

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION  
(Pre-Publication of Notice Statement)

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

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 in the Additional Hunts. 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. 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 proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the following table:

<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>			
<b>§</b>	<b>Hunt Number (and Title)</b>	<b>Current 2014</b>	<b>Proposed 2015 [Range]</b>
(1)	G-1 (Late Season Buck Hunt for Zone C-4)	2,710	500-5,000
(2)	G-3 (Goodale Buck Hunt)	35	5-50
(3)	G-6 (Kern River Deer Herd Buck Hunt)	50	25-100
(4)	G-7 (Beale Either-Sex Deer Hunt)	20 Military*	20 Military*
(5)	G-8 (Fort Hunter Liggett Antlerless Deer Hunt)	20 Tags Total* (10 Military & 10 Public)	20 Tags Total* (10 Military and 10 Public)
(6)	G-9 (Camp Roberts Antlerless Deer Hunt)	0	30 Tags Total* (Military and Public splits TBD)
(7)	G-10 (Camp Pendleton Either-Sex Deer Hunt)	400 Military*	400 Military*
(8)	G-11 (Vandenberg Either-Sex Deer Hunt)	250 Military*, DOD and as Authorized by the Installation Commander**	250 Military*, DOD and as Authorized by the Installation Commander**
(9)	G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt)	30	10-50
(10)	G-13 (San Diego Antlerless Deer Hunt)	300	50-300
(11)	G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt)	25	10-50
(12)	G-21 (Ventana Wilderness Buck Hunt)	25	25-100
(13)	G-37 (Anderson Flat Buck Hunt)	25	25-50
(14)	G-38 (X-10 Late Season Buck Hunt)	300	50-300

<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>			
<b>§</b>	<b>Hunt Number (and Title)</b>	<b>Current 2014</b>	<b>Proposed 2015 [Range]</b>
(15)	G-39 (Round Valley Late Season Buck Hunt)	5	5-150
(16)	M-3 (Doyle Muzzleloading Rifle Buck Hunt)	20	10-75
(17)	M-4 (Horse Lake Muzzleloading Rifle Buck Hunt)	10	5-50
(18)	M-5 (East Lassen Muzzleloading Rifle Buck Hunt)	5	5-50
(19)	M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt)	80	25-100
(20)	M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt)	150	50-150
(21)	M-8 (Bass Hill Muzzleloading Rifle Buck Hunt)	20	5-50
(22)	M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt)	15	5-100
(23)	M-11 (Northwestern California Muzzleloading Rifle Buck Hunt)	20	20-200
(24)	MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt)	150	20-150
(25)	MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt)	150	20-150
(26)	J-1 Lake Sonoma Apprentice Either-Sex Deer Hunt)	25	10-25
(27)	J-3 (Tehama Wildlife Area Apprentice Buck Hunt)	15	15-30
(28)	J-4 Shasta-Trinity Apprentice Buck Hunt)	15	15-50
(29)	J-7 (Carson River Apprentice Either-Sex Deer Hunt)	15	10-50
(30)	J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt)	15	10-20
(31)	J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt)	5	5-10

<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>			
<b>§</b>	<b>Hunt Number (and Title)</b>	<b>Current 2014</b>	<b>Proposed 2015 [Range]</b>
(32)	J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt)	85 Tags Total* (20 Military & 65 Public)	75 Tags Total* (15 Military & 60 Public)
(33)	J-11 (San Bernardino Apprentice Either-Sex Deer Hunt)	40	10-50
(34)	J-12 (Round Valley Apprentice Buck Hunt)	10	10-20
(35)	J-13 (Los Angeles Apprentice Either-Sex Deer Hunt)	40	25-100
(36)	J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	15-75
(37)	J-15 (Anderson Flat Apprentice Buck Hunt)	10	5-30
(38)	J-16 (Bucks Mountain-Nevada City Apprentice Either-Sex Deer Hunt)	75	10-75
(39)	J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	5-25
(40)	J-18 (Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	10-75
(41)	J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	10-40
(42)	J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	5-20
(43)	J-21 (East Tehama Apprentice Either-Sex Deer Hunt)	50	20-80

\* *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 and eligible personnel as authorized by the Installation Commander.*

The actual tag numbers for each affected hunt 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.

**Note:** The current tag quota of zero (0) for additional deer hunt G9 (Camp Roberts Antlerless Deer Hunt) is reflective of the Base’s closure to hunting while construction was under way on the base. Construction was scheduled for completion in 2013; however the timetable for resumption of base hunting programs has not been determined. The Department is currently in meetings with base command, and a decision regarding tag quotas is anticipated by the early March Fish and Game Commission meeting date. At this time, the current tag quota of zero (0) has been modified to the former tag quota of thirty (30) in anticipation of the possible resumption of deer hunting activities by the Base in the 2015/2016 season. However, if Base operations take precedence over conducting the G-9 hunt, the tag quota will be reduced to zero (0) and reflected in the Final Statement.

In addition, Fort Hunter Liggett base command has requested a minor quota reduction of 10 total tags (From 85 to 75 total tags; including 5 each from both the public and military issued tags) for Hunt J-10. This request has been accepted by the Department and is reflected in the proposed regulatory change.

## 2. Modify Season for Additional Hunt G-8

Existing regulations in subsection 360(c)(5) for Additional Hunt G-8 (Fort Hunter Liggett Antlerless Deer Hunt) provide for hunting to begin on October 4 and October 11, respectively, in order to accommodate for Base operations and other hunt opportunities.

The current proposal would modify the season to account for the annual calendar shift by changing the season opening dates to October 3 and continue for two (2) consecutive days and reopen on October 10 and continue for three (3) consecutive days. No loss of hunter opportunity would result from this action and the proposal is consistent with existing deer herd management plan recommendations.

## 3. Modify Season and Special Conditions for Additional Hunt J-10

Existing regulations for Additional Hunt J-10 (Fort Hunter Liggett Junior Either-Sex Deer Hunt) provide for hunting to begin on October 4 and October 11, respectively, in order to accommodate for Base operations and other hunt opportunities. Regulations also require tag holders attend a mandatory orientation meeting the day before the season opening date.

The current proposal would modify the season to account for the annual calendar shift by changing the season opening dates to October 3 and continue for two (2) consecutive days and reopen on October 10 and continue for three (3) consecutive days. In addition, the Base has requested the mandatory orientation meeting requirement be deleted due to insufficient staffing levels. No loss of hunter opportunity would result from these actions and the proposal is consistent with existing deer herd management plan recommendations.

#### 4. Minor Editorial Changes

Minor editorial changes are necessary for consistency in subsection numbering, spelling, grammar, and clarification.

Recent changes to Section 550 require that such references be changed to Section 551.

#### (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.

Reference: Sections 200, 202, 203, 203.1, 207, 458, 459, 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:

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 and Special Conditions 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 restriction of hunter opportunity.

4. Minor Editorial Changes

There is no reasonable alternative to the proposed action.

(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, scheduled activities and unnecessarily restrict hunter opportunity.

3. Modify Season and Special Conditions 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, and the required mandatory orientation would be unresponsive to

Base operations, scheduled activities and/or unnecessarily restrict hunter opportunity.

#### 4. Minor Editorial Changes

The “No Change Alternative” was considered and found inadequate to attain the project objectives, because inconsistencies in section and subsection references, numbering, spelling, grammar and lack of clarification would exist within the regulations, potentially leading to confusion and possible violations.

#### (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.

#### 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 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 hunts, modifies season dates for two hunts, deletes a mandatory orientation meeting on a military hunt and makes minor editorial changes for consistency. 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 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 proposed action will not have significant impacts on jobs or business within California and does not provide benefits to 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

**INFORMATIVE DIGEST**  
(Policy Statement Overview)

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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 for 2 and 3 consecutive days respectively, in order to accommodate for Base operations. In addition, Fort Hunter Liggett has requested the mandatory hunter orientation meeting required for Hunt J-10 be deleted from the Special Conditions due to insufficient staffing levels.

Minor editorial changes are necessary to provide consistency in subsection numbering, spelling, grammar, and clarification.

The proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the table below.

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(36)	J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	15-75
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(39)	J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	5-25
(40)	J-18 (Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	10-75
(41)	J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	10-40
(42)	J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	5-20
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*\*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 and eligible personnel as authorized by the Installation Commander.*

#### 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.