

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

Amend Section 361
Title 14, California Code of Regulations (CCR)
Re: Archery Deer Hunting

- I. Date of Initial Statement of Reasons: December 15, 2008
- II. Date of Pre-adoption Statement of Reasons: March 20, 2009
- III. Date of Final Statement of Reasons: April 22, 2009
- IV. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: February 5, 2009
 Location: Sacramento
 - (b) Discussion Hearing: Date: March 4, 2009
 Location: Woodland
 - (c) Discussion Hearing: Date: April 9, 2009
 Location: Lodi
 - (d) Adoption Hearing: Date: April 21, 2009 (Teleconference)
 Location: Sacramento

V. Update:

No modifications were made to the originally proposed language of the Initial Statement of Reasons.

Pursuant to its April 21, 2009 meeting in Sacramento, the Fish and Game Commission adopted the regulation changes as proposed.

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

No (other) public comments, written or oral, were received during the public comment period.

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, CA 95814

VIII. Location of Department files:

Department of Fish and Game
1812 Ninth Street
Sacramento, CA 95811

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Number of Tags

There is no reasonable alternative to the proposed action.

2. Modify Season Dates for Hunt A-33

Modify season to include all weekdays. This proposal was considered and rejected because it would not accommodate for military operations which primarily occur on weekdays, resulting in daily hunt cancellations, hunter dissatisfaction and the unnecessary restricting of hunter opportunity.

(b) No Change Alternative:

1. Number of Tags

The no-change alternative was considered and found inadequate to attain the project objectives. Retaining the current number of tags for the hunts listed may not be responsive to changes in the status of the herds. The deer herd management plans specify objective levels for the proportion of bucks in the herds. These ratios are maintained and managed in part by modifying the number of tags. The no-change alternative would not allow management of the desired proportion of bucks stated in the approved deer herd management plans.

2. Modify Season Dates for Hunt A-33

The no change alternative was considered and found inadequate to attain the project objectives. Retaining the current season length and timing would be unresponsive to Base operations and scheduled activities.

- (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 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. The proposed action modifies one (1) season to accommodate military base operations and adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on Private Persons:

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

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

None.

- (e) Other Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

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

None.

- (h) Effect on Housing Costs:

None.

**UPDATED INFORMATIVE DIGEST
(Policy Statement Overview)**

Existing regulations provide for the number of hunting tags for existing area-specific archery hunts. The proposal changes the number of tags for existing hunts to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

Existing regulations for Archery Hunt A-33 (Fort Hunter Liggett Late Season Archery Either-Sex Deer Hunt) provide for hunting on Saturdays, Sundays and holidays only beginning the first Saturday in October and continuing through November 9, except if rescheduled by the Base Commander between the season opener and December 31 with Department concurrence. The proposal would modify the season to account for the annual calendar shift by changing the season closing date to November 8.

Pursuant to its April 21, 2009 meeting in Sacramento, the Fish and Game Commission adopted the above referenced season change and tag quotas as follows:

Archery Deer Hunting: § 361 2009 Tag Allocations (Modified Proposal)			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
A-1 (C Zone Archery Only Tag)	2,045	150-3,000	1,945
A-3 (Zone X-1 Archery)	255	50-1,000	270
A-4 (Zone X-2 Archery)	15	5-100	10
A-5 (Zone X-3a Archery)	35	10-300	25
A-6 (Zone X-3b Archery)	95	25-400	80
A-7 (Zone X-4 Archery)	135	25-400	140
A-8 (Zone X-5a Archery)	25	15-100	20
A-9 (Zone X-5b Archery)	10	5-100	5
A-11 (Zone X-6a Archery)	55	10-200	55
A-12 (Zone X-6b Archery)	140	10-300	140
A-13 (Zone X-7a Archery)	60	10-200	50
A-14 (Zone X-7b Archery)	20	5-100	25
A-15 (Zone X-8 Archery)	55	5-100	40

Archery Deer Hunting: § 361			
2009 Tag Allocations (Modified Proposal)			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
A-16 (Zone X-9a Archery)	150	50-500	140
A-17 (Zone X-9b Archery)	300	50-500	300
A-18 (Zone X-9c Archery)	350	50-500	350
A-19 (Zone X-10 Archery)	120	25-200	120
A-20 (Zone X-12 Archery)	200	50-500	170
A-21 (Anderson Flat Archery Buck Hunt)	25	25-100	25
A-22 (San Diego Archery Either-Sex Deer Hunt)	1,000	200-1,500	1,000
A-24 (Monterey Archery Either-Sex Deer Hunt)	100	25-200	100
A-25 (Lake Sonoma Archery Either-Sex Deer Hunt)	35	20-75	35
A-26 (Bass Hill Archery Buck Hunt)	30	10-100	30
A-27 (Devil's Garden Archery Buck Hunt)	10	5-75	10
A-30 (Covelo Archery Buck Hunt)	40	20-100	40
A-31 (Los Angeles Archery Either-Sex Deer Hunt)	1,000	200-1,500	1,000
A-32 (Ventura/Los Angeles Archery Late Season Either-Sex Deer Hunt)	250	50-300	250
A-33 (Fort Hunter Liggett Late Season Archery Either-Sex Deer Hunt)	25 Military* and 25 Public	25 Military* and 25 Public	25 Military* and 25 Public

* *Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.*