

ADDENDUM TO FINAL STATEMENT OF REASONS AND UPDATED INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

June 28, 2023

The Fish and Game Commission incorporates this addendum as part of the final rulemaking package.

Documents Relied Upon

The *Migratory Bird Hunting: Proposed 2023-24 Frameworks for Migratory Bird Hunting Regulations*, dated January 30, 2023 and the *2011 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation* is included as documents supporting regulation change.

Updated Necessity Explanations

The following statements are provided to clarify the necessity for regulatory changes as provided in the Initial Statement of Reasons:

1. Increase the duck season length to 103 days in subsection 502(d)(2)(B) for the Southern San Joaquin Valley Zone, in subsection 502(d)(3)(B) for the Southern California Zone, and in subsection 502(d)(5)(B) for the Balance of State Zone.

The existing duck season length for the referenced zones is 102 days. To continue closing on January 31 and maintaining a traditional opening Saturday in late October, an annual adjustment to the season length is needed; from 102 to 103 days for the upcoming season. This annual adjustment also results in modifications to falconry-only seasons; no days would be available for the upcoming season if items 3 and 4 are not approved.

2. Increase the goose season length to 103 days in subsection 502(d)(2)(B) for the Southern San Joaquin Valley Zone and in subsection 502(d)(3)(B) for the Southern California Zone.

The existing goose season length for the referenced zones is 102 days. See item 1 above for the justification.

3. Combine the Youth and Veterans and Active Military Personnel waterfowl hunting days in subsections 502(e)(1)(B) and 502(f)(1)(B) for the Northeastern California, Southern San Joaquin Valley, Southern California and Balance of State zones.

No update. The Department recommendation to combine the Youth and Veteran and Active Military Hunt Days was amended to keep those hunt days separate based on public input, thereby constituting no change in those hunt days.

4. Allow up to two days of falconry-only season in subsection 502(g)(1)(B) for the Northeastern California, Southern San Joaquin Valley, Southern California and Balance of State zones.

The change is necessary because the length of the falconry-only season is contingent upon the number of days used for the general duck and goose seasons (see items 1 and 2 above), in addition to the Youth and Veteran Hunt Days, as seasons cannot exceed 107 days. Combining the Youth and Veteran Hunt Days (see item 3) frees up two hunt days.

5. Change Mexican-like duck. The Service now recognizes the Mexican duck as a separate species from that of mallards, as referenced on the List of Migratory Birds 50 CFR 10.13 under the Migratory Bird Treaty Act. Historically, Mexican-like ducks were thought to be mallards. Referring to Mexican-like ducks is no longer accurate.

Summary and Response to Comments

The summary of primary considerations raised in opposition and in support provided in the Pre-Adoption Statement of Reasons for Regulatory Action (Final Rulemaking File, Bookmark 8B) is updated to state the following:

- In addition to the summary of responses provided in the PSOR and the Final Statement of Reasons (Final Rulemaking File, Bookmark 10B), the Department provides the following response to James Kreins' public comment regarding lowering the age requirement for junior hunters and holding the Veterans and Active Military Personnel Waterfowl Days on a weekday is the following:
 - The Department must follow the federal frameworks for the age requirement to participate in the Youth Waterfowl Hunt Days ("junior hunter" referenced in the comment letter). Federal frameworks require that hunters must be 17 years of age or younger to participate in these special hunt days, as stated in subsection 502(e) of Title 14, California Code of Regulations. The Veterans and Active Military Personnel Waterfowl Days can only be held up to 14 days before or after any regular duck season or within any split of a regular duck season, or within any other open season on migratory birds. Therefore, these days could be held on a weekday as long as the general duck season was closed. However, special hunt days held during the week will eliminate many hunters who have to work during the week and add to further complexity of the regulations.
- Public testimonies dated February 17, 2023 from Mark Hennelly and Bill Gaines are corrected to February 8, 2023. Public testimonies dated December 15, 2022 from Craig Gonzales, Rich Schussel, Steve Marvier, Jeff Reed, and Kevin Vella are corrected to February 8, 2023.