

**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 215, 219, 220, 331, 332, 460, 713, 1050, 1055, 1055.1, 1572, 3452, 3453, 4302, 4304, 4331, 4334, 4336, 4340, 4657, 4753, 4902 and 10502; reference sections 200, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 458, 459, 460, 713, 1050, 1055, 1055.1, 1570, 1571, 1572, 1573, 1575, 2005, 3452, 3453, 3950, 3951, 4302, 4304, 4330, 4331, 4332, 4333, 4334, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, 4902, 10500 and 10502, Fish and Game Code; proposes to Amend sections 360, 361, 362, 363, 364, 702, 708.5, 708.11 and 713; and Add Section 364.1, Title 14, California Code of Regulations (CCR), relating to Mammal Hunting Regulations for the 2015-2016 season.

Informative Digest/Policy Statement Overview

**Subsection 360(a)
Deer A, B, C and D Zone Hunts**

Existing regulations provide for the number of license tags available for the A, B, C, and D Zones. This regulatory proposal changes the number of tags for all existing zones to a series of ranges presented in the table below. These ranges are necessary 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.

Deer: § 360(a) A, B, C and D Zone Hunts Tag Allocations			
§	Zone	Current 2014	Proposed 2015 [Range]
(1)	A	65,000	30,000-65,000
(2)	B	35,000	35,000-65,000
(3)	C	8,150	5,000-15,000
(4)	D3-5	33,000	30,000-40,000
(5)	D-6	6,000	6,000-16,000
(6)	D-7	9,000	4,000-10,000
(7)	D-8	8,000	5,000-10,000
(8)	D-9	2,000	1,000-2,500
(9)	D-10	700	400-800
(10)	D-11	5,500	2,500-6,000
(11)	D-12	950	100-1,500

Deer: § 360(a) A, B, C and D Zone Hunts Tag Allocations			
§	Zone	Current 2014	Proposed 2015 [Range]
(12)	D-13	4,000	2,000-5,000
(13)	D-14	3,000	2,000-3,500
(14)	D-15	1,500	500-2,000
(15)	D-16	3,000	1,000-3,500
(16)	D-17	500	100-800
(17)	D-19	1,500	500-2,000

**Subsection 360(b)
Deer X-Zone Hunts**

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.

Deer: § 360(b) X-Zone Hunts Tag Allocations			
§	Zone	Current 2014	Proposed 2015 [Range]
(1)	X-1	770	1,000-6,000
(2)	X-2	150	50-500
(3)	X-3a	275	100-1,200
(4)	X-3b	795	200-3,000
(5)	X-4	385	100-1,200
(6)	X-5a	65	25-200
(7)	X-5b	50	50-500
(8)	X-6a	320	100-1,200
(9)	X-6b	305	100-1,200
(10)	X-7a	225	50-500
(11)	X-7b	135	25-200

(12)	X-8	210	100-750
(13)	X-9a	650	100-1,200
(14)	X-9b	325	100-600
(15)	X-9c	325	100-600
(16)	X-10	400	100-600
(17)	X-12	680	100-1,200

**Subsection 360(c)
Additional Deer Hunts**

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. 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. If severe winter conditions adversely affect herd recruitment and over-winter adult survival, the final recommended quotas may fall below the current proposed range into the “Low Kill” alternative identified in the most recent Environmental Document Regarding Deer Hunting.

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.

Deer: § 360(c) Additional Hunts Tag Allocations			
§	Hunt Number (and Title)	Current 2014	Proposed 2015 [Range]
(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*

Deer: § 360(c) Additional Hunts Tag Allocations			
§	Hunt Number (and Title)	Current 2014	Proposed 2015 [Range]
(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
(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

Deer: § 360(c) Additional Hunts Tag Allocations			
§	Hunt Number (and Title)	Current 2014	Proposed 2015 [Range]
(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
(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

Deer: § 360(c) Additional Hunts Tag Allocations			
§	Hunt Number (and Title)	Current 2014	Proposed 2015 [Range]
(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.*

Section 361 Archery Deer

Existing regulations provide for the number of deer hunting tags for existing area-specific archery hunts. The proposal changes the number of tags for existing hunts 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.

Archery Deer Hunting: § 361(b) Tag Allocations			
§	Hunt Number (and Title)	Current 2014	Proposed 2015 [Range]
(1)	A-1 (C Zones Archery Only Hunt)	1,945	150-3,000
(2)	A-3 (Zone X-1 Archery Hunt)	130	50-1,000
(3)	A-4 (Zone X-2 Archery Hunt)	10	5-100
(4)	A-5 (Zone X-3a Archery Hunt)	30	10-300
(5)	A-6 (Zone X-3b Archery Hunt)	70	25-400
(6)	A-7 (Zone X-4 Archery Hunt)	110	25-400
(7)	A-8 (Zone X-5a Archery Hunt)	10	15-100
(8)	A-9 (Zone X-5b Archery Hunt)	5	5-100
(9)	A-11 (Zone X-6a Archery Hunt)	50	10-200

Archery Deer Hunting: § 361(b) Tag Allocations			
§	Hunt Number (and Title)	Current 2014	Proposed 2015 [Range]
(10)	A-12 (Zone X-6b Archery Hunt)	90	10-200
(11)	A-13 (Zone X-7a Archery Hunt)	45	10-200
(12)	A-14 (Zone X-7b Archery Hunt)	25	5-100
(13)	A-15 (Zone X-8 Archery Hunt)	40	5-100
(14)	A-16 (Zone X-9a Archery Hunt)	140	50-500
(15)	A-17 (Zone X-9b Archery Hunt)	300	50-500
(16)	A-18 (Zone X-9c Archery Hunt)	350	50-500
(17)	A-19 (Zone X-10 Archery Hunt)	100	25-200
(18)	A-20 (Zone X-12 Archery Hunt)	100	50-500
(19)	A-21 (Anderson Flat Archery Buck Hunt)	25	25-100
(20)	A-22 (San Diego Archery Either-Sex Deer Hunt)	1,000	200-1,500
(21)	A-24 (Monterey Archery Either-Sex Deer Hunt)	100	25-200
(22)	A-25 (Lake Sonoma Archery Either-Sex Deer Hunt)	35	20-75
(23)	A-26 (Bass Hill Archery Buck Hunt)	30	10-100
(24)	A-27 (Devil's Garden Archery Buck Hunt)	5	5-75
(25)	A-30 (Covelo Archery Buck Hunt)	40	20-100
(26)	A-31 (Los Angeles Archery Either-Sex Deer Hunt)	1,000	200-1,500
(27)	A-32 (Ventura/Los Angeles Archery Late Season Either-Sex Deer Hunt)	250	50-300
(28)	A-33 (Fort Hunter Liggett Late Season Archery Either-Sex Deer Hunt)	50 Tags Total* (25 Military & 25 Public)	50 Tags Total* (25 Military & 25 Public)

* *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.*

**Subsection 362
Nelson Bighorn Sheep**

The existing regulation in subsection 362(d), Title 14, CCR, provides for limited hunting of 14 Nelson bighorn rams in specified areas of the State. The proposed change is intended to adjust

the number of tags based on Department's annual population estimates in the management units. The number of tags allocated for each of the nine hunt zones is based on the results of the Department's estimate of the bighorn sheep population in each zone. Tag allocations are proposed to ensure the take of no more than 15 percent of the mature rams estimated in each zone. Final tag quota determinations will be completed by April of 2015 pending completion of population surveys and associated analyses.

The following proposed number of tags was determined using the procedure described in Fish and Game Code Section 4902:

§ 362(d) HUNT ZONE	Current 2014 Tag Allocation	Proposed 2015 Tag Allocation [Range]
Zone 1 - Marble/Clipper Mountains	4	0-4
Zone 2 - Kelso Peak/Old Dad Mountains	0	0-4
Zone 3 - Clark/Kingston Mountain Ranges	1	0-2
Zone 4 - Orocopia Mountains	2	0-2
Zone 5 - San Geronio Wilderness	2	0-3
Zone 6 - Sheep Hole Mountains	0	0-2
Zone 7 - White Mountains	1	0-5
Zone 8 - South Bristol Mountains	1	0-3
Zone 9 - Cady Mountains	2	0-4
Open Zone Fund-raising Tag	1	0-1
Marble/Clipper/South Bristol Mountains Fund-raising Tag	0	0-1
Kelso Peak/Old Dad Mountains Fund-raising Tag	0	0-1
TOTAL	14	0-32

Subsection 363 Pronghorn Antelope

Existing regulations provide for the number of pronghorn antelope hunting tags for each hunt zone. This proposed regulatory action would provide for tag allocation ranges for most hunt zones pending final tag quota determinations based on winter survey results that should be completed by March of 2015. The final tag quotas will provide for adequate hunting opportunities while allowing for a biologically appropriate harvest of bucks and does in specific populations.

The proposed 2015 tag allocation ranges for the hunt zones are as set forth below.

<i>2015 Pronghorn Antelope Tag Allocations [Ranges]</i>						
<i>Hunt Area</i>	<i>Archery-Only Season</i>		<i>General Season</i>			
			<i>Period 1</i>		<i>Period 2</i>	
	<i>Buck</i>	<i>Doe</i>	<i>Buck</i>	<i>Doe</i>	<i>Buck</i>	<i>Doe</i>
Zone 1 - Mount Dome	0-10	0-3	0-60	0-20	0	0
Zone 2 - Clear Lake	0-10	0-3	0-80	0-25	0	0
Zone 3 - Likely Tables	0-20	0-7	0-150	0-50	0-130	0-50
Zone 4 - Lassen	0-20	0-7	0-150	0-50	0-150	0-50

Zone 5 – Big Valley	0-15	0-5	0-150	0-50	0	0
Zone 6 – Surprise Valley	0-10	0	0-25	0-7	0	0
Big Valley Apprentice Hunt	N/A		0-15 Either-Sex		0	
Lassen Apprentice Hunt	N/A		0-15 Either-Sex		0	
Surprise Valley Apprentice Hunt	N/A		0-4 Either-Sex		0	
Likely Tables Apprentice Hunt	N/A		0-5 Either-Sex		0	
Fund-Raising Hunt	N/A		0-10 Buck			

**Section 364
Elk**

Existing regulations specify elk license tag quotas for each hunt. In order to achieve elk herd management goals and objectives and to maintain hunting quality, it is periodically necessary to adjust quotas in response to dynamic environmental and biological conditions. The proposed amendments to Section 364 will establish final tag quotas within each hunt adjusting for annual fluctuations in population number; adjust season dates/tag distribution for hunts on Fort Hunter Liggett and in the Northwestern Roosevelt Hunt area; as well as make minor editorial changes.

Preliminary tag quota ranges [shown in brackets] are indicated pending final 2015 tag allocations in accordance with elk management goals and objectives based on the results of survey data collected in January – March 2015. The proposed elk tag quota ranges for 2015 are as follows:

2015 Proposed Elk Tag Allocation [shown in ranges]						
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike	
a	General Roosevelt Elk Hunts					
1	Siskiyou	0-30	0-30			
2	Big Lagoon	0-10	0-10			
3	Northwestern California	0-10	0-35	0-45		
4	Klamath	0-20	0-20			
5	Del Norte	0-15	0-20			
6	Marble Mountains	0-70	0-30			
b	General Rocky Mountain Elk Hunts					
1	Northeastern California	0-30	0-10			
c	General Roosevelt/Tule Elk Hunts					
1	Mendocino	0-4	0-4			
d	General Tule Elk Hunts					
1	Cache Creek	0-4	0-4			
2	La Panza Period 1	0-12	0-10			
	La Panza Period 2	0-12	0-12			
3	Bishop Period 3	0-10	0-30			
	Bishop Period 4	0-10	0-30			
	Bishop Period 5	0-10	0-30			
4	Independence Period 2	0-10	0-30			
	Independence Period 3	0-10	0-30			
	Independence Period 4	0-10	0-30			
	Independence Period 5	0-10	0-30			
5	Lone Pine Period 2	0-10	0-30			
	Lone Pine Period 3	0-10	0-30			
	Lone Pine Period 4	0-10	0-30			

2015 Proposed Elk Tag Allocation [shown in ranges]					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
	Lone Pine Period 5	0-10	0-30		
6	Tinemaha Period 2	0-10	0-30		
	Tinemaha Period 3	0-10	0-30		
	Tinemaha Period 4	0-10	0-30		
	Tinemaha Period 5	0-10	0-30		
7	West Tinemaha Period 1	0-10	0-30		
	West Tinemaha Period 2	0-10	0-30		
	West Tinemaha Period 3	0-10	0-30		
	West Tinemaha Period 4	0-10	0-30		
	West Tinemaha Period 5	0-10	0-30		
8	Tinemaha Mountain Period 1	0-8			
	Tinemaha Mountain Period 2	0-8			
	Tinemaha Mountain Period 3	0-8			
	Tinemaha Mountain Period 4	0-8			
	Tinemaha Mountain Period 5	0-8			
9	Whitney Period 2	0-4	0-10		
	Whitney Period 3	0-4	0-10		
	Whitney Period 4	0-4	0-10		
	Whitney Period 5	0-4	0-10		
10	Grizzly Island Period 1	0-3	0-12		0-6
	Grizzly Island Period 2	0-3	0-12		0-6
	Grizzly Island Period 3	0-3	0-12		0-6
	Grizzly Island Period 4	0-2	0-12		0-6
	Grizzly Island Period 5	0-2	0-12		0-6
11	Fort Hunter Liggett Period 1		0-16		
	Fort Hunter Liggett Period 2		0-14		
	Fort Hunter Liggett Period 3	0-14			
12	East Park Reservoir	0-4	0-8		
13	San Luis Reservoir	0-10	0-10	0-10	
14	Bear Valley	0-4	0-2		
15	Lake Pillsbury	0-4	0-4		
16	Santa Clara	0-4			
17	Alameda	0-4			
e	Apprentice Hunts				
1	Marble Mountains			0-4	
2	Northeastern CA			0-4	
3	Cache Creek	0-2			
4	La Panza Period 1	0-2	0-2		
5	Bishop Period 2	0-10	0-30		
6	Grizzly Island Period 1		0-4		0-4
	Grizzly Island Period 2				0-4
7	Fort Hunter Liggett	0-2	0-8		
f	Archery Only Hunts				
1	Northeastern California Archery Only			0-20	
2	Owens Valley Multiple Zone Archery Only	0-10	0-10		
3	Lone Pine Archery Only Period 1	0-10	0-30		
4	Tinemaha Archery Only Period 1	0-10	0-30		
5	Whitney Archery Only Period 1	0-10	0-30		
6	Fort Hunter Liggett Archery Only		0-10	0-6	
g	Muzzleloader Only Hunts				

2015 Proposed Elk Tag Allocation [shown in ranges]					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
1	Bishop Muzzleloader Only Period 1	0-10	0-30		
2	Independence Muzzleloader Only Period 1	0-10	0-10		
3	Fort Hunter Liggett Muzzleloader Only	0-6			
h	Muzzleloader/Archery Only Hunts				
1	Marble Mountains Muzzleloader/Archery Only			0-10	
i	Fund Raising Tags				
1	Multi-zone	1			
2	Grizzly Island	1			
3	Owens Valley	1			
j	Military Only Elk Tags				
1	Fort Hunter Liggett Military Early Season	0-2	0-2		
	Fort Hunter Liggett Military Period 1		0-16		
	Fort Hunter Liggett Military Period 2		0-14		
	Fort Hunter Liggett Military Period 3	0-14			
2	Fort Hunter Liggett Military Apprentice	0-2	0-8		
3	Fort Hunter Liggett Military Archery Only		0-10	0-6	
4	Fort Hunter Liggett Military Muzzleloader Only	0-6			

**Add Section 364.1
SHARE Elk Hunts**

The Shared Habitat Alliance for Recreational Enhancement (SHARE) program was established in the Fish and Game Code (§§1570-1574) to encourage private landowners to voluntarily make their land available to the public for wildlife-dependent recreational activities. Due to the prevalence of private land in many of the elk zones, managing population numbers with regulated hunting is becoming more challenging. Under the SHARE program, participating landowners receive compensation and liability protection in exchange for allowing access to or through their land for public recreational use and enjoyment of wildlife. SHARE is funded with application fees for access permits. These regulations will establish SHARE elk hunts with separate seasons and tag quotas under the provisions of the 2010 Final Environmental Document Regarding Elk Hunting. Tag issuance will be through the SHARE program utilizing the programs existing tag distribution procedures.

2015 SHARE Elk Tag Allocation [Proposed Ranges]					
364.1(c) §	Hunt Name and Type	Bull	Antlerless	Either-sex	Spike
(1)	Siskiyou	[0-30]	[0-30]		
(2)	Big Lagoon	[0-10]	[0-10]		
(3)	Northwestern California	[0-10]	[0-35]	[0-45]	
(4)	Klamath	[0-20]	[0-20]		
(5)	Del Norte	[0-15]	[0-20]		
(6)	Marble Mountains	[0-70]	[0-30]		
(7)	Northeastern California	[0-30]	[0-10]		
(8)	Mendocino	[0-4]	[0-4]		
(9)	Cache Creek	[0-4]	[0-4]		
(10)	La Panza	[0-24]	[0-24]		
(11)	Bishop	[0-50]	[0-150]		
(12)	Independence	[0-50]	[0-150]		
(13)	Lone Pine	[0-50]	[0-150]		

(14)	Tinemaha	[0-50]	[0-150]		
(15)	West Tinemaha	[0-50]	[0-150]		
(16)	Tinemaha Mountain	[0-40]	-		
(17)	Whitney	[0-26]	[0-50]		
(18)	Grizzly Island	[0-13]	[0-66]		[0-38]
(19)	Fort Hunter Liggett	[0-22]	[0-48]	[0-6]	
(20)	East Park Reservoir	[0-4]	[0-8]		
(21)	San Luis Reservoir	[0-10]	[0-10]	[0-10]	
(22)	Bear Valley	[0-4]	[0-2]		
(23)	Lake Pillsbury	[0-4]	[0-4]		
(24)	Santa Clara	[0-4]	-		
(25)	Alameda	[0-4]	-		

**Section 702
Fees**

The proposed amendment establishes in subsection 702(c)(1)(W) a new \$20.00 Deer Harvest Non-reporting Fee, to be collected at the time the subsequent year's deer tag or deer tag drawing application is purchased, for all deer hunters who fail to report their hunting results by the established deadline as required in amended Section 708.5.

Cost Estimate for Non-Reporting of Deer Harvest per Year										
Estimated Average 168 hour per month			Benefit Rate = 46.79%			28,000		Average # tags sold		
Task	Hourly Rate	# of Hours	Salaries Cost	Benefits 46.79%	Total Salaries + Benefits	STD OE&E	Unit Cost	Units*	Postage	Total
Meat Locker Booklets							\$5.00	250	\$0	\$1,250
Meat Locker Data Entry (1 Scientific Aid for 2 months)	\$13	336	\$4,368	\$2,044	\$6,412	\$4,667			\$0	\$11,078
Meat Locker Data Validation (1 Environmental Scientist for 1 month)	\$26	168	\$4,368	\$2,044	\$6,412	\$2,333			\$0	\$8,745
Report Preparation (1 Environmental Scientist for 1 month)	\$26	168	\$4,368	\$2,044	\$6,412	\$2,333			\$0	\$8,745
Data Entry for mailed in report cards (3 Sci. Aides, 2 months each)	\$13	1008	\$13,104	\$6,131	\$19,235	\$14,000			\$0	\$33,235
LRB costs to implement and manage non-return fee (1 AGPA for 2 months; postage for non-report mailing notifications)	\$30	336	\$10,080	\$4,716	\$14,796	\$4,667	\$0.42	183,997	\$81,945	\$96,742

Cost Estimate for Non-Reporting of Deer Harvest per Year										
Estimated Average 168 hour per month				Benefit Rate = 46.79%		28,000		Average # tags sold		
Task	Hourly Rate	# of Hours	Salaries Cost	Benefits 46.79%	Total Salaries + Benefits	STD OE&E	Unit Cost	Units*	Postage	Total
		2016								\$159,796
					5% Est of Non-reporting Tag Holders:				9200	\$17.37
				Based on the Proposed Rate of \$20.00 for the non-reporting fee, it covers the projected costs and a small buffer for misc. and unanticipated costs.						\$20.00
										\$184,000

Section 708.5 Deer Tagging and Reporting Requirements

According to the current regulations in Section 708.5, deer tag holders are required to fill out harvest report cards and return them to the Department within 30 days of harvesting a deer. Hunters unsuccessful in taking a deer are not required to report.

Report cards are an important tool to collect deer harvest information and provide an enforcement mechanism for limiting deer harvest to within acceptable levels established by population surveys and analyses. However, harvest report cards for deer currently have very poor return rates, historically less than 25% overall (although they are variable depending upon zone). Such low return rates may potentially lead to proposed management actions without adequate data to justify them. In addition, existing regulations do not incorporate new procedures for electronic reporting via the Department’s website and utilizing the Department’s Automated License Data System (ALDS) in the collection of this important harvest data.

The low rate of return for report cards results in increased effort by the Department for managing the hunting programs through additional data collection and analysis to fill data gaps, outreach to remind hunters to return report cards, and other enforcement activities. The cost of this additional effort will be offset by the proposed Deer Harvest Non-reporting Fee.

Proposed Regulations

The proposed amendments will require deer tag holders to report the harvest result, whether successful or unsuccessful, either through ALDS or by mail, or be subject to a fee applied at the time of later purchases of licenses or tags. The objectives of the proposed regulations are to:

- ensure continued hunting opportunities for hunters in California by providing the Department with more accurate and comprehensive data on deer hunter success and harvest levels by

zone;

- establish a process and specify a date by which all harvest reports, including those where no deer was taken, must be made; and
- recover the increased cost of management of deer due to the non-reporting of harvest data regardless of success.

These objectives are proposed to be achieved through the following amendments:

- Amend Section 708.5 to require all deer tag holders to report within 30 days of harvest or by January 31, whichever date is first, either through ALDS or by mail to the address specified on the harvest report card.
- Amend Section 708.5 to require all deer tag holders that are unsuccessful, whether they hunted or not, to report their 'no harvest' results by January 31, either through ALDS or by mail to the address specified on the harvest report card.
- Amend Section 708.5 to establish a Deer Harvest Non-reporting Fee (set at \$20.00 in Section 702(c)(1)(W)) to be collected at the time the subsequent year's deer tag or deer tag drawing application is purchased, for all deer hunters who failed to report their hunting results by the established deadline.

Section 708.11

Elk License Tags, Applications, Distribution and Reporting Procedures

Existing regulations specify license tags shall be attached to the antler of an antlered elk, or to the ear of an antlerless elk immediately after killing. However, it can be difficult to transport the elk carcass from the harvest location when the head, with ear, is required to be attached along with the useable parts of the kill. Many hunters bone out the meat or quarter the animal to reduce the amount of weight that must be transported from the harvest location. Allowing a new option for the tag to be attached to the leg, or remain with the largest portion of meat provides flexibility during transport while still implementing tagging requirements.

The current regulations do not specify evidence of sex for antlerless elk, only that the tag be attached to the ear (and therefore the head). Modifying the regulation to allow a new option to maintain evidence of sex attached to the kill will result in a reliable means to identify sex of the animal.

Additionally, the regulations for elk do not currently specify the length of time an elk tag must be retained. Antelope, Bear, and Deer all specify the tag must be retained for 15 days after the close of the season. In order to clarify regulations and maintain consistency among species, the proposed regulation implements a tag retention requirement of 15 days after the close of the season.

Hunting is no longer permitted on Santa Rosa Island. The property is now a National Monument administered by the National Park Service.

Proposed Regulations

- Amend subsection 708.11(c) to optionally allow elk tags to be attached to the leg, or largest portion of meat; and, provide evidence of the sex of the animal when the head of an antlerless elk is not retained.
- Amend subsection 708.11(c) to require that elk tags be kept for 15 days after the close of the season.
- Delete subsection 708.11(d) removing the reference to Santa Rosa Island.

Section 713 Tag Replacement for Carcass Condemnation

Existing regulations identify a process by which a hunter can have a diseased, injured, or chemically immobilized big-game carcass condemned. Following the condemnation by a department employee, the hunter currently has the following options under subsection 713(c):

- (1) Purchase and use a duplicate tag subject to the fees established in Section 702 for the remainder of the current season under which the animal was taken;
- (2) Upon payment of duplicate tag fee, receive the same tag for the next approved hunting season;
- (3) Participate in the next big-game drawing for that species with one additional point added to the number of preference points the hunter had when they obtained the original tag, or;
- (4) Receive a refund for the tag and have their preference point total for that species restored to the amount they had when the tag was awarded.

Under the department's Automated License Data System (ALDS), big-game tags are issued annually using "quota splits", with a portion of the available tags issued based on the applicant's point total and the remainder issued on a random basis. Unfortunately, the ALDS system is unable to reserve a tag for the next year as provided in option (2); and option (4) does not create an advantage in the drawing system that would assure receiving a tag in the following hunting season. Eliminating options #2 and #4 will streamline the programming process for ALDS and the remaining options (1) and (3) will assure a simple process to provide a hunter who has had a big-game carcass condemned in one year a tag in the same zone/hunt in the following year.

Proposed Regulations

Delete from subsection 713(c) subparagraphs (2) and (4).

Benefits of the regulations

The big game herd management plans specify objective levels for the proportion of Deer (sections 360 and 361), Nelson Big Horn Sheep (Section 362), Pronghorn Antelope (Section 363), and Elk (Section 364). 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. The addition of private lands in the SHARE program, to be implemented in new Section 364.1 within the Elk hunt areas, benefits both the landowner and the state through better herd management and cooperation.

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.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, February 12, 2015, at 8:00 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be at the Flamingo Conference Resort & Spa 2777 Fourth Street, Santa Rosa, California, on Thursday, April 9, 2015, at 8:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 2, 2015 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 2, 2015. All comments must be received no later than April 9, 2015 at the hearing in Santa Rosa. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Jon Snellstrom at the preceding address or phone number. **Craig Stowers, Wildlife Branch, phone (916) 445-3553, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be

responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Analysis

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 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 Commission anticipates benefits to the health and welfare of California residents and to the state's environment. Hunting provides opportunities for multi-generational family activities and promotes respect for California's environment by the future stewards of the State's resources. These proposals also contribute to the sustainable management of natural resources and benefits to the State's environment because the proposed regulations will assist the Department in the sustainable management of California's big game populations.

Sections 360, 361, 362, 363 and 364: The proposed action will not have significant impacts on jobs or business within California. The proposed action adjusts tag quotas for existing hunts based on herd performance criteria and merely establish mandatory reporting requirements for all deer hunters and an administrative fee for non-reporting. Given the number of tags historically available, the minimal adjustments in tag numbers that are anticipated for the 2015-2016 hunting season, and the area over which they are distributed, the Commission anticipates that there will be no impact on business within California.

(c) **Cost Impacts on Representative Private Persons/Business:**

The Commission 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) 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

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Sonke Mastrup
Executive Director

Dated: December 23, 2014