STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-Publication of Notice Statement)

Amend Section 363
Title 14, California Code of Regulations (CCR)
Re: Pronghorn Antelope

I. Date of Initial Statement of Reasons: September 15, 2014

II. Dates and Locations of Scheduled Hearings:

(a)	Notice Hearing:	Date:	December 3, 2014
		Location:	Van Nuys, CA
(b)	Discussion Hearings:	Date:	February 12, 2015
		Location:	Sacramento, CA
(c)	Adoption Hearing:	Date:	April 9, 2015
		Location:	Santa Rosa, CA

III. Description of Regulatory Action:

(a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

1. Number of Tags

This proposed regulatory action amends Section 363 providing for the number of pronghorn antelope tags for the 2015 season. Existing regulations specify the number of pronghorn antelope hunting tags for each hunt. In order to achieve management goals and objectives for pronghorn populations and maintain hunting quality, tag quotas for hunts need to be adjusted periodically.

Ranges are necessary at this time because final quotas cannot be determined until survey data are analyzed. Winter surveys are scheduled for January 2015. Analysis of survey results will be completed by March 2015. Final tag quotas will allow for a biologically appropriate harvest of bucks and does in the population and will achieve/maintain buck ratios at or above minimum levels specified in appropriate management plans. Administrative procedures and the Fish and Game Code require the Fish and Game Commission to receive proposed changes to existing regulations prior to the time winter pronghorn antelope surveys are completed.

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The proposed ranges of pronghorn antelope tags for 2015 are as follows:

Archery tags:

Zone	2014 Buck	2015 Buck [Range]	2014 Doe	2015 Doe [Range]
1 - Mount Dome	0	0-10	0	0 – 3
2 - Clear Lake	1	0-10	0	0 – 3
3 - Likely Table	10	0-20	0	0 – 7
4 - Lassen	5	0-20	0	0 – 7
5 - Big Valley	1	0-15	0	0 – 5
6 - Surprise Valley	1	0-10	-	-

General Season tags

Zone	2014 Tag Quotas				2015 Tag Quotas [Range]			
	Period 1		Period 2		Period 1		Period 2	
	Buck	Doe	Buck	Doe	Buck	Doe	Buck	Doe
1 – Mount Dome	0	0	-	-	0-60	0-20	-	-
2 – Clear Lake	10	0	-	-	0-80	0-25	-	-
3 – Likely Tables	40	0	35	0	0-150	0-50	0-130	0-50
4 – Lassen	30	0	30	0	0-150	0-50	0-150	0-50
5 – Big Valley	10	-	0	-	0-150	0-50	-	-
6 – Surprise Valley	10	-	0	-	0-25	0-7	-	-
Likely Tables Apprentice Hunt	5 Either Sex		-		0-5 Either Sex		-	
Lassen Apprentice Hunt	5 Either Sex		-		0-15 Either Sex		-	
Big Valley Apprentice Hunt	1 Either Sex		-		0-15 Either Sex		-	
Surprise Valley Apprentice Hunt	4 Either Sex		-		0-4 Either Sex		-	
Fund-Raising Hunt	2 Buck				0-10 Buck			

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Final tag quotas for each zone will be identified and reported in the Final Statement of Reasons based upon findings from the annual winter surveys.

(b) Authority and Reference:

Authority: Fish and Game Code sections 219, 220, 331, 1050 and 10502.
Reference: Fish and Game Code Sections 331, 713, 1050, 10500 and 10502.

(c) Specific Technology or Equipment Required by Regulatory Change:

None.

(d) Identification of Reports or Documents Supporting Regulation Change:

2004 Final Environmental Document Regarding Pronghorn Antelope Hunting Economic Impact Analysis

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

The Department's regulation change concepts for the 2015-16 big game hunting seasons were presented and discussed at the Fish and Game Commission's Wildlife Resources Committee meeting held in Sacramento on September 17, 2014.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

No alternatives were identified. Pronghorn antelope license tag quotas must be changed periodically in response to a variety of biological and environmental conditions.

(b) No Change Alternative:

The no-change alternative was considered and rejected because it would not attain project objectives of providing for hunting opportunities while maintaining pronghorn antelope populations within desired population objectives. Retaining the current tag quota for each zone may not be responsive to biologically-based changes in the status of various herds. Management plans specify minimum desired buck to doe ratios which are attained/maintained in part by modifying tag quotas on an annual basis. The no-change alternative would not allow for adjustment of tag quotas in response to changing environmental/biological conditions.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed. The maximum number of tags available in the newly proposed range is at or below the number of tags analyzed in the 2007 Final Environmental Document Regarding Pronghorn Antelope Hunting.

VI. Impact of Regulatory Action.

This proposed action adjusts tag quotas for existing hunts. Given the number of tags available, and the area over which they are distributed, this proposal is economically neutral to business.

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States.

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Considering the small number of tags issued over the entire state, this proposal is economically neutral to business.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission anticipates benefits to the health and welfare of California residents. Hunting provides opportunities for multi-generational family activities and promotes respect for California's environment by the future stewards of the State's resources. The Commission anticipates benefits to the State's environment in the sustainable management of natural resources.

The proposed action will not have significant impacts on jobs or business within California and does not provide benefits to worker safety.

(c) Cost Impacts on Private Persons.

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State.

None.

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(e) Other Nondiscretionary Costs/Savings to Local Agencies.

None.

(f) Programs Mandated on Local Agencies or School Districts.

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4.

None.

(h) Effect on Housing Costs.

None.

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INFORMATIVE DIGEST
(Policy Statement Overview)

Existing regulations provide for the number of pronghorn antelope hunting tags for each hunt zone. This proposed regulatory action would provide for tag allocation ranges for most hunt zones pending final tag quota determinations based on winter survey results that should be completed by March of 2015. The final tag quotas will provide for adequate hunting opportunities while allowing for a biologically appropriate harvest of bucks and does in specific populations.

The proposed 2015 tag allocation ranges for the hunt zones are as set forth below.

2015 Pronghorn Antelope Tag Allocations [Ranges]						
Hunt Area	*Archery-Only Season*		*General Season*			
			Period 1		*Period 2*	
	Buck	*Doe*	*Buck*	*Doe*	*Buck*	*Doe*
Zone 1 – Mount Dome	0-10	0-3	0-60	0-20	0	0
Zone 2 – Clear Lake	0-10	0-3	0-80	0-25	0	0
Zone 3 – Likely Tables	0-20	0-7	0-150	0-50	0-130	0-50
Zone 4 – Lassen	0-20	0-7	0-150	0-50	0-150	0-50
Zone 5 – Big Valley	0-15	0-5	0-150	0-50	0	0
Zone 6 – Surprise Valley	0-10	0	0-25	0-7	0	0
Big Valley Apprentice Hunt	N/A		0-15 Either-Sex		0	
Lassen Apprentice Hunt	N/A		0-15 Either-Sex		0	
Surprise Valley Apprentice Hunt	N/A		0-4 Either-Sex		0	
Likely Tables Apprentice Hunt	N/A		0-5 Either-Sex		0	
Fund-Raising Hunt	N/A		0-10 Buck			

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Benefits of the regulations

The management plans specify objective levels for the herds. These ratios are maintained and managed in part by annually modifying the number of tags. The final values for the license tag numbers will be based upon findings from the population surveys.

Non-monetary benefits to the public

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

Consistency with State or Federal Regulations

The Fish and Game Commission, pursuant to Fish and Game Code Sections 200, 202 and 203, has the sole authority to regulate pronghorn antelope hunting in California. Commission staff has searched the California Code of Regulations and has found the proposed changes pertaining to pronghorn antelope tag allocations are consistent with the provisions of Title 14. Therefore the Commission has determined that the proposed amendments are neither inconsistent nor incompatible with existing State regulations.

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REGULATORY TEXT

Section 363 is amended to read:

§ 363. Pronghorn Antelope.
The Lava Beds National Monument and Federal and State Game Refuges lying within the hunt boundary are closed to pronghorn antelope hunting, except for the state's Hayden Hill (1S) and Blacks Mountain (1F) game refuges in Lassen County and the Clear Lake National Wildlife Refuge in Modoc County. Refer to subsection 363(b)(5) for special conditions for permission to enter and hunt pronghorn antelope in the Clear Lake National Wildlife Refuge.
(a) Zone 1 - Mount Dome:

[No changes to subsections 363(a)(1) through (3)]

(4) Number of License Tags:
(A) General Season: ~~0~~ [0-60] buck tags and ~~0~~ [0-20] doe tags.
(B) Archery Only Season: ~~0~~ [0-10] buck tags and ~~0~~ [0-3] doe tags.
(b) Zone 2 - Clear Lake:

[No changes to subsections 363(b)(1) through (3)]

(4) Number of License Tags:
(A) General Season: ~~10~~ [0-80] buck tags and ~~0~~ [0-25] doe tags.
(B) Archery Only Season: ~~1~~ [0-10] buck tags and ~~0~~ [0-3] doe tags.

[No changes to subsection 363(b)(5)]

(c) Zone 3 - Likely Tables:

[No changes to subsections 363(c)(1) through (3)]

(4) Number of License Tags:
(A) General Season: Period One: ~~40~~ [0-150] buck tags and ~~0~~ [0-50] doe tags. Period Two: ~~35~~ [0-130] buck tags and ~~0~~ [0-50] doe tags.
(B) Archery Only Season: ~~10~~ [0-20] buck tags and ~~0~~ [0-7] doe tags.
(d) Zone 4 - Lassen:

[No changes to subsections 363(d)(1) through (3)]

(4) Number of License Tags:
(A) General Season: Period One: ~~30~~ [0-150] buck tags and ~~0~~ [0-50] doe tags. Period Two: ~~30~~ [0-150] buck tags and ~~0~~ [0-50] doe tags.
(B) Archery Only Season: ~~5~~ [0-20] buck tags and ~~0~~ [0-7] doe tags.
(e) Zone 5 - Big Valley:

[No changes to subsections 363(e)(1) through (3)]

(4) Number of License Tags:

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(A) General Season: ~~10~~ [0-150] buck tags and ~~0~~ [0-50] doe tags.
(B) Archery Only Season: ~~1~~ [0-15] buck tags and ~~0~~ [0-5] doe tags.
(f) Zone 6 - Surprise Valley:

[No changes to subsections 363(f)(1) through (3)]

(4) Number of License Tags:
(A) General Season: ~~10~~ [0-25] buck tags and ~~0~~ [0-7] doe tags.
(B) Archery Only Season: ~~1~~ [0-10] buck tags.
(g) Big Valley Pronghorn Antelope Apprentice Hunt:

[No changes to subsections 363(g)(1) through (3)]

(4) Number of License Tags: ~~1~~ [0-15] either-sex tags.
(5) Special Conditions: Tagholders wishing to hunt the Ash Creek Wildlife Area may contact Ash Creek Wildlife Area by telephone at (530) 294-5824, and shall attend an orientation meeting before hunting. Only persons possessing valid junior hunting licenses and apprentice hunt license tags may hunt during the pronghorn antelope apprentice hunt season in the Ash Creek Wildlife Area. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
(h) Lassen Pronghorn Antelope Apprentice Hunt:

[No changes to subsections 363(h)(1) through (3)]

(4) Number of License Tags: ~~5~~ [0-15) either-sex tags.
(i) Surprise Valley Pronghorn Antelope Apprentice Hunt:

[No changes to subsections 363(i)(1) through (3)]

(4) Number of License Tags: ~~4~~ [0-4] either-sex tags.
(5) Special Conditions: Tagholders must possess valid junior hunting licenses and apprentice hunt license tags. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
(j) Likely Tables Pronghorn Antelope Apprentice Hunt

[No changes to subsections 363(j)(1) through (3)]

(4) Number of License Tags: ~~5~~ [0-5] either-sex tags.
(5) Special Conditions: Tagholders must possess valid junior hunting licenses and apprentice hunt license tags. Tagholders shall be accompanied by a nonhunting, licensed adult chaperon 18 years of age or older while hunting.
(k) Fund-raising Hunt:

[No changes to subsections 363(k)(1) through (3)]

(4) Number of License Tags: ~~2~~ [0-10] buck tags.

[No changes to subsection 363(*l*)]

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(m) Pronghorn Antelope Tag Allocations Table.

~~2014 Pronghorn Antelope Tag Allocation~~						
~~Hunt Area~~	~~Archery Only Season~~		~~General Season~~			
			~~Period 1~~		~~Period 2~~	
	~~Buck~~	~~Doe~~	~~Buck~~	~~Doe~~	~~Buck~~	~~Doe~~
~~Zone 1 – Mount Dome~~	~~0~~	~~0~~	~~0~~	~~0~~	~~0~~	~~0~~
~~Zone 2 – Clear Lake~~	~~1~~	~~0~~	~~10~~	~~0~~	~~0~~	~~0~~
~~Zone 3 – Likely Tables~~	~~10~~	~~0~~	~~40~~	~~0~~	~~35~~	~~0~~
~~Zone 4 – Lassen~~	~~5~~	~~0~~	~~30~~	~~0~~	~~30~~	~~0~~
~~Zone 5 – Big Valley~~	~~1~~	~~0~~	~~10~~	~~0~~	~~0~~	~~0~~
~~Zone 6 – Surprise Valley~~	~~1~~	~~0~~	~~10~~	~~0~~	~~0~~	~~0~~
~~Likely Tables Apprentice Hunt~~	~~N/A~~		~~5 Either-Sex~~		~~0~~	
~~Lassen Apprentice Hunt~~	~~N/A~~		~~5 Either-Sex~~		~~0~~	
~~Big Valley Apprentice Hunt~~	~~N/A~~		~~1 Either-Sex~~		~~0~~	
~~Surprise Valley Apprentice Hunt~~	~~N/A~~		~~4 Either-Sex~~		~~0~~	
~~Fund-Raising Hunt~~	~~N/A~~		~~2 Buck~~			

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2015 Pronghorn Antelope Tag Allocations [Ranges]						
Hunt Area	*Archery-Only Season*		*General Season*			
			Period 1		*Period 2*	
	Buck	*Doe*	*Buck*	*Doe*	*Buck*	*Doe*
Zone 1 – Mount Dome	0-10	0-3	0-60	0-20	0	0
Zone 2 – Clear Lake	0-10	0-3	0-80	0-25	0	0
Zone 3 – Likely Tables	0-20	0-7	0-150	0-50	0-130	0-50
Zone 4 – Lassen	0-20	0-7	0-150	0-50	0-150	0-50
Zone 5 – Big Valley	0-15	0-5	0-150	0-50	0	0
Zone 6 – Surprise Valley	0-10	0	0-25	0-7	0	0
Big Valley Apprentice Hunt	N/A		0-15 Either-Sex		0	
Lassen Apprentice Hunt	N/A		0-15 Either-Sex		0	
Surprise Valley Apprentice Hunt	N/A		0-4 Either-Sex		0	
Likely Tables Apprentice Hunt	N/A		0-5 Either-Sex		0	
Fund-Raising Hunt	N/A		0-10 Buck			

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Note: Authority cited: Sections 219, 220, 331, 1050, Fish and Game Code.
Reference: Sections 331, 713, and 1050, Fish and Game Code.