

**Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE**

**Responses to Public Comments for Changes in the 2014-2015 Deer Hunting
Regulations Received by the Fish and Game Commission Between
December 11, 2013 and April 16, 2014**

Subsection 360(a). Deer: A, B, C, and D Zones

Description of Proposed Action by Public: Recommends splitting the A Zone, (North) - Unit 160 into 3 distinct zones, with seasons occurring later in the northern areas.

Proposal Source: Marco Pellegrini (email dated 12-23-2013; Comment D-1)

Recommendation: Reject

Analysis: Deer zones were established to better manage a single deer herd, or a group of deer herds having similar management and habitat requirements and characteristics. Where appropriate, the Department has made attempts to combine zone hunting opportunity (i.e. A zone, B and C zones, and zones D3-5) and provide additional flexibility and opportunity for hunters without having negative effects on deer herd performance. When creating zones, the Department created boundaries which best reflected a herd's or group of herds' distribution, yet utilized easily identifiable and recognizable geographical features. In some instances, such as the North A Zone-Unit 160, herd boundaries do not necessarily match zone boundaries.

Deer hunting seasons are established to best reflect a combination of herd performance, breeding cycles, harvest, terrain, weather patterns, and hunter demand, relative to individual deer herd management plan objectives. Opening deer seasons later in the year could result in increased harvest which may require significant reductions in season lengths and tag quota. Hunting as currently proposed in the A Zone North-Unit 160 is not expected to have a negative effect on the deer population.

While there may be some merit to these two related proposals as addressed in the herd plans, the Department does not currently have the resources available to conduct extensive surveys and data collection necessary to analyze the proposed changes. Therefore the Department rejects the proposals based on the lack of supporting data, and the decrease in a hunter's flexibility and opportunity that would result from additional, more restrictive regulation of this area.

**Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE**

**Responses to Public Comments for Changes in the 2014-2015 Deer Hunting
Regulations Received by the Fish and Game Commission Between
December 11, 2013 and April 16, 2014**

**Subsection 360(a). Deer: A, B, C, and D Zones
Section 361. Archery Deer Hunting
And
708.1. Big Game Deer License Tags Procedures and Requirements**

Description of Proposed Action by Public: Recommends the following regulation changes regarding Zone B-2:

- 1) Re-establish B-2 as a separately managed hunting zone.
- 2) Eliminate the two deer tag allotment and establish a one deer tag allocation for B-2.
- 3) Establish a tag quota for B-2 based on recent biological deer herd data.
- 4) Reduce the length of the B-2 deer season by one week, starting the season on the last Saturday in September and closing on the last Sunday in October (30 days).
- 5) Implement an archery only deer tag.

Proposal Source: Peter J. Finnie, Chairman, Trinity County Fish and Game Advisory Commission (letter dated 1-15-2014; Comment D-2)

Recommendation: Reject proposals 1, 2, 4, and 5; Accept proposal 3.

Analysis: The Department recognizes that deer populations in California have declined substantially over the past 40-60 years, however it has been demonstrated that deer population declines are due to a multitude of environmental factors not related to hunting, especially in a bucks-only harvest regime as exists throughout most of California, including the B zones. Deer zones were established to better manage a single deer herd, or a group of deer herds having similar management and habitat requirements and characteristics. Where appropriate, the Department has made attempts to combine zone hunting opportunities (i.e. A zone, B and C zones, zones D3-5, D-11/D-13/D-15 and Area-specific Archery Hunt A-1) in response to a demand for additional flexibility and opportunity for hunters without having negative effects on deer populations. In the case of the B zones, when zones B-1, B-2, B-3, B-4, D-1 (now B-6) and D-18 (now B-5) were combined into "Big Green" in 1992, the intent was to provide additional opportunity by increasing a hunter's flexibility to choose their hunting area(s).

While there may be some validity to facts presented by the Trinity County Fish and Game Advisory Commission (TFGC), their proposals are aimed at further restrictive hunting regulations in an attempt to compensate for environmental factors which have negatively affected deer populations. Additionally, some information presented by the TFGC is incorrect and can be misleading. Most notably, they report that 40,003 deer

Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE

Responses to Public Comments for Changes in the 2014-2015 Deer Hunting Regulations Received by the Fish and Game Commission Between December 11, 2013 and April 16, 2014

tags were issued in 1990 for all B zones and that the difference between the 55,338 tags issued in 1992 (first year of "Big Green") represented a 38% increase which was not supported by any "scientific biological analysis". In fact they did not include the number of tags issued in zones D-1 and D-18, which became zones B-6 and B-5, respectively in 1992. When adding zone D-1 and D-18 tags issued with zones B-1 through B-4, the total was 50,403 tags issued, and actually represented a net increase of only 9.8%, not 38%. They also failed to mention the total of tag quotas for the individual zones (B-1, B-2, B-3, B-4, D-1 and D-18) decreased from 71,900 (1987-1991 annual quotas) to 55,500 in 1992, and the total tags issued had fallen below 1990 levels by -5.2% (47,780 tags issued) in 1995 where it continued to decline to current levels of 35,000.

The Department's specific response to each regulation change proposal is as follows:

Proposal 1): **Re-establish B-2 as a separately managed hunting zone.** Deer hunting zones are established based on similarities in terrain, vegetation, weather patterns, and deer behavior. The B Zone complex was created in 1992 based on these factors and on past hunter distribution and deer herd performance in order to expand hunter opportunity in the area. Therefore, the proposal is rejected because it conflicts with the current management objectives for the area.

Proposal 2): **Eliminate the two deer tag allotment and establish a one deer tag allocation for B-2.** The current tag classification system of un-restricted, restricted, and premium tags (ref Section 708.1, Title 14, CCR) controls the issuance and distribution of tags to second deer tag applications based upon a quota fill date in the prior year. Therefore, the proposal is rejected because it conflicts with the current tag allocation procedures for first and second deer tag distribution.

Proposal 3): **Establish a tag quota for B-2 based on recent biological deer herd data.** Deer hunting zones are established based on similarities in terrain, vegetation, weather patterns, and deer behavior. The B Zone complex was created in 1992 based on these factors and on past hunter distribution and deer herd performance in order to expand hunter opportunity in the area. The current tag quota for the B zone complex was proposed based on 2013/14 herd composition and hunter harvest data, resulting in a tag quota which meets the objective of providing maximum hunter opportunity with no measurable impacts to the overall deer population in that complex of zones. Therefore, the proposal is accepted because it is consistent with the Department's recommendation.

Proposal 4): **Reduce the length of the B-2 deer season by one week, starting the season on the last Saturday in September and closing on the last Sunday in**

Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE

Responses to Public Comments for Changes in the 2014-2015 Deer Hunting Regulations Received by the Fish and Game Commission Between December 11, 2013 and April 16, 2014

October (30 days). Deer hunting seasons are established based on a combination of herd performance, harvest, terrain, weather patterns, breeding cycles and hunter demand, relative to individual deer herd management plan objectives. Hunting as proposed is not expected to have a negative effect on the deer population. As proposed by the TFGC (season begin last Saturday in September, end last Sunday in October, and 30 day season), there would be certain years where beginning the season on the last Saturday in September (September 24 or 25) would result in a 37 day season if ended on the last Sunday (30th and 31st) in October. Further, beginning the season in B-2 on the last Saturday in September would put the opener in conflict with opener for zones B-1, B-3, B-5 and B-6, potentially resulting in increased harvest due to hunters taking advantage of multiple opening season dates. Therefore, the proposal is rejected because it is flawed in its application, could result in additional harvest, and is inconsistent with objectives outlined in individual deer herd management plans.

Proposal 5): **Implement an archery only deer tag.** Current regulations allow archery hunting in the B zones during the archery season with either: 1) a B Zone tag, or 2) an Archery Only tag. The proposal would essentially create an area-specific archery tag similar to the C or X zones. An analysis of archery deer harvest in the B Zones from 2005-2009 showed the overall B zone archery harvest at 9.1% of the total B zone complex. Similar analysis of archery harvest were conducted for the A (5.3%), C (12.1%), D (10.2%), and X (8.6%) zones, while the overall statewide archery harvest was 8.7%. Given these similar archery harvest rates, the Department does not support the change to an area-specific archery tag. Therefore, the proposal is rejected based on the archery harvest being similar to other zone complexes and the unnecessary restriction of hunting opportunity.

While the Department currently rejects these regulation change proposals, it is currently working on a new statewide deer management plan which will replace the 1976 "A Plan For California Deer" and individual deer herd plans. In addition, the Department is initiating a survey of the hunting public which is aimed at investigating the attitudes of California deer hunters. In combination, these will be used by the Department and its constituents to help drive deer management and deer hunting strategies in the future.

**Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE**

**Responses to Public Comments for Changes in the 2014-2015 Deer Hunting
Regulations Received by the Fish and Game Commission Between
December 11, 2013 and April 16, 2014**

**Section 360(a). Deer: A, B, C, and D Zones
And
Section 361. Archery Deer Hunting**

Description of Proposed Action by Public: Recommends the following regulation changes:

- 1) Establish a three point bag limit restriction on B Zone tags.
- 2) Leave archery season length unchanged and do not shorten.
- 3) Do not implement a separate archery only tag (area-specific type tag) and season.

Proposal Source: Bob Cunningham (email dated 3-17-2014; Comment D-3)

Recommendation: Reject proposal 1; and Accept proposals 2 and 3.

Analysis:

Proposal 1): The current bag and possession limit for all of the B zones is one buck, forked horn or better per tag. In the Department's experience as well as several other western states, three point or better restrictions have resulted in the additional illegal harvest and wanton waste of forked horn or better bucks. In 1990 the Department went to forked horn or better buck restrictions in the northern X zones to specifically alleviate the wanton waste problems associated with the illegal killing of forked-horn bucks and to reduce hunting pressure on older age class bucks. The result of the change was that fewer forked horn bucks were killed by mistake and left in the field during the season and more large antlered bucks remained in the herd post season. The recommendation would cause an unnecessary waste of illegally killed forked horned bucks. Therefore, the Department rejects the recommendation to implement a three point or better restriction because it is inconsistent with sound management practices.

Proposals 2 & 3): These recommendations are consistent with the Department's recommendations, therefore the proposals are accepted.

**Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE**

**Responses to Public Comments for Changes in the 2014-2015 Deer Hunting
Regulations Received by the Fish and Game Commission Between
December 11, 2013 and April 16, 2014**

**Subsection 360(c). Deer: Additional Hunts
And
Section 361. Archery Deer Hunting**

Description of Proposed Action by Public: Recommends the following regulation changes:

- 1) Modify season dates for Additional Hunts G-8 (Fort Hunter Liggett Antlerless Hunt) and J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt) to begin one week later.
- 2) Maintain current tag quotas (2013) and percent splits between military and public issued tags for Additional Hunts G-8 and J-11.
- 3) Maintain current tag quotas (2013) and percent splits between military and public issued tags, and season dates for Area-Specific Archery Hunt A-33 (Fort Hunter Liggett Late Season Either-Sex Archery Hunt).
- 4) Delete requirement for mandatory hunter orientation for Additional Hunts G-8, J-10 and Area-Specific Archery Hunt A-33.

Proposal Source: Donna R. Williams, Colonel, US Army, Commanding, Fort Hunter Liggett (letter postmarked January 3, 2014; Comment D-4)

Recommendation: Reject proposal 1; Accept proposals 2 and 3; and Accept with modification proposal 4.

Analysis:

Proposal 1): Current seasons for Additional Hunts G-8 and J-10 are open on Saturdays, Sundays and the Columbus Day holiday beginning on the first Saturday in October. Depending on the calendar year Columbus Day may occur during the first or second week of October. Annually the Department makes modifications to the season regulations for G-8 and J-10 to account for these annual calendar shifts; however the final proposal received from the base proposed to shift the season such that in some years the Columbus Day holiday would not occur during the season. Due to the scope of the change and the late date at which it was received (after the Department submitted the original Initial Statement of Reasons to develop these regulations) the Department rejects the proposal. However, the proposal will be maintained and used in the future to update the Fort Hunter Liggett Fish and Wildlife Management Plan (Section 640, CCR, T14) upon which these regulation proposals are based.

Proposals 2 & 3): These recommendations are consistent with the Department's recommendations, therefore the proposals are accepted.

Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE

**Responses to Public Comments for Changes in the 2014-2015 Deer Hunting
Regulations Received by the Fish and Game Commission Between
December 11, 2013 and April 16, 2014**

Proposal 4): Current regulations for Hunts G-8 and A-33 do not require a hunter orientation; therefore the proposal is consistent with current regulation and accepted. In the case of Hunt J-10, the proposal was not incorporated into the Department's recommendation, due to the lateness of the proposal. Therefore the proposal to eliminate the hunter orientation for Hunt J-10 is rejected for the 2014-15 mammal regulation cycle; however it will be reconsidered and noticed in the 2015-16 regulatory cycle.

**Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE**

**Responses to Public Comments for Changes in the 2014-2015 Deer Hunting
Regulations Received by the Fish and Game Commission Between
December 11, 2013 and April 16, 2014**

Subsection 360(c) - Deer: Additional Hunts

Description of Proposed Action by Public: Recommends the following regulation changes:

- 1) Reduce the tag quota from 500 to 250 for Additional Hunt G-11 (Vandenberg Either-Sex Deer Hunt).
- 2) Modifying the season dates for Hunt G-11.

Proposal Source: Brian VanDelist, Rangeland Management Specialist, Vandenberg AFB (e-mail dated December 24, 2013; Comment D-5)

Recommendation: Accept proposal 1; Reject proposal 2.

Analysis:

Proposal 1): Based on declining herd conditions associated with the current drought, the proposal to decrease the tag quota from 500 to 250 for Hunt G-11 was accepted and became part of the Department's recommended tag quota.

Proposal 2): Current regulations for Hunt G-11 establish a season which begins on the last Monday in August and continues through December 31. As proposed by the Base, the season would begin on the same date; however it would end in early October. The early ending date is in conflict with the season description in the current environmental document regarding deer hunting (2007), and due to the scope of the change and the late date at which it was received (after the Department submitted the original Initial Statement of Reasons to develop these regulations) the Department rejects the proposal. However, the proposal will be maintained and used in the future to update the Vandenberg Air Force Base Fish and Wildlife Management Plan (Section 640, CCR, T14) upon which these regulation proposals are based

**Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE**

**Responses to Public Comments for Changes in the 2014-2015 Deer Hunting
Regulations Received by the Fish and Game Commission Between
December 11, 2013 and April 16, 2014**

**Section 360. Deer Hunting
And
Section 361. Archery Deer Hunt
General Recommendations**

Description of Proposed Action by Public: Recommends the following regulation changes/comments:

- 1) Requests increased public involvement in the decision making process, improved transparency, and better public information. CDFW should remove misleading population graphics on their website.
- 2) Requests for reduced hunting pressure on bucks, particularly young bucks, to achieve balanced herd demographics in terms of age and sex distributions, similar to what would be expected from a wild herd.

Proposal Source: G. Kent Webb, Professor, San Jose State, College of Business, MIS Department (email dated April 4, 2014; Comment D-6)

Recommendation: Accept with modification proposal 1; Reject proposal 2

Analysis:

Proposal 1): The Department is the state's trustee agency for wildlife. The Department provides notice of public meetings in various ways including posting this information on its website. Public comments were (and will continue to be) solicited and considered prior to the adoption of tag quotas for the upcoming hunting season. The Department is currently in the process of updating its website and will review posted information for accuracy. Therefore, the Department accepts the general recommendation to provide for public input, improve transparency, and provide better public information when possible.

Proposal 2): The Department recognizes that deer populations in California have declined substantially over the past 40-60 years, however it has been demonstrated that deer population declines are due to a multitude of environmental factors not related to hunting, especially in a bucks-only harvest regime as exists throughout most of California. The current bag limit for buck hunts within the state is one buck, forked horn or better per tag. In the Department's experience as well as several other western states, three point or better restrictions (assumed to be older age class bucks) have resulted in the additional illegal harvest and wanton waste of forked horn or better bucks (assumed to be younger age class). In 1990 the Department went to forked horn or better buck restrictions in the northern X zones to specifically alleviate the wanton waste problems associated with the illegal killing of forked-horn bucks and to reduce hunting

Attachment A
State of California
California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE

Responses to Public Comments for Changes in the 2014-2015 Deer Hunting Regulations Received by the Fish and Game Commission Between December 11, 2013 and April 16, 2014

pressure on older age class bucks. The result of the change was that fewer forked horn bucks were killed by mistake and left in the field during the season and more large antlered bucks remained in the herd post season.

Additionally, the deer herd management plans call for the harvest of antlerless deer as an important part of the overall management program. In addition, antlerless deer hunting as a management tool conforms to Section 1801 of the Fish and Game Code. However, Fish and Game Code sections 458 and 459 authorize the boards of supervisors of specified counties veto authority over the taking of antlerless and either-sex deer. The Department proposes antlerless and/or either-sex deer hunts when they are biologically and statutorily appropriate. At this time, broad-scale public support of antlerless harvest is lacking in many of the 37 counties with veto authority. Until local support for antlerless hunts is gained, or the statutes modified or eliminated, it is unlikely the Department will propose biologically significant antlerless hunts in those counties.

The Department consistently strives to optimize hunter opportunity so long as it is biologically and statutorily feasible. Hunting as proposed is not expected to have a negative effect on the deer population. A full analysis on the effects of hunting is presented in the *2007 Final Environmental Document Regarding Deer Hunting*. The Department rejects this proposal because deer hunting is in compliance with objectives contained within the individual deer herd management plans and Section 1801 of the Fish and Game Code.