

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

Amend Section 361
Title 14, California Code of Regulations (CCR)
Re: Archery Deer Hunting

- 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: Sacramento
 - (c) Adoption Hearing: Date: April 16, 2014
Location: Ventura
- IV. Update:

Existing regulations provide the number of hunting tags for archery 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. 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.

In the case of Hunt A-8 (Zone X5a Archery) the recommended decrease in tag quota to ten (10) tags falls below the "Proposed Project" lower range limit of fifteen (15) tags, falling into the "Low Kill" alternative. This change was necessary in order to provide hunting opportunities for deer that are consistent with herd objectives for Hunt A-8 (Zone X-5a) and is based on the Department's analysis of herd size, population trend, and hunter success.

The Department received a late recommendation from Fort Hunter Liggett requesting a minor modification to season dates based on calendar shift, maintaining the 2013 tag quota and tag allocation splits between the military and public hunters, and eliminating the mandatory hunter orientation for Hunt A-33. The Department accepted the season and tag quota proposals, since they were consistent with Department recommendations. No required mandatory orientation meeting exists for Hunt A-33, so it is consistent with existing regulations.

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 Hunt A-33; 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.

(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.

(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. 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 for existing area-specific archery hunts. The proposal changes the number of tags for existing hunts 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.

In the case of Hunt A-8 (Zone X5a Archery) the recommended decrease in tag quota to ten (10) falls below the “Proposed Project” lower range limit of fifteen (15) tags, falling into the “Low Kill” alternative. This change was necessary in order to provide hunting opportunities for deer that are consistent with herd objectives for Hunt A-8 (Zone X-5a) and is based on the Department’s analysis of herd size, population trend, and hunter success.

The Department received a late recommendation from Fort Hunter Liggett requesting a minor modification to season dates based on calendar shift, maintaining the 2013 tag quota and tag allocation splits between the military and public hunters, and eliminating the mandatory hunter orientation for Hunt A-33. The Department accepted the season and tag quota proposals, since they were consistent with Department recommendations. No required mandatory orientation meeting exists for Hunt A-33, so it is consistent with existing regulations.

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 the final tag quotas (modified proposal) identified in the following table:

Archery Deer Hunting: § 361 Tag Allocations			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
A-1 (C Zone Archery Only Tag)	1,945	150-3,000	1,945
A-3 (Zone X-1 Archery)	135	50-1,000	130
A-4 (Zone X-2 Archery)	10	5-100	10
A-5 (Zone X-3a Archery)	25	10-300	30
A-6 (Zone X-3b Archery)	90	25-400	70

Archery Deer Hunting: § 361 Tag Allocations			
Hunt Number (and Title)	Current	Original Proposal	Modified Proposal
A-7 (Zone X-4 Archery)	110	25-400	110
A-8 (Zone X-5a Archery)	15	15-100	10
A-9 (Zone X-5b Archery)	5	5-100	5
A-11 (Zone X-6a Archery)	50	10-200	50
A-12 (Zone X-6b Archery)	100	10-300	90
A-13 (Zone X-7a Archery)	45	10-200	45
A-14 (Zone X-7b Archery)	25	5-100	25
A-15 (Zone X-8 Archery)	40	5-100	40
A-16 (Zone X-9a Archery)	140	50-500	140
A-17 (Zone X-9b Archery)	300	50-500	300
A-18 (Zone X-9c Archery)	350	50-500	350
A-19 (Zone X-10 Archery)	100	25-200	100
A-20 (Zone X-12 Archery)	100	50-500	100
A-21 (Anderson Flat Archery Buck Hunt)	25	25-100	25
A-22 (San Diego Archery Either-Sex Deer Hunt)	1,000	200-1,500	1,000
A-24 (Monterey Archery Either-Sex Deer Hunt)	100	25-200	100
A-25 (Lake Sonoma Archery Either-Sex Deer Hunt)	35	20-75	35
A-26 (Bass Hill Archery Buck Hunt)	30	10-100	30
A-27 (Devil's Garden Archery Buck Hunt)	5	5-75	5
A-30 (Covelo Archery Buck Hunt)	40	20-100	40
A-31 (Los Angeles Archery Either-Sex Deer Hunt)	1,000	200-1,500	1,000
A-32 (Ventura/Los Angeles Archery Late Season Either-Sex Deer Hunt)	250	50-300	250
A-33 (Fort Hunter Liggett Late Season Archery Either-Sex Deer Hunt)	50 Tags Total* (25 Military & 25 Public)	50 Tags Total* (25 Military & 25 Public)	50 Tags Total* (25 Military & 25 Public)

- * *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.*