

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

Amend Section 364 and Add Section 364.1  
Title 14, California Code of Regulations (CCR)  
Re: Elk and ELK SHARE

I. Date of Initial Statement of Reasons: September 14, 2014

II. Date of Pre-adoption Statement of Reason: March 26, 2015

III. Date of Final Statement of Reasons: April 17, 2015

IV. Dates and Locations of Scheduled Hearings:

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

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

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

V. Update:

Other than final tag quotas, no modifications were made to the originally proposed language of the Initial Statement of Reasons.

The Department recommended changes from the 2014 elk tag quotas for 2015 in Section 364; and, the addition of a new Section 364.1, Department Administered Shared Habitat Alliance for Recreational Enhancement (SHARE) Elk Hunts. The originally proposed language has been modified to establish specific tag quotas from a range for each hunt/hunt zone. Quotas were established following the completion of surveys and data analysis to determine population sizes.

The Fish and Game Commission, at its April 9, 2015 meeting in Santa Rosa, adopted the final tag quotas identified within the table in the Updated Informative Digest. Other regulatory changes as indicated in the initial proposal, with additional minor edits for clarity, were also approved.

VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations:

Responses to public comments, oral or in writing, regarding all proposed 2015-2016 mammal hunting regulations received through April 9, 2015 are included as Attachment A.

VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:

California Fish and Game Commission  
1416 Ninth Street  
Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

1. Number of Tags

No alternatives were identified. Elk license tag quotas must be adjusted periodically in response to a variety of biological and environmental conditions.

2. Modify Season Dates: Fort Hunter Liggett tule elk.

No alternatives were identified for the modification of season dates. Access to Fort Hunter Liggett is entirely controlled by the base commander and new dates are the only option that accommodates military operations while still providing hunter opportunity.

3. Modify season dates and tag distribution for the Northwestern elk hunts.

Modifying season dates and tag distribution allows flexibility in hunter effort which will help achieve harvest goals for this zone.

4. Minor Editorial Changes.

Minor editorial changes are necessary for consistency in subsection numbering, spelling, grammar, and clarification. There is no reasonable alternative to the proposed action..

5. Add Section 364.1: SHARE Elk Hunts.

Increasing existing tag allocations within established hunt zones was considered but not chosen. Utilizing SHARE Elk tags will focus harvest on specific properties and groups of elk that will target concentrated harvest of elk meeting the management goals for those herds. In addition it will

compensate landowners for access and allow additional opportunities for the general public to hunt elk.

(b) No change Alternative:

1. Number of Tags

The no-change alternative was considered and rejected because it would not attain project objectives of providing for hunting opportunities while maintaining pronghorn antelope populations within desired population objectives. Retaining the current tag quota for each zone may not be responsive to biologically-based changes in the status of various herds. The no-change alternative would not allow for adjustment of tag quotas in response to changing environmental/biological conditions.

2. Modify Season Dates: Fort Hunter Liggett tule elk.

The no-change alternative was considered for the Fort Hunter Liggett tule elk hunts but not chosen. Leaving the dates the same is not acceptable to the military base. Military use has priority over the hunting program and the new dates meet the needs of the base. The hunts would be eliminated if the dates were not allowed to change.

3. Modify season dates and tag distribution for the Northwestern elk hunts.

The no-change alternative was considered for the Northwestern Roosevelt elk hunt but not chosen. Modifying season dates and tag distribution allows flexibility in hunter effort which will help achieve harvest goals for this zone.

4. Minor Editorial Changes.

The no-change alternative was considered and found inadequate to attain the project objectives, because inconsistencies in spelling, grammar and lack of clarification would exist within the regulations, potentially leading to confusion and possible violations.

5. Add Section 364.1: SHARE Elk Hunts.

The no-change alternative was considered for establishing SHARE elk hunts but not chosen. Utilizing SHARE Elk tags will target specific properties and allow targeted harvest of elk, compensate landowners for access, and allow additional opportunities for the general public to hunt elk.

(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 or would be as effective and less burdensome to the 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.

X. Impact of Regulatory Action:

This action sets tag quotas for existing hunts. Given the number of tags available, and the area over which they are distributed, this proposal is economically neutral to business.

(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. Considering the small number of tags issued over the entire state, this proposal is 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:

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 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

Existing regulations specify elk license tag quotas for each hunt. In order to maintain hunting quality in accordance with elk herd management goals and objectives, it is periodically necessary to adjust quotas in response to dynamic environmental and biological conditions. This proposed amendment modifies elk tag numbers to ranges of tags to adjust for fluctuations in population numbers. Final tag allocations will be made in accordance with elk management goals and objectives based on the results of survey data collected in November 2014 – March 2015.

Periodic quota changes are necessary to maintain hunting quality in accordance with management goals and objectives. The proposed quota ranges of elk tags 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		
	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			

2015 Proposed Elk Tag Allocation [shown in ranges]					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
	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 Period 1	0-2	0-16		
	Fort Hunter Liggett Period 2		0-14		
	Fort Hunter Liggett Period 3	0-14			
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				
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 Period 1		0-4		
	Fort Hunter Liggett Military Apprentice Period 2		0-4		
	Fort Hunter Liggett Military Apprentice Period 3	0-2			
3	Fort Hunter Liggett Military Archery Only		0-10	0-6	
4	Fort Hunter Liggett Military Muzzleloader Only	0-6			

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 department's existing tag distribution procedures.

Proposed tag allocations for the SHARE program are shown below:

364.1		2015 Proposed SHARE Elk Tag Allocation (shown in ranges)			
§	Hunt Name	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]			

**UPDATE:**

**Based on results of surveys and data analysis, the Department recommended changes from the 2014 elk tag quotas in Section 364; and, the addition of a new Section 364.1, SHARE Elk Hunts, with a corresponding table of Elk SHARE tags. At its April 9, 2015 meeting in Santa Rosa, the Fish and Game Commission adopted the amendments (with minor editing for clarity) to Section 364 and added**

a new Section 364.1, Elk SHARE Hunts, with the 2015 final tag quotas identified in the following tables:

<b>2015 Final Elk Tag Allocation</b>					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
a	General Roosevelt Elk Hunts				
1	Siskiyou	20	20		
2	Big Lagoon	0	0		
3	Northwestern California	0	0	45	
4	Klamath	0	0		
5	Del Norte	0	0		
6	Marble Mountains	35	10		
b	General Rocky Mountain Elk Hunts				
1	Northeastern California	15	10		
c	General Roosevelt/Tule Elk Hunts				
1	Mendocino	2	2		
d	General Tule Elk Hunts				
1	Cache Creek	3	3		
2	La Panza Period 1	6	5		
	La Panza Period 2	6	6		
3	Bishop Period 3	2	0		
	Bishop Period 4	0	0		
	Bishop Period 5	0	0		
4	Independence Period 2	2	0		
	Independence Period 3	0	0		
	Independence Period 4	0	0		
	Independence Period 5	0	0		
5	Lone Pine Period 2	0	0		
	Lone Pine Period 3	2	0		
	Lone Pine Period 4	2	0		
	Lone Pine Period 5	0	0		
6	Tinemaha Period 2	1	0		
	Tinemaha Period 3	0	0		
	Tinemaha Period 4	0	0		
	Tinemaha Period 5	0	0		
7	West Tinemaha Period 1	2	0		
	West Tinemaha Period 2	0	0		
	West Tinemaha Period 3	0	0		
	West Tinemaha Period 4	0	0		
	West Tinemaha Period 5	0	0		
8	Tinemaha Mountain Period 1	0			
	Tinemaha Mountain Period 2	0			
	Tinemaha Mountain Period 3	1			
	Tinemaha Mountain Period 4	1			
	Tinemaha Mountain Period 5	0			
9	Whitney Period 2	1	0		
	Whitney Period 3	1	0		
	Whitney Period 4	0	0		
	Whitney Period 5	0	0		
10	Grizzly Island Period 1	0	5		4
	Grizzly Island Period 2	0	8		3
	Grizzly Island Period 3	0	8		2
	Grizzly Island Period 4	2	8		0
	Grizzly Island Period 5	2	8		2
11	Fort Hunter Liggett Period 1		4		
	Fort Hunter Liggett Period 2		4		
	Fort Hunter Liggett Period 3	4			

<b>2015 Final Elk Tag Allocation</b>					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
12	East Park Reservoir	2	2		
13	San Luis Reservoir	0	0	<b>5</b>	
14	Bear Valley	<b>3</b>	<b>2</b>		
15	Lake Pillsbury	2	4		
16	Santa Clara	<b>0</b>			
17	Alameda	0			
e	Apprentice Hunts				
1	Marble Mountains			2	
2	Northeastern CA			2	
3	Cache Creek	1			
4	La Panza Period 1	0	1		
5	Bishop Period 2	0	0		
6	Grizzly Island Period 1		<b>3</b>		<b>1</b>
	Grizzly Island Period 2				2
7	Fort Hunter Liggett	<b>1</b>	<b>1</b>		
f	Archery Only Hunts				
1	Northeastern California Archery Only			10	
2	Owens Valley Multiple Zone Archery Only	5	0		
3	Lone Pine Archery Only Period 1	0	0		
4	Tinemaha Archery Only Period 1	1	0		
5	Whitney Archery Only Period 1	0	0		
6	Fort Hunter Liggett Archery Only		4	2	
g	Muzzleloader Only Hunts				
1	Bishop Muzzleloader Only Period 1	<b>1</b>	0		
2	Independence Muzzleloader Only Period 1	<b>1</b>	0		
3	Fort Hunter Liggett Muzzleloader Only	0			
h	Muzzleloader/Archery Only Hunts				
1	Marble Mountains Muzzleloader/Archery Only			5	
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	2	1		
	Fort Hunter Liggett Military Period 1		4		
	Fort Hunter Liggett Military Period 2		4		
	Fort Hunter Liggett Military Period 3	4			
2	Fort Hunter Liggett Military Apprentice	<b>1</b>	<b>1</b>		
3	Fort Hunter Liggett Military Archery Only		4	2	
4	Fort Hunter Liggett Military Muzzleloader Only	0			

<b>364.1(c)</b>	<b>2015 Final SHARE Elk Tag Allocation</b>				
<b>§</b>	<b>Hunt Name</b>	<b>Bull</b>	<b>Antlerless</b>	<b>Either-sex</b>	<b>Spike</b>
(1)	Siskiyou	10	10		
(2)	Big Lagoon	0	0		
(3)	Northwestern California	0	0	0	
(4)	Klamath	0	0		
(5)	Del Norte	0	0		
(6)	Marble Mountains	5	10		
(7)	Northeastern California	0	0		
(8)	Mendocino	2	2		
(9)	Cache Creek	1	1		
(10)	La Panza	12	11		
(11)	Bishop	0	0		
(12)	Independence	0	0		
(13)	Lone Pine	0	0		
(14)	Tinemaha	0	0		
(15)	West Tinemaha	0	0		
(16)	Tinemaha Mountain	0			
(17)	Whitney	0	0		
(18)	Grizzly Island	0	0		0
(19)	Fort Hunter Liggett	0	0	0	
(20)	East Park Reservoir	2	4		
(21)	San Luis Reservoir	0	0	5	
(22)	Bear Valley	1	0		
(23)	Lake Pillsbury	0	0		
(24)	Santa Clara	0			
(25)	Alameda	0			