

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

Amend Subsection (a) of Section 360  
Title 14, California Code of Regulations (CCR)  
Re: Deer: A, B, C, and D Zone Hunts

- I. Date of Initial Statement of Reasons: September 17, 2013
- II. Date of Final Statement of Reasons: April 17, 2014
- III. Dates and Locations of Scheduled Hearings:
  - (a) Notice Hearing:           Date:           December 11, 2013  
                                          Location:       San Diego
  - (b) Discussion Hearings:   Date:           February 5, 2014  
                                          Location:       Sacramento
  - (c) Adoption Hearing:       Date:           April 16, 2014  
                                          Location:       Ventura
- IV. Update:

Existing regulations provide for the number of license tags available in the A, B, C and D Zones. The original proposal changed the number of tags to a series of tag ranges. After collection of fall/spring herd survey data, harvest data and subsequent population analysis, the proposal is further modified to provide the final tag quotas based on these analyses.

A significant reduction in the tag quota for zone D-6 from 10,000 to 6,000 was recommended. While the reduction was within the proposed project tag range, this recommended decrease was in direct response to the implementation of the Stanislaus National Forest Rim Fire Closure Order No. 2013-15. The closure affects approximately 175,000 acres of popular deer hunting lands within the Stanislaus National Forest and remains in effect through November 18, 2014. The decreased quota is aimed at reducing hunting pressure on the remaining portion of the Stanislaus Deer Herd within zone D-6. It is anticipated that once the forest closure is lifted, the Department will recommend a return to tag quotas similar to pre-closure levels.

Pursuant to its April 16, 2014 meeting in Ventura, the Fish and Game Commission adopted the final tag quotas (modified proposal) identified in the table within the Updated Informative Digest.

- V. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Responses to Those Considerations:

The Department received three emails and one letter regarding 360(a) regulations: the first from Marco Pellegrini (email dated December 23, 2013) recommends a change in season dates and boundaries to northern A zone and southern B zones; the second from Bob Cunningham (email dated March 4, 2014) recommends a change to a 3-point antler restriction in zone B-2; the Trinity County Fish and Game Advisory Commission (letter signed by Peter J. Finnie, Chairman dated January 15, 2014) recommends changing to a specific quota for zone B-2, making zone B-2 a one-deer tag area, reducing the (general) season to 30 days, and implementing an archery only tag for zone B-2; and lastly an email dated 4/4/2014 from G. Kent Webb, Professor, San Jose State, College of Business with comments and recommendations pertaining to general deer management.

Comments received from the public regarding proposed amendments to sections 360 (a), 360 (b), 360 (c), and 361 are included in Attachment A along with the Department's responses.

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, CA 95814

VII. Location of Department files:

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

VIII. Description of Reasonable Regulatory Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Number of Tags

There is no reasonable alternative to the proposed action.

2. Minor Editorial Changes

There is no reasonable alternative to the proposed action.

(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 zones 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. Minor Editorial Changes

The “No Change Alternative” was considered and found inadequate to attain the project objectives, because inconsistencies in section and subsection references, numbering, spelling, grammar and lack of clarification would exist within the regulations, potentially leading to confusion and possible violations.

### (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 as 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. The proposed action adjusts tag quotas for existing hunts and makes minor editorial changes for consistency. 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 license tags available for the A, B, C, and D Zones. This regulatory proposal changes the number of tags for all existing zones 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 over-winter adult survival, final tag quotas may fall below the proposed range into the “Low Kill” alternative identified in the 2007 Environmental Document Regarding Deer Hunting. Additionally, minor editorial changes were necessary to provide consistency in subsection numbering, spelling, grammar, and clarification.

**The original proposal changed the number of tags to a series of tag ranges. After collection of fall/spring herd survey data, harvest data and subsequent population analysis, the proposal is further modified to provide the final tag quotas based on these analyses.**

**A significant reduction in the tag quota for zone D-6 from 10,000 to 6,000 was recommended. While the reduction was within the proposed project tag range, this recommended decrease was in direct response to the implementation of the Stanislaus National Forest Rim Fire Closure Order No. 2013-15. The closure affects approximately 175,000 acres of popular deer hunting lands within the Stanislaus National Forest and remains in effect through November 18, 2014. The decreased quota is aimed at reducing hunting pressure on the remaining portion of the Stanislaus Deer Herd within zone D-6. It is anticipated that once the forest closure is lifted, the Department will recommend a return to tag quotas similar to pre-closure levels.**

Pursuant to its April 16, 2014 meeting in Ventura, the Fish and Game Commission adopted the final tag quotas (modified proposal) identified in the following table:

<b>Deer: § 360(a) A, B, C, and D Zone Hunts Tag Allocations</b>			
<b>Zone</b>	<b>Current</b>	<b>Original Proposal</b>	<b>Modified Proposal</b>
A	65,000	30,000-65,000	65,000
B	35,000	35,000-65,000	35,000
C	8,150	5,000-15,000	8,150
D3-5	33,000	30,000-40,000	33,000
D-6	10,000	6,000-16,000	6,000
D-7	9,000	4,000-10,000	9,000
D-8	8,000	5,000-10,000	8,000
D-9	2,000	1,000-2,500	2,000
D-10	700	400-800	700

**Deer: § 360(a) A, B, C, and D Zone Hunts  
Tag Allocations**

<b>Zone</b>	<b>Current</b>	<b>Original Proposal</b>	<b>Modified Proposal</b>
D-11	5,500	2,500-6,000	5,500
D-12	950	100-1,500	950
D-13	4,000	2,000-5,000	4,000
D-14	3,000	2,000-3,500	3,000
D-15	1,500	500-2,000	1,500
D-16	3,000	1,000-3,500	3,000
D-17	500	100-800	500
D-19	1,500	500-2,000	1,500