

2016 Elk Comment Letters and Responses
Updated July 26, 2016

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A. Don Gillespie, Letter from Friends of Del Norte Jan 25, 2016

1. **Comment:** “We ask that the Commission send this document back to staff for clarification and re-issue it for public comment, as the process and the document are not clear or transparent. It is not possible for the public to know which proposal or preferred alternative they are commenting on; the source of baseline elk population data and baseline hunting quotas, including general, PLM and SHARE for our area and other areas; and where and when impacts are taking place. We will give you specific examples. Failing that, we ask for an extension of the comment period of at least 45 days, to give the public a more reasonable opportunity to obtain the necessary information from staff.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

2. **Comment:** “On January 8th, 2016, the Commission posted all new mammal hunting regulations on its website indicating a final deadline for public comment of April 14th, 2016. There is no deadline indicated for public comment in the Draft Environmental Document on Elk Hunting which was posted, which is dated November 15, 2016. Meanwhile a Ms. Gilbert Carr, a Del Norte resident, received an email on December 15th from CDFW’s Joe Hobbs with an Environmental Document draft dated December 8, 2016, which has different harvest numbers and text from the November 15th version posted online for the official public review. Which is the correct document for comment, how can the public obtain it, what are the correct harvest numbers, and what is the deadline? The public deserves clarification and a generous extension of time to comment, at minimum.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

3. **Comment:** “For Del Norte County in 2016 alone, the document proposes an increase in hunting periods of 500%, which spread out over nearly half the year, and an increase in elk harvest of more than 400%. (Or at least the document appears to say that, but the information is not stated consistently.) It fails to reveal its data sources and provides no justification for such drastic increases. The document actually claims that it is supposed to be the equivalent of an EIR, and indeed such a radical increase in elk hunting deserves the in-depth examination typically conducted in an EIR or CEQA-equivalent document. However this document fails to give a clear chapter description of each alternative. Discussion of alternatives is less than one page. The document hides the current no project alternative in appendix 17, where it is not clear what the current baseline for each area is. It is not obvious that for Del Norte and Humboldt we are increasing from a total combined hunt of 45 elk to a hunt of 120 for Del Norte and 135 for Humboldt. This kind of radical increase in hunting pressure and harvest should be obvious in a comparison chart of alternatives analysis.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

4. **Comment:** “It appears that this document will be used as a basis for elk hunting for the next 10 years, yet it is inconsistent and unclear about the future import of the indicated potential tag quota ranges over that period of time. It specifies confusing and different hunting proposals in at least three different places, and it fails to consistently give total tag and harvest numbers which include all possible Del Norte hunting programs (General Hunt, PLM, Share, cooperative, others, and hunting on Tribal lands). On pg 34 the document asserts that the Del Norte elk population is 725 animals, but then it uses 750 and 1,000 animals in the simulation runs. Also on pg 34 it states the 2016 Del Norte harvest will be 120 elk inclusive of all hunting programs.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

5. **Comment:** “The simulation run Del Norte Proposed Harvest (pg 122) say the 2016 harvest, including PLM and cooperative tags, will be up to 120 animals. It does not state clearly if this number includes the new SHARE program harvest.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

6. **Comment:** “In contradiction to this, Appendix 19. Modification to Existing Regulations (pg 301) indicates that the tags issued for Del Norte in 2016 will be 50 tags, a significantly lower number -- but it isn’t indicated whether SHARE or PLM or other programs are included.”
- Response:** These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.
7. **Comment:** “Appendix 2 Proposed Elk Tag Quota Ranges (pgs 73 and 75) has ranges from zero to an upper limit number for the General Hunt and SHARE but does not include PLM or other programs. Adding the upper range numbers for the General and SHARE hunts results in a potential Del Norte harvest of 425 elk in 2016 - plus PLM and other programs to be added in.”
- Response:** These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.
8. **Comment:** “So which is it, 120 or 50 or even potentially 425 elk tags that will be, or can potentially be, issued for Del Norte in 2016? In future years? Also the public deserves to see a document where all the relevant possible elk hunting programs are consistently combined in a grand annual total of elk tags and harvest. A grand total for Del Norte should include all elk that may be harvested under General Hunt, SHARE, PLM, cooperative and any other tag programs, as well as Tribal hunting because that will also have cumulative impacts.”
- Response:** These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.
9. **Comment:** “The data source for the current population numbers of 725 or 750 or 1,000 elk in Del Norte (depending on which page of the document is examined) and 850 elk in Humboldt is never identified, and the numbers used in the simulation runs are inconsistent. The public cannot know where or how actual count numbers were collected as a basis for the population current baseline. The Proposed Harvest, Increased Harvest, and Reduced Harvest Elk pop simulation runs (starting pg. 122) use as a baseline 750 elk in Del Norte currently, but the Herd Growth run starts at 1,000 elk currently. This is inconsistent.”
- Response:** These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.
10. **Comment:** “CDFW uses "Stock-Recruitment" (1984) and "Elk Pop" (1987) simulation models that are 31 and 28 years old respectively (pg 29), and presumably were never published or peer-reviewed.”
- Response:** These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.
11. **Comment:** “It appears that there is no field data source. The document should say so, or indicate where field data originated and when and how ground proofing was done. Did someone on CDFW staff make up the numbers on which all the projections are based?”
- Response:** These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.
12. **Comment:** “Please see the attached Del Norte newspaper article where CDFW biologist Dave Lancaster states that the exact population numbers are not important because we all agree that “we have plenty of elk.” Lancaster is quoted as saying “If you want to wait until we have good elk data, then you’re going to be waiting years. We don’t want to do that. We want to move now. We have an elk management plan that’s in the works to get rolling.”
- Response:** These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.
13. **Comment:** “The environmental document also makes an assumption that “Roosevelt elk herds in California are now healthy and viable.” However, the document ignores the long term Roosevelt elk field work conducted in Redwood National Park (RNSP) by Park staff and Dr. Floyd Weckerly since 1997, although these public lands in northern Humboldt and a section of Del Norte are immediately adjacent to 3-4 hunting areas proposed in the document. The RNSP field work and counts appear to be the only actual field-based elk population data available in the

Humboldt/Del Norte region. This population data which is long term and current, detailed monitoring, indicates that herds are not expanding in Humboldt and may even be declining, yet the CDFW environmental document assumes recent growth and large increases in herd size. (See section C) 5 in this comment letter for details) "In summary, this indicates that the herds on protected, managed public lands are not growing and may be declining..."

Response: In examining the Redwood National and State Parks 2014 Herd Unit Classification and Management of Roosevelt Elk, June 2015 paper, Appendix A. It appears cow elk counts (includes cow, calf, and spike groups) for the six groups consistently counted from 1997 to 2014 increased from 153 to 352 which represents more than doubling of the elk counted during that period. One of the other reports (Julian et al. 2013) for this area (<60 km²) does indicate a decline in the number of elk observed from 1997 to 2010, but did not include all groups of elk counted. Observed numbers for those selected groups declined from approximately 107 to 58 but these counts did not include the Bald Hills group which increased from 45 in 1997 to 265 in 2014 (a more than 5 fold increase). These results seem typical, in some areas with favorable conditions elk will increase while in others due to various reasons elk numbers may decline, particularly when using point counts of the same areas over time.

14. **Comment:** "...CDFW may not be putting sufficient emphasis on poaching as a factor in their simulation runs."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

15. **Comment:** "In addition to identifying their data sources, CDFW should examine the 17 years of RN&SP published data and justify CDFW population numbers, assumptions and 23-year-old Elk pop simulation program against this real, ground-truthed data. This should be presented to the public in a transparent manner before reissuing this document for public comment."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Also, see response A13 above.

16. **Comment:** "All of the Hunt Boundary maps (Appendix 5 Del Norte and Humboldt) are too generic, and fail to show where impacts will be occurring. They do not provide the detail that is necessary to analyze these situations or adequately inform users. The Del Norte map (pg 263) suggests hunting will occur on many national and state park beaches, where hunting is not allowed. Hunting is also vaguely indicated on what might be private ranch lands near the Smith River estuary, but it is impossible to tell on whose lands exactly and adjacent to which roads, trails and birdwatching areas, and in particular where recreational access to Tolowa Dunes State Park and birdwatching areas may be impacted."

Response: Hunters are limited to those public properties open to hunting or private landowners who allow access for hunting. The maps are not intended to identify all areas a hunter could or could not hunt within the large hunt zone. The maps only indicate the boundaries of the zone.

17. **Comment:** "The map leaves off some elk hunting entirely. Which type of hunting is this map supposed to show, General Hunt, SHARE, PLM or other programs? Where is adjacent Tribal lands hunting occurring? Hunting in the Bertsch tract (intensely developed) residential area south of Crescent City, where hunting occurred in 2015, is not shown at all, even in a gross way, and anticipated hunting in the SHARE program is not shown at all. We would expect that hunting to be indicated on ranches along Elk Valley Road, based on recent local newspaper coverage, and in other areas. On the Humboldt map it is difficult to decipher any hunting areas at all. The maps are simply not the correct scale. There is no information about the location and size and Humboldt and Del Norte elk herds. Again, the public deserves a complete and detailed look at areas that will be impacted by all elk hunting programs covered by this Environmental Document."

Response: See response A16 above.

18. **Comment:** "Private Land Management (PLM) ranches are listed in Appendix 1 and Appendix 18, but the information is not adequate to allow any analysis of impacts. No location is given for these ranches (only their names are listed) and it is impossible to know in which county or on what road. Again, this information should be on map details. If it is Del Norte county's Alexandre Dairy that is listed in Appendix 18, then the name is misspelled, because it should be Alexandre Dairy not Alexander. Without an accompanying location, we are left guessing about the most basic details."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

19. **Comment:** “For the new SHARE program, there are no maps or lists at all of the enrolled properties, and so no analysis of impacts is possible. The document fails to analyze impacts which likely include noise disturbance and increased traffic, and neighbors to SHARE properties cannot comment because they do not know what is coming or when. 2016 will be the first year for SHARE in Del Norte. Please see attached article where CDFW staff say they are enrolling a "bigger percentage of private landowners in (Del Norte) county than any other county in the state" in hunting elk on private properties in 2016 under new SHARE program. Victoria Barr said she had already heard from 17 landowners, and applications for a dozen were in progress. Impacts from such a large program should be clearly identified and analyzed. (Del Norte Triplicate newspaper, December 1, 2015)”

Response: SHARE properties could be located anywhere within the hunt zone. Just as hunters are free to choose their hunting locations so are landowners to apply for and enroll in SHARE. Currently there are no executed contracts with landowners for SHARE elk hunts. Contracts will likely be completed after final tag approval in April. Individual impacts (such as noise) on individual properties are the responsibility of the landowner. Big Game hunting typically involves single shots; noise and traffic from a small number of hunters over a large area will not have any significant impacts.

20. **Comment:** “The Commission should send staff back to the drawing board and complete the Statewide Elk Management Plan as required by law before embarking on these radical increases in hunting, e.g. the proposed increase in periods of elk hunting for both Del Norte and Humboldt counties is more than a 500% increase. Hunting tags should be issued within the context of this overall statewide plan, and not as a reflexive reaction to complaints from private landowners. CDFW’s goals in this Environmental Document are unclear and contradictory. The public has not had a chance to guide these goals, as would be provided by a Statewide Management Plan.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

21. **Comment:** “The goal should be to return the elk to their historic range and maintain healthy productive ecosystems and populations, such that elk populations can stabilize around each habitat’s carry capacity and support a yearly hunting season. Upon comparison of Appendix 15 “Historic Elk Distribution within California” (pg 276) to Appendix 14, it is clear that California’s elk populations have not returned to their historic ranges. A Statewide Management Plan would appropriately discuss the goal of returning elk to these ranges.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. While it is likely that localized population growth will continue and distribution may expand in the near future, California will not again support the number of elk because of residential and agricultural development and its business/transportation infrastructure.

22. **Comment:** “The document fails to analyze the very significant proposed increase in periods of hunting pressure and herd stress, or the concurrent conflicts with elk viewing, birdwatching, nature study and other recreational activities, during a hunting season that will spread out over nearly half the year. The “existing conditions” (2014 baseline) is 45 elk tags in Humboldt and Del Norte combined as one region, over 22 days. From one hunting period of 22 days the proposal for 2016 ramps up to five hunting periods of 22 days each month over more than five months (September through January, with the SHARE program starting August 15th). This is more than a 500% increase in periods of hunting which spread out over nearly half the year.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

23. **Comment:** “The document also fails to identify and analyze any impacts for people living and recreating in these two counties. As already noted under A) in this comment letter, the document fails to provide detailed maps, locations or any useful information about the private properties enrolled for hunting, such that it is impossible to analyze or mitigate these impacts.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

24. **Comment:** “The document fails to analyze impacts from the 500% increase in periods of hunting pressure on other recreational users of lands adjacent to hunting areas, where wildlife viewing and other recreational activities are occurring in Redwood National & State Parks, Tolowa Dunes State Park, and along the Lower Lake and Pala Road birdwatching corridors. These impacts presumably include noise disturbance but the document fails to provide maps or information which would enable such analysis.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

25. **Comment:** “The document fails to explain or analyze the radical potential increase in hunting tags that might be allocated over the next 10 years, presumably using this Environmental Document as a foundation. As noted in A) of our comments here, three different sets of possible numbers of elk are used in different places in the document. If Appendix 2 is taken at face value - under this document elk hunting could potentially increase to allocate 425 elk tags in Del Norte annually and 575 in Humboldt annually, under General Hunt and SHARE programs combined. PLM and other harvest is not even included. (Appendix 2. 2016 Proposed Elk Tag General Hunt and SHARE Tag Quota Ranges) Thus we go from harvesting 45 elk in Del Norte and Humboldt combined in 2014, to potentially harvesting 1,000 elk in both counties combined in 2016 and beyond. This could be a 2,100% increase in elk tags allocated annually.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

26. **Comment:** “The utility of Appendix 2 with its ranges is not explained. It is critical that the public understand the meaning of these numbers in a document meant to guide allocations of elk tags over 10 year, and the basis and data involved in potentially ramping up hunting in such a radical increase.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

27. **Comment:** “If however the numbers more accurately reflecting the proposed harvest are lower, as is suggested but never clearly stated, the document fails to clearly identify and analyze these impacts as well. The simulation run Del Norte Proposed Harvest (pg 122) says 120 elk will be harvested in 2016, which is a 433% increase. Appendix 19. Modification to Existing Regulations (pg 301) says 50 elk will be harvested in Del Norte, a 122% increase. (Our calculations here take as their starting point the baseline 45 elk harvested in Del Norte and Humboldt combined, and split this number into 22.5 elk harvested as the baseline for each county.) Again, what is the basis for such radical proposed increases and where is the data?”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

28. **Comment:** “The document is flawed because there is no scientific data input. No scientifically derived count numbers are referenced anywhere in the CDFW document. “The Department currently estimates the statewide Roosevelt elk population at between 5,000 -6,000 individuals”(pg17). This statement is based on “...field observations and professional judgment and experience obtained in studying elk throughout California”(pg. 17). No local or state data is provided to corroborate. CDFW estimates that Roosevelt Elk and Tule Elk populations are continuing to increase “as evidenced by increased problems from landowners” (unnumbered page in prologue), not field observations. Landowner counts are inherently biased. If private rancher and landowner counts are the basis for the data, then CDFW must explain how and when they conducted “ground-truthing” of these reports -- although this still would not constitute a scientific count.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

29. **Comment:** “Furthermore, the elk herds in Smith River have recently rediscovered Tolowa Dunes State Park. They have been crossing private lands such as Alexandre Dairy that are located between the inland forests and the beach-front State Park. This new habitat discovery by the elk could be the reason for increased problems with landowners, rather than population increases.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

30. **Comment:** “The document fails to discuss how CDFW might use this process, and increased hunting-associated fees, to establish accurate elk population count numbers moving forward. For example, at worst, they could set up a system for gathering “raw count data” of herd sizes and locations; citizen volunteers, even hunters, could be used to input data. The document indicates that this hunting program more than breaks even. With fees, CDFW could “ground-truth” raw count data.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

31. **Comment:** “The document assumes recent growth in elk populations, apparently based primarily on private landowner complaints, and makes an assumption that “Roosevelt elk herds in California are now healthy and viable.” (pg 17) Appendix 14 shows “Estimated Elk Distribution and Land Ownership, 2015” (pg275). However the bibliography is based on older documents; the most recent is 2007. The extensive Roosevelt elk field work conducted in Redwood National & State Parks in Humboldt and Del Norte by Dr. Floyd Weckerly and Park staff is ignored, although these public lands in northern Humboldt county and a section of Del Norte are immediately adjacent to 3-4 hunting areas proposed in the Environmental Document.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

32. **Comment:** “Published work by Julian et al in 2013 shows a decline in female group elk population sizes between 1997 and 2010. Cow counts are considered “the best indicator of herd persistence.” (pg 15, 2014 Herd Unit Classification, attached.) These local populations showed declines and yet they were within the most protected lands in CA, with active management (including burning) benefiting elk habitats in the Bald Hills area. “There was a general decline in size of all five groups over 14 years (Figure 2).” (“Group size dynamics of female Roosevelt elk” Julian et al, attached.)”

Response: These comments refer to the 2016 draft elk environmental document which has been withdrawn at this time.

33. **Comment:** “And further: “The Boyes group may have gone extinct in 2011 (F. W. Weckerly, unpublished data). Since a general decline in group size is evident within the elk groups in the Prairie and lower Redwood Creek drainages, annual monitoring of each individual group is warranted.” At a recent talk given at Redwood National & State Parks South Operations Center in Humboldt county, Dr. Floyd W. Weckerly and Park biologist Kristin Schmidt confirmed that 4 out of 5 bull elk in Boyes Meadow were recently taken by poaching. Dr. Weckerly described to his audience that in 1997 “there were 20-25 bulls from Skunk Cabbage to Boyes Meadow but only 7 were found this year,” so he conducted a “super bowl count” and found at most “13 bulls.” The conclusion was that “recruitment is no longer what it needs to be.” (pers. communications, RN&SP SOC January 20, 2015)”

Response: These comments refer to the 2016 draft elk environmental document which has been withdrawn at this time.

34. **Comment:** “Generally the 2014 data confirms these trends for RN&SP elk herds. (Figures 1 & 2, 2014 Herd Unit Classification, see attached) The CDFW environmental document posits that the Humboldt population is 850 elk; the RN&SP lands total for Humboldt is 408 elk. (pg 14, Herd Unit Classification) Because there is no comparison and no explanation for CDFW population numbers, the information is not transparent and not available for the public to examine.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

35. **Comment:** “In summary, this indicates that the herds on protected, managed public lands are not growing and may be declining, and further that CDFW may not be putting sufficient emphasis on poaching as a factor in their simulation runs. CDFW should examine the 17 years of this published data and justify their population numbers, assumptions and unpublished 23-year-old Elk pop simulation program against this real, ground- truthed data.”

Response: These comments refer to the 2016 draft elk environmental document which has been withdrawn at this time. Also, see Response A13 above.

36. **Comment:** “The document fails to identify and analyze cumulative impacts. As noted earlier in A) of this comment letter, there is no single number totaling elk to be harvested under various Fish & Game Commission-sanctioned hunts, and analyzing the impacts of the total. Elk hunting on adjacent Yurok and Tolowa Dee-ni’ Tribal lands, which is not mentioned anywhere in the document, should be added to this analysis.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

37. **Comment:** “Further, with these dramatic proposed increases in hunting, what are the plans for managing and safely disposing of offal and preventing offal dumping, which attracts raccoons and other problem wild animals and is already challenging to the community during duck, deer and bear hunting seasons -- a problem local CDFW personnel are unable to manage. Such dumping of offal and carcasses is frequently found around Lake Earl, at the Lakeview boat ramp, and in the failed Pacific Shores Subdivision.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Disposal of carcass remains is the responsibility of individual hunter.

38. **Comment:** “A more visible elk hunting culture is likely to increase elk poaching, especially as local people have complained that they cannot pay the going private landowner tag rates for bull elk (\$10,000) and cows (\$2,000). Finally what are CDFW plans for increased enforcement capacity, in terms of increased hunting pressure, poaching and dumping of waste? As far as we know, CDFW has no funding for increased enforcement capacity in Del Norte, but clearly they are going to need it.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. A more visible elk hunting culture is likely to decrease the presence of poaching as hunters are more likely report a poacher because they have a vested interest in the resource. In the last decade, wildlife officer ranks have actually increased to their highest level in many years, standing at about 400 sworn peace officers, compared to around 300 in 2006 timeframe. While wildlife officers can never be everywhere at once, they try to cover their responsibilities and prioritize depending upon season and activity. Elk poaching is a high priority for enforcement and wildlife officers who work in elk country are very aware of the limited elk hunts offered by draw. Wildlife officers who live in certain areas for extended periods of time also have a tendency to develop relationships with landowners so access to private properties is not a problem during an investigation. Many, but not all landowners, welcome wildlife officers to their properties. The public remains our best eyes and ears for poachers and CalTIP remains their primary tool to provide tips.

39. **Comment:** “The document analysis is flawed because there are no alternatives to hunting, ie translocation. (Again, see our attached letter dated November 18th, 2015.) As an alternative to hunting any elk on the coast, the State should consider moving some elk inland to the extensive Smith River National Recreation Area (SRNRA) habitat. While more than 80% of Del Norte County is public land (hence the critical importance of growth in tourism), most of that public land is actually on national lands in the NRA.” “In the past elk occupied the NRA, and it was considered “excellent habitat.” “During 1947 attempts were made to reintroduce elk in the upper reaches of the Smith River Watershed. This area was known, historically, to have been excellent elk habitat...” (pgs 53 and 63, “Environmental and Cultural History of the Smith River Basin,” Keter 1995).”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

40. **Comment:** “More recently, NRA biologist Brenda Devlin reports that elk scat and sign are found throughout the large NRA watershed in widely dispersed locations but only on an occasional basis. She said “elk have even been up at Pine Flat on the North Fork, and Gasquet Mountain and Big Flat.” She notes these Roosevelt elk “are not necessarily in open country; they will inhabit the forest in smaller herds of 10-15.” (pers. communication January 14, 2016) Given that, it would be hard to locate and count them, and no one is currently doing that. Even if elk are not translocated at this time, the environmental document should examine the impacts regarding the potential for these genetically unique Roosevelt elk herds to grow and spread naturally into their historic range in the NRA. The elk are there now, and the habitat is being restored for them. (See attached “Coon Mountain Meadow Restoration Project,” Smith River National Recreation Area, Six Rivers National Forest, Brenda Devlin)”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

41. **Comment:** “Hunting will reduce the number of elk that might naturally re-occupy their historic range on the NRA. According to Devlin, “they’ve been sighted in areas on the District that are great distances apart, so they probably travel up drainages and smaller creeks.” The elk might potentially use corridors through the Little Bald Hills area; Rowdy Creek drainage; Pine Flat/on North Fork; Gasquet Mountain Road. The document should design hunting programs with this in mind, and again should examine the need and potential for establishing wildlife corridors so the elk have an opportunity to re-occupy their historic range rather than be shot in pastures on the coastal plain. Eventually this would open up new, and likely more challenging and exciting elk hunting opportunities.”

Response: Regulated hunting is not believed to have a significant impact on the ability of elk herds to move around the landscape. Hunting is limited in time and numbers, leaving substantial numbers of elk to continue to expand their current range. Also, see response A13 and A16 above.

42. **Comment:** “ Another alternative would be to provide grant money to smaller ranch/food growing operations to construct elk proof fencing. These alternatives should be examined in the document.”

Response: This suggestion is outside the scope of the proposed regulations. Currently there is no fund to compensate landowners to construct elk proof fencing. The Department would support efforts by individuals to establish such a fund.

43. **Comment:** “The document is flawed because there is no discussion of alternatives or impacts. Discussion of different alternatives is less than one page – clearly it was done in a rush and is unfinished. We think we would like to support the Herd Growth alternative and re-establishing of elk in Tolowa Dunes State Park and Lake Earl Wildlife Area and on the Smith River National Recreation Area but the document fails to analyze the HG alternative in any depth.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

44. **Comment:** “The document is flawed because, as noted earlier, there is no specific information re SHARE properties enrolled or the timing of their scheduled hunts, and impacts to neighbors and the public cannot be analyzed. Appendix 19 says only that SHARE hunting times will be August 15 – January 31st “with seasons assigned to properties giving them a window to impact.” However, as noted earlier, impacts will be significant as a recent local newspaper article quotes the SHARE coordinator saying Del Norte suddenly has the largest enrollment in the state. (see Attachments) CEQA does not allow fragmentation of projects like this. The document needs to reveal impacts of all hunting that will impact herd, people and environment within each county.”

Response: There is no data to suggest that regulated hunting with a limited number of tags within the large hunt zone will have any significant impacts. Hunters distribute themselves across the landscape in areas legal to hunt elk. Potential impacts (such as noise) on individual properties are the responsibility of the landowners. Individual SHARE

elk hunts are anticipated to be no longer than ten consecutive days for any hunt period (can be multiple hunt periods) within the allotted seasonal framework.

45. **Comment:** “A Coastal Development Permit from the County or California Coastal Commission is required for hunting on portions of Alexandre Dairy, as well as parts of the Bertsch tract area adjacent to Redwood National & State Parks. The proposed hunting regimes significantly extend the hunting season by more than 500% or spread out over nearly half the year, and in such a way that the public will never be sure when they can go out and avoid hunting. (The General Hunt is the first 22 days of each month, but again times and locations are not specified for PLM or SHARE hunts.) Alexandre EcoDairy lands have been added to private lands that allow hunting, under the PLM agreements. The Alexandre Dairy lands are directly adjacent to Tolowa Dunes State Park, that comprise sensitive wetland habitat and important wildlife feeding and bird watching areas that can be easily disturbed. The roadways here (Lower Lake and Pala Roads) are important to tourism and are considered important wildlife viewing corridors that birdwatchers and recreational visitors frequent regularly. This is a popular spot with birdwatchers, as documented in an Alexandre Dairy Coastal Development Permit application, where the Dairy provides a Lower Lake Road pullout with parking for birdwatchers, and a sign posted says Important Bird Area indicating the area has Audubon Society designation as part of the Del Norte Globally Designated Important Bird Area. Websites direct birdwatchers to this spot. (pg 3, Figs. 2, 3, Alexandre Dairy Permit document attached here). There is sensitive bird life that is easily disturbed such as many different raptors including bald eagles and peregrine falcons that regularly hunt this area, as well as Aleutian cackling geese, herons, numerous ducks, kites, short-eared owls. (Alan Barron, County Ornithological Records – published regularly for Northwest California Birding) Such an extended hunting season would disturb other important and listed wildlife and species of concern.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

46. **Comment:** “The adjacent parklands contain the important Native American Cultural heritage site of Yontucket Cemetery, a National Historic District, where such an extended hunting season would be disruptive and disrespectful. There will also be significant disturbance of the Tolowa Dee-ni’ Native American cultural heritage site, as gunshots can be easily heard from the cemetery hill that overlooks the Alexandre Dairy hunting grounds. Shots can also be heard from the sacred ceremonial dune ponds that are part of this National Historic District. These factors constitute a significant disturbance from increased intensity of use, that under the Coastal Act are considered development which requires a Coastal Development Permit directly from Del Norte County or the Coastal Commission in the case of the Alexandre EcoDairy area (between the ocean and the first road). The California Coastal Commission is on record as having challenged hunting on the State Parklands directly adjacent to the Alexandre Dairy at this location.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Potential impacts on individual properties are the responsibility of the landowners.

47. **Comment:** “Parts of the Bertsch Tract south of Crescent City are also within the Coastal Zone, and would require a Coastal Development permit for such an increased intensity of use, which may come through the General Hunt, or PLM or SHARE programs. There is no way to tell from the information provided, but official hunting on private property of some kind took place here in 2015, when the shooting of a great bull elk, which dropped on the property of Yasuko McFadden, became controversial. Because this area has dense residential development, it is inappropriate for Elk Hunting, or an extended Elk Hunting season.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Hunters must abide by all hunting regulations including proximity to occupied dwellings. If an illegal activity is witnessed the Department encourages concerned citizens to call the CALTIP Hotline (888) 334-2258.

48. **Comment:** “The document fails to analyze impacts from increased hunting pressure on Del Norte county elk herds specifically, and how impacts might be very different from what Elk pop simulation projects because of the

geography. Most of the county's population lives, and ranches, on the coastal plain in a broad strip lying between public lands where elk roam freely. If a detailed map was provided, as it should be, it would show that the elk will be trapped on the coastal plain where private lands are located and all types of hunting will occur. The elk are unable to move between their public land habitats without running a very long gauntlet (miles) of hunters from SHARE, PLM, General Hunt and other programs. Again a detailed map and specific herd territories are needed so these impacts can be analyzed. Please respond also to our attached comments dated November 18th, 2015, asking that wildlife corridors by which the elk may escape from hunting be provided." "The document fails to identify areas where the elk are "safe" and the public viewing them are "safe" during periods of hunting projected to occur over nearly half the year. Without such an analysis, this is a plan for widespread viewable slaughter, not a management or hunting plan."

Response: These comments referring to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

49. **Comment:** "The document proposes elk hunting will start as early as August 15 on SHARE properties (Appendix 19), and the General Hunt to extend from September through January. The early months of August and September are inappropriate for hunting, because calves are frequently born late and are still very small and dependent on mothers during these months. Also, this is the important elk rutting season which is essential to reproductive health. The elk herds gather together and are easy to shoot (you cannot really call this hunting). This problem is accentuated by the particular geography of Del Norte county as noted just above; the elk herds are trapped in the several mile wide gauntlet of private lands which are located between publicly owned forest habitat and public coastal dune, forest and beach habitat. Disturbing the rutting season should not be allowed. In any case, the document fails to discuss or analyze any of these significant impacts."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Antlerless hunting is currently not proposed until after September 15. Hunting bulls during the early fall is allowed in most western states at various levels. This hunt was established in 2007 and elk hunting in Del Norte County has been occurring (various hunt zones through the years) since 1993 with no adverse impacts.

50. **Comment:** "The document fails to identify and analyze impacts to adjacent National and State parks, State wildlife areas, and U.S. Forest Service lands in Del Norte county and Humboldt, in terms of impacts on land management strategies and other natural resources. Elk are known to help maintain open grasslands and reduce understory growth in forests; reducing population numbers will negatively impact the environmental services provided by the elk currently. As an example of possible negative impacts from reducing elk populations, we have attached documentation that the Smith River National Recreation Area has invested resources in habitat restoration for deer and elk, and in part has done so to protect the rare Mardon skipper butterfly (Candidate species) and two Forest Service Sensitive plants. (Coon Mountain Meadow Restoration, Devlin) See also discussion above in section C) 7. The document should examine the specific impacts to Candidate and sensitive species if elk numbers are reduced."

Response: The proposed regulations will not result in a significant reduction of elk within the hunt zone.

51. **Comment:** "The document dated November 15th indicates that some excess funding is generated by these elk hunting programs. We ask, again, that such monies should be allocated to on-the-ground field data collection, and enhancement of elk viewing opportunities for the public. Again, we also ask for transparency and information about the financial transactions in the PLM, SHARE and other programs benefiting or paying private landowners to allow elk hunting on their property. This may or may not be profitable for the landowner; there is no way for the public to tell without such information. It may or may not be good value in terms of wildlife habitat enhancement for wildlife. For example, the document says that Alexandre EcoDairy was issued four PLM tags in 2015; if sold for \$10,000 each, the going rate for bull elk, this would be \$40,000. How is the public supposed to know if it is getting a good deal without more information about the habitat enhancement program and financial transparency?"

Response: This comment is outside the scope of the proposed regulations.

A. Don Gillespie, Letter from Friends of Del Norte Mar. 16, 2016

52. **Comment:** “These revised regulations do not discuss the PLM program or include PLM tags. We do not know how many PLM tags there will be, and there are no locations or dates given for PLM hunting. Leaving this out of the discussion makes it impossible for the public to understand the total scope of proposed elk hunting. We also believe this omission violates CEQA because it fragments the project.”

Response: PLM properties are not part of the current regulation package.

53. **Comment:** “The SHARE elk hunting program is an entirely new program for Del Norte. On p 65 of these revised regulations it says SHARE hunting season will open Aug 15 - Jan 31, so this would be a significant new expansion of the elk hunting season in Del Norte county as well, with significant new environmental impacts on neighboring properties. Neighbors will be impacted by noise and possibly other disturbances. Neighbors who enjoy watching the elk will have that activity disrupted. Where public lands are adjacent, for example along Elk Valley Road, and Lower Lake and Pala roads, hunting noise and disturbance will impact the recreating public. All of these environmental impacts should be identified and analyzed in an environmental document that is specific.”

Response: SHARE elk hunts in the Northwestern zone are anticipated to include no more than three hunters per period on each property. This small number of individual hunters will have no significant impact to noise or other disturbance factors. Also, see response A50 above.

54. **Comment:** “P 16 364 (a)(2)(A) describes the area for the Northwest hunt, which includes all of Del Norte county and its coastline -- this is not an acceptable description. It is too vague to comply with CEQA. As requested in our last comments (attached), there should be detailed maps, with PLM, SHARE and hunting on other properties identified on the maps, and in a table with names and addresses, so that affected neighbors and affected recreating public are able to make comments on the overall configuration of the hunting as well as the specific impacts.”

Response: Hunters distribute themselves across the landscape in areas legal to hunt elk. Also, see response A16 above.

55. **Comment:** “Pg. 40 says the Northwest hunt will be up to 35 tags and pg. 67 says the Northwest SHARE PROGRAM will be up to 35 SHARE tags. How many Northwest tags total (including PLM) will there be? 35 or 70 or more? The document should be clear about the grand total of tags, again including PLM tags.”

Response: The items identified are tag ranges. The current regulation proposal lists tag ranges for both general and SHARE hunts. The Department proposes tag ranges early in the process and then analyzes available data to determine how tags will be issues (General, SHARE, Bull, Antlerless, or Either-sex). The Commission authorized 15 bull general season bull tags, 13 SHARE antlerless tags, and seven SHARE bull tags. PLM tags are not part of this regulatory package.

56. **Comment:** “There also appears to be a typo. If not, please clarify: Pg. 40 says the Northwest hunt starts first Wed. in Sept for 23 days and on p 55 it says Northwest hunt starts last Wed. in August for 30 days, so which is correct?”

Response: Both are correct, Page 40 indicates the seasonal framework for the general tags and page 55 indicates the seasonal framework for a multi-zone fund raising elk tag in which one of the authorized hunt zones is the Northwestern Zone.

1. **Comment:** “Though outside the scope of the draft environmental document, EPIC feels it necessary to remind the Department of its obligation to create a statewide elk management, pursuant to Cal. Fish & Game Code § 3952. Updating elk hunting regulations is not the equivalent of a statewide elk management plan. As the Cal. Fish & Game Code requires, a statewide management plan would, among other things, would develop “methods for determining population viability and the minimum population level needed to sustain local herds” and would identify develop “individual herd management plans” for “high priority areas.” The mandate for the Department to develop a statewide elk management plan has been in the Cal. Fish & Game Code since 2003. Continued delays are unacceptable and raises the question whether continued hunt authorizations are in fact legal.”

Response: The Department is completing the Draft Elk Conservation and Management Plan and is not proceeding with the changes proposed in the 2016 Draft Environmental Document. Hunting will be within the framework of the previous Final Environmental Document.

2. **Comment:** “The draft environmental document takes too cursory of a look at impacts to individual populations, particularly the coastal herds of Humboldt and Del Norte Roosevelt elk. As highlighted in Meredith et al. (2007), the Humboldt and Del Norte Roosevelt elk populations represents an evolutionarily significant unit (ESU) of the larger Roosevelt subspecies because of the little-to-no influence of gene flow from other North American elk subspecies. The draft environmental document is flawed insofar as it fails to consider the relative importance of individual populations to the larger subspecies. The population characterized as the “Humboldt” and “Del Norte” populations in the draft environmental document is uniquely special to the larger Roosevelt subspecies as a whole because it has experience little to no hybridization with either Tule or Rocky Mountain elk. As a result of human management, there has been significant hybridization between Roosevelt and Rocky Mountain elk across the historic range of the Roosevelt elk, such that there are very few “pure” populations of Roosevelt elk left. For example, the “Roosevelt” elk found on the Olympic Peninsula, contain a significant proportion of hybridized individuals. Polziehn et al. (2008) reports finding genetic signatures of Rocky Mountain Elk within 20% of the Olympic Peninsula Roosevelt Elk populations, indicating that hybridization is readily occurring between these genetically distinct subspecific populations. Closer to home, the “Roosevelt” elk population in Siskiyou and Shasta counties are also considered hybrids of Roosevelt and Rocky Mountain elk. Meredith et al. (2007) states, “Elk present in the northern California counties of Modoc, Siskiyou, and Shasta are genetically Roosevelt elk, Rocky Mountain elk, or hybrids of these 2 subspecies.”

Response: The Department is completing the Draft Elk Conservation and Management Plan and is not proceeding with the changes proposed in the 2016 Draft Environmental Document. Hunting will be within the framework of the previous Final Environmental Document. The Department is aware of the genetic study looking at the three subspecies of elk within California. The Department is continuing to identify the genetic makeup from elk herds around the state. Meredith et al. (2007) found pure elk and hybrid elk in Siskiyou County. In this study elk from western Siskiyou County were determined to be pure Roosevelt elk along with those from Del Norte, Humboldt, Trinity counties, and Jewell Oregon. The Department utilized elk from Jewell Oregon to re-establish elk in portions of Trinity and Siskiyou counties. Elk are capable of long distance moves and migrations and there are no current barriers to prevent their movement across the landscape. Identifying the genetic makeup from additional subgroups will assist the Department in its management goals.

3. **Comment:** “Hybrids, however, make up the bulk of the 5,000 population estimate. According to the draft environmental document, the Humboldt/Del Norte ESU totals only around 1,500 individuals. It is unclear where the Department arrived at these numbers, although one news article states that population estimates are from 2010. However, based on publicly available science since 2010, there is considerable reason to be concerned about local populations as well. Julian et al. (2013), which examined group size dynamics in Redwood National and State Parks, reported local population declines.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. The Department disagrees that hybrids make up the bulk of the 5,000 Roosevelt elk populations. Also, see Response A13 and B2 above.

4. **Comment:** “Perhaps most alarming in these declines is these elk populations are perhaps the best protected within the Humboldt/Del Norte ESU—it is reasonable to assume that populations within state and national parklands would be better protected from losses associated with illegal take, competition for browse, and/or habitat modification.”

Response: See Response A13 above.

5. **Comment:** “In sum, the draft elk document is deeply flawed in its impact assessment and needs substantial revision. EPIC urges the Department to consider the impact of hybridization and the importance of individual populations relative to the larger subspecies in the final environmental document. EPIC reminds the Department that as an ESU, the Humboldt/Del Norte population is a listable entity under the California Endangered Species Act and is likely a listable entity under the federal Endangered Species Act.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

6. **Comment:** “EPIC is concerned that the elk environmental document does not review how elk hunting may influence hybridization. Part of the issue here stems from the range expansion of the elk. While normal redistribution and expansion is expected and is a natural part of elk biology, Cole et al. (1997) has shown that in regions experiencing heavy human influence, in particular road-use and hunting, elk daily movement is far greater than it would be in a non-disturbed environment. Human disturbance of the elk’s ecosystem, in particular during hunting seasons, has been pushing elk beyond the range they would occupy under conditions that are more peaceful. Further, illegal take, ie. poaching, is much higher in these regions of higher human influence. The environmental document does not examine how elk hunting may influence range expansion, range shift, or the dispersal of lone elk. As the Department’s own policy urges that the Department manage on the basis of avoidance of hybridization, this omission appears even more important.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

7. **Comment:** “Elk Pop, a non-published wildlife management program released by California Department of Fish and Wildlife in the late 80’s, contains several significant shortcomings within its parameters. As described in the Elk Management Plan, Elk Pop factors in population age and sex ratio, gathered through estimation based on observation, as the primary drivers, and also includes the ability to change the theoretical carrying capacity of the habitat and zones in question. While the document does go on to address the potential impacts of various drivers, including climate change, habitat alteration, and poaching, the extent of the impact of these variables on elk populations are admittedly unclear due to lack of information. But a literature search reveals that while there is a difficulty in acquiring information about such events, the impact of such occurrences are far from insignificant (Cole et al 1994, Meredith et al. 2007, Cole et al. 1997)”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

8. **Comment:** “Further, the model does not take into account the stress that can result from increased pressure on herds’ reproductively active females. While the environmental document shows that there is an increased rate of birth from a harvested population, these females are subject to much greater energy demands, through the process of gestation, parturition, and lactation, which can all negatively influence survival in these individuals (Johnson et al. 2006).”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

9. **Comment:** “A recent conservation success story is the reintroduction of wolves into California’s borders. While this is a great story of reestablishment of historical populations, historic elk populations are far from what they were at

the time of widespread wolves and elk in a similar landscape. While the predation of a small number of very young or very old elk is to be expected by wolves, the introduction of predatory species becomes ecologically significant and risky at the hands of hunting. Wright et al. 2006 show that in a survey of antlerless elk, i.e.. females, a large majority of the elk taken were considered to be at a “reproductively prime age.” That is, between the ages of 2-9 years. Wright then goes on to show that in the study, the combined influence of hunters taking out median ages, and predators taking out individuals at either extreme, herd numbers and viability began to decline.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

10. **Comment:** “First, EPIC notes that the Department says that there is concern that wolf recovery may cause localized population extinction.” “If elk and deer populations decline, EPIC is concerned that human/wolf conflicts will increase, leading to increased pressure to lethally control wolf populations.” “The draft environmental document’s discussion of impacts to wolves is cursory and rests on a single citation. We believe that this is inadequate.”

Response: These comments are referring to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

11. **Comment:** “The Department’s examination of cumulative impacts from illegal harvest is inadequate as it relies almost entirely on citations issued for illegal take.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

12. **Comment:** “EPIC requests the Department extend the comment deadline to allow for greater public participation in the matter. In particular, if given additional time, EPIC would provide greater detailed comments on the Elk Pop model.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

C. Phoebe Lenhart – E-mails dated 1/21/16, 2/6/16, 2/9/16

1. **Comment:** In review, it appears that I sent E-mails to you on August 4 and 15 regarding my concerns about the Roosevelt elk. I believe that to be the correspondence I inquired about. Plus, many of my friends sent in comments, those did not appear in the "Draft" either.”

Response: Scoping comments received within the open period for comment (August 12- September 13, 2015) were included in the Draft Document. Comments received up to September 25 were also included. General correspondence and comments prior to initiating scoping or after September 25, 2015 were not included.

2. **Comment:** “The DFW still does not have an "elk management" plan. Without sound environmental management. this Draft is more of the problem. not the solution.”

Response: The Department is completing the Draft Elk Conservation and Management Plan.

3. **Comment:** “I object to the Draft referring to the "hunting" of elk. Elk are not afraid of human beings. It is a travesty to call it hunting when there is not sport in killing an animal that does not fear you. This means that the DFW is supporting killing for the "thrill of the kill". As a tax payer I do not wish to subsidize an agency that encourages that activity. A dead elk benefits only one person. the person who slaughtered it. Live elk benefit all of humanity.”

Response: This comment is outside the scope of the proposed regulations.

4. **Comment:** “The DFW did not give enough consideration to the revenue generated by tourists to my satisfaction. Tourists travel to Del Norte County to see live Roosevelt elk. Wherever there is a herd of elk, there are cars parked along the side of the road and photographers setting up their tripods to take pictures of the elk. The tourists love to see the Roosevelt elk here and their dollars spent in this community are more appreciated by many of us than the bloodied money spent on butchering elk. This report by the DFW would be more appropriately called a draft for "elk slaughtering" in my opinion.”

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. The proposed action will not impact the non-hunting public, because the number of hunters in the field at any one time (established by the quotas for each hunt), in conjunction with the areas open to hunting, will result in very low hunter density. Historically, all areas open for hunting have been open for other types of hunting (waterfowl, upland game birds, rabbit, wild pigs, black bear, etc.) during the same timeframe as the proposed elk hunts. If the non-hunter is concerned about being in the field during the proposed elk hunts, there are significantly larger areas of the same habitat type located adjacent to or near all hunt areas that can be used for non-hunting activities during the short elk hunting period.

5. **Comment:** "The DFW does not address the protection of successfully breeding bulls with harems. It is a well known fact that these bulls are important for the survival of the species. I object to "trophy" hunting due to irreversible damage it does to the elk's genetic diversity."

Response: Trophy hunting is not the focus for this elk zone. Tags previously issued were either-sex tags allowing a hunter to take male or female elk. Most hunters chose to harvest male elk. Age reports indicated that harvested bull elk ages ranged from one to nine years old for the last two years of age data currently available. Elk of all age classes were harvested. Each hunter hunts for their own reasons and within their own abilities. Current recommendations are to issue both bull and antlerless tags to harvest an appropriate number of animals of each sex. Half of all genetic material comes from the female.

6. **Comment:** "The FGC (FGC, pg. 25) proposes to start the killing of Roosevelt elk in September. This is pure stupidity. August, September, and October are known as "rutting season". It is a period when the bulls are in intense competition with each other for cows to be in their harem. Usually the bulls lose a lot of weight as the result of strenuous fighting. The FGC proposal will interfere with their critical reproduction cycle by having hunters shooting at the elk while the elk are trying to mate. In addition, the calves are only 2-3 months old and have just finished nursing. Did you consult with a zoologist before you developed this insane recommendation? I am appalled; this plan of yours is absolutely mismanagement of the elk at its worst."

Response: Elk seasons vary by each state with many states having various and numerous seasons depending on method of take (and area) such as antlerless, bull, any elk, archery, muzzleloader, etc. Most western states have some form of elk season during the early fall. The Northwestern hunt was established in 2007 and elk hunting in Del Norte County has been (various hunt zones through the years) occurring since 1993 during this same time frame. Harvesting a small number of bulls each year has not been shown to impact elk. Half of all the genetic material from an elk comes from the female.

7. **Comment:** The DFW still does not have an accurate count of the Roosevelt elk population in Del Norte County. On page 18 (Draft) the DFW speculates the statewide population of Roosevelt elk to be between 5,000-6,000 elk. I think this estimate is too high and request that it be verified before any actions are taken to increase the numbers of elk killed or to increase the range of killing. Further, the DGW estimate has a 20% margin of error, I find this to be unacceptable and consider this more like sloppy guessing.

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

8. **Comment:** "On page 34 (Draft) the DFW estimates the population of Roosevelt elk in Del Norte and Humboldt counties to be approximately 1,575 elk. The DFW proposes killing 104 elk. The FGC (fgc, pg. 25) proposes killing as many as 250 elk. The SHARE program proposes killing as many as 175 elk (fgc, pg. 5). Let's do the math, because it appears that nobody did. If we divide 1,575 in half, about 787 Roosevelt elk are in Del Norte County (the other half being in Humboldt County). If the DFW allows 104 elk to be killed and the SHARE program adds their 175 elk; that total for killing elk is 279. When you do the math, this is approximately 37% of the elk population in Del Norte County (given the scenario above). If the FGC allows 250 elk to be killed and the SHARE program adds their 175 elk; that total for killing elk is 425. Given the same population, this is approximately 54% of the elk population in Del Norte County. I say this is not stewardship, this is not sustainable, this is not sane."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

9. **Comment:** "In WA there are approximately 5,000 Roosevelt elk. The WA Department of Fish and Wildlife permits the shooting of Roosevelt elk only from Nov. 5-16, 2016. I would like to recommend that the CA DFW and FGC consult with the biologists in WA. It is obvious, there is a huge discrepancy between how WA and CA manage their elk. In contrast to WA standards, CA looks like it is hosting a "killing fest". I am shocked. Where is the congruency with your vision and mission statement? What does this do to CA's image as a state interested in conserving its environment?" "I do not agree with DFW permitting any killing of elk during rutting season (mid-August thru mid-October). I hope the DFW will respect this critical period of reproduction time for the elk. The DFW in WA does not permit the shooting of elk during these two months."

Response: Washington estimates their elk population to be between 40,000 and 60,000 elk, of which 30,000 to 40,000 are considered Roosevelt or Roosevelt Hybrids. They estimate approximately 7,000 elk for herds with only pure Roosevelt elk. There are several different elk hunting seasons in Western Washington (Roosevelt elk range). Different management units have various hunting regimes. These include archery seasons (15 days in September and 20 days in late November through early December), general elk season (12 days in November), muzzleloader season (seven days in October and then 20 days in late November through early December). In addition there are special drawing permits available for Western Washington elk zones which allow a draw successful hunter to hunt specific elk zones during the rut, in restricted areas, or other more favorable times of the year outside of general seasons with modern firearms. Washington bull elk tags (three point or better) are over the counter, meaning there is no cap on the number of tags issued. Also, see response A44 above.

10. **Comment:** "I oppose the killing of any elk within 50 miles on either side of US HWY 101 as it is traversing Del Norte County. This land is not only in park use, but is also residential and commercial. I suggest that the CA Coastal Commission evaluate the affect of your proposals to increase the killing of elk and to expand the area of killing to the "Pacific coastline" (fgc, pg. 42)."

Response: These comments are referring to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. All hunters must abide by regulations which limit the legal areas open to hunting. Current Fish and Wildlife regulations specific distance restrictions from occupied dwellings. It is up to individual landowners to allow access to elk hunters.

11. **Comment:** "On page 66 (Draft) the most recent date of any scientific research in the Bibliography is from 2006. The implication of this is that the DFW is using information that is over 10 years old. No respectable scientific study would use information that obsolete. If you look at any current decent study published, you will find much more recent information cited in the Bibliography."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

12. **Comment:** "On page 26 (Draft) the DFW states that their research on the effects of global warming is "limited". Global warming trends have existed for decades. CA is in the 4th year of a drought. I think the DFW had ample time to analyze the impact of a hotter planet on the elk and their environment. This is not hard to do with current technology. Today, scientists know through the use of laser-imaging technology that up to 58 million trees in CA are near death due to the drought. Why doesn't the DFW mention that? I think that is critical data about the elk's habitat. Look again; the references in the DFW's Bibliography are over 10 years old."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

13. **Comment:** "The Draft contains 110 pages of "simulated" statistics. It is common knowledge among programmers that using computerized algorithms can produce a phenomenon known as "garbage in, garbage out"."

Response: These comments are referring to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Computer models are a commonly used tool for estimating impacts on game species.

14. **Comment:** "On page 29 (Draft) the DFW describes the models that they use called "Stock-Recruitment" (1984) and "Elk Pop" (1987). This indicates to me that the DFW is using programs that are 33 and 29 years old, respectively. In today's advanced technology updates are done continuously; these programs are not only ancient, they are worthless to use in any scientific study today."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Computer models are a commonly used tool for estimating impacts on game species.

15. **Comment:** "According to a US Forest Service expert I consulted, there is ample room for increasing sizes of Roosevelt elk herds. The FGC perceives the Roosevelt elk "population concentration too high in these areas". There appears to this expert and myself no reason for the DFW and FGC to "thin out" the herds."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. The Department routinely works with Federal Land agencies such as the US Forest Service to promote elk use.

16. **Comment:** "Further, the DFW does not mention developing "wildlife corridors" which would enable the elk to diversify their genetic material. The population is fragmented. This would benefit them greatly."

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Also, see response A13 above.

17. **Comment:** "The DFW and FGC appear to be of the opinion that there are "elk problems" and that killing the elk will reduce any conflict between the elk and private property owners. I think this is a drastic action that has been perpetuated by both of these agencies for years. I believe that any perceived "conflict" can be dealt with pro-actively. You can provide "wildlife corridors" and you can build better fences."

Response: The Department also works with landowners to identify additional methods of dealing with elk conflicts, such as fencing.

18. **Comment:** "I see the SHARE program as a facade to kill more elk and suggest that it be abolished as a bad idea taken to fruition."

Response: SHARE elk tag allocations are not additional tags; they fall within the identified harvest allotment. It is an alternative way to distribute tags and target harvest on those properties receiving damage by elk. Also, see response A19 above.

19. **Comment:** "I would like to suggest that the DFW and FGC agencies be examined, because it appears that there is much duplication that could be eliminated. There may be better accountability if the responsibilities were consolidated into one agency."

Response: This comment is outside the scope of the proposed regulations.

20. **Comment:** "Lastly, I have many concerns about the tule elk and know how badly the record looks over the years. Between 2012-2014 approximately 250 tule elk died on Pierce Point Elk Reserve at Pt. Reyes National Seashore. I don't understand how the DFW and FGC could allow such an atrocity to happen. If my doubts about the stewardship of the Roosevelt elk (discussed above) are any indication, than I have misgivings about the future of the tule elk under your authority."

Response: This comment is outside the scope of the proposed regulations.

21. **Comment:** "According to my observations, the DFW was irresponsible for protecting the elk 90 years ago and appears just as incompetent providing for them today. Then, we should not underestimate the importance of our wildlife for the future generations. The DFW has no accurate knowledge about the population of the Roosevelt elk, nor does it really know anything about the health of the elk."

Response: This comment is outside the scope of the proposed regulations.

22. **Comment:** "In all due respect, I am NOT comfortable with DFW preparing tags as "to previous years", because the DFW determined those tags based on wrong information. I think before any more elk are killed, the "elk management report" needs to be completed."

Response: The Department believes the proposed harvest level is appropriate and will not have any significant impacts.

23. **Comment:** "In your reply, you did not give a time frame. As I wrote in my objections, I do not agree with DFW permitting any killing of elk during rutting season (mid-August thru mid-October). I hope the DFW will respect this

critical period of reproduction time for the elk. The DFW in WA does not permit the shooting of elk during these two months.”

Response: The Department believes the proposed season is appropriate and will not have any significant impacts.

24. **Comment:** “In addition you did not specify a location. As I mentioned in my report, I identified three herds of Roosevelt elk in this area as: the Endert's Beach, Lake Earl, and Smith River. Elk are not afraid of human beings. In particular, I believe these elk to be "tame" due to their exposure to people in this area. These herds are very small with approximately 50 elk each. I have not witnessed any significant growth in these herds and encourage the DFW to protect them.”

Response: This comment is outside the scope of the proposed regulations.

25. **Comment:** “Then there is the subject of hybridization. We know that the approximately 150 coastal Roosevelt elk in Del Norte County are from the remnant of 15 Roosevelt elk found in Humboldt County in 1925. As much as we can assume, these few coastal elk are pure Roosevelt elk. DFW does not know about the hybridization of elk inland (and should determine that in your study). Meanwhile, I think it is imperative that the coastal Roosevelt elk in Humboldt and Del Norte counties be preserved for future generations of elk.”

Response: See response A13 and B2.

D. Chris Howard (3:44) – Public Comment February 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** It’s not a misstatement to say that the interactions between our populations of people and Roosevelt elk in Del Norte county are real. And it occurs daily. We have to address these issues through the commission, through the department to get to a sound resolution and as stated earlier with the goose hunting, it’s not dissimilar. The regulation of hunting is the one tool we have in our basket of tools to help control those populations in our area. But they have increased so dramatically that even on our small dairies that do pasture based management. The impact is huge. One herd, 157 animals, on the Alexandre Dairy, consume 2 million pounds of feed annually. That’s going into an elk, versus a dairy cow that’s putting food on our tables. Huge impact. Please consider these regulations for this year and more importantly the 2015 studies to help us to get to that next step for 2017.

Response: The Department is finishing the Draft Management Plan and will use that as a basis for changes moving forward. The Department understands the impact elk can have on individual landowners.

E. Jerry Hemmingsen (3:44)- Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** We would request that we get the maximum number of tags available for Del Norte County. The conflict interactions as were stated earlier are just getting bigger and bigger. It’s really, really an issue cost-wise in damage, as well as the feed issues that supervisor Howard just mentioned. So, we would ask that you continue on and get us the maximum tags that we can. Thank you.

Response: The Department understands the impact elk can have on individual landowners and Regional personnel are preparing tag quotas.

F. Robert Moore CA Bow hunters and state archery association (3:44:43) - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** We are in agreement with the departments recommendations for the mammals. We also like to recommend that there is a range of tag quotas. We would like to recommend that they don’t eliminate or reduce any of the archery tag quotas.

Response: Regional Personnel provide tag quota recommendations and tag allocation is based on demand for the method of take (general, archery, or muzzleloader).

G. Tom Wheeler, EPIC (3:47:20) - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** I want to outline why an elk management is important. Our Roosevelt elk population in Humboldt and Del Norte counties is significant to the larger subspecies as a whole. It is an evolutionarily significant unit, as described in the CDFW document, meaning that this population has a unique genetic structure, in part, because it has not undergone large amounts of hybridization with Rocky Mountain elk. This has been an issue across the west coast, the issue of hybridization. The “Roosevelt elk” that we call them in Siskiyou counties are largely hybrids. By my knowledge the only pure Roosevelt elk population in California is ours in Humboldt and Del Norte counties.

Response: See response B2 above.

H. Jean Su – Center for Biological Diversity (3:50:45) - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

Comment: On behalf of our over 100,000 members in California, we just want to sincerely thank the Department and the Commission and Mr. Hobbs, for wisely deciding to forego making major changes right now to the elk population until after the elk management plan is done. So, thank you.

Response: The Department agrees with the comment.

I. Noelle Cremers – California Farm Bureau (3:45:55) - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** We’ve been very successful in California in increasing the elk population. Unfortunately, those elk are depending on private lands. And, Mr. Farmer outlines in his e-mail the impact that the elk are having on his particular property, and that will drive them to make the investment to put up fencing to keep elk out, which then means the elk won’t have access to those private lands which will decimate the herds because they’re not going have forage available. It’s disappointing that the 2015 environmental document was pulled back because we were very supportive of the increased hunts so what we would request is the absolute maximum be allocated and as many as can be into the SHARE program as possible to help the land owners that are dealing with this. Thank you

Response: The Department is finishing the Draft Management Plan and will use that as a basis for changes moving forward. The Department understands the impact elk can have on individual landowners. Regional staff are currently working with private landowners to address elk conflicts on their properties.

J. Bill Gaines – Rocky Mountain Elk Foundation CA Bow hunters and state archery association, CA wild sheep foundation and the California Hounds men for Conservation (3:56:50) - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** The Department has just released a range of tags of deer, elk, antelope, and so forth for this year. We know they’re going to be going into their final tag numbers into the April adoption hearing. Last year the Department was good enough to get those proposed tag allocations to us a few weeks early so we could look them over and provide our comments back to the department and certainly be ready to provide our comments to the Commission at the adoption hearing. We strongly urge the department to give us that opportunity again this year and get those proposed tags to us as soon as they possibly can. Lastly, the archery hunters have suffered an unfair reduction in elk archery tags over the course of the last few years and we’re hoping to see that the archery hunters are taken a little bit better care of in the 2016 proposal. Thank you very much

Response: The Department will provide final tag quota recommendations as soon as possible after Regional personnel forward them to staff at headquarters. Regional Personnel provide tag quota recommendations and tag allocation is based on demand for the method of take (general, archery, or muzzleloader).

K. Rick Bullock with APECS (3:45:27) - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** We support the Department’s recommendations on the mammal regulations. Thank you.

Response: The Department appreciates the support.

L. Eileen Cooper, Vice President, Friends of Del Norte (3:48:27) - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** We want to see real data, a real management plan, population, dynamics, what's been happening for our area. Our area specifically is very important in Del Norte county. Our population is unique and it's not hybridized. The only real data that we've seen is from a long term study from State and National Parks that carefully followed the population of their herds and elk climbed in the last century and now those populations, the most protected populations in the National Parks, are on decline, significantly. So, there is something going on. They are not doing that good lately. And so, we want to see a real management plan, real data, and this map is provided for you. Because it shows a unique circumstance in our area. Elk are in Tolowa Dunes State Park, and they just recently discovered that area. The farm lands are directly adjacent to that. They sit between the Dunes Park and the Forest. So there's going to be a lot of migration. We have to protect those migration corridors. Thank you.

Response: The Department is finishing the Draft Elk Conservation and Management Plan. Review of reported harvest locations indicate elk are harvested over large areas of the hunt zone. The Department disagrees that the elk population has been in decline. Also, see Response A13 and B2 above.

M. Kimberly Richard Chair for the Environmental Wildlife Democrats in Napa Valley (3:51:13) - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

1. **Comment:** My concern has to go back to the wolf conservation plan, and the elk. One of the issues with that plan is there wasn't going to be enough elk or deer for the wolves. And, as we all know, wolf packs are re-establishing themselves here in California with the Shasta Pack and OR25 being back in California. So wolf packs are growing, and yet, they are saying there's not going to be enough food for them. So, 'let's open up and do extra hunting of elk that could potentially go towards helping sustain another healthy wolf pack in California.' So is that being taken into consideration as well? The impact of extra hunting on gray wolves coming into California? Thank you.

Response: The amended Initial Statement of Reasons and current proposed tag ranges are not an increase from previous levels. Regulated hunting harvests a small portion of the population each year and is not believed to be an impact on wolves.

N. Terry Fogner - California Bow hunters - Public Comment Feb. 11 Fish and Game Commission Meeting, Sacramento

Comment: I would like to welcome you and I'm really really pleased with what I'm hearing so far. But mainly, to get to my points, I'm really thrilled to hear what your positions are regarding depredation versus hunting. From my perspective, depredation is a failure of management, and it should be taken care of by using more hunting to help fill in the gaps. One of the other things I'd like to point out is that over the past year or so since I've been doing it and writing for the bow hunters, I have noticed there are a lot of areas that are using bow hunters to limit the population of cervids, deer and elk, in the residential areas and they seem to be doing quite well in different areas of the United States. Thank you

Response: The Department appreciates the comment.

O. Frost Pauli, Mendocino County Farm Bureau – E-mail dated February 9, 2016

1. **Comment:** As much as the citizens of Mendocino County enjoy these magnificent animals, their exponential population growth has created an ongoing tension with landowners in the areas where the elk are inhabiting. In the Potter Valley area it is estimated that there are 300+ Tule Elk that are now established in the valley. Rough counts in the Laytonville area indicate close to 200 Tule Elk. The herds in Covelo and Willits, though smaller, are still leading to negative interactions with landowners.

The main issues with the interactions between landowners and elk include:

- Impacts and competition to forage availability for livestock
- Impacts to hay and other crops such as vineyards and orchards
- Destruction of livestock and property fencing

- The increased costs associated with crop loss and maintaining infrastructure due to elk damage
- Very little to no compensation to property owners that are subject to dealing with elk on a regular basis.

Additional concerns include:

- Public safety concerns from elk/automobile interactions on local roadways. The Highway 101 corridor in Laytonville is especially prone to high speed auto accidents involving elk
- Impacts to native deer species from the large increase in the Tule Elk population
- Impacts to the health (starvation, disease) of the existing elk herds if private properties are forced to install elk fencing to fence out the elk to avoid additional property damage.

With these concerns in mind, it was encouraging to see that the 2016 recommendations to the commission included the split of the existing Mendocino elk hunt area into five separate zones and therefore increasing the number of elk hunt draw tags available for both the general hunt program as well as the SHARE program. The 2016 recommendations, would have increased the general hunt tags from 0-10 bull tags and 0-40 antlerless tags for 3 zones and 0-5 bull tags and 0-10 antlerless tags in 2 zones. The SHARE program tags would also have increased the number of allocated tags in a similar fashion with just the Mendocino Little Lake proposed zone having a reduced number of SHARE tags available when compared to the general hunt tag numbers. The proposed increase in the number of elk hunting zones and tags in Mendocino County would assist in resolving some of the elk/landowner conflicts and other concerns listed above. In addition, the increase in the SHARE program tags would also provide some incentive and compensation for private landowners that are impacted by elk.

Under the 2010 program, the single Mendocino general elk hunt area is one zone and is limited to 2 bull tags and 2 antlerless tags. Based on the 2014 elk tag drawing statistics (latest statistics in the 2015 DFW Big Game California Hunting Digest) there were 36 applicants for antlerless tags and 126 applicants for bull tags. So for 4 general elk hunt tags, there were 162 applicants which demonstrates that there is a sufficient public demand to consider an increase in the general elk hunting tag quota in Mendocino County. MCFB encourages the commission to continue to work toward an increase in general elk hunt tags, like what is listed in the 2016 recommendations, for Mendocino County.

Based on correspondence with DFW staff in the elk and antelope program, it was indicated that there are currently 34 bull tags and 35 antlerless tags available through the PLM program and 2 bull tags and 2 antlerless tags available through the SHARE program in Mendocino County. This is a minimal number of tags for private land programs and without consideration for increasing the number of tags within these programs, there will continue to be tension with property owners that are impacted by elk and receive no compensation to assist in the cost of mitigating losses and damage. MCFB encourages the commission to continue to work toward an increase in SHARE elk hunt tags, like what is listed in the 2016 recommendations, for Mendocino County.

Since the commission is allowing for an extended public comment period for the December 2015 draft environmental document related to the 2016 recommended changes to the elk hunting zones and tag limits in California, MCFB hopes that the commission will continue to work with DFW staff to work toward an improved management strategy for the growing elk population. The 2010 standards for elk hunting in Mendocino County are not sufficient and if there is no effort to increase tag limits for the general and SHARE hunts, the friction between elk and property owners will continue to escalate.

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. The Department is continuing to work on addressing these issues.

P. Mike Post – E-mail dated 2/12/2016

Comment: I have examined the elk plan and feel that it is appropriate for the current conditions. I applaud the new San Emigdio Tule Elk Hunt. I would like to see additional "Apprentice Hunts" for elk and all game generally, even at the expense of regularly issued tags. I do take exception to the misrepresentation of some other commenters referring to Tule Elk as "rare" or in any way threatened or endangered. The Tule Elk is a poster child for well managed species recovery from near extinction, a successful process guided by staff and science and not by politics.

Response: These comments are referring to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

Q. April Rose Sommer, Center for Biological Diversity, Letter, January 25, 2016

1. **Comment:** Without sound and clearly-defined management policies based upon science, cumulative impacts from expanded hunting could impede elk recovery or trigger declines in certain populations. As such, we believe the Department should refrain from expanding either the location or amount of elk hunting in the state until the statutorily mandated statewide elk management plan is complete and the Department has undertaken population surveys for all elk herds upon which it can base future hunting regulations.

Response: The Department is completing the Draft Elk Conservation and Management Plan and is not proceeding with the changes identified in the 2016 Draft Environmental Document. Hunting will be within the framework (existing tag quotas) of the previous Final Environmental Document.

2. **Comment:** "Comment period should be extended."

Response: The Department is not proceeding with the changes proposed in the 2016 Draft Environmental Document.

3. **Comment:** "The proposed elk regulations and Draft Environmental Document fail to be informed by a statewide elk management plan, violating the F&G Code."

Response: The Department is not proceeding with the changes proposed in the 2016 Draft Environmental Document.

4. **Comment:** "The Department and Commission lack scientifically credible current elk population data, which is legally required to make the determinations of the impact of hunting on these elk populations"

Response: The Department continually collects data on elk populations across the state. The proposed regulations are based on the best data available and propose to harvest a very small fraction of the elk populations.

5. **Comment:** "The Draft Environmental Document fails to take into consideration other key factors in determining elk populations". First, it is our understanding that during seasons open to targeting of bulls, hunters usually seek the largest elk they can shoot, preferably one of the large "primary bulls," which are responsible for most of the breeding. The Department needs to consider the impact of shooting the largest elk on population dynamics and whether each herd has adequate numbers to support the annual killing of primary bulls. Second, the Draft Environmental Document fails to take into account the impact of elk management on wolves. Wolves are now present in California, likely to expand in range, and much of their expected northern territory, which the Department has acknowledged in its draft wolf management plan, overlap with elk. The Draft Environmental Document fails to discuss either the impacts of wolves on elk population or the impacts of elk management, including hunting, on wolves. Absent such an analysis, the Draft Environmental Document cannot serve as the bases for new hunting regulations

Response: The Department is not proceeding with the changes proposed in the 2016 Draft Environmental Document. Also, see response C5 above

6. **Comment:** "The Draft Environmental Document fails to take into account protection of specific elk populations demanding special concern". The Center finds the Draft Environmental Document's conclusions regarding elk hunting to be poorly supported for elk populations throughout the state, but we are particularly over certain populations. First and foremost are, as noted, tule elk populations which are limited to California and even if recovering remain relatively small and vulnerable. Additional, some populations of Roosevelt elk are also of limited size and occur in areas popular with non-consumptive uses such as wildlife viewing. As an example, Unit 483 in Northwest California a small herd of approximately 80-100 Roosevelt Elk that are in the southern portion of the King Range National Conservation Area and Sinkyone State Wilderness Park/Sinkyone Intertribal Wilderness. Data regarding this population shows that it is too small to sustain any hunting without impacting non-consumptive uses. Similar conflicts exist elsewhere in the state, yet are not analyzed in the document. In sum the Center believe that the Department and Commission should not move forward with regulations expanding elk hunting in the state until

they have completed the statewide elk management plan, conducted population surveys for all herds addressed in the hunting regulation, and drafted an new environmental document that adequately analyzes all relevant impacts at appropriate scales.

Response: The Department is completing the Draft Elk Conservation and Management Plan and is not proceeding with the changes identified in the 2016 Draft Environmental Document. Hunting will be within the framework (existing tag quotas) of the previous Final Environmental Document. Hunting is not permitted within the Sinkyone State Wilderness Park. There is no data to suggest that limited hunting has impacted elk populations. Population estimates for elk continue to increase.

R. Janet Gilbert, Letter dated 1/12/2016

1. **Comment:** “CDFW has not completed a state management plan for elk as required.”

Response: The Department is completing the Draft Elk Conservation and Management Plan and is not proceeding with the changes identified in the 2016 Draft Environmental Document. Hunting will be within the framework (existing tag quotas) of the previous Final Environmental Document.

2. **Comment:** “The Draft Environmental Document presents no data to support is proposed project and alternatives and as such should be rejected.” “No field data is included in the draft.

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

3. **Comment:** “Population estimates are based on an outdated, unpublished “Elk Pop” computer model.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

4. **Comment:** “The bibliography has 41 entries of which only 5 are post 20th century. The draft document is not currently up to date scientifically regarding elk biology/population dynamics/management.

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

5. **Comment:** “The Roosevelt elk of Del Norte and Humboldt counties are a “pure” subspecies as there is little to no hybridization with either Rocky Mountain or Tule elks. They represent an evolutionary significant unit and may be eligible for protection under the Endangered Species Act.”

Response: See response A13 and B2 above.

6. **Comment:** “Significant doubt on the veracity of the Elk Pop model exists. Given large changes in proposed tag quotas, the model did not predict any significant impacts.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

7. **Comment:** “Proposed Elk Tag General Hunt Tag Quotas are ambiguous; numbers could be assumed to apply per period or cumulative over all periods. Numbers also do not agree with the simulation runs.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

8. **Comment:** “SHARE hunt tag quotas are not included in the Elk Pop simulation runs. “

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time. SHARE elk tags are considered a type of general elk tag and are not additional tags.

9. **Comment:** “Proposed hunt season extensions increase a 23 days hunt in September 2015, to more than 100 days, August 2016 through January 2017. No data is provided that suggests the elk can thrive under such prolonged pressure to support such an increase in hunting days.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time. SHARE elk tags are considered a type of general elk tag and are not additional tags.

10. **Comment:** “Hunters predominantly cull mature, trophy animals. This reduces the reproductive fitness of an elk herd.”

Response: The goal of California’s elk program is to sustain or increase elk populations and ensure they are managed within habitat capabilities and in consideration of other land uses. Maintain healthy and productive elk populations that contribute to ecosystem functions. Continue to provide use and enjoyment of elk by the general public while conserving and enhancing elk habitat throughout the state. There is no data to suggest that a limited harvest of males reduces the reproductive fitness of an elk herd. Age reports for the Northwestern hunt zone indicated that harvested bull elk ages ranged from one to nine years old for the last two years of age data currently available for the Northwestern elk zone. Elk of all age classes were harvested. Each hunter hunts for their own reasons and within their own abilities. Current recommendations are to issue both bull and antlerless tags to harvest an appropriate number of animals of each sex. Also, see response A13 above.

11. **Comment:** “CDFW needs to engage with all stakeholders in each county with a proposed hunt zone to develop a comprehensive, long term management plan for sustainable elk populations.”

Response: This comment is outside the scope of the proposed regulations. Individuals will have an opportunity to comment on the Draft Elk Conservation and Management plan once it is released.

12. **Comment:** “An Environmental Draft that claims it “is the functional equivalent of an Environmental Impact Report” (pg 7), should offer greater depth and analyses of the complexities of natural communities and their biotic and abiotic interactions, including interfacing with human communities. A data-based rational argument is needed to support maintaining, or changing, elk hunting quotas for 2016: numbers of herds by county, total number of hunt zones and number of hunt zones utilized per year, population numbers per herd, age and gender distribution, home ranges of each herd, forage quality and carrying capacities of each habitat utilized, numbers of livestock-elk interactions and human- elk negative and positive interactions.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time. The DED is a CEQA equivalent regarding the impacts of elk hunting. Population and composition estimates are included for each zone (inside each simulation run).

13. **Comment:** “Wildlife management requires an “observed-in-field” component to the determination of populations: numbers of elk observed over time utilizing the habitat, number of radio-collared elk and their distributions and home ranges sizes, percent of cows in herds with calves by their sides, observed bachelor groups and the number of mature bulls compared to spikes and immature bulls/yearlings, competition between elk and other species. Methodology needs to be explained. How are winter surveys conducted? Are all known herds throughout the state surveyed? How is the survey data extrapolated? What is the calculated degree of confidence in the data? Does a habitat containing elk have greater or less biodiversity than a comparable non-elk habitat? What benefits and detriments do elk herd populations inflict upon their home ranges? What is the niche of elk in an ecosystem? Elk are known to maintain grasslands and to reduce the fuel load in the understory of forests. Elk are important to the viability of our state parks, national parks, and public lands.”

Response: This comment is outside the scope of the proposed regulations. Different groups of elk are surveyed in different ways. The Department utilizes fixed-wing, helicopter, and ground counts to survey elk herds across the state. Some groups of elk utilizing dense vegetation and steep terrain are difficult to survey with conventional methods. Population levels for these groups of elk are estimated by Regional staff. Composition of elk groups is determined by surveys and Regional staff estimates.

14. **Comment:** “In Del Norte County, Roosevelt Elk frequent the coastal plain and are commonly viewed on Crescent Beach. Acknowledged in the unnumbered prologue of the 2016 Proposed Elk Hunting Regulation Changes is that the concentration of elk provide “great viewing opportunity along the Hwy 101 corridor”. On that same prologue page is the bullet point “Elk concentrate on bottomlands/pastures in NW part of state, increasing conflict with landowners” No survey data of landowner- elk interactions is documented in the ED.”

Response: The observations that elk concentrate on bottomland/pastures in the NW part of the state, increasing conflict with landowners are from Regional staff working with the landowners with elk conflicts on their properties.

15. **Comment:** “No data is included for age distribution of harvested elk per hunting zone. No data is included on elk mortality by non-hunting means: disease, predation, accident, starvation, collisions with vehicles, and depredation numbers. No field data per herd, per hunt zone, per county is documented in the draft ED.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

16. **Comment:** “The methodology employed by the CDFW to determine hunt quotas is a computer model, created in 1987 and unpublished. It was “developed based on field observation, published literature, and/or expert opinion” (pg29). While the draft states that, “Observed population age and sex ratios are primary input to the model” (pg 30), it does not explain if all herds are observed in the 25 or 26 hunt areas (pg 28 states 25 hunt areas, pg 31 states 26); or how many observations were undertaken over what seasonal time frames. Furthermore, the draft states that “Population level and nonhunting mortality rates were estimated”(pg 8). No quantifiable data is presented to test the reliability of the model and its margin of error(s). Newer published elk population models exist; the CDFW needs to conduct a thorough literature search.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

17. **Comment:** “The CDFW created Four Simulation Runs of its Elk Pop model for Del Norte County. See Appendix 4 (pgs 121 -124). In three of the four scenarios, a population size of 750 is used. In one scenario a population size of 1000 is used. If the input is the observed number, or “estimated by field experience and expert opinion” number of observed elk in Del Norte County, why is the population estimate number of 750 changed to 1000? K, carrying capacity, values are changed as well, from 1000 to 2000. “The model allows the user to vary carrying capacity to reflect real-world changes in habitat capability” (pg 30).

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

18. **Comment:** Is it “real world” to double the carrying capacity of habitat? Possibly it is, based on habitat restoration, or availability of an agricultural field of high quality forage, a conservation easement, or acquired, or rededicated public land, or translocating an elk herd to new habitat. Doubling the carrying capacity is dependent on the parameters of the investigation. It is not clear what parameters the CDFW is using. A herd of Roosevelt elk have recently moved into Tolowa Dunes State Park. Has the carrying capacity for elk in Del Norte County doubled or did the elk relocate due to pressures from private land owners surrounding the park? Or did the elk relocate for some other reason? Often the primary mover of species extirpation in today’s world is habitat destruction.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

19. **Comment:** “Table 1. “Impact Summary” (pg 6), casts doubt on the veracity of “Elk Pop” model. None of five categories ranging from Proposed Project, No Change, Increased Harvest(+50%), Reduced Harvest (-50%) and Herd Growth (harvest increased to correspond with increase in elk population levels), were shown to have any” Significant Impact”, warranting no mitigations necessary. That you can continue as is, increase or decrease by 50% or harvest by growth increases and have no significant impacts for those widely varying scenarios suggests that the population model is not fine-tuned enough to produce reliable output.”

Response: This comment is referring to the 2016 Draft Environmental Document which has been withdrawn at this time.

20. **Comment:** “Only “Increased Harvest” generated a comment in the “Nature of Impact” column (besides “No”, “None”, and “N/A”). That column reads “Some population levels may temporarily be reduced.” The simulation run shows a one year blip up (864 elk) and then a steady decline in elk population to 303 elk at year ten. The “Nature of Mitigation” in this case is “Reducing hunting opportunity in future years.” All proposed hunting projects are going to temporarily reduce population levels every year. The premise is calf survival will provide net recruitment stabilizing or increasing the herd population. This has the potential to shift herd dynamics by age distribution thus impacting future viability. This is not discussed in the draft Environmental Document.

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

21. **Comment:** “The goal should be to maintain healthy productive ecosystems and populations, such that elk populations can stabilize around each habitat’s carry capacity and support a yearly hunting season. Those harvest quotas need to be based on real data. The Environmental Document needs to be a reliable working document that reflects with a high degree of certainty the elk’s population dynamics and interactions within the ecosystem.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time. Also, see response R10 above.

22. **Comment:** Certainly this is a dilemma. The CDFW is tasked with managing a wild species for recreational takings to achieve a Maximum Sustained Yield (MSY) of harvesting elk. MSY reduces population densities, and alters population dynamics. And CDFW is to concurrently work to maintain a viable ecosystem, work with private property owners, work within regulations, and promote stewardship of the land for future generations. It is a tall order; it requires data and a collaborative process. How does the MSY impact important predator-prey relationships such as mountain lions preying on elk calves? Do some herds need culling of cows to control population growth or culling of bulls to increase available forage? Do some herds need reduced hunting pressure?

Response: The Department does not manage most elk herds at MSY. Section 3951 of the Fish and Game Code establishes a maximum tule elk population level of 490 animals within the Owens Valley. The Department utilizes regulated harvest to maintain the population below 490. In addition, Tule elk at Grizzly Island are limited by available habitat and adjoining land uses. Regulated hunting is used to maintain an appropriate level of animals within the available habitat. The Department adjusts tags annually to modify harvest in response to herd dynamics.

23. **Comment:** “Appendix 2 is “2016 Proposed Elk Tag General Hunt Tag Quota Range” (pg 73). Northwestern Zone has been divided into two zones: Del Norte and Humboldt. Each zone has now been divided into five hunt periods and each period lists “Bull”, “Antlerless”, and “Either Sex” with ranges from 0-15, 0-25, and 0-10 respectively, for Del Norte County, and 0 – 20, 0 – 50, and 0 -10 tag quotas for Humboldt County. This suggests that up to 50 elk could be harvested per period for a total of 250 elk in Del Norte and up to 400 elk in Humboldt. Yet the proposed project simulation run (pg 122) for Del Norte is based on a total of 120 elk not including SHARE. The SHARE elk range is an additional 0 – 175. For Humboldt County the proposed project simulation run (pg 126) is a harvest of 135 elk. Is 120 elk the “median” number that falls “near or below the median of the proposed tag ranges” (pg 5) in the Del Norte hunt zone? Please clarify.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

24. **Comment:** “The SHARE Roosevelt Elk Hunts for Del Norte County and Humboldt County are not divided up into periods and have ranges of 0-25, 0-100, and 0-50 for Bulls, Antlerless, and Either Sex, respectively. Total SHARE elk harvest range is 0 – 175 elk for each county for a total of 0 - 350 elks. See Appendix 2, page 75. Thus, the proposed project has a potential to remove 295 elk from Del Norte County and 310 elk from Humboldt County. These potential harvests should be included in the simulation runs. “

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

25. **Comment:** “The local history of elk in Del Norte County has the elk extirpated in the early twentieth century. This was believed to be the consequence of inappropriate forest management, agricultural development, the loss of native perennial grasses to annual grasses for livestock, and mining; all degrading habitat for elk, and the hunting of elk for food or as an agricultural nuisance. Ten elk from Humboldt County were translocated to Del Norte County in 1965. Studies (Meredith, et al, 2007 “Microsatellite analyses of Three Subspecies of Elk (*Cervus elaphus*) in California”, Journal of Mammalogy 88(3), 801-808) now indicate that Del Norte and Humboldt counties Roosevelt elk are genetically considered “pure”. They represent an evolutionary significant unit (ESU) of the larger subspecies of Roosevelt elk. They have experienced little to no hybridization with Rocky Mountain elk or Tule elk. Such a status may make the Del Norte and Humboldt Roosevelt elk eligible for increased protections under the Endangered Species Act, and not increased hunting pressure.

Response: See response A13 and B2 above.

26. **Comment:** “The CDFW finds “Roosevelt elk herds in California are now healthy and viable” (pg 17). Appendix 14 shows “Estimated Elk Distribution and Land Ownership, 2015” (pg275). Upon comparison of Appendix 15 “Historic Elk Distribution within California” (pg 276), to Appendix 14, it is clear that California’s elk populations have not returned to their historic ranges. “The Department currently estimates the statewide Roosevelt elk population at between 5,000 -6,000 individuals.”(pg17). This statement is based on “...field observations and professional judgment and experience obtained in studying elk throughout California”(pg 17). No data is provided to corroborate. CDFW in its “2016 Proposed Elk Hunting Regulation Changes” document, estimates that Roosevelt Elk and Tule Elk populations are continuing to increase “as evidenced by increased problems from landowners” (unnumbered page in prologue). Habitat encroachment by humans rather than population growth by elks could be the explanation for an estimated elk population increase. Human populations and activities could be impacting elk habitats and elk movements, such that humans are encountering elk more frequently. Field data and the use of peer-reviewed population models are needed to generate a reasonable population number.”

Response: There is no data to suggest that regulated hunting has a significant impact to the ability of elk herds to move around the landscape. Hunting is limited in time and numbers leaving substantial numbers of elk to continue to expand their current range. Also, see response A44 above.

27. **Comment:** “The current conditions for hunting elk in Northwestern California (Humboldt and Del Norte counties) are detailed in Appendix 17 (pgs 278-279). The General season opens on the first Wednesday in September and continues for 23 consecutive days allowing for the harvesting of 45 elk of either-sex. For 2016, CDWF recommends that Northwestern California be divided into Del Norte and Humboldt zones. A shared harvest of 45 becomes multiple proposed hunts of 120 elk in Del Norte County and 135 elk in Humboldt County as documented by CDFW’s proposed proposal runs (pgs 122, 126). This is greater than a five-fold increase in tag quotas and offers more than 100 days of hunting pressure”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

28. **Comment:** “Additional SHARE hunts have hunt dates between August 15 and January 31 assigned to properties; and the Multi-zone fundraising elk tag is proposed to run between August 13 - November 10, (Appendix 19 pgs 301 – 304). In Appendix 20, “Impacts of Proposed Regulation Modification”, the CDFW concludes the impacts of hunting elk are “not significant” across all categories: gene pool, social structure, habitat, recreational opportunities, other wildlife species, economics, public safety. The CDFW is proposing to hunt prior to the rut, throughout the rut and post rut, increasing hunting stress at a time when bulls are competing for harems and when cows would be mating, conceiving and sustaining pregnancies, and forage quality and quantity are annually low. No data or references are cited to substantiate the conclusions of no significant impacts of effects.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

29. **Comment:** “The goal again should be maintaining healthy productive ecosystems and populations that results in sustainable elk populations. The proposed 2016 hunt duration and harvest numbers places the hunter in the role of top predator in a food chain. Natural top order predators would be mountain lions, bears, coyotes, all preying on calves and carrion most likely. Unfortunately, top order wolf packs were extirpated decades ago and only one wolf pack is presently known to have reestablished itself in California. Wolves are known to cull herds of the aged, infirmed, diseased, and very young resulting in evolving prey populations. Hunters, unfortunately, cull herds mostly of mature, in-their-prime, “trophy” animals.

Response: See response A13 and R10 above.

30. **Comment:** Hunting is an important management tool, provided tag quotas and hunt zones are driven by reliable field data. It should not, however, be the only, or the primary tool. CDFW notes in its prologue that Roosevelt Elk share a similar story to Tule Elk in terms of population numbers declining, and subsequently improving with management. The CDFW notes also that the northwest Roosevelt Elk are concentrating on bottomlands and that “in these areas,...there is limited access for hunting opportunity, but great viewing opportunity along the Hwy 101 corridor” (unnumbered page in prologue). Viewing wildlife is also an important component to a management plan. Wildlife viewing can also provide multi-generational family activities and may promote respect for, and stewardship of, the state’s resources into the future.

Response: See response A19.

31. **Comment:** “Another management tool of past significance has been translocating populations. The CDFW maintains that some of the Roosevelt Elk in Del Norte County appear to be impacting some landowners as evidenced by some letters CDWF has received. Successfully translocating some Roosevelt Elk from the agricultural bottom lands to the forested inland, (the Smith River National Recreation Area and other Forest Service lands) may help to resolve some landowners’ complaints and would help in restoring the Roosevelt Elk to its historic range.

Response: The Department agrees that translocating some elk may be possible and is reviewing this option along with regulated hunting.

32. **Comment:** It is critical that the CDFW develop a statewide elk management plan as required by Section 3952 of the Fish and Game Code and that such plan be consistent with the state’s wildlife policy Section 1801. While the state management plan needs to be overarching, the CDFW needs to engage with each county or hunt zone in a collaborative process with the public at large, tribes, scientists, federal and state agencies, ranchers, landowners, conservation groups and other stakeholders to develop a comprehensive, long term management plan to further sustainable elk populations in each county.

Response: The Department is completing the Draft Elk Conservation and Management Plan and is not proceeding with the changes identified in the 2016 Draft Environmental Document.

33. **Comment:** “The state management plan and the state elk hunting environmental document should include analyses of recreational viewing of elk and expansion of elk herds by translocation and the concomitant economic impacts. Carefully acquired and analyzed information and data will result in a multi-faceted plan to improve elk management and maintain healthy elk populations both biologically and socially, while enhancing recreational and environmental stewardship opportunities for California’s residents and guests.

Response: The Department agrees.

R. Janet Gilbert, e-mail dated 1/12/2016

34. **Comment:** “I am concerned that accurate population numbers, herd numbers, gender ratios, age dynamics, reproductive rates and calf survival rates, carrying capacities and the elks' niche in the ecosystem have not been adequately researched in Del Norte County.”

Response: The Department is continuing to survey elk in Del Norte County. Different groups of elk are surveyed in different ways. The Department utilizes fixed-wing, helicopter, and ground counts to survey elk herds across the state. Some groups of elk utilizing dense vegetation and steep terrain are difficult to survey with conventional methods. Population levels for these groups of elk are estimated by Regional staff. The proposed level of hunting represents a small percentage of total elk numbers within the hunt zone.

35. **Comment:** “While the elk have refuges from hunting in the state and national parks, wildlife corridors allowing the elk access to their historical migration routes are necessary to protect the existing elk and allow for variability in the gene pool.”

Response: Regulated hunting is not believed to have a significant impact to the ability of elk herds to move around the landscape. Hunting is limited in time and numbers, leaving substantial numbers of elk to continue to expand their current range. Also, see response A16 above.

36. **Comment:** “There also appear to be multiple opportunities to hunt elk; SHARE programs, nuisance tags program, and, regrettably, poaching of elk taking place in Del Norte County. Further there is cash opportunities for landowners with large tracts of land to charge money for permission to hunt their land. I have heard the fee has been as high as \$25,000. The wildlife of California belongs to all Californians. It galls me that large tract landowners can exploit a resource that belongs to all Californians.”

Response: This comment is outside the scope of the proposed regulations. How individual landowners conduct business on their properties is not within the proposed regulations. Landowners can charge trespass fees for use of their property.

S. Alameda Creek Alliance, letter received January 20, 2016

1. **Comment:** “We continue to be frustrated by the lack of transparency regarding decisions about hunting tule elk, and the refusal of the Department of Fish and Wildlife and the Commission to provide meaningful information to the public regarding the population status and population trend of tule elk herds that are proposed for hunting.”

Response: This comment is outside the scope of the proposed regulations.

2. **Comment:** “We first raised these issues with the Commission in 2010 and the Department and the Commission have still have not provided this basic information. The Department did send us some raw elk survey data in response to a Public Records Act request, but this information was minimal and incomplete.”

Response: This comment is outside the scope of the proposed regulations.

3. **Comment:** “Nowhere in the November 2015 Draft Environmental Document, nor in the published Initial Statement of Reasons, nor anywhere on the Department or Commission web pages can there be found any meaningful information regarding the population status or the population trend of tule elk in the Alameda hunt zone. The Draft Environmental Document contains one sentence claiming there are “100-200 elk” within the Alameda hunt area boundary, but gives no details as to how this estimate was made, where the elk are, which are the major herds, and what the population trend is for tule elk in the hunt zone. The Department previously claimed that the hunt zone “supports adequate numbers of elk to support a limited harvest” but does not provide any basis for this conclusion.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time. The Department has not issued elk tags for the Alameda hunt zone since 2011 and is not proposing tags for 2016.

4. **Comment:** “The Draft Environmental Document provides a computer model which simulates herd performance, based on unexplained assumptions about elk mortality from other causes and calf production. What is not provided are any actual surveys of tule elk in Alameda County, nor is there any information on population trend.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

5. **Comment:** “The only publicly available information on the status of tule elk within Alameda County is regarding the Sunol/Apperson Ridge (San Antonio) herd, which declined to 58 elk in 2005 (SFPUC 2005). We are unable to locate any more recent population estimate for this herd. The Department provided us with raw survey data from 2009 documenting 20 tule elk on Mines Road/San Antonio Valley Road, but some of the survey area was in Santa Clara County, outside of the Alameda hunt zone. The Department also provided us with raw data from 2009 surveys of the

Connolly Ranch (Alameda and San Joaquin counties), where the herd had declined to 84 elk in 2009. It is unclear how much of this elk herd is within the Alameda hunt zone.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time. The Department has not issued elk tags for the Alameda hunt zone since 2011 and is not proposing tags for 2016.

6. **Comment:** “If the Department has more recent and complete survey data of tule elk within the Alameda hunt zone, it should provide that to the public before reauthorizing hunting in an area where the only two significant herds were known to be declining, and for which it has not provided any recent population information.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time. The Department has not issued elk tags for the Alameda hunt zone since 2011 and is not proposing tags for 2016. A subset of the Alameda hunt zone was surveyed by helicopter in January 2011. Within the survey polygons 80 elk were classified.

7. **Comment:** “The Draft Environmental Document notes that the proposed project would authorize up to 4 hunt tags for bull elk and up to 10 hunt tags for antlerless elk in Alameda County. The document claims that such authorization would likely result in a maximum of 3 bulls and 2 antlerless elk being killed by hunters. The Draft Environmental Document acknowledges the potential for significant effects from elk hunting, including impacts on the gene pool, impacts on social structure and cumulative impacts. Yet nowhere in the document are these impacts analyzed regarding elk in the Alameda hunt zone.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

8. **Comment:** “The Draft Environmental Document justifies the Alameda elk hunt because “removal of individuals will have little influence on the statewide elk population” and further claims that “the removal of individual animals from selected herds which are relatively large and healthy will not significantly reduce herd size on a long-term basis. Production and survival of young animals within each herd will replace the animals removed by hunting.” How did the Department determine that the Alameda elk herd is “relatively large and healthy,” without any recent survey data or population trend? How did the Department reach the conclusion that authorizing hunting of up to 14 elk in the Alameda hunt zone “will not significantly reduce the herd size,” without any information on the existing herd size, other causes of mortality, or data on survivorship of young? Where is the Department’s evidence that “production and survival of young” in the Alameda herd is adequate to replace animals shot during hunts? The Draft Environmental Document concludes that the proposed hunt authorization “will not have a significant adverse impact on either local or statewide elk populations” but has provided no information to base that assertion on regarding the Alameda herd, other than wishful thinking.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

9. **Comment:** “Tule elk in Alameda County face many threats, including habitat loss, poaching, vehicle strikes, and impacts from being hemmed in by urban development. Without sound and clearly-defined management policies, cumulative impacts from hunting could cause permanent declines in the Alameda tule elk population. We urge the Commission to provide up to date information on the elk population in Alameda County, and initiate a more transparent decision-making process on the justification for hunting tule elk in Alameda County.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

U. CalFauna Foundation, e-mail received 12/8/2016

1. **Comment:** “The CBD believes the CDF&W does not have the needed information in hand to adequately manage our state’s elk herds. This is patently false. The Department has sufficient data to support all their harvest strategies for the proposed 2016 hunting season regulations. They would have even more supporting data if they could allocate more staff resources to actual elk management studies and field work, rather than having to respond to unsubstantiated letters such as this current one from CBD. Our state’s elk herds are still expanding. Our Department’s success stories about managing these elk need to be highlighted and brought out to the public. California is the only state that is home to all three elk species. All three are seeing population increases in our state. Trying to imply that the Department is not using sound management practices to actively manage our elk herds is disingenuous, and harmful to their ability to innovatively manage these herds. Our CDF&W is staffed by qualified,

professional biologists. They are uniquely qualified to continue to be the one entity to manage the public's elk in California."

Response: These comments are outside the scope of the proposed regulations.

- Comment:** "Our state's elk herds are still expanding. Our Department's success stories about managing these elk need to be highlighted and brought out to the public. California is the only state that is home to all three elk species. All three are seeing population increases in our state. Trying to imply that the Department is not using sound management practices to actively manage our elk herds is disingenuous, and harmful to their ability to innovatively manage these herds. Our CDF&W is staffed by qualified, professional biologists. They are uniquely qualified to continue to be the one entity to manage the public's elk in California. In the CBD's letter, it states that, "California's elk face many threats, particularly habitat loss, extended drought, and impacts from being hemmed in by urban development". If this is true, then the Department's efforts that have resulted in elk herd expansion should be lauded even more. The CalFauna Foundation believes the biggest threat to California's elk herds are not biological ones, rather social ones. The CDF&W has the tools, abilities, and experience to manage our elk herds professionally. If the Fish and Game Commission decides to take action due to letters such as the one referenced here by the CBD, our CDF&W will lose some of it's ability to manage these herds. We should not be hamstringing our Department because a lawyer-based organization, which is actively anti-hunting, thinks they know how to manage our herds better. We need to support the CDF&W staff, not publicly reprimand them."

Response: These comments are outside the scope of the proposed regulations.

- Comment:** "CBD also mentions the loss of approximately 250 elk on the Point Reyes National Seashore. These elk are managed by the National Park Service, on a Seashore where no hunting is allowed at all. These elk were allowed to perish partly due to mismanagement and lack of elk biology knowledge by it's staff. If the CDF&W were the active managers of these elk, it is highly unlikely this gross loss of life would have occurred."

Response: These comments are outside the scope of the proposed regulations.

- Comment:** "It is safe to say that all entities concerned about this subject want as an end result to have bigger and healthier elk herds. The CalFauna Foundation, after studying CDF&W documents, believes their elk management findings are scientifically justified, and should be publically accepted by the Fish and Game Commission. Though The CalFauna Foundation does not always agree with some CDF&W decisions, on this elk issue, we fully support their findings and recommendations."

Response: The Department appreciates the comment.

V. Noelle Cremers, California Farm Bureau Federation, letter dated January 28, 2016

- Comment:** "However, the expanding populations have caused problems for farmers and ranchers in some areas. This is particularly true in both Del Norte and Mendocino Counties. Elk have caused damage to fences and consumed significant amounts of forage, both livestock forage as well as farmed crops. Farm Bureau supports expanding elk hunting opportunities where elk are causing damages on private lands. This approach allows increased opportunities for licensed hunters while putting pressure on elk populations to reduce their damages on farms and ranches. Farm Bureau appreciates the Department of Fish and Wildlife's (Department) recognition of the challenges farmers and ranchers have in areas with expanding elk populations near private lands. This recognition is evident in the draft Environmental Document Regarding Elk Hunting and the Department's proposed tag increases." "Farm Bureau urges the Fish and Game Commission (Commission) to adopt the proposed regulatory changes the Department is proposing to increase elk hunting tags. This approach should help alleviate the impacts elk are causing on farms and ranches. If it does not, Farm Bureau urges both the Commission and the Department to revisit the issue and implement solutions that will significantly reduce the damages elk are causing on farms and ranches."

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time. The Department understands the impact elk can have on individual landowners. Regional staff is currently working with landowners to address elk conflicts on their lands.

W. Pat Grady e-mail- 12/8/16

1. **Comment:** "I am writing in regard to the future management of the Roosevelt Elk that are located in Del Norte County, CA. I know that many local people delight in seeing the elk in various places along the highway; it is one of the things that makes living here so special. There are many who do not approve of the lottery, but people don't know where to turn to make their voices heard. Also, the elk are one of the unique elements that draw tourists to our area; we should be celebrating them, not killing the finest surviving examples of these unique creatures so someone can hang another head on their wall. I have never had a problem with people legally hunting for 'groceries', but to hold a lottery to win a chance to kill – not cull – the elk who now grace our county lands is reprehensible and reflects poor stewardship on the part of all entities responsible."

Response: There is a large demand for elk hunting within California. More than 35,000 applicants put in for an opportunity to obtain one of the approximately 350 elk tags available to the general public in 2015. Every hunter hunts for their own reasons and within their abilities. Also, see response A44 above.

2. **Comment:** "I was appalled by the front page local news article where someone proudly spoke of the 'trophy' bull he had hunted through the lottery. Responsible management of the herd(s), in my opinion, means culling only weaker members and females when needed, NOT stripping an already small gene pool of the superior genes you want passed on: that is not culling, that is a lottery for killing. I strongly suggest that you do some serious surveys and counts before hunting of any of the elk at any time. How else can you determine what are sustainable and responsible hunting practices? This needs to be done first! Officials admit that they have no idea how many elk are actually here, but they assume that there are "plenty of elk" for people to kill for no good reason."

Response: The Department estimates there are 1,600 elk within the Northwestern hunt zone. There is no data to suggest that limited hunting will have a significant impact. Also, see response A13 and A44 above.

3. **Comment:** "I also believe that you need to determine ways to help maintain and improve the genetic integrity of the herds; to do so, the state must work to create wildlife corridors so the elk can continue their natural movements without being slaughtered as they move from public lands through private lands where they are hunted without regard to the future or the best interest of the elk or county. There also need to be corridors that allow the elk to travel to increase genetic diversity. It is not so long since they were virtually extinct – we should be working to improve the limited gene pool that remains, not to decimate it further. Wildlife corridors are being recognized as an important tool for conservation throughout our country; we need to do this for this signature species at least."

Response: Regulated hunting is not believed to have a significant impact to the ability of elk herds to move around the landscape. Hunting is limited in time and numbers leaving substantial numbers of elk to continue to expand their current range. Also, see response B2 above.

4. **Comment:** "I hope that all officials involved will seriously consider viewing the elk as a precious resource – not of some lottery dollars – but as an important part of the biological diversity and great overall natural value of our area. The elk are part and parcel of the incredible ecosystem attracts people here, and it doesn't make sense to decimate the few remaining herds indiscriminately. Much can be done to mitigate any damage the elk may do to private property in their passage; meanwhile the herds serve as a natural buffer for local livestock populations should any predators enter the populated areas."

Response: Regulated hunting is not believed to impact tourism. Non-hunting users of the elk resource (viewing, nature study, and photography) will not be significantly impacted by the limited harvest of elk. Nor will the proposed project impair the non-consumptive users' ability to enjoy the outdoors, the elk resource, or its habitat, because the non-consumptive user will have the opportunity to view elk herds in an unharmed situation indefinitely. Many elk herds inhabit Federal or State Parks, where hunting does not occur. Elk hunting seasons are limited in time and harvest reports indicate that elk hunters spend on average 4 days hunting elk. This indicates that even for those hunted herds a majority of the time can be spent viewing elk without hunters in the field.

The proposed action will not impact the non-hunting public, because the number of hunters in the field at any one time (established by the quotas for each hunt), in conjunction with the areas open to hunting, will result in very low hunter density. Historically, all areas open for hunting have been open for other types of hunting (waterfowl, upland game birds, rabbit, wild pigs, black bear, etc.) during the same timeframe as the proposed elk hunts. If the

non-hunter is concerned about being in the field during the proposed elk hunts, there are significantly larger areas of the same habitat type located adjacent to or near all hunt areas that can be used for non-hunting activities during the short elk hunting period.

Y. Ronald and Donna Thompson, e-mail received January 25, 2016

1. **Comment:** “One concern is the length of Roosevelt elk hunting season being considered for Humboldt and Del Norte Counties. We do not see data to support such a long hunting season. As other counties have short hunting seasons, typically one or several weeks, where is the data to back up having such a long season here?”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

2. **Comment:** “The document is inconsistent in its various parts in indicating the TOTAL number of elk to be taken, and there needs to be scientific data supporting the number of tags and kills to be allowed without affecting the well being of the herds.”

Response: This comment refers to the 2016 Draft Environmental Document which has been withdrawn at this time.

3. **Comment:** “A personal concern: recently a very large bull elk was shot here legally. It was something of an icon to the people living close to it, even to having been given a name. There was local anguish that such a magnificent creature in prime of life was killed — and that such strength and diversity had been removed from the gene pool. Your statistics show that the majority of tags requested are for bulls, but allowing removal of the greatest and finest creatures seems counter productive. We wish there were some way to effectively address this problem!”

Response: There is no data to suggest that a limited harvest of males reduces the reproductive fitness of an elk herd. Also, see A44 and B2 above.

Z. Eileen Cooper, e-mail received 1/25/2016

1. **Comment:** The DFW proposes drastically increasing the time period of hunting, as well as the number of elk to be shot for Del Norte and Humboldt Roosevelt Elk hunts. From a baseline of 23 days(Aug/Sept) to five different periods with 20 days each through the months of Sept, Oct, Nov, Dec, Jan. This is about a 500% increase in the duration of hunting time. The extension of time and increase in number of elk to be shot, will make hunting intolerable for nearby residents. Such a large increase will significantly interfere with other recreational activity such as birdwatching and elk watching, that is enjoyed by residents such as myself, and is also important for the local tourist economy. This significant extension of hunting time and the increase in numbers of elk to be shot, will significantly disrupt other wildlife, where baseline hunting time/quantity has been very limited or absent altogether, as is the case for farmlands that border National/State Park Areas.

Response: The Department is completing the Draft Elk Conservation and Management Plan and is not proceeding with the changes identified in the 2016 Draft Environmental Document. Hunting for the 2016-17 season will be within the framework (existing tag quotas) of the previous Final Environmental Document.

2. **Comment:** The Bertsch Tract south of town has dense residential development that is inappropriate for Elk Hunting or an extended Elk Hunting season. This past year, 2015, one large dominant bull Elk was shot during the singular 23 day event, but numerous gunshots could be heard on various days that were frightening to residents that live close by. It is unknown how many elk were illegally killed, but it seemed like a slaughter, as gunshots ravaged the fields south of Roy, without permission. A group of hunters attempted to hunt several private fields that did not allow such hunting. First they tried to hunt the lower downhill field south of Roy Ave, but they were told to leave by adjacent residents, as they did not have permission. Then they moved to the upper field south of Roy and numerous gunshots throughout the night disturbed property owners along Roy. I live on Roy Ave, on the upper hill, and was not able to sleep, and was greatly disturbed that night, as shots kept echoing through the dense evening fog. The following week, the greatest bull Elk was shot. He came down and was removed from the uphill private property south of Roy, where the owner did not give hunting permission. Furthermore, the hunter shot directly at the private owner’s house which was only about 80 feet from the hunter. This area contains dense residential development that invites hunting tragedies, such as the scenario above, which was very traumatic to the property owner where the elk was removed. The owner loves and enjoys the elk. A citation should have been issued, but I have inquired, and

suspect that no citation for shooting at her house was given. Please correct me if I am wrong. I have little trust in Fish and Game enforcement capability. Also, earlier, outside this legal hunting period, I could hear a series of gunshots in the back of my house that faded into the distance as someone followed something during the night, with the intention of killing it. I reported this to the police.

Response: Hunters must abide by all hunting regulations including proximity to occupied dwellings. If an illegal activity is witnessed the Department encourages concerned citizens to call the CALTIP Hotline (888) 334-2258.

3. **Comment:** The no project alternative and current baseline hunting regulations for Northwest Roosevelt Elk is buried and obscure, found in appendix 17, page 278 and 279, and stated to be for a combined Del Norte/Humboldt 45 elk (all types, bull, cow). The proposed project (as stated on page 34) will increase to 120 total for Del Norte and 135 for Humboldt. This represents an increase of about 567% from baseline yearly shot elk (255/45). Are these statements accurate? If not please explain. Where is the baseline data in the draft document?

Response: These comments refer to the 2016 Draft Elk Environmental Document which has been withdrawn at this time.

4. **Comment:** In Del Norte, the Fish and Wildlife Dept. (DFW) total population is estimated as 725 for Del Norte, and 850 for Humboldt. There is no reference as to how this population data was determined, and no factual information about the current population trend for our area. Redwood National and State Parks has very clear data that shows detailed study of Park Elk herds in Humboldt from 1997 and current. The Park data shows recent declines in park elk population. It is absurd to think our herds can withstand such a drastic increased yearly shooting of Elk, when the only substantial data about elk populations indicates that Humboldt herds are in decline. As I have lived along Roy Ave since 2009, I am very familiar with the elk herd at this location, and have a great uphill view. The herd has increased only very modestly, from approximately 40+ elk to 50+ elk during this time period.

Response: These comments are referring to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Also, see response A13.

5. **Comment:** An extended hunting season within the new PLM here would discourage me and disturb a top notch birding corridor along Lower Lake Rd. and Pala Rd especially. Oh yes, I forgot the front page news star that stayed for about 7.5 years, the Crested Caracara that also brought flocks of naturalists to Del Norte. Just imagine what a loss it would be to disturb this grand show that so many enjoy all winter long.

Response: These comments are referring to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Also, see response W4.

6. **Comment:** Using DFW population assumption for Humboldt and Del Norte, would mean taking out about 16% of the herd each year (135/850 and 120/725), when Park data shows a recent decline in the majority of Humboldt Park Elk Herds. These Park herds are the most protected herds in all of our current Del Norte/Humboldt area. The Dept. has no information to justify such arbitrary action, except to say absurd things like- there are more private property conflicts, so herds must be increasing. Are these statements accurate? If not, please explain. The models to predict hunting effects are very old, and their accuracy level is questionable. There is no discussion about how accurately the models replicate actual population data (well how could the models be tested, since the Dept. has no actual scientific data for our Del Norte Elk population). State Parks does have actual observed population data over a long period of time. The Park data concerning their Roosevelt Elk contradicts the Fish and Wildlife make-believe assertion that Roosevelt Elk herds are increasing. So, where is the Dept. data on our Elk, how accurately do the models predict the reality that the very most protected herds of Roosevelt Elk, within our Prairie Creek Redwoods Park are in decline, as evidenced by very thorough observation over an extended and current time period.

Response: These comments are referring to the 2016 Draft Elk Environmental Document which has been withdrawn at this time. Also, see response A13.

BB. Phoebe Lenhart, e-mail dated 3/27/2016

1. **Comment:** Numerous biologists have documented that the most critical time in an elk's life cycle is the rutting season. On page 25 of Amend Section 364.1, the Northwestern hunting season the DFW/FGC propose "shall open on the first Wednesday in September and continue for 23 consecutive days". Many scientists are aware that this is a period of great stress on the bulls. As you should know, there is a lot of competition and fighting among bulls to form and maintain harems. As you should also know, the bulls lose a lot of weight during rutting season. Authors have noted that bulls can be severely injured and fatally wounded during the rutting season. It defies any logic that DFW/FGC would allow elk to be shot during the peak of the rutting season in September. I think this is totally irresponsible; this is definitely not good stewardship and not sustainable.

Response: Hunting elk during the early fall, during a portion of the rut, is a common management tool implemented by most state agencies. Hunting removes a small percentage of the male population and there is no data to suggest the timing of the Northwestern hunt has had any significant impact. See also A44 above.

2. **Comment:** From a gastronomical perspective, a hunter told me that the meat of a bull elk killed during rutting season is not as flavorful. If DFW/FGC wants to enhance the hunter's experience, it seems that the best time to hunt elk is not during mid-August to mid-October.

Response: This comment is outside the scope of the proposed regulations.

3. **Comment:** As I explained in my critique written to DFW and FGC on Jan. 20, 2016 in item #5, at rutting season the calves are approximately 3 months old and are recently weaned by their mothers. A hunter killing a cow could bring starvation to a calf. Calf mortality rate is already very high without being exacerbated by hunters killing its mother.

Response: Elk calves are capable of being on their own at this age. Current antlerless hunting is not proposed for the Northwestern hunt zone until October utilizing SHARE.

4. **Comment:** Let's do some math: in Washington State there are 5,000 Roosevelt elk (pure and hybrid). The Department of Fish and Wildlife in WA permit elk in the Western region to be shot only during October 3-9, 2016 and November 7-18, 2016. In this state of 5,000 elk, WA limits the shooting of elk to only 17 days. In California, Del Norte County to be exact, there are approximately 150 pure Roosevelt elk located in 3 small coastal herds (Ender's Beach, Lake Earl, and Smith River) averaging about 50 elk. In CA, the DFW/FGC are proposing 23 days of hunting of 150 Roosevelt elk during rutting season. That is one of the math problems with the DFW/FGC revisions.

Response: The Northwestern hunt zone includes almost all of Del Norte and Humboldt counties. In addition to those elk groups mentioned, elk populations are found in many other areas. A review of hunter reported harvest locations confirm that hunting pressure is spread out over both counties in many different locations. Also, see response C9 above.

5. **Comment:** A another math problem with the DFW/FGC proposal. You are allowing up to 15 bulls to be killed, plus 10 "either sex" which could result in hunters choosing to shoot all bulls (hunters generally prefer to kill bulls). If that is the scenario, then the DFW/FGC is allowing 25 bulls to be killed. If the 150 Roosevelt elk in Del Norte County are divided in half by gender, that would be 75 bulls and 75 cows. If 25 bulls are killed in the coming 2016 hunting season, that is 33% of the population of the bulls. I think this percentage is too high. It does not represent good stewardship and is not sustainable. Many biologists state that (the DFW/FGC should know this) the bulls are critical for passing along the genetic material for the survival of the species. If DFW/FGC is going to maintain sound management, it would be to select more cows; not the bulls.

Response: There are more than 150 elk within the Northwestern hunt zone. The Department estimates there are approximately 1,600 elk within the entire zone. The upper number identified within the current proposed tag ranges may not represent the final tag numbers to be authorized. Final tag quotas will not represent a significant impact to the populations of elk within the hunt zone. See also response A13, B2, C9, and BB4 above.

6. **Comment:** In Amend Section 364.1, SHARE elk hunts, there is another math problem to be addressed. The DFW/FGC are permitting the killing of an additional 10 bulls and 5 "either sex". Again, most hunters like to kill the bulls, so that is 15 more bulls that DFW/FGC are permitting to be killed. If you had the 15 additional bulls to the 25 bulls above, DFW/FGC are allowing 40 bulls to be killed; that will be 53% of the bull population. Again, this is not good stewardship nor sustainable on the part of DFW/FGC.

Response: See response BB4 and BB5 above.

7. **Comment:** I have done extensive research on the Roosevelt elk in Del Norte County and have physically counted them. To repeat, there are approximately 150 pure Roosevelt elk located in three small herds along the coast. That is all the pure Roosevelt elk we know of in the entire Del Norte County (the elk inland are thought to be hybrids). I do not think any elk in these small herds should be killed. I consider it imperative that the DFW/FGC have an "elk management plan" in place before any of the 150 pure Roosevelt elk in the three coastal herds are considered for hunting. Ironically, these elk appear to be the target of most of the hunting that DFW/FGC are permitting.

Response: See response BB4 and BB5.

8. **Comment:** In reference to the "elk management plan" I think it is critical that the DFW/FGC differentiate between "pure" Roosevelt elk and "hybrid" Roosevelt elk in their count of the elk and in their management of the elk. As you know they are different species. As a member of the public, I wish to know this critical data. It is DFW/FGC responsibility to conserve wildlife and their habitat. DFW/FGC are accountable for the future of the Roosevelt elk species.

Response: Roosevelt elk, Rocky Mountain elk, tule elk, and any hybrid elk do not represent different species but rather subspecies. Anywhere that elk subspecies ranges occur in close proximity there is a chance for hybridization. The Department is continuing to monitor the genetic makeup of elk across California. Also, see response B2 above.

9. **Comment:** In the aforementioned report, the DFW/FGC does not include any plan for protection from poachers for this small number of elk or any provision like corridors in order for the Roosevelt elk to have some mobility, because the area they need to graze on is being further reduced by agriculture, cattle ranching, and residential construction. Elk authorities estimate that under normal conditions, about 76% of the elk's diet are grasses. The elk need meadows to graze in. They need to be able to move back and forth to the ocean without being shot, because they are on private property. The truth is, that the people who own agricultural land, cattle land, and private property took the land from the elk. The Roosevelt elk have been in this area 35,000 years and used to travel in herds of 400 elk before the white man came, killed the elk, and took all of their land. Today, farmers, cattle ranchers, and private property owners need to be more tolerant of the elk. I think DFW/FGC should be actively educating the public on how to co-exist and should be assisting them in doing so.

Response: See response R10 above.

10. **Comment:** It appears to me that the DFW/FGC operate the SHARE and PLM programs like a subversive club. I advocate for more transparency in reference to how these programs are being managed and where they are occurring. I think the tax payers should know how much is being spent. Doesn't a neighbor have a right to know that there are hunters lurking next door shooting elk? I would want to know that for the safety of children and pets. I think the SHARE and PLM programs need to have more accountability about what they are doing to our wildlife. The wildlife belongs to all of us, not just the hunters or the people who happen to be "legal squatters" on land that rightly belongs to the Roosevelt elk.

Response: This comment is outside the scope of the proposed regulations.

11. **Comment:** The time is overdue for the DFW/FGC to consider that the food you have on your plate comes from sentient beings. Due to our technology, we know more about the minds of the animals that are slaughtered for human consumption. I think you need to be honest with yourself, the Roosevelt elk like many other animals who are eaten, have emotional capacities just like we do. And as a reminder, Roosevelt elk are not afraid of humans.

Response: This comment is outside the scope of the proposed regulations.

12. **Comment:** The DFW proposal is allowing the killing of 15 bulls and no cows. Numerous biologists have published studies stating that the survival of the Roosevelt elk is dependent upon the genetics of the bulls. Further, these biologists advise for hunting purposes, that it is better to kill the cows than the bulls. The DFW is not practicing for good stewardship.

Response: The Department is proposing harvesting both sexes with bull tags through the general draw and antlerless hunting through SHARE for the Northwest zone. Genetics from any elk come from both the male and

female. There is no data to suggest that recommended harvest allotments will have any significant impacts to the elk herds. The harvest numbers are less than three percent of the estimated population.

13. **Comment:** It appears that the DFW is patronizing the "trophy" hunters by permitting the killing of 15 bulls (and no cows) and is not using sound biological management of the Roosevelt elk. I object to the favoritism that the DFW is allowing the "trophy" hunters to have. The Roosevelt elk belong to all of us, not just the "trophy" hunters. It is critical that you hear the voices of us who advocate for conservation of our local herds.

Response: A regulated harvest of males is not considered a "trophy hunt". Every individual hunts for their own reasons. Also, see comment A44 and C5 above.

14. **Comment:** There is the continued concern regarding transparency in the SHARE program (as well as, PLM) that has not be addressed by DFW. As a tax paying citizen, I think we can ask for information in the manner in which SHARE is conducted. It is not clear to me when the hunting season will begin and end.

Response: Department personnel have provided the commenter with all the information requested numerous times to the best of their ability. Northwestern general hunting season is clearly defined as "shall open on the first Wednesday in September and continue for 23 consecutive days". SHARE elk hunts are defined as "The overall season shall open on the August 15 through January 31." Individual SHARE properties are assigned seasonal dates within the above timeframe.

15. **Comment :** I am on record for objecting to the killing of any elk during the rutting season. Biologists support my position in reference to the importance of this period (from mid-August to mid-October) for the survival of the herd.

Response: There is no data to suggest that limited hunting in the early fall has any significant impact to the elk herds. It is a common hunting timeframe for elk in numerous states. Also, see response C9 above.

CC. Will Westbrook, VP, Palmer-Westbrook, Inc., e-mail dated 2/02/16

1. **Comment:** Has seen problems and damage increase annually as the elk herd grows.

Response: Elk are large, free-roaming mammals that live in herds, and increases in population size often are associated with increased property damage when they are located on or near agricultural properties. The Department is continually exploring options to reduce depredation damage caused by elk.

2. **Comment:** I need more tools to deal with the growing elk herd.

Response: The Department provides recommendations to prevent or alleviate damage, depredation permits (where warranted), and will be implementing SHARE hunts in the 2016 hunting season with a goal towards reducing depredation damage in area-specific locations. The Department has no other authorized means to deal with this issue.

DD. Matt Westbrook, President, Del Norte Resource Conservation District, e-mail dated 2/03/26

Comment: Del Norte Resource Conservation District supports the amended changes to Title 14, Section 364.

Response: The Department thanks you for your support

EE. Kyle Farmer, Magruder Ranch LLC, e-mail dated 2/5/16

1. **Comment:** Timing for addressing elk "over" population in Potter Valley couldn't be better.

Response: The Department thanks you for your support

2. **Comment:** Elk over-population will inevitably lead to starvation.

Response: It will cause many other problems, some societal, before it reaches that point.

3. **Comment:** As the elk herd increases we will have no choice but to reduce our cattle numbers.

Response: In the absence of any other habitat improvements which sustain elk numbers this may be true. However, it is the Department's position that cattle grazing and sustaining elk numbers at a point where habitat is not damaged are compatible activities.

- 4. Comment:** An appropriately scaled elk hunting program for California would 1) Maintain a sustainable elk herd. 2) Supplement the income lost to ranchers who have been forced to reduce their herds. 3) Partially replace the community food supply lost by reduced cattle herd numbers. 4) Reduce the chance of diseases like Johnes and Brucellosis passing to cattle, sheep, and deer through overpopulation. 5) Help save the black tailed deer.

Response: That is also the Department's position regarding elk hunting.

FF. Noelle Cremers, California Farm Bureau (5:10:00)- Public Comment April 14 Fish and Game Commission Meeting, Santa Rosa

Comment: Believes there is a very real need to increase elk tags.

Response: The Department appreciated the comment and agrees.

GG. Rick Bullock with APECS, also speaking for Randy Morrison with Mule Deer Foundation (5:18:27) - Public Comment April 14 Fish and Game Commission Meeting, Santa Rosa

Comment: Support proposed mammal regulations

Response: The Department thanks you for your support

HH. Lori Jacobs with California Hounds Men for Conservation (5:19:00)- Public Comment April 14 Fish and Game Commission Meeting, Santa Rosa

Comment: Support proposed mammal regulations

Response: The Department thanks you for your support

II. Bill Gaines – Rocky Mountain Elk Foundation CA Bow hunters and state archery association, and the California Hounds men for Conservation (5:21:02) - Public Comment April 14 Fish and Game Commission Meeting, Santa Rosa

Comment: Support proposed mammal regulations

Response: The Department thanks you for your support

JJ. Eileen Cooper - Public Comment March 15 Fish and Game Commission Teleconference

Comment: The history of elk in Del Norte County requires the support of good data before making extreme changes.

Response: The Department is not proposing extreme changes and total tags authorized will be below the previous year's harvest.