

Economic Impact Analysis

Amend Section 401, and Repeal of Section 480, Title 14, CCR re: Depredation Permit Application and Bobcat Depredation

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 Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed regulation. There is no fee collected or cost recovered by the department for the permit. This proposal is economically neutral to business and without significant economic impact.

The enabling legislation, SB 1221 (Lieu, 2012), adds a new FGC subsection 3960.2(d) that prohibits holders of a depredation permit from receiving compensation. The commission is not aware of any existing data regarding the number, if any, of businesses or jobs providing services for a fee that is now prohibited. Since compensation is not permitted, it is unlikely that any new businesses, or expansion of existing businesses, would be created.

Existing dog service businesses, for example dog breeders and trainers, are unlikely to rely solely on providing dogs for the take of depredators; therefore any potential impact on the creation or elimination of jobs within the State is predicted to be negligible. The proposed regulation will not have impacts to jobs and/or businesses in California.

Benefits of the Regulation

The proposed amendments to Section 401 modify the method of application and permit issuance for take of depredating wildlife, and of depredating bear and bobcat with the use of dogs. Businesses (such as farmers, ranchers, etc.) who are experiencing damage to land or property caused by elk, bear, beaver, wild pig, deer, wild turkey, or gray squirrel may continue to apply for a permit from the department to take these species. Providing an electronic means of applying for and issuing permits, in addition to paper copy and traditional mail, makes the permitting process more efficient for the applicant/business and department. Amendments to Section 401 also include reporting requirements to comply with statutory changes required by SB 2112 (Lieu, 2012). It is not expected that the number of individuals that apply for depredation permits will change substantially as a result of the proposed amendments.

Concurrence with Federal Law. Not applicable; no Federal Law exists regulating the take of these species in California.

Concurrence with other Statutory Requirements. Section 480 will be repealed since its provisions have either been superseded by SB1221 (Lieu, 2012). Section 401 will be amended to reflect provisions that are affected by SB1221.

Benefits to the Environment

The proposed regulations should benefit the State's environment by identifying non-lethal methods prior to the issuance of a depredation permit, preventative measures to avoid depredation in the future, and improved reporting of the take of wildlife following issuance of a permit.

Department of Fish and Wildlife personnel collect the permit information; inspect the location of the depredation; issue the permit with required and discretionary conditions; and, collect the required reports when the permit expires or as directed by the code. On average, the department issues over 600 depredation permits annually for all listed depredators.

The proposed amendments to Section 401 add limits and conditions for the use of dogs on depredating bear and bobcat. Currently, all take of depredating bear must be under a depredation permit. On average, approximately 200 permits to kill depredators are issued each year; and, on average, approximately 50 bears (about 25% of all permits) are killed. In 2011, the most current year available, 209 permits were issued for bear with 22 bears reported killed. Although the permit requirements have changed regarding the use of dogs, there is not predicted to be any change (more or less) in the average number of depredation permits for bear issued in future years.

The new requirement for a depredation permit in amended Section 401 to take bobcat may cause a very small increase in the number of permits issued annually; however, no data are available to estimate this increase since permits are not currently required to take depredating bobcat.

Health and Welfare of California Residents and Workers Safety

The general provisions of amended Section 401 provide for a means to control animals causing damage or destroying, or immediately threatening to damage or destroy land or property. This section in turn may benefit the health and welfare of California residents by clarifying conditions under which depredating animals may be taken.

The Commission does not anticipate any measurable change that the proposed regulation will have to worker safety.