

Dear California Fish & Game Commission (FGC),

On behalf of SAVE THE FROGS! and our supporters in California and worldwide, I am writing to urge you to add American Bullfrogs (*Rana catesbeiana*; *Lithobates catesbeianus*) to the list of prohibited species in California. I am a professional amphibian biologist with 14 years of full-time professional experience in amphibian ecology and conservation.

The California Department of Fish & Wildlife (DFW) and numerous independent scientific teams have published documents detailing the extensive harms caused by non-native bullfrogs, yet each year the DFW under the oversight of the FGC issues permits for the importation of over 2,000,000 live bullfrogs into the state. Many of these bullfrogs escape or are purposely set free, and then they establish populations. The bullfrogs eat native amphibians; compete with them for breeding habitat and food; and spread diseases such as chytridiomycosis. Bullfrog eradication projects results in the state and nonprofit organizations spending significant amounts of taxpayer and donor funds on eradication programs that are generally only minimally successful. California's allowance of the bullfrogs threatens endangered species and is thus in direct contradiction to federal Endangered Species Act regulations.

The FGC website states that “The Fish and Game Commission has a wide range of responsibilities that continually expands and includes...controlling non-native species importation, possession, sale”. The FGC has full authority under state law to add bullfrogs to the California Code Title 14 CCR § 671(c)(3) list of prohibited species, which already lists and prohibits several harmful amphibians. American Bullfrogs are known to be as harmful as any of the currently listed species, and thus their addition to the list is fully warranted.

With regards to the DFW's staff recommendation to deny the petition from SAVE THE FROGS! and Center for Biological Diversity that requests this code change, based on a stated conflict with FGC Code Section 6881 and subsequent potential administrative and enforcement costs:

- (1) The staff recommendation was submitted only 24 hours prior to the close of public comment, and is written in vague, ambiguous language. Both of these factors prevent proper input from the public.
- (2) The staff provided no statistics whatsoever or any rationale for why they believe that prohibiting bullfrogs would result in increased administrative and enforcement costs. Furthermore they make no mention whatsoever of the massive amounts of time and money that state agencies, nonprofit groups, private biological consultants and the companies that hire them will save from not having to manage the state's ever-increasing bullfrog problem. It is scientifically and economically unsound to state that adding bullfrogs to the list of prohibited species will increase burden for the DFW. Furthermore, the



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DFW currently fails to enforce the permit conditions for the entry of bullfrogs (the DFW does not conduct disease testing in imported bullfrogs or force permitted sellers of diseased frogs to cease their sales). If the DFW has enforcement problems, they are systemic, and not something that will be created out of thin air by implementing proper regulations of invasive species.

(3) No part of the mission of the DFW makes any mention of easing administration or enforcement burdens for staff, and nowhere on the FGC website does it state that the FGC's directive is to make DFW staff's jobs simple.

(4) Start with why -- not with how. Codes are created to solve problems and make the state better. Once the codes are created, dedicated talented staff will find ways to administer and enforce them. The FGC is America's original wildlife conservation agency and has overcome many problems in its 147 year history. Do not succumb to the short-sighted thinking of staff who lack creativity or drive, or who place the ease of their job over the mission of the department; and whose recommendations, if implemented, would prevent the FGC from doing what it can and should do to protect the state's native wildlife and control non-native species importation, possession, and sale, as per its directive.

(5) California Code Sections 6880-6885 make no explicit mention of American Bullfrogs. Nowhere in California Code does there exist any section of code that prevents American Bullfrogs from being added to Title 14 CCR § 671(c)(3). The DFW retains authority to permit legal, approved uses of prohibited amphibians via Section 671.1. According to sections 6880-6885, people could pursue, trap, capture or collect animals for frog jumping contest purposes without permit, but they are prohibited from collecting the animals via methods that seriously injure the animals. Importantly, nowhere in Sections 6880-6885 are people involved in frog jumping contests authorized to import or sell animals for contests. In adding American Bullfrogs to the list of prohibited species, frog jumping contestants could still collect and jump feral bullfrogs, but the importation of millions of live non-native bullfrogs into the state each year would not be allowed. The DFW thus would have minimal need to administer or enforce contestants and could focus its efforts on ensuring that the large-scale imports do not continue. By stopping the issuance of importation permits, the DFW's current administrative burdens would be reduced.

In summary, I urge the FGC to do what is best for California's native wildlife by adding American Bullfrogs to the state's list of prohibitive species, an action it is fully authorized to take. Thank you for protecting California's native wildlife!

Sincerely,



Kerry Kriger, Ph.D.

SAVE THE FROGS! Founder, Executive Director & Ecologist

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