

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: January 2, 2007

II. Dates and Locations of Scheduled Hearings:

- | | |
|-----------------------|--|
| (a) Notice Hearing: | Date: February 2, 2007 Location: Monterey, California |
| (b) Discussion: | Date: March 2, 2007 Location: Arcata, California |
| (c) Discussion: | Date: April 13, 2007 Location: Bodega Bay, California |
| (d) Adoption Hearing: | Date: April 25, 2007 Location: Teleconference |

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 provides for the number of tags for existing zones in a series of ranges and allows for issuing doe tags, if desired. Existing regulations specify the number of pronghorn antelope hunting tags for each hunt. In order to maintain hunting quality in accordance with management goals and objectives, tag quotas for hunts need to be adjusted periodically. 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.

Ranges are necessary because final quotas cannot be determined until survey data are analyzed. Winter surveys are scheduled for January, 2007. Analysis of survey results will be completed by March, 2007. 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. The proposed ranges of pronghorn antelope tags for 2007 are as follows:

| Pronghorn Antelope Tag Allocation Ranges - 2007 | | | | | | |
|--|--------------------------------|------------|-----------------------|------------|-----------------|------------|
| Hunt Area | Archery-Only Season | | General Season | | | |
| | | | Period 1 | | Period 2 | |
| | Buck | Doe | Buck | Doe | Buck | Doe |
| Zone 1 – Mount Dome | 1-10 | 0-3 | 3-60 | 0-20 | 0 | 0 |
| Zone 2 – Clear Lake | 1-10 | 0-3 | 5-80 | 0-25 | 0 | 0 |
| Zone 3 – Likely Tables | 2-20 | 0-7 | 25-150 | 0-50 | 25-130 | 0-50 |
| Zone 4 – Lassen | 2-20 | 0-7 | 25-150 | 0-50 | 25-150 | 0-50 |
| Zone 5 – Big Valley | 1-15 | 0-5 | 3-150 | 0-50 | 0 | 0 |
| Zone 6 – Surprise Valley | 1-10 | 0 | 3-25 | 0-7 | 0 | 0 |
| Big Valley Junior Hunt | N/A | | 1-15 Either-Sex | | 0 | |
| Lassen Junior Hunt | N/A | | 1-15 Either-Sex | | 0 | |
| Surprise Valley Junior Hunt | N/A | | 1-4 Either-Sex | | 0 | |
| Fund-Raising Hunt | N/A | | 1-10 Buck | | | |

2. Areas open to hunting

Existing regulations allow Lassen junior antelope zone hunters to hunt on Honey Lake Wildlife area. In 2004, the Honey Lake Junior Pronghorn Antelope Hunt was renamed the Lassen Junior Pronghorn Antelope Hunt and the hunt area was expanded to include all of Zone 4. Hunting continued to be permitted at the Honey Lake Wildlife Area for successful applicants. Maintaining the opportunity for junior hunters to hunt at Honey Lake Wildlife Area requires a substantial commitment of Department staff time and closure of the Wildlife Area to the public when antelope hunting occurs. In the last three years, no antelope have been taken at Honey Lake Wildlife Area, in part, because it contains relatively few animals and better opportunities exist for junior hunters elsewhere in Zone 4. The proposed regulation would close the Honey Lake Wildlife area to junior antelope hunters.

Existing regulation allow hunters selected for pronghorn antelope tags in Zone 2 (Clear Lake) to apply for a drawing to hunt the Peninsula “U” portion of the Clear Lake National Wildlife Refuge. Under existing regulations, the hunt generally begins eight days after the application deadline and does not provide sufficient time to notify successful applicants. The proposed regulations shift the deadline for the application forward one week from the second Friday in August to the first Friday in August. This will provide significantly more time for the Department to notify successful applicants and provide sufficient time for those applicants to plan their hunt. Hunters generally receive tags for this hunt by mid- to late-July under existing regulations, and thus should be able to submit applications for the special drawing by the revised deadline.

(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:

Pronghorn Antelope Management Plan (Department of Fish and Game, 1982)

Final 2004 Environmental Document Regarding Pronghorn Antelope Hunting.

Final 2006 Data Supplement Regarding Antelope Hunting.

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

The Department conducted a public scoping session in Sacramento on October 11, 2006.

Public input, discussions and recommendations regarding the environmental document and mammal hunting and trapping regulations were taken at this time.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Number of Tags

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

2. Areas open to Hunting

No alternatives were identified for closing the Honey Lake Wildlife Area to Junior Antelope hunting.

No alternatives were identified to modifying the application deadline for the special hunt on the Peninsula "U" portion of the Clear Lake National Wildlife Refuge.

(b) No Change Alternative:

1. Number of Tags

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.

2. Areas open to Hunting

The no-change alternative was considered and rejected for the closing of the Honey Lake Wildlife Area junior antelope hunter access because of the substantial commitment of Department staff time and closure of the Wildlife Area to the public when antelope hunting occurs. Additionally, within the last three years no antelope have been taken on the Honey Lake Wildlife Area during the junior hunt.

The no-change alternative was considered and rejected for the modification to the application deadline for the special hunt on the Peninsula "U" portion of the Clear Lake National Wildlife Refuge. Shifting the deadline for the application forward one week from the second Friday in August to the first Friday in August will provide significantly more time for the Department to notify successful applicants and provide sufficient time for those applicants to plan their hunt

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed, or would be as effective and less burdensome to the affected private persons than the proposed regulation.

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.

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 Businessmen 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. 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.

None.

(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 this proposed action.

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

None.

- (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.

**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 2007. 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 tag allocation ranges for the hunt zones are as set forth below.

| Pronghorn Antelope Tag Allocation Ranges - 2007 | | | | | | |
|--|--------------------------------|------------|-----------------------|------------|-----------------|------------|
| <i>Hunt Area</i> | <i>Archery-Only Season</i> | | <i>General Season</i> | | | |
| | | | Period 1 | | Period 2 | |
| | Buck | Doe | Buck | Doe | Buck | Doe |
| Zone 1 – Mount Dome | 1-10 | 0-3 | 3-60 | 0-20 | 0 | 0 |
| Zone 2 – Clear Lake | 1-10 | 0-3 | 5-80 | 0-25 | 0 | 0 |
| Zone 3 – Likely Tables | 2-20 | 0-7 | 25-150 | 0-50 | 25-130 | 0-50 |
| Zone 4 – Lassen | 2-20 | 0-7 | 25-150 | 0-50 | 25-150 | 0-50 |
| Zone 5 – Big Valley | 1-15 | 0-5 | 3-150 | 0-50 | 0 | 0 |
| Zone 6 – Surprise Valley | 1-10 | 0 | 3-25 | 0-7 | 0 | 0 |
| Big Valley Junior Hunt | N/A | | 1-15 Either-Sex | | 0 | |
| Lassen Junior Hunt | N/A | | 1-15 Either-Sex | | 0 | |
| Surprise Valley Junior Hunt | N/A | | 1-4 Either-Sex | | 0 | |
| Fund-Raising Hunt | N/A | | 1-10 Buck | | | |

Existing regulations allow Lassen junior antelope hunters to access the Honey Lake Wildlife Area. The proposed change for the closure of Honey Lake Wildlife Area to junior antelope hunters is necessary because of the substantial commitment of Department staff time and closure of the Wildlife Area to the public when antelope hunting occurs. Within the last three years no antelope have been taken at Honey Lake Wildlife Area.

Existing regulations stipulate when applications are due for the special hunt on the Peninsula “U” portion of the Clear Lake National Wildlife Refuge. The proposed change shifts the deadline for the application forward one week from the second Friday in August to the first Friday in August will provide significantly more time for the Department to notify successful applicants and provide sufficient time for those applicants to plan their hunt.