

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

Amend Section 364
Title 14, California Code of Regulations
Re: Elk

- I. Date of Initial Statement of Reasons: January 26, 2006
- II. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: February 3, 2006
Location: Sacramento, California
 - (b) Discussion: Date: April 7, 2006
Location: Monterey, California
 - (c) Adoption Hearing: Date: May 4, 2006
Location: Kings Beach, California
- III. Description of Regulatory Action:
 - (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

The proposed regulatory action is made to enhance junior big-game hunting opportunity and provide consistency in regulation for deer, pronghorn antelope, and elk regarding junior-only hunting tags. Although junior-only deer and pronghorn antelope tags are provided under current regulation, junior-only elk tags are not. Junior hunters can apply for and receive an elk tag through the big-game drawing process, but they must compete with adult hunters to do so. The proposal converts a portion of the elk tags authorized under current regulation into tags available to junior hunters only. The proposal does not create additional tags resulting in increased harvest; harvest levels will remain unchanged through the implementation of any of the alternatives. Harvest-related impacts to elk populations are contained within the 2004 Final Environmental Document Regarding Elk Hunting.

The proposal provides a range of bull, antlerless, and either-sex junior-only tags for all three of California's elk subspecies for the Fish and Game Commission to consider for implementation. These alternatives consist of the following:

1. Northeastern California Rocky Mountain Elk Hunt. A range of 0-3 junior-only either-sex tags for the season specified in existing regulation.
2. Marble Mountain Roosevelt Elk Hunt. A range of 0-3 junior-only either-sex tags for the season specified in existing regulation.
3. Grizzly Island Tule Elk Hunt. A range of 0-3 junior-only spike bull tags and 0-3 antlerless tags for the Period 1 and Period 2 seasons specified in existing regulation.
4. LaPanza Tule Elk Hunt. A range of 0-3 junior-only bull and 0-3 junior-only antlerless tags for the Period 1 season specified in existing regulation.
5. Fort Hunter Liggett Tule Elk Hunt. A range of 0-3 junior-only bull and 0-3 junior-only antlerless tags for seasons specified in existing regulation. These tags would be applicable only to the public portion of the current tag allocation between military personnel and public hunters.

(b) Authority and Reference:

Authority: Fish and Game Code sections 200, 202, 203, 332, 1050, and 1572.

Reference: Fish and Game Code sections 203, 203.1, 332, 713, 1570-1572, and 3951.

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

None.

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

Final 2004 Environmental Document Regarding Elk Hunting.

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

The Department conducted a public scoping session in Sacramento on December 11, 2003. Public input, discussions and recommendations regarding the environmental document and mammal hunting and trapping regulations were taken at this time. The Department held four public meetings in 2001 to discuss mammal hunting regulations in general. The dates and locations of those meetings were:

November 7, 2001- Fresno, California
November 13, 2001- San Diego, California
November 29, 2001- Monterey, California
December 13, 2001- Sacramento, California

While these meetings were conducted prior to the establishment of last year's regulations, concepts and proposals resulting from these meeting are still being implemented as part of the current year regulatory process. Additionally, the Department held public meetings on January 6, 2003 and January 19, 2006 to discuss specific changes to mammal hunting regulations for 2006.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

Although junior hunters can currently apply for and receive elk tags through the big game drawing process, they must compete with adult hunters to do so. In order to increase interest and participation in this unique hunting opportunity by junior hunters, a regulation change is necessary to convert existing elk tags into junior-only elk tags.

(b) No Change Alternative:

Inconsistency between the deer, pronghorn antelope and the elk regulations regarding junior-only hunting opportunity would remain. Although juniors can apply for and receive a tag under current regulation, they must compete with adults to do so, resulting in significantly greater odds they will draw a tag. The No Change Alternative will not promote additional participation by junior hunters in this unique hunting opportunity.

(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.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action.

This proposed action adjusts 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 Businessmen 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.

(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.

None.

(c) Cost Impacts on Private Persons.

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State.

None.

(e) Other Nondiscretionary Costs/Savings to Local Agencies.

None.

(f) Programs Mandated on Local Agencies or School Districts.

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4.

None.

(h) Effect on Housing Costs.

None.

**INFORMATIVE DIGEST
(Policy Statement Overview)**

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