

Fourth Supplement to Memorandum 2022-30

Fish and Game Law: Narrow Reorganization in Place (Additional Discussion)

The Commission¹ has received another letter expressing concern about any further work to improve the organization of the Fish and Game Code. The letter, which is attached, was sent on behalf of the following organizations:

California Chapter — Wild Sheep Foundation
Congressional Sportsmen's Foundation
San Diego County Wildlife Federation
Suisun Resource Conservation District
California Hawking Club
California Deer Association
San Francisco Bay Area Chapter — Safari Club International
Rocky Mountain Elk Foundation
Black Brant Group
California Houndsmen for Conservation
California Bowmen Hunters / State Archery Association
Cal-Ore Wetland and Waterfowl Council
Tulare Basin Wetlands Association

Respectfully submitted,

Brian Hebert
Executive Director

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.



May 10, 2022

Mr. Rick Simpson, Chairman
California Law Revision Commission
c/o UC Davis School of Law
400 Mrak Hall Drive
Davis, CA 95616

RE: CLRC Reorganization – Fish and Game Code

Dear Mr. Simpson,

As stakeholders of the Department of Fish and Wildlife (CDFW), the undersigned wildlife conservation organizations are reaching out to express our serious concern with the continuing effort by the California Law Revision Commission (CLRC) to substantially reorganize the Fish and Game Code (FGC).

To begin, we appreciate the CLRC's extensive efforts thus far to clean up the FGC to make it less confusing and more efficient. To date, these efforts have resulted in important reports on CDFW's mandates and funding, and two bills to clean up the code. Further, we understand that CDFW staff are currently working with CLRC staff to develop following legislation for additional code cleanup based on CLRC recommendations. Should this final bill be signed, and subsequent amendments be enacted, we believe the effort to reorganize the FGC should come to a close, as we fear that further reorganization of the code at that point will only result in greater confusion.

We believe further revisions to the FGC will only be confusing for agencies that rely on ready access to the codes they use daily. Of even greater concern, additional changes to the code will be highly counterproductive for CDFW's law enforcement officers in the field – resulting in officers needing to spend additional time looking for code sections to determine whether an offense was committed, a citation should be issued, or simply to educate the public. Such delays for officers in the field is not only inefficient but could also put officers at risk.

After a decade of work on reorganizing the FGC, we strongly believe the time has come for CDFW staff to refocus on mission-specific tasks – including managing fish and game species to provide recreational opportunity, managing species that are in decline, fighting poaching, reducing human/wildlife conflicts, and addressing natural resource challenges such as drought and fire.

Those of us that participated in the CDFW Strategic Vision process and who have followed the actions of the CLRC to clarify the FGC over the last ten years believe that your efforts have been significant and

have certainly improved the FGC. We believe your mission will have been accomplished or will be when the final bill is signed and implementing regulations are enacted.

In closing, we thank the CLRC for its important efforts to reorganize and clarify the Fish and Game Code. However, for all the above reasons, we cannot support further reorganization of the code at this time and have encouraged CDFW to redirect its effort toward our state's fish and wildlife and the habitats they depend on.

Sincerely,

Don Martin, President
California Chapter – Wild Sheep Foundation

Ryan Bronson, Director of Government Affairs
Rocky Mountain Elk Foundation

Keely Hopkins, Western States Coordinator
Congressional Sportsmen's Foundation

Fred Harpster, President
Black Brant Group

Gary F. Brennan, President
San Diego County Wildlife Federation

Lori Jacobs, President
California Houndsmen for Conservation

Steve Chappell, Executive Director
Suisun Resource Conservation District

Chriss Bowles, President
California Bowmen Hunters/State Archery Association

Adam Chavez, President
California Hawking Club

Corey Thompson, President
Cal-Ore Wetland and Waterfowl Council

Dan Whisenhunt, Chief Executive Officer
California Deer Association

Steve Miller, President
Tulare Basin Wetlands Association

Cathie Nelson, President
San Francisco Bay Area Chapter - Safari Club International

cc: Mr. Brian Hebert, Executive Director
bhebert@clrc.ca.gov

Angela Fontes, Deputy Legislative Secretary
Governor Newsom

Miranda Flores, Resources Agency Deputy Secretary for Legislation
Miranda.Flores@resources.ca.gov

California Senator Roth, Member
Law Revision Commission

Assemblymember Kalra, Member
California Law Revision Commission