

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

Amend Subsection 360(c)  
Title 14, California Code of Regulations (CCR)  
Re: Deer: Additional Hunts

I. Date of Initial Statement of Reasons: September 21, 2016

II. Date of Final Statement of Reasons: May 15, 2017

III. Dates and Locations of Scheduled Hearings:

(a) Notice Hearing: Date: December 8, 2016

Location: San Diego, CA

(b) Discussion Hearing: Date: February 8, 2017

Location: Rohnert Park, CA

(c) Adoption Hearing: Date: April 26, 2017

Location: Van Nuys, CA

IV. Update

At its April 26, 2017 meeting in Van Nuys, the Fish and Game Commission adopted the changes to regulation in subsection 360(c), Additional Hunts. The 2017-18 tag allocations are indicated in subsection 360(c) of the amended Regulatory Text.

V. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations:

A Data Supplement dated April 24, 2017 was provided to the Commission by the Department of Fish and Wildlife, recommending 2017 Deer Tag Allocations, was a document relied upon.

Responses to public comments, oral or written, regarding proposed regulatory changes received through April 26, 2017 are included as Attachment A.

VI. Location and Index of Rulemaking File:

A rulemaking with attached file index is maintained at:  
California Fish and Game Commission  
1416 9<sup>th</sup> Street  
Sacramento, California 95814

VII. Location of Department files:

Department of Fish and Wildlife  
18112 9<sup>th</sup> Street  
Sacramento, California 95811

VII. 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 allow for the annual calendar shift. This proposal was approved because it allows for base operation scheduling with no loss of hunter opportunity.

3. Modify Season for Additional Hunt G-10

Modify season to allow for the annual calendar shift and include Fridays, Labor Day, Columbus Day and Veterans Day. This proposal was approved because it allows for base operations with additional hunter opportunity. (Note: this change was made to the 2016-17 season and does not change the current regulatory text.)

4. Modify Season for Additional Hunt G-11

Modify season by shortening it to accommodate base operations. The proposal was approved in response to the need for flexibility in base operations. Although the proposal will result in some loss of hunter opportunity, it is consistent with deer herd objectives.

5. Modify Season Additional Hunt J-10

Modify season to allow for annual calendar shift. This proposal was approved because it accommodates military operations and provides hunter opportunity.

6. 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 G-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/or unnecessarily restrict hunter opportunity.

4. Modify Season for Additional Hunt G-11

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 and scheduled activities.

5. 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/or unnecessarily restrict hunter opportunity.

6. 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 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.

XI. 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 initial 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 on military land and makes minor editorial changes for consistency in Section numbering. 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; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The proposed action will not have significant impacts on the creation or elimination of jobs or the creation of new businesses or the elimination of existing businesses within California because it is unlikely to result in a change in hunting effort. The proposed action does not provide benefits to worker safety because it does not address working conditions.

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.

(c) Cost Impacts on Private Persons:

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

## **UPDATED** INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing regulations provide for the number of deer hunting tags in the Additional Hunts. The proposed action 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 at this time because the final number of tags cannot be determined until spring herd data are collected in March/April. Because various environmental factors such as severe winter conditions can adversely affect herd recruitment and over-winter adult survival, the final recommended quotas may fall below the current proposed range into the “Low Kill” alternative identified in the most recent 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 8 and continue for three (3) consecutive days and reopen on October 15 and continue for two (2) consecutive days, including the Columbus Day holiday. The proposal would modify the season to account for the annual calendar shift. The proposal would change the season dates to open on October 7 and October 14, for 3 and 2 consecutive days respectively, and include the Columbus Day holiday.

Existing regulations for Additional Hunt G-10 (Camp Pendleton Either-Sex Hunt) provide for hunting to begin on the first Saturday in September and extend through the first Sunday in December and allows hunting on Saturdays, Sundays, holidays and the day after Thanksgiving. The proposal would allow for the calendar shift and allow hunting on Fridays, Saturdays, Sundays, Labor Day, Columbus Day and Veterans Day.

Existing regulations for Additional Hunt G-11 (Vandenberg Either-Sex Deer Hunt) provide for hunting to begin on the last Monday in August and extend through December 31. The proposal would allow hunting to begin on August 28 and extend through October 1.

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

The proposed action changes the number of tags for all existing hunts (except those on military installations) to a series of ranges as indicated in the table below.

<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>			
<b>§</b>	<b>Hunt Number (and Title)</b>	<b>Current 2016</b>	<b>Proposed 2017 [Range]</b>
(1)	G-1 (Late Season Buck Hunt for Zone C-4)	2,710	0 - 5,000
(2)	G-3 (Goodale Buck Hunt)	35	0 - 50
(3)	G-6 (Kern River Deer Herd Buck Hunt)	50	0 - 100
(4)	G-7 (Beale Either-Sex Deer Hunt)	20 Military*	20 Military*
(5)	G-8 (Fort Hunter Liggett Antlerless Deer Hunt)	20 Tags Total* (10 Military & 10 Public)	20 Tags Total* (10 Military and 10 Public)
(6)	G-9 (Camp Roberts Antlerless Deer Hunt)	0	30 Tags Total* (15 Military and 15 Public)
(7)	G-10 (Camp Pendleton Either-Sex Deer Hunt)	250 Military*	250 Military*
(8)	G-11 (Vandenberg Either-Sex Deer Hunt)	200 Military*, DOD and as Authorized by the Installation Commander**	200 Military*, DOD and as Authorized by the Installation Commander**
(9)	G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt)	30	0 - 50
(10)	G-13 (San Diego Antlerless Deer Hunt)	300	0 - 300
(11)	G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt)	25	0 - 50
(12)	G-21 (Ventana Wilderness Buck Hunt)	25	0 - 100

<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>			
<b>§</b>	<b>Hunt Number (and Title)</b>	<b>Current 2016</b>	<b>Proposed 2017 [Range]</b>
(13)	G-37 (Anderson Flat Buck Hunt)	25	0 - 50
(14)	G-38 (X-10 Late Season Buck Hunt)	300	0 - 300
(15)	G-39 (Round Valley Late Season Buck Hunt)	5	0 - 150
(16)	M-3 (Doyle Muzzleloading Rifle Buck Hunt)	20	0 - 75
(17)	M-4 (Horse Lake Muzzleloading Rifle Buck Hunt)	5	0 - 50
(18)	M-5 (East Lassen Muzzleloading Rifle Buck Hunt)	5	0 - 50
(19)	M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt)	80	0 - 100
(20)	M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt)	150	0 - 150
(21)	M-8 (Bass Hill Muzzleloading Rifle Buck Hunt)	20	0 - 50
(22)	M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt)	15	0 - 100
(23)	M-11 (Northwestern California Muzzleloading Rifle Buck Hunt)	20	0 - 200
(24)	MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt)	150	0 - 150
(25)	MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt)	150	0 - 150
(26)	J-1 Lake Sonoma Apprentice Either-Sex Deer Hunt)	25	0 - 25

<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>			
<b>§</b>	<b>Hunt Number (and Title)</b>	<b>Current 2016</b>	<b>Proposed 2017 [Range]</b>
(27)	J-3 (Tehama Wildlife Area Apprentice Buck Hunt)	15	0 - 30
(28)	J-4 Shasta-Trinity Apprentice Buck Hunt)	15	0 - 0
(29)	J-7 (Carson River Apprentice Either-Sex Deer Hunt)	15	0 - 50
(30)	J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt)	15	0 - 20
(31)	J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt)	5	0 - 10
(32)	J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt)	75 Tags Total* (15 Military & 60 Public)	85 Tags Total* (25 Military & 60 Public)
(33)	J-11 (San Bernardino Apprentice Either-Sex Deer Hunt)	40	0 - 50
(34)	J-12 (Round Valley Apprentice Buck Hunt)	10	0 - 20
(35)	J-13 (Los Angeles Apprentice Either-Sex Deer Hunt)	40	0 - 100
(36)	J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	0 - 75
(37)	J-15 (Anderson Flat Apprentice Buck Hunt)	10	0 - 30
(38)	J-16 (Bucks Mountain-Nevada City Apprentice Either-Sex Deer Hunt)	75	0 - 75
(39)	J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	0 - 25
(40)	J-18 (Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	0 - 75



<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>			
<b>§</b>	<b>Hunt Number (and Title)</b>	<b>Current 2016</b>	<b>Proposed 2017 [Range]</b>
(41)	J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	0 - 40
(42)	J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	0 - 20
(43)	J-21 (East Tehama Apprentice Either-Sex Deer Hunt)	50	0 - 80

*\*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.*

Benefits of the regulations

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 annually modifying the number of hunting tags. The final values for the license tag numbers will be based upon findings from the annual harvest and herd composition counts. Adjusting tag allocations in response to current deer herd conditions contributes to the sustainable management of healthy deer populations and the maintenance of continued hunting opportunities.

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 and Compatibility with State Regulations

The Fish and Game Commission, pursuant to Fish and Game Code Sections 200, 202 and 203, has the sole authority to regulate deer hunting in California. Commission staff has searched the California Code of Regulations and has found the proposed changes pertaining to deer tag allocations are consistent with Sections 361, 701, 702, 708.5 and 708.6 of Title 14. Therefore the Commission has determined that the proposed amendments are neither inconsistent nor incompatible with existing State regulations.

**UPDATE**

At its April 26, 2017 meeting in Van Nuys, the Fish and Game Commission adopted the changes to regulation in Section 360(c), Additional Hunts. The 2017-18 Tag Allocations are shown in the following table and in subsection 360(c) of the amended Regulatory Text. An edit to the citation repeals 207 and replaces it with 255, pursuant to statute.

The tag allocation for J-7 (Carson River Apprentice Either-Sex Deer Hunt), subsection 360(c)(29), was again rejected by the Alpine County Supervisors and is therefore continues at zero.

The alternative to modify the season dates for G-10 (Camp Pendleton Either-Sex Deer Hunt) was approved because it allows for military base operations with additional hunter opportunity. However, this recommended change was made to the 2016-17 season and does not change the current regulatory text.

There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.

<b>Deer: § 360(c) Additional Hunts 2017-18 Tag Allocations</b>				
§	Hunt Number (and Title)	Current 2016	Proposed 2017 [Range]	<b>Final 2017 Allocations</b>
(1)	G-1 (Late Season Buck Hunt for Zone C-4)	2,710	0 - 5,000	2,710
(2)	G-3 (Goodale Buck Hunt)	35	0 - 50	<b>25</b>
(3)	G-6 (Kern River Deer Herd Buck Hunt)	50	0 - 100	50
(4)	G-7 (Beale Either-Sex Deer Hunt)	20 Military*	20 Military*	20 Military*
(5)	G-8 (Fort Hunter Liggett Antlerless Deer Hunt)	20 Tags Total* (10 Military & 10 Public)	20 Tags Total* (10 Military and 10 Public)	10 Military* & 10 Public
(6)	G-9 (Camp Roberts Antlerless Deer Hunt)	0	30 Tags Total* (15 Military and 15 Public)	0***
(7)	G-10 (Camp Pendleton Either-Sex Deer Hunt)	250 Military*	250 Military*	250 Military*
(8)	G-11 (Vandenberg Either-Sex Deer Hunt)	200 Military* & DOD **	200 Military* & DOD**	200 Military* & DOD**

**Deer: § 360(c) Additional Hunts  
2017-18 Tag Allocations**

§	Hunt Number (and Title)	Current 2016	Proposed 2017 [Range]	<b>Final 2017 Allocations</b>
(9)	G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt)	30	0 - 50	30
(10)	G-13 (San Diego Antlerless Deer Hunt)	300	0 - 300	300
(11)	G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt)	25	0 - 50	25
(12)	G-21 (Ventana Wilderness Buck Hunt)	25	0 - 100	25
(13)	G-37 (Anderson Flat Buck Hunt)	25	0 - 50	25
(14)	G-38 (X-10 Late Season Buck Hunt)	300	0 - 300	300
(15)	G-39 (Round Valley Late Season Buck Hunt)	5	0 - 150	<b>2</b>
(16)	M-3 (Doyle Muzzleloading Rifle Buck Hunt)	20	0 - 75	20
(17)	M-4 (Horse Lake Muzzleloading Rifle Buck Hunt)	5	0 - 50	<b>10</b>
(18)	M-5 (East Lassen Muzzleloading Rifle Buck Hunt)	5	0 - 50	5
(19)	M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt)	80	0 - 100	80
(20)	M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt)	150	0 - 150	150
(21)	M-8 (Bass Hill Muzzleloading Rifle Buck Hunt)	20	0 - 50	20
(22)	M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt)	15	0 - 100	15
(23)	M-11 (Northwestern California Muzzleloading Rifle Buck Hunt)	20	0 - 200	20

**Deer: § 360(c) Additional Hunts  
2017-18 Tag Allocations**

§	Hunt Number (and Title)	Current 2016	Proposed 2017 [Range]	Final 2017 Allocations
(24)	MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt)	150	0 - 150	150
(25)	MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt)	150	0 - 150	150
(26)	J-1 Lake Sonoma Apprentice Either-Sex Deer Hunt)	25	0 - 25	25
(27)	J-3 (Tehama Wildlife Area Apprentice Buck Hunt)	15	0 - 30	15
(28)	J-4 Shasta-Trinity Apprentice Buck Hunt)	15	0 - 50	15
(29)	J-7 (Carson River Apprentice Either-Sex Deer Hunt)	0	0 - 50	0
(30)	J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt)	15	0 - 20	15
(31)	J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt)	5	0 - 10	5
(32)	J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt)	75 Tags Total* (15 Military & 60 Public)	85 Tags Total* (25 Military & 60 Public)	<b>85 Tags Total*</b> <b>(25 Military &amp; 60 Public)</b>
(33)	J-11 (San Bernardino Apprentice Either-Sex Deer Hunt)	40	0 - 50	40
(34)	J-12 (Round Valley Apprentice Buck Hunt)	10	0 - 20	3
(35)	J-13 (Los Angeles Apprentice Either-Sex Deer Hunt)	40	0 - 100	40
(36)	J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	0 - 75	30
(37)	J-15 (Anderson Flat Apprentice Buck Hunt)	10	0 - 30	10

**Deer: § 360(c) Additional Hunts  
2017-18 Tag Allocations**

§	Hunt Number (and Title)	Current 2016	Proposed 2017 [Range]	Final 2017 Allocations
(38)	J-16 (Bucks Mountain-Nevada City Apprentice Either-Sex Deer Hunt)	75	0 - 75	75
(39)	J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	0 - 25	25
(40)	J-18 (Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	0 - 75	75
(41)	J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	0 - 40	25
(42)	J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	0 - 20	20
(43)	J-21 (East Tehama Apprentice Either-Sex Deer Hunt)	50	0 - 80	50