

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Subsection 360(c)
Title 14, California Code of Regulations (CCR)
Re: Deer: Additional Hunts

- I. Date of Initial Statement of Reasons: December 15, 2008
- II. Date of Pre-adoption Statement of Reasons: March 20, 2009
- III. Date of Final Statement of Reasons: April 22, 2009
- IV. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: February 5, 2009
Location: Sacramento
 - (b) Discussion Hearing: Date: March 4, 2009
Location: Woodland
 - (c) Discussion Hearing: Date: April 9, 2009
Location: Lodi
 - (d) Adoption Hearing: Date: April 21, 2009 (Teleconference)
Location: Sacramento

V. Update:

No modifications were made to the originally proposed language of the Initial Statement of Reasons.

Pursuant to its April 21, 2009 meeting in Sacramento, the Fish and Game Commission adopted the regulation changes as proposed.

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

No (other) public comments, written or oral, were received during the public comment period.

VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:

California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

VIII. Location of Department files:

Department of Fish and Game
1812 Ninth Street
Sacramento, CA 95811

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Number of Tags

There is no reasonable alternative to the proposed action.

2. Modify Season for Additional Hunt G-8

Modify season to include all weekdays. This proposal was considered and rejected because it would not accommodate for military operations which primarily occur on weekdays, resulting in daily hunt cancellations, hunter dissatisfaction and the unnecessary restricting of hunter opportunity.

3. Modify Season for Additional Hunt J-10

Modify season to include all weekdays. This proposal was considered and rejected because it would not accommodate for military operations which primarily occur on weekdays, resulting in daily hunt cancellations, hunter dissatisfaction and the unnecessary restricting of hunter opportunity.

(b) No Change Alternative:

1. Number of Tags

The no-change alternative was considered and found inadequate to attain the project objectives. Retaining the current number of tags for the hunts listed may not be responsive to changes in the status of the herds. The deer herd management plans specify objective levels for the proportion of bucks in the herds. These ratios are maintained and managed in part by modifying the number of tags. The no-change alternative would not allow

management of the desired proportion of bucks stated in the approved deer herd management plans.

2. Modify Season for Additional Hunt G-8

The no change alternative was considered and found inadequate to attain the project objectives. Retaining the current season length and timing would be unresponsive to Base operations and scheduled activities and unnecessarily restrict hunter opportunity.

3. Modify Season for Additional Hunt J-10

The no change alternative was considered and found inadequate to attain the project objectives. Retaining the current season length and timing would be unresponsive to Base operations and scheduled activities and unnecessarily restrict hunter opportunity.

- (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.

X. 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 determinations relative to the required statutory categories have been made.

- (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. The proposed action modifies season dates for two (2) military base hunts and adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are 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 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) 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.

**UPDATED INFORMATIVE DIGEST
(Policy Statement Overview)**

Existing regulations provide for the number of hunting tags in the Additional Hunts. The proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the table below. The proposal provides a range of tag numbers for each hunt from which a final number will be determined, based on the post-winter status of each deer herd. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April.

Existing regulations for Additional Hunts G-8 (Fort Hunter Liggett Antlerless Deer Hunt) and J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt) provide for hunting to begin on October 4 and continue for two (2) consecutive days and reopen on October 11 and continue for three (3) consecutive days in order to accommodate for Base operations and other hunt opportunities. The proposal would modify the season to account for the annual calendar shift by changing the season opening dates to October 3 and October 10, respectively, in order to accommodate for Base operations. No loss of hunter opportunity would result from this action and the proposal is consistent with existing deer herd management plan recommendations.

Pursuant to its April 21, 2009 meeting in Sacramento, the Fish and Game Commission adopted the proposed season modifications for two (2) military base hunts referenced above and tag quotas as follows:

Deer: § 360(c) Additional Hunts 2009 Tag Allocations (Modified Proposal)			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
G-1 (Late Season Buck Hunt for Zone C-4)	2,850	500-5,000	2,710
G-3 (Goodale Buck Hunt)	35	5-50	35
G-6 (Kern River Deer Herd Buck Hunt)	50	25-100	50
G-7 (Beale Either-Sex Deer Hunt)	20 Military*	20 Military*	20 Military*
G-8 (Fort Hunter Liggett Antlerless Deer Hunt)	10 Military* 10 Public	10 Military* and 10 Public	10 Military* and 10 Public
G-9 (Camp Roberts Antlerless Deer Hunt)	15 Military* 15 Public	15 Military* 15 Public	15 Military* 15 Public
G-10 (Camp Pendleton Either-Sex Deer Hunt)	400 Military*	400 Military*	400 Military*
G-11 (Vandenberg Either-Sex Deer Hunt)	500 Military* and DOD**	500 Military* and DOD**	500 Military* and DOD**

Deer: § 360(c) Additional Hunts 2009 Tag Allocations (Modified Proposal)			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt)	30	10-50	30
G-13 (San Diego Antlerless Deer Hunt)	300	50-300	300
G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt)	25	10-50	25
G-21 (Ventana Wilderness Buck Hunt)	25	25-100	25
G-37 (Anderson Flat Buck Hunt)	25	25-50	25
G-38 (X-10 Late Season Buck Hunt)	300	50-300	300
G-39 (Round Valley Late Season Buck Hunt)	5	5-150	5
M-3 (Doyle Muzzleloading Rifle Buck Hunt)	20	10-75	20
M-4 (Horse Lake Muzzleloading Rifle Buck Hunt)	10	5-50	10
M-5 (East Lassen Muzzleloading Rifle Buck Hunt)	10	5-50	10
M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt)	80	25-100	80
M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt)	150	50-150	150
M-8 (Bass Hill Muzzleloading Rifle Buck Hunt)	20	5-50	20
M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt)	15	5-100	15
M-11 (Northwestern California Muzzleloading Rifle Buck Hunt)	20	20-200	20
MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Buck Hunt)	150	20-150	150
MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt)	150	20-150	150
J-1 (Lake Sonoma Apprentice Either-Sex Deer Hunt)	25	10-25	25
J-3 (Tehama Wildlife Area Apprentice Buck Hunt)	15	15-30	15
J-4 (Shasta-Trinity Apprentice Buck Hunt)	15	15-50	15

Deer: § 360(c) Additional Hunts 2009 Tag Allocations (Modified Proposal)			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
J-7 (Carson River Apprentice Either-Sex Deer Hunt)	15	10-50	15
J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt)	15	10-20	15
J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt)	5	5-10	5
J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt)	10 Military * 75 Public	10 Military * 75 Public	10 Military * 75 Public
J-11 (San Bernardino Apprentice Either-Sex Deer Hunt)	40	10-50	40
J-12 (Round Valley Apprentice Buck Hunt)	10	10-20	10
J-13 (Los Angeles Apprentice Either-Sex Deer Hunt)	40	25-100	40
J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	15-75	30
J-15 (Anderson Flat Apprentice Buck Hunt)	10	5-30	10
J-16 (Bucks Mountain/Nevada City Apprentice Either-Sex Deer Hunt)	75	10-75	75
J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	5-25	25
J-18 (Pacific/Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	10-75	75
J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	10-40	25
J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	5-20	20
J-21 (East Tehama Apprentice Either-Sex Deer Hunt)	50	20-80	50

* *Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.*

** *DOD = Department of Defense*