

Staff Summary for April 17-18, 2024

20. Waterfowl Hunting**Today's Item**Information Action

Consider adopting proposed amendments to waterfowl hunting regulations and taking final action under the California Environmental Quality Act (CEQA).

Summary of Previous/Future Actions

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| • Wildlife Resources Committee (WRC) vetting | September 19, 2023, WRC |
| • Notice hearing | December 13-14, 2023 |
| • Discussion hearing | February 14-15, 2024 |
| • Today's adoption hearing | April 17-18, 2024 |

Background

Waterfowl hunting regulations are reviewed annually by the U.S. Fish and Wildlife Service (USFWS) to adjust federal regulations based on waterfowl surveys, population trends, and other information. The result is a federal regulatory framework within which states may adjust their regulations. In developing the federal framework for the 2024-25 hunting seasons, USFWS published in the Federal Register (Volume 89, No. 27) on February 8, 2024 a proposal to amend federal migratory bird hunting regulations.

In December 2023, the Commission authorized a notice of rulemaking to set the bag and possession limits for migratory waterfowl for the 2024-25 hunting seasons to comply with the proposed federal framework. Federal processes require states to provide season selections to USFWS by the end of April each year for inclusion in the final framework, which is anticipated to be published in May 2024. Commission adoption of state regulation changes is scheduled for today's meeting given the federal timing requirements and expectation that the final federal framework will not differ substantially from the proposed regulations due to lack of new biological data or harvest strategies.

The initial statement of reasons (ISOR; Exhibit 1) includes ranges for bag and possession limits and seasons. The proposed regulations also include an option that would allow geese to be taken during the Veterans and Active Military Personnel waterfowl hunting days for the Balance of State Zone. Today the Department will present its final, specific recommendations (Exhibit 5).

Significant changes in the rulemaking include:

- decreasing the duck season length from 103 to 98 days for the Southern San Joaquin Valley Zone, the Southern California Zone, and the Balance of State Zone;
- decreasing the goose season length from 103 to 98 days for the Southern San Joaquin Valley Zone and the Southern California Zone, and from 100 to 98 for the Balance of State Zone; and
- allowing up to five days of falconry-only season for the San Joaquin Valley, Southern California and Balance of State zones.

Staff Summary for April 17-18, 2024

California Environmental Quality Act

The Department prepared a draft environmental document consistent with the Commission's CEQA certified regulatory program. Commission staff evaluated the draft document and determined that the document reflects the independent judgment of the Commission. Staff submitted the environmental document for public comment (State Clearinghouse Number #2023120465, available at [CEQAnet.opr.ca.gov](https://ceqanet.opr.ca.gov)). A final environmental document, updated to reflect public comment, will be included in the Commission's supplemental handouts for this meeting (Exhibit 3).

Significant Public Comments

1. The California Farm Bureau is concerned about potential changes to goose hunting regulations and opposes allowing public land hunting during the late season as it could push geese to private farms and increase crop damage. California Farm Bureau also disagrees with shortening the goose hunting season and advocates for keeping the current duration. (Exhibit 6)
2. A waterfowl hunter states that the Aleutian goose hunting season in the North Coast Management Area is unfair as the season was moved away from the peak period and public lands are closed during the proposed time. The hunter believes the proposed change only benefits private landowners and urges the Commission to return the season dates to the regular waterfowl season for equal opportunity. (Exhibit 7)

Recommendation

Commission staff: Certify the final environmental document, adopt the proposed project, and adopt the proposed waterfowl hunting regulation changes as presented by the Department today.

Department: Adopt the waterfowl hunting regulation changes as presented in the ISOR.

Exhibits

1. [ISOR and original proposed regulatory language](#)
2. [Email in lieu of a pre-adoption statement of reasons, received March 20, 2024](#)
3. Waterfowl final environmental document (*to be provided separately*)
4. [Economic and fiscal impact statement \(STD. 399\)](#)
5. [Department presentation](#)
6. [Letter from Chris Reardon, Director of Government Affairs, California Farm Bureau, received February 13, 2024](#)
7. [Email from Dustin Kuehn, received March 12, 2024](#)

Motion

Moved by _____ and seconded by _____ that the Commission finds that the environmental document reflects the independent judgment of the Commission, certifies the final environmental document, adopts the proposed project, and adopts the staff recommendations to amend Section 502, regarding migratory waterfowl hunting regulations for the 2024-2025 seasons.

State of California
Fish and Game Commission
Initial Statement of Reasons for Regulatory Action

Amend Section 502
Title 14, California Code of Regulations
Re: Waterfowl, Migratory; American Coot and Common Moorhen (Common Gallinule)

I. Date of Initial Statement of Reasons: October 2, 2023

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: December 13, 2023

Location: San Diego, CA

(b) Discussion Hearing

Date: February 15, 2024

Location: Sacramento, CA

(c) Adoption Hearing

Date: April 18, 2024

Location: San Jose, CA

III. Description of Regulatory Action

(a) Statement of Specific Purpose of Regulatory Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary

The U.S. Fish and Wildlife Service (Service) annually establishes federal regulation frameworks (Frameworks) for migratory bird hunting. California shall set its waterfowl hunting regulations within the Frameworks. The Frameworks describe the earliest dates that waterfowl hunting seasons may open, the maximum number of days hunting can occur, the latest dates that hunting seasons must close, and the maximum daily bag limit. The proposed hunting season Frameworks for a given year are developed in the fall of the prior year for a majority of species and populations. For example, the breeding populations (including the California Breeding Population Survey) and habitat conditions observed in 2023 and the regulatory alternatives selected for the 2023 hunting season will be used to develop the Frameworks for the 2024-25 season.

States may make recommendations to change the Frameworks. These recommendations are made to the four regional Flyway councils in late summer (July, August or September). Flyway councils may elect to forward recommendations to the Service. The Service may elect to incorporate proposed changes in the Frameworks. The Service considers these and other recommendations at the Service's Regulation Committee public meeting held in September or October. Proposed season Frameworks are typically published in the Federal Register by mid-December and final Frameworks published by late February.

Section 355 of the Fish and Game Code authorizes the Fish and Game Commission (Commission) to adopt annual regulations pertaining to the hunting of migratory birds that conform with or further restrict the regulations prescribed by the Service pursuant to its

authority under the Migratory Bird Treaty Act. The Commission selects and establishes state regulations that specify hunting season dates and daily bag limits.

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and daily bag and possession limits for hunting of waterfowl. The proposed Frameworks for the 2024-25 season were approved by the Flyway councils in August and at the Service's Regulations Committee meeting in October. The Frameworks allow for a liberal duck season which includes: a 107-day season; a 7 daily duck limit including 7 mallards but only 2 hen mallards, 1 pintail, 2 canvasback, 2 redheads, and 2 scaup (during an 86-day season); and closing no later than January 31. The duck daily bag limits and season length, as well as the season lengths for geese, are provided as ranges below, to allow the Commission flexibility in determining the final regulations.

A range of season length and bag limit (zero bag limit represents a closed season) are also provided for black brant. The range is necessary, as the black brant Framework cannot be determined until the Pacific Flyway Winter Brant Survey is conducted in January 2024. The black brant regulatory package is determined by the most current Winter Brant Survey, rather than the prior year survey. The proposed season length and bag limit will be updated per the Black Brant Harvest Strategy pending results of the January 2024 survey. See the Summary of Proposed Waterfowl Hunting Regulations for 2024-25 table in the Informative Digest/Policy Statement Overview for the range of season and bag limits.

Lastly, federal regulations provide that California's hunting regulations shall conform to those of Arizona in the Colorado River Zone and those of Oregon in the North Coast Special Management Area.

The Department-recommended changes to Section 502 are:

- 1) Decrease the duck season length to 98 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 103 days. Adjusting the season length from 103 to 98 days is necessary for the upcoming season in order to close on January 31 and maintain a traditional opening Saturday in late October. In prior rulemakings, the Commission adopted the latest possible closing date of January 31 rather than the historical closing day of the last Sunday in January. This annual adjustment also results in modifications to falconry-only seasons.

- 2) Decrease the goose season length to 98 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 goose season length for the Southern San Joaquin Valley and Southern California zones is 103 days and 100 days in the Balance of State Zone. See item 1 above for the justification. This annual adjustment also results in modifications to Veterans and Active Military Personnel Waterfowl Hunting Days (VAMP Days) and falconry-only seasons.

- 3) Allow geese to be taken during VAMP Days in subsection 502(f)(B)4 for the Balance of

State Zone.

The existing regulation does not allow geese because all available hunting days in the Balance of State Zone were allocated prior to implementation of VAMP Days. See item 1 above. The decrease in the goose season to 98 days allows the option of goose hunting during VAMP Days in this zone while still offering the existing early and late goose seasons. See option 2 in regulatory text in subsection 502(f)(B)4. However, in future rulemakings, either modifying the timing or reducing the Late Season will need to be considered to allow goose hunting during VAMP Days in this zone.

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

The existing regulation does not allow a falconry-only season because all available hunting days have been allocated. The length of the falconry-only season is contingent upon the number of days used for the general duck and goose seasons, in addition to the Youth and Veteran Hunt Days, as seasons cannot exceed 107 days.

In addition, an alternative was offered by the public regarding timing of the Late Season for geese in subsection 502(d)(5)(B) for the Balance of State Zone, see item IV below. The proposal was to move the Late Season for geese to coincide with VAMP Days in subsection 502(f)(B)4. Two options have been provided for consideration to both subsections: option 1 retains the closure of geese on Type A and B wildlife areas during the Late Season and does not allow geese during VAMP Days; option 2 allows goose hunting during the Late Season on Type A and B wildlife areas and allows geese during VAMP Days.

Minor editorial changes are also proposed to clarify and simplify the regulations and to comply with existing federal Frameworks.

(b) Goals and Benefits of the Regulation

The goals and benefits of the regulations are to provide for the conservation and maintenance of sufficient waterfowl populations to ensure their continued existence, while providing for balanced hunting opportunity, consistent with Commission and Department policies.

(c) Authority and Reference Sections from Fish and Game Code for Regulation

Authority: Section(s) 265 and 355, Fish and Game Code

Reference: Section(s) 265, 355, and 356, Fish and Game Code

(d) Specific Technology or Equipment Required by Regulatory Change: None.

(e) Identification of Reports or Documents Supporting Regulation Change: None.

(f) Public Discussions of Proposed Regulations Prior to Notice Publication

This proposal was discussed at the Commission's Wildlife Resources Committee (WRC) meeting held on September 19, 2023, and a public scoping session will be held in late November 2022.

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

An alternative was offered by the public regarding timing of the Late Season for geese in the Balance of State Zone. The proposal was to move the Late Season for geese to coincide with the VAMP Days. The current regulation for VAMP Days in this zone does not allow geese because all goose days have been allocated. This was discussed at the Wildlife Resources Committee (WRC) meeting on September 19, 2023. The WRC indicated further consideration of this proposal would be warranted.

The Department did not include this recommendation because the intent of the Late Season for geese. The Late Season was implemented for the 2011-12 season as a tool to alleviate crop depredation on private pasture lands due to increasing concerns raised by the agricultural community. The timing of the Late Season was placed in later February when geese were still present in large concentrations in the Balance of State Zone. Further, the Type A and B wildlife areas are closed during the Late Season so geese can move onto public lands.

The Department has recommended to maintain the timing and length for the Early and Late goose seasons, and a 98 day Regular Season for geese. This allows goose hunting during the two VAMP days (see item 3 above). However, in the following seasons (2025-26 and later) the Regular Season length may be subject to increases so excess goose days for VAMP Days is reduced or eliminated. For the 2025-26 season, the Late Season would have to be reduced to allow geese during VAMP Days in addition to ducks. Prior to moving the Late Season, the Department would like feedback from the agricultural community on the effectiveness of the regulation to alleviate crop depredation. The Department is concerned about reducing the effectiveness of the Late Season for geese, regulation complexity, and enforcement concerns.

(b) No Change Alternative

The No Change Alternative would retain the 2023-24 regulations for the 2024-25 season which may place the state out of compliance with federal regulations. This alternative was rejected because in prior rulemakings, the Commission preferred the latest possible closing date of January 31 and maintaining a traditional opening Saturday in late October. This results in an annual adjustment to the season length; 98 days rather than 103 days for the 2024-25 season because of calendar progression. In addition, modifying the season length affects available days for falconry-only seasons, and must also be adjusted annually so as not to exceed 107 days.

V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. 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 initial 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 regulations are expected to maintain a similar level of recreational waterfowl hunting opportunity for the public. Shifting days for general duck season affects available days for falconry-only seasons, which must also be adjusted annually so total season length does not exceed 107 days.

(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 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 proposed waterfowl regulations will set the 2024-25 waterfowl hunting season dates and bag limits within the federal Frameworks. The total hunting season length of 107 remains the same, with only modifications to the season types (duck, goose or falconry-only) will have little to no impacts to jobs and/or businesses that provide services to waterfowl hunters. The Commission anticipates that the proposed 2024-25 waterfowl hunting regulations provide benefit for the health and welfare of California residents by providing opportunity for outdoor activity. The Commission expects no benefits to worker safety but does expect benefit to the environment in that setting these regulations facilitates maintenance of sufficient waterfowl populations and their habitats while providing for the public's beneficial use and enjoyment. The most recent Service National Survey of Fishing, Hunting, and Wildlife-Associated Recreation for California estimated that migratory bird hunters contributed about \$169 million to the state economy during the 2011 migratory bird hunting season. However, minor variations in hunting regulations such as the ones proposed for waterfowl are, by themselves, unlikely to provide notable economic stimulus to the state. Businesses that support waterfowl hunting are generally small businesses employing a few individuals and, like all small businesses, are subject to failure for a variety of causes. The long-term intent of the proposed regulations is to sustainably manage waterfowl populations, and consequently, the long-term viability of the same small businesses.

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

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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

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

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

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

(h) Effect on Housing Costs: None.

VII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

The proposed conformance to federal regulations is expected to maintain similar levels of hunting opportunity and activity as previous seasons such that little to no net impacts on the creation or elimination of jobs are anticipated within the state from the adoption of the proposed waterfowl hunting regulations for the 2024-25 season. The most recent Service National Survey of Fishing, Hunting, and Wildlife-Associated Recreation for California estimated that waterfowl hunters contributed about \$169,115,000 to businesses in California during the 2011 waterfowl hunting season. The proposed regulations in themselves should not affect the typical level of waterfowl hunting expenditures. Businesses within the state that provide goods and services to waterfowl hunters are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. The long-term intent of the proposed regulations is to sustainably manage waterfowl populations, and consequently, the long-term viability of the same small businesses.

The 2011 National Survey is posted on the U.S. Census Bureau website <https://www.census.gov/content/dam/Census/library/publications/2014/demo/fhw11-nat.pdf> and the 2011 National Survey of Fishing and Hunting, and Wildlife-Associated Recreation Report for California can be found at <https://www2.census.gov/programs-surveys/fhwar/publications/2011/fhw11-ca.pdf>.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

The proposed regulation is not anticipated to prompt the creation of new businesses or the elimination of existing businesses within the state. Minor variations in regulations pertaining to hunting are, by themselves, unlikely to stimulate the creation of new businesses or cause the elimination of existing businesses. The number of hunting trips and the economic contributions from the trips are not expected to change substantially.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The proposed minor variations in season lengths are, by themselves, unlikely to stimulate substantial expansion of businesses currently doing business in the state. The long-term intent of the proposed regulations is to sustainably manage waterfowl populations, and consequently, the long-term viability of various businesses that serve recreational waterfowl hunters.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

Hunting is an outdoor activity that can provide several health and welfare benefits to California residents. Hunters and their families benefit from fresh game to eat, and from the benefits of outdoor recreation, including exercise. People who hunt have a special connection with the outdoors and an awareness of the relationships between wildlife, habitat and humans. With that awareness comes an understanding of the role humans play in being caretakers of the environment. Hunting is a tradition that is often passed from one generation to the next, creating a special bond between family members and friends.

(e) Benefits of the Regulation to Worker Safety

The regulations will not affect worker safety because they do not address working conditions.

(f) Benefits of the Regulation to the State's Environment

As set forth in Fish and Game Code Section 1801, it is the policy of the state to encourage the preservation, conservation, and maintenance of waterfowl resources for all citizens of the state. The objectives of this policy include, but are not limited to, maintenance of sufficient populations and their habitats, provide for beneficial use and enjoyment, to perpetuate the waterfowl resource for their intrinsic and ecological values, and to maintain diversified recreation use including sport hunting consistent with the status of this resource. Adoption of scientifically based waterfowl hunting regulations provides for the maintenance of sufficient waterfowl populations to ensure these objectives are met. Further, the fees that hunters pay for licenses and stamps fund wildlife conservation.

(g) Other Benefits of the Regulation

Hunting seasons provide an incentive for private landowners to maintain waterfowl habitat, mainly wetlands, that benefit waterfowl and other wetland dependent wildlife.

Informative Digest/Policy Statement Overview

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and daily bag and possession limits for hunting of waterfowl. The proposed Frameworks for the 2024-25 season were approved by the four regional Flyway councils in August and at the U.S. Fish and Wildlife Service (Service's) Regulations Committee meeting in October. The Frameworks allow for a liberal duck season which includes: a 107-day season; a 7 daily duck limit including 7 mallards but only 2 hen mallards, 1 pintail, 2 canvasback, 2 redheads, and 2 scaup (during an 86-day season); and closing no later than January 31. The duck daily bag limits and season length, as well as the season lengths for geese, are provided as ranges below, to allow the Commission flexibility in determining the final regulations.

A range of season length and bag limit (zero bag limit represents a closed season) are also provided for black brant. The range is necessary, as the black brant Framework cannot be determined until the Pacific Flyway Winter Brant Survey is conducted in January 2024. The black brant regulatory package is determined by the most current Winter Brant Survey, rather than the prior year survey. The proposed season length and bag limit will be updated per the Black Brant Harvest Strategy pending results of the January 2024 survey. See the Summary of Proposed Waterfowl Hunting Regulations for 2024-25 table, below.

Lastly, Federal regulations provide that California's hunting regulations shall conform to those of Arizona in the Colorado River Zone and those of Oregon in the North Coast Special Management Area.

The Department recommended changes to Section 502 are:

- 1) Decrease the duck season length to 98 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.
- 2) Decrease the goose season length to 98 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.
- 3) Allow geese to be taken during Veterans and Active Military Personnel Waterfowl Hunting (VAMP) Days in subsection 502(f)(B)4. for the Balance of State Zone.
- 4) Allow up to five days of falconry-only season in subsection 502(g)(1)(B) for the Southern San Joaquin Valley, Southern California and Balance of State zones.

In addition, an alternative was offered by the public regarding timing of the Late Season for geese in subsection 502(d)(5)(B) for the Balance of State Zone. The proposal was to move the Late Season for geese to coincide with VAMP Days in subsection 502(f)(B)4. Two options have been provided for consideration in the regulatory text to both subsections: option 1 retains the closure of geese on Type A and B wildlife areas during the Late Season and does not allow geese during VAMP Days; option 2 allows goose hunting during the Late Season on Type A and B wildlife areas and allows geese during VAMP Days.

The Department has recommended to maintain the timing and length for the Early and Late goose seasons, and a 98 day Regular Season for geese. This allows goose hunting during the two VAMP days (see item 3 above). However, in the following seasons (2025-26 and later) the Regular Season length may be subject to increases so excess goose days for VAMP Days is reduced or eliminated. For the 2025-26 season, the Late Season would have to be reduced to allow geese during VAMP Days in addition to ducks. Prior to moving the Late Season, the Department would like feedback from the agricultural community on the effectiveness of the regulation to alleviate crop depredation. The Department is concerned about reducing the effectiveness of the Late Season for geese, regulation complexity, and enforcement concerns.

Minor editorial changes are also proposed to clarify and simplify the regulations and to comply with existing federal Frameworks.

Benefits of the regulations

The benefits of the proposed regulations are consistency with federal law and the sustainable management of the state’s waterfowl resources. Continued benefits to jobs and/or businesses that provide services to waterfowl hunters will be realized with the continued adoption of waterfowl hunting seasons in 2024-25.

Evaluation of incompatibility with existing regulations

The Commission has reviewed its regulations in Title 14, CCR, and conducted a search of other regulations on this topic and has concluded that the proposed amendments to Section 502 are neither inconsistent nor incompatible with existing State regulations. No other State agency has the authority to promulgate waterfowl hunting regulations.

Summary of Proposed Waterfowl Hunting Regulations for 2024-25

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
Statewide	Coots & Moorhens (Gallinules)	Concurrent w/duck season	25/day. Possession limit triple the daily bag.
Northeastern Zone	Ducks	No longer than 103 days	[4-7]/day, which may include: [3-7] mallards no more than [1-2] females. 1 pintail, 2 canvasback, 2 redheads. Possession limit triple the daily bag.
Northeastern Zone <i>Season may be split for Scaup</i>	Scaup	No longer than 86 days	2 scaup. Possession limit triple the daily bag.
Northeastern Zone <i>Season may be split</i>	Geese	No longer than 105 days except for Canada geese	30/day, which may include: 20 white geese, 10 dark

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
<i>for Dark and White geese</i>		which cannot exceed 100 days or beyond Jan 12	geese, no more than 2 Large Canada geese. Possession limit triple the daily bag.
Southern San Joaquin Valley Zone	Ducks	No longer than 98 days	[4-7]/day, which may include: [3-7] mallards no more than [1-2] females. 1 pintail, 2 canvasback, 2 redheads. Possession limit triple the daily bag.
Southern San Joaquin Valley Zone <i>Season may be split for Scaup</i>	Scaup	No longer than 86 days	2 scaup. Possession limit triple the daily bag.
Southern San Joaquin Valley Zone	Geese	No longer than 98 days	30/day, which may include: 20 white geese, 10 dark geese. Possession limit triple the daily bag.
Southern California Zone	Ducks	No longer than 98 days	[4-7]/day, which may include: [3-7] mallards no more than [1-2] females. 1 pintail, 2 canvasback, 2 redheads. Possession limit triple the daily bag.
Southern California Zone <i>Season may be split for Scaup</i>	Scaup	No longer than 86 days	2 scaup. Possession limit triple the daily bag.
Southern California Zone	Geese	No longer than 98 days	23/day, which may include: 20 white geese, 3 dark geese. Possession limit triple the daily bag.
Colorado River Zone	Ducks	No longer than 101 days	7/day, which may include: 7 mallards no more than 2 females or Mexican ducks. 1 pintail, 2 canvasback, 2 redheads. Possession limit triple the daily bag.

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
Colorado River Zone <i>Season may be split for Scaup</i>	Scaup	No longer than 86 days	2 scaup. Possession limit triple the daily bag.
Colorado River Zone	Geese	No longer than 101 days	25/day, up to 20 white geese, up to 5 dark geese. Possession limit triple the daily bag.
Balance of State Zone	Ducks	No longer than 98 days	[4-7]/day, which may include: [3-7] mallards no more than [1-2] females. 1 pintail, 2 canvasback, 2 redheads. Possession limit triple the daily bag.
Balance of State Zone <i>Season may be split for Scaup</i>	Scaup	No longer than 86 days	2 scaup. Possession limit triple the daily bag.
Balance of State Zone <i>Season may be split for Dark and White Geese.</i>	Geese	Early Season: 3 days (Canada goose only) Regular Season: no longer than 98 days Late Season: Canada geese no longer than 2 days and white-fronted and white geese no longer than 5 days	30/day, which may include: 20 white geese, 10 dark geese. Possession limit triple the daily bag.

SPECIAL MANAGEMENT AREAS

AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
North Coast <i>Season may be split</i>	All Canada Geese	No longer than 105 days except for Large Canada geese which cannot exceed 100 days or extend beyond Jan 31	10/day, only 1 may be a Large Canada goose. Possession limit triple the daily bag. Large Canada geese are closed during the Late Season.
Humboldt Bay South Spit (West Side)	All species	Closed during brant season	
Klamath Basin	Dark and white geese	105 days except for Canada geese which cannot exceed 100 days or extend beyond Jan 12	30/day, which may include: 20 white geese, 10 dark geese only 2 may be a Large Canada goose.

AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
			Possession limit triple the daily bag.
Sacramento Valley	White-fronted geese	Open concurrently with general goose season through Dec 21	3/day. Possession limit triple the daily bag.
Morro Bay	All species	Open in designated areas only	Waterfowl season opens concurrently with brant season.
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	No longer than 37 days and closing no later than Dec 14.	[0-2]/day. Possession limit triple the daily bag.
Balance of State Brant	Black Brant	No longer than 37 days and closing no later than Dec 15.	[0-2]/day. Possession limit triple the daily bag.
Imperial County <i>Season may be split</i>	White Geese	No longer than 105 days	20/day. Possession limit triple the daily bag.

YOUTH WATERFOWL HUNTING DAYS (NOTE: To participate in these Youth Waterfowl Hunts, youth must be accompanied by a non-hunting adult 18 years of age or older. Federal regulations require that hunters must be 17 years of age or younger.)

AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone	Same as regular season	The first Saturday in February extending for 2 days.	Same as regular season
Southern California Zone	Same as regular season	The first Saturday in February extending for 2 days.	Same as regular season
Colorado River Zone	Same as regular season	The first Saturday in February extending for 2 days.	Same as regular season
Balance of State Zone	Same as regular season	The first Saturday in February extending for 2 days.	Same as regular season

Veterans and Active Military Personnel Waterfowl Hunting Days (NOTE: Veterans (as defined in Section 101 of Title 38, United States Code) and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than training), may participate.

AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Ducks, Coots, and Moorhens	The Saturday following the closing of the regular duck season extending for 2 days.	Same as regular season
Balance of State Zone	Same as regular season	The second Saturday in February extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone	Same as regular season	The second Saturday in February extending for 2 days.	Same as regular season
Southern California Zone	Same as regular season	The second Saturday in February extending for 2 days.	Same as regular season

FALCONRY

AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	No longer than 107 days.	3/day. Possession limit 9
Balance of State Zone	Same as regular season	No longer than 107 days.	3/day. Possession limit 9
Southern San Joaquin Valley Zone	Ducks, Coots, and Moorhens	No longer than 107 days.	3/day. Possession limit 9
Southern California Zone	Same as regular season	No longer than 107 days.	3/day. Possession limit 9
Colorado River Zone	Ducks, Coots, and Moorhens	No longer than 107 days.	3/day. Possession limit 9

Proposed Regulatory Language

Section 502, Title 14, CCR, is amended as follows:

§502. Waterfowl, Migratory; American Coot and Common Moorhen (Common Gallinule).

[No changes to subsections (a) through (b)]

(c) Seasons and Bag and Possession Limits for American Coots, and Common Moorhens.

(1) Statewide Provisions.

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
American Coot and Common Moorhen	Concurrent with duck season(s)	Daily bag limit: 25, either all of one species or a mixture of these species. Possession limit: triple the daily bag limit.

(d) Seasons and Bag and Possession Limits for Ducks and Geese by Zone.

(1) Northeastern California Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers)	<p>From the first Saturday in October extending for 103 days.</p> <p>Scaup: from the first Saturday in October extending for a period of 58 days and from the third Thursday in December extending for a period of 28 days.</p> <p><u>[Opening no earlier than the first Saturday in October and closing no later than January 31. Season may be split into two segments and no longer than 103 days except for scaup season can be no longer than 86 days.]</u></p>	<p>Daily bag limit: 7<u>[4-7]</u></p> <p>Daily bag limit may include:</p> <ul style="list-style-type: none"> • 7<u>[3-7]</u> mallards, but not more than 2<u>[1-2]</u> females. • 1 pintail (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 2 scaup (either sex). <p>Possession limit: triple the daily bag limit.</p>

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Geese	<p>Regular Season: Small and Large Canada Geese: from the first Saturday in October extending for 100 days. [Opening no earlier than the first Saturday in October and closing no later than January 12. Season will be no longer than 100 days.]</p> <p>White-fronted and white geese from the first Saturday in October extending for a period of 58 days and from January 4 extending for a period of 14 days. [Opening no earlier than the first Saturday in October and closing no later than January 31. Season may be split into two segments and no longer than 100 days.]</p> <p>Late Season: White-fronted and white geese from February 7 extending for 33 days. [Season will be no longer than 34 days and closing no later than March 10.]</p> <p>During the Late Season, hunting is only permitted on Type C wildlife areas listed in sections 550-552, navigable waters, and private lands with the permission of the landowner under provisions of Section 2016, Fish and Game Code.</p> <p>Hunting is prohibited on Type A and Type B wildlife areas, the Klamath Basin National Wildlife Refuge Complex, the Modoc National Wildlife Refuge, and any waters which are on, encompassed by, bounded over, flow over, flow through, or are adjacent to any Type A and Type B wildlife areas, the Klamath Basin National Wildlife Refuge Complex, or the Modoc National Wildlife Refuge.</p>	<p>Daily bag limit: 30</p> <p>Daily bag limit may include:</p> <ul style="list-style-type: none"> • 20 white geese. • 10 dark geese but not more than 2 Large Canada geese (see definitions: 502(a)). <p>Possession limit: triple the daily bag limit.</p>

(2) Southern San Joaquin Valley Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers)	<p>From the third Saturday in October extending for 103 days.</p> <p>Scaup: from November 7 extending for 86 days. <u>Opening no earlier than the fourth Saturday in October and closing no later than January 31. Season may be split into two segments and no longer than 98 days except for scaup season can be no longer than 86 days.</u></p>	<p>Daily bag limit: 7<u>[4-7]</u></p> <p>Daily bag limit may include:</p> <ul style="list-style-type: none"> • 7<u>[3-7]</u> mallards, but not more than 2<u>[1-2]</u> females. • 1 pintail (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 2 scaup (either sex). <p>Possession limit: triple the daily bag limit.</p>
Geese	<p>From the third Saturday in October extending for 103 days. <u>Opening no earlier than the fourth Saturday in October and closing no later than January 31. Season will be no longer than 98 days.</u></p>	<p>Daily bag limit: 30</p> <p>Daily bag limit may include:</p> <ul style="list-style-type: none"> • 20 white geese. • 10 dark geese (see definitions: 502(a)). <p>Possession limit: triple the daily bag limit.</p>

(3) Southern California Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers)	<p>From the third Saturday in October extending for 103 days.</p> <p>Scaup: from November 7 extending for 86 days. <u>Opening no earlier than the fourth Saturday in October and closing no later than January 31. Season may be split into two segments and no longer than 98 days except for scaup season can be no longer than 86 days.</u></p>	<p>Daily bag limit: 7<u>[4-7]</u></p> <p>Daily bag limit may include:</p> <ul style="list-style-type: none"> • 7<u>[3-7]</u> mallards, but not more than 2<u>[1-2]</u> females. • 1 pintail (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 2 scaup (either sex). <p>Possession limit: triple the daily bag limit.</p>

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Geese	<p>From the third Saturday in October extending for 103 days. <u>[Opening no earlier than the fourth Saturday in October and closing no later than January 31. Season will be no longer than 98 days.]</u></p>	<p>Daily bag limit: 23 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 20 white geese. • 3 dark geese (see definitions: 502(a)). <p>Possession limit: triple the daily bag limit.</p>

(4) Colorado River Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers).	<p>From October 23 extending for 101 days.</p> <p>Scaup: from November extending for 86 days.</p>	<p>Daily bag limit: 7 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 7 mallards, but not more than 2 females or Mexican ducks. • 1 pintail (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 2 scaup (either sex). <p>Possession limit: triple the daily bag limit.</p>
Geese	From October 23 extending for 101 days.	<p>Daily bag limit: 24<u>25</u> Daily bag limit may include:</p> <ul style="list-style-type: none"> • 20 white geese. • <u>45</u> dark geese (see definitions: 502(a)). <p>Possession limit: triple the daily bag limit.</p>

(5) Balance of State Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers).	<p>From the third Saturday in October extending for 103 days.</p> <p>Scaup: from November 7 extending for 86 days. <u>Opening no earlier than the fourth Saturday in October and closing no later than January 31. Season may be split into two segments and no longer than 98 days except for scaup season can be no longer than 86 days.]</u></p>	<p>Daily bag limit: 7 <u>[4-7]</u></p> <p>Daily bag limit may include:</p> <ul style="list-style-type: none"> • 7 <u>[3-7]</u> mallards, but not more than 2 <u>[1-2]</u> females. • 1 pintail (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 2 scaup (either sex). <p>Possession limit: triple the daily bag limit.</p>

<p>Geese</p>	<p>Early Season: Large Canada geese only from the Saturday closest to October 1 for a period of 3 days EXCEPT in the North Coast Special Management Area where Large Canada geese are closed during the early season.</p> <p>Regular Season: Dark and white geese <u>opening no earlier than the fourth Saturday in October and closing no later than January 31. Season will be no longer than 98 days</u> from the third Saturday in October extending for 100 days EXCEPT in the Sacramento Valley Special Management Area where the white-fronted goose season will close after December 21.</p> <p>Late Season: Canada geese from <u>opening after January 31 and closing no later than March 10. Season will be no longer than 2 days</u> the third Saturday in February extending for 2 days.</p> <p>White-fronted and white geese from <u>opening after January 31 and closing no later than March 10. Season will be no longer than 5 days</u> the third Saturday in February extending for a period of 5 days EXCEPT in the Sacramento Valley Special Management Area where the white-fronted goose season is closed.</p> <p>Option 1: During the Late Season, hunting is not permitted on wildlife areas listed in sections 550-552 EXCEPT on Type C wildlife areas in the North Central and Central regions.</p> <p>Option 2: During the Late Season, hunting is not permitted on wildlife areas listed in sections 550-552</p>	<p>Daily bag limit: 30 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 20 white geese. • 10 dark geese EXCEPT in the Sacramento Valley Special Management Area where only 3 may be white-fronted geese (see definitions: 502(a)). <p>Possession limit: triple the daily bag limit.</p>
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<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
	EXCEPT on Type C wildlife areas in the North Central and Central regions.	

(6) Special Management Areas (see descriptions in 502(b)(6))

	<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
1. North Coast	All Canada Geese	<p>From October 7 extending for a period of 77 days (Regular Season) and from February 12 extending for a period of 28 days (Late Season). <u>[Season may be split and closing no later than March 10. Season will be no longer than 105 days.]</u></p> <p>During the Late Season, hunting is only permitted on private lands with the permission of the landowner under provisions Section 2016, Fish and Game Code.</p>	<p>Daily bag limit: 10 Canada Geese of which only 1 may be a Large Canada goose (see definitions: 502(a)), EXCEPT during the Late Season, the bag limit on Large Canada geese is zero.</p> <p>Possession limit: triple the daily bag limit.</p>
2. Humboldt Bay South Spit (West Side)	All Species	Closed during brant season	
3. Klamath Basin	Geese	<p>Small and Large Canada Geese <u>[opening no earlier than the first Saturday in October and closing no later than January 12. Season will be no longer than 100 days]</u> from the first Saturday in October extending for 100 days.</p> <p>White-fronted and white geese <u>[opening no earlier than the first Saturday in October and closing no later than January 31. Season will be no longer than 105 days]</u> from the first Saturday in October extending</p>	<p>Daily bag limit: 30 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 20 white geese. • 10 dark geese but not more than 2 Large Canada geese (see definitions: 502(a)). <p>Possession limit: triple the daily bag limit.</p>

	<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
		for 105 days.	
4. Sacramento Valley	White-Fronted Geese	Open concurrently with the goose season through December 21, and during Youth Waterfowl Hunting Days.	Daily bag limit: 3 white-fronted geese. Possession limit: triple the daily bag limit.
5. Morro Bay	All species	Open in designated area only from the opening day of brant season through the remainder of waterfowl season.	
6. Martis Creek Lake	All species	Closed until November 16.	
7. Northern Brant	Black Brant	From November 18 extending for 27 days. <u>[Season will be between 0 and 37 days, closing no later than December 14.]</u>	Daily bag limit: 2 Possession limit: triple the daily bag limit.
8. Balance of State Brant	Black Brant	From November 19 extending for 27 days. <u>[Season will be between 0 and 37 days, closing no later than December 15.]</u>	Daily bag limit: 2 Possession limit: triple the daily bag limit.
9. Imperial County	White Geese	From November 4 extending for a period of 89 days (Regular Season) and February 1-2, 2024, February 5-9, 2024 and February 12-20, 2024 (Late Season). <u>[Season may be split and closing no later than March 10. Season will be no longer than 105 days.]</u> During the Late Season, hunting is only permitted on private lands with the permission of the landowner under provisions of Section 2016, Fish and Game Code.	Daily bag limit: 20 Possession limit: triple the daily bag limit.

(e) Youth Waterfowl Hunting Days Regulations (NOTE: To participate in these Youth Waterfowl Hunts, youth must be accompanied by a non-hunting adult 18 years of age or older. Federal regulations require that hunters must be 17 years of age or younger.)

(1) Statewide Provisions.

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag Limit</i>
Ducks (including Mergansers), American Coot, Common Moorhen, Black Brant, Geese	1. Northeastern California Zone: The Saturday fourteen days before the opening of waterfowl season extending for 2 days. 2. Southern San Joaquin Valley Zone: The first Saturday in February extending for 2 days. 3. Southern California Zone: The first Saturday in February extending for 2 days. 4. Colorado River Zone: The Saturday following the closing of waterfowl season extending for 2 days. 5. Balance of State Zone: The first Saturday in February extending for 2 days.	Same as regular season.

(f) Veterans and Active Military Personnel Waterfowl Hunting Days Regulations.
 NOTE: Veterans (as defined in Section 101 of Title 38, United States Code) and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than training), may participate. Persons participating in this special hunt must possess and present upon demand verification of eligibility to participate in this hunt. Verification includes: Veteran's ID Card, or Military ID Card for active duty, or a State-issued driver's license or Identification Card with Veteran Designation.

(1) Statewide Provisions.

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag Limit</i>
Ducks (including Mergansers), Geese, American Coot, Common Moorhen	1. Northeastern California Zone: The Saturday following the closing of the regular duck season extending for 2 days. Goose hunting in this zone is not permitted during these days. 2. Southern San Joaquin Valley Zone: The second Saturday in February extending for 2 days. 3. Southern California Zone: The second Saturday in February extending for 2 days. 4. Balance of State Zone: The second Saturday in February extending for 2 days. Option 1: Goose hunting in this zone is not permitted during these days. Option 2: Goose hunting in this zone is not permitted during these days.	Same as regular season.

(g) Falconry Take of Ducks (including Mergansers), Geese, American Coots, and Common Moorhens.

(1) Statewide Provisions.

<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
<p>Ducks (including Mergansers), Geese, American Coot and Common Moorhen</p>	<p>1. Northeastern California Zone. Open concurrently with duck season through January 17, 2024. [No longer than 107 days.]</p> <p>2. Balance of State Zone. Open concurrently with duck season, February 3-4, 2024 and February 17-18, 2024. [No longer than 107 days.] EXCEPT in the North Coast Special Management Area where the falconry season for geese runs concurrently with the season for Small Canada geese (see 502(d)(6)).</p> <p>3. Southern San Joaquin Valley Zone. Open concurrently with duck season, February 3-4, 2024 and February 17-18, 2024 [No longer than 107 days.] Goose hunting in this zone by means of falconry is not permitted.</p> <p>4. Southern California Zone. Open concurrently with duck season, February 3-4, 2024 and February 17-18, 2024. [No longer than 107 days.] EXCEPT in the Imperial County Special Management Area where the falconry season for geese runs concurrently with the season for white geese.</p>	<p>Daily bag limit: 3 Daily bag limit makeup: • Either all of 1 species or a mixture of species allowed for take. Possession limit: 9</p>
	<p>5. Colorado River Zone. Open concurrently with duck season and February 1-4, 2024. [No longer than 107 days.] Goose hunting in this zone by means of falconry is not permitted. Federal regulations require that California's hunting regulations conform to those of Arizona, where goose hunting by means of falconry is not permitted.</p>	

Note: Authority cited: Sections 265 and 355, Fish and Game Code.
Reference: Sections 265, 355 and 356, Fish and Game Code.

From: Weaver, Melanie@Wildlife
Sent: Wednesday, March 20, 2024 3:07 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Email in Lieu of PSOR for Section 502-Waterfowl

Ari and Jennifer,

There have been no substantive comments received, amendments to the regulatory text, or additional information gathered for this rulemaking. Therefore, a Pre-adoption Statement of Reason is not necessary.

Please let me know if you have any questions.

Melanie Weaver

Waterfowl Program Leader
Senior Environmental Scientist
P.O. Box 944209
Sacramento, CA 94244-2090
(916)502-1139

ECONOMIC AND FISCAL IMPACT STATEMENT (REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME Fish and Game Commission	CONTACT PERSON David Thesell	EMAIL ADDRESS fgc@fgc.ca.gov	TELEPHONE NUMBER 916 902-9291
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Amend Sect. 502, Title 14, CCR re: Waterfowl, Migratory; American Coot and Common Moorhen 2024-25			NOTICE FILE NUMBER Z

A. ESTIMATED PRIVATE SECTOR COST IMPACTS *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- a. Impacts business and/or employees
- b. Impacts small businesses
- c. Impacts jobs or occupations
- d. Impacts California competitiveness
- e. Imposes reporting requirements
- f. Imposes prescriptive instead of performance
- g. Impacts individuals
- h. None of the above (Explain below):

Annual conformance with Federal Regulations introduces no cost impacts

***If any box in Items 1 a through g is checked, complete this Economic Impact Statement.
If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.***

2. The _____ estimates that the economic impact of this regulation (which includes the fiscal impact) is:
(Agency/Department)

- Below \$10 million
- Between \$10 and \$25 million
- Between \$25 and \$50 million
- Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a [Standardized Regulatory Impact Assessment](#) as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: _____

Describe the types of businesses (Include nonprofits): _____

Enter the number or percentage of total businesses impacted that are small businesses: _____

4. Enter the number of businesses that will be created: _____ eliminated: _____

Explain: _____

5. Indicate the geographic extent of impacts: Statewide
 Local or regional (List areas): _____

6. Enter the number of jobs created: _____ and eliminated: _____

Describe the types of jobs or occupations impacted: _____

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? YES NO

If YES, explain briefly: _____

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT (CONTINUED)

B. ESTIMATED COSTS *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ _____

a. Initial costs for a small business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

b. Initial costs for a typical business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

c. Initial costs for an individual: \$ _____ Annual ongoing costs: \$ _____ Years: _____

d. Describe other economic costs that may occur: _____

2. If multiple industries are impacted, enter the share of total costs for each industry: _____

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. *Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ _____

4. Will this regulation directly impact housing costs? YES NO

If YES, enter the annual dollar cost per housing unit: \$ _____

Number of units: _____

5. Are there comparable Federal regulations? YES NO

Explain the need for State regulation given the existence or absence of Federal regulations: _____

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ _____

C. ESTIMATED BENEFITS *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: _____

2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority?

Explain: _____

3. What are the total statewide benefits from this regulation over its lifetime? \$ _____

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: _____

D. ALTERNATIVES TO THE REGULATION *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: _____

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT (CONTINUED)

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ _____ Cost: \$ _____

Alternative 1: Benefit: \$ _____ Cost: \$ _____

Alternative 2: Benefit: \$ _____ Cost: \$ _____

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: _____

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? YES NO

Explain: _____

E. MAJOR REGULATIONS *Include calculations and assumptions in the rulemaking record.*

California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million? YES NO

***If YES, complete E2. and E3
If NO, skip to E4***

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

(Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 1: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 2: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

YES NO

If YES, agencies are required to submit a [Standardized Regulatory Impact Assessment \(SRIA\)](#) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.

5. Briefly describe the following:

The increase or decrease of investment in the State: _____

The incentive for innovation in products, materials or processes: _____

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: _____

ECONOMIC AND FISCAL IMPACT STATEMENT (REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

a. Funding provided in _____

Budget Act of _____ or Chapter _____, Statutes of _____

b. Funding will be requested in the Governor's Budget Act of _____

Fiscal Year: _____

2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

Check reason(s) this regulation is not reimbursable and provide the appropriate information:

a. Implements the Federal mandate contained in _____

b. Implements the court mandate set forth by the _____ Court.

Case of: _____ vs. _____

c. Implements a mandate of the people of this State expressed in their approval of Proposition No. _____

Date of Election: _____

d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: _____

e. Will be fully financed from the fees, revenue, etc. from: _____

Authorized by Section: _____ of the _____ Code;

f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in _____

3. Annual Savings. (approximate)

\$ _____

4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

5. No fiscal impact exists. This regulation does not affect any local entity or program.

6. Other. Explain _____

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

FISCAL IMPACT STATEMENT (CONTINUED)

B. FISCAL EFFECT ON STATE GOVERNMENT *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

It is anticipated that State agencies will:

a. Absorb these additional costs within their existing budgets and resources.

b. Increase the currently authorized budget level for the _____ Fiscal Year

2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

3. No fiscal impact exists. This regulation does not affect any State agency or program.

4. Other. Explain _____

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

4. Other. Explain _____

FISCAL OFFICER SIGNATURE

DocuSigned by:
 Dan Reagan

DATE
1/12/2024

The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

AGENCY SECRETARY

DocuSigned by:
 Melissa A. Miller-Hanson
Bryan Cash

1/16/2024

DATE
1/9/2024

Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER



DATE

STD. 399 Addendum

Amend Section 502

Title 14, California Code of Regulations

Re: Waterfowl, Migratory; American Coot and Common Moorhen (Common Gallinule)

ECONOMIC IMPACT STATEMENT

Proposed Regulations

Section 355 of the Fish and Game Code authorizes the Fish and Game Commission (Commission) to adopt annual regulations pertaining to the hunting of migratory birds that conform with or further restrict the regulations prescribed by the U.S. Fish and Wildlife Service (Service) pursuant to its authority under the Migratory Bird Treaty Act. The Service annually establishes federal regulation frameworks (Frameworks) for migratory bird hunting. The Frameworks describe the earliest dates that waterfowl hunting seasons may open, the maximum number of days hunting can occur, the latest dates that hunting seasons must close, and the maximum daily bag limit. States may make recommendations to change the Frameworks. This annual update allows the Commission to select and establish state regulations that specify hunting season dates and daily bag limits.

The Department-recommended changes to Section 502, Title 14, California Code of regulations are:

- 1) Decrease the duck season length to 98 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 103 days. Adjusting the season length from 103 to 98 days is necessary for the upcoming season in order to close on January 31 and maintain a traditional opening Saturday in late October. In prior rulemakings, the Commission adopted the latest possible closing date of January 31 rather than the historical closing day of the last Sunday in January. This annual adjustment also results in modifications to falconry-only seasons.

- 2) Decrease the goose season length to 98 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 goose season length for the Southern San Joaquin Valley and Southern California zones is 103 days and 100 days in the Balance of State Zone. See item 1 above for the justification. This annual adjustment also results in modifications to Veterans and Active Military Personnel Waterfowl Hunting Days (VAMP Days) and falconry-only seasons.

- 3) Allow geese to be taken during VAMP Days in subsection 502(f)(B)4 for the Balance of State Zone.

The existing regulation does not allow geese because all available hunting days in the Balance of State Zone were allocated prior to implementation of VAMP Days. See item 1 above. The decrease in the goose season to 98 days allows the option of goose hunting during VAMP Days in this zone while still offering the existing early and late goose seasons. See option 2 in regulatory text in subsection 502(f)(B)4. However, in future rulemakings, either modifying the timing or reducing the Late Season will need to be considered to allow goose hunting during VAMP Days in this zone.

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

The existing regulation does not allow a falconry-only season because all available hunting days have been allocated. The length of the falconry-only season is contingent upon the number of days used for the general duck and goose seasons, in addition to the Youth and Veteran Hunt Days, as seasons cannot exceed 107 days.

SECTION A. ESTIMATED PRIVATE SECTOR COST IMPACTS

Question 1. Answer h. None of the above (Explain below):

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 because the proposed amendments to state regulations in accordance with Federal Frameworks will not introduce new compliance costs to the private sector – the total season length of 107 remains the same.

FISCAL IMPACT STATEMENT

SECTION A. FISCAL EFFECT ON LOCAL GOVERNMENT

Answer 5. No Fiscal impact exists. This regulation does not affect any local entity or program.

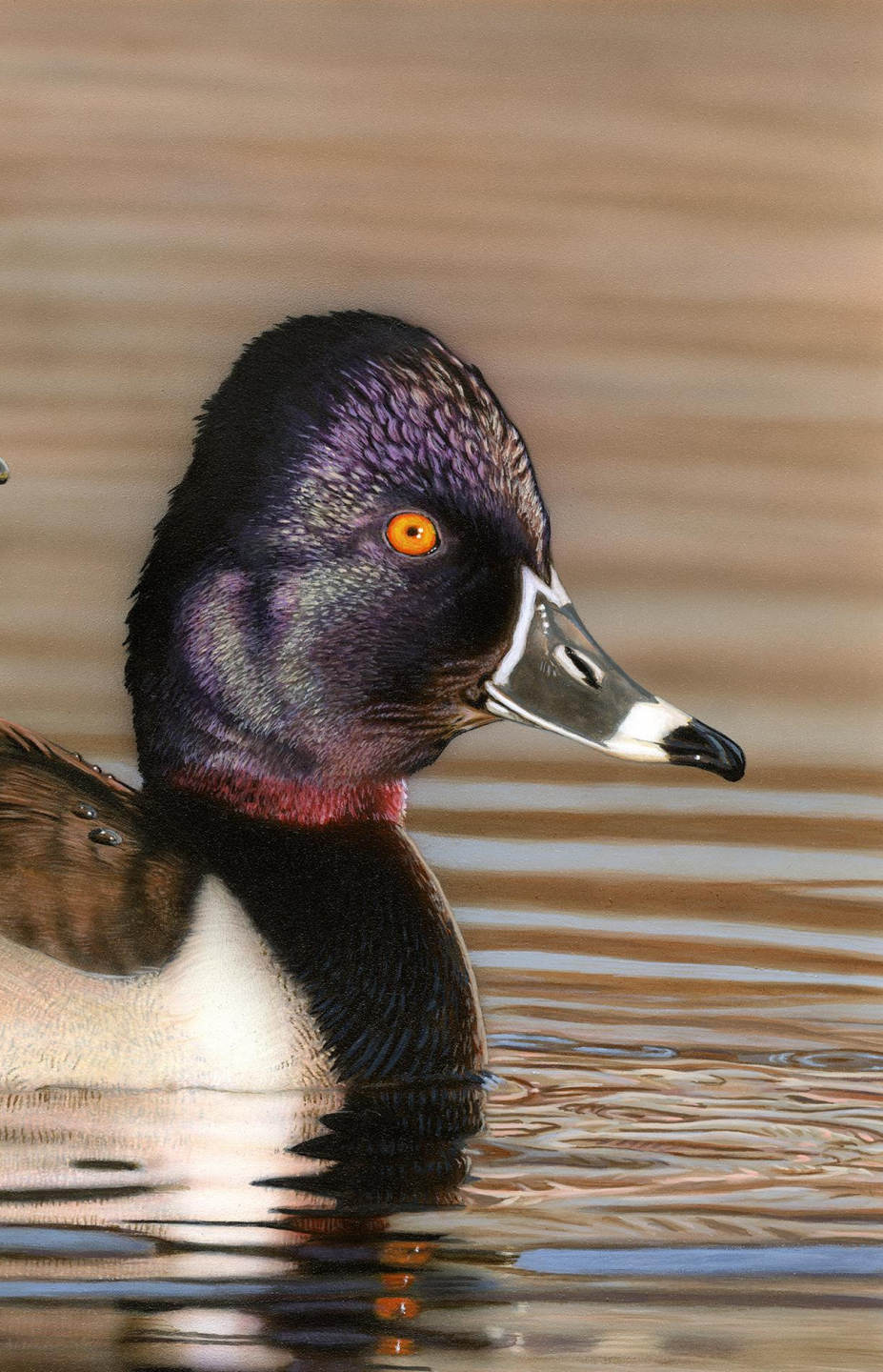
SECTION B. FISCAL IMPACT ON STATE GOVERNMENT

Answer 3. No Fiscal impact exists. This regulation does not affect any state agency or program.

Explanation: The Department Wildlife program oversight, Law Enforcement Branch, and License and Revenue Branch work is projected to be unchanged from currently existing budgets and resources.

SECTION C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS

Answer 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.



2024-25 SECTION 502 WATERFOWL HUNTING

Adoption Meeting

PRESENTATION TO THE CALIFORNIA FISH AND GAME COMMISSION

April 18, 2024
Melanie Weaver
Wildlife Branch



Overview

Federal Frameworks

No Change

Department Recommendation



Summary of Department Recommendation

Decrease duck season length in most zones to 98 days

Allow geese during VAMP Days in the Balance of State Zone*

Falconry-only season 5 days in most zones



Duck Season Recommendation

Northeast Zone

- Regular Season: Oct 5 – Jan 15
- Scaup: Oct 5 – Dec 1 & Dec 19 – Jan 15

Bal of State, So San Joaquin Valley, So CA zones

- Regular Season: Oct 26 – Jan 31 (98 days)
- Scaup: Nov 7 – Jan 31

Colorado River Zone

- Regular Season: Oct 23 – Jan 31
- Scaup: Nov 7 – Jan 31

7 ducks/7 mallards (2 hens)/1 pintail/ 2 scaup, canvasback,
redhead

Balance of State Zone – Goose Season Recommendation

Early Season Canada geese

- Sept 28 – 30

Regular Season

- Oct 26 – Jan 31 (98 days)

Late Season*

- Canada geese: Feb 15 – 16 or Feb 8 – 9
- White & white-fronted geese: Feb 15 – 19 or Feb 8 – 12
 - **Option 1** maintain goose closure on Type A/B areas
 - **Option 2** allow geese on Type A/B areas

30/day: 20 white/10 dark geese



Northeast Zone Goose Recommendation

Regular Season

- Canada geese: Oct 5 – Jan 12
- White & white-fronted geese: Oct 5 – Dec 1 & Jan 3 – 15

Late Season

- White & white-fronted geese: Feb 5 – Mar 10

30/day: 20 white/10 dark geese, no more than 2 Large
Canada geese

Goose Season Recommendation Continued

So San Joaquin Valley and So CA zones

- Oct 26 – Jan 31 (98 days)
- 30/day: 20 white/10 dark geese in S.S.J. Valley Zone
- 3 dark geese in So CA Zone

Colorado River Zone

- Oct 23 – Jan 31
- 25/day: up to 20 white/5 dark geese

Brant Season Recommendation

Northern Brant

- Nov 18 – Dec 14

Balance of State Brant

- Nov 19 – Dec 15



Special Management Area Recommendation

North Coast

- Regular Season: Oct 5 – Dec 21
- Late Season: Feb 12 – Mar 10

Klamath Basin

- Canada Goose: Oct 5 – Jan 12
- White & white-fronted Geese: Oct 5 – Jan 17

Sac Valley

- Oct 26 – Dec 21

Imperial County

- Regular Season: Nov 4 – Jan 31
- Late Season: Feb 3 – 9, 12- 20



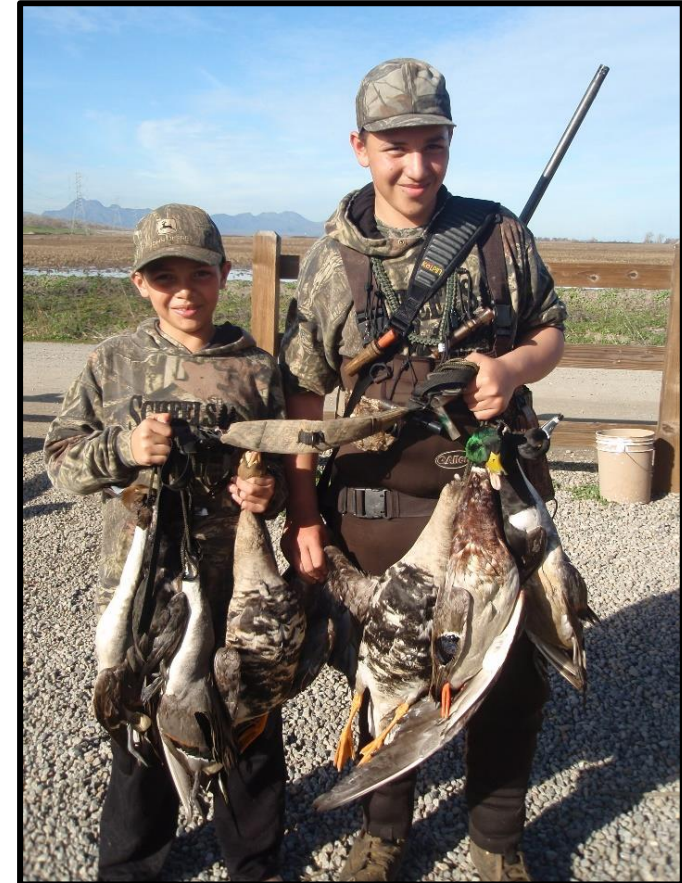
Youth & Veteran Hunt Days Recommendation

Youth Hunt Days

- NE Zone: Sept 21 – 22
- Other zones: Feb 1 – 2
(except Co Zone: Feb 8 – 9)

Veteran Hunt Days

- NE Zone: Jan 18 – 19
- All other zones: Feb 8 – 9
 - **Option 1** Goose hunting not allowed
 - **Option 2** Goose hunting allowed



Options to Allow Goose Hunting on VAMP Days in Bal of State Zone

- **Provide 2 unused goose days to VAMP**
 - Will not be possible after 24/25, occurs every 5-6 years (like Falconry-only days)
- **Move Late Goose Season to overlap VAMP Days (Feb 8 – 12)**
 - Maintain closure on type a/b areas in North Central/Central regions
 - Or
 - Allow geese during Late Goose Season



Falconry-Only Recommendation

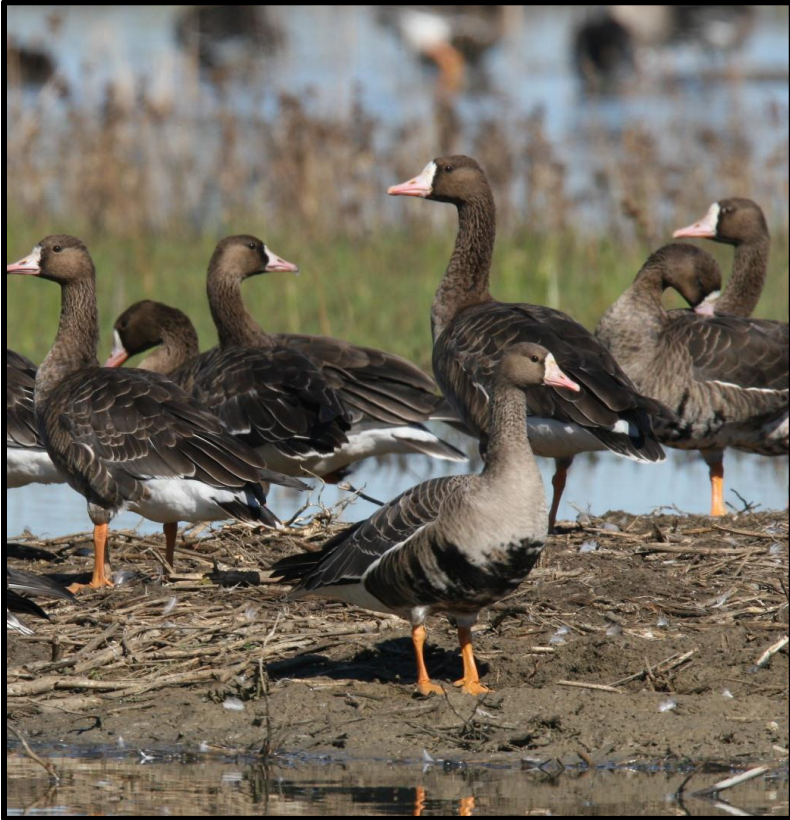
Northeastern Zone: None

Balance of State, So San Joaquin Valley & So CA zones:
Feb 22 - 26 (5 days)

Colorado River Zone: Feb 1 – 4



Questions | Contact



Melanie Weaver
Waterfowl Coordinator
Wildlife Branch/Game Programs



February 13, 2024

President Eric Sklar
California Fish and Game Commission
1416 Ninth Street, Room 1320 (fgc@fgc.ca.gov)
Sacramento, CA 95814

RE: Section 502, Balance of State Zone Late Goose Season

Dear President Sklar:

On behalf of the California Farm Bureau, which represents more than 30,000 members who strive to protect and improve the ability of farmers and ranchers engaged in production agriculture all over this state. We are also proud stewards of the land who provide reliable and affordable food and fiber for not only Californians but for people around the world. The focus of our comments will be on late-season hunting, which has proven important in reducing crop and pasture losses.

Our two areas of interest center around two issues. First, we believe that goose hunting should not include a change to allow public land to be hunted on during late season because it could scare birds to go back to agricultural properties with the potential for increased damage for impacted farms in those areas. Secondly, the change in date to move to the start of the season met with differing opinions within our membership. After looking at all the available options, the bottom line of all this is that we urge the duration of the goose hunt to stay the same and not be shortened.

The Farm Bureau recognizes there is no perfect solution to this issue. The California Department of Fish and Wildlife (DFW) has been responsive to many concerns surrounding late season hunting and we will continue to work with the department, California Fish and Game Commission and interested parties to insure we can continue this in the future. As always, we appreciate your thoughtful review of our comments and look forward to working with you in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Reardon'.

Chris Reardon
Director, Government Affairs
California Farm Bureau

cc: Members of the California Fish and Game Commission
Melanie Weaver, California Department of Fish and Wildlife

From: Dustin Kuehn [REDACTED]
Sent: Tuesday, March 12, 2024 11:55 AM
To: FGC
Subject: 2024 Waterfowl Regs Comment (North Coast Management Area)

Dear CAFGC,

Dear California Fish and Game Commission,

I am your average, everyday waterfowl hunter, and I am writing to respectfully urge you to place the early Aleutian Goose season dates back into the regular season for the North Coast Management Area. The current regulations are inequitable and only benefit the select few that have private property or private property access. I'm unclear as to why the dates were taken out of the peak part of the season and moved to early October when hardly any Aleutian Geese are around, public refuges and areas are closed to hunting, and most hunters in the area are out in the mountains big game hunting and could care less about shooting geese. I've heard rumors that the commission succumbed to pressure from a select group of private ranchers and did not have the general public at heart. It was extremely painful this year to watch tens of thousands of geese fly mere feet over my head in the peak of the waterfowl season for weeks on end with me unable to pull the trigger because the season was closed. Most Aleutian geese I harvest are in late December and early January. It is the prime part of the season when Aleutians number in the tens of thousands, yet these days were taken away from us for what reason? To appease ranchers? To benefit only a select few? In a state that prides itself on equity, the current goose regulations in the North Coast Management Area are anything but equitable. Please place the Aleutian Goose season dates back into the regular season to benefit everyone and not the few.

Respectfully,

Dustin Kuehn

McKinleyville, CA

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Dustin Kuehn
Mathematics Instructor
Eureka High School
1915 J Street
Eureka, CA 95501

"With the full knowledge of the responsibilities I am undertaking, I pledge to serve my [students] with all of the knowledge, skills, and understanding that I possess, without regard to race, color, creed, politics, or social status." - Florence Nightingale