

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

Amend Section 311
Title 14, California Code of Regulations (CCR)
Re: Upland Game Birds

- I. Date of Initial Statement of Reasons: April 4, 2011
- II. Date of Pre-adoption Statement of Reasons: July 8, 2011
- III. Date of Final Statement of Reasons: August 10, 2011
- IV. Dates and Locations of Scheduled Hearings:
- (a) Notice Hearing: Date: May 5, 2011
Location: Ontario
 - (b) Discussion Hearings: Date: June 30, 2011
Location: Stockton
 - (c) Adoption Hearing: Date: August 3, 2011
Location: Sacramento

V. Update:

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

On August 3, the Commission adopted the regulations as proposed by the Department.

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

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

VII. Location and Index of Rulemaking File:

A rulemaking file with attached 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
1416 Ninth Street
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change: No alternatives were identified.
- (b) No Change Alternative: Without a regulation change, a minimum of 0.20 caliber will remain required for taking wild turkeys with air rifles, thereby preventing the use of the most popular 0.177 caliber class of air rifles.
- (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 change is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation change.

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 regarding 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 Department does not believe that the proposed action will 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:

The Department does not believe that the proposed action will have a significant adverse economic impact directly affecting 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.

- (c) Cost Impacts on a Representative Private Person or Business:

The Department does not believe that the proposed action will have a significant adverse affect on costs for private persons or businesses.

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

None

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

None

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

None

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

None

- (h) Effect on Housing Costs:

None

**Updated Informative Digest
(Policy Statement Overview)**

Current regulations provide methods authorized for taking resident small game. Air rifles are authorized for taking resident small game with a minimum of a 0.20 caliber for taking wild turkeys. This proposal would change regulations to allow a minimum of a 0.177 caliber for taking wild turkeys.

The Commission adopted the regulations as proposed by the Department at the adoption hearing.