

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

Amend Section 555  
Title 14, California Code of Regulations  
Re: Cooperative Elk Hunting Areas

- I. Date of Initial Statement of Reasons: January 4, 2009
- 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, California
  - (b) Discussion Hearing Date: March 4, 2009  
Location: Woodland, California
  - (c) Discussion Hearing Date: April 9, 2009  
Location: Lodi, California
  - (d) Adoption Hearing: Date: April 21, 2009  
Location: Teleconference

V. Update:

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

VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those considerations:

No 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, California 95814

VIII. Location of Department files:

Department of Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

1. Residency Requirements for Cooperative Elk Hunting Areas

No alternatives were identified. The proposed change is consistent with existing regulations.

2. Editorial Changes

There are no reasonable alternatives to the proposed changes.

(b) No change Alternative:

1. Residency Requirements for Cooperative Elk Hunting Areas

The no-change alternative was considered and rejected because it would not be consistent with existing regulations regarding the sale of other elk tags.

2. Editorial Changes

The no-change alternative was considered and rejected because it would not result in clear and accurate regulations.

(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 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. 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 a Representative Private Person or Business:

None

- (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.

## Updated Informative Digest/Policy Statement Overview

Existing regulations specify that hunters who purchase an elk tag from a Cooperative Elk Hunting Area must be a resident of California. SB 1032 (Hollingsworth), signed by the Governor in September, 2006, eliminated the California residency requirement (beginning in 2007) for general season elk tag holders. California residency is also not required for the purchase of an elk tag under the Enhancement and Management of Fish and Wildlife and their Habitat on Private Lands (PLM) Program or the Fund-Raising License Tag Program. To provide consistency among regulations, the proposed amendment eliminates the California residency requirements for hunters wishing to purchase an elk tag from a Cooperative Elk Hunting Area.

The proposed amendment makes a change to a sub-section reference for payment of tag fees. The new reference accurately identifies the correct sub-section for the fees.

No other modifications to the original proposal were made. Pursuant to its April 21, 2009 meeting, the Fish and Game Commission adopted the above referenced changes.