

**Amend Section 671.1 and Add Section 671.8, Title 14
California Code of Regulations
Inspections of Restricted Species Facilities**

Economic Impact Analysis

Creation or Elimination of Jobs within the State, the creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California

The proposed regulations will bring the California Department of Fish and Game (the Department) in compliance with Fish and Game Code Section 2150.5 and identify either the Department as the primary inspectors for around 260 Restricted Species facilities (not including Aquaculture or Fish inspections) in California. Currently, most of the inspections are conducted by veterinarians hired by or employed by the restricted species permittee. Less work for veterinarians currently conducting these inspections may occur. It is unknown how much each private veterinarian charges restricted species permittees for inspection services but the statute (FGC Section 2150.5) requires the Department or an eligible local entity to conduct the inspections. The impacted veterinarians are generally employed otherwise and may still be employed by these facilities to conduct medical exams and other duties dealing with the health of the animals at the facility.

This regulation change will neither create new businesses in California or eliminate businesses currently doing business in this state nor expand the businesses currently doing business in this state. As the number of permitted persons for all Restricted Species permits is so small (approximately 260 permittees in all of California) in the overall economy of California, the impacts in general are not consequential to the State, however, there may be cost impacts (depending on how much their veterinarian charged them) that a representative private person or business who is among the 260 permittees would necessarily incur in reasonable compliance with this proposed action. Fish and Game Code Section 2150.2 states the Department “shall establish fees... in amounts sufficient to cover the cost”. These costs would occur in applying for an inspection to house restricted wild animals and subsequent maintenance if deficiencies are found. Pursuant to Section 2150.2, the Department is establishing these fees under its authority through a separate rulemaking.

Benefits of the Regulation: Concurrence with Fish and Game Code:

The Department must come into compliance with the State Fish and Game Code Section 2150.5. With the Department conducting inspections, the inspection process statewide will be conducted in a more consistent fashion assuring thorough inspections and in addition to having more consistency, the

Department will also be able to take necessary action immediately if a violation of the regulations are found. This will ensure caging minimum standards, animal welfare, and all other facets of the restricted species regulations are being complied with in a timely manner. As a result of improved inspection processes, the Department believes it can reduce public safety issues such as dangerous animal escapes and attacks.

Benefits to the Environment: Currently, the Department does not conduct yearly inspections of restricted species facilities in California. This regulation change will have no overall effect on the environment because the animals involved are captive. Where this regulation may have some effect on the environment is in the aspect of the Department being more familiar with each facility and monitoring for violations on a regular basis. There are two possible ways captive animals could cause a problem in the environment: 1) If non-native animals escape and establish breeding populations in California; and 2) If restricted species are imported into California with a wildlife disease and the disease spreads to native wildlife. Conducting regular, consistent and thorough inspections may help to reduce the probability of either scenario.

Promotion of Businesses That Rely on Restricted Species Facilities: This will have no known effect on businesses in California other than veterinarians who may have collected additional fees for conducting bi-annual inspections for restricted species facilities. The Department has no knowledge of the cost rates that veterinarians charged facilities for bi-annual inspections or if this regulation change will result in permittees paying more or less for an inspection.

Health and Welfare of California Residents: This regulation will not have any effect on the overall health and welfare of California residents except to improve public safety through more thorough restricted species facility inspections. Animal escapes should be reduced with the more consistent inspection of minimum caging standards that will be implemented by the Department.