

2015 Proposed Elk Tag Allocation [shown in ranges]					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
a	General Roosevelt Elk Hunts				
1	Siskiyou	0-30	0-30		
2	Big Lagoon	0-10	0-10		
3	Northwestern California	0-10	0-35	0-45	
4	Klamath	0-20	0-20		
5	Del Norte	0-15	0-20		
6	Marble Mountains	0-70	0-30		
b	General Rocky Mountain Elk Hunts				
1	Northeastern California	0-30	0-10		
c	General Roosevelt/Tule Elk Hunts				
1	Mendocino	0-4	0-4		
d	General Tule Elk Hunts				
1	Cache Creek	0-4	0-4		
2	La Panza Period 1	0-12	0-10		
	La Panza Period 2	0-12	0-12		
3	Bishop Period 3	0-10	0-30		
	Bishop Period 4	0-10	0-30		
	Bishop Period 5	0-10	0-30		
4	Independence Period 2	0-10	0-30		
	Independence Period 3	0-10	0-30		
	Independence Period 4	0-10	0-30		
	Independence Period 5	0-10	0-30		
5	Lone Pine Period 2	0-10	0-30		
	Lone Pine Period 3	0-10	0-30		
	Lone Pine Period 4	0-10	0-30		
	Lone Pine Period 5	0-10	0-30		
6	Tinemaha Period 2	0-10	0-30		
	Tinemaha Period 3	0-10	0-30		
	Tinemaha Period 4	0-10	0-30		
	Tinemaha Period 5	0-10	0-30		
7	West Tinemaha Period 1	0-10	0-30		
	West Tinemaha Period 2	0-10	0-30		
	West Tinemaha Period 3	0-10	0-30		
	West Tinemaha Period 4	0-10	0-30		
	West Tinemaha Period 5	0-10	0-30		
8	Tinemaha Mountain Period 1	0-8			
	Tinemaha Mountain Period 2	0-8			
	Tinemaha Mountain Period 3	0-8			
	Tinemaha Mountain Period 4	0-8			
	Tinemaha Mountain Period 5	0-8			
9	Whitney Period 2	0-4	0-10		
	Whitney Period 3	0-4	0-10		
	Whitney Period 4	0-4	0-10		
	Whitney Period 5	0-4	0-10		
10	Grizzly Island Period 1	0-3	0-12		0-6
	Grizzly Island Period 2	0-3	0-12		0-6
	Grizzly Island Period 3	0-3	0-12		0-6
	Grizzly Island Period 4	0-2	0-12		0-6
	Grizzly Island Period 5	0-2	0-12		0-6
11	Fort Hunter Liggett Period 1		0-16		
	Fort Hunter Liggett Period 2		0-14		
	Fort Hunter Liggett Period 3	0-14			

2015 Proposed Elk Tag Allocation [shown in ranges]					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
12	East Park Reservoir	0-4	0-8		
13	San Luis Reservoir	0-10	0-10	0-10	
14	Bear Valley	0-4	0-2		
15	Lake Pillsbury	0-4	0-4		
16	Santa Clara	0-4			
17	Alameda	0-4			
e	Apprentice Hunts				
1	Marble Mountains			0-4	
2	Northeastern CA			0-4	
3	Cache Creek	0-2			
4	La Panza Period 1	0-2	0-2		
5	Bishop Period 2	0-10	0-30		
6	Grizzly Island Period 1		0-4		0-4
	Grizzly Island Period 2				0-4
7	Fort Hunter Liggett	0-2	0-8		
f	Archery Only Hunts				
1	Northeastern California Archery Only			0-20	
2	Owens Valley Multiple Zone Archery Only	0-10	0-10		
3	Lone Pine Archery Only Period 1	0-10	0-30		
4	Tinemaha Archery Only Period 1	0-10	0-30		
5	Whitney Archery Only Period 1	0-10	0-30		
6	Fort Hunter Liggett Archery Only		0-10	0-6	
g	Muzzleloader Only Hunts				
1	Bishop Muzzleloader Only Period 1	0-10	0-30		
2	Independence Muzzleloader Only Period 1	0-10	0-10		
3	Fort Hunter Liggett Muzzleloader Only	0-6			
h	Muzzleloader/Archery Only Hunts				
1	Marble Mountains Muzzleloader/Archery Only			0-10	
i	Fund Raising Tags				
1	Multi-zone	1			
2	Grizzly Island	1			
3	Owens Valley	1			
j	Military Only Elk Tags				
1	Fort Hunter Liggett Military Early Season	0-2	0-2		
	Fort Hunter Liggett Military Period 1		0-16		
	Fort Hunter Liggett Military Period 2		0-14		
	Fort Hunter Liggett Military Period 3	0-14			
2	Fort Hunter Liggett Military Apprentice	0-2	0-8		
3	Fort Hunter Liggett Military Archery Only		0-10	0-6	
4	Fort Hunter Liggett Military Muzzleloader Only	0-6			

The proposed amendments to Section 364 also:

- Modify season dates and tag distribution for the Fort Hunter Liggett hunts. Due to military use constraints, hunt dates and distribution are subject to change from year to year.
- Modify season dates and tag distribution for the Northwestern elk hunts. Modifying season dates and tag distribution allows flexibility in hunter effort which will help achieve harvest goals for this zone.

- Make minor editorial changes for consistency in subsection numbering, spelling, grammar, and clarification.

2. ADD SECTION 364.1: SHARE ELK HUNTS

The Shared Habitat Alliance for Recreational Enhancement (SHARE) program was established in the Fish and Game Code (§§1570-1574) to encourage private landowners to voluntarily make their land available to the public for wildlife-dependent recreational activities. Due to the prevalence of private land in many of the elk hunt zones, managing population numbers with regulated public hunting is becoming more challenging. The SHARE program (Section 602, T14, CCR) has potential to improve public access to private (or landlocked public) land. Under the SHARE program, participating landowners receive compensation and liability protection in exchange for allowing access to or through their land for public recreational use and enjoyment of wildlife. SHARE is funded with application fees for access permits. SHARE has helped provide additional public hunting opportunities for deer, wild pig and waterfowl.

These regulations will establish SHARE elk hunts with separate seasons and tag quotas under the provisions of the 2010 Final Environmental Document Regarding Elk Hunting. Tag issuance will be through the SHARE program utilizing the department’s existing tag distribution procedures.

Proposed tag allocations for the SHARE program are shown below:

364.1(c)		2015 SHARE Elk Tag Allocation [Proposed Ranges]			
§	Hunt Name and Type	Bull	Antlerless	Either-sex	Spike
(1)	Siskiyou	[0-30]	[0-30]		
(2)	Big Lagoon	[0-10]	[0-10]		
(3)	Northwestern California	[0-10]	[0-35]	[0-45]	
(4)	Klamath	[0-20]	[0-20]		
(5)	Del Norte	[0-15]	[0-20]		
(6)	Marble Mountains	[0-70]	[0-30]		
(7)	Northeastern California	[0-30]	[0-10]		
(8)	Mendocino	[0-4]	[0-4]		
(9)	Cache Creek	[0-4]	[0-4]		
(10)	La Panza	[0-24]	[0-24]		
(11)	Bishop	[0-50]	[0-150]		
(12)	Independence	[0-50]	[0-150]		
(13)	Lone Pine	[0-50]	[0-150]		
(14)	Tinemaha	[0-50]	[0-150]		
(15)	West Tinemaha	[0-50]	[0-150]		
(16)	Tinemaha Mountain	[0-40]	-		
(17)	Whitney	[0-26]	[0-50]		
(18)	Grizzly Island	[0-13]	[0-66]		[0-38]
(19)	Fort Hunter Liggett	[0-22]	[0-48]	[0-6]	
(20)	East Park Reservoir	[0-4]	[0-8]		
(21)	San Luis Reservoir	[0-10]	[0-10]	[0-10]	

(22)	Bear Valley	[0-4]	[0-2]		
(23)	Lake Pillsbury	[0-4]	[0-4]		
(24)	Santa Clara	[0-4]	-		
(25)	Alameda	[0-4]	-		

(b) Authority and Reference:

Section 364:

Authority: Sections 200, 202, 203, 332 and 1050, Fish and Game Code.

Reference: Sections 203, 203.1, 332, 713, and 1050, Fish and Game Code.

Section 364.1:

Authority: Sections 200, 203, 203.1, 204, 332, and 1050, Fish and Game Code. Reference: Sections 332, 1050, 1570, 1571, 1572, 1573, and 1574, Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change:

None.

(d) Identification of Reports or Documents Supporting Regulation Change:

2010 Final Environmental Document Regarding Elk Hunting

Economic Impact Assessment to Amend Sections 360, 361, 362, 363, 364 and Add Section 364.1 Re: Big Game Tag Allocations for 2015

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

The Department's regulation change concepts for the 2015-16 big game hunting seasons were presented and discussed at the Fish and Game Commission Wildlife Resources Committee meeting held in Sacramento on September 17, 2014.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

No alternatives were identified. Elk license tag quotas in Section 364 must be adjusted periodically in response to a variety of environmental and biological conditions. The SHARE Elk Hunts added in Section 364.1 are necessary to achieve the mandate of Fish and Game Code Section 1572.

(b) No Change Alternative:

The no-change alternative was considered and rejected. The no-change alternative would not attain project objectives of providing for hunting opportunities while responding to biological/environmental conditions and maintaining elk populations at desired levels. Establishing SHARE Elk Hunts is necessary to achieve the mandate of Section 1572, Fish and Game Code.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed. The number of tags which may be recommended is at or below the number of tags analyzed in the 2010 Final Environmental Document Regarding Elk hunting.

VI. Impact of Regulatory Action.

This proposed action adjusts tag quotas. Given the number of tags available, and the area over which they are distributed, this proposal is economically neutral to business.

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen 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; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission anticipates benefits to the health and welfare of California residents. Hunting provides opportunities for multi-generational family activities and promotes respect for California's environment by the future stewards of the State's resources. The Commission anticipates benefits to the State's environment in the sustainable management of natural resources.

The proposed action will not have significant impacts on jobs or business within California and does not provide benefits to worker safety.

(c) Cost Impacts on Representative Private Persons/Business.

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this 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.

INFORMATIVE DIGEST
(Policy Statement Overview)

1. AMEND SECTION 364, ELK, TITLE 14 (CCR)

Existing regulations specify elk license tag quotas for each hunt. In order to achieve elk herd management goals and objectives and to maintain hunting quality, it is periodically necessary to adjust quotas in response to dynamic environmental and biological conditions. The proposed amendments to Section 364 will establish final tag quotas within each hunt adjusting for annual fluctuations in population number; adjust season dates/tag distribution for hunts on Fort Hunter Liggett and in the Northwestern Roosevelt Hunt area; as well as make minor editorial changes.

Preliminary tag quota ranges [shown in brackets] are indicated pending final 2015 tag allocations in accordance with elk management goals and objectives based on the results of survey data collected in January – March 2015. The proposed elk tag quota ranges for 2015 are as follows:

2015 Proposed Elk Tag Allocation [shown in ranges]					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
a	General Roosevelt Elk Hunts				
1	Siskiyou	0-30	0-30		
2	Big Lagoon	0-10	0-10		
3	Northwestern California	0-10	0-35	0-45	
4	Klamath	0-20	0-20		
5	Del Norte	0-15	0-20		
6	Marble Mountains	0-70	0-30		
b	General Rocky Mountain Elk Hunts				
1	Northeastern California	0-30	0-10		
c	General Roosevelt/Tule Elk Hunts				
1	Mendocino	0-4	0-4		
d	General Tule Elk Hunts				
1	Cache Creek	0-4	0-4		
2	La Panza Period 1	0-12	0-10		
	La Panza Period 2	0-12	0-12		
3	Bishop Period 3	0-10	0-30		
	Bishop Period 4	0-10	0-30		
	Bishop Period 5	0-10	0-30		
4	Independence Period 2	0-10	0-30		
	Independence Period 3	0-10	0-30		
	Independence Period 4	0-10	0-30		
	Independence Period 5	0-10	0-30		
5	Lone Pine Period 2	0-10	0-30		
	Lone Pine Period 3	0-10	0-30		
	Lone Pine Period 4	0-10	0-30		
	Lone Pine Period 5	0-10	0-30		
6	Tinemaha Period 2	0-10	0-30		
	Tinemaha Period 3	0-10	0-30		
	Tinemaha Period 4	0-10	0-30		
	Tinemaha Period 5	0-10	0-30		
7	West Tinemaha Period 1	0-10	0-30		
	West Tinemaha Period 2	0-10	0-30		
	West Tinemaha Period 3	0-10	0-30		

2015 Proposed Elk Tag Allocation [shown in ranges]					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
	West Tinemaha Period 4	0-10	0-30		
	West Tinemaha Period 5	0-10	0-30		
8	Tinemaha Mountain Period 1	0-8			
	Tinemaha Mountain Period 2	0-8			
	Tinemaha Mountain Period 3	0-8			
	Tinemaha Mountain Period 4	0-8			
	Tinemaha Mountain Period 5	0-8			
9	Whitney Period 2	0-4	0-10		
	Whitney Period 3	0-4	0-10		
	Whitney Period 4	0-4	0-10		
	Whitney Period 5	0-4	0-10		
10	Grizzly Island Period 1	0-3	0-12		0-6
	Grizzly Island Period 2	0-3	0-12		0-6
	Grizzly Island Period 3	0-3	0-12		0-6
	Grizzly Island Period 4	0-2	0-12		0-6
	Grizzly Island Period 5	0-2	0-12		0-6
11	Fort Hunter Liggett Period 1		0-16		
	Fort Hunter Liggett Period 2		0-14		
	Fort Hunter Liggett Period 3	0-14			
12	East Park Reservoir	0-4	0-8		
13	San Luis Reservoir	0-10	0-10	0-10	
14	Bear Valley	0-4	0-2		
15	Lake Pillsbury	0-4	0-4		
16	Santa Clara	0-4			
17	Alameda	0-4			
e	Apprentice Hunts				
1	Marble Mountains			0-4	
2	Northeastern CA			0-4	
3	Cache Creek	0-2			
4	La Panza Period 1	0-2	0-2		
5	Bishop Period 2	0-10	0-30		
6	Grizzly Island Period 1		0-4		0-4
	Grizzly Island Period 2				0-4
7	Fort Hunter Liggett	0-2	0-8		
f	Archery Only Hunts				
1	Northeastern California Archery Only			0-20	
2	Owens Valley Multiple Zone Archery Only	0-10	0-10		
3	Lone Pine Archery Only Period 1	0-10	0-30		
4	Tinemaha Archery Only Period 1	0-10	0-30		
5	Whitney Archery Only Period 1	0-10	0-30		
6	Fort Hunter Liggett Archery Only		0-10	0-6	
g	Muzzleloader Only Hunts				
1	Bishop Muzzleloader Only Period 1	0-10	0-30		
2	Independence Muzzleloader Only Period 1	0-10	0-10		
3	Fort Hunter Liggett Muzzleloader Only	0-6			
h	Muzzleloader/Archery Only Hunts				
1	Marble Mountains Muzzleloader/Archery Only			0-10	
i	Fund Raising Tags				
1	Multi-zone	1			
2	Grizzly Island	1			
3	Owens Valley	1			
j	Military Only Elk Tags				
1	Fort Hunter Liggett Military Early Season	0-2	0-2		

2015 Proposed Elk Tag Allocation [shown in ranges]					
§	Section 364 Elk	Bull	Antlerless	Either-Sex	Spike
	Fort Hunter Liggett Military Period 1		0-16		
	Fort Hunter Liggett Military Period 2		0-14		
	Fort Hunter Liggett Military Period 3	0-14			
2	Fort Hunter Liggett Military Apprentice	0-2	0-8		
3	Fort Hunter Liggett Military Archery Only		0-10	0-6	
4	Fort Hunter Liggett Military Muzzleloader Only	0-6			

2. ADD SECTION 364.1, TITLE 14 (CCR), RE: SHARE ELK HUNTS

The Shared Habitat Alliance for Recreational Enhancement (SHARE) program was established in the Fish and Game Code (§§1570-1574) to encourage private landowners to voluntarily make their land available to the public for wildlife-dependent recreational activities. Due to the prevalence of private land in many of the elk zones, managing population numbers with regulated hunting is becoming more challenging. Under the SHARE program, participating landowners receive compensation and liability protection in exchange for allowing access to or through their land for public recreational use and enjoyment of wildlife. SHARE is funded with application fees for access permits. These regulations will establish SHARE elk hunts with separate seasons and tag quotas under the provisions of the 2010 Final Environmental Document Regarding Elk Hunting. Tag issuance will be through the SHARE program utilizing the programs existing tag distribution procedures.

2015 SHARE Elk Tag Allocation [Proposed Ranges]						
364.1(c)	§	Hunt Name and Type	Bull	Antlerless	Either-sex	Spike
	(1)	Siskiyou	[0-30]	[0-30]		
	(2)	Big Lagoon	[0-10]	[0-10]		
	(3)	Northwestern California	[0-10]	[0-35]	[0-45]	
	(4)	Klamath	[0-20]	[0-20]		
	(5)	Del Norte	[0-15]	[0-20]		
	(6)	Marble Mountains	[0-70]	[0-30]		
	(7)	Northeastern California	[0-30]	[0-10]		
	(8)	Mendocino	[0-4]	[0-4]		
	(9)	Cache Creek	[0-4]	[0-4]		
	(10)	La Panza	[0-24]	[0-24]		
	(11)	Bishop	[0-50]	[0-150]		
	(12)	Independence	[0-50]	[0-150]		
	(13)	Lone Pine	[0-50]	[0-150]		
	(14)	Tinemaha	[0-50]	[0-150]		
	(15)	West Tinemaha	[0-50]	[0-150]		
	(16)	Tinemaha Mountain	[0-40]	-		
	(17)	Whitney	[0-26]	[0-50]		
	(18)	Grizzly Island	[0-13]	[0-66]		[0-38]
	(19)	Fort Hunter Liggett	[0-22]	[0-48]	[0-6]	
	(20)	East Park Reservoir	[0-4]	[0-8]		
	(21)	San Luis Reservoir	[0-10]	[0-10]	[0-10]	
	(22)	Bear Valley	[0-4]	[0-2]		
	(23)	Lake Pillsbury	[0-4]	[0-4]		
	(24)	Santa Clara	[0-4]	-		
	(25)	Alameda	[0-4]	-		

Benefits of the regulations

The elk herd management plans specify objective levels for the proportion of bucks in the herds. These ratios are maintained and managed in part by annually modifying the number of tags specified in Section 364. The final values for the license tag numbers will be based upon findings from the annual harvest and herd composition counts. The addition of private lands in the SHARE program, to be implemented in new Section 364.1 within the Elk hunt areas, benefits both the landowner and the state through better herd management and cooperation.

Non-monetary benefits to the public

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

Consistency with State or Federal Regulations

The Fish and Game Commission, pursuant to Fish and Game Code Sections 200, 202, 203, 203.1, and 332 has the sole authority to regulate elk hunting in California. Commission staff has searched the California Code of Regulations and has found that the proposed changes pertaining to elk tag allocations in Section 364 and the establishment of SHARE Elk Hunts in Section 364.1 are consistent with Title 14. Therefore the Commission has determined that the proposed amendments are neither inconsistent nor incompatible with existing State regulations.