

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

Amend Section 510
Title 14, California Code of Regulations
Re: State Duck Stamp

- I. Date of Initial Statement of Reasons: April 15, 2013
- II. Date of Final Statement of Reasons: August 19, 2013
- III. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: May 22, 2013
Location: Los Angeles, CA
 - (b) Discussion Hearing Date: June 26, 2013
Location: Sacramento, CA
 - (c) Adoption Hearing: Date: August 7, 2013
Location: San Luis Obispo, CA
- IV. Update: No modifications were made to the originally proposed language of the Initial Statement of Reasons.
- V. 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.
- VI. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:

California Fish and Game Commission
1416 Ninth Street, Room 1320
Sacramento, California 95814
- VII. Location of Department Files:

Department of Fish and Wildlife
Wildlife Branch
1812 Ninth Street
Sacramento, California 95814
- VIII. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulatory Action:
No other alternatives were identified.
- (b) No Change Alternative:
 1. The No Change Alternative would maintain the existing language in Fish and Game Code section 510. Existing language does not concur with current 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, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.
- (c) Description of Reasonable Alternatives That Would Lessen Adverse Impact on Small Business: None.

IX. 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. The proposed regulations are intended to provide clarity to the public.

- (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; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed regulation only updates the section to be consistent with Fish and Game Code section 3700.1 clarifying that any person who is hunting

under the authority of a junior hunting license is exempt from obtaining a duck validation. Positive impacts to jobs and/or businesses that provide services to waterfowl hunters will be realized with the continuation of selling State Duck Stamp validations for waterfowl hunting in 2013-14. This is based on a 2011 US Fish and Wildlife national survey of fishing, hunting, and wildlife associated recreation for California. The report estimated that migratory bird hunters contributed about \$169,115,000 to businesses in California during the 2011 migratory bird hunting season. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes.

The Commission anticipates benefits to the health and welfare of California residents. The proposed regulations are intended to provide additional recreational opportunity to the public.

(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, Government Code: None.

(h) Effect on Housing Costs: None.

Updated Informative Digest/Policy Statement Overview

Current regulations in section 510, Title 14, California Code of Regulations, require the state duck stamp to be affixed to a hunter's license for taking ducks, geese, or brant. The implementation of the Automated License Data System (ALDS) eliminated the requirement of physical duck stamps to be affixed to the hunter's license. The proposal would update the section to be consistent with Fish and Game Code section 3700.1 clarifying that any person who is hunting under the authority of a junior hunting license is exempt from obtaining a duck validation.

The benefits of the proposed regulations are in concurrence with Federal law, sustainable management of the waterfowl resources, positive impacts to jobs and/or businesses that provide services to waterfowl hunters will be realized with the continuation of selling duck stamp validations for the waterfowl hunting season in 2013-2014.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The Commission has searched the California Code of Regulations and has determined that there are no other regulations that are neither inconsistent nor incompatible with the proposed regulations.

The Department's proposal is as follows:

Amend the current language to "Any adult license holder taking ducks, geese, or brant must have a current state duck validation in his or her possession. Any person hunting under the authority of a valid junior hunting license is exempt from this section."

The Commission adopted the Department's recommendation at the August 7, 2013 meeting.

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ADDENDUM TO FINAL STATEMENT OF REASONS FOR REGULATORY ACTION
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1. Identification of Reports or Documents Supporting Regulation Change:

The Economic Impact Analysis was included in the Rulemaking Record but not identified in the Initial Statement of Reasons as a document supporting the regulation change. The Economic Impact Analysis was prepared and made available to the public for the 45 day comment period. The Economic Impact Analysis was posted on the Commission's website on June 21, 2013.