

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

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

- I. Date of Initial Statement of Reasons: November 4, 2011
- II. Date of Final Statement of Reasons: May 6, 2011
- III. Dates and Locations of Scheduled Hearings:
  - (a) Notice Hearing: Date: December 15, 2011  
Location: San Diego
  - (b) Discussion Hearing: Date: March 17, 2012  
Location: Riverside
  - (c) Adoption Hearing: Date: April 11, 2012  
Location: Eureka
- IV. Update:

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

Based on results of surveys contained in the “Data Supplement to The California Fish and Game Commission, Regarding: Recommended 2012 Elk Tag Ranges (Updated 2011 Elk Harvest and Population Estimates)”, the Department recommended the following changes from 2011 for Elk tag quotas for 2012 as indicated in the initial proposal. Pursuant to its April 11, 2012 meeting, the Fish and Game Commission adopted the final elk quotas as follows:

Elk Hunt Name	2012 Tag Allocations
<b>General Apprentice Hunts</b>	
Marble Mountains either-sex (Apprentice Hunt)	2
Northeastern California either-sex (Apprentice Hunt)	2
Cache Creek Period 1 bull (Apprentice Hunt)	1
La Panza Period 1 antlerless (Apprentice Hunt)	1
Bishop Period 2 antlerless (Apprentice Hunt)	3
Grizzly Island Period 2 spike bull (Apprentice Hunt)	1
Fort Hunter Liggett Period 1 antlerless (Apprentice Hunt)	2
Fort Hunter Liggett Period 3 bull (Apprentice Hunt)	1
<b>General Archery Only Hunts</b>	
Northeastern California Archery Only either-sex	10
Owens Valley Multiple Zone Archery Only bull	5

Lone Pine Archery Only Period 1 bull	2
Lone Pine Archery Only Period 1 antlerless	3
Tinemaha Archery Only Period 1 bull	2
Fort Hunter Liggett Archery Only either-sex	3
Fort Hunter Liggett Archery Only antlerless	5
<b>General Muzzleloader Only Hunts</b>	
Bishop Muzzleloader Only Period 1 bull	2
Bishop Muzzleloader Only Period 1 antlerless	3
Independence Muzzleloader Only Period 1 antlerless	3
Independence Muzzleloader Only Period 1 bull	2
Fort Hunter Liggett Muzzleloader Only bull	3
<b>General Muzzleloader/Archery Only Hunts</b>	
Marble Mountains Muzzleloader/Archery Only	5
<b>General Roosevelt Elk Hunts</b>	
Siskiyou antlerless	20
Siskiyou bull	20
Big Lagoon antlerless	5
Big Lagoon bull	5
Northwestern California either-sex	20
Klamath antlerless	5
Klamath bull	5
Del Norte antlerless	10
Del Norte bull	5
Marble Mountain antlerless	10
Marble Mountains bull	35
<b>General Rocky Mountain Elk Hunts</b>	
Northeastern CA antlerless	10
Northeastern CA bull	15
<b>General Roosevelt/Tule Elk Hunts</b>	
Mendocino antlerless	2
Mendocino bull	2
<b>General Tule Elk Hunts</b>	
Cache Creek Period 1 bull	3
Cache Creek Period 2 antlerless	3
La Panza Period 1 antlerless	5
La Panza Period 1 bull	6
La Panza Period 2 antlerless	6
La Panza Period 2 bull	6
Bishop Period 3 antlerless	3
Bishop Period 3 bull	3
Bishop Period 4 antlerless	3
Bishop Period 5 antlerless	3
Independence Period 2 antlerless	3
Independence Period 2 bull	2
Independence Period 3 antlerless	3
Independence Period 4 antlerless	3
Independence Period 5 antlerless	3
Lone Pine Period 2 antlerless	3

Lone Pine Period 2 bull	2
Lone Pine Period 3 antlerless	4
Lone Pine Period 4 antlerless	4
West Tinemaha Period 1 bull	2
West Tinemaha Period 2 antlerless	3
West Tinemaha Period 2 bull	2
West Tinemaha Period 3 antlerless	3
West Tinemaha Period 4 antlerless	3
Tinemaha Mountain Period 3 bull	1
Tinemaha Mountain Period 4 bull	1
Whitney Period 2 antlerless	3
Whitney Period 2 bull	2
Whitney Period 3 antlerless	2
Whitney Period 4 antlerless	3
Whitney Period 5 antlerless	3
Grizzly Island Period 1 antlerless	2
Grizzly Island Period 2 spike bull	3
Grizzly Island Period 5 bull	2
Fort Hunter Liggett Period 1 antlerless	8
Fort Hunter Liggett Period 2 antlerless	7
Fort Hunter Liggett Period 3 bull	7
East Park Reservoir bull	2
East Park Reservoir antlerless	4
San Luis Reservoir either-sex	3
Bear Valley antlerless	1
Bear Valley bull	1
Lake Pillsbury antlerless	3
Lake Pillsbury bull	2
Santa Clara bull	1
<b>Fund Raising Tags</b>	
Multi-zone	1
Grizzly Island	1
Owens Valley	1
<b>Military Only Elk Tags</b>	
Fort Hunter Liggett Military Early Season bull	2
Fort Hunter Liggett Military Early Season antlerless	1
Fort Hunter Liggett Military Period 1 antlerless	8
Fort Hunter Liggett Military Period 2 antlerless	7
Fort Hunter Liggett Military Period 3 bull	7
Fort Hunter Liggett Military Apprentice Per. 1 antlerless	2
Fort Hunter Liggett Military Apprentice Period 3 bull	1
Fort Hunter Liggett Military Archery Only either-sex	3
Fort Hunter Liggett Military Archery Only antlerless	5
Fort Hunter Liggett Military Muzzleloader Only	3

V. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those considerations:

No responses were received.

VI. 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, California 95814

VII. Location of Department files:

Department of Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

VIII. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

1. Number of Tags

No alternatives were identified. Elk license tag quotas must be adjusted periodically in response to a variety of environmental and biological conditions.

2. Modify Season Dates: Fort Hunter Liggett tule elk.

No alternatives were identified for the modification of season dates. Access to Fort Hunter Liggett is entirely controlled by the base commander and new dates are the only option that accommodates military operations while still providing hunter opportunity.

(b) No Change Alternative:

1. Number of Tags

The no-change alternative was considered but not chosen because it would not attain project objectives of providing for hunting opportunities while maintaining elk populations and biological/environmental conditions at desired levels. Retaining current tag quotas for each zone may not be responsive to biologically-based changes in the status of various herds. Management plans specify desired sex and age ratios which are attained and maintained in part by modifying tag quotas on an annual basis. The no-change alternative would not allow adjustment of tag quotas in response to changing environmental/biological conditions.

2. Modify Season Dates: Fort Hunter Liggett tule elk.

The no-change alternative was considered for the Fort Hunter Liggett tule elk hunt but not chosen. Leaving the dates the same is not acceptable to the military base. Military use has priority over the hunting program and the new dates meet the needs of the base. The hunts would be eliminated if the dates were not allowed to change.

- (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.

IX. 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. Considering the small number of tags issued over the entire state, this proposal is 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 a Representative Private Person or Business:

None

- (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

Existing regulations specify season dates for the Fort Hunter Liggett tule elk hunts. The proposed regulations for Fort Hunter Liggett slightly modifies the season dates for the hunt in order to accommodate military operations.

Existing regulations specify elk license tag quotas for each hunt. It is necessary to adjust quotas periodically in response to dynamic environmental and biological conditions and to provide additional hunting opportunity, where warranted. The original proposal provided a series of tag ranges for the Commission to select and adopt.

The original proposal changed the number of license tags for the hunts to a series of ranges. The proposal is further modified to provide the final tag quota's based on updated harvest and population analysis contained in the "Data Supplement To The California Fish and Game Commission, Regarding: Recommended 2012 Elk Tag Allocations (Updated 2011 Elk Harvest and Population Estimates)". The number of tags proposed is intended to provide an appropriate level of elk hunting opportunity and harvest while achieving or maintaining management and population objectives. These final values for the license tag numbers are based upon findings from annual harvest and population surveys.

No other modifications to the original proposal were made. Pursuant to its April 11, 2012 meeting, the Fish and Game Commission adopted the above referenced changes and final tag quotas as proposed.

### 2012 Final Elk Tag Allocation

Elk Hunt Name	2012 Tag Allocations
<b>General Apprentice Hunts</b>	
Marble Mountains either-sex (Apprentice Hunt)	2
Northeastern California either-sex (Apprentice Hunt)	2
Cache Creek Period 1 bull (Apprentice Hunt)	1
La Panza Period 1 antlerless (Apprentice Hunt)	1
Bishop Period 2 antlerless (Apprentice Hunt)	3
Grizzly Island Period 2 spike bull (Apprentice Hunt)	1
Fort Hunter Liggett Period 1 antlerless (Apprentice Hunt)	2
Fort Hunter Liggett Period 3 bull (Apprentice Hunt)	1
<b>General Archery Only Hunts</b>	
Northeastern California Archery Only either-sex	10
Owens Valley Multiple Zone Archery Only bull	5
Lone Pine Archery Only Period 1 bull	2
Lone Pine Archery Only Period 1 antlerless	3
Tinemaha Archery Only Period 1 bull	2
Fort Hunter Liggett Archery Only either-sex	3
Fort Hunter Liggett Archery Only antlerless	5
<b>General Muzzleloader Only Hunts</b>	

Bishop Muzzleloader Only Period 1 bull	2
Bishop Muzzleloader Only Period 1 antlerless	3
Independence Muzzleloader Only Period 1 antlerless	3
Independence Muzzleloader Only Period 1 bull	2
Fort Hunter Liggett Muzzleloader Only bull	3
<b>General Muzzleloader/Archery Only Hunts</b>	
Marble Mountains Muzzleloader/Archery Only	5
<b>General Roosevelt Elk Hunts</b>	
Siskiyou antlerless	20
Siskiyou bull	20
Big Lagoon antlerless	5
Big Lagoon bull	5
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Klamath bull	5
Del Norte antlerless	10
Del Norte bull	5
Marble Mountain antlerless	10
Marble Mountains bull	35
<b>General Rocky Mountain Elk Hunts</b>	
Northeastern CA antlerless	10
Northeastern CA bull	15
<b>General Roosevelt/Tule Elk Hunts</b>	
Mendocino antlerless	2
Mendocino bull	2
<b>General Tule Elk Hunts</b>	
Cache Creek Period 1 bull	3
Cache Creek Period 2 antlerless	3
La Panza Period 1 antlerless	5
La Panza Period 1 bull	6
La Panza Period 2 antlerless	6
La Panza Period 2 bull	6
Bishop Period 3 antlerless	3
Bishop Period 3 bull	3
Bishop Period 4 antlerless	3
Bishop Period 5 antlerless	3
Independence Period 2 antlerless	3
Independence Period 2 bull	2
Independence Period 3 antlerless	3
Independence Period 4 antlerless	3
Independence Period 5 antlerless	3
Lone Pine Period 2 antlerless	3
Lone Pine Period 2 bull	2
Lone Pine Period 3 antlerless	4
Lone Pine Period 4 antlerless	4
West Tinemaha Period 1 bull	2
West Tinemaha Period 2 antlerless	3
West Tinemaha Period 2 bull	2

West Tinemaha Period 3 antlerless	3
West Tinemaha Period 4 antlerless	3
Tinemaha Mountain Period 3 bull	1
Tinemaha Mountain Period 4 bull	1
Whitney Period 2 antlerless	3
Whitney Period 2 bull	2
Whitney Period 3 antlerless	2
Whitney Period 4 antlerless	3
Whitney Period 5 antlerless	3
Grizzly Island Period 1 antlerless	2
Grizzly Island Period 2 spike bull	3
Grizzly Island Period 5 bull	2
Fort Hunter Liggett Period 1 antlerless	8
Fort Hunter Liggett Period 2 antlerless	7
Fort Hunter Liggett Period 3 bull	7
East Park Reservoir bull	2
East Park Reservoir antlerless	4
San Luis Reservoir either-sex	3
Bear Valley antlerless	1
Bear Valley bull	1
Lake Pillsbury antlerless	3
Lake Pillsbury bull	2
Santa Clara bull	1
<b>Fund Raising Tags</b>	
Multi-zone	1
Grizzly Island	1
Owens Valley	1
<b>Military Only Elk Tags</b>	
Fort Hunter Liggett Military Early Season bull	2
Fort Hunter Liggett Military Early Season antlerless	1
Fort Hunter Liggett Military Period 1 antlerless	8
Fort Hunter Liggett Military Period 2 antlerless	7
Fort Hunter Liggett Military Period 3 bull	7
Fort Hunter Liggett Military Apprentice Per. 1 antlerless	2
Fort Hunter Liggett Military Apprentice Period 3 bull	1
Fort Hunter Liggett Military Archery Only either-sex	3
Fort Hunter Liggett Military Archery Only antlerless	5
Fort Hunter Liggett Military Muzzleloader Only	3