

Appendix A. Summary of Primary Considerations Raised in Support of or Opposition to the Amendments to Section 300, T14, CCR.

Commenter Name, Date, Format	Comment	Response
Responses to Comments received during the Public Notice period May 6, 2016 – August 25, 2016		
1	Center for Biological Diversity (CBD) August 3 Letter 1 Email 0005 Oral Comments made at hearing August 25 consistent with letter	<p>The Center for Biological Diversity (Center) expressed opposition to the ranges of permits provided by the Department and urged the Commission to adopt 0 permits for sage grouse hunting in all zones. The comments by the Center are addressed by the Department in 4 main categories listed below:</p> <p>A. The Center is concerned that the Department's proposal provides for a range of permits without scientific basis with limits as high as 100 permits in each Lassen Zone and 50 permits in each Mono Zone, and that the Department has not yet provided its recommendation for the 2016 season.</p> <p>B. The Center's primary concern is that hunting is an additional impact to already depleted and declining populations in all four zones.</p> <p>1A. As indicated in the Initial Statement of Reasons (ISOR), the Department establishes a range of permits while population surveys are being conducted so that current year data can be used to develop permit recommendations. The Department recognized at the discussion hearing in June that the permit range was misleading, and that the upper range was considerably higher than the number of permits that had been issued in recent years. The range in the ISOR is a simple round number that has been used for several years and the Department recognized that it does not have a well-founded scientific basis. The Department indicated that, in future years, it would develop a range based on more recent population trends. The Department's recommendation is for no change (30 permits in North Mono and 0 in the other three hunt zones) for 2016 and provided herein in advance of the adoption hearing.</p> <p>1B. The Center indicates that the Department's June 2016 presentation shows a long-term downward trend in all zones from 2012-2016. The Department's presentation at the June meeting showed fewer grouse in all 4 zones from 2012-2016 (see slide 9). These declines were expected due to the recent drought and the Rush Fire in Lassen County. A more detailed examination of this period was discussed at the June meeting, indicating that during this period the North Mono Zone has recorded the highest number of grouse in the past 50+ years and clearly is not in long-term decline (see slide 6). The two Lassen zones did decline in 2013-2014 following the Rush Fire and have recovered more than expected with population growth in both 2015 and 2016 (see slide 8). Neither Lassen zone has been hunted since 2012, following the Rush Fire, as discussed in the ISOR. The South Mono Zone has steadily declined since 2012 following drought and the Department indicated that it had not been hunted since 2014 because of concern about the downward population trajectory (see slide 6).</p>

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1	CBD	<p>C. The Center indicates that the Department has failed to adequately explain the basis for determining the number of permits proposed each year or to provide the number of birds killed each year. The Center is concerned that these population projections could be inflated.</p> <p>1C. Department Response: The Department provided the basic rules for selecting the number of proposed permits in the ISOR. These permit proposals are based on spring lek counts, conducted from March through May. The Department presented the results of the 2016 lek counts at the June discussion hearing shortly after finishing the surveys and compiling the data (see slide 9). The Department also presented the results of the previous hunt season, reviewed the number of permits issues from 2012-2015, and the number of birds killed in 2015 (see slide 10). The Department discussed the approach used to project population numbers in the fall from spring lek count data at the June meeting and made a point that a highly conservative population model, assuming no current year production, is used to derive permit proposals (see slide 9). The amount of available time at the meeting precluded a more extensive examination of the population projections which are discussed in more detail below.</p> <p>The Department uses the following parameters to estimate population size at the time of the hunting season (the second Saturday in September extending for 2 days):</p> <ul style="list-style-type: none"> a) Male population size counted in the spring is 1.1 x peak lek attendance (the most males counted) from at least three surveys of each lek statewide. In other words, the Department assumes that 90% of the males are visibly counted on each lek. b) The sex ratio for the population is 1:1. In other words, there are an equal number of females as males counted. c) The recruited population (adult birds) experiences 15% mortality between spring and fall. d) The high model assumes the population produces 1.2 chicks per female (this model is used to provide a range of population size, but is not used to derive permit numbers). e) The low model assumes the population produces 0 chicks per female (this model is used to derive permit numbers). <p>Both the low and high fall population projections are considered conservative by the Department. Conservative assumptions are made when direct measures of population parameters are not available, specifically with regard to the female population size and chick production. Sex ratios of 1:1 are used as a conservative approach, but sage grouse often have skewed sex ratios with more females than males. The low population projection, assuming no reproduction, is not a likely scenario except for the most extreme possible conditions, and the Department is using this model to avoid any potential errors in assumption of chick production. The Center comments several times incorrectly assuming that the Department is using the high range of the model with 1.2 chicks per female</p>

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1	CBD	<p>and indicates that “a truly conservative estimate would only include breeding age adults,” which is, in fact, the approach the Department is using.</p> <p>A criterion in the ISOR specifies that the number of permits proposed will not exceed 5% of the projected fall population size, which is among the most conservative scientific recommendations for allowable harvest. Additionally, the ISOR indicates that the Department will consider population trajectory in its recommendation. The Department presented at the June meeting that despite the model indicating higher numbers of permits would be allowable, no recommendations for increases have been made since 2012 in any zone, and recommendations of 0 permits have been made for both Lassen zones and the South Mono Zone in recent years because of concern about population trajectory (see slide 10).</p> <p>The Department’s conservative approach to estimating spring populations and projecting fall populations is designed to underestimate populations and there are likely more grouse on the landscape. The Department disagrees with the Center’s statement that this approach is “non-precautionary.”</p>
1	CBD	<p>D. The Center indicates that sage grouse should not be hunted in any of the four zones because of long-term population declines. Conservation efforts for the species could be undermined by the additive impact of hunting. Impacts of hunting threaten Bi-State population recovery efforts.</p>
		<p>1D. The Department presented population trends for sage grouse in all four hunt zones at the June discussion hearing and likely causes of these changes (see slides 6 and 8). These trends demonstrate changing trajectories, but do not indicate a long-term decline in all four zones. Sage grouse populations are down in all four zones since 2012, which is to be expected based on habitat conditions including extreme drought and large-scale loss of habitat from wildfire. Sage grouse hunting has been managed in recent years with permit recommendations based on conservative estimates to reduce any likelihood of additive mortality. The North Mono Zone has been at record high population size since 2011, even though it declined in 2015 and 2016. The North Mono Zone does not have any significant loss of habitat and natural springs have mitigated the effects of drought. By the most conservative population projections previously discussed, there will be between 739birds in the population at hunt time. The proposed issuance of thirty permits is extraordinarily low relative to this population size. Populations in both Lassen zones have grown in 2015 and 2016 despite habitat loss and drought, likely because of mesic conditions in high quality wetland areas and regeneration of these habitats. Despite this response and population growth, the Department is still not recommending any hunting permits to give this population continued opportunity to recover. The South Mono Zone is down 49% since 2012, likely because of a lack of upland irrigations in Long Valley during drought. With better habitat conditions, the Department expects this population to recover. In the meantime, the Department is still not recommending any permits to avoid any potential additive mortality in this population.</p> <p>The Center cites scientific literature suggesting that the impacts of hunting in the</p>

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<p>1</p> <p>CBD</p>		<p>South Mono Zone should be considered additive. Furthermore, the Center cites the U. S. Fish and Wildlife Service (USFWS) as indicating that Bi-State DPS sage grouse populations outside the two main populations are “below the theoretical minimum criteria for long-term persistence.” The Department indicated in the ISOR that science from California has suggested additive mortality in the South Mono Zone. This science came from previous decades in the South Mono Zone when more permits were issued and recognized that the ease of access and hunting in that area made it particularly vulnerable to additive mortality. The Department recognized these concerns years ago by steadily reducing sage grouse permits based on increasingly conservative assumptions and better data, resulting in fewer permits.</p> <p>The Center also provided science from populations of sage grouse located outside California where there was no support for additive mortality. The Department made the point at the June discussion hearing that sage grouse are only hunted in the four zones with the healthiest and most well-connected populations (see slide 5). The Department has recognized the vulnerability of small, peripheral populations by reducing the hunt zone area in South Mono to include only the most healthy and well-connected populations. The two hunt zones in Mono County only encompass the two main populations and do not include any of the outside populations about which the USFWS expressed concerns regarding long-term population persistence.</p> <p>The Department integrates the body of science on the effects of sage grouse hunting by implementing one of the most conservative and controlled approaches in the species’ range. The Department does not consider the issuance of 30 permits in the North Mono population as having any likelihood of additive mortality to that healthy sage grouse population where habitat remains intact and there are no significant threats. The Department is taking a highly conservative approach in recommending 0 permits for each of the remaining zones with any potential for additive mortality.</p> <p>The Center provided a letter from the Mono County Supervisors in 2015 urging the Commission to stop sage grouse hunting in Mono County in support of the USFWS recent decision not to list the DPS. The Department helped develop the local conservation plan and recognizes these concerns by managing hunting as previously described to prevent the potential of additive mortality in the population. The Department is not recommending any permits for the South Mono Zone because of these concerns and is recommending no change for the North Mono Zone (30, 1-bird permits), which is 4% of the low projected population size, assuming no production. Past harvest trends would suggest that about 2.3</p>

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2	<p>Kimberly Richard</p> <p>Letter #2</p> <p>Email 0006</p> <p>June 23</p> <p>Oral Comments made at hearing August 25 consistent with letter</p>	<p>A. Expressed her opposition to sage grouse hunting in any of the four zones, requesting a one-year moratorium, and suggesting that the Department instead use grouse for translocation to other populations. Ms. Richard urged the Commission to support habitat restoration. Ms. Richard also indicated she was prepared to file a state listing petition if the Commission did not accept her proposal of no hunting.</p>	<p>2A. The Department is planning to translocate sage grouse in Mono County to Parker Meadows, owned by the Los Angeles Department of Water and Power. Genetic data suggests this population is inbred and therefore outbreeding with additional grouse is expected to improve its viability. The Department is not planning to move grouse to any other populations at this time because these populations are limited by habitat conditions and additional grouse are not expected to produce more viable populations. The Department agrees with Ms. Richards that habitat restoration is the primary need for sage grouse recovery. The USFWS determined that listing of sage-grouse was not necessary because the conservation plan developed by California and Nevada reduced the threats to the species. A state listing of the bird is not likely to have a net positive benefit, rather it would likely drive privately owned companies and citizens away from the conservation effort.</p>

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Responses to Comments from Form Emails received during the notice period May 6, 2016, through August 25, 2016.			
3	The Commission has received 2,064 form emails, each with the same comment. August 5, 2016	A. I am writing to urge you to use your upcoming vote to end sage grouse hunting in California. In light of recent data showing startling and continuing declines for this species in all four management zones from 2012-2016, the commission should be taking steps to protect sage grouse, not allowing more to be killed. Please -- reject the proposal to allow a range of hunting permits for up to 100 grouse per zone and instead choose zero. There must be no sage grouse hunting in California during the 2016-2017 season for to support conservation of these rare and beautiful birds.	3A. Based on the results of spring lek counts and population projections for the fall of 2016, the Department recommends the Commission adopt the no change alternative with respect to sage grouse hunting permits in subsection 300(a)(1)(D)(4). This alternative would allow the issuance of a conservative 30 permits in the North Mono Zone, while allowing no sage grouse hunting in the other three zones.
0023 - 2086	(Emails 0023-2086 contained in the attached CD)	See Comment 3A.	See Response 3A.
Responses to Additional Comments from Form Emails received during the notice period May 6, 2016, through August 25, 2016.			
The following commenters added to the form email:			
0001	Tracey Archer August 5, 2016 (Emails 0001-0022 contained in the attached CD)	A. See Comment 3A B. It seems foolhardy to allow species of our country become stressed to the brink of extinction for monetary gains of revenue from hunting licenses!	0001A. See Responses 3A 0001B. Fish and Game Code Section 1801(e) states that it is the policy of the state "to maintain diversified recreational uses of wildlife, including the sport of hunting, as proper uses of certain designated species of wildlife subject to regulations consistent with the maintenance of healthy, viable wildlife resources, the public safety, and a quality outdoor experience." Sage-grouse are classified as upland game birds (FGC Section 3683) and as such are designated as a game species.

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0002	Ross Bullard	<p>A. See Comment 3A</p> <p>B. No one in California needs to hunt, they only do it for the thrill of the kill. Our wild animals are disappearing at an alarming rate, they must be protected at all costs. Do your job, save California's wild animals, don't allow them to be slaughtered by a small group of well funded gun freaks!!!! It is just as hard to get good pictures of our wild animals with a camera as it is to kill them. Make the hunters take pictures and leave only foot prints instead of death and misery .</p>	<p>0002A. See Responses 3A</p> <p>0002B. See Response 0001B.</p>
0003	Pat Doherty	<p>A. As a long time volunteer for the USFS , its my view that the destruction of our wildlife has long past epidemic proportions and I would ask that no permits be given for any future grouse hunting . Its time to protect our wildlife , not kill them .</p>	<p>0003A: See Responses 1B, 1C, and 1D.</p>
0004	Jan Charvat	<p>A. I want to urge you to put a stop to the cruel and ecologically terrible acts of hunting sage grouse here in California. We've done so much damage to our environment already, and killed off so much of our wildlife already that now we need to focus on saving the animals-not kill ever more of them. The vast majority of the population is against hunting, so please listen to the majority of citizens/voters and to the advice of wildlife scientists: no more hunting.</p>	<p>0004A: See Responses 1B, 1C, 1D, and 0001B.</p>
0005 - 0006		<p>(Emails did not contain any comment)</p>	
0007	Leticia Long	<p>A. Sage grouse populations are in decline, mostly due to habitat loss. Unless we are willing to protect them by restoring habitat, it's inappropriate at best and morally repugnant at less-than-best ("species genocide" comes to mind as an at-worst way to describe it) to allow hunting of these lovely American birds. Please do not allow them to be hunted. They're suffering enough as it is - and anyway, they taste just like chicken, right? Let the hunters eat chicken.</p>	<p>0007A. See Responses 1B, 1C, 1D, and 0001B.</p>

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0008	Susan Rudnicki	<p>A. See Comment 3A</p> <p>B. Capricious, discretionary hunting of a species in steep decline over the entire Western United States hardly is justified. Human destruction of habitat in the form of off road vehicle "recreation", domestic livestock grazing, mining of coal, minerals, and natural gas, as well as the human caused issues of Climate disruption should be taken seriously into account.</p> <p>C. The niche community of bird hunters do not hold a mandate on destruction of endangered Sage Grouse, just because the hunters choose this recreational pursuit.</p>	<p>0008A. See Responses 3A, 0008B. 1A, 1B, 1C, and 1D.</p> <p>0008C. 1A, 1B, 1C, and 1D.</p>
0009	Gary Milano	<p>A. See Comment 3A</p> <p>B. I am a retired Inyo National Forest Wildlife Biologist. I served for 15 years out of the Bishop SO and served on the Bi-State Sage Grouse Working Group and have a pretty good sense of where sage grouse population status is. I can see no reason for sage grouse hunting given the birds status at this time. It serves no useful management objectives and does not contribute to the goal of maintaining a viable long-term population of this distinct population segment.</p>	<p>0009A. See Responses 3A.</p> <p>0009B. See Responses 1B, 1C, 1D, and 0001B.</p>
0010	Kenneth Able	<p>A. See Comment 3A</p> <p>B. Greater Sage Grouse is listed as a species of special concern in California. Its population in the state is highly fragmented, has been declining steeply for decades and continues to do so. It makes no sense to allow hunting pressure to continue to add to the cumulative threats that threaten this sensitive species.</p>	<p>0010A. See Responses 3A</p> <p>0010B. See Responses 1B, 1C, 1D, and 0001B.</p>
0011	Suzy Hayes-Tripp	<p>A. See Comment 3A</p> <p>B. As a native Californian, i have watched as my state has become void of wild places & wildlife, in lieu of strip malls, parking lots & subdivisions.. It amazes me that as a species, we, try & control the population numbers of all other species, except the one species causing all the havoc & grief on the planet, us.</p>	<p>0011A. See Responses 3A</p> <p>0011B. Comment outside the scope of the rulemaking proposals.</p>

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0012	Marsha Armstrong	<p>A. See Comment 3A</p> <p>B. With rare exceptions, there is no actual need to hunt and kill these birds. Hunting is a "sport" that deserves to be relegated to history, and should certainly not be allowed to lead to extinction of species in our state.</p>	<p>0011A. See Responses 3A</p> <p>0011B. See Response 0001B.</p>
0013	Fred Salatino	<p>A. See Comment 3A</p>	<p>0013A. See Responses 3A</p>
0014	Jennifer Parker	<p>A. See Comment 3A</p> <p>B. Our family is frustrated with the California Fish and Game Commission that seems to operate as a pro-hunter association rather than an organization to protect our California wildlife. Time has come for a change.</p>	<p>0014A. See Responses 3A,</p> <p>0014B. See Response 0001B.</p>
0015	Anne Hoop	<p>A. See Comment 3A</p> <p>B. These birds are already near extinct in another state. Please don't let ~ in a blink of an eye ~ this happen here in California. We need the Sage Grouse in California. No hunting Sage Grouse in California.</p>	<p>0015A. See Responses 3A.</p> <p>0015B. See Responses 1B, 1C, and 1D.</p>
0016	Sherman Lewis	<p>A. Please end sage grouse hunting in California. We need to reverse the declines in sage grouse statewide.</p> <p>B. Please reject the proposal to allow a range of hunting permits for up to 100 grouse per zone and instead choose zero permits in all zones. These are rare and beautiful birds.</p>	<p>0016A. See Responses 3A</p> <p>0016B. See 1A, 1B, 1C, and 1D.</p>
0017	JoAnne Klein	<p>A. See Comment 3A</p> <p>B. Why must it be necessary nearly every day to beg any of the fish & game departments to stop killing our wildlife? Why does this department feel the necessity to pander to people who just want to go out and shoot something? Please: protect our wildlife! Protect this unique and unusual bird. Reject the proposal to kill them.</p>	<p>0017A. See Responses 3A</p> <p>0017B. See Response 0001B.</p>

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0018	S. Urton	A. See Comment 3A B. And who will remember them when they are gone? They are part of a sustainable and viable environment. They need to be protected and allowed to make a comeback.	0018A. See Responses 3A, 0018B. See Responses 1B, 1C, and 1D.
0019	Michael & Ann Wylie	A. See Comment 3A B. It is an embarrassment that Eric Sklar is a hunter and working at an organization that should be protecting wildlife.	0019A. See Responses 3A 0019B. Comment not related to the rulemaking.
0020	Carmen Sadek	A. See Comment 3A	0020A. See Responses 3A
0021	Cindy Jaske	A. See Comment 3A B. During a year of drought conditions and numerous wildfires, hunting tags for the sage grouse should not even be considered, especially for trophy "hunting", which is far from sportsmanlike. Thank you for your consideration.	0021A. See Responses 3A 0021B. See Responses 1B, 1C, and 1D.
0022	Diane Olson	A. See Comment 3A B. How is it possible that hunting of these birds is still allowed? Is it subsistence hunting? People need to eat? Is it trophy hunting? Which should never be allowed in my opinion or is it simply because some people just like to shoot things which is even worse. The California Fish and Game Commission should be there to protect not to extend wanton killing.	0022A. See Responses 3A 0022B. See Response 0001B.
Responses to Oral Comments received during the notice period May 6, 2016, through August 25			
	Mark Hennelly, Oral comments to FGC on 6/23 and 8/25	Indicated support for all of the Department's proposals and particularly for limited sage-grouse hunting. Cited scientific basis for determining permits.	Support for amendments to 300 noted.

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	Bill Gaines, Oral comments to FGC on 6/23 and 8/25	Indicated support for Department's proposal on sage-grouse hunting recommendations, and noted conservative recommendations.	Support for amendments to 300 noted.
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