

limits for migratory birds may occur. The Service establishes rules for “early season” hunting (waterfowl seasons that occur prior to October 1) in June of each year and establishes “late season” rules (waterfowl seasons that begin after October 1) in August of each year.

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and daily bag and possession limits. Two (2) changes are currently proposed for Section 502. Both require Flyway Council and Service approval.

1. Remove the Sacramento Valley (East) Special Management Area and allow the take of Canada geese in that area throughout the Balance of State Zone goose season.

The existing regulations in 502(b)(5)(A)4. and 502(d)(5)(D)4. describe the Sacramento Valley (East) Special Management Area and prohibit the take of Canada geese in this Special Management Area during the Balance of State Zone goose hunting season. The proposed change would eliminate the Special Management Area and the prohibition on the take of Canada geese during the Balance of State Zone goose hunting season in this Special Management Area. This Special Management Area was established in 1975 to protect migrating Aleutian Canada geese. The Aleutian Canada goose population has grown from about 800 in 1976 to nearly 50,000 in recent years and was removed from the list of Threatened species in March 2001. Additionally, most Aleutian geese are now migrating directly to the San Joaquin Valley and fewer birds occur in this area in the fall. The proposed change would allow a limited harvest on Aleutian Canada geese in the fall in the Sacramento Valley. Reductions in the growth of the Aleutian Canada goose population are sought to reduce the effect of geese feeding primarily on privately-owned pastures in Humboldt and Del Norte counties. Private landowners are concerned that unimpeded population growth of Aleutian Canada geese is affecting the amount of grass available for livestock.

2. Remove the restriction on all Canada geese and allow the take of Large Canada geese in the San Joaquin Valley Special Management Area.

The existing regulation in 502(d)5(D)6. prohibits the take of all Canada geese in this special management area during the Balance

of State goose hunting season. The proposed change would eliminate the restriction on all Canada geese and allow the take of Large Canada geese only. This special management area was established in 1975 to protect wintering Aleutian Canada geese. The Aleutian Canada goose population has grown from about 800 in 1976 to nearly 50,000 in recent years and was removed from the list of Threatened species in March 2001. The proposed change would provide additional hunting opportunity on Large Canada geese while still protecting Aleutian Canada geese in their primary wintering area.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 202 and 355, Fish and Game Code.

Reference: Sections 202, 355 and 356, Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change:
None.

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

2003 Draft Environmental Document Migratory Game Bird Hunting.

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

No public meetings are being held prior to the notice publication. These proposed changes would generally simplify existing hunting regulations and/or provide additional hunting opportunities. Because the affected waterfowl populations are at high levels, most affected constituents would view these as positive regulatory changes.

IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change:

1. Allow the take of Canada geese in the Sacramento Valley (East) Special Management Area only after December 15.
2. No alternatives to the proposal to remove the restriction on all Canada geese and allow the take of Large Canada geese in the San Joaquin Valley Special Management Area were identified.

(b) No Change Alternative:

1. The No Change Alternative would not allow additional harvest of small Canada geese in the Sacramento Valley (East) Special Management Area. Continuing population growth of Aleutians would lead to greater depredation effects on the northwest coast of California in the spring.
2. The No Change Alternative would continue to prohibit the harvest of Large Canada geese in this the San Joaquin Valley Special Management Area. Continuing a ban on all Canada goose hunting in the San Joaquin Valley Special Management Area is an unnecessary restriction and does not allow maximum hunting opportunity.

(c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternatives considered would be more effective in carrying out the purposes for which the regulation changes are proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation. The “no change” alternative is appropriate if the Flyway Council or Service deny the recommendations.

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.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(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 regulation(s) are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (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: None.
- (c) Cost Impacts on a Representative Private Person or Business:

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.
- (e) 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.

Informative Digest/Policy Statement Overview

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and daily bag and possession limits. In addition to the five proposals contained herein, the Service, through the analysis of waterfowl population survey and other data, may also initiate changes in federal regulations which will require changes in existing and proposed State regulations. Changes in federal regulations for season opening and closing dates, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. These two proposed changes to state regulations require changes in the federal regulations. These proposals must be approved by the Pacific Flyway Council at their meeting on July 25, 2003. The Service will consider these and other recommendations at their meeting on July 31, 2003.

1. Remove the Sacramento Valley (East) Special Management Area and allow the take of Canada geese in that area throughout the Balance of State Zone goose season.

The existing regulations in 502(b)(5)(A)4. and 502(d)(5)(D)4. describe the Sacramento Valley (East) Special Management Area and prohibit the take of Canada geese in this Special Management Area during the Balance of State Zone goose hunting season. The proposed change would eliminate the Special Management Area and the prohibition on the take of Canada geese during the Balance of State Zone goose hunting season in this Special Management Area.

2. Remove the restriction on all Canada geese and allow the take of Large Canada geese in the San Joaquin Valley Special Management Area.

The existing regulation in 502(d)5(D)6. prohibits the take of all Canada geese in this special management area during the Balance of State goose hunting season. The proposed change would eliminate the restriction on all Canada geese and allow the take of Large Canada geese only.

Editorial changes may also be proposed to improve the clarity and consistency of the regulations.