

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

Amend Section 363
Title 14, California Code of Regulations (CCR)
Re: Pronghorn Antelope

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 Section 363, Pronghorn Antelope. The 2017-18 Tag Allocations are indicated in the table in subsection 363(m) of the amended Regulatory Text. No modifications were made to the originally proposed language of the Initial Statement of Reasons.

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

Responses to public comments, oral or in writing, regarding all proposed 2017-2018 mammal hunting regulations received through April 26, 2017 are included as Attachment A.

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, California 95814

VII. Location of Department files:

Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

VIII. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

1. Number of Tags

No alternatives were identified. Pronghorn antelope license tag quotas must be changed periodically in response to a variety of biological and environmental conditions.

(b) No change Alternative:

1. Number of Tags

The no-change alternative was considered and rejected because it would not attain project objectives of providing for hunting opportunities while maintaining pronghorn antelope populations within desired population objectives. Retaining the current tag quota for each zone may not be responsive to biologically-based changes in the status of various herds. The no-change alternative would not allow for adjustment of tag quotas in response to changing environmental/biological conditions.

(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 and less burdensome to the 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.

IX. Mitigation Measures Required by Regulatory Action:

The regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed. The number of tags proposed is at or below the number of tags analyzed in the 2004 Final Environmental Document Regarding Pronghorn Antelope Hunting.

X. Impact of Regulatory Action:

This action sets tag quotas for existing hunts. 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 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. 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:

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 a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business 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) 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, Government Code: None
- (h) Effect on Housing Costs: None

UPDATED INFORMATIVE DIGEST

(Policy Statement Overview)

Amend Section 363, Pronghorn Antelope, Title 14, California Code of Regulations (CCR).

In accordance with management goals and objectives, and in order to maintain hunting quality, tag quotas for Pronghorn Antelope hunts need to be adjusted annually. Current regulations specify the number of pronghorn antelope hunting tags for the 2016 season. This proposed regulatory action will amend subsection 363(m) providing the number of tags for hunting in 2017.

Preliminarily, the tag numbers are presented as ranges (e.g., [0-3]) in the table in subsection 363(m) of the amended Regulatory Text. Final tag quotas for each zone will be identified and recommended to the Fish and Game Commission at the April 26, 2017, adoption hearing.

Other minor changes to the regulatory text to reduce redundancy, improve accuracy and clarity are proposed.

Benefits of the regulations

The management plans specify objective levels for the herds. These ratios are maintained and managed in part by annually modifying the number of tags. The final values for the license tag numbers will be based upon findings from the population surveys.

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 and 203, has the sole authority to regulate pronghorn antelope hunting in California. Commission staff has searched the California Code of Regulations and has found the proposed changes pertaining to pronghorn antelope tag allocations are consistent with the provisions 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 363, Pronghorn Antelope. The 2017-18 Tag Allocations are indicated in the table in subsection 363(m) of the amended Regulatory Text. No modifications were made to the originally proposed language of the Initial Statement of Reasons.

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.