

Memorandum

Date: July 22, 2014

To: Sonke Mastrup
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Agenda Item for the August 6 Fish and Game Commission Meeting
Pre-adoption Statement of Reasons (PSOR): Amend Section 300, Title 14,
California Code of Regulations, Upland Game Birds**

In the attached PSOR the Department of Fish and Wildlife has recommended bag limits for sage grouse in accordance with the spring lek counts. Based on those findings, only North Mono will have permits available and there will be no change in the number of permits (30) from last year.

The PSOR further contains the Department's responses to comments received from the public through July 14, 2014. The Department has determined that the comments will not result in changes to the ISOR.

If you have any questions regarding this item, please contact Dr. Eric Loft, Chief of Wildlife Branch at (916) 445-3555.

Attachment

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Table 1. Results of sage-grouse lek counts and fall population modeling, 2014.

Hunt Zone	2012 Males	2014 Males	Change %	Predicted Total Fall Population	Allowable harvest (5% of low fall pop.)
East Lassen	393	149	-62%	246 - 393	12
Central Lassen	199	48	-76%	170 - 272	8
North Mono	510	524	+3%	714 - 1143	36
South Mono	418	235	-44%	507 - 810	25

Lek counts were down 62% in the East Lassen Zone and 76% in the Central Lassen Zone since the 2012 Rush Fire and the extremely dry conditions that followed in 2013 and 2014. The fire perimeter encompassed about 272,000 acres in California, including most of the East Lassen Hunt Zone. The Central Lassen Zone which did not burn declined more than East Lassen Zone, presumably because sage-grouse move from the Central Lassen Zone also rely on seasonal habitats in the East Lassen Zone. Both of the Lassen Zones were at the low end of suitable conditions for sage-grouse before the fire and have been degraded further since the fire. Recovery of productive range conditions is not expected in the short term and the future trajectory of this population is unclear at this time. Therefore, because of the significant declines and resulting low population size, the Department is not recommending any changes in permits for either Lassen zone in 2014. No hunting permits were adopted in either of the Lassen Zones since the fire in 2012 or 2013.

The North Mono Zone is the only area in California where sage-grouse lek trends were up in 2014, with the highest spring breeding population recorded in recent years. The North Mono Zone is higher in elevation, thereby receiving more precipitation and less impacted by non-native grasses. This area contains more productive nesting and brood rearing habitats. The Department is recommending no change to the 30 permits currently in regulation for the North Mono Zone. Maintaining the currently allowable harvest is conservative and is not expected to have any effect on population trajectory.

The two-year trend in South Mono Zone is down 44% since 2012. This decline is similar to declines reported in most other states following drought conditions since 2012. The South Mono Zone is lower in elevation, with more degraded range conditions. Because of the downward trajectory of the South Mono

population and drought conditions in 2014, the Department is not recommending any permits (down from the currently allowed 25 permits) for the South Mono Zone in 2014.

VI. Summary of Primary Considerations Raised in Opposition and in Support:

The summary of public comments received during the Notice period through July 14, 2014, and the Department responses are attached as Appendix A.

Copies of the letters and emails received during the Notice period through July 14, 2014, are attached as Appendix B.

REGULATORY LANGUAGE

Section 300, Title 14, is amended to read:

§ 300. Upland Game Birds.

(a) Resident Upland Game Birds

(1) General Seasons: Shotgun; Crossbow; and Pistol/Revolver for Sooty/Ruffed Grouse Only; Bag and Possession Limits and Open Areas

(see Authorized Methods of Take, Section 311)

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(A) Pheasants	The second Saturday in November extending for 44 consecutive days	Bag Limit: 2 males per day for the first two days of the season; 3 males per day after the first two days of the season Possession Limit: triple the daily bag limit
3. Area: Statewide		
<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(B) Quail [including California (valley) quail, mountain quail, and Gambel's (desert) quail]	See area zone descriptions for details	Bag Limit: 10 quail in any combination of species per day Possession Limit: triple the daily bag limit
Mountain Quail only:	a. Early Mountain Quail Season (Zone Q1) - The second Saturday in September extending through the Friday prior to the third Saturday in October	
All species:	General Quail Season (Zone Q1) The third Saturday in October extending through the last Sunday in January	
All species:	b. Early Coastal Season (Zone Q2) – The last Saturday in September extending through the last Sunday in January	
All species:	c. Balance of the State Season (Zone Q3) – The third Saturday in October extending through the last Sunday in January	

All species:	d. Early Season for Hunters with Junior Hunting Licenses in the Mojave National Preserve – The first Saturday in October extending for two days
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QUAIL HUNTING ZONE AREA DESCRIPTIONS

3. Area Zone Descriptions :

a. **Zone Q1:**

The early mountain quail season hunting zone includes the counties of Alpine, Butte, Del Norte, Glenn, Humboldt, Inyo, Lassen, Modoc, Mono, Plumas, Shasta, Sierra, Siskiyou, Tehama, Trinity, and those portions of Amador, Calaveras, El Dorado, Fresno, Madera, Mariposa, Nevada, Placer, Tuolumne, Tulare, and Yuba counties lying east of the western boundary of the national forests.

b. **Zone Q2:**

The early coastal quail season (all species) hunting zone includes the counties of Marin, Napa, Solano, Sonoma, Lake, and Mendocino.

c. **Zone Q3:**

The balance of the state season (all species) hunting zone includes the remaining land area not included in Zone Q2 (the counties of Marin, Napa, Solano, Sonoma, Lake, and Mendocino).

<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
(C) Chukar (Red-Legged Partridges)	The third Saturday in October through the last Sunday in January	Bag Limit: 6 chukar per day Possession Limit: triple the daily bag limit

3. Area: Statewide

<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
(D) Sage Grouse	The second Saturday in September extending for two consecutive days	See area open zone descriptions (subsection 300(a)(1)(D)3) <u>in subsection 300(a)(1)(D)3.</u> East and Central Lassen zones: Bag Limit: 2 sage grouse per day, 2 per season Possession Limit: 2 sage grouse per season North Mono and South Mono zones: Bag Limit: 1 sage grouse per day, 1 per season Possession Limit: 1 sage

		grouse per season
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SAGE GROUSE HUNTING ZONE DESCRIPTIONS AND PERMIT PROCESS

3. Area Open Zone Descriptions:

a. **East Lassen Zone:**

That portion of Lassen County beginning at the intersection of Highway 395 and County Road 502 in the town of Ravendale; north and east on County Road 502 to County Road 526 (Buckhorn Road); east on County Road 526 to the Nevada state line; south along the Nevada state line to its intersection with County Road 320 (Wendel-Flanigan Road); northwest on County Road 320 to its intersection with Highway 395 between Wendel and Litchfield north on Highway 395 to the point of beginning.

b. **Central Lassen Zone:**

That portion of Lassen County beginning at the intersection of Highway 139 and County Road 513 (Termo-Grasshopper Road); east on County Road 513 to its intersection with County Road 523 (Westside Road); north on County Road 523 to its intersection with County Road 525 (Brockman Road); east on County Road 525 to its intersection with Highway 395; south on Highway 395 to its intersection with Highway 36 in the town of Johnstonville; west on Highway 36 to its intersection with Highway 139 in Susanville; north on Highway 139 to the point of beginning.

c. **North Mono Zone:**

That portion of Mono County beginning at the intersection of Highway 182 and the California-Nevada state line; south and east along the California-Nevada state line to Highway 167; west along Highway 167 to Highway 395; north along Highway 395 to Highway 182 at Bridgeport; north along Highway 182 to the point of beginning.

d. **South Mono Zone:**

That portion of Mono County beginning at the intersection of U.S. Highway 6 and U.S. Highway 395; north along U.S. Highway 6 to the intersection of U.S. Highway 120; west along U.S. Highway 120 to the intersection of the Benton Crossing Road; west along Benton Crossing Road to the intersection of Owens River Road; west along Owens River Road to the intersection of U.S. Highway 395; south along U.S. Highway 395 to the point of beginning.

No open season in the balance of the state not included in the above open zones.

4. Number of Permits:

- a. East Lassen Zone: 0 permits
- b. Central Lassen Zone: 0 permits
- c. North Mono Zone: 30 permits
- d. South Mono Zone: ~~25~~0 permits

5. Permit Process:

~~The free sage grouse hunting permits shall be issued by public drawing. All applicants shall apply either on a postcard or through the Internet at the department's website at www.wildlife.ca.gov and select sage grouse drawing. All applicants must provide their name, address, zip code, hunting license number, and the zone they wish to hunt. Applicants shall submit only one drawing application for either the East Lassen Zone,~~

Central Lassen Zone, North Mono Zone, or the South Mono Zone. Up to four hunters may apply as a party. All hunters' names, addresses, and hunting license numbers must be included on the application. Postcard applications for all hunts shall be mailed to the department's License and Revenue Branch, 1740 North Market Blvd., Sacramento, California, 95834. Applications must be received by 5:00 PM on the second Monday of August for all open zones (East Lassen Zone, Central Lassen Zone, North Mono Zone, or the South Mono Zone). Successful applicants will be notified by mail prior to the opening date of the season. Permits are nontransferable. Any permits remaining after the drawing will be issued on a first come, first served basis and will be advertised by news release following each drawing. Applications for remaining permits shall be mailed to the above address with the same required information. Successful drawing applicants previously selected, or hunt party members, may not apply for remaining permits. The free sage grouse hunting permits shall be issued by random drawing. Applicants must have a valid California hunting license and shall submit only one drawing application for either the East Lassen Zone, Central Lassen Zone, North Mono Zone, or the South Mono Zone. Up to four hunters may apply as a party. Applications must be submitted through the Automated License Data System by August 10. Each application will be issued a computer-generated random number and permits shall be issued by random number (from lowest to highest). Party applications shall receive a single random number and parties shall not be split to meet the number of permits available. Successful applicants will be notified by mail prior to the opening date of the season. Permits are nontransferable.

6. Falconry Only Permits:

Applicants desiring to use a sage grouse permit during the falconry-only season must declare upon the application that the permit is for falconry only.

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(E) Sooty and Ruffed Grouse	The second Saturday in September extending for 31 consecutive days	Bag Limit: 2 grouse per day Bag Limit Makeup: <ul style="list-style-type: none"> • up to 2 sooty grouse • up to 2 ruffed grouse • or one of each Possession Limit: triple the daily bag limit

SOOTY AND RUFFED GROUSE HUNTING ZONE DESCRIPTIONS

3. Area Open Zone: The open hunting zone for sooty and ruffed grouse includes the following counties: Alpine, Amador, Butte, Calaveras, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Inyo, Lake, Lassen, Madera, Mariposa, Mendocino, Modoc, Mono, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Tehama, Trinity, Tulare, Tuolumne, and Yuba. All other counties are closed to the taking of sooty or ruffed grouse.

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(F) White-Tailed Ptarmigan	The second Saturday in September extending for nine consecutive days	Bag Limit: 2 ptarmigan per day, 2 per season Possession Limit: 2 per season

PTARMIGAN HUNTING ZONE DESCRIPTIONS

3. Area Open Zone: The open hunting zone for ptarmigan includes Alpine County and that portion of Mono County lying north and west of a line beginning at the intersection of Highway 203 and the Madera County line; east on Highway 203 to Highway 395; and north on Highway 395 to the Nevada state line.

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(G) Wild Turkeys	a. Fall Season – The second Saturday in November extending for 30 consecutive days	Bag Limit: 1 either-sex turkey per day, 2 per season Possession Limit: 2 per season
	b. Spring Season - The last Saturday in March extending for 37 consecutive days c. Additional Spring Season for Hunters with Junior Hunting Licenses – The Saturday and Sunday preceding the opening day of the general spring turkey season; and the day following the close of the general spring turkey season extending for 14 consecutive days	Bag Limit: 1 bearded turkey per day, 3 per season. No person shall take more than a total of 3 turkeys during the general, archery, and additional season for junior hunters, combined. Possession Limit: 3 per season (A bearded turkey is one having a beard visible through the breast feathers.)

3. Area:
 Statewide including State Game Refuge 1G, located in Tehama County.

<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
<u>(H) Spotted doves and ringed turtle-doves</u>	<u>September 1-15 and from the second Saturday in November extending for 45 days</u>	<u>Spotted doves, and ringed turtle-doves: no bag limit</u> <u>Possession Limit: Spotted doves, and ringed turtle-doves: no possession limit</u>
<u>3. Area: Statewide. Note: There is no open hunting season on common ground-doves, ruddy ground-doves, and Inca doves.</u>		
<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
<u>(I) Eurasian collared-doves</u>	<u>All year</u>	<u>Bag Limit:</u> <u>Eurasian collared-doves: no bag limit</u> <u>Possession Limit:</u> <u>Eurasian collared-doves: no possession limit</u>
<u>3. Area: Statewide</u>		

(2) Archery Seasons, Bag and Possession Limits and Open Areas

(see Authorized Methods of Take, sections 311 and 354)

<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
(A) Pheasants	a. Early Archery Season – The second Saturday In October, extending for 23 consecutive days	<u>Bag Limit:</u> 2 pheasants per day for the first two days of the early and general archery seasons; 3 pheasants per day after the first two days of both archery seasons. <u>Possession Limit:</u> triple the daily bag limit; the daily archery bag may contain not more than one female pheasant
	b. General Archery Season - The second Saturday in November extending for 44 <u>72</u> consecutive days	
<u>3. Area: Statewide</u>		

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(B) Quail (all species)	The third Saturday in August extending for 21 consecutive days and during the general seasons as follows:	Bag Limit: 10 quail in any combination of species per day
Mountain Quail only: All species:	a. Early Mountain Quail Season (Zone Q1) - The second Saturday in September extending through the Friday prior to the third Saturday in October General Quail Season (Zone Q1) - The third Saturday in October extending through the last Sunday in January	Possession Limit: triple the daily bag limit
All species:	b. Early Coastal Season (Zone Q2) - The last Saturday in September extending through the last Sunday in January	
All species:	c. Balance of the State Season (Zone Q3) - The third Saturday in October extending through the last Sunday in January	
3. Area: Statewide		
<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(C) Chukar	The third Saturday in August extending for 21 consecutive days and during the general season	Bag Limit: 6 chukar Possession Limit: triple the daily bag limit
3. Area: Statewide		

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(D) Sage Grouse	The second Saturday in September extending for 2 consecutive days	<p>See area open zone descriptions (subsection 300(a)(1)(D)3.) <u>in subsection 300(a)(1)(D)3.</u></p> <p>East and Central Lassen zones: Bag Limit: 2 sage grouse per day, 2 per season</p> <p>Possession Limit: 2 sage grouse per season</p> <p>North Mono and South Mono zones: Bag Limit: 1 sage grouse per day, 1 per season Possession Limit: 1 sage grouse per season</p>

3. Area:

Open Zone: see open zone descriptions for details ~~[subsection 300(a)(1)(D)3]~~, in subsection 300(a)(1)(D)3., which include portions of Lassen, Mono, and Inyo counties. Hunting by free permit only; see permit process ~~section~~ in subsection 300(a)(1)(D)5. for details.

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(E) Sooty and Ruffed Grouse	The third Saturday in August extending for 21 consecutive days and during the general season from the second Saturday in September extending for 31 consecutive days	<p>Bag Limit: 2 grouse per day Bag Limit Makeup: up to 2 sooty grouse up to 2 ruffed grouse or one of each</p> <p>Possession Limit:</p> <ul style="list-style-type: none"> triple the daily bag limit

3. Area:

Open Zone: see open zone descriptions for details ~~[subsection 300(a)(1)(E)3]~~, in subsection 300(a)(1)(E)3., which include northern and eastern portions of the state

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(F) White-Tailed Ptarmigan	The second Saturday in September extending for nine consecutive days	Bag Limit: 2 ptarmigan per day, 2 per season Possession Limit: 2 per season
<p>3. Area: Open Zone: see open zone descriptions for details [subsection 300(a)(1)(F)3], <u>in subsection 300(a)(1)(F)3.</u>, which include portions of Alpine and Mono counties</p>		
<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(G) Wild Turkeys	a. Fall Season – The second Saturday in November extending for 30 consecutive days	Bag Limit: 1 either-sex turkey per day, 2 per season Possession Limit: 2 per season
	b. Spring Season - The last Saturday in March extending for 51 consecutive days	Bag Limit: 1 bearded turkey per day, 3 per season. No person shall take more than a total of 3 turkeys during the general, archery, and additional season for junior hunters, combined. Possession Limit: 3 per season (A bearded turkey is one having a beard visible through the breast feathers.)
<p>3. Area: Statewide including State Game Refuge 1G, located in Tehama County.</p>		

<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
<u>(H) Spotted doves and ringed turtle-doves</u>	<u>September 1-15 and from the second Saturday in November extending for 45 days</u>	<u>Spotted doves, and ringed turtle-doves: no bag limit</u> <u>Possession Limit: Spotted doves, and ringed turtle-doves: no possession limit</u>
3. Area: Statewide. Note: There is no open hunting season on common ground-doves, ruddy ground-doves, and Inca doves.		
<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
<u>(I) Eurasian collared-doves</u>	<u>All year</u>	<u>Bag Limit: Eurasian collared-doves: no bag limit</u> <u>Possession Limit: Eurasian collared-doves: no possession limit</u>
3. Area: Statewide		

(3) Falconry Seasons, Bag and Possession Limits and Open Areas
(see Authorized Methods of Take, Section 311)

<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits and Hawking Hours</u>
(A) Pheasants (B) Quail (C) Chukar (D) Sooty and Ruffed Grouse (E) White-Tailed Ptarmigan	The third Saturday in August extending through the last day in February	Bag and Possession Limits: same as general season regulations by species. The daily falconry bag may contain birds of either sex. Hawking hours are sunrise to sunset.
3. Area: See open zone descriptions for details on each species [subsection 300(a)(1)] <u>in subsection 300(a)(1)</u>		

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits and Hawking Hours</i>
(F) Sage Grouse	The first Saturday in November extending for 60 consecutive days, and during the general season	See area open zone descriptions (subsection 300(a)(1)(D)3.) <u>in subsection 300(a)(1)(D)3.</u> East and Central Lassen zones: Bag Limit: 2 sage grouse per day, 2 per season Possession Limit: 2 sage grouse per season North Mono and South Mono zones: Bag Limit: 1 sage grouse per day, 1 per season Possession Limit: 1 sage grouse per season Hawking hours are sunrise to sunset.

3. Area:
See open zone descriptions ~~[subsection 300(a)(1)(D)3]; hunting~~ in subsection 300(a)(1)(D)3. Hunting by free permit only; see permit process section for details [subsection 300(a)(1)(D)5]. in subsection 300(a)(1)(D)5. for details.

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits and Hawking Hours</i>
(G) Wild Turkeys	a. Fall Season - The second Saturday in November extending for 30 consecutive days	Bag Limit: 1 either-sex turkey per day, 2 per season Possession Limit: 2 per season
	b. Spring Season - The last Saturday in March extending for 37 consecutive days	Bag Limit: 1 bearded turkey per day Possession Limit: 3 per season (A bearded turkey is one having a beard visible through the breast feathers.)

3. Area:
Statewide including State Game Refuge 1G, located in Tehama County.

<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
<u>(H) Spotted doves and ringed turtle-doves</u>	<u>September 1-15 and from the second Saturday in November extending for 45 days</u>	<u>Spotted doves, and ringed turtle-doves: no bag limit</u> <u>Possession Limit: Spotted doves, and ringed turtle-doves: no possession limit</u>
3. Area: Statewide. Note: There is no open hunting season on common ground-doves, ruddy ground-doves, and Inca doves.		
<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
<u>(I) Eurasian collared-doves</u>	<u>All year</u>	<u>Bag Limit: Eurasian collared-doves: no bag limit</u> <u>Possession Limit: Eurasian collared-doves: no possession limit</u>
3. Area: Statewide		

(b) Migratory Upland Game Birds

(1) Shotgun, Archery, and Falconry Seasons and Bag and Possession Limits (see Authorized Methods of Take, Section 507)		
<u>Species</u>	<u>1. Seasons</u>	<u>2. Daily Bag and Possession Limits</u>
(A) Band-Tailed Pigeons	a. Northern Zone - The third Saturday in September extending for 9 consecutive days b. Southern Zone - The third Saturday in December extending for 9 consecutive days	Bag Limit: 2 band-tailed pigeons per day Possession Limit: triple the daily bag limit

BAND-TAILED PIGEON HUNTING ZONE DESCRIPTIONS

3. Area Open Zone Descriptions:

a. Northern Zone: Includes the counties of Alpine, Butte, Del Norte, Glenn, Humboldt, Lassen, Mendocino, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity.

b. Southern Zone: Includes the balance of the state not included in the northern zone described above.

<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
<p>(B) Doves (Mourning doves, <u>and</u> white-winged doves, spotted doves, Eurasian collared doves (except Eurasian collared doves in Imperial County), and ringed turtle doves)</p>	<p>September 1-15 and from the second Saturday in November extending for 45 days</p>	<p>Bag Limit: Spotted doves, Eurasian collared doves, and ringed turtle doves: no bag limit</p> <p>Mourning doves and white-winged doves: 40 <u>15</u> doves per day in aggregate, <u>of which no more than 10 may be white-winged doves.</u></p> <p>Possession Limit: Spotted doves, Eurasian collared doves, and ringed turtle doves: no possession limit</p> <p>Mourning doves and white-winged doves: triple the daily bag limit in aggregate</p>
<p>3.Area: Statewide for mourning doves, white-winged doves, spotted doves, and ringed turtle doves, and Eurasian collared doves (except Eurasian collared doves in Imperial County). Note: There is no open hunting season on common ground doves, ruddy ground doves, and Inca doves.</p>		
<p>(C) Eurasian collared doves in Imperial County</p>	<p>All year.</p>	<p>Bag Limit: Eurasian collared doves: no bag limit</p> <p>Possession Limit: Eurasian collared doves: no possession limit</p>

Area: Imperial County. <u>3. Area: Statewide.</u>		
<i>Species</i>	<i>1. Seasons</i>	<i>2. Daily Bag and Possession Limits</i>
(C) Common Snipe	The third Saturday in October extending for 107 days	Bag Limit: 8 per day Possession Limit: triple the daily bag limit
3. Area: Statewide		

Note:

Authority cited: Sections 200, 202, 203 and 355, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 215, 220, 355 and 356, Fish and Game Code.

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

Commenter Name, Date, Format		Comment #	Res #	Response
Comments received during the Public Notice period January 1, 2014 – July 14, 2014				
a.	Wayne Raupe President California Bowman Hunters State Archery Association 4/16/14 Oral Comments	1	Supports the proposed Draft ISOR regulations that would extend archery-only pheasant hunting following the general season for 28 days.	a1 Support noted
b.	Bill Gaines Gaines and Associates Representing the California Bowman Hunters 4/16/14 Oral Comments	1	Supports the proposed Draft ISOR regulations that would extend archery-only pheasant hunting following the general season for 28 days.	a1 Support noted
c.	Debra Barringer dbarringer98@hotmail.com 4/16/20140 E-mail	1	Does not support proposed ISOR regulations that may issue sage-grouse permits because of the conservation status of the species and drought conditions.	c1 The ISOR provided a range for sage-grouse permits including 0, allowing the Department to recommend no sage-grouse permits in any zone. Any such recommendation will be based on size and trend of population following spring population surveys and take into account the concerns expressed in this comment. The Department has found that of the four sage grouse hunt zones, only North Mono has favorable habitat that can support a limited number of permits. The Department is recommending maintaining the current number of permits in North Mono at 30 permits. The recommendation for the other zones is zero.

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

Commenter Name, Date, Format		Comment #	Res #	Response
		2	Supports the proposed Draft ISOR regulations that would increase bay limits for Eurasian collared-dove.	a1 Support noted.
d.	E-mail Michael Lynes Director of Public Policy Audubon California May 6, 2014 Letter	1	Does not support proposed Draft ISOR regulations to issue sage-grouse permits because of the conservation status of the species and threats to their habitats and populations.	c1 Refer to Response c1.
e.	Donald Armentrout Chairman Lassen County Fish and Game Commission May 20, 2014 Letter	1	Proposes changes to current wild turkey hunting seasons.	e1 The comment is outside the scope of this rulemaking, the current proposal contains no provision for wild turkeys.
f.	Tom Paulek, Conservation Chair Susan Nash, President Friends of the northern San Jacinto Valley May 21, 2014 Letter	1	Urges the Commission to issue a public health advisory about the potential hazard of consuming game shot with lead ammunition in the regulation booklet until lead-free shot is implemented.	f1 This comment is beyond the scope of the present rulemaking. The Department and Commission urge this commenter and others to participate in the public scoping currently underway to implement the legislated ban on lead ammunition in the State of California.

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

Commenter Name, Date, Format		Comment #		Res #	Response
g.	Mark Hennelly California Waterfowl Association Oral Comment	1	Supports all proposals in the ISOR. Commented that sage-grouse hunting should be based on annual population surveys and not eliminated because it is not considered a risk factor to the species.	g1	Support noted
h.	Larry Johnston, Chairman Board of Supervisors County of Mono July 8, 2014 Letter	1	Advises that Mono County does not support any sage grouse hunt at this time and recommends that no permits be issued in either Mono zone.	c1	Refer to comment c1.

From: Debra Barringer <dbarringer98@hotmail.com>
Sent: Wednesday, April 16, 2014 4:55 PM
To: FGC
Subject: April 16th FGC Meeting

Commissioners:

I attended some of the Ventura meeting this morning and had comments on 3 agenda items.

Agenda Item #2. We are extremely fortunate that wolves are reintroducing themselves to the state as other states have gone through extreme expense, trouble, and frankly, agency blame for restoring wolves. Anti-agency hatred over this issue has endangered staff safety and property. I attended public meetings in Colorado when their wolf management plan was being developed. I am glad to hear a California wolf plan is underway but we must also be prepared with adequate protection measures under CESA or those that don't understand the wolf's role will take control upon themselves to everyone's detriment. We cannot depend upon the federal regs for protection, as they change way too often with the whims of the current administration and DOI.

Item #3. I am appalled that an enlightened state such as California would retain barbaric practices such as contest hunts of predators. I am a wildlife biologist and one of the first things one learns in this field is that humans cannot create a vacuum by eliminating any species. Especially with smart, social animals, when one dominant group in an area is removed, several others will move in and will produce extra offspring to fill the void. This as well as another major reason that coyotes may be so plentiful in the state is because of the lack of the other top canine predator, the wolf, discussed earlier on the agenda and below. We cannot hope to get the state's ecosystems back in balance without the complete compliment of natural predators, even with humans acting in that role through hunting. Please put an end to contest hunts and what is an embarrassment to California.

* 300 UPLAND GAME BIRDS

Item #4. I thought I heard one of the commissioners acknowledge the fact that the sage-grouse is being considered for federal listing, and yet as I understood it, the bag limit on this species was also increased under this item? Is that correct, even in this year of a continuing drought? That doesn't seem to make sense and this species has such limited range in the state, it is a real shame. Some of us may never see their impressive breeding displays. I heartily agreed with the increase in Eurasian collared dove limits, and exotic species such as these should be open season all the time, as they are known to be displacing our native mourning doves. Just a thought.

Thank you,
Debra Barringer
Ventura, CA



Audubon CALIFORNIA

Comment (d)

220 Montgomery Street, Suite 1000
San Francisco, California 94104
Tel: 415-644-4608 (Direct)
mlynes@audubon.org
www.ca.audubon.org

2014 MAY 13 PM 1:44

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MLS

May 6, 2014

Mr. Charlton Bonham, Director
California Department of Fish and Game
1416 Ninth Street
Sacramento, CA 95814

Mr. Sonke Mastrup, Executive Director
California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Dear Messrs.' Bonham and Mastrup,

RE: Greater Sage-Grouse preliminary regulations for 2014-15

On behalf of Audubon California and our more than 150,000 members and supporters in California, I write to comment on the Department of Fish and Wildlife's preliminary hunting regulations for 2014-15, specifically with regard to harvest of the Greater Sage-Grouse (*Centrocercus urophasianus*). We base our review on the Department's preliminary recommendations as presented to the Fish and Game Commission at its April 16, 2014 meeting in Ventura.

We note that preliminary harvest recommendations establish a range from 0-50 birds in the Lassen area and 0-100 birds in the Mono population. We respectfully ask for the continued hunting closure of the East Lassen and Central Lassen zones for the Greater Sage-Grouse and for zero harvest in the North and South Mono population for the following reasons:

East and Central Lassen

From Department reports and trained observers in the area it appears that Sage-Grouse populations in the Lassen area suffered significant losses due to the Rush Fire of August 2012. Given the slow rate of habitat restoration in Great Basin sagebrush habitats it appears likely this segment of the Sage-Grouse distribution will experience reduced numbers for years to come. We commend the Department for closing hunting in both East and Central Lassen last year and we urge a continuation of this policy for this year as well hunting in this zone should not be permitted.

As the Department and the Commission are aware, on March 4, 2010 the U.S. Fish and Wildlife Service (FWS) issued two 12-month findings pertinent to California on petitions to list the Greater Sage-Grouse as threatened or endangered under the Endangered Species Act of 1973, as amended (Act). They found that listing the species range wide is warranted, but precluded by higher priority listing actions. This is a clear warning that the species requires careful stewardship and protection to safeguard its survival both in California and throughout its range. In our view any consumptive use of this species in California must be evaluated against a rigorous standard that ensures no harm is done to the recovery of the species. In light of the catastrophic fire in the Lassen region, hunting of the species does not meet such a rigorous standard.

North and South Mono Basin

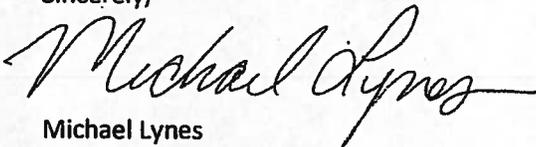
We urge the Department to close hunting in this area that is home to the so-called bi-state population of Greater Sage-Grouse, a distinct population segment (DPS) of the species. As the Department and Commission are also aware the FWS proposed on October 28, 2013 to list the bi-state population as threatened under the Act. FWS found that the bi-state population is experiencing adverse impact from all five of the factors that routinely guide the species listing process of the Act:

- (A) The present or threatened destruction, modification, or curtailment of its habitat or range;
- (B) Overutilization for commercial, recreational, scientific, or educational purposes;
- (C) Disease or predation;
- (D) The inadequacy of existing regulatory mechanisms; or
- (E) Other natural or manmade factors affecting its continued existence.

Given the ongoing evaluation of the bi-state population for possible listing we again believe that any consumptive use of this species in California must be evaluated against a rigorous standard that ensures no harm is done to the recovery of the species. In our view establishing a harvest limit other than zero does not meet that standard. We further note that this population is not hunting in the state of Nevada, which shares management responsibility for the bi-state population in that state.

We look forward to working with the Department and the Commission on Sage-Grouse conservation. Thank you for your consideration of our views.

Sincerely,



Michael Lynes
Director of Public Policy

Comment (e.)

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LASSEN COUNTY FISH AND GAME COMMISSION

707 NEVADA STREET, SUSANVILLE, CA 96130

DFW Director's Office

March 20, 2014

Mr. Charlton H. Bonham, Director
California Department of Fish & Wildlife
1416 Ninth Street, 12th Floor
Sacramento, CA 95814

Dear Director Bonham:

Current California hunting regulations start the spring turkey hunting season the last Saturday in March. This start date is beneficial to the biology of Rio Grande turkey populations in our state. The current season start is not, however, beneficial to Merriam turkeys in the northern part of our state. Merriam turkeys start to mate at the end of March or beginning of April. Opening the hunting season at the same time is detrimental to the reproductive activities resulting in low population recruitment.

We join with Plumas and other northern counties which have Merriam turkeys in requesting hunting regulations be changed for northern California turkeys. We propose a standard opening date of April 15. This will allow undisturbed reproduction and higher recruitment. Concerns that turkey seasons opening on different dates could lead to overhunting of Merriam turkeys is ephemeral compared to the physiological and biological benefits for Merriam turkey populations in California.

Sincerely,



Donald J. Armentrout, Chairman
Lassen County Fish & Game Commission

Cc: Lassen County Board of Supervisors
Plumas County Fish and Game Commission
California Fish & Game Commission

Comment (f.)

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2014 MAY 28 PM 1:58

MLS

May 21, 2014

California Fish and Game Commission
1416 Ninth Street, Room 1320
Sacramento, California 95814

Re: June 4, 2014 – Fish and Game Commission Meeting – Agenda Item 7: Discussion of Proposed Changes to Upland Game Bird Regulations (Section 300, Title 14, CCR)

Last October Governor Brown signed into law AB 711-- the ban on the use of lead ammunition for hunting in California. The lead ban will not go into effect until July 2019. In the interim California upland game hunters can continue to use lead shot for hunting dove, pheasant, snipe and other small game species.

The adverse impact of spent lead ammunition on wildlife populations has been well documented over many years. More recent research indicates the discharge of lead ammunition may be a significant public health concern. The Wildlife Society 2009 Position Statement on lead ammunition reports: "When lead that is imbedded in game meat becomes exposed to acid in the human stomach, lead may be absorbed into the system. Even if a lead pellet completely passes through an animal, a small amount of lead may be left in the tissue and may be absorbed by a person consuming the meat."

Attached also for review by the Fish and Game Commission is the September 28, 2009 Scientific American article "*Wild Meat Raises Lead Exposure*". This article notes:

"The Centers for Disease Control and Prevention tested 736 people, mostly adults, in six North Dakota cities and found that those who ate wild game had 50 percent more lead in their blood than those who did not eat it. The lead exposure was highest among people who consumed not only venison, but also birds and other game, according to the study published last month in the journal *Environmental Research*."

"What was most troubling is that as wild game consumption increases, the blood-lead levels increase", said study co-author Mary Jean Brown, chief of the CDC's lead poisoning prevention branch. "The strong recommendation we would make is that pregnant women should not consume this meat."

".....recent research has reported that children's mental abilities are reduced by lead at levels far below the CDC guideline. Brown and others say there is no threshold below which lead does not cause harm, particularly with children."

In the interim, prior to the implementation of the 2019 ban on lead ammunition for hunting, we are requesting the Fish and Game Commission include a public health advisory in the upcoming Upland Game hunting regulation booklet advising hunters of the potential hazard of the consumption of wild

(f.)

game shot with lead ammunition. We appreciate the Fish and Game Commission's deliberation on this important public health issue and trust the Commission will give the issue the necessary consideration.

Thank you for your courtesy.



Tom Paulek
Wildlife Biologist/FNSJV
Conservation Chair



Susan Nash
FNSJV President

Attachment: September 28, 2009, Scientific American, *Wild Meat Raises Lead Exposure*.

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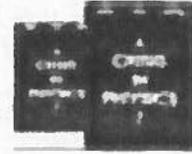


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More from Scientific American

Wild Meat Raises Lead Exposure

Tests by the CDC show that eating venison and other game can raise the amounts of lead in human bodies by 50 percent

Sep 28, 2009 | By Scott Streater and Environmental Health News

To Dr. William Cornatzer, it was an unforgettable image, one that troubled him deeply.

An avid hunter, Cornatzer was listening to a presentation on the lead poisoning of California condors when an x-ray of a mule deer flashed on an overhead screen. The deer had been shot in the chest with a high-powered rifle. Cornatzer was shocked that the deer's entire carcass was riddled with dozens of tiny lead-shot fragments.



ISTOCKPHOTO/SONYAGREER

"My first thought had nothing to do with California condors; it had to do with what I had been doing as a hunter myself, and what I had been feeding our kids," said Cornatzer, a clinical professor of medicine at the University of North Dakota School of Medicine & Health Sciences.

"I knew good and well after seeing that image that I had been eating a lot of lead fragments over the years," he said.

That realization led Cornatzer and a radiologist last year to X-ray 100 packages of venison that had been donated by a sportsmen group to a food bank. About 60 percent of the packages contained lead-shot fragments, even though it's common practice among hunters to remove meat around the wound.

The discovery prompted North Dakota to warn pregnant women and children 6 and under not to eat venison killed with ammunition containing lead.

It also sparked a flurry of new research that raises questions about the safety of eating wild game, as well as a renewed debate about eliminating lead ammunition.

Earlier this year, the National Park Service announced a controversial plan to ban lead



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Wild Meat Raises Lead Exposure - Scientific American

ammunition and fishing tackle in the parks, which Acting Director Dan Wenk said "will benefit humans, wildlife, and ecosystems inside and outside park boundaries."

Cheap, durable and readily available, lead has been used in weapons and other products since the Romans first mined it more than 2,500 years ago. Bullets have contained lead, which upon impact mushrooms to create a larger wound, since the 14th century.

But lead is a dangerous neurotoxin, particularly for children and fetuses. Low levels can harm children's developing brains, causing learning disabilities and reduced IQs. High levels can trigger severe neurological problems.

Sporting groups are opposed to any restrictions on lead-based ammunition, arguing that there's no clear evidence that it is dangerous when used to hunt deer and other animals.

"The use of traditional ammunition does not pose a health risk to human beings," said Ted Novin, director of public affairs for the National Shooting Sports Foundation, a trade association for the firearms, ammunition and hunting industries.

Novin added that "there has never been a documented case of lead poisoning among humans who have eaten game harvested with traditional ammunition."

New research, however, has shown that eating venison and other game can substantially raise the amounts of lead in human bodies. The findings have prompted some experts to recommend bans on lead ammunition.

"We want to avoid having people exposed to lead to the extent that it's feasible and practical, and it's clear that one of the key ways to minimize exposure is to use alternatives to lead ammunition," said Dr. Michael Kosnett, a medical toxicologist at the University of Colorado at Denver School of Medicine. "You're putting food on the table to nourish your family. Why not nourish them with healthy food if that's a possible alternative?"

The Centers for Disease Control and Prevention tested 736 people, mostly adults, in six North Dakota cities and found that those who ate wild game had 50 percent more lead in their blood than those who did not eat it. The lead exposure was highest among people who consumed not only venison, but also birds and other game, according to the study published last month in the journal *Environmental Research*.

Those who ate wild game meat had average lead levels of 1.27 micrograms per deciliter, compared with 0.84 for those who ate no game. Most said they either hunted the animals themselves or obtained the meat from friends or family members.

"What was most troubling is that as wild game consumption increases, the blood-lead levels increase," said study co-author Mary Jean Brown, chief of the CDC's lead poisoning prevention branch. "The strong recommendation we would make is that pregnant women should not consume this meat."

The CDC is planning a second round of testing this year involving hunters in Wisconsin, Brown said.

The National Shooting Sports Foundation argues that everyone in the North Dakota study had blood-lead levels below the CDC's health guideline of 10 micrograms per deciliter.

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However, recent research has reported that children's mental abilities are reduced by lead at levels far below the CDC guideline. Brown and others say there is no threshold below which lead does not cause harm, particularly with children.

As a result, the CDC recommends that "all nonessential uses of lead should be eliminated," according to a 2005 statement. Less than 2 percent of children in the United States have lead levels that exceed the amount that the CDC considers safe. Most exposure comes from old, deteriorating lead-based paint, which was banned in 1978.

Another study, published in April, showed that eating venison containing lead-shot fragments can quickly raise blood-lead levels.

Researchers at Washington State University and Boise State University fed lead-tainted venison to four pigs and lead-free venison to a separate control group of pigs. The pigs that ate the venison containing lead fragments reached a lead level of 3.8 micrograms per deciliter after only two days—more than three times higher than the highest level in the control group of pigs, according to the study, which was sponsored by The Peregrine Fund, a group that advocates for the removal of lead shot to protect condors.

"At risk in the U.S. are some ten million hunters, their families, and low-income beneficiaries of venison donation," the report says. One program, Sportsmen Against Hunger, donates the meat to low-income people.

The National Park Service posted the results of The Peregrine Fund study on its Web site, noting "that while the results are preliminary and much further study needs to be done to better assess risks to humans, it appears that if lead bullets are used, odds are high that you will ingest lead particles in ground meat."

Mostly to protect wildlife, the park service plans to end the use of lead bullets and fishing gear in all parks. A public comment period will be held next year, said Jody Lyle, an agency spokeswoman.

"Our goal is to eliminate the use of lead ammunition and lead fishing tackle in parks by the end of 2010," Wenk said when announcing the proposal in March. "We want to take a leadership role in removing lead from the environment."

Although hunting is prohibited in most national parks, it is allowed on some park properties. Rangers also would have to stop using lead ammunition when culling herds or killing wounded or sick animals.

Hunting groups say any restriction on traditional ammunition will price many people out of hunting, because the alternatives—steel, copper or tungsten shells—can cost as much as six times more.

This is not the first time the federal government has considered restrictions on lead ammunition. The United States in 1991 phased out lead-shot for hunting waterfowl, mostly because bald eagles that prey on them were being poisoned.

Twenty-nine other countries have adopted voluntary or legislative restrictions. Some of the most aggressive regulations have been adopted in Europe, where lead-shot poisoning has killed white-tailed eagles and endangered Spanish Imperial eagles.

While there is no European Union standard for lead ammunition, Denmark was the

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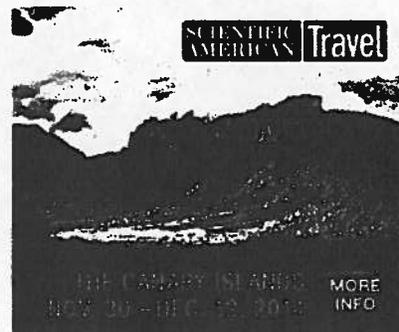
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Wild Meat Raises Lead Exposure - Scientific American

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first to ban lead shot for waterfowl in wetlands in 1985, followed throughout the 1990s by Norway, the Netherlands, Finland, England, Spain and Sweden. France did so in 2006. Denmark, followed by Norway and the Netherlands, extended the lead-shot ban to all hunted species in 2000.

California and Arizona also have taken action, implementing mandatory and voluntary bans, respectively, on lead bullets and shot in an effort to protect condors.

Pressure to ban lead-based ammunition in the U.S. intensified last year with the release of a report on threats to wildlife commissioned by The Wilderness Society and the American Fisheries Society.

The report said that lead fishing sinkers have poisoned brown pelicans, mute swans and Canada geese. Even more dangerous is lead shot in gut piles left behind by hunters and consumed by scavengers, including endangered condors, said Barnett Rattner, a wildlife toxicologist with the U.S. Geological Survey and a co-author of the review.

John H. Schulz, a resource scientist at the Missouri Department of Conservation, has calculated that as many as 15 million mourning doves are killed in North America each year from lead poisoning, mostly from eating spent lead shot that looks like the weed seed they depend on for food. That's almost as many as the estimated 20 million mourning doves legally shot and killed each year by hunters.

But it's the science pointing to possible human health impacts that has Schulz convinced that there's more than enough scientific evidence to begin a phase-out of lead ammunition.

"Let's not spend any more time studying whether the problem is significant. It is real. It is serious. It is significant," Schulz said. "Now, how are we going to address it in a thoughtful and sensitive manner so no affected stakeholders are disenfranchised?"

This article originally ran at Environmental Health News, a news source published by Environmental Health Sciences, a nonprofit media company.

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doctorfrank

September 29, 2009 2:57 AM

The primary reason lead shot was banned for waterfowl hunting was not because of the ingestion of lead in dead waterfowl by birds of prey, e.g. eagles, which would be a relatively rare occurrence. Instead, lead shot, when used in waterfowl hunting, is widely dispersed in the environment on the bottom of marshes and other similar shallow waters and was commonly picked up by feeding ducks and geese with a consequent suprsingly high mortality rate

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Froxy46

September 29, 2009 7:48 AM

The price issue with non lead projectiles is silly at best. The cost of actual hunting ammo would be minimal if "practice " ammo of the cheaper lead types were allowed to remain in production. Hunters would pay the additional cost for lead free ammo gladly to avoid the lead in their taken

Comment (i)



Larry Johnston ~ District One Fred Stump ~ District Two Tim Alpers ~ District Three
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**BOARD OF SUPERVISORS
COUNTY OF MONO**

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5538 • FAX (760) 932-5531

July 8, 2014

Sonke Mastrup
Executive Director
California Fish and Game Commission
1416 Ninth Street, Box 944209
Sacramento, CA 94244-2090

RECEIVED
CALIFORNIA
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2014 JUL 16 PM 2:10
MLS

RE: ANNUAL SAGE GROUSE HUNTING PERMITS

Dear Mr. Mastrup,

Mono County supports legal and well-regulated hunting and appreciates the opportunity to work with the Commission and the Department of Fish and Wildlife in the stewardship of California's diverse wildlife populations. The County cannot, however, support continued recreational hunting of the Bi-State Distinct Population Segment (DPS) of the Greater Sage Grouse within the North and South Mono management zones and requests that the Commission reduce the number of permits to zero in these two zones for the 2014 hunting season.

As you are aware, the US Fish and Wildlife Service has proposed listing the Bi-State DPS as a threatened species under the Endangered Species Act and has proposed designating much of Mono County within critical habitat. Mono County has been actively participating with the Bi-State Local Area Working Group for over a decade to develop and implement a Bi-State Action Plan, and to provide the USFWS with evidence that the proposed threatened designation is not warranted. With a final decision expected by spring 2015, there is heightened attention to the species, its habitat and lifecycle. Consequently, Mono County cannot support any intentional take at this time, and believes that even well-regulated take may jeopardize our collaborative efforts to prevent listing of the species.

Your favorable consideration of Mono County's position is appreciated. Please contact Analyst Brent Calloway at 760-924-1809 if you have any questions concerning these comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Larry K. Johnston", with a long horizontal stroke extending to the right.

Larry K. Johnston
Chairman