

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

Amend Subsection (c) of Section 360
Title 14, California Code of Regulations (CCR)
Re: Deer: Additional 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 Hearing: Date: February 5, 2014
Location: Mt. Shasta
 - (c) Adoption Hearing: Date: April 16, 2014
Location: Ventura
- IV. Update:

Existing regulations provide for the season dates and number of hunting tags for the additional hunts. The original proposal changes the number of tags for all existing zones to a series of ranges as indicated in the table in the Informative Digest. 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. Minor editorial changes were necessary for consistency in subsection numbering, spelling, grammar, and clarification.

The Department received a late recommendation from Fort Hunter Liggett requesting a change to begin seasons one week later; maintain tag quotas and tag allocation splits between the military and public hunters at 2013 levels; and delete requirement for mandatory hunter orientation for Hunts G-8 and J-10. The Department was able to accept and maintain the tag quota distribution change and modify season dates based on calendar shifts, but was unable to make the proposed season date change due to the scope of the change and the late date the final base recommendation was received (after the date the original Initial Statement of Reasons was submitted for Department review and transmittal to the Fish and Game Commission). No required mandatory orientation meeting exists for Hunt G-8 so it is consistent with the Department's recommendations. A required mandatory orientation meeting is required for Hunt J-10, however the proposal was not accepted due to the lateness of the request, but will be considered for the 2015-16 regulatory cycle.

The Department received a late recommendation from Vandenberg AFB requesting a change to the season and a reduction in the tag quota. The Department was able to accept the recommended decrease in tag quota based on declining herd conditions associated with the drought, but was unable to make the proposed season date change due to the scope of the change and the late date the final base recommendation was received (after the date the original Initial Statement of Reasons was submitted for Department review and transmittal to the Fish and Game Commission).

The Department received notification from Camp Roberts personnel in late-March that while construction on the base has been completed; the Base is not in a position to conduct the G-9 deer hunt during the 2014 season. Therefore the Department has recommended maintaining the G-9 hunt in regulations with a zero (0) tag quota.

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 one letter postmarked 1/3/2014 from Colonel Donna R. Williams (Commanding Officer, Fort Hunter Liggett) with recommended season dates, tag quotas and request to delete hunter orientation for Hunts G-8 and J-10; an email dated 12/24/2013 from Brian VanDelist, Vandenberg Rangeland Management Specialist with recommended season dates and tag quotas for Hunt G-11; and 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 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 for Additional Hunt G-8

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.

3. Modify Season for Additional Hunt J-10

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 restriction of hunter opportunity.

4. 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 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 for Additional Hunt G-8

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, scheduled activities and unnecessarily restrict hunter opportunity.

3. Modify Season for Additional Hunt J-10

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, scheduled activities and unnecessarily restrict hunter opportunity.

4. 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 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, modifies season dates for two 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 hunting tags in the Additional Hunts. The proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the table below. The proposal provides a range of tag numbers for each hunt from which a final number will be determined, based on the post-winter status of each deer herd. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Due to this, the final recommended quotas may fall below the current proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Existing regulations for Additional Hunts G-8 (Fort Hunter Liggett Antlerless Deer Hunt) and J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt) provide for hunting to begin on October 5 and continue for two (2) consecutive days and reopen on October 12 and continue for three (3) consecutive days in order to accommodate for Base operations and other hunt opportunities. The proposal would modify the season to account for the annual calendar shift by changing the season opening dates to October 4 and October 11 (for 2 and 3 consecutive days) respectively, in order to accommodate for Base operations.

Minor editorial changes are necessary to provide consistency in subsection numbering, spelling, grammar, and clarification.

The Department received a late recommendation from Fort Hunter Liggett requesting a change to begin seasons one week later; maintain tag quotas and tag allocation splits between the military and public hunters at 2013 levels; and delete requirement for mandatory hunter orientation for Hunts G-8 and J-10. The Department was able to accept and maintain the tag quota distribution change, modify season dates based on calendar shifts, but was unable to make the proposed season date change due to a conflict with the current environmental document regarding deer hunting (2007). No required mandatory orientation meeting exists for Hunt G-8 so it is consistent with the Department's recommendations. A required mandatory orientation meeting is required for Hunt J-10, however the proposal was not accepted due to the lateness of the request, but will be considered for the 2015-16 regulatory cycle.

The Department received a late recommendation from Vandenberg AFB requesting a change to the season and a reduction in the tag quota. The Department was able to accept the recommended decrease in tag quota based on declining herd conditions associated with the drought, but was unable to make the season date change due to a conflict with the current environmental document regarding deer hunting (2007).

The Department received notification from Camp Roberts personnel in late-March that while construction on the base has been completed; the Base is not in a position to conduct the G-9 deer hunt during the 2014 season. Therefore the Department has recommended maintaining the G-9 hunt in regulations with a zero (0) tag quota.

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.

Pursuant to its April 16, 2014 meeting in Ventura, the Fish and Game Commission adopted originally proposed minor calendar shift changes to Hunts G-8 and J-10 and the final tag quotas (modified proposal) identified in the following table:

Deer: § 360(c) Additional Hunts Tag Allocations			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
G-1 (Late Season Buck Hunt for Zone C-4)	2,710	500-5,000	2,710
G-3 (Goodale Buck Hunt)	35	5-50	35
G-6 (Kern River Deer Herd Buck Hunt)	50	25-100	50
G-7 (Beale Either-Sex Deer Hunt)	20 Military*	20 Military*	20 Military*
G-8 (Fort Hunter Liggett Antlerless Deer Hunt)	20 Tags Total* (10 Military & 10 Public)	20 Tags Total* (10 Military & 10 Public)	20 Tags Total* (10 Military & 10 Public)
G-9 (Camp Roberts Antlerless Deer Hunt)	0	30 Tags Total* (Military* and Public splits TBD)	0
G-10 (Camp Pendleton Either-Sex Deer Hunt)	400 Military *	400 Military *	400 Military *
G-11 (Vandenberg Either-Sex Deer Hunt)	500 Military*, DOD and as Authorized by the Installation Commander**	500 Military*, DOD and as Authorized by the Installation Commander**	250 Military*, DOD and as Authorized by the Installation Commander**
G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt)	30	10-50	30
G-13 (San Diego Antlerless Deer Hunt)	300	50-300	300
G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt)	25	10-50	25
G-21 (Ventana Wilderness Buck Hunt)	25	25-100	25

Deer: § 360(c) Additional Hunts Tag Allocations			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
G-37 (Anderson Flat Buck Hunt)	25	25-50	25
G-38 (X-10 Late Season Buck Hunt)	300	50-300	300
G-39 (Round Valley Late Season Buck Hunt)	5	5-150	5
M-3 (Doyle Muzzleloading Rifle Buck Hunt)	20	10-75	20
M-4 (Horse Lake Muzzleloading Rifle Buck Hunt)	10	5-50	10
M-5 (East Lassen Muzzleloading Rifle Buck Hunt)	5	5-50	5
M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt)	80	25-100	80
M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt)	150	50-150	150
M-8 (Bass Hill Muzzleloading Rifle Buck Hunt)	20	5-50	20
M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt)	15	5-100	15
M-11 (Northwestern California Muzzleloading Rifle Buck Hunt)	20	20-200	20
MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Buck Hunt)	150	20-150	150
MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt)	150	20-150	150
J-1 (Lake Sonoma Apprentice Either-Sex Deer Hunt)	25	10-25	25
J-3 (Tehama Wildlife Area Apprentice Buck Hunt)	15	15-30	15
J-4 (Shasta-Trinity Apprentice Buck Hunt)	15	15-50	15
J-7 (Carson River Apprentice Either-Sex Deer Hunt)	15	10-50	15
J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt)	15	10-20	15
J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt)	5	5-10	5

Deer: § 360(c) Additional Hunts Tag Allocations			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt)	85 Tags Total* (20 Military & 65 Public)	85 Tags Total* (20 Military & 65 Public)	85 Tags Total* (20 Military & 65 Public)
J-11 (San Bernardino Apprentice Either-Sex Deer Hunt)	40	10-50	40
J-12 (Round Valley Apprentice Buck Hunt)	10	10-20	10
J-13 (Los Angeles Apprentice Either-Sex Deer Hunt)	40	25-100	40
J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	15-75	30
J-15 (Anderson Flat Apprentice Buck Hunt)	10	5-30	10
J-16 (Bucks Mountain/Nevada City Apprentice Either-Sex Deer Hunt)	75	10-75	75
J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	5-25	25
J-18 (Pacific/Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	10-75	75
J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	10-40	25
J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	5-20	20
J-21 (East Tehama Apprentice Either-Sex Deer Hunt)	50	20-80	50

* *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.*

** *DOD = Department of Defense and eligible personnel as authorized by the Installation Commander.*