

subsection 715(a) is wrong. Instead, subsection 715(b) establishes the application process.

b. Likewise, at the top of page 3, the reference for the drawing process at subsection 715(b) is wrong. Instead, subsection 715(c) establishes the drawing process.

c. On page 6 in section VIII (Economic Impact Assessment), the reference for the required fee at 715(a)(3) is wrong. Instead, subsection 715(b)(5) establishes the required fee.

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

See Attachment A - Summary Table.

VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:
California Fish and Game Commission
1416 Ninth Street
Sacramento, California 95814

VIII. Location of Department Files:

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

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

No alternatives were identified.

(b) No Change Alternative:

The Department would continue to conduct the drawings by using Wildlife Branch staff. This method is subject to error and is costly because of the personnel involvement which is not reimbursed with a fee at this time. The ALDS system was established to provide this service to the public fairly and at a low-cost.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative

considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action automates an existing hunt drawing process through the use of ALDS. This proposal is economically neutral to business.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission anticipates benefits to the health and welfare of California residents. ALDS provides a single location for the public to apply for all Department hunts including big game and waterfowl hunting opportunities. Data collected and compiled through ALDS will be accessible in a consistent format for the Department's use. Adding the Upland Game Bird Special Hunt Drawing to ALDS will provide the same benefits of fairness and flexibility as well as important information necessary to properly manage upland game bird populations.

The Commission anticipates benefits to the State's environment in the sustainable management of natural resources. The proposed regulation could reduce the time required to apply for Upland Game special hunting opportunities and will improve the accuracy of the data collection. Adoption of regulations to increase sustainable hunting opportunity provides for the maintenance of sufficient populations of upland game birds to ensure their continued existence.

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses, or the expansion of businesses in California. The Commission does not anticipate any benefits to worker safety.

(c) Cost Impacts on a Representative Private Person or Business:

The Commission adopted a modest fee of \$2.25 to recover reasonable costs of the drawing as required by statute. The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

(e) Nondiscretionary Costs/Savings to Local Agencies: None

(f) Programs Mandated on Local Agencies or School Districts: None

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None

(h) Effect on Housing Costs: None

Updated Amended Informative Digest/Policy Statement Overview

A new Section 715, Upland Game Bird Special Hunt Drawing, is proposed to establish the application and drawing procedures for wild upland game bird hunt reservations in the Automated License Data System (ALDS). ALDS is the central location for the public to apply for all Department licenses and hunting opportunities. The ALDS drawing process provides more accuracy and flexibility to the public and allows applicants to easily select their first, second and third choice wild bird hunts. A fee of **\$2.25** per application for the Upland Game Bird Special Hunt Drawing is proposed to be added in Section 702.

Benefits of the regulations

The Commission anticipates benefits to the health and welfare of California residents. ALDS provides a single location for the public to apply for all Department hunts including big game and waterfowl hunting opportunities. Data collected and compiled through ALDS will be accessible in a consistent format for the Department's use. Adding the Upland Game Bird Special Hunt Drawing to ALDS will provide the same benefits of fairness and flexibility as well as important information necessary to properly manage upland game bird populations.

The Commission anticipates benefits to the State's environment in the sustainable management of natural resources. The proposed regulation could reduce the time required to apply for Upland Game special hunting opportunities and will improve the accuracy of the data collection. Adoption of regulations to increase sustainable hunting opportunity provides for the maintenance of sufficient populations of upland game birds to ensure their continued existence.

Non-monetary benefits to the public

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

Consistency with State or Federal Regulations

The Fish and Game Commission, pursuant to Fish and Game Code Sections 200, 202 and 203, has the sole authority to regulate hunting in California. Commission staff has searched the California Code of Regulations and has found the proposed changes pertaining to reservation drawing selection for wild upland game bird hunting opportunities through ALDS to be consistent with the provisions of Title 14. Therefore the Commission has determined that the proposed amendments are neither inconsistent nor incompatible with existing state regulations.

UPDATE: The Commission adopted the regulation on October 20, 2016, as set forth in the Initial Statement of Reasons, amending Title 14, California Code of Regulations (CCR) with the following changes:

1. Add Section 715. Upland Game Bird Special Hunt Drawing.

The Commission adopted the regulation, as set forth in the Amended Initial Statement of Reasons, providing for the application, drawing, and award of Upland Game Special Hunts through the Department's Automated License Data System.

2. Amend Section 702, Hunting Applications, Tags, Seals, Permits, Reservations and Fees.

The Commission adopted the regulation, as set forth in the Amended Initial Statement of Reasons, establishing the Upland Game Bird Special Hunt Drawing Application Fee of \$2.25.

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

Attachment A – Summary Table

Public Comments and Responses:
Upland Game Bird Special Hunt Drawing and Application Fee

Number	Name	Comment(s)	Response
1	Kevin Vella- National Wild Turkey Federation Testimony 8-25-16	The \$5.00 application fee is too high.	a. The \$5.00 fee was reevaluated and reduced to \$2.25 as described in the amended ISOR.
2	Debbie Byrne-Yuba County Fish and Game Commission Testimony 8-25-16	See comment No. 1	See response 1a.
3	Mark Hennelly- California Waterfowl Association Testimony 8-25-16 Letter 9-29-16	See comment No. 1	See response 1a.
4	Bill Gaines- National Wild Turkey Federation Testimony 10-20-16	Pleased to strongly support adding drawing to ALDS.	Support acknowledged.
5	Mark Hennelly- California Waterfowl Association Testimony 10-20-16	Thanked the Department for reducing the fee to a more reasonable level.	Support appreciated.