RESOLUTION - ACTION REQUESTED 2012-364

MEETING: July 10, 2012

TO: The Board of Supervisors

FROM: Lyle Turpin, District II Supervisor

RE: Oppose SB 1221

RECOMMENDATION AND JUSTIFICATION: Approve a letter opposing Senate Bill 1221 that would prohibit the use of dogs to hunt or pursue bear or bobcat, and Authorize the Board of Supervisors Chair to Sign the Letter.

Senate Bill 1221 would prohibit the use of a dog to hunt or pursue bear or bobcat. Hound hunting has a long tradition in rural areas of California dating back to the 1800s. It is a useful tool in managing the bear population.

Attached is the legislative analysis of the bill and the proposed legislation, and the draft letter.

BACKGROUND AND HISTORY OF BOARD ACTIONS: The Board has taken positions in the past regarding proposed legislation.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: Do not approve the letter. Individual Board members may write their own letters opposing or supporting this legislation which may not carry the same weight as a letter endorsed by the entire Board.

ATTACHMENTS:
SB 1221  (PDF)
Oppose SB1221  (PDF)
Miller letter (PDF)
Baker Manok & Jenses letter  (PDF)
Cathy Duncan presented later  (PDF)
Additional information presented to the board  (PDF)

CAO RECOMMENDATION
Requested Action Recommended
RESULT: ADOPTED [4 TO 1]
MOVER: Lyle Turpin, District II Supervisor
SECONDER: Jim Allen, District V Supervisor
AYES: Lyle Turpin, Janet Bibby, Kevin Cann, Jim Allen
NAYS: Lee Stetson
TO: SUPERVISOR TURPIN

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Board of Supervisors RES-2012-364 Approve a Letter Opposing Senate Bill 1221 that Would Prohibit the Use of Dogs to Hunt or Pursue a Bear or Bobcat, and Authorize the Board of Supervisors Chair to Sign the Letter

RES. 12-364

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on July 10, 2012

ACTION AND VOTE:

4. Board of Supervisors RES-2012-364 Approve a Letter Opposing Senate Bill 1221 that Would Prohibit the Use of Dogs to Hunt or Pursue a Bear or Bobcat, and Authorize the Board of Supervisors Chair to Sign the Letter

Supervisor Turpin provided details on the issue, noting that there are sixteen letters opposing SB 1221 from adjoining counties. He commented that the Department of Fish and Game has done a tremendous job in managing game in Mariposa County. He read a portion of a letter from Madera County opposing SB1221, specifically noting that hunting with dogs is regulated by Fish and Game, and suggested that this issue be taken out of an emotional perspective. Supervisor Bibby noted that a revised draft letter was provided this morning with language that now reads “prohibit any time use of dogs,” and not just hounds.

Input was provided by the following:

Joe Duncan of Tuolumne County advised that twenty-four counties in the state have been contacted with the request to oppose SB 1221. He advised that this bill was sponsored by Senator Ted Lieu of Los Angeles, and conveyed that this bill will not have an effect on Southern California but will affect rural counties and Northern California. He stated that according to his calculations, Mariposa County alone could lose up to $200,000 in revenue, in part from bear tags and non-resident hunters coming to Mariposa. He informed the Board that Assembly Member Olson and Senator Berryhill both oppose this bill. He feels this is an infringement on our civil rights, and will allow the shooting of any dog without the process of a civil suit. He requested that the Mariposa County Board of Supervisors oppose SB 1221.
Supervisor Turpin expressed concern that the people that sponsor and support this bill do not know the importance of the Fish and Game management of wildlife relative to the impact of bears and other wildlife on the lives of rural residents if this bill passes.

Joe Duncan advised that Fish and Game will lose $880,000 from the state and that it will become necessary for them to hire more employees to deal with the increased population of wildlife if this bill passes.

Supervisor Stetson questioned who wrote the letter to Assembly Member Fuentes and requested clarification relative to the bill’s effect on Federal and State hunting dogs.

Joe Duncan responded to Supervisor Stetson clarifying that the Federal and State agencies will be allowed to use dogs for nuisance wildlife but the impact will be additional cost to taxpayers in hiring more state hunters. He commented that this bill suggests hunting with dogs is inhumane when in fact using hunting dogs for scientific study has proven to be a more humane way of dealing with wildlife as opposed to injury to wildlife and having to euthanize them as a result of the injuries.

Supervisor Allen commented that this sounds like this bill was going after those hound hunters that are not kind to their dogs.

Jacqueline Seastrom, hunting dog owner, feels that the bear problems will be out of control if this bill passes, and that this is our heritage, if they take bear hunting away then they will eventually take deer hunting away.

Dennis Seastrom commented on the increased bear population since he began working in the woods 37 years ago, and expressed concern that his grandchildren will not be able to hunt as he has.

Marilyn Saunders expressed concern relative to the Board taking a position on a cultural issue.

Eleanor Kuening expressed concern that not only this bill but others as well, are being sponsored by people from other areas not familiar with rural communities and do not research the full impact before forming an opinion.

Veronica Johnson commented that bear hunting with dogs is a tradition, and urged the Board to oppose SB 1221.

Deana Lessley urged the Board to oppose SB 1221. She feels it is necessary to continue to manage the wildlife instead of the wildlife managing us, and that this is a way of life and puts food on the table. She would like her children to have the right to hunt.

Merlin Jones, addressed Supervisor Allen’s comments relative to the treatment of hunting dogs, and shared a story of a bear in his backyard, he strongly opposes SB 1221.

Cathy Duncan reported statistics on the bear sheet relative to bear population in regards to habitat near population. She responded to comments relative to dogs being left for weeks at a time, explaining how her son handles a dog that doesn’t return during a hunting trip and commented that there will always be irresponsible hunting dog owners. She informed the Board of the Department of Fish and Game statistics relative to citations to specific game hunters.

Discussion was held. Supervisor Stetson stated that he feels there are other ways to keep bears away and feels that not enough information has been provided and cannot support this request today.

(M) Turpin, (S) Allen, Res. 12-364 was adopted approving the letter opposing Senate Bill 1221 that would prohibit the use of dogs to hunt or pursue a bear or bobcat, and authorizing the Board of Supervisors Chair to sign the letter/Ayes: Turpin, Bibby, Cann, Allen. Noes: Stetson.
Under discussion, direction was given to provide a copy of the minutes with the letter.

**RESULT: ADOPTED [4 TO 1]**

**MOVER:** Lyle Turpin, District II Supervisor  
**SECONDER:** Jim Allen, District V Supervisor  
**AYES:** Lyle Turpin, Janet Bibby, Kevin Cann, Jim Allen  
**NAYS:** Lee Stetson

Cc: Supervisor Stetson  
File
July 10, 2012

The Honorable Felipe Fuentes, Chair
Assembly Appropriations Committee
P.O. Box 942849, Room 2114
Sacramento, CA 94249

RE: Opposition to Senate Bill 1221

Dear Assembly Member Fuentes:

The Mariposa County Board of Supervisors is opposed to SB 1221 (Lieu). This measure would prohibit at any time the use of a dog to hunt or pursue bear or bobcat.

The authority to manage wildlife in California is delegated to the California Fish and Game Commission by the legislature. The Commission and the Department of Fish and Game carefully control the take of bears through scientific population management. This bill attempts to bypass the authority of the Fish and Game Commission and move forward without following the mandatory environmental review and public hearings through the commission.

Hunting with dogs is a sensible and valuable tool for wildlife management. Dog hunting is virtually the only form of non-consumptive hunting, and is very similar to catch and release fishing. It allows an animal's age and sex to be determined before any attempt to harvest is made. The use of dogs allows for timely and accurate resolution of incidents involving threats to public safety or livestock by identifying, locating and taking only the offending animal.

The increase of predator animals, such as bear or bobcat, has been scientifically proven. Depredation permits are up over 50% in California. Removing a licensed management tool from the equation and expecting Federal, State and local law enforcement officers or their agencies to step into the void created by SB 1221 is not practical for Mariposa County or other rural counties.

The Board of Supervisors respectfully requests that the committee vote no on SB 1221.

Sincerely,

Janet Bibby, Chair
Mariposa County Board of Supervisors

Copy: Assemblywoman Olsen
Senator Berryhill