

**Summary of comments received regarding proposed changes to
Sections 364 and 364.1,
Title 14, California Code of Regulations**

1. Written comment in letter received from Johanna Rodoni, Humboldt County Farm Bureau, dated February 6, 2020:

- a. Supports increases in elk tags from 65 to 105.
- b. Supports increases in elk tags going to landowner program to help alleviate human-elk conflict on private lands.

Response:

- a. Comment noted.
- b. All 40 additional tags are proposed for allocation to private lands either through SHARE hunts or to Cooperative Hunting Areas (CCR Title 14 §555) (sometimes referred to as landowner tags).

2. Written comment received from Gerry Hemingsen, Del Norte County Board of Supervisors, dated February 11, 2020:

- a. Supports increases in elk tags from 65 to 105.
- b. Supports increases in elk tags going to SHARE program to help alleviate human-elk conflict on private lands.

Response:

- a. Comment noted.
- b. All 40 additional tags are proposed for allocation to private lands either through SHARE hunts or to Cooperative Hunting Areas (CCR Title 14 §555) (sometimes referred to as landowner tags).

3. Written comment in email received from Karen Sommer, dated February 12, 2020:

- a. Please decrease or eliminate the number of tags issued for hunting the elk [in the Northwestern Elk Hunt Zone].

Response:

- a. The Department manages elk at the population level rather than at the herd level. The herd near Gilbert Creek Canyon is part of the population analyzed in the 2019 Environment Document, which was determined to be able to support the proposed harvest level.

4. **Written comment in email received from Don Hollander, dated February 12, 2020:**

- a. Vote no to increased elk hunting permits [in Del Norte County].

Response:

- a. Comment noted.

5. **Written comment in email received from Mary Hollander, dated February 12, 2020:**

- a. Opposed to increasing elk hunting tags in the Northwest Elk Hunt Zone.

Response:

- a. Roosevelt elk were reduced to small numbers in northwestern California in the early 20th century, but have been on a trajectory to recovery since 1967 as described in the CDFW Elk Conservation and Management Plan and references therein. The elk population in northwestern California has recovered to levels that support sustainable harvest as outlined in the 2019 Supplemental Environment Document for Elk Hunting in the Northwestern Elk Hunt Zone.

6. **Written comment in email received from Jonnel Covault, dated February 13, 2020**

- a. Very concerned about the methodology used to determine the number of elk tags allowed.
- b. Can you provide scientific data on the actual number of elk or are these just estimates?

Response:

- a. A minimum count is not a population census and is accepted by wildlife professionals that a minimum count is therefore not a count of all individuals in a population. Minimum counts can only underestimate, not overestimate, the number of individuals present. The Department used minimum counts to analyze the number of elk tags allocated in the Northwest Hunt Zone, making it an inherently conservative approach. Additionally, these counts and estimates are more than double the minimum viable population size for this area (560 elk) as indicated in the 2018 Elk Conservation and Management Plan: Appendix H.
- b. The Department counted a minimum of 879 elk in the Northwest Hunt Zone and estimated an additional 284 elk using fecal DNA capture-recapture, for a minimum estimate of 1,163 elk.

7. Written comment received from Noelle G. Cremers, California Farm Bureau Federation, in letter dated February 13, 2020:

- a. Support increasing number of elk tags and expanding elk hunting opportunities on California's North Coast to address elk damage on private lands.

Response:

- a. All 40 additional tags are proposed for allocation to private lands either through SHARE hunts or to Cooperative Hunting Areas (CCR Title 14 §555) (sometimes referred to as landowner tags).

8. Written comment in email received from Gordon Pfeffer, dated February 14, 2020:

- a. Please keep the elk hunt limited to 20.

Response:

- a. Comment noted. The ranges analyzed in the 2019 Supplemental Environment Document for Elk Hunting in the Northwestern Elk Hunt Zone support levels of harvest greater than 20.

9. Written comment letter received from Janet Gilbert, dated February 14, 2020:

- a. Would like all hunt tag distributions and numbers based on data.
- b. Would like to see wildlife corridors and wildlife overpasses/underpasses.
- c. Further, please consider focusing the Northwest Elk Hunt on the interior of the region where hybrid Roosevelt-Rocky Mountain elk exist, rather than on the pure strain of Roosevelt Elk on the coastal plain and foothills. Perhaps at a later date, some Roosevelt elk could be transplanted to the interior.

Response:

- a. Elk counts and analyses were shared with the public pursuant to processes outlined in the California Environmental Quality Act when the Department prepared the 2019 Supplement Environmental Document on Elk Hunting in the Northwestern Elk Hunt Zone. Elk counts are available from regional CDFW staff upon request. Allocations of hunting tags are based on these data.
- b. This comment is outside the scope of this regulatory action and the Department is working to identify important migration corridors to determine locations for potential wildlife-crossing structures.

- c. This comment is outside the scope of this regulatory action and the Department does not have the authority to translocate Roosevelt elk as suggested.

10. Sandra Jerabek, Friends of Del Norte and Friends of Del Norte County Conservation Council, written and oral comment at the February 21, 2020 Fish and Game Commission meeting

- a. Believe special rights or access or discounted tags should be offered to Tribes for Roosevelt elk hunting in the Northwest Hunt Zone.
- b. Wants Roosevelt elk herds to keep growing and want a reduction in tags to preserve these Roosevelt elk in the Northwest Hunt Zone.
- c. Wants transparency in documents and surveys from Humboldt State study and CDFW files.

Response:

- a. The Department is committed to engagement with Tribal Nations and at this time neither the Department nor the Commission has the statutory authority to provide special access or discounted tags for tribal members.
- b. Comment noted.
- c. Department staff from Region 1 have provided and will continue to provide surveys and documents upon request.

11. Roy Griffith, California Rifle and Pistol Association, California Deer Association, Rocky Mountain Elk Foundation, and California Bowman's Association, oral comment at the February 21, 2020 Fish and Game Commission meeting

- a. Strongly support additional 60 tags to SHARE program.
- b. Want tags to be made available to youth or apprentice hunters.
- c. Want to ensure majority of tags to be made available to public rather than PLM.

Response:

- a. Only 40 additional tags were requested in 2020 (over 2019 tag allocations), which was in addition to an increase by 20 tags in 2019, bringing the total increase over two years to 60 tags, which is the maximum allowable harvest in the 2019 Supplemental Environmental Document for Elk Hunting in the Northwest Hunt Zone.
- b. CDFW will continue to issue apprentice elk hunts in 2020.
- c. More than half of all elk tags issued in California are publicly available through general and SHARE hunts.

12. Noelle Cremers, California Farm Bureau, oral comment at the February 21, 2020 Fish and Game Commission meeting

- a. Would like to see as many tags allocated as possible to help reduce impacts of elk on private lands in the Northwest Hunt Zone, especially through SHARE.

Response:

- a. The Department requested the maximum number of tags allowable in the 2019 Supplemental Environmental Document for Elk Hunting in the Northwest Hunt Zone, which was an additional 40 tags over the 2019 allocation.

13. Written comment received from Estelle Fennelle, Humboldt County Board of Supervisors, dated March 3, 2020:

- a. Support proposed increases in elk tags in the Northwest Elk Hunt Zone.

Response:

- a. All 40 additional tags are proposed for allocation to private lands either through SHARE hunts or to Cooperative Hunting Areas (CCR Title 14 §555) (sometimes referred to as landowner tags).

14. Written comment in email from Janet Gilbert, dated April 2, 2020:

- a. My understanding is that the recommendation is to raise the hunt tag quotas across the board for General Hunt, PLM Hunt, and SHARE Hunt from last year's total of 108 tags to 148 for this upcoming seasons of hunting. That is an extremely large increase in tags. Is this really the proposed numbers?
- b. I am concerned that such a large increase in tags is premature and potentially devastating to the population and genetics of the local Roosevelt elk.
- c. I am also concerned about long term consequences and reliability of only a few years' data. Only 404 elk were the maximum number actually counted in 2019 by the researchers in the aforementioned study in Del Norte . I am also concerned about the sustainability of wildlife as we continue to move towards unpredictable consequences with climate change/crises.
- d. I am concerned that no wildlife conservationists, nor animal rights people have been invited to the stakeholders group.

Response:

- a. The increase in tags was identified in Alternative 2 in the 2019 Supplemental Environmental Document on Elk Hunting in the Northwest Elk Hunt Zone.
- b. The Department has been collecting minimum counts for over four years. A minimum count is not a population census and is accepted by wildlife professionals that a minimum count is therefore not a count of all individuals in a population. Minimum counts can only underestimate, not overestimate, the number of individuals present. The Department used minimum counts to analyze the number of elk tags allocated in the Northwest Hunt Zone, making it an inherently conservative approach. Additionally, these counts and estimates are more than double the minimum viable population size for this area (560 elk) as indicated in the 2018 Elk Conservation and Management Plan: Appendix H.
- c. The Department counted a minimum of 879 elk in the Northwest Hunt Zone and estimated an additional 284 elk using fecal DNA capture-recapture, for a minimum estimate of 1,163 elk. Elk are an IUCN species of "least concern".
- d. This comment is beyond the scope of this regulatory process, however, conservation is the main priority of the California Department of Fish and Wildlife.

15. Written comment in form-letter email (a total of 574 duplicate comments are included), example from Sau Tsang, dated April 10, 2020

- a. Oppose an increase in elk tags and request maintaining last year's tag quotas.
- b. Request shift to subsistence, rather than recreational, harvest.

Response:

- a. Comment noted.
- b. The Department has no mechanism or authority for separating harvest for subsistence versus recreation.

16. Bill Gaines, CDA, RMEF, California Houndsmen for Conservation, and California Bow Hunter's State Archery Association, oral comments received during the April 16, 2020 Fish and Game Commission teleconference

- a. Support all tag quotas as recommended.

Response:

- a. Comment noted.

17. Rhiannon Lewis-Stephenson, Environmental Protection Information Center, Friends of Del Norte, oral comments received during the April 16, 2020 Fish and Game Commission teleconference

- a. Concern about proposed increase in elk tag quotas; want tags allocated equitably and in a way that allows for sustainable maintenance of current herd levels.
- b. Want 2019 tag quotas to be adopted as 2020 tag quotas.

Response:

- a. Comment noted.
- b. Comment noted.

18. Judy Mancuso, Social Compassion in Legislation, oral comments received during the April 16, 2020 Fish and Game Commission teleconference

- a. Oppose an increase in elk tags.

Response:

- a. Comment noted.

19. Rita Mitchell, oral comments received during the April 16, 2020 Fish and Game Commission teleconference

- a. Support all tag quotas as recommended.

Response:

- a. Comment noted.