

Staff Summary for February 11-12, 2026

5. Southern Resident Killer Whale (Consent)**Today's Item**Information ☐Action ☒

Consider approving the Department's request for a 30-day extension to review the petition received to list southern resident killer whale (*Orcinus orca*) as an endangered species under the California Endangered Species Act (CESA).

Summary of Previous/Future Actions

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|---|-----------------------------|
| • Received petition | November 25, 2025 |
| • Transmitted petition to Department | December 4, 2025 |
| • Public receipt of petition | December 10-11, 2025 |
| • Today consider Department's request for a 30-day extension | February 11-12, 2026 |

Background

On November 25, 2025, the Commission received a petition from the Orca Conservancy to list southern resident killer whale as endangered under CESA. On December 4, 2025, staff transmitted the petition to the Department for review.

California Fish and Game Code Section 2073.5 requires that the Department evaluate the petition and submit a written evaluation with a recommendation to the Commission within 90 days of receiving the petition. Under this section, the Department may request an extension of up to 30 days to complete the evaluation.

The Department has requested a 30-day extension to evaluate the petition (Exhibit 1). If approved, the due date for the Department's petition evaluation would change to April 3, 2026.

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

Commission staff: Approve the Department's request for a 30-day extension to evaluate the petition to list southern resident killer whale as endangered under CESA.

Department: Approve the request for a 30-day extension to allow the Department additional time to analyze and evaluate the CESA petition and complete the written evaluation report.

Exhibits

1. [Department memo requesting a 30-day extension](#), received January 7, 2026.

Motion

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations for items 5 through 10 on the consent calendar.

Memorandum

Date: January 5, 2026

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

From: Valerie Termini
Acting Director

Subject: **Request for 30-day extension, Southern Resident Killer Whale (*Orcinus orca*) Petition**

The California Department of Fish and Wildlife (Department) requests a 30-day extension of time pursuant to Fish and Game Code section 2073.5 to allow the Department additional time to analyze and evaluate the petition to list the Southern Resident Killer Whale (*Orcinus orca*) as an endangered species under the California Endangered Species Act (CESA). The extension would change the due date for the Department's evaluation from 90 days due on March 4, 2026, to 120 days on April 3, 2026.

If you have any questions or need additional information, please contact Dr. Craig Shuman, Marine Regional Manager, at (805) 568-1246.

ec: Chad Dibble, Deputy Director
Wildlife and Fisheries Division

Craig Shuman, D. Env. Regional Manger
Marine Region