

Imperial County Special Management Area related to start dates; 2) season length change to match the proposed start date in the Imperial County Special Management Area; 3) to allow maximum hunting opportunity in respect to the total goose daily bag limit and the white goose daily bag limit; and 4) to match Arizona regulations in the Colorado River Zone as required by Federal regulations. Also, minor editorial changes were made to clarify and simplify the regulations and to comply with existing federal frameworks.

At its August 8, 2008 meeting, the Commission adopted the following season lengths, dates, and daily bag limits:

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
Statewide	Coots & Moorhens	Concurrent w/duck season	25/day. 25 in possession
Northeastern Zone	Ducks	Oct 11-Jan 23	7/day, no more than 7 mallards, no more than 1 hen mallard, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Oct 11 – Jan 4	
	Geese	Oct 11 – Jan 18	8/ day, up to 6 white geese, up to 4 white-fronts, up to 2 Large Canada geese, only 1 Small Canada goose. Possession limit double the daily bag.
Southern San Joaquin Valley Zone	Ducks	Oct 4 – Oct 26 & Nov 8 – Jan 25	7/day, no more than 7 mallards, no more than 1 hen mallard, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Nov 8 – Jan 25	
	Geese	Oct 18 – Jan 25	8/ day, up to 6 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 6 Small Canada geese. Possession limit double the daily bag.
Colorado River Zone	Ducks	Oct 17- Jan 25	7/day, no more than 7 mallards, no more than 2 hen mallards or Mexican-like ducks, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Nov 1 – Jan 25	
	Geese	Oct 17 – Jan 25	6/ day, up to 6 white geese, up to 3 dark geese. Possession limit double the daily bag.
Southern California Zone	Ducks	Oct 18 –Jan 25	7/day, no more than 7 mallards, no more than 1 hen mallard, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Nov 1 – Jan 25	
	Geese	Oct 18 – Jan 25	8/day, up to 6 white geese, up to 3 dark geese. Possession limit double the daily bag.
Balance of State Zone	Ducks	Oct 18 – Jan 25	7/day, no more than 7 mallards, no more than 1 hen mallard, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Nov 1 – Jan 25	
	Geese	Oct 18 – Jan 25	8/ day, up to 6 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 6 Small Canada geese. Possession limit double the daily bag.
SPECIAL AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
North Coast	All Canada Geese	Oct 31 – Jan 25 & Feb 21 – Mar 10, except for Large Canada geese which is closed during the late season.	6/day, only 1 may be a Large Canada goose. Possession limit double the daily bag.
Humboldt Bay South Spit	All species	Closed during brant season	
Sacramento Valley (West)	White-fronted geese	Oct 25 - Dec 14	2/day. Possession limit double the daily bag.
Morro Bay	All species	Open in designated areas only	
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	Nov 1 – Nov 30	2/day. Possession limit double the daily bag.
Balance of State Brant	Black Brant	Nov 8 – Dec 7	2/day. Possession limit double the daily bag.
Imperial County	White Geese	Nov 1 – Jan 25 & Feb 14 – Mar 1	6/day. Possession limit double the daily bag.
YOUTH HUNTING DAYS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Southern California Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Colorado River Zone		The Saturday following the closing for waterfowl season extending for 2 days.	
Balance of State Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
FALCONRY OF DUCKS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	Oct 11 – Jan 23	3/ day, possession limit 6
Balance of State Zone		Oct 18- Feb 1	
Southern San Joaquin Valley Zone		Oct 4 – Oct 26 & Nov 8 – Jan 28	
Southern California Zone		Oct 18 – Feb 1	
Colorado River Zone		Oct 17 – Jan 29	

VI. Summary of Public Recommendations and Primary Considerations Raised in Opposition and in Support received prior to August 8, 2008:

- (a) Description of Proposed Action by Public: Recommends delaying the opening day of white goose season four weeks and extending the season by four weeks in the Imperial County Special Management Area.

Proposal Source:

Imperial County Farm Bureau (facsimile 11/28/08)

Recommendation: Accept in part.

Analysis: The Department is recommending the white goose season open November 1 and close January 25 and the late season to open February 14 and close March 1.

- (b) Description of Proposed Action by Public: Recommends a complete ban on all waterfowl hunting in Laguna de Santa Rosa.

Proposal Source: Donna Jones, (email 2/04/08).

Recommendation: Reject.

Analysis: Hunting in Laguna de Santa Rosa is consistent with the conservation of wildlife and the provision of recreational opportunity.

- (c) Description of Proposed Action by Public: Recommends the continuation of the split season, season length, and timing for the Southern San Joaquin Valley Zone.

Proposal Source: Arthur Spaulding, Wasco, Tulare Basin Wetlands Association (letter received 06/16/08).

Recommendation: Accept.

Analysis: This season length fits within the Federal frameworks and is the Department's recommendation.

- (d) Description of Proposed Action by Public: Petition recommending liberalizing black brant regulations via season length and consulting local brant hunters in Humboldt Bay and Morro Bay for input on harvest strategies.

Proposal Source: Petition originated by Ted Romo and signed by 113

individuals (letter received 06/24/08).

Recommendation: Reject.

Analysis: The federal frameworks will not allow longer seasons or increased bag limits in 2008.

- (d) Description of Proposed Action by Public: Recommends the Balance of State Zone open October 25 (last Saturday) in order to reduce mosquito habitat.

Proposal Source: Sacramento Yolo Mosquito and Vector Control District, (letter 07/01/08)
Gary Kerhoulas (email 08/04/08)

Recommendation: Reject.

Analysis: The Department's recommendation is to open on the third Saturday in October extending for 100 days. Opening on the last Saturday in October would only provide 93 days of hunting opportunity. The Federal Frameworks allows for a 107-day season. Additionally, many areas that are flooded for hunting and wildlife habitat will use agricultural drain water that will be available in September. These areas will be flooded early regardless of season opening dates. Furthermore, water availability is expected to be reduced this year and will vary by water district. Some areas may not have water available later in the fall and delaying the season opener may significantly curtail hunting opportunity in those areas.

- (e) Description of Proposed Action by Public: Recommends the pintail daily bag limit increase to 2 or 3 with 1 hen.

Proposal Source:
John Gregg, Verdugo City (letter 07/07/08)

Recommendation: Reject.

Analysis: Population levels of pintails increased significantly in 2006 and 2007 but dropped in 2008. The Federal frameworks allow only 1 pintail per day. The U.S. Fish and Wildlife Service developed a harvest strategy for pintails that specifies pintail daily bag limits.

- (f) Description of Proposed Action by Public: Recommends the duck daily bag limit be reduced to 5 and the mallard daily bag limit reduced to 2 and increase the pintail daily bag limit to 2.

Proposal Source:
Patrick Kittle, Colusa (email 7/21/08)

Recommendation: Reject.

Analysis: Estimates of breeding ducks in California in 2008 were down 12% compared to 2007 and are 8% below their long-term average. The mallard breeding population estimate in 2008 was down 23% and is 20% below average. Mallards that originate in California comprise a majority of the mallard harvest in California. Below average recruitment is expected in 2008. Duck season frameworks in the Pacific Flyway are established based on the best available science which suggests that a liberal season is the optimal choice for 2008. Additionally, bag limit changes alone, unless substantial, will not reduce harvest by a measurable level because most hunters do not achieve the daily bag limit during each day's hunt, thus a reduction in the daily limit, without a reduction in season length, will not significantly change mallard harvest.

Population levels of pintails increased significantly in 2006 and 2007 but dropped in 2008. The Federal frameworks allow only 1 pintail per day and an increase in the daily bag limit for pintails is not allowed in California in 2008. The U.S. Fish and Wildlife Service developed a harvest strategy for pintails that specifies pintail daily bag limits.

- (g) Description of Proposed Action by Public: Recommends the Northeastern Zone to open on October 11, 2008.

Proposal Source:
Richard Marcillac (email 07/28/08 and email 08/04/08)
Fred Harpster (public testimony 8/08/08)

Recommendation: Accept.

Analysis: This season opening date fits within the Federal frameworks and is the Department's recommendation.

- (h) Description of Proposed Action by Public: Recommends an increase in the Large Canada goose limit to 3 or 4 in the Northeastern Zone.

Proposal Source:
Les Kofoed (email 07/31/08 and 08/04/08)
Thomas Atkinson (email 08/04/08)

Recommendation: Reject.

Analysis: The Flyway Management Plan for the Pacific Population of Canada geese that occur in the traditional breeding range of Siskiyou,

Modoc and Lassen counties indicates that hunting regulations can be liberalized once a 3-year average of breeding pairs is at or above 1,250 pairs. The current 3-year average is 1,070 breeding pairs based on surveys that the Department conducts in early June. The trend for Canada geese breeding pairs and production in that portion of the State indicates a downward trend.

- (i) Description of Proposed Action by Public: Recommends the daily mallard bag limit be reduced to 4 per day and the youth hunt days be the last weekend in January.

Proposal Source:

Gary Kerhoulas (email 08/04/08)

Recommendation: Reject bag limit recommendation. Accept youth hunting day recommendation.

Analysis: Estimates of breeding ducks in California in 2008 were down 12% compared to 2007 and are 8% below their long-term average. The mallard breeding population estimate in 2008 was down 23% and is 20% below average. Mallards that originate in California comprise a majority of the mallard harvest in California. Below average recruitment is expected in 2008. Duck season frameworks in the Pacific Flyway are established based on the best available science which suggests that a liberal season is the optimal choice for 2008. Additionally, bag limit changes alone, unless substantial, will not reduce harvest by a measurable level because most hunters do not achieve the daily bag limit during each day's hunt, thus a reduction in the daily limit, without a reduction in season length, will not significantly change mallard harvest.

The Department's recommendation for the Balance of State youth hunt is the last weekend in January.

- (j) Description of Proposed Action by Public: Recommends an increase in the brant season length to 30 days.

Proposal Source:

Fred Harpster (public testimony 08/08/08)

Recommendation: Accept.

Analysis: The Department's recommendation is for a 30-day season length based on the Federal Frameworks.

- (k) Description of Proposed Action by Public: Supports the Department's recommendations.

Proposal Source:

Walt Mansel (public testimony 08/08/08)

Greg Yarris, CWA (public testimony 08/08/08)

Bill Gaines, COHA (public testimony 08/08/08)

Recommendation: Accept.

Analysis: Support Noted.

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:

No other alternatives were identified.

(b) No change Alternative:

1. **OPTION 1:** The No Change Alternative would keep the existing goose bag limits in the Northeastern, Southern San Joaquin Valley, Southern California and Balance of State zones. Continuing with the current goose daily bag limits in the above mentioned zones does not allow for maximum hunting opportunity.

AND-OR-

OPTION 2: The No Change Alternative would keep the existing white goose daily bag limits in the Northeastern, Southern San Joaquin Valley, Southern California and Balance of State zones. Continuing with the current white goose daily bag limits in the above mentioned zones does not allow for maximum hunting opportunity.

2. The No Change Alternative would keep the existing brant daily bag limit of 2 in the Northern Brant and Balance of State Brant Special Management Areas. Continuing with the current brant daily bag limits the special management areas does not allow for maximum hunting opportunity.

3. The No Change Alternative would not reinstate the Imperial County Special Management Area and not provide for white goose hunting on private lands only during a late season.

Not reinstating the Imperial County Management Area would lead to greater depredation complaints in the Imperial County in the spring.

4. The No Change Alternative would keep the existing season lengths and dates, and duck and goose daily bag limits in all zones. The California Breeding Pair Survey has not been completed and analyzed and the federal frameworks have not been set. Changes in the existing regulations could result if specific dates and bag limits are proposed before the above items are completed.

- (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.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following 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 regulations are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (a) 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.

- (b) 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: None.
- (h) Effect on Housing Costs: None.

Updated Informative Digest/Policy Statement Overview

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and establish daily bag and possession limits. In addition to the four proposals contained herein, the U.S. Fish and Wildlife Service, after analysis of waterfowl population survey and other data, may also initiate changes in federal regulations that will require changes in existing and proposed regulations in California. Changes in federal regulations for season opening and closing dates, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. Items 1, 2 and 3 require changes in the federal regulations and must be approved by the Pacific Flyway Council at its meeting on July 25, 2008. Item 4 (including the table below) proposes a range of season dates and bag limits for waterfowl. The Service will consider these other recommendations at their meeting on July 30-31, 2008. At this time, the California Breeding Pair Survey has not been conducted and the Service has not established federal regulation “frameworks” which will occur in August after the analysis of current waterfowl population survey, other data, input from the Flyway Councils and the public. Also, minor editorial changes were made to clarify and simplify the regulations and to comply with existing federal frameworks.

The Department’s proposals are as follows:

1. OPTION 1: Increase the goose daily bag limit to 8 geese per day in the Northeastern, Southern San Joaquin Valley, Southern California, and Balance of State zones.
-AND/OR-
OPTION 2: Increase the white goose daily bag limit to 6 per day in the Northeastern, Southern San Joaquin Valley, Southern California, and Balance of State zones which results in an increase in the overall goose daily bag limit in the Southern California Zone (all other zones already have a total bag limit of 6 geese per day).
The U.S. Fish and Wildlife Service approved both options.
2. Increase the brant daily bag limit to 4 per day in the Northern Brant and Balance of State Brant special management areas.
The U.S. Fish and Wildlife Service did not approve this change.
3. Reinstate the Imperial County Special Management Area, and provide for white goose hunting on private lands only during a late season.
The U.S. Fish and Wildlife Service approved this change including a 107 day season length.
4. Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days for all hunting methods. A range of daily bag limits is also given for ducks in all zones and geese in the Northeastern California, Southern San Joaquin Valley, Southern California, and Balance of State zones. Also, federal regulations require that California’s hunting regulations conform to those of Arizona in the Colorado River Zone. See the following table for season and bag limit ranges

The following table has been amended from the version in the Initial Statement of Reasons to reflect the Department's regulation recommendations consistent with the Federal frameworks as established July 31, 2008. Federal frameworks allow general duck seasons to be as long as 107 days in the Pacific Flyway with a 7-bird daily duck bag limit (including mallards); that the pintail season could be as long as the general duck season with a 1-bird bag limit, the canvasback season is closed; and that other proposals from California (see above) were accepted.

Four changes from the Initial Statement are incorporated herein relative to season length and bag limits:

Two of these changes are outside the range of season dates or season length originally specified: 1) the season opening date in the Imperial County Special Management Area is recommended to begin on the first Saturday in November rather than the second Saturday; and 2) the regular season length in the Imperial County Special Management Area is recommended to be 86 days rather than 78 days. The third change is recommending both options 1 and 2 for an increase in the goose daily bag limit and an increase in the white goose daily bag limit rather than choosing one option only. The fourth change is to match Arizona regulations in the Colorado River Zone as required by Federal regulations.

The Commission adopted the following specific regulations at the August 8, 2008 meeting.

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
Statewide	Coots & Moorhens	Concurrent w/duck season	25/day. 25 in possession
Northeastern Zone	Ducks	Oct 11-Jan 23	7/day, no more than 7 mallards, no more than 1 hen mallard, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Oct 11 – Jan 4	
	Geese	Oct 11 – Jan 18	8/ day, up to 6 white geese, up to 4 white-fronts, up to 2 Large Canada geese, only 1 Small Canada goose. Possession limit double the daily bag.
Southern San Joaquin Valley Zone	Ducks	Oct 4 – Oct 26 & Nov 8 – Jan 25	7/day, no more than 7 mallards, no more than 1 hen mallard, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Nov 8 – Jan 25	
	Geese	Oct 18 – Jan 25	8/ day, up to 6 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 6 Small Canada geese. Possession limit double the daily bag.
Colorado River Zone	Ducks	Oct 17- Jan 25	7/day, no more than 7 mallards, no more than 2 hen mallards or Mexican-like ducks, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Nov 1 – Jan 25	
	Geese	Oct 17 – Jan 25	6/ day, up to 6 white geese, up to 3 dark geese. Possession limit double the daily bag.
Southern California Zone	Ducks	Oct 18 –Jan 25	7/day, no more than 7 mallards, no more than 1 hen mallard, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Nov 1 – Jan 25	
	Geese	Oct 18 – Jan 25	8/day, up to 6 white geese, up to 3 dark geese. Possession limit double the daily bag.
Balance of State Zone	Ducks	Oct 18 – Jan 25	7/day, no more than 7 mallards, no more than 1 hen mallard, 1 pintail, 2 redheads, 2 scaup. Possession limit double the daily bag.
	Canvasback	CLOSED	
	Scaup	Nov 1 – Jan 25	
	Geese	Oct 18 – Jan 25	8/ day, up to 6 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 6 Small Canada geese. Possession limit double the daily bag.
SPECIAL AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
North Coast	All Canada Geese	Oct 31 – Jan 25 & Feb 21 – Mar 10, except for Large Canada geese which is closed during the late season.	6/day, only 1 may be a Large Canada goose. Possession limit double the daily bag.
Humboldt Bay South Spit	All species	Closed during brant season	
Sacramento Valley (West)	White-fronted geese	Oct 25 - Dec 14	2/day. Possession limit double the daily bag.
Morro Bay	All species	Open in designated areas only	
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	Nov 1 – Nov 30	2/day. Possession limit double the daily bag.
Balance of State Brant	Black Brant	Nov 8 – Dec 7	2/day. Possession limit double the daily bag.
Imperial County	White Geese	Nov 1 – Jan 25 & Feb 14 – Mar 1	6/day. Possession limit double the daily bag.
YOUTH HUNTING DAYS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Southern California Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Colorado River Zone		The Saturday following the closing for waterfowl season extending for 2 days.	
Balance of State Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
FALCONRY OF DUCKS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	Oct 11 – Jan 23	3/ day, possession limit 6
Balance of State Zone		Oct 18- Feb 13	
Southern San Joaquin Valley Zone		Oct 4 – Oct 26 & Nov 8 – Jan 28	
Southern California Zone		Oct 18 – Feb 1	
Colorado River Zone		Oct 17 – Jan 29	

