

## Staff Summary for June 17-18, 2026

**24. Regulation Change Petitions (Wildlife and Inland Fisheries)****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 (N/A)***
- (B) ***New Petitions for Regulation Change – Receipt***
  - **Today, receive new petitions** **June 17-18, 2026**
  - Potentially act on new petitions **August 12-13, 2026**
- (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, no wildlife or inland fisheries petitions are scheduled for action.*

**(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 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 (August 12-13, 2026) following staff evaluation, unless the petition is rejected under the 10-day staff review as prescribed in subsection 662(b).

## Staff Summary for June 17-18, 2026

The Commission received five new wildlife and inland fisheries petitions for regulation change by the comment deadline for this meeting (see Exhibit B1 for a summary table and exhibits B2 through B6 for individual petitions).

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

This item provides an opportunity for public comment on 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.

With regard to referred Petition 2025-003, requesting to remove ferrets from the restricted species list, a commenter proposes several ideas for allowing ferrets as pets, including restricting domestic ownership to pets only, accountability through fines, generating revenue, and limiting legalization specifically to ferrets (Exhibit C1).

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

- B1. [Summary table of petitions received by June 4, 2026](#)
- B2. [Petition 2026-06](#), received April 20, 2026
- B3. [Petition 2026-09](#), received May 21, 2026
- B4. [Petition 2026-10](#), received May 29, 2026
- B5. [Petition 2026-11](#), received June 1, 2026
- B6. [Petition 2026-12](#), received June 5, 2026
- C1. [Email from anonymous commenter](#), received April 16, 2026

**Motion (N/A)**

**California Fish and Game Commission**

**New Petitions for Regulation Change: Received by 5:00 PM on June 4, 2026**

CFGC - California Fish and Game Commission CDFW - California Department of Fish and Wildlife

<b>Tracking No.</b>	<b>Date Received</b>	<b>Name of Petitioner</b>	<b>Short Description</b>	<b>CFGC Receipt Scheduled</b>	<b>CFGC Action Scheduled</b>
2026-06	4/20/2026	Akira Lincome	Request to allow for the possession of certain primate species for use as companion animals without requiring a restricted species permit	6/17-18/2026	8/12-13/2026
2026-09	5/21/2026	Beverly Paras	Request to allow a limited exception to the 150-yard trapping restriction for urban coyote conflict	6/17-18/2026	8/12-13/2026
2026-10	5/29/2026	Dalton Stephenson	Request to exempt licensed wildlife control professionals from the 150-yard trapping rule	6/17-18/2026	8/12-13/2026
2026-11	6/1/2026	Evelyn Fehling	Request to amend regulations to define "Junior Handler" or "Supervised Student" status at wildlife rehabilitation centers	6/17-18/2026	8/12-13/2026
2026-12	6/5/2026	Shannon Eddy, Large Scale Solar Association & Brandon Cummings, Center for Biological Diversity	Request to allow take of western spadefoot for certain qualifying solar projects	6/17-18/2026	8/12-13/2026



Tracking Number: ( 2026-06 )

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:

Akira Lincome

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:**

The requested regulation change is within the California Fish and Game Commission’s authority under California Fish and Game Code Sections 2118 and 2120, which govern the importation, transportation, and possession of restricted species, and under Title 14, California Code of Regulations Section 671 (Restricted Species), which includes mammals of the order Primates.

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

This petition requests that the California Fish and Game Commission amend Title 14, California Code of Regulations Section 671 (Restricted Species) to create a narrow exemption that allows responsible legal possession of specified non-human primates (monkeys) as household companion animals, without requiring a restricted-species permit, under defined conditions. The proposed exemption would distinguish between larger or higher-risk primates and certain small to medium-sized monkey species that can be safely housed in a controlled home environment and would authorize the Commission to adopt clear standards for care, containment, and public safety for these exempt species. The monkey species requested for consideration under this exemption include: Common marmoset (*Callithrix jacchus*) and closely related marmoset species, Capuchin monkeys (*Cebus* spp. and *Sapajus* spp.),



Macaques (*Macaca* spp.), including pigtail macaques (*Macaca nemestrina*), Spider monkeys (*Ateles* spp.)

- 4. Rationale (Required)** - Describe the problem and the reason for the proposed change: Under current regulations, non-human primates are classified as “restricted species” under Title 14, California Code of Regulations, section 671, and are effectively prohibited as household pets for ordinary California residents, regardless of species, size, temperament, or advances in animal-care standards. This blanket approach does not distinguish between larger, higher-risk primates and smaller or medium-sized monkey species that can be safely managed in a structured home environment by responsible owners following appropriate standards. By contrast, many other U.S. states regulate pet monkeys rather than imposing a total ban. Common examples include Texas, Ohio, Alabama, Mississippi, Nevada, and North Carolina, where state wildlife or agriculture agencies regulate primate ownership through permits, enclosure standards, and species restrictions. In several jurisdictions, only smaller species such as marmosets are allowed for private ownership, while larger or higher-risk primates remain prohibited. These approaches show that states can differentiate between species and manage risk through clear standards instead of total prohibition. Publicly available, long-term observational sources indicate that certain small and medium-sized monkey species can be safely kept in a home setting when appropriate enclosures, enrichment, training and daily routines are provided. These monkeys are highly intelligent and social and can learn consistent routines, are capable of feeding themselves from eating and drinking cookware, can groom, bath, use toilet, and clothe themselves, as well as follow simple cooperative tasks in helping with household chores and other functions which makes them great suitable companion animals for both children and adults. Under appropriate care and supervision, their overall risk of causing harm or injury appears comparable to, or lower than, that of many common companion animals such as cats and dogs, which currently do not require comparable permits, specialized permits and not banned. Creating a narrow exemption in section 671 for specified small and medium-sized monkey species, combined with clear standards for care, containment, and oversight, would modernize California’s approach and align it more closely with these other regulatory models. The petition therefore asks the Commission to allow responsible ownership of these species without an individual restricted-species permit, conditioned on baseline requirements such as: (1) an initial home inspection to verify secure indoor and outdoor enclosures and an appropriate household setting; (2) written standards for diet and food preparation and presentation; (3) daily access to exercise and enrichment areas that allow natural climbing, swinging, and running behaviors; and (4) proof of ongoing veterinary care and pet insurance to cover immunizations and reasonably anticipated illness or injury. These measures would protect public safety and animal welfare while allowing Californians to benefit from living with highly intelligent, socially complex primates as emotional or family pets.

## **SECTION II: Optional Information**

- 5. Date of Petition:** April 18, 2026
- 6. Category of Proposed Change**
- Sport Fishing
  - Commercial Fishing
  - Hunting



Other, please specify: **Restricted Species/Wildlife possession regulations change (Non-Human Primates)**

7. **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):

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: Petitioner requests that the regulation change be adopted April 18, 2026 immediately upon approval after filing, or on the earliest date permitted by law. There is an immediate implementation to provide a lawful pathway for responsible ownership of specified small- and medium-sized monkey species as emotional-support and companion animals for persons with physical and mental health conditions, and for families, while also supporting the long-term conservation and welfare of primate species through regulated, humane captive care. Under the current blanket prohibition, individuals who could safely and humanly keep these animals in appropriate home settings have no legal option to do so, which puts individuals at risk for breaking the law to have these animals, which creates ongoing hardship for prospective owners and leaves existing animals in precarious legal status and in endangered situations. Prompt implementation of a narrowly tailored exemption allowing responsible ownership and possession of monkeys as pets, subject to clear care, housing, and safety conditions, is necessary to remove these ongoing obstacles without delay.

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

### **Overview Of Supporting Documentation**

Scientific and veterinary sources recognize that small and medium-sized primates (macaques, including pig-tailed macaques, marmosets, capuchins, and spider monkeys) can present health, safety, welfare, and conservation concerns if they are kept in poor or unregulated conditions. The proposed regulation is intended to minimize these risks by requiring responsible owners to maintain ready access to veterinary services, follow species-appropriate diet and housing guidelines, supervise interactions with children and visitors, provide secure but humane enclosures and supervised outdoor activity, retain documentation of lawful origin, and carry liability insurance. Based on years of observing small and medium-sized monkeys living in stable home environments, Petitioner has found that, under these managed conditions, such monkeys typically show gentle, affectionate, and intelligent behavior toward people and do not behave as inherently dangerous animals. The written sources below show what the risks are for each group and how the proposed management measures are designed to keep real-world incidents to a minimum.

#### **1. Health / public-safety impacts**



**(macaques, marmosets, capuchins, spider monkeys)**

**Risk:** Scientific and veterinary sources show that some small and medium-sized primates—particularly macaques and pig-tailed macaques—can carry viruses such as Herpes B, and that pet primates of several species (including macaques and capuchins) have occasionally bitten or escaped when not properly supervised.

**Management:** Under the petition, owners of all covered species (macaques including pig-tails, marmosets, capuchins, and spider monkeys) will work with veterinarians for initial health checks, follow written bite/escape response plans, supervise interactions (especially with children), and provide secure but humane housing and liability insurance. These measures are intended to keep incident rates very low and comparable to other companion animals that can bite, such as dogs, while still permitting supervised outdoor activity and family contact.

**Macaques / pig-tailed macaques (disease risk):**

Merck Veterinary Manual – “Viruses That Cause Disease in Nonhuman Primates”:

<https://www.merckvetmanual.com/exotic-and-laboratory-animals/nonhuman-primates/viruses-that-cause-disease-in-nonhuman-primates>

CDC / Emerging Infectious Diseases – “Prevalence of Herpes B Virus in Wild Long-Tailed Macaques”:

[https://wwwnc.cdc.gov/eid/article/31/4/24-1197\\_article](https://wwwnc.cdc.gov/eid/article/31/4/24-1197_article)

PubMed – “B-virus from pet macaque monkeys: an emerging threat in the United States”:

<https://pubmed.ncbi.nlm.nih.gov/9452406/>

All species (documented incidents, including capuchins and other pet primates):

Animal Welfare Institute – “Incidents Involving Primates Kept as Pets 1990 to present”:

<https://awionline.org/sites/default/files/uploads/documents/Incidents-Primate-Pets.pdf>

**2. Welfare / husbandry / veterinary needs**

**(marmosets, capuchins, spider monkeys, applied to all small/medium monkeys)**

**Risk:** Marmosets, capuchins, and other small primates can develop serious health and behavioral problems—such as metabolic bone disease, rickets, dental disease, and stress behaviors—when kept without correct diet, space, enrichment, or veterinary care. Spider monkeys need large, complex spaces and can suffer if confined in small or barren environments.

**Management:** The petition requires, for all covered species, species-appropriate diet plans prepared with a veterinarian, regular wellness exams, adequate indoor and outdoor space with climbing structures and enrichment, and owner education. These measures are intended to keep small and medium-sized monkeys healthy and calm and to allow safe, supervised interaction with family members, rather than the problems seen in poorly managed situations.

**Marmosets (diet and bone disease):**

PubMed – “Unusual Case of Metabolic Bone Disease in a Common Marmoset”:



<https://pubmed.ncbi.nlm.nih.gov/9717224/>

**“Bone Disease in the Common Marmoset” (Veterinary Pathology):**

<https://journals.sagepub.com/doi/10.1177/0300985815589354>

**New England Primate Conservancy – “Common Marmoset (Pro)” (care and dietary needs):**

<https://neprimateconservancy.org/common-marmoset-pro/>

**Capuchins (space, enrichment, behavior):**

**RSPCA – “Keeping Capuchin Monkeys as Pets” (welfare problems and needs for capuchins kept as pets):**

<https://www.rspca.org.uk/adviceandwelfare/pets/other/primates/capuchins>

**Spider monkeys (specialized housing and care):**

**San Diego Zoo Wildlife Alliance – “Illegally Trafficked Spider Monkeys Receive Expert Care”:**

<https://sandiegozoowildlifealliance.org/PR/spider-monkey-confiscation>

**Application to all covered monkeys:**

The same husbandry principles—proper diet, veterinary oversight, adequate space and enrichment, and owner education—are applied in the petition to macaques (including pig-tailed macaques) as well as marmosets, capuchins, and spider monkeys, so that each species’ needs are met in a family home.

### **3. Environmental / conservation / illegal-trade impacts (macaques, marmosets, capuchins, spider monkeys)**

**Risk:** Conservation organizations report that many primate species—including macaques, marmosets, capuchins, and spider monkeys—are threatened by habitat loss, hunting, and illegal capture for the pet trade. Capture of wild monkeys for sale often harms family groups and leads to high mortality.

**Management:** To avoid contributing to these problems, the petition limits eligibility to captive-bred or legally rescued monkeys of all four groups, requires owners to keep documentation of lawful origin, and is intended to provide safe long-term homes for existing captive animals and future captive-bred companions, not to encourage removal of any monkeys from the wild.

**All primates / general threats:**

**New England Primate Conservancy – “Primates in Jeopardy”:**

<https://neprimateconservancy.org/primates-in-jeopardy/>

**Capuchins (status and pet-trade impacts):**

**New England Primate Conservancy – “Capuchin Monkeys”:**

<https://neprimateconservancy.org/capuchin-monkeys/>

**“Impact of the pet trade on the Margarita capuchin monkey *Cebus apella margaritae*”:**

<https://www.int-res.com/articles/esr2010/12/n012p057.pdf>



**Marmosets (status and threats):**

**New England Primate Conservancy – “Common Marmoset, *Callithrix jacchus*”:**

<https://neprimateconservancy.org/common-marmoset/>

**Spider monkeys (illegal trafficking):**

**San Diego Zoo Wildlife Alliance – “Illegally Trafficked Spider Monkeys Receive Expert Care”:**

<https://sandiegozoowildlifealliance.org/PR/spider-monkey-confiscation>

(Macaques are included in the general NEPC “Primates in Jeopardy” overview and the broader discussion of trade impacts; the petition’s captive-bred / lawful-origin requirement applies to macaques as well.)

**4. Overall justification / regulatory context  
(all small/medium monkeys together)**

**Risk:** Reviews of the U.S. pet-primate trade describe welfare and safety concerns and gaps in oversight when primates of any species are kept without clear rules, including small and medium-sized monkeys similar to those covered by this petition.

**Management / justification:** Instead of unregulated possession, the petition proposes clear expectations for all owners of macaques (including pig-tailed macaques), marmosets, capuchins, and spider monkeys: maintaining veterinary care and appropriate diet, supervising interactions, providing secure housing and supervised outdoor activity, using only captive-bred or legally rescued animals, and carrying liability insurance. These measures aim to keep incident rates very low while allowing California residents to responsibly share their homes with small and medium-sized monkeys.

**All species / national context:**

**Open Access Government – “The pet primate trade in the U.S.”:**

<https://www.openaccessgovernment.org/article/the-pet-primate-trade-in-the-u-s/175099/>

Petitioner will also provide a list of online videos documenting small and medium-sized macaques (including pig-tailed macaques), marmosets, capuchins, and spider monkeys living in supervised home environments. These videos show that, in practice, when these monkeys are kept with proper care, supervision, and veterinary support, their behavior toward family members is typically gentle, affectionate, and not consistent with the image of universally dangerous animals. here to enter text.

**Statement of Purpose – Companionship  
For Emotional Support And Families  
and Managed Safety Of Pets**

The purpose of this petition is to allow small and medium-sized monkeys (macaques, including pig-tailed macaques, marmosets, capuchins, and spider monkeys) to be kept as companion animals in California under managed, family-home conditions, so that residents with physical and mental-health challenges can benefit from their companionship while risks are kept very low through clear care and safety expectations. Research on emotional-support and companion animals in general shows that close daily interaction with animals can reduce anxiety, depression, loneliness, and stress hormones, while increasing feelings of calm and social connection.



My goal is to extend those benefits to carefully selected small and medium-sized monkeys in homes that meet basic standards for veterinary access, supervision, housing, and insurance.

Publicly available observational sources, including long-term educational channels, show that certain small and medium-sized monkey species can be safely kept when proper enclosures, a loving and stable home environment, enrichment, training, and daily routines are provided.

In these settings, the monkeys are highly intelligent and social and are able to feed themselves from designated dishes, follow daily routines, bathe and groom, use the restroom or diapers on a schedule, dress in their own clothes, and participate in simple household tasks such as retrieving objects or helping with light chores, all while interacting gently with family members. Informal examples documenting these behaviors in household environments, such as the “Monkey Kyo Family” channel (for example, a small monkey calmly feeding herself, assisting with small tasks, and safely playing with adults and children in the home), are provided in the attached video list to illustrate that, under structured conditions, small and medium-sized monkeys can live peacefully in family homes and often behave more predictably than some common pets like cats and dogs.

The accompanying regulation change and supporting documentation explain how the identified risks (disease, bites, welfare problems, and illegal trade) can be minimized through responsible ownership—regular veterinary care, species-appropriate diet and housing, supervision of interactions, lawful sourcing of animals, and liability insurance—so that Californians can safely experience the emotional and practical benefits of living with these intelligent and affectionate animals.

### **Observation You Tube Channels Of Videos Showing Multiple Types Of Monkeys Including Small to Medium Sized-(Macaques, Pigtail, Marmosets, Spider Monkeys, And Capachins)**

**Macaques Monkeys (also known as pigtails)**

**1.Kyo Family Channel-** small monkey Kyo feeding herself, safely interacting with family members, and participating in daily home activities.

<https://youtu.be/sbquCdqv0bk?si=2ndC-KwGrHotjiCL>

**2.Curious Monkey Family Channel-**small monkey Kiki feeding herself and lovingly interacting with the owner giving food.

<https://youtube.com/shorts/AG0F-FcupPE?si=W04Uhvta2ziurRXF>

**3.Monkey Lily’s Life Channel-**small Monkey Lily is feeding himself after the parent owner gives him a meal showing highly intelligent monkeys capable of eating like humans from cookware.

[https://youtube.com/shorts/\\_BR1nAK3dTg?si=w56SwX2xWxhuZCmJ](https://youtube.com/shorts/_BR1nAK3dTg?si=w56SwX2xWxhuZCmJ)

**4.Monkey Lily’s Life Channel-**small Monkey Lily cleans up own drink spill accident and becomes playful after showing they are helpful with cleaning up after themselves and playful and funny.

<https://youtu.be/SODnteYYb9k?si=FjINOP1Yqmp6hz-P>



**5.The Springangel Channel**-medium monkey showing owner teaching monkey to brush teeth demonstrating highly intelligent to follow routine.

[https://youtube.com/shorts/eC0H\\_fISzu4?si=Bp8iflB3P9tfDjL7](https://youtube.com/shorts/eC0H_fISzu4?si=Bp8iflB3P9tfDjL7)

**6.Monkey Lyly Channel**-medium size Monkey Lyly is highly intelligent to be sent to the store with money by the owner and buy product and return home demonstrating the monkey is adaptable to carry out routine on its own in public setting outside and successfully return safely back home.

<https://youtube.com/shorts/CWJwjQXjmpU?si=EwkjaodNCsJ0FIU1>

**7.Xuxu Monkey Channel**-small macaques monkeys being trained by owners to retrieve their own food and feed themselves demonstrating they are harmless than most domestic animals such as cats and dogs.

[https://youtube.com/shorts/XHcsKbhWBOY?si=KVmgalch1RA\\_ZXd9](https://youtube.com/shorts/XHcsKbhWBOY?si=KVmgalch1RA_ZXd9)

**8.Xuxu Monkey Channel**-small monkey being observant of environment and other species calm demonstrating no kind of harm to others eventually they have shown to love and interact with other animals forming a bond.

<https://youtube.com/shorts/3S4vUtG2aNQ?si=OYm3mxy8c3pgiKJQ>

**9.Xuxu Monkey Channel -**

small/medium macaque monkeys are extremely playful, harmless, and fun to watch as a pet owner.

[https://youtube.com/shorts/5SVjXOpgzho?si=kEzkUkF-w0NS3\\_ck](https://youtube.com/shorts/5SVjXOpgzho?si=kEzkUkF-w0NS3_ck)

**10.Xuxu Monkey Channel**-owner of a small monkey at doctors visit ensuring health is followed-up on demonstrates proper care and veterinary check-ups along with requiring pet insurance for any accidents or injury that may arise is in place will prevent or minimize diseases and illnesses that should be required as standard regulation.

<https://youtube.com/shorts/aLnQR63YkYw?si=rBzMzV5uLDKniBDv>

**11.Xuxu Monkey Channel**-medium macaque monkey drinking own bottle to feed self interacting with owner non violent and harmless dressed in clothes and cared for like human children.

<https://youtube.com/shorts/wnayAVpqt7M?si=QEWQpMbpsBYKoNI9>

### **Capuchin Monkeys**

**1.Life With Gaitlyn Channel**-medium size Monkey Gaitlyn is highly intelligent and loves performing cooking skills. Capuchin monkeys demonstrate being highly technical.

<https://youtube.com/shorts/i6L19AcnfTU?si=a7TbUKeBBin2rIKO>

**2.Life With Gaitlyn Channel**-medium size monkey eating breakfast at family table feeding himself demonstrating extreme intelligent capabilities to self care for self with assistance of owner.

<https://youtube.com/shorts/rwic4FcyBzs?si=1tgfoc7qtx9U64hZ>



**3. Life With Gaitlyn Channel**-medium sized Monkey Gaitlyn sitting with owner and family enjoying movies and eating popcorn together demonstrating the monkey is in a safe environment and reacting within family safely around children.

[https://youtube.com/shorts/OGAOThaYAcg?si=X1a\\_gAPcmGPbBcU5](https://youtube.com/shorts/OGAOThaYAcg?si=X1a_gAPcmGPbBcU5)

**4. Life With Gaitlyn Channel**-medium size Monkey Gaitlyn shows he loves to help clean the household demonstrating structure and routine to help owners with chores as companion animals that can be helpful for disabled persons needing assistance.

[https://youtube.com/shorts/CHxMWIGMgQg?si=BWSPq94BH1\\_s4Lzk](https://youtube.com/shorts/CHxMWIGMgQg?si=BWSPq94BH1_s4Lzk)

**5. Mrs. Bench Channel**-this channel promotes toys and is a friend to Monkey Gaitlyn owners on Life With Gaitlyn Channel who gave monkey toys and demonstrate capuchin monkeys are very smart and love technical toys to play with and put together showing.

<https://youtube.com/shorts/M2DATWcWbO4?si=TKhEnx5xsyW9kmGa>

### **Spider Monkeys**

**1. Medium sized spider monkey** from small infant through growth demonstrates being friendly in nature and adaptable to being taught routine by owner.

[https://youtube.com/shorts/4\\_mMlfJz\\_MU?si=SCQ6\\_dlgAvaEXKwb](https://youtube.com/shorts/4_mMlfJz_MU?si=SCQ6_dlgAvaEXKwb)

**2. ViceGoneWild Channel**-Small sized baby spider monkey wearing diaper patiently sitting while owner talks demonstrating no harm or threat to humans.

<https://youtube.com/shorts/LljluxaYiA8?si=hdppbp9qxuKR60IN>

**3. You-Tube Channel**-small spider monkey Winston chillin cool with his owner enjoying the monkey demonstrating spider monkey as a great pet to have that is not harmful or dangerous.

<https://youtube.com/shorts/K3upz3CNxMA?si=b92N2DHBG6tb4Fm9>

**4. Wildlife Command Center Channel**-small spider monkey just being cute and adorable without causing any harm.

<https://youtube.com/shorts/OljjfjU4Vxk?si=peKAicZoJKDL1vqQ>

**5. Viral Hog Channel**-large spider monkey being playful and non-violent and harmless while following request by owner to obtain item from refrigerator and bring for whip cream treat demonstrating small/medium monkeys may grow to large size and remain a friendly pet raised within the family, contradicting claims all monkeys are dangerous and should not be around humans.

<https://youtube.com/shorts/bS4W2BTGTO4?si=oStDUIsWVFjooVd1>

### **Marmoset Monkeys**

**1. Exotic Pet Ranch Channel**-this owner of a small marmoset monkey explains monkey is non-harmful and a great pet that is not wild demonstrating these types of monkeys are suitable in home settings and outside with supervision and care by the owner.

<https://youtu.be/4q-DnUA1KKY?si=3oZusdf0e4AcLNaB>

**2. Dr. K's Exotic Animal ER Channel**-veterinary doctor enforces importance of small marmoset monkeys of having a proper diet to follow and area for environmental enrichment for monkeys to thrive, while also instilling owners taking extra precaution to keep monkey safe



from public until older which demonstrates these same recommendations requesting in regulation change to legalize monkeys in California with proper standards and guidelines implemented to ensure safety, proper nutrition to follow, and offer home inspection to ensure environment is safe to have environment enrichment areas and shows the monkeys are not harmful and at more risk of being in public at early age.

<https://youtu.be/dbZLUHKngj8?si=Ezb5EMyer7SyFaCb>

**3.Trim That Weed Channel**-video informers viewers who take on ownership of marmoset monkeys suggest the type of housing they require for environmental habitat and health care to include which aligns with the requested standard regulation requirement to inspect home for proper housing safety for monkey that provides proper enclosure space for them to thrive and stay healthy.

[https://youtu.be/KNtx\\_xK9FP8?si=-HLlhNugOj\\_YTBf5](https://youtu.be/KNtx_xK9FP8?si=-HLlhNugOj_YTBf5)

### **Spider, Marmoset, Capuchin, Monkeys**

Taken together, spider, marmoset, capuchin, and macaque (including pig-tailed) monkeys are highly intelligent, social, nurturing, playful, and fun-loving animals. With responsible owners and clear Wildlife and Fish and Game regulation standards for housing, veterinary care, and supervision, these monkeys can be safe companion animals for individuals and families, including as emotional or physical support animals. Under this petition, owners would follow regulation standards requiring appropriate health insurance, a primary veterinarian with a species-appropriate care plan and diet, and an inspected, safe habitat that allows monkeys to live in a familiar, enriched animal space where they can climb, play, and interact, while still protecting people and other animals. These inspections and regulation standards are designed to ensure that each monkey's habitat supports its natural behaviors and well-being, and to minimize the risk of injury or illness to humans and the monkeys. With these regulation standards in place, it is unnecessary to keep all of these small to medium monkeys completely banned as pets in California, because a targeted regulatory approach can protect public safety and animal welfare without assuming that every monkey, in every situation, is too dangerous to live around humans.

[https://youtube.com/shorts/o7I4A4\\_8Ya4?si=GiHW8p1OhFjk1fux](https://youtube.com/shorts/o7I4A4_8Ya4?si=GiHW8p1OhFjk1fux)

Many members of the public have the misconception that all monkeys are inherently dangerous and can never be safely kept as pets. From my experience and research, these particular small- and medium-sized species are no more likely to be harmful than common household pets such as cats and dogs when they are kept under clear regulation standards and responsible care. Without long-term observation or experience with these particular small and medium species, people often do not see that they are highly intelligent, social, and capable of forming affectionate, stable bonds with responsible caretakers. With clear regulation standards for housing, veterinary care, and supervision, these primates can provide family companionship and meaningful emotional and physical support to qualified owners, while also reducing incentives for illegal possession and abuse. I respectfully request that the Commission review this petition and the supporting information without bias from the general stigma that all primate species are too dangerous to be around people, and consider allowing Californians a carefully regulated opportunity to enjoy and care for these animals.

- 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: This proposal is not expected to have significant negative economic or fiscal impacts. It may generate modest additional revenue to the California Department of Fish and Wildlife through application and inspection fees associated with the proposed exemption, and could create limited new business activity in veterinary care services, enclosure construction, and specialized primary-care services. No adverse impacts are anticipated for other state or local agencies. By establishing clear legal standards for responsible care, housing, and veterinary oversight, the exemption is intended to increase the number of safe, regulated homes for small and medium-sized monkeys, reduce incentives for illegal trafficking and unsafe, unregulated possession, and complement broader conservation efforts for primate species that are already threatened in the wild by habitat loss, hunting, and illegal pet trade.

**12. Forms:** If applicable, list any forms to be created, amended or repealed: None.

**SECTION 3: FGC Staff Only**

Date received: 4/20/2026

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: ( 2026-09 )

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 Beverly Paras :  
Address: [REDACTED]  
Telephone number: [REDACTED]  
Email address: [REDACTED]

**2. Rulemaking Authority (Required) -**

Fish and Game Code sections 4150 and 4180 authorize the Commission to regulate the take of nongame mammals, including coyotes, and to amend Title 14 regulations related to take.

**3. Overview (Required) -**

Petitioner requests amendment of Title 14 to allow a limited exception to the 150 yard restriction for urban coyote conflict, enabling lawful intervention in dense residential areas when repeated conflict behavior occurs.

**4. Rationale (Required) -**

The 150 yard rule, combined with local restrictions, prevents effective response to urban coyotes even after repeated conflicts. This creates a gap where no action can be taken, allowing habituated behavior to escalate and increasing risk to people and pets.

**SECTION II: Optional Information**

**5. Date of Petition:** April 11 2026

**6. Category of Proposed Change**

- Sport Fishing
- Commercial Fishing
- Hunting
- Other, please specify: [REDACTED]



7. **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): Title 14 §465.5 (Use of Traps)

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: Upon adoption through the standard rulemaking process.

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

Public reports of urban coyote incidents in Southern California, including pet attacks, daytime residential activity, and human safety incidents; local agency response limitations in dense residential areas due to the 150-yard trap placement restriction; and existing CDFW guidance on human-wildlife conflict.

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:

No significant new fiscal impact. Public agencies already incur costs responding to urban coyote conflicts; current regulatory limitations can constrain timely and effective response.

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

**SECTION 3: FGC Staff Only**

Date received: 5/21/2026

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

## **Supporting Statement for Petition – Title 14 Amendment (Urban Coyote Conflict)**

Dear Members of the California Fish and Game Commission,

I respectfully submit this letter in support of the attached petition requesting a limited amendment to Title 14, Section 465.5 (Use of Traps), addressing urban coyote conflict in residential areas.

Communities across Southern California are experiencing an increase in coyote activity within densely populated neighborhoods. These incidents are no longer limited to occasional sightings. Residents are reporting repeated daytime presence, coyotes entering private yards, and attacks on pets. Documented incidents involving young children, including bites and close-contact encounters, have further increased concern regarding public safety.

Under the current regulatory structure, a practical limitation exists. While the take of nongame mammals is authorized under certain conditions, the 150-yard trap placement restriction, combined with local ordinances, often prevents any lawful response in urban environments.

In many residential areas, lot sizes and housing density make it functionally impossible to meet this requirement, even when repeated conflict behavior is present. In many cases, even property owners experiencing repeated conflict on their own property are unable to meet the distance requirement, leaving them without a lawful option to respond despite ongoing incidents.

As currently structured, the regulations can unintentionally leave dense urban communities without a practical or lawful means to respond to repeated coyote conflict.

As currently applied, these regulations function more effectively in rural or low-density environments where distance requirements can realistically be met. In contrast, dense urban areas often cannot meet these conditions, leaving cities and residents without a practical or lawful tool to respond, even when repeated conflict behavior is present.

Urban environments present a regulatory challenge that is not always fully addressed within existing classifications. In practice, there is no clearly defined framework for addressing human-habituated coyotes in dense residential settings, where behavior,

risk factors, and response limitations differ significantly from rural or wildland conditions. As a result, communities are often left managing situations under regulations that do not fully align with on-the-ground realities.

This petition does not seek broad or unrestricted changes. It proposes a narrow, situational exception that would allow controlled intervention only when repeated conflict behavior is clearly established in residential areas.

Existing guidance from the California Department of Fish and Wildlife appropriately emphasizes prevention. However, in cases where coyotes have become habituated to human environments, preventative measures alone are not always sufficient. Urban coyotes frequently demonstrate reduced sensitivity to noise and human activity, and may continue returning to the same locations despite deterrence efforts.

This proposal is intended to provide a practical and reasonable tool for addressing those specific situations while remaining consistent with the intent of existing regulations.

Thank you for your time and consideration of this request.

Respectfully submitted,  
Beverly Paras

## Petition to the California Fish and Wildlife Commission

Subject: Request to Amend Title 14, CCR, Section 465.5(f) — The 150-Yard Rule Requiring Neighbor Permission for Trapping Activities

Submitted by: Wildlife Control Operators of California, Homeowners, and NWCOA members

### Summary of Petition:

We, the undersigned, respectfully petition the California Fish and Wildlife Commission to amend the current regulation requiring written permission from neighboring property owners within 150 yards of any trap placement.

### Proposed Amendment:

We request that licensed and permitted professional wildlife control operators conducting nuisance wildlife management or depredation services be exempt from the 150-yard neighbor-permission requirement, provided they are acting under a valid depredation permit, nuisance wildlife removal license, or other professional authorization.

### Justification:

- The 150-yard rule was established to prevent unauthorized fur trapping and potential conflicts among recreational trappers.
- Professional wildlife control operators are state-licensed professionals, operating under strict guidelines for humane removal and public safety.
- The rule, as currently written, impedes timely response to wildlife conflicts in densely populated or urban areas, where neighboring parcels are close together and obtaining multiple permissions is impractical.
- Exempting licensed professionals aligns with the intent of professional nuisance control, not recreational trapping.

### Requested Action:

That the Commission directed the Department of Fish and Wildlife to amend Section 465.5(f) to include an exemption clause for licensed professional wildlife control operators conducting services under permit or contract.



Tracking Number: ( 2026-10 )

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) 853-4899 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: Dalton Stephenson

Address:

Telephone:

Email address:

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the

Commission to take the action requested: Department of Fish and Wildlife Title 14

3. Overview (Required) - Summarize the proposed changes to regulations: Exempt licensed wildlife control professionals from the "150 yard rule"

4. Rationale (Required) - Describe the problem and the reason for the proposed change: The 150 yard rule was inspired by hunting laws and intended for fur trappers. This regulation could prohibit home owners from protecting their own homes.

SECTION II: Optional Information

5. Date of Petition:

6. Category of Proposed Change

Sport Fishing

Commercial Fishing

Hunting

Other, please specify: TRAPPING

7. The proposal is to: (To determine section number(s), see current year regulation booklet or

Amend Title 14 Section(s): 465.5 (f) 150 yard rule

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: **ASAP 6-15-26**

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: **5/29/2026**

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: ( 2026-11 )

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: Evelyn Fehling

Address: [Redacted]

United States

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:** The Commission has the statutory authority under California Fish and Game Code Sections 200, 703, and 1002. These sections grant the Commission the power to regulate the protection, conservation, and possession of wildlife for scientific and educational purposes.

**3. Overview (Required) - Summarize the proposed changes to regulations:** The petition proposes amendments to Title 14, CCR, Sections 650 and 679 to establish a "Junior Handler" or "Supervised Student" status. This change would allow minors aged 15 or older to have direct contact with Rabies Vector Species (RVS), specifically bats (Chiroptera), provided they meet strict safety criteria. These criteria include proof of current Rabies Pre-Exposure Prophylaxis (PrEP) vaccination, 1-on-1 supervision by an authorized handler over age 21, and notarized parental consent with a liability waiver.

**4. Rationale (Required) - Describe the problem and the reason for the proposed change:** The current 18-year-old age requirement is an administrative barrier that has outpaced the medical reality of modern rabies prevention. By requiring Rabies Pre-Exposure Prophylaxis (PrEP) vaccination, a 15-year-old volunteer becomes medically safer than an unvaccinated adult, creating a "double-layer" of protection when combined with professional handling equipment. This amendment addresses the "bottleneck" in wildlife conservation by allowing motivated students to gain essential field skills before choosing college majors, ensuring a future pipeline of California biologists. Furthermore, the change would increase the capacity of wildlife rehabilitation centers to care for orphaned bats, which are



currently being turned away due to a shortage of authorized adult handlers. This proposal aligns with existing California laws that already allow minors to engage in other supervised high-risk activities, such as student piloting or youth hunting.

**SECTION II: Optional Information**

**5. Date of Petition:**

**6. Category of Proposed Change**

- Sport Fishing
- Commercial Fishing
- Hunting
- Other, please specify:

**7. 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): *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.*

**8. 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.

**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: *Click here to enter text.*

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

**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: *Click here to enter text.*

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

*Click here to enter text.*

**SECTION 3: FGC Staff Only**

Date received: 6/1/2026

FGC staff action:

- Accept - complete
  - Reject - incomplete
  - Reject - outside scope of FGC authority
- Tracking Number

**PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE**

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: ( \_\_\_\_\_ )

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](mailto: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](mailto: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: [Shannon Eddy, Executive Director, Large-scale Solar Association / Brendan Cummings, Conservation Director, Center for Biological Diversity]  
Address: [2501 Portola Way, Sacramento, CA 95818 / 2100 Franklin St Ste 375, Oakland, CA 94612-3030]  
Telephone number: [(415) 819-4285 / (510) 844-7141 ]  
Email address: [[shannon@largescalesolar.org](mailto:shannon@largescalesolar.org) / [bcummings@biologicaldiversity.org](mailto:bcummings@biologicaldiversity.org) ]

### **2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: [Fish and Game Code sections 399, 2084.]**

### **3. Overview (Required) - Summarize the proposed changes to regulations [The Large-scale Solar Association (LSA) and Center for Biological Diversity (CBD) together ask that the Commission approve a temporary pathway for certain Investment Tax Credit (ITC)-eligible clean energy projects to receive authorization for the incidental project-related take of western spadefoot, subject to avoidance, minimization and mitigation requirements, during the candidacy period for western spadefoot. CBD is the Petitioner to list the western spadefoot under CESA, and CBD and LSA have worked cooperatively to develop a mutually agreeable 2084 Rule informed by the best available science on western spadefoot in California.]**

### **4. Rationale (Required) - Describe the problem and the reason for the proposed change: [If the Commission determines that listing the western spadefoot as threatened or endangered under CESA “may be warranted,” western spadefoot will become a “candidate” species. As a candidate species, the take prohibition of Fish and Game Code section 2080 will prohibit “take” of western spadefoot absent specific authorization. LSA member companies developing solar and solar/battery energy storage system projects on the San Joaquin Valley Floor wish to obtain incidental take authorization for the species during its candidacy in order to minimize risk and facilitate investment and financing for certain ITC-eligible projects. In order to take**



advantage of the ITC, which was recently pared back by the federal “One Big Beautiful Bill” Act, utility-scale clean energy developers in California must promptly “begin construction” of their projects. It is essential that solar and solar/BESS projects in California be able to take advantage of the ITC for the State of California to meet its ambitious clean energy generation targets. Because solar and solar/BESS uses can be less impactful on western spadefoot than current active agricultural uses in the San Joaquin Valley, and because western spadefoot can utilize certain modified habitats, responsible solar and solar/BESS development can improve the habitat conditions for western spadefoot on lands currently under active agriculture. LSA and CBD have jointly developed this 2084 Rule to enable certain utility-scale clean energy projects to receive authorization for the incidental take of the species upon satisfaction of the requirements of the Rule, including but not limited to the conservation or creation and conservation of aquatic resources for the species on-site and/or, if necessary, off-site. Adoption of this Rule and its implementation by eligible projects and CDFW would result in a net conservation benefit for western spadefoot relative to the status quo on managed agricultural lands.]

**SECTION II: Optional Information**

5. **Date of Petition:** [June 5, 2026]

6. **Category of Proposed Change**

- Sport Fishing
- Commercial Fishing
- Hunting
- Other, please specify: [Emergency rule to authorize incidental take of western spadefoot pursuant to Fish and Game Code section 2084]

7. **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): [ ]
- Add New Title 14 Section(s): [Section 749.15]
- 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: [Immediately. Qualifying clean energy projects are on a strict schedule to “begin construction” within the meaning of the ITC, and climate change is a recognized threat both to public health in the State of California and to the future viability of western spadefoot.]

10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: [Attached hereto is LSA and CBD’s proposed regulatory text.]



**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: [The proposed regulation will enable utility-scale solar projects and combined solar and BESS projects to make the financial commitments necessary to “begin construction” within the meaning of the federal ITC tax credit and applicable IRS Notices. The Department of Fish and Wildlife is expected to incur costs covered by existing appropriations associated with reviewing project proponents’ requests to register under the proposed regulation and determining whether the projects requesting registration qualify for take authorization pursuant to the proposed regulation.]

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

[N/A ]

**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 [ \_\_\_\_\_ ]

Tracking Number

Granted for consideration of regulation change

**Special Order Relating to Take of Western Spadefoot (*Spea hammondi*) During Candidacy Period<sup>1</sup>**

(a) Definitions.

The following definitions shall apply to this section.

- (1) “Aquatic resource” means all “waters of the state” as defined in Water Code section 13050, subdivision (e), and all vernal pools, seasonal depressions, and other seasonal or perennial surface aquatic features, including constructed features, that retain water for at least 30 consecutive days during the western spadefoot breeding and dispersal season, including but not limited to agricultural sumps, tailwater ponds, and irrigation ditches.
- (2) “Begin construction” means to begin construction within the meaning of Sections 45Y and 48E of the federal Internal Revenue Code, and as defined pursuant to applicable Internal Revenue Service (IRS) Notices.
- (3) “Breeding and dispersal season” means the first day after October 1 with measurable rain but no later than January 31, until May 1.
- (4) “Conserve” means to record a perpetual conservation easement on real property in a form approved in writing by the department, with a grantee approved in writing by the department, and with a long-term management endowment established for the property in a form and an amount, and with a long-term endowment holder approved in writing by the department.
- (5) “Constructed ponds” means ponds that retain water for between 60 and 200 days per year during the breeding and dispersal season and are constructed by the project proponent.
- (6) “Eligible project” means a project that the department has determined satisfies all of the requirements of subsection (b) of this section and has placed on the registry of eligible projects pursuant to subsection (c)(1).
- (7) “Impermeable features” means Battery Energy Storage System pads, substation pads, roads which are made of concrete or asphalt, and Operations and Management (O&M) facilities.
- (8) “Managed or cultivated agricultural land” means land which has been both predominantly used for the production of food or fiber for humans or livestock and disced, plowed, and/or planted within the previous 5 years, or orchards or other lands with long-established trees, shrubs, or vineyards.
- (9) “Off-site ponds” means ponds that retain water for between 60 and 200 days per year during the breeding and dispersal season.
- (10) “Open space, undeveloped, or other land substantially in its natural condition” means land which is predominantly in its natural, scenic, forested, open-space

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<sup>1</sup> Proposed to be chaptered at 14 C.C.R. § 749.15.

condition, and which is not predominantly subject to any residential, commercial, or industrial use, but excluding managed or cultivated agricultural land.

- (11) “Occupied spadefoot habitat” means aquatic resources or land, within 1,000 feet of where an individual western spadefoot has been documented by visual, eDNA, or acoustic surveys or recorded in the CNDDDB, within the prior five (5) calendar years. Such documentation or recordation shall establish a presumption of occupancy for any aquatic resource or land within 1,000 feet of a documentation or recordation.
- (12) “San Joaquin Valley floor” means lands within the San Joaquin Valley at an altitude of no greater than 1,000 feet above sea level.
- (13) “Suitable spadefoot habitat” means any aquatic resource, and lands within 1,000 feet of that aquatic resource, within the range of the western spadefoot, excluding occupied spadefoot habitat.
- (14) “Western spadefoot” means western spadefoot, an amphibian currently bearing the scientific name *Spea hammondi*, and shall include any subsequently described taxa split from *Spea hammondi*.

(b) Take Authorization Eligibility.

Projects that satisfy all of the following criteria are eligible to apply for authorization to take, as defined by Fish and Game Code Section 86, western spadefoot during the species’ candidacy period:

- (1) No more than 10 percent of the disturbed area of the project site shall be open space, undeveloped, or other land substantially in its natural condition.
- (2) This section shall only apply to a project which is located substantially on managed or cultivated agricultural land on the San Joaquin Valley floor within the County of Madera, County of Fresno, County of Kern, County of Kings, County of Tulare, County of Merced, County of Stanislaus, or County of San Joaquin.
- (3) This section shall only apply to a project included in the California Independent System Operator’s interconnection Cluster 15 or a lower-numbered cluster, and which could reasonably be expected to qualify for the Clean Energy Investment Tax Credit under Section 48E of the Internal Revenue Code, including transferability under Section 6418, as implemented through applicable Treasury regulations (26 CFR Part 1) and Internal Revenue Service guidance, based on a valid beginning of construction on or before July 4th, 2026 and satisfaction of continuity requirements pursuant to applicable IRS Notices.
- (4) This section shall only apply to incidental take associated with the development, construction, and operation of the following types of utility-scale projects:
  - (A) A solar photovoltaic project, including any appurtenant infrastructure improvement, and any associated electric generation-tie line carrying electric power from a facility that is located in the state to a point of junction with any California-based balancing authority, and which interconnects or will interconnect at a voltage of 115 or more kilovolts (kv).

- (B) A combined solar photovoltaic and battery energy storage project, including any associated electric generation-tie line carrying electric power from a facility that is located in the state to a point of junction with any California-based balancing authority, and which interconnects or will interconnect at a voltage of 115 or more kilovolts (kv).

(c) Take Authorization Process.

- (1) The department shall establish and make publicly available a registry of eligible projects. To be considered for inclusion on the registry, the project proponent must submit a written request for registration to the Regional Manager of the department region within which the project is located within 60 days after the effective date of this section. The department shall, within 30 days of such submission, include on the registry of eligible projects any project that satisfies the criteria set forth in subsection (b)(1)-(4).
- (2) The project proponent for an eligible project shall perform focused survey(s) to identify and map all aquatic resources (dry or wet at the time of survey) located on or within 1,000 feet of the project site (when legally accessible). The project proponent shall perform focused surveys consistent with established protocols to document the presence of western spadefoot on the project site, unless the project proponent elects to presume the project site or portions thereof within 1,000 feet of an aquatic resource are occupied by western spadefoot. All project areas within 1,000 feet of an aquatic resource not known or presumed as occupied shall be mapped as suitable spadefoot habitat, and a total project acreage of suitable and occupied spadefoot habitat shall be identified. Authorization for the take of western spadefoot incidental to surveying for projects that have been included on the registry is effective upon submission of a written request for registration.
- (3) The project proponent for an eligible project shall submit to the department for its review and approval all of the following:
  - (A) The results of the focused aquatic resource survey(s) required by subsection (c)(2);
  - (B) A written proposal explaining how many acres the project proponent proposes to avoid, protect temporarily, or conserve, of aquatic resources and any lands surrounding them; and
  - (C) A detailed workplan for construction of any seasonal ponds required to satisfy the requirements of subsection (e).
- (4) Authorization for the incidental take of western spadefoot pursuant to this section shall be effective upon the department's written determination that:
  - (A) The project proponent has received department approval for its focused survey(s) and its proposal for how the project will mitigate for the take;
  - (B) The project proponent has completed the approved mitigation pursuant to subsection (e) or provided the department with performance security pursuant to subsection (f);

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- (C) The lead agency has certified the Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) for the project or the California Energy Commission has completed its certified regulatory program process for the project; and
  - (D) The project has received all necessary land use approvals, licenses, and entitlements from the relevant public agency.
- (5) No project shall be included on the registry of eligible projects or receive take authorization under this section if any of the following applies:
- (A) The project proponent materially adversely modifies suitable spadefoot habitat on the project site after April 17, 2026, other than as authorized by this section or in compliance with sections 2081 and 2835 of the Fish and Game Code.
  - (B) The project proponent has not completed a conditional use permit or special use permit application, filed with a CEQA lead agency, on or before the date that western spadefoot is listed by the commission as threatened or endangered, if the western spadefoot is listed.
  - (C) The project proponent does not begin construction, on- or off-site, per the requirements identified in applicable IRS Notices, before July 4, 2026.
- (6) Take authorization pursuant to this section shall extend to the whole geographic area of the project site, meaning the applicable project footprint identified in the project description prepared under the California Environmental Quality Act pursuant to Cal. Code Regs., tit. 14, § 15124, or pursuant to any equivalent process provided by the California Energy Commission, including any electric generation-tie lines and all project impact areas, for any project receiving take authorization.
- (7) The department shall within 30 days remove from the registry any project for which the project proponent submits a written request for de-registration.

(d) Avoidance and Minimization.

To obtain and maintain take authorization pursuant to this section, each eligible project shall satisfy the following avoidance and minimization requirements:

- (1) Avoid ground-disturbing activities and placement of impermeable features in or immediately adjacent to aquatic resources in occupied spadefoot habitat to the maximum extent practicable, for the duration of the project.
- (2) Avoid permanent loss or materially adverse hydraulic alteration of aquatic resources (other than alterations designed to improve habitat functionality for western spadefoot), to the maximum extent practicable.
- (3) Conduct all ground-disturbing project activities within occupied or suitable spadefoot habitat outside the breeding and dispersal season to the maximum extent

practicable, for the purpose of minimizing impacts to above-ground western spadefoot breeding adults, metamorphs, eggs, and/or tadpoles. If ground-disturbing activities must be implemented within occupied or suitable western spadefoot habitat during the breeding and dispersal season, a qualified biologist shall monitor all such ground-disturbing activities, and fencing shall be temporarily installed around aquatic resources within the project site before the first day of the breeding and dispersal season or as soon thereafter as feasible to the satisfaction of the qualified biologist. Such fencing shall be intended to retain and protect spadefoot during the breeding and dispersal season in and around aquatic resources. Such fencing shall be removed at the conclusion of ground-disturbing activities within occupied or suitable habitat during the breeding and dispersal season. No aquatic resource may be destroyed or materially adversely modified when western spadefoot are present within the aquatic resource.

- (4) To protect estivating western spadefoot, minimize grading or other necessary land disturbance in occupied spadefoot habitat to less than 20cm depth, to the maximum extent practicable.
- (5) To prevent western spadefoot from becoming entangled, trapped, or injured, erosion control materials that use plastic or synthetic monofilament netting will not be used. Acceptable materials include natural fibers such as jute, coconut, twine, or other similar non-entangling fibers.
- (6) If a project activity must be undertaken within occupied or suitable western spadefoot habitat, all excavated steep-walled holes and trenches more than 6 inches deep will be covered with plywood or similar material or provided with one or more escape ramps at the end of each workday or 30 minutes prior to sunset, whichever occurs first. A qualified biologist shall search all such excavations each morning for trapped adults or metamorphs. Any detected western spadefoot shall be captured and relocated as described in subsection (d)(7).
- (7) If a juvenile or adult western spadefoot is encountered during construction activities, the project proponent or qualified biologist will notify the department immediately. Construction activities will be suspended in the immediate vicinity of the animal under supervision of the qualified biologist. Sections of fencing shall be temporarily removed or altered to allow the animal to leave the construction area of its own volition. If the animal does not leave the area within 48 business hours, a qualified biologist may relocate the animal to a suitable location away from the construction footprint. The animal shall not be held for longer than 18 business hours, and shall be released after sunset to a site in suitable spadefoot habitat or occupied spadefoot habitat with burrows or other refugia no more than 1,000 feet from the site of capture unless an alternative location is approved in writing by the department. While held, the individual(s) should be kept in a suitable container in appropriate environmental conditions (e.g. shade, moderate temperature, humid or with water) as determined by the qualified biologist and age classes separated in the event of multiple individuals being captured simultaneously. If the animal is handled, a report will be submitted to the appropriate department Regional Manager within 2 business days, including date(s), location(s), habitat description, and any corrective measures taken to protect the western spadefoot.
- (8) All containers used to hold western spadefoot as described in subsection (d)(7) shall be cleaned between each use with 6% bleach solution prepared with household

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bleach with water at a 1:20 ratio. The container shall be soaked or saturated with the bleach solution for at least 5 minutes, rinsed with clean water, and thoroughly air-dried before subsequent use.

- (9) If any worker inadvertently injures or kills a western spadefoot or finds dead, injured, or entrapped western spadefoot(s), the project proponent must report the incident to the qualified biologist and the appropriate department Regional Manager within 24 hours of the incident or discovery.
- (10) Nighttime construction activity shall be avoided when feasible during the breeding and dispersal season. When night-time driving is necessary for project activities, limit vehicle speed to 15 miles per hour during the breeding and dispersal season to the maximum extent practicable except in emergency situations. If nighttime construction is necessary during the breeding and dispersal season, in all areas of occupied spadefoot habitat and suitable spadefoot habitat, a qualified biologist shall proceed on foot before the equipment with a high powered flashlight or spotlight and relocate any observed western spadefoot as described in subsection (d)(7). For all western spadefoot handled, a report will be submitted to the appropriate department Regional Manager within 2 business days, including date(s), location(s), habitat description, and any corrective measures taken to protect the western spadefoot.
- (11) The use of any second-generation anticoagulant rodenticide (brodifacoum, bromadiolone, difethialone, and difenacoum) and any first-generation anticoagulant rodenticide (diphacinone, chlorophacinone, and warfarin), and of atrazine, carbaryl, and chlorpyrifos is prohibited on the project area. The project proponent shall ensure that all herbicide use (mixing, application, and clean-up) is done by a licensed applicator in accordance with all applicable state, federal, and local regulations. The project proponent shall only apply herbicide sprays via ground application when wind speed measures less than 3 mph. The project proponent shall ensure that great care is taken to avoid herbicide contact with any native vegetation, as feasible, and all herbicide sprays utilized within and adjacent to identified habitat features suitable for western spadefoot contain a dye (registered for aquatic use by the California Department of Pesticide Regulation, if warranted) to prevent overspray.
- (12) To the maximum extent practicable, avoid the loss of mammals that create burrows that may be suitable for western spadefoot (e.g. California ground squirrel and kangaroo rat species) unless such removal is necessary to avoid damage to project facilities and/or for construction activities.
- (13) Provide the department with an Annual Status Report (ASR) no later than January 31 of every year beginning with the project proponent's registration under this section. Each ASR shall include, at a minimum: (1) a general description of the status of the project area and development, construction, and/or operations activities, including actual or projected completion dates if known; (2) a description of the current implementation status of all measures required pursuant to this subsection (c); (3) all available information about project-related incidental take of western spadefoot; and (4) information about other project-related impacts on western spadefoot.

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(e) Mitigation.

To obtain and maintain take authorization pursuant to this section, each eligible project shall provide mitigation pursuant to this subsection. A project proponent shall mitigate onsite to the maximum extent practicable. Onsite mitigation shall be located on the project site or within 1,000 feet of the project site. Where the size, design, or some other feature of the project or project site does not reasonably allow for some or all mitigation to be located on-site, the project proponent shall mitigate off-site for any impacts that cannot be mitigated onsite.

- (1) To the maximum extent practicable, the project proponent shall create, maintain, and conserve, on site at a 2:1 ratio to the number and acreage of the aquatic resources in occupied spadefoot habitat that are destroyed or materially adversely altered, constructed ponds, except that for each aquatic resource destroyed and replaced with impermeable features, a 3:1 ratio of constructed ponds to such aquatic resources shall be required. Such ponds may include stormwater retention basins with headgates operated to mimic seasonal pools, and/or artificial vernal pools with substantially the same total liquid volume (or more) as the aquatic resources destroyed or materially adversely altered by project activities. No more than 10 acres within 1,000 feet of any such ponds shall contain or be covered by impermeable features (as defined in section (a)(7)). If constructed ponds are required, such ponds and the lands around them shall be conserved to prohibit any ground-disturbing activities within 500 feet of such ponds and to allow only project activities on the remaining lands extending to 1,000 feet from such ponds. Ground-disturbing activities may be permitted in the area between 300 and 500 feet from such ponds if the project proponent submits, and the department approves, a plan to enhance western spadefoot habitat within that area.
- (2) To the maximum extent practicable, the project proponent shall create, maintain, and conserve, on site at a 1:1 ratio to the number and acreage of the aquatic resources in suitable spadefoot habitat that are destroyed or materially adversely altered, constructed ponds, except that for each aquatic resource destroyed and replaced with impermeable features, a 1.5:1 ratio of constructed ponds to such aquatic resources shall be required. Such ponds may include stormwater retention basins with headgates operated to mimic seasonal pools, and/or artificial vernal pools with substantially the same total liquid volume (or more) as the aquatic resources destroyed or materially adversely altered by project activities. No more than 10 acres within 1,000 feet of any such ponds shall contain or be covered by impermeable features. If constructed ponds are required, such ponds and the lands around them shall be conserved to prohibit any ground-disturbing activities within 300 feet of such ponds and to allow only project activities on the remaining lands extending to 1,000 feet from such ponds. Ground-disturbing activities may be permitted in the area between 300 and 500 feet from such ponds if the project proponent submits, and the department approves, a plan to enhance western spadefoot habitat within that area.
- (3) For any project where the project proponent does not own the project site lands in fee, and instead has possession or control of the project site lands pursuant to a lease, contract, or other instrument or agreement, the constructed ponds required by paragraphs (1) and (2) of this subsection shall be created and maintained for the life of the project. For every acre of onsite constructed ponds maintained pursuant to this paragraph, the project proponent will be credited at a 0.5:1 ratio to the number and acreage of the aquatic resources in occupied or suitable spadefoot habitat that are destroyed or materially adversely altered on the project site.

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- (4) The department may authorize onsite mitigation pursuant to paragraphs (1) or (2) of this subsection at a lower ratio to the number of aquatic resources that are destroyed or materially adversely altered on the project site, provided that the same acreage ratio is provided as mitigation and that the department determines that the mitigation will provide equivalent or greater biological value to western spadefoot.
- (5) All onsite constructed ponds required by paragraphs (1) or (2) of this subsection shall be designed and managed where practicable to avoid the establishment of predators (e.g., bullfrogs), including by causing such ponds to dry out to prevent more than 200 days of water retention during the breeding and dispersal season.
- (6) To the extent that the mitigation obligation in paragraph (1) cannot be satisfied on site, the project proponent shall provide off site at a 3:1 ratio to the number and acreage of the aquatic resources in occupied spadefoot habitat that are destroyed or materially adversely altered on the project site, off-site ponds, except that for each aquatic resource destroyed and replaced with impermeable features, a 3.5:1 ratio of off-site ponds to such aquatic resources shall be required. Such ponds may include natural aquatic breeding habitat, stormwater retention basins with headgates operated to mimic seasonal pools, and/or artificial vernal pools with substantially the same total liquid volume (or more) as the aquatic resources destroyed or materially adversely altered by project activities. Such ponds and the lands around them shall be conserved to prohibit any ground-disturbing activities within 1,000 feet from such ponds.
- (7) To the extent that the mitigation obligation in paragraph (2) cannot be satisfied on site, the project proponent shall provide off site at a 1.5:1 ratio to the number and acreage of the aquatic resources in suitable spadefoot habitat that are destroyed or materially adversely altered on the project site, off-site ponds, except that for each aquatic resource destroyed and replaced with impermeable features, a 2:1 ratio of off-site ponds to such aquatic resources shall be required. Such ponds may include natural aquatic breeding habitat, stormwater retention basins with headgates operated to mimic seasonal pools, and/or artificial vernal pools with substantially the same total liquid volume (or more) as the aquatic resources destroyed or materially adversely altered by project activities. Such ponds and the lands around them shall be conserved to prohibit any ground-disturbing activities within 1,000 feet from such ponds.
- (8) The project proponent shall provide any off-site ponds required by paragraphs (6) or (7) of this subsection by either constructing, maintaining, and conserving such ponds or by conserving existing ponds, except that the project proponent shall not create new ponds on lands with existing ponds if doing so would destroy or degrade those existing ponds or otherwise diminish the habitat value of those ponds or the lands surrounding them for western spadefoot.
- (9) The department may approve a lower mitigation ratio for the offsite mitigation lands provided pursuant to paragraphs (6) or (7) of this subsection as appropriate based on factors including, but not limited to, the adjacency of mitigation lands to existing conservation reserves known to benefit western spadefoot.
- (10) All off-site ponds required by paragraphs (6) or (7) of this subsection shall be designed and managed where practicable to avoid the establishment of predators (e.g., bullfrogs), including by causing such ponds to dry out to prevent more than 200 days of water retention during the breeding and dispersal season.

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- (11) For any off-site ponds required by paragraphs (6) or (7) of this subsection, the project proponent shall ensure a supply of sufficient water for such ponds to retain water for between 60 and 200 days per year during the breeding and dispersal season.

(f) Security.

Except for take associated with focused surveys pursuant to subsection (c)(2), a project proponent may not proceed with development, construction, or operations activities that have the potential to take western spadefoot until the project proponent has completed the required mitigation or has provided performance security to ensure adequate funding to complete the mitigation required by subsection (e) and the relevant department regional office has given written approval of the provided form and amount of security. If security is provided, all mitigation pursuant to this section must be completed within eighteen (18) months of the department's determination pursuant to subsection (c)(3). The project proponent shall provide performance security as follows:

- (1) The performance security shall be in an amount to be calculated as follows:
  - (A) Land acquisition costs in the amount of \$10,000 for each acre of mitigation lands to be acquired pursuant to subsection (e);
  - (B) \$10,000 for all other costs necessary to review and acquire the mitigation lands in fee title and record a conservation easement, if necessary;
  - (C) Start-up costs for mitigation lands, including initial site protection and enhancement costs, estimated at \$100,000;
  - (D) Interim management period funding, estimated at \$100,000;
  - (E) Long-term management funding estimated at \$4,000 for each acre of mitigation lands to be acquired pursuant to subsection (e);
  - (F) Related transaction fees, estimated at \$4,000 including but not limited to account set-up fees, administrative fees, title and documentation review and related title transactions, expenses incurred from other state agency reviews, and overhead.
- (2) The performance security shall be in the form of an irrevocable letter of credit or another form approved in advance in writing by the department's Office of the General Counsel.
- (3) The performance security shall be held by the department.
- (4) The performance security shall allow the department to draw on the principal sum if the department determines in its sole discretion that the project proponent has failed to comply with the requirements of subsection (e).

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- (5) The performance security (or any portion then remaining) shall be released to the project proponent after the department has conducted an onsite inspection of the mitigation lands and confirmed that all secured requirements have been satisfied.
- (6) Even if performance security is provided, the project proponent shall submit a habitat mitigation lands package that meets the criteria provided in subsection (e) prior to the start of covered activities and will work in good faith with the department to advance the package through the department's Habitat Mitigation Land Acquisition (HMLA) process. The department may require the project proponent to provide additional reasonable mitigation and/or additional reasonable funding to ensure the impacts of the authorized taking of western spadefoot are minimized and mitigated pursuant to this section, if the project proponent does not complete these requirements within the specified time frame.

(g) Expiration of Take Authorization.

- (1) The take authorization provided by this section shall expire upon the effective date of the commission's decision pursuant to Fish and Game Code section 2075.5, subsection (e). Notwithstanding the expiration of the take authorization, and subject to paragraph (2) of this subsection (g), the project proponent shall remain liable for completion of all of the mitigation required for the project.
- (2) If an eligible project has received take authorization pursuant to this section but has not completed the project activities that could result in take of western spadefoot, the project proponent may apply to the department for an incidental take permit for the project pursuant to Fish and Game Code section 2081, subdivision (b). To the extent the project proponent has mitigated or provided performance security for mitigation for impacts contemplated by this section but not yet incurred at the time the take authorization expires, the department shall credit the project proponent for that mitigation in determining the amount of mitigation necessary under the incidental take permit. The department shall make all reasonable efforts to incorporate the terms and conditions of this section into any incidental take permits it issues for eligible projects receiving take authorization pursuant to this section.
- (3) If take authorization is needed for the ongoing management of seasonal ponds created, maintained, and conserved pursuant to subsection (e), the project proponent may apply to the department for a management permit pursuant to Fish and Game Code section 2081, subdivision (a).

(h) Ongoing research and monitoring.

- (1) Take of western spadefoot in the course of ongoing research and monitoring for this species by public agencies other than the department and by private parties holding a Scientific Collecting Permit issued by the department under Fish and Game Code section 1002 or 1002.5 for the take of western spadefoot, California tiger salamander, or California red-legged frog, is authorized provided that a written, detailed project progress report describing objectives, methods (gear, sampling schedules and locations), efforts to minimize adverse effects to the species, and estimated level of take of the species shall be provided to the department's Habitat Conservation Planning Branch chief.

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- (2) All research and monitoring activities not addressed by the procedures in subsection (f)(1) may receive separate authorization for take of western spadefoot pursuant to Fish and Game Code Section 2081.

(i) Limitations

- (1) Nothing in this section is intended to be or shall be construed to be a general project approval. It shall be the responsibility of each project proponent receiving take authorization pursuant to this section to obtain all necessary permits and approvals and to comply with all applicable federal, state, and local laws.
- (2) Nothing in this section is intended to be or shall be construed to prohibit any project qualifying for take authorization pursuant to this section from electing to obtain incidental take coverage for western spadefoot through Fish and Game Code section 2081 or other procedures authorized by law.

**From:** [REDACTED]  
**Sent:** Thursday, April 16, 2026 10:32 PM  
**To:** FGC <[FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov)>  
**Subject:** Public Comment: Proposal for a Regulated Ferret Permit and Fine System -  
Petition 2025-003

You don't often get email from [REDACTED]. [Learn why this is important](#)

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

To the California Fish and Game Commission,

My name is [REDACTED] and I am a student in Torrance. I am writing to propose a modern solution to California's long-standing ban on domestic ferrets.

As the Commission considers state wildlife regulations, I ask you to look at a regulated ownership model for ferrets rather than a total ban. My proposal includes:

- **Strict "Pet-Only" Status:** Ferrets should be classified as domestic companions, not wild animals. Ownership would be restricted to indoor pets that are spayed or neutered.
- **Accountability through Fines:** To address environmental concerns, the state should implement a \$500 penalty for any owner who allows a ferret to escape or be released into the wild.
- **State Revenue:** This system would generate significant revenue for the state. If even a small number of owners were found to be irresponsible, the fines could generate hundreds of thousands of dollars for California's conservation efforts.
- **Controlled Exceptions:** Legalizing ferrets does not require a "slippery slope" for other animals. The Commission can make a specific exception for ferrets based on their long history of domestication.

I believe we can protect our state's ecosystem while still allowing responsible citizens to have these animals as pets. Thank you for considering my proposal and for your work in protecting California's wildlife.

PRIVACY REQUEST: I am a minor. I request that my name, email address, and any other personal identifying information be redacted and kept private. Please do not share my contact information or post my identity on any public websites or records.

Please just do it for the us and the little guys, Please 🙏🙏🙏



(not mine fyi)



Torrance, CA