear Traps. (...)

(6) Zones Prohibited to the Use of Conibear-type Traps and Snares. (...)

465.5 (g) Statutory Penalty for Violation of Provisions. (...)

5) *~~§465.5 Use of Traps (g)(1)~~ (f)(2) Immediate Dispatch or Release. All furbearing and nongame mammals that are legal to trap must be immediately killed or released on site. (...)*

6) *~~§465.5 Use of Traps (g)(3)~~ (f)(4) Trap Placement Requirement. Traps may not be set within 150 yards of ~~any structure used as a permanent or temporary residence, unless such traps are set by a person controlling such property or by a person who has and is carrying with him written consent of the landowner to so place the trap or traps.~~ a habitable dwelling without the written consent of the property owner(s) of those dwellings. The person setting the trap(s) must carry with them the written consent of those property owners. This requirement shall not apply to a person setting a trap for wildlife within an enclosed space that has been sufficiently sealed to prevent other animals from gaining entry and access to the trap.*



Tracking Number: (_____)

4. Rationale (Required) - Describe the problem and the reason for the proposed change:

1. Commercial and recreational fur trapping was outlawed years ago, yet §465.5 (c) states *"Cage and box traps, nets, suitcase-type live beaver traps (...) may be used to trap for the purposes of recreation or commerce in fur any furbearing or nongame mammal,"* and therefore should be amended to conform with current law.

2. We are suggesting removal of the last statement *"with a body gripping trap as described in subsection (c) above,"* as this implies if animals are trapped by other means, their pelts could be exchanged for profit.

3. Instead of simply striking references to recreation and commerce in fur in this section, we believe it makes more sense to remove it and ass the trap number provision to the subsequent section, which would actually be reassigned "f".

#4. Consolidating the provisions for use of traps under one heading rather than having (f)(1) separate, will make it less confusing. We also believe it's important to reaffirm that these regulations apply to anyone utilizing a trap for wildlife.

5. §465.5 (g)(1) Immediate Dispatch or Release, states *"All furbearing and nongame mammals that are legal to trap must be immediately killed or released,"* which leaves room for interpretation and has led to wildlife officers not being able to act on potentially unlawful acts due to the ambiguous language. It should state clearly that animals are to be immediately released on site or euthanized on site.

Additionally, it may be valuable to also refer to the regulation that states that wildlife may not be relocated without authorization from the Department.



Tracking Number: (_____)

6. As it currently reads, §465.5 (g)(3) is awkward, leaving much room for interpretation, which, for decades, has led to confusion - even among law enforcement officers, resulting in officers being unable to act on potentially unlawful acts due to the way this subsection is written.

We also recommend additional language to exempt persons from this requirement so they may set a trap for an animal within an enclosed space, like an attic or basement, where no other animals are able to gain access.

SECTION II: Optional Information

5. Date of Petition: 10-13-23

6. Category of Proposed Change

- ☐ Sport Fishing
- ☐ Commercial Fishing
- ☐ Hunting
- ☒ Other, please specify: General trapping regulations.

7. The proposal is to:

- ☒ Amend Title 14 Section(s): **§ 465.5.**
- ☐ Add New Title 14 Section(s):
- ☐ Repeal Title 14 Section(s):

8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition. **Not applicable.**



Tracking Number: (_____)

9. Effective date: If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: **Not applicable.**
10. Supporting documentation: Identify and attach to the petition any information supporting the proposal including data, reports and other documents:
11. Economic or Fiscal Impacts: Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing:
12. Forms: If applicable, list any forms to be created, amended or repealed:

SECTION 3: FGC Staff Only

Date received: Nov 8, 2023

FGC staff action:

- ☒ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition _____
- ☐ Granted for consideration of regulation change



Tracking Number: (2025-09)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Brandon Worthington

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

Rulemaking Authority (Required)

Fish and Game Code Section 200 provides the Commission authority to regulate sport fishing in California, including establishing methods of take, gear restrictions, seasonal closures, and bag limits. This authority applies to waters of the Klamath River under the jurisdiction of the State of California.

Overview (Required)

The petitioner requests amendments to Title 14, California Code of Regulations, **Section 7.40(b)(91.1) Klamath River**, specifically in **subsections (2)(A) and (2)(B)**. These amendments would:

- Allow angling **only with artificial lures and barbless hooks** in the designated upper sections of the Klamath River;
- **Prohibit the take and possession and angling of Chinook Salmon** in these sections;
- Set the **bag limit for hatchery trout and hatchery steelhead to zero**, establishing a full **catch-and-release fishery**;
- Restore the **year-round angling season** previously allowed in **Section 2A prior to recent regulation changes**, and extend a similar catch-and-release season to Section 2B; Retain angling restrictions around vital tributaries such as Shovel, Fall, Jenny and Scotch creeks.
- Better align California regulations with those currently in place in Oregon, which allow year-round, catch-and-release trout angling in the same river system following dam removal and habitat reconnection.



- Regulation change would allow for downriver trips originating in Oregon to continue over the state line during peak season.

These updates would reflect the river's restored ecological function, support wild trout conservation, and enable responsible use of newly developed public access points under an outfitter-designed recreation plan.

2. Rationale (Required)

Wild trout populations, particularly reddsides rainbow trout, are rapidly increasing in newly reconnected river sections. These fish were **not a focal point of dam removal** and were **not previously subject to special conservation measures**. They are not listed as a species of concern in the Klamath River, and few special management protections were in place for them before the dams were removed. Accordingly, a **regulated, catch-and-release fishery using artificial lures and barbless hooks** is appropriate and in line with California's existing wild trout policy in other waters.

In addition, the **recreation stakeholder group involved in the dam removal process**—of which the petitioner has been an active member for the past five years—successfully advocated to FERC for a robust recreation plan as a condition of the license surrender. That advocacy led to the **implementation of an outfitter-produced access and recreation plan by KRRC**, resulting in the construction of several new boat ramps and river access points throughout the restored reaches.

However, these new facilities **remain underutilized by both the angling public and licensed outfitters** due to current regulations that prohibit fishing for much of the year or across too broad a scope. The proposed changes would allow those access points to fulfill their intended role—supporting **low-impact, guided catch-and-release fishing** that benefits local economies while continuing to protect vulnerable anadromous fish populations.

The proposed regulation changes will bring California's management of the Upper Klamath River into better alignment with **Oregon's regulations**, which already allow **year-round, catch-and-release angling** in reaches of the river similarly affected by dam removal. Now that the Klamath flows freely across the Oregon–California border, harmonizing regulations between states is both logical and ecologically sound.

The proposed regulation change would allow outfitters to originate trips in Oregon, and takeout in California. The river is the same river now above and below the Stateline, except for regulation disparities.

This amendment is a timely opportunity to apply smart, conservation-based access policy that reflects the river's new ecological reality and honors the recreation goals built into the dam removal process.

SECTION II: Optional Information

3. Date of Petition: August 4, 2025

4. Category of Proposed Change



- ☒ Sport Fishing
☐ Commercial Fishing
☐ Hunting
☐ Other, please specify: [Click here to enter text.](#)

5. The proposal is to: *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

☒ Amend Title 14 Section(s) ☒ Amend Title 14 Section(s): 7.40(b)(91.1)(2)(A) and 7.40(b)(91.1)(2)(B)

- ☐ Add New Title 14 Section(s): [Click here to enter text.](#)
☐ Repeal Title 14 Section(s): [Click here to enter text.](#)

6. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition [Click here to enter text.](#)
Or ☒ Not applicable.

Effective date: January 1, 2026 (start of the next regulation cycle)

If earlier implementation is feasible, we request an **emergency adoption** to take effect upon publication in the 2026 sport fishing supplement.

Nature of emergency: The river has undergone a major ecological and regulatory transformation due to dam removal. New infrastructure is in place, wild trout populations are expanding, and the lack of a functional angling season is restricting both access and conservation-based recreation. Prompt implementation would allow these regulations to take effect before the 2026 angling season and guide planning for outfitters and the public.

7. Supporting documentation:

- [American Whitewater Interactive Recreation Map](#) showing new and restored river access points, boat ramps, and trailheads.
- [2025 Oregon Upper Klamath River fishing regulations – Southeast Zone](#), which include:

Klamath River: 1 rainbow trout per day, 12 inch minimum and 15 inch maximum length. Closed from Hwy 66 Bridge to Keno Dam June 16 – September 30.

- [KRRC Recreation Plan](#) detailing the outfitter-informed infrastructure plan implemented as part of the dam removal and license surrender agreement
- Letter of support from a licensed California fly fishing guide operating in Section 2A and hopefully 2B soon.



Economic or Fiscal Impacts: The proposed change is expected to have **positive economic impacts** on local and regional economies by:

- Enabling outfitters, guides, and gear shops to operate during expanded seasons
- Increasing visitation to remote Klamath River communities
- Encouraging responsible use of newly developed river access sites
- Supporting tourism businesses during the shoulder and peak seasons in Siskiyou County

As the only licensed fly fishing outfitter operating on both the California and Oregon sides of the Klamath River, the petitioner is uniquely positioned to benefit from harmonized regulations. Allowing access to the California side **this fall** or at least in 2026 would enable us to run significantly more trips during the **prime river recreation season**, supporting not just our small business, but also local lodging, dining, and transportation services.

There are **no known negative fiscal impacts** to the Department of Fish and Wildlife or other state agencies. Catch-and-release angling imposes minimal biological pressure and requires no additional hatchery investment or resource outlay.

SECTION 3: FGC Staff Only

Date received: [Click here to enter text.](#)

FGC staff action:

- ☒ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition _____
- ☐ Granted for consideration of regulation change

Tracking Number

Memorandum

Date: September 29, 2025

To: Melissa Miller-Henson
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Petition to amend regulation 465.5 regarding use of traps (Tracking number: 2023-13)**

On February 15, 2024, the Fish and Game Commission (Commission) referred Petition 2023-13 to the Department of Fish and Wildlife (Department) for further consideration. The Petition proposes to amend Section 465.5 to comply with Fish and Game Code sections 4005, and to make certain other changes to the language in this section that the petitioner believes are ambiguous or need clarification.

The petition identifies six (6) proposed amendments to Section 465.5:

- 1) In subsection (c), the petitioner proposes to strike the text: *“with any body-gripping trap. A body-gripping trap is one that grips the mammal’s body or body part, including, but not limited to, steel-jawed leg-hold traps, padded-jaw leg-hold traps, conibear traps, and snares. Cage and box traps, nets, suitcase-type live beaver traps, and common rat and mouse traps shall not be considered body-gripping traps and may be used to trap for the purposes of recreation or commerce in fur any furbearing or nongame mammal.”*

The Department agrees with this change. Assembly Bill 273 was approved September 4, 2019, and became effective on January 1, 2020. This new legislation amended Fish and Game Code Section 4005 to make it unlawful to sell the raw fur of any fur-bearing or nongame mammal, regardless of the type of trap used to capture the animal. It is therefore unnecessary for this subsection to specify types of traps that are unlawful for the purpose of recreation or commerce in fur, because all trap types are universally unlawful to use for this purpose in California, since January 1, 2020. The removal of this language from this subsection makes it clearer that it is unlawful to use any type of trap for this purpose.

- 2) The petitioner proposes to strike the text in subsection (d): *“with a body-gripping trap as described in subsection (c) above.”*

The Department agrees with this change. Like the above in subsection (c), the removal of this text in subsection (d) makes clear that all types of traps are unlawful to use for the purpose of recreation or commerce in fur in California since January 1, 2020, regardless of the type of trap in question.

- 3) Combined with #4 below.
- 4) The third and fourth change identified in the petition together strike the existing subsection (f) and renumber the existing subsection (g) to become new subsection (f). The current subsection (f)1 becomes (g)1 and the existing provisions 1-5 of subsection (g) are renumbered to become (g)2-6.

The Department agrees with this change. The effect of this change is to remove the text describing the requirements for the lawful use of non-body-gripping traps for the purposes of recreation or commerce in fur. This activity has been unlawful since January 1, 2020, and this text should be removed from this subsection.

Existing subsection (g) references that the trap number requirement in (f)1 also applies to the use of traps for purposes unrelated to recreation or commerce in fur (except for common rat and mouse traps). This subsection will need to be revised for consistency to update reference to renumbered subsections, but these changes are not substantive to the effect of the regulation and provide the logical sequence for the renumbered subsections.

- 5) The petitioner proposes to add the text “on site” in existing subsection (g)1 to indicate where a furbearing or nongame mammal must be released when removed live from a trap, if not immediately dispatched.

The Department does not agree with this proposed amendment. The CDFW's Law Enforcement Division does not believe that the addition of the words “on site” increases the enforceability of this requirement. In general, it is already true that furbearing or nongame mammals that are removed from a trap must be released in the area where it was trapped if not immediately dispatched.

Fish and Game Code Section 2118 states that it is unlawful to possess or transport wildlife in California without a permit. Furthermore, Section 679(f)4 states in part, that concerning the possession of wildlife and rehabilitation: *“Any healthy wildlife trapped in towns or cities or removed from under buildings or otherwise taken or trapped in accordance with Section 4152 or 4180, Fish and Game Code shall be immediately released in the area where trapped or disposed of as directed or authorized by the department.”*

The proposed addition of the phrase “on site” was not supported by the Law Enforcement Division, as it could be interpreted in different ways. The term could refer to a residence, a building or a structure, or could refer to an administrative boundary. It is already the interpretation of the Law Enforcement Division that wildlife trapped inside a structure (in a basement or attic etc.) may be removed from inside that structure and released; and that if an animal is trapped in a space that is fenced or would prevent an animal from escaping to the environment, that such wildlife may be released at the distance required to bypass those barriers to escape.

Wildlife Law Enforcement officers use their professional judgment in enforcing the provisions of immediate dispatch or release for trapped furbearing and nongame

mammals. Fish and Game Code Section 2118 is clear that wildlife may not be transported without a permit in California. The phrase “on site” is believed to be less precise than “in the area where trapped” as it relates to the enforcement of this provision regarding the location where a trapped animal is released if not dispatched. As an alternative to the addition of the words “on site” in this section, the department will consider addition of the words *“immediately released in the area where trapped”* to provide additional clarity in this Section, and for consistency with Section 679, in its rulemaking to address changes to trapping regulations for consistency with new law.

- 6) With respect to the requirements for trap placement stated in 465.5(g)(3), the petitioner proposes to strike the text *“any structure used as a permanent or temporary residence, unless such traps are set by a person controlling such property or by a person who has and is carrying with him written consent of the landowner to so place the trap or traps.”* from this subsection, and to replace it with “a habitable dwelling without the written consent of the property owner(s) of those dwellings. The person setting the trap(s) must carry with them the written consent of those property owners. This requirement shall not apply to a person setting a trap for wildlife within an enclosed space that has been sufficiently sealed to prevent other animals from gaining entry and access the trap.”

The change to replace “any structure used as a permanent or temporary residence” with “a habitable dwelling” is not supported by the Law Enforcement Division. This language has a broader meaning, because a “habitable dwelling” is subject to interpretation, whereas “any structure” is absolute, and the descriptor “used as temporary or permanent residence” is more determinate than *“habitable dwelling”*.

The change to strike the text *“unless such traps are set by a person controlling such property”* would seem to mean that a property owner might be required to produce additional documentation paperwork to carry on their own person, in instances where they control multiple adjacent properties where a trap is being set.

The addition of the text “This requirement shall not apply to a person setting a trap for wildlife within an enclosed space that has been sufficiently sealed to prevent other animals from gaining entry and access to the trap.” is not supported by the Law Enforcement Division. This language seems more subjective, and more difficult to enforce. The enclosed space described could refer to the interior of a residence, business or other structure or a partially enclosed indoor or outdoor space.

Taken together, the Department does not believe that the changes described in #6 aid in clarifying the intent of the existing regulation or that they increase the enforceability of the regulation’s provisions. The department does not support this change.

Melissa Miller-Henson, Executive Director
California Fish and Game Commission
September 29, 2025
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If you have any questions regarding this matter, please contact Scott Gardner, Wildlife Branch Chief, at (916) 801-6257.

cc: Chad Dibble, Deputy Director
Wildlife and Fisheries Division

Robert Pelzman, Assistant Chief – Wildlife
Law Enforcement Division

Dr. Mario Klip, Env. Program Manager
Game and Connectivity Programs

Regina Vu, Wildlife Branch Regulations Coordinator
Wildlife Branch

Matt Meshriy, Upland/Small Game Biologist
Upland Game Program



Tracking Number: (2025-10)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Dale Anderson

Address: 38257 E. Kings Canyon Rd Dunlap CA 93621

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: **Revise standards to Title 671 section 2192**

3. Overview (Required) - Summarize the proposed changes to regulations: Update minimum caging requirements, Material uses for caging and update other outdated provisions to the regulations

4. Rationale (Required) - Describe the problem and the reason for the proposed change: Current regulations are outdated and don't reflect current animal welfare.

SECTION II: Optional Information

5. Date of Petition:

6. Category of Proposed Change

☐ Sport Fishing

☐ Commercial Fishing

☐ Hunting

☒ Other, please specify: Exotic animals permitting.



7. The proposal is to: *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

X Amend Title 14 Section(s) 671

☐ Add New Title 14 Section(s):

☐ Repeal Title 14 Section(s):

8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition

Or ☒ Not applicable.

9. Effective date: If applicable, identify the desired effective date of the regulation.

If the proposed change requires immediate implementation, explain the nature of the emergency:

10. Supporting documentation: Identify and attach to the petition any information supporting the proposal including data, reports and other documents:

11. Economic or Fiscal Impacts: Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing:

12. Forms: If applicable, list any forms to be created, amended or repealed:

SECTION 3: FGC Staff Only

Date received: | August 6, 2025 |

FGC staff action:

☒ Accept - complete

☐ Reject - incomplete

☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: |

Meeting date for FGC consideration: |

FGC action:

☐ Denied by FGC

☐ Denied - same as petition |

Tracking Number

☐ Granted for consideration of regulation change



Tracking Number: (2025-12)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Phillip Sanders

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: California Fish and Game Code Section 200

3. Overview (Required) - Summarize the proposed changes to regulations: Modify the bicycle regulations on the Napa-Sonoma Marshes Wildlife Area to allow bicycle use on roads or levees for transportation between parking lots and hunting areas during the water-

4. fowl season.

5. Rationale (Required) - Describe the problem and the reason for the proposed change: The current regulations that restrict bicycle use on the Napa-Sonoma Marshes WA unfairly limit access for older hunters and junior hunters who would be better able to access waterfowl hunting opportunities via bicycle rather than on foot. Bicycle access is already allowed on type A and type B waterfowl hunting units. Bicycles on these types of units enable access for hunters for whom walk-in only access would be impractical and allow hunters in free roam areas to more easily spread out rather than compete for sites close to the parking lots. Hunters should not be required to pay for the privilege of using bicycles for access to waterfowl hunting, which is what limiting bicycle use to only type A and B units does. Instead, hunters should be allowed to use bicycles for improved access on type C waterfowl units as well. The Napa-Sonoma Marshes WA has existing, convenient roads and levees that lend themselves to bicycle access as-is, and would not require any alterations to implement this access and equity improvement.



SECTION II: Optional Information

6. **Date of Petition:** 9/3/2025

7. **Category of Proposed Change**

☐ Sport Fishing

☐ Commercial Fishing

X Hunting

☐ Other, please specify: [Click here to enter text.](#)

8. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

X Amend Title 14 Section(s): [Click here to enter text.](#)

☐ Add New Title 14 Section(s): [Click here to enter text.](#)

☐ Repeal Title 14 Section(s): [Click here to enter text.](#)

9. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.](#)
Or X Not applicable.

10. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: 10/8/2025

11. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents:

12. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: None

13. **Forms:** If applicable, list any forms to be created, amended or repealed:

None

SECTION 3: FGC Staff Only

Date received: 09/04/2025

FGC staff action:

☒ Accept - complete

☐ Reject - incomplete

☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____



FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition Tracking Number
- ☐ Granted for consideration of regulation change