

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
STATEMENT OF PURPOSE FOR REGULATORY ACTION
(Pre-Adoption Statement of Purpose)

Amend Section 362,
Title 14, California Code of Regulations
Re: Nelson Bighorn Sheep

- I. Date of Initial Statement of Reasons: December 14, 2005
- II. Date of Pre-Adoption Statement of Purpose: March 21, 2008
- III. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: February 8, 2008
Location: San Diego, California
 - (b) Discussion Hearing: Date: March 7, 2008
Location: Stockton, California
 - (c) Discussion Hearing: Date: April 11, 2008
Location: Bodega Bay, California
 - (d) Adoption Hearing: Date: May 9, 2008
Location: Monterey, California
- IV. Description of Modifications of Originally Proposed Language of Initial Statement of Purpose:

The original proposal is modified select specific tag numbers from a range for each hunt zone. The original proposal provided a range of license tags for bighorn sheep hunting according to the following table:

HUNT ZONE	2007 Tag allocation	2008 Tag allocation (proposed)
Zone 1 - Marble/Clipper Mountains	4	3-5
Zone 2 - Kelso Peak/Old Dad Mountains	5	4-6
Zone 3 - Clark/Kingston Mountain Ranges	2	1-3
Zone 4 - Orocopia Mountains	0	0-1
Zone 5 - San Gorgonio Wilderness	1	0-2
Zone 6 - Sheep Hole Mountains	2	1-3
Zone 7 – White Mountains	5	3-6
Open Zone Fund-Raising Tag	2	1-3
TOTAL	21	13-29

The final number of hunting tags for each zone is as follows:

HUNT ZONE	NUMBER OF TAGS
Zone 1 - Marble/Clipper Mountains	5
Zone 2 - Kelso Peak/Old Dad Mountains	6
Zone 3 - Clark/Kingston Mountain Ranges	3
Zone 4 - Orocopia Mountains	1
Zone 5 - San Gorgonio Wilderness	1
Zone 6 - Sheep Hole Mountains	1
Zone 7 – White Mountains	3
Open Zone Fund-Raising Tag	3
TOTAL	23

In addition, the original proposal is changed to allow the fund-raising tag hunters into Zone 4 (Orocopia Mountains).

V. Reasons for Modification of Originally Proposed Language of Initial Statement of Purpose:

Section 4902 of the Fish and Game Code specifies that the Commission may allow the take of no more than 15 percent of the mature Nelson bighorn rams estimated in the hunt areas in a single year, based on annual population surveys conducted by the Department. The modified proposal provides additional hunting opportunity for fund-raising tag holders while

complying with this law and objectives of the approved management plans for each bighorn management unit.

Zone 1 – The number of mature Nelson bighorn rams estimated in the Marble/Clipper Mountains is 57. Resulting final recommendation of 5 tags is less than 15% of estimated mature rams.

Zone 2 – The number of mature Nelson bighorn rams estimated in the Kelso Peak/Old Dad Mountains is 56. Resulting final recommendation of 6 tags is less than 15% of estimated mature rams.

Zone 3 – The number of mature Nelson bighorn rams estimated in the Clark/Kingston Mountains is 39. Resulting final recommendation of 3 tags is less than 15% of estimated mature rams.

Zone 4 – The number of mature Nelson bighorn rams estimated in the Orocopia Mountains is 31. Resulting final recommendation of 1 tag is less than 15% of estimated mature rams. This zone has been closed for several years and now has produced some good size rams, which could lead to both auction hunters taking a ram there bumping the functional take to 3. The conservative quota of 1 tag is intended to mitigate any impacts to the ram population, should this occur.

Zone 5 – The number of mature Nelson bighorn rams estimated in the San Gorgonio Wilderness is 13. Resulting final recommendation of 1 tag is less than 15% of estimated mature rams.

Zone 6 – The number of mature Nelson bighorn rams estimated in the Sheep Hole Mountains is 16. Resulting final recommendation of 1 tag is less than 15% of estimated mature rams.

Zone 7 – The number of mature Nelson bighorn rams estimated in the White Mountains was 45. Resulting final recommendation of 3 tags is less than 15% of estimated mature rams.

Fund-raising Tags - The sum of all the public tags for all hunt zones is 20. The number of fund-raising tag is calculated as 15% of the total number of public tags rounded down to the nearest tag. Consequently, the number of fund-raising tags for 2008 is increased from 2 to 3.

The fund-raising tagholders are allowed in Zone 4 (Orocopia Mountains) because bighorn sheep have shown recovery in that zone. The modified proposal provides only one tag for hunting in Zone 4. This zone has not had hunting for the past several years; however, now the Department proposes to allow limited take in this area.

VI. Summary of Primary Considerations Raised in Opposition and in Support:

Mr. Kyle Meisner, Foundation for North American Wild Sheep, California Chapter
(testimony at the March, 2008 Fish and Game Commission Meeting)

**INFORMATIVE DIGEST
(Policy Statement Overview)**

Existing regulations provide for the number of bighorn sheep 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 survey results that should be completed by March of 2008. The final tag quotas will provide for adequate hunting opportunities while allowing for a biologically appropriate harvest of bighorn sheep. The following proposed number of tags was determined using the procedure described in Fish and Game Code Section 4902:

HUNT ZONE	NUMBER OF TAGS
Zone 1 - Marble Mountains	3-5
Zone 2 - Kelso Peak/Old Dad Mountains	4-6
Zone 3 - Clark/Kingston Mountain Ranges	1-3
Zone 4 - Orocopia Mountains	0-1
Zone 5 - San Gorgonio Wilderness	0-2
Zone 6 - Sheep Hole Mountains	1-3
Zone 7 - White Mountains	3-6
Open Zone Fund-Raising Tags	1-3
TOTAL	13-29

The number of tags allocated for each of the seven hunt zones is based on the results of the Department's 2007 estimate of the bighorn sheep population in each zone. Tags are proposed to allow the take of less than 15 percent of the mature rams estimated in each zone. The original proposal is modified to provide specific tag numbers for each zone as follows:

HUNT ZONE	NUMBER OF TAGS
Zone 1 - Marble Mountains	5
Zone 2 - Kelso Peak/Old Dad Mountains	6
Zone 3 - Clark/Kingston Mountain Ranges	3
Zone 4 - Orocopia Mountains	1
Zone 5 - San Gorgonio Wilderness	1
Zone 6 - Sheep Hole Mountains	1
Zone 7 - White Mountains	3
Open Zone Fund-Raising Tags	3

TOTAL	21
--------------	----

The modified proposal increases the number of fund-raising tag from two to three. The additional fund-raising tag is added because the total number of public tags is 20, and 15% of that number is three. **The original proposal is also modified to allow the fund-raising tagholders hunting access in Zone 4 (Orocopia Mountains) because bighorn sheep rams have shown recovery in that zone.**