

CALIFORNIA EDITION



SCI - First For Hunters

In the Crosshairs --- CALIFORNIA Edition

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CALIFORNIA FISH AND WILDLIFE STRATEGIC VISION

In 2010, [AB 2376](#) (Huffman) was signed into law which established the long-term goal of improving and enhancing the Department of Fish and Game's capacity and effectiveness in fulfilling its public trust responsibilities for the protection and management of the state's fish and wildlife for their ecological and public benefit values.

It required that the California Natural Resources Agency establish a cabinet-level California Fish and Wildlife Strategic Vision's Executive Committee, tasked with developing a strategic vision for the Department of Fish and Game and the Fish and Game Commission, and submit it to the Governor and to the Legislature.

The Executive Committee formed a Blue Ribbon Citizen Commission (BRCC) and a Stakeholder Advisory Group (SAG) representing a broad range of fish and wildlife related interests to assist it in completing its mission.

An initial draft of the report and recommendations is scheduled for release to the public for review on November 18, 2011. Following that, public meetings with an opportunity for comments and suggestions will be conducted between December 5 and December 8, 2011.

Some of the broader subject areas raised to date as worthy of more in-depth consideration are: 1) partnerships, 2) broadly informed and transparent decision making, 3) integrated resource management or cooperative resource management, 4) cross agency alignment, 5) enforcement/ compliance, 6) staff development, 7) Fish and Game Code, 8) definition of success/defining and supporting success, and 9) mandates. A [chart describing these issues](#) can be found at their website.

The above provides some insight on the kinds of topics being addressed by the California Fish and Wildlife Strategic Vision's Executive Committee. Others may continue to be added, and all will be discussed in substantial detail before the initial report and recommendations are officially made available to the public on November 18, 2011.

The report and recommendations will undergo finalization during January through mid-February, 2012, and will be distributed to the Governor and the legislature by February 24, 2012.

This is the same date as the deadline for the introduction of new bills in the State Legislature for the 2012 legislative session.

It appears likely that legislation may be in the process of preparation for introduction in 2012 for the purpose of implementing the final recommendations of the California Fish and Wildlife Strategic Vision's Executive Committee.

[Further project information](#) can be found at their website.

GOVERNOR APPOINTS NEW DIRECTOR OF FISH AND GAME

The Governor has appointed Mr. Charlton "Chuck" Bonham as Director of the California Department of Fish and Game, effective September 6, 2011.

Prior to his appointment as Director of Fish and Game, he served in a number of roles for Trout Unlimited over ten years, including since 2004 as the organization's California director. He was also a senior attorney for the organization.

Mr. Bonham has also served on the Board of Directors of the Delta Conservancy, whose mission is to conserve, sustain and enhance the cultural, agricultural, recreational, wildlife, and natural habitat resources of the River Delta region, as well as to develop and promote sustainable protection, management and stewardship programs through research and education.

Before his employment with Trout Unlimited, he was a Peace Corps volunteer in Senegal, West Africa, and an instructor and guide at the Nantahala Outdoor Center, in Bryson City, N.C.

FISH AND GAME COMMISSION

The State Fish and Game Commission will meet next on November 16-17, 2011, at the Veterans Memorial Building, 112 West Cabrillo Blvd., Santa Barbara, CA. The agenda has not yet been published.

LEAD AMMUNITION UPDATE

At its October, 2011 meeting, the Fish and Game Commission postponed until sometime in 2012 the further discussion of agenda items related to proposed expansion of the current lead ammunition ban regulations. Commission President Jim Kellogg had previously asked that the items be postponed as the Commission currently has issues of more immediate concern to address.

LEGISLATION

The 2011 portion of the 2011–2012 State Legislative Session has recessed until January, 2012. Below is a brief summary and current status of bills of significant interest to SCI. For more detailed information, please refer to the regular SCI Legislative Report.

AB 606 (Gatto) Hunting and fishing – Would require the Department of Fish and Game to allow compatible hunting, fishing, and other recreational activities on land subject to a wildlife conservation easement or a fish and wildlife habitat contract, except as specifically prohibited in the applicable easement, contract or memorandum of understanding, or by other applicable law. It would not affect a landowner's authority to lawfully restrict public access. **Position: Support. Passed by the Legislature and held at the Assembly Desk.**

AB 809 (Feuer) Firearms – Will require, commencing in 2014, the registration of rifle and shotgun sales, and other transfers of long guns, making the retention of information about rifles, shotguns, and their owners the same as it is now for handguns. **Position: Oppose. Passed by the Legislature and signed by the governor.**

AB 1046 (Bill Berryhill) Hunting or taking game – Would prohibit the Fish and Game Commission and the Department of Fish and Game from imposing an absolute, statewide and permanent prohibition on hunting or taking game. However, it would not prohibit the imposition of conditions necessary for the protection and propagation of game. **Position: Support. Location: Failed house of origin deadline for passage; two-year bill.**

AB 1162 (Chesbro) Wildlife: poaching – Would greatly increase the penalties that could be imposed on any person who knowingly and illegally takes a trophy deer, elk, antelope, bighorn sheep, or wild turkey in any of the following ways: (1) Outside the legal season; (2) With the aid of artificial light; (3) With the aid of bait; (4) Results in unnecessary and wanton waste of game; and (5) Without first purchasing or otherwise lawfully obtaining any required hunting license tag. Would also provide that any person who uses a signal-emitting device, as defined, in conjunction with the take of bear for the purpose of selling or trafficking in bear parts would be subject to a fine of \$10,000 per bear part. **Position: neutral. Failed deadline; two-year bill.**

SB 124 (De León) Ammunition – It would redefine the term “handgun ammunition” to mean ammunition “capable” of being used in a handgun, notwithstanding the fact that the ammunition may also be used in some rifles.

Accordingly, all rifle ammunition cartridges that can be fired in a handgun (Thompson Contender, etc.) would be classified as handgun ammunition.

Handgun ammunition “designed” to penetrate metal or armor (armor piercing) would be redefined to mean any ammunition, except a shotgun shell, that is designed to penetrate a body vest or body shield when discharged from a handgun and which, by virtue of its shape, cross-sectional density or any coating applied thereto, is manufactured or designed to do so.

This provision does not specify whether the ammunition must be designed with the specific intent that it be able to breach or penetrate a body vest or body shield or whether it is only required that its design enables it to do so without such intent.

“Armor piercing” ammunition would be a felony to possess. This prohibition, under SB 124, would include rifle ammunition as the bill would also delete the existing exemption for ammunition that is “primarily designed for use in a rifle”.

Depending upon how the term “designed to breach or penetrate a body vest or body shield” is interpreted, SB 124 could make it a felony to possess most popular big game hunting rifle ammunition, as virtually all can be discharged in at least one model of hunting or competition pistol, and all are designed to have an aerodynamic shape and cross sectional density that would facilitate the penetration of a body vest or body shield. Furthermore, virtually all also have sufficient velocity and energy when discharged in a handgun to penetrate a body vest or shield regardless of other design characteristics. **Position: Oppose. Failed deadline; two-year bill.**

SB 427 (De León) Ammunition – Existing law (AB 962, declared in court to be unconstitutionally vague) requires handgun ammunition vendors, when selling or otherwise transferring ownership of any handgun ammunition, to obtain personal information about the purchaser or transferee (handgun ammunition buyer registration) and to retain the information for five years.

SB 427 was an attempt to help resolve the unconstitutionally vague provisions of the prior law and to add new provisions affecting purchasers and retailers of handgun ammunition.

SB 427 was amended just before going to the Governor to define handgun ammunition for purposes of the handgun ammunition buyer's registry by creating a specific list of calibers of various popular handgun cartridges. **Position: Oppose. This bill was passed by the Legislature and [vetoed](#) by the Governor.**

SB 752, as amended, (Berryhill) Entitlements: voluntary donations – Would have required that a person to whom any license, permit, reservation, tag, or other entitlement is issued pursuant to the Automated License Data System have the opportunity at the time of issuance to make a voluntary donation, or to release personal contact information, or both, to eligible nonprofit conservation organizations, as defined, through means of a check-off box, or through other means the Department of Fish and Game determines to be appropriate. The bill would also have required that the Department annually transmit collected donation revenues and personal contact information to the designated eligible nonprofit conservation organizations. **Position: Pending. This bill was passed by the Legislature and [vetoed](#) by the Governor.**

SB 769 (Fuller) Mountain lions: display or exhibition – Establishes an exemption to the current prohibition on the possession or sale of a mountain lion carcass or any part or product thereof, if the lion was lawfully taken in California (under a depredation permit, road kill, etc.), for display, exhibition or storage at a nonprofit or government-owned museum that is generally open to the public, or at an educational institution, if authorized by the Department of Fish and Game. **Position: Watch. The bill was passed by the Legislature and [signed](#) by the Governor.**

SB 819 (Leno) Firearms – Authorizes the Department of Justice to use firearms buyer's background check money (Dealers Record of Sale fees) to fund the Department's regulatory and enforcement activities related to the pursuit of persons possessing firearms who are not lawfully eligible to have them. **Position: Oppose. This bill was passed by the Legislature and signed by the Governor.**

SB 917 (Lieu) Animal abuse – Makes it unlawful for any person to willfully sell or give away as part of a commercial transaction, a live animal on any street, highway, public right-of-way, parking lot, carnival, or boardwalk. The sponsors of this bill have indicated that their ultimate long term objective is to stop the sale of virtually all animals, with some exceptions, even by legitimate nonprofit organizations at fundraising events, such as those conducted by SCI.

The bill does contain a limited list of exempted events and organizations. It was requested that nonprofits, such as SCI, be added to the exempt list in the bill but such amendments were rejected.

SCI opposed SB 917 as it might possibly interfere with the sale of hunting dogs or pets at some fundraising events. **Position: Oppose. This bill was passed by the Legislature and signed by the Governor.**

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