

ADDENDUM TO THE 2002 FINAL ENVIRONMENTAL  
DOCUMENT REGARDING WILD PIG HUNTING

prepared by the

STATE OF CALIFORNIA

NATURAL RESOURCES AGENCY

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

on behalf of

CALIFORNIA FISH AND GAME COMMISSION

as

LEAD AGENCY UNDER THE

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

for the

REGULARY NOTICED RULEMAKING ACTION TO AMEND  
SECTIONS 250, 251.5, 252, 257.5, 258, 350, 352, 401, 465.5, 679, 708.13  
ADD SECTIONS 375, 376, 377, 378, 379  
REPEAL SECTION 368

RE: EXOTIC GAME MAMMALS / WILD PIG VALIDATIONS

TITLE 14, CALIFORNIA CODE OF REGULATIONS

2024 HUNTING SEASON

(OAL Notice File No. **Z2023-1030-02**)

## INTRODUCTION AND REGULATORY GUIDANCE

The California Department of Fish and Wildlife (Department) has prepared this addendum pursuant to the California Environmental Quality Act (CEQA), Public Resources Code §21000 et seq., to inform consideration by the California Fish and Game Commission (Commission) of proposed amendments to existing regulations governing wild pig hunting in California. These changes are necessary due to the passing of Senate Bill 856 (2022) – Wild Pig Validations (SB 856), which amended Fish and Game Code (FGC) sections related to: definitions, licensing, hunting take, captive hunting preserves, capture, possession, and release of wild pigs. The intent of his legislation is to give the public and the Department more tools to manage wild pigs and the damage they cause to private property and the environment. The statute provided by the legislature from this bill serves as guidelines for the Department to further promulgate regulations in California Code of Regulations, Title 14 (CCR, Title 14). The changes to FGC will be outlined first for context and proposed changes to CCR, Title 14 will be outlined thereafter.

The legislature removed wild pigs from FGC §3950, which designated these animals as a game mammal in California. The legislature established wild pigs as the first and only species listed under the newly created FGC §3965 - Exotic Game Mammals Defined. This statute points to the newly created FGC §4650, which establishes a description of a wild pig as, a pig having two or more phenotypic (physical) characteristics listed in this section. FGC §4650 also points to Food and Agricultural Code §10791 that indicates a person who possesses a domestic swine that has two or more phenotypical characteristics indicated, must identify the swine with a brand, tattoo or other permanent mark or visible validation approved by the California Department of Agriculture.

By amending FGC §4652, the legislature eliminated pig tags and replaced them with a validation, which upon procurement and in combination with a hunting license, entitles a hunter to take any number of wild pigs. Amendments to FGC §4653 allow the Department to establish procedures for issuing validations and amendments to FGC §4654 indicate the validation is required for hunting pigs and has a base fee of \$25 for residents and \$90 for nonresidents. Amendments to FGC §4655 establish that these validations are valid only during the wild pig hunting season. Amendments to FGC §4657 indicate that hunters must possess their validation while hunting pigs and also direct the Commission to adopt regulations for reporting hunter-take of wild pigs, indicating minimum reporting information as a hunter's name, date, and location of take. Additional amendments to licensing code include: FGC §3031, which indicates a nonresident who has purchased a two-day hunting license may procure a wild pig validation; FGC §3031.2 replaces pig tags with a validation for those who have purchased the lifetime license with big game entitlement; FGC §3953, which places

revenue generated from the sale of pig validations in the Big Game Management Account for expenditure by the Department; and FGC §3040, which allows those who have registered for “free hunting days” to procure a wild pig validation to hunt pigs.

Exotic game mammals, and therefore wild pigs, were added to FGC §3003.1, which prohibits the use of steel-jawed traps for taking. The addition of exotic game mammals to FGC §3004.5 indicates non-lead ammunition must be used when taking these animals. The legislature also added exotic game mammals to FGC §4304 which indicates a person shall not, through carelessness or neglect, leave any portion of the flesh usually eaten by humans to go to waste.

The addition of exotic game mammals to FGC §3005.5 prohibits the capture, possession, or confinement of animals from the wild. The creation of FGC §4652.5 prohibits the knowing or intentional release of any hog, boar, pig or swine to live in a wild or feal state upon public or private land. This section also specifies that it will be unlawful, upon the operant date of these regulations, to engage in, sponsor or assist in the operation of a contained hunting preserve for wild pigs. This does not apply to an individual or entity operating before January 1, 2022, but does prohibit these existing businesses from expanding is size and or selling, transferring or passing on the contained hunting preserve operation.

Lastly, the creation of FGC §4651.5 requires the Department to work with landowners to mitigate depredation through sport hunting, including the application of the Shared Habitat Alliance for Recreational Enhancement program.

The Department proposes changes to sections of CCR, Title 14 to bring regulations related to definitions, licensing, hunting take, capture, possession, rehabilitation and release of wild pigs in line with SB 856.

## ORIGINAL PROJECT

The Commission serves as the CEQA lead agency when it promulgates and amends the wild pig hunting regulations. (Pub. Resources Code, §21067; CEQA Guidelines §15367)<sup>1</sup>. The Commission established a year-round season for wild pigs with no daily bag or possession limit in California in 1996 with, among other things, the certification of a Final Environmental Document (ED) (California Code of Regulations, Title 14, §15252) under CEQA (1996 Wild Pig Hunting ED; SCH No. 1996122020). The Commission amended the existing regulations in 2002 by, among other things, certifying a Final ED under CEQA (2002 Wild Pig Hunting ED; SCH No. 2002122029), whereby an unlimited tag quota for wild pigs was permitted. The 2002 Wild Pig Hunting

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<sup>1</sup> The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

ED provides the environmental analysis as the Commission as CEQA lead agency considers proposed amendments to the existing regulations for the 2024 wild pig hunting season in California.

## MODIFIED PROJECT

The Department has proposed several changes to CCR, Title 14 (the “Modified Project”) based on the guidelines described above in FGC. Changes in this rulemaking revolve largely around sport hunting, but also consist of changes to regulations concerning depredation, possession, release, licensing, and feeding of exotic game mammals, including pigs. Many of these changes are strictly administrative and within the scope of previous EDs. The Department is proposing to insert exotic game mammals into CCR, Title 14, Division 1, Subdivision 2, as a new subchapter, 3.6. This subchapter will allow the Department to establish exotic game mammals in sections 375-379 separate from Big Game. This will allow regulations to be promulgated for exotic game mammals independently. The season for wild pigs will remain year-round, and there will be no daily bag or possession limits, and methods for taking will be the same as current. The Department proposes to prohibit the feeding and baiting of exotic game mammals to eliminate food subsidies that may cause exotic game mammals (and therefore wild pigs) to proliferate. Depredation permits for wild pigs will expire after five years rather than expiring after one year. It is not expected that this change will increase or decrease the number of depredation permits issued by the Department. The Department proposes to indicate that the possession of live exotic game mammals is prohibited without a permit and rehabilitated animals of this classification may not be released back into the environment. Pig tags will transition to validations on the operant date specified in SB 856, July 1, 2024. Between 2017 – 2021, the Department sold pig tags to an average of 33,391 individual resident hunters and 800 individual non-resident hunters. These numbers are not expected to change with the transition to the wild pig validation. This addendum documents the Commission’s consideration of related environmental effects.

## NO SUBSEQUENT ENVIRONMENTAL DOCUMENT IS REQUIRED

In general, CEQA applies whenever a public agency proposes to carry out or approve a discretionary project. (Pub. Resources Code, §21080(a)). CEQA provides that, where a public agency proposes to modify a previously approved project for which a Final Environmental Document was prepared and certified:

“The lead agency or a responsible agency shall prepare an ***addendum*** to a previously certified EIR if some changes or additions are necessary but none of the conditions described in §15162 calling for preparation of a subsequent EIR have occurred.” (California Code Regulations, Title 14, §15164 (a)).

As described above, some changes and additions are necessary, but none of the conditions in section §15162 have occurred. The conditions set forth in section §15162 are the following:

- Substantial changes are proposed in the project, which will require major revisions to the previous environmental impact report (EIR) or negative declaration (ND).
- Substantial changes occur with respect to the circumstances under which the project is being undertaken, which will require major revisions to the previous EIR or environmental documentation.
- New information, which was not known and could not have been known at the time the previous EIR or ND was certified as complete, becomes available.

### NO ADDITIONAL IMPACTS UNDER CEQA

The Department has determined that amending the current wild pig hunting regulations based on changes to FGC stemming from SB 856 will not result in any new or significant or substantially more severe environmental impacts than previously analyzed and disclosed in the 2002 Wild Pig Hunting ED for this project. In that document the Department determined that the proposed project would not result in significant adverse effects on the environment (pg 84), however that was stated in part, as not negatively impacting the maintenance of the wild pig population. It's important to point out that the Department's stance henceforth, with direction from SB 856, is that pig populations are exotic and a detriment to the environment. Thus, the Department does not seek to maintain a sustaining population of wild pigs through avoidance of additive mortality as with game species, but rather to control their numbers and the damage they cause through hunting and depredation. This is referenced in the 2002 ED as well, where on page 54 the authors state: "In fact, reduction of the wild pig population by hunting may be beneficial to a number of listed plant and animal species." Additionally, it is unlikely that changes stemming from the modified project will significantly reduce wild pig numbers. The changes in this rulemaking are largely administrative in nature but make no substantive changes to the methods, seasons or limits allowed for facilitating the taking of wild pigs. Any potential impacts from legislation such as increase in wild pig harvest, are only expected to have a positive impact on the environment.

This project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. There are no impacts to the habitat of fish and wildlife species.

***Therefore, the Department recommends the Commission adopt the proposed regulations.***

This approval action allows sections of CCR, Title 14 to fall in line behind changes to statute provided by SB 856 and become effective on the operant date of July 1, 2024, as stated in the legislation. No other aspect of the project is changed. No new significant or substantially more severe impacts under CEQA will occur due to this change.

### AMENDMENT OF THE WILD PIG HUNTING REGULATIONS

In conclusion, the Commission finds that amending California Code of Regulations, Title 14 to accommodate changes to FGC from SB 856 will not result in any new significant or substantially more severe environmental effects than previously analyzed and disclosed in the 2002 Wild Pig ED. The Commission also finds that subsequent or supplemental review beyond this Addendum is not warranted pursuant to the California Code of Regulations, Title 14, §15164, in connection with this proposed action.

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Melissa Miller-Henson, Executive Director  
California Fish and Game Commission

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