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July 28, 2015

Commissioner Eric Sklar
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 95814
fgc@fgc.ca.gov
VIA U.S. MAIL AND EMAIL

Commissioner Anthony Williams
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 95814
fgc@fgc.ca.gov
VIA U.S. MAIL AND EMAIL

Re: Petitions Pending Before the California Fish & Game Commission

Dear Commissioner Sklar and Commissioner Williams:

We write on behalf of our clients, the National Rifle Association ("NRA") and the California Rifle and Pistol Association ("CRPA"), as well as their hundreds of thousands of members in California. Our clients congratulate each of you on being appointed to the Fish and Game Commission. Our clients recognize the huge importance and necessity of the Fish and Game Commission, and look forward to working with you on important issues relating to the preservation of California's natural resources and sporting heritage.

Since 1871, the NRA has been the foremost defender of Second Amendment rights. According to its bylaws, the NRA's main goals include promoting hunter safety and defending hunting not only as a sport, but as a viable and necessary method of fostering the propagation, growth, conservation, and wise use of the public's renewable wildlife resources. The NRA established its first hunter education program in 1949, a tradition which is still practiced in some form in all 50 states, including California. Today, the NRA continues its leadership role in the hunting community with programs like its Youth Hunter Education Challenge, which is held in over 43 states.

Founded in 1875, the CRPA works to preserve the constitutional and statutory rights of gun owners, including the right to self-defense, the right to hunt, and the right to keep and bear arms. The CRPA is dedicated to promoting the shooting sports and providing education, training, and organized competition for all of its members. The CRPA's membership, just like the NRA's, includes people from all walks of life and professions: law enforcement officers, business professionals, firearm experts, homemakers, hunters, and so on. The CRPA regularly participates in Fish and Game Commission matters on behalf of its large number of members who hunt in California.

It is in this capacity that our clients have us reaching out to you. They would like to call your attention to three petitions currently pending before the Commission— implementation of which they believe is crucial in fostering an environment that benefits all wildlife stakeholders, as well as the Commission itself. While the Commission has accepted these petitions for consideration, two of them have been sitting for over a year now with no update. Our clients believe your new arrival provides the perfect opportunity to break the gridlock on these petitions and get actual measures in place that set the tone for a new, transparent process in California wildlife management.

First, on June 13, 2014, our clients submitted a petition requesting that the Commission amend certain regulatory provisions to address shortcomings with the current Conflict of Interest Code. Specifically, the petition seeks to have the entire Conflict of Interest Code published in the California Code of Regulations so that the public has easy access to it and so that it has the force of law. The petition further seeks to require that Commissioners disclose *all* potential conflicts of interest, including funds coming from non-profit organizations, since the law does not clearly require such presently; meaning a Commissioner does not have to disclose funds received from many (if not most) wildlife stakeholders, including from our clients. This is fundamentally problematic and needs to be remedied before the Commission can enjoy complete legitimacy. Even if no Commissioner is engaging in such activity, the appearance of impropriety must be removed. While the Commission has accepted this petition and referred it to their staff for action, it has been over a year now with no movement.

Second, on July 11, 2014, our clients submitted a petition requesting that the Commission adopt protocols and procedures to govern Wildlife Resource Committee meetings. As the petition explains, without formal guidelines for those meetings many stakeholders are left guessing at what is going on and are often left out. That is contrary to the stated purpose of forming the new Committee. There really is no excuse not to have formal procedures in place for meetings discussing matters of such importance to so many. And while it appears the Commission and its staff agree with our clients on this, since they have accepted the petition for consideration, like our clients' other petition concerning amending the Conflict of Interest Code, it has been over a year without any action or status update.

Finally, our office filed a petition on June 5, 2015, requesting a new regulation or policy requiring Fish and Game Commission representatives to conduct all communications with any stakeholders or that concern official Commission matters via government-issued means only. The petition seeks to create an atmosphere of transparency and cooperation between stakeholders, the Commission, and Commission staff. That is, the petition seeks to avoid the difficult legal and practical questions that arise when public officials use personal communication platforms (e.g., email, text accounts) to discuss government business. We believe the petition, if acted upon favorably, will help avoid the exclusion of any stakeholder group, allowing interested members of the public full access to the information being contemplated during the regulatory process. Because the petition harms no one, levels the playing field, and promotes transparency, we hope you will support it.

In conclusion, we respectfully request that you make implementing the measures set out in these petitions (copies of which are attached hereto) a priority. We believe doing so will usher in a new and needed environment of trust between the Commission and the public that will allow the Commission to focus on matters of importance rather than political sideshows. We welcome the opportunity to discuss the petitions with you, or any other matter that you may wish to discuss. Please

California Fish & Game Commissioners Sklar and Williams

July 28, 2015

Page 3 of 3

do not hesitate to contact us. Thank you for your consideration, and we look forward to working with you in the future.

Sincerely,
Michel & Associates, P.C.

A handwritten signature in black ink, appearing to read "C.D. Michel", written in a cursive style.

C.D. Michel

CDM/sab

cc: Jack Baylis, President
Jim Kellogg, Vice President
Jacque Hostler-Carmesin