I. Date of Initial Statement of Reasons: September 15, 2014

II. Dates and Locations of Scheduled Hearings:

(a) Notice Hearing: Date: December 3, 2014
    Location: Van Nuys, CA

(b) Discussion Hearing: Date: February 12, 2015
    Location: Sacramento, CA

(c) Adoption Hearing: Date: April 9, 2015
    Location: Santa Rosa, CA

III. Description of Regulatory Action:

(a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

1. Number of Tags

   Existing regulations provide for the number of deer hunting tags for the X zones. This proposal initially provides a range of tag numbers for each zone from which a final number will be determined based on the post-winter status of each deer herd. Ranges are necessary at this time because the final number of tags cannot be determined until spring herd data are collected in March/April.

   In early spring, surveys of deer herds are conducted to determine the proportion of fawns that have survived the winter. This information is used in conjunction with the prior year harvest and fall herd composition data to estimate overall herd size, sex and age ratios, and the predicted number of available bucks next season. The number of bucks and does needs to be estimated prior to the hunting season to determine how many surplus bucks will exist over and above the number required to maintain the desired buck ratio objectives stated in the approved deer herd management plans.
The following table provides a range of tag numbers for each zone from which a final number of tags will be determined:

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The actual tag numbers for each affected zone will be reflected in the Final Statement of Reasons and will be selected from the range of values provided by this proposal. The number of tags is intended to allow the appropriate level of hunting opportunity and harvest of bucks in the population, while achieving or maintaining the buck ratios at, or near, objective levels set forth in the approved deer herd management plans. These final values for the license tag numbers will be based upon findings from the annual harvest and herd composition counts. However, under circumstances where severe winter conditions adversely affect herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed tag range into the "Low
Kill” alternative identified in the most recent Environmental Document Regarding Deer Hunting.

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

Authority: Sections 200, 202, 203, 220, 460, 3051, 3452, 3453, 3953 and 4334, Fish and Game Code.


(c) Specific Technology or Equipment Required by Regulatory Change:

None

(d) Identification of Reports or Documents Supporting Regulation Change:

2007 Final Environmental Document Regarding Deer Hunting

Economic Impact Assessment to Amend Sections 360, 361, 362, 363, 364 and Add Section 364.1 Re: Big Game Tag Allocations for 2015

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

The Department’s regulation change concepts for the 2015-16 big-game hunting seasons were presented and discussed at the Fish and Game Commission Wildlife Resources Committee meeting held in Sacramento on September 17, 2014.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

There is no reasonable alternative to the proposed action.

(b) No Change Alternative:

The “No Change Alternative” was considered and found inadequate to attain the project objectives. Retaining the current number of tags for the zones 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.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative
considered would be more effective in carrying out the purpose for which the
regulation is proposed, would be as effective and less burdensome to
affected private persons than the proposed regulation, or would be more cost
effective to affected private persons and equally effective in implementing the
statutory policy or other provision of law.

(d) Description of Reasonable Alternatives That Would Lessen Adverse Impact
on Small Business: None.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment;
therefore, no mitigation measures are needed. The maximum number of tags
available in the newly proposed range is at or below the number of tags analyzed
in the most recent Final Environmental Document regarding Deer Hunting and
related documents.

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 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 action
adjusts tag quotas for existing deer 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; Benefits of the Regulation to the Health and
Welfare of California Residents, Worker Safety, and the State’s Environment:

The proposed action will not have significant impacts on jobs or business
within California. Given the number of tags historically available, the minimal
adjustments in tag numbers that are anticipated for the 2015 hunting season,
and the area over which they are distributed (entire State of California), these
proposals are economically neutral to jobs or business within California.

The Commission anticipates benefits to the health and welfare of California
residents. Hunting provides opportunities for multi-generational family
activities and promotes respect for California’s environment by the future
stewards of the State’s resources. The Commission anticipates benefits to the
State’s environment in the sustainable management of natural resources. The proposal does affect worker safety.

(c) Cost Impacts on Private Persons:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this 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
Existing regulations provide for the number of deer hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges presented in the table below. These ranges are necessary at this time because the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the “Low Kill” alternative identified in the most recent Environmental Document Regarding Deer Hunting.

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Benefits of the regulations

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 annually modifying the
number of tags. The final values for the license tag numbers will be based upon findings from the annual harvest and herd composition counts.

Non-monetary benefits to the public

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.

Consistency with State or Federal Regulations

The Fish and Game Commission, pursuant to Fish and Game Code Sections 200, 202 and 203, has the sole authority to regulate deer hunting in California. Commission staff has searched the California Code of Regulations and has found the proposed changes pertaining to deer tag allocations are consistent with Sections 361, 701, 702, 708.5 and 708.6 of Title 14. Therefore the Commission has determined that the proposed amendments are neither inconsistent nor incompatible with existing State regulations.