

mortality from 1987 - 1998, thereby contributing to reduced breeding population numbers. This is consistent with Department findings in the past which resulted in hunting permits being reduced. Permit numbers have been significantly reduced since then and such effects have not been seen in recent years although rangewide, the populations are on the decline largely due to habitat factors.

This Initial Statement of Reasons is intended to reduce any potential impact hunting may have on these populations by allowing managers more flexibility in the number of permits issued. The current number of permits allowed for each of the four zones would remain as the highest limit of a range starting at zero reducing the number of permits to 0. The Department is currently working with other agencies, land-owners, and stakeholders to develop and implement conservation plans for sage-grouse in California. By eliminating any mortality due to hunting, the Department will be maximizing the potential for the population to increase and expand. This proposed action would also demonstrate to land management agencies and landowners in sage grouse range, the seriousness of needing more effective habitat conservation actions to ensure sage grouse do not become, or need to become, fully listed at either the federal level, or state level. The Department will continue to study sage-grouse population dynamics and would recommend that permits be issued in future years if conservation efforts are successful and that a hunting program could be sustainably managed.

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

Authority: Sections 200, 202, 203 and 355, Fish and Game Code.

Reference: Sections 200, 202, 203, 203.1, 215, 220, 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:

Final ~~Draft~~ Environmental Document regarding Resident Game Bird Hunting, August ~~May-21~~, 2004

12-Month Findings for Petitions to List the Greater Sage-grouse (*Centrocercus urophasianus*) as Threatened or Endangered; Notice of 12-Month Petition Findings. 75 Federal Register 43 (5 March 2010).

Gibson, R. M., V. C. Bleich, C. W. McCarthy, T. L. Russi. In Press. Recreational Hunting can Lower Population Size in Greater Sage-Grouse. Studies in Avian Biology. 15pp.

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

None.

IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Proposed Project

1) Reduce the number of permits. A lower limit on the number of permits issued would eliminate the Commission's ability to allow for more hunter opportunity when populations can support more take.

- (b) No Change Alternative:

1) The "no change" alternative would maintain the current number of permits issued for sage-grouse and could potentially reduce breeding population size ~~add to mortalities experienced by those populations~~ if numbers continue to decrease. The no change alternative would allow the Commission to maintain current hunter opportunity.

- (c) Consideration of Alternatives:

No alternative would be more effective at resolving the issue than the proposed alternative.

V. Mitigation Measures required by the Regulatory Action:

The proposed regulatory action will have no significant 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 regarding 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 Department does not believe that the proposed action will 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 change is sufficiently minor that there would be no significant economic impact to businesses.

- (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

Updated Informative Digest/Policy Statement Overview

The existing regulations provide a general hunting season for taking resident upland game birds. Subsection 300(a)(1)(D) provides for general season hunting of sage grouse in Lassen, Mono and Inyo counties. A limited number of permits are issued annually.

This Initial Statement of Reasons is intended to reduce any potential impact hunting may have on these populations by reducing the number of permits issued to 0 providing options for the Fish and Game Commission to select the number of permits issued for greater sage grouse. The Department is currently working with other agencies, land-owners, and stakeholders to develop and implement conservation plans for sage-grouse in California. By eliminating any mortality due to hunting, the Department will be maximizing the potential for the population to increase and expand. This proposed action would also demonstrate to land management agencies and landowners in sage grouse range, the seriousness of needing more effective habitat conservation actions to ensure sage grouse do not become, or need to become, fully listed at either the federal level, or at the state level.

Regulatory Language

Subsection 300(a)(1)(D)4., Title 14, CCR is amended as follows:

300(a)(1)(D)(4.) Number of Permits:

- a. East Lassen Zone: 0 ~~0 to 20~~
- b. Central Lassen Zone: 0 ~~0 to 15~~
- c. North Mono Zone: 0 ~~0 to 25~~
- d. South Mono Zone: 0 ~~0 to 35~~

NOTE: Authority: Sections 200, 202, 203 and 355, Fish and Game Code.
Reference: Sections 200, 202, 203, 203.1, 215, 220, 355 and 356, Fish and Game Code.