

Staff Summary for December 11-12, 2024

14. Big Game Hunting and Chronic Wasting Disease Testing**Today's Item**Information Action

Consider authorizing publication of notice of intent to amend big game hunting regulations for:

- (A) Deer and deer tagging, reporting, and testing requirements
- (B) Bighorn sheep
- (C) Pronghorn antelope
- (D) Elk

Summary of Previous/Future Actions

- | | |
|--|-----------------------------|
| • Wildlife Resources Committee (WRC) vetting | May 15, 2024; WRC |
| • WRC discussion and recommendation | September 12, 2024; WRC |
| • Today's notice hearing | December 11-12, 2024 |
| • Discussion hearing | February 12-13, 2025 |
| • Adoption hearing | April 16-17, 2025 |

Background

The Commission periodically adjusts various regulations related to big game hunting. Proposed regulation changes for the 2025-2026 seasons are combined for concurrent action under a single rulemaking that includes late-season deer hunting and chronic wasting disease (CWD) testing, Nelson bighorn sheep hunting, pronghorn antelope hunting, and elk hunting. See Exhibit 1 for information about CWD discovered earlier this year in California for the first time, and related regulations adopted by the Commission through an emergency action.

(A) Deer and CWD: Sections 360 and 708.5 (exhibits 3 and 4)

- Establish a late season buck hunt in deer hunt zone D-7 (Fresno, Madera, Mariposa, and Tulare counties).
- Define chronic wasting disease management zones (CMZs).
- Establish mandatory sampling requirements to enhance CWD surveillance within CMZs and establish what information hunters must provide with their harvested samples.
- Indicate how and where the Department provides current information on CWD detections in the state.

(B) Bighorn sheep: Section 362 (exhibits 6 and 7)

- Adjust the boundaries for hunt zone 6.
- Specify that the open zone fundraising tag can only be used to hunt in zones that are allocated at least one general public tag, and add zone 10 as a valid zone for the tag.

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- Divide the hunt season into two periods for the Newberry, Rodman and Ord Mountains Hunt Zone, and add a winter season to the White Mountains Hunt Zone.
- Increase flexibility for single zone fundraising tags by decoupling them from specific zones.
- Modify hunt tag quotas.
- Remove a non-functioning phone number.

(C) Pronghorn antelope: Section 363 (exhibits 9 and 10)

- Modify hunt tag quotas.

(D) Elk: Sections 364 and 364.1 (exhibits 12 and 13)

- Modify hunt tag quotas and SHARE tag allocations.
- Add archery-only hunt opportunities in the Siskiyou, Central Coast, and La Panza elk management units.
- Extend hunt seasons in the Northwestern and Mendocino elk conflict zones.

For regulatory sections where a hunt tag quota change is proposed, statutory requirements and Commission procedures require the rulemaking process to be initiated prior to the Department completing its collection and analysis of the most recent species survey data. Therefore, most of the current proposals contain ranges for tag amounts that will be refined as the rulemaking process progresses. Further details of the proposed changes to each section are available in the applicable initial statement of reasons (ISOR) and draft proposed regulatory language.

Today the Department will give a presentation summarizing regulation changes proposed for big game hunting and CWD testing (Exhibit 15).

Significant Public Comments

A commenter recommends clearly defining CWD management zones, requiring deer hunters within said zones to provide testing and sampling, and having hunters provide information about themselves and the samples they have gathered, such as geographic data (Exhibit 16).

Recommendation

Commission staff: Authorize publication of a notice of intent to amend regulations related to big game hunting and chronic wasting disease testing, as recommended by WRC and the Department.

Committee: Support the proposed regulation changes related to big game hunting and chronic wasting disease testing.

Department: Authorize publication of a notice of intent to amend regulations as detailed in the draft ISORs and draft proposed regulatory language.

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Exhibits

1. [Staff summary for agenda item 12, June 19-20, 2024 Commission meeting, related to \(emergency CWD regulations \(for background purposes only\)](#)
2. [Memo transmitting ISORs, received November 26, 2024](#)
3. [Draft ISOR for chronic wasting disease \(CWD\) testing and late season D7 buck hunt, dated November 25, 2025 \(sections 360 and 708.5\)](#)
4. [Proposed regulatory language for CWD testing and late season D7 buck hunt](#)
5. [Draft economic and fiscal impact statement \(STD. 399\) for chronic wasting disease testing and late season D7 buck hunt](#)
6. [Draft ISOR for Nelson bighorn sheep hunting, dated November 25, 2024 \(Section 362\)](#)
7. [Proposed regulatory language for Nelson bighorn sheep hunting](#)
8. [Draft STD. 399 for Nelson bighorn sheep hunting](#)
9. [Draft ISOR for pronghorn antelope hunting, dated November 25, 2024 \(Section 363\)](#)
10. [Proposed regulatory language for pronghorn antelope hunting](#)
11. [Draft STD. 399 for pronghorn antelope hunting](#)
12. [Draft ISOR for elk hunting, dated November 25, 2024 \(sections 364 and 364.1\)](#)
13. [Proposed regulatory language for elk hunting](#)
14. [Draft STD. 399 for elk hunting](#)
15. [Department presentation](#)
16. [Email from Han Bui, received November 25, 2024](#)

Motion

Moved by _____ and seconded by _____ that the Commission authorizes publication of a notice of its intent to amend sections 360, 362, 363, 364, 364.1 and 708.5 related to big game hunting regulations and chronic wasting disease testing.

Staff Summary for June 19-20, 2024

*(For background purposes only)***12. Emergency Regulations to Address Chronic Wasting Disease****Today's Item**Information Action

Discuss and consider adopting emergency regulations to increase surveillance of chronic wasting disease in California.

Summary of Previous/Future Actions

- Wildlife Resources Committee (WRC) discussion May 16, 2024; WRC
- **Today's adoption hearing June 19-20, 2024**

Background

Chronic wasting disease (CWD) is caused by a misfolded, infectious protein called a prion. The prions concentrate in the central nervous system of an infected animal, but can be found in most tissues, secretions and excretions, including muscles (meat), lymphatics, blood, glandular fluids, saliva, feces, and urine, respectively. The disease is always fatal. There is no vaccine or treatment, and it is the most significant disease affecting all cervid species native to North America – deer, elk, moose and caribou.

Despite efforts to manage and contain the disease, it has continued to spread due to prion ecology, limited management options, and anthropogenic movement of infectious animals or materials. Prions are extremely stable in the environment, remain infective for years to decades, and shed by infected animals long before they show any signs of disease; this can lead to seeding of the environment with infectious prions, an important factor in the spread and maintenance of CWD, before any diseased animals are seen on the landscape. Once established in an area, eradication of CWD has proven to be infeasible, if not impossible.

Synopsis of Events

On May 6, 2024, CWD was confirmed in two California deer populations for the first time. During the May 2024 WRC meeting, the Department presented concerns regarding adequate surveillance, communications, and risks posed by CWD, and a potential emergency regulation. On June 12, 2024, the Department transmitted a draft emergency statement and proposed regulatory language to the Commission (exhibits 2 and 3). The proposed regulatory changes would help determine the prevalence and geographic distribution of CWD, and better inform future management decisions, by requiring that deer hunters in affected hunt zones submit appropriate samples from their harvest for CWD testing.

Proposed Emergency Regulation

The proposed regulatory action amends Section 708.5, which describes deer tagging and reporting requirements.

- Subsection (e): Defines "CWD Management Zone" for the purposes of implementing mandatory deer sampling in deer hunt zones.

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(For background purposes only)

- Subsection (f): Requires hunters who take a deer within a CWD management zone to provide the Department with samples for CWD testing.
- Subsection (g): Establishes the minimum amount of information that hunters providing samples must provide the Department to accompany CWD samples.

Further details on the proposed changes are available in the emergency statement and proposed regulatory language.

Significant Public Comments

A member of the public shares concerns that there are long-standing issues being ignored by the Department and Commission that should receive the same response as CWD has been receiving. The author urges the Commission to initiate increased testing of deer herds outside the CWD zone, establish a more aggressive bear hunting season with higher quotas and allowing hunters to use dogs, complete conservation plans for bobcats and mountain lions and consider hunting as a management tool, and develop a wolf conservation plan that explores the possibility of regulated hunting. (Exhibit 6)

Recommendation

Commission staff: Adopt the emergency regulation amending Section 708.5 related to deer tagging and reporting requirements.

Department: Adopt the emergency regulation as presented in the emergency statement and regulatory language in exhibits 2 and 3 to ensure that the Department obtains essential information for monitoring the spread of CWD.

Exhibits

1. Department memo, received June 12, 2024
2. Draft emergency statement and informative digest
3. Draft proposed regulatory language
4. Draft economic and fiscal impact statement (STD 399) and addendum
5. Department presentation
6. Letter from Mike Costello, received June 5, 2024

Motion

The Commission determines, pursuant to Section 399 of the California Fish and Game Code, that adopting these regulations is necessary for the immediate conservation, preservation, and protection of birds, mammals, fish, amphibians, or reptiles, including, but not limited to, their nests or eggs.

The Commission further determines, pursuant to Section 11346.1 of the California Government Code, that an emergency situation exists and finds the proposed regulation is necessary to address the emergency.

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(For background purposes only)

Moved by _____ and seconded by _____ that the Commission adopts the emergency regulation amending Section 708.5 related to deer tagging and reporting requirements.

Memorandum

Date: November 25, 2024

To: Melissa Miller-Henson
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Item for December 11-12, 2024 Fish and Game Commission meeting: Regulatory Action to Amend sections 360, 362, 363, 364, 364.1, and 708.5, Title 14, California Code of Regulations, re: big game hunting and chronic wasting disease testing.**

Please find attached the proposed amendments to Title 14, California Code of Regulations, to modify regulations related to bighorn sheep, pronghorn, elk hunts, Shared Habitat Alliance for Recreational Enhancement (SHARE) elk hunting, and deer tagging, reporting, and Chronic Wasting Disease (CWD) testing requirements. The California Department of Fish and Wildlife (Department) requests consideration of publication of notice after the December 12, 2024 Fish and Game Commission meeting.

The proposed amendments would:

- 360 Deer
 - Add a pilot late season buck hunt in Zone D7
- 362 Nelson bighorn sheep
 - Modify hunt tag quotas to maintain viable bighorn sheep populations and provide sustainable public sport hunting opportunities.
 - Clarify valid zones for the Open Zone Fundraising Tag, including Zone 10
 - Modify two named fundraising tags to select zones
 - Modify a zone boundary in the Sheep Hole Mountains Hunt Zone
 - Divide the hunt season into two periods for the Newberry, Rodman, Ord Mountains Hunt Zone, and add winter season to the White Mountains Hunt Zone.
 - Make a non-substantive edit to remove a nonfunctioning phone number
- 363 Pronghorn antelope
 - Modify hunt tag quotas to maintain viable pronghorn antelope populations and provide sustainable public sport hunting opportunities.

- 364 Elk hunts, seasons, and number of tags
 - Modify hunt tag quotas to maintain viable elk populations and provide sustainable public sport hunting opportunities, as well as reduce the risk non-native Rocky Mountain elk overlap and hybridize with endemic tule elk
 - Add archery only elk hunt opportunities Siskiyou, Central Coast, and La Panza Elk Management Units
- 364.1 Shared Habitat Alliance for Recreational Enhancement (SHARE) elk hunting
 - Extend elk hunting seasons in the Northwestern and Mendocino elk conflict zones
 - Modify SHARE tag allocations in Bear Valley Hunt to increase public hunting opportunity on private lands to help reduce human-elk conflict to tolerable levels
- 708.5 Deer Tagging, Reporting, and Testing Requirements
 - Implement provisions requiring testing through a regular rulemaking, since emergency regulations requiring testing are temporary and will expire.
 - Changes from the emergency regulation include modifications to the definition of Chronic Wasting Disease (CWD) Management Zones.
 - Minor modifications to web page references.

If you have any questions on this item, please contact Scott Gardner, Wildlife Branch Chief, at (916) 801-6257.

Attachments

ec: **California Department of Fish and Wildlife**

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California Fish and Game Commission
November 25, 2024
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Fish and Game Commission

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Fish and Game Commission
Initial Statement of Reasons for Regulatory Action

Amend Sections 360 and 708.5
Title 14, California Code of Regulations
Re: Chronic Wasting Disease: Mandatory Testing and Late Season D7 Buck Hunt

I. Date of Initial Statement of Reasons: November 25, 2024

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: December 12, 2024

Location: San Diego, CA

(b) Discussion Hearing:

Date: February 12, 2025

Location: Sacramento, CA

(c) Adoption Hearing:

Date: April 16, 2025

Location: Sacramento, 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

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

The Fish and Game Commission (Commission) periodically considers the recommendations of the Department of Fish and Wildlife (Department) in amending deer hunting regulations. Considerations include recommendations for adjusting tag quotas, setting hunt periods, modifying area boundaries, authorizing methods of take, among others, to help achieve management goals and objectives for deer management. Section 360 provides descriptions of hunt area boundaries, season opening and closing dates, methods of take (e.g., general methods, archery only, apprentice), tag designations (bull, spike bull, antlerless, either-sex), tag quotas (total number of hunting tags to be made available), bag and possession limits, and special conditions. To maintain appropriate harvest levels and hunting quality, tags must be adjusted periodically in response to dynamic environmental, biological, and social conditions.

One such environmental condition is the confirmation of chronic wasting disease (CWD), for the first time, in two California mule deer populations in May 2024. Given these detections, the Department enacted emergency regulations in June 2024 to define Chronic Wasting Disease Management Zones (CMZs) and to require that deer hunters in affected hunt zones submit appropriate samples from their harvest for CWD testing.

The proposed changes focus on defining the outbreak and mitigation of CWD transmission in identified CMZs through mandatory testing and increased late-season hunter opportunity for buck hunting. The regulations governing cervid importation and movement, as well as

mandatory testing in CMZs, were last modified in July 2024 (2024-0201-01S, 2024-0529-02SR, 2024-0712-02E). Additional hunts in subsection 360(c) have not been added in at least 20 years, but subsection 360(c) was last amended in 2020 (2020-0518-01S) to adjust the season for the additional hunt J-10 (Fort Hunter Liggett Apprentice Either Sex-Deer Hunt).

The proposed amendments here represent the cumulation of the Department's internal discussion, application of [California's Chronic Wasting Disease Management Plan](#), and input from [Petition 2021-017](#). The proposed changes are necessary to address the recent detection of Chronic Wasting Disease in California, as well as to respond to hunter requests for late season hunts.

Background

Chronic Wasting Disease

Chronic wasting disease is caused by a misfolded, infectious protein called a prion. These prions concentrate in the central nervous system of an infected animal, but can be found in most tissues, secretions, and excretions including muscles (meat), lymphatics, blood, glandular fluids, saliva, feces, and urine, respectively. The disease is always fatal, there is no vaccine or treatment, and all cervid species native to North America – deer, elk, moose, and caribou – are susceptible. Despite efforts to manage and contain the disease, it has continued to spread due to prion ecology, limited management options, and anthropogenic movement of infectious animals or materials. Prions are extremely stable in the environment, remain infective for years to decades, and shed by infected animals long before they show any signs of disease. This can lead to seeding of the environment with infectious prions, an important factor in the spread and maintenance of CWD, before any diseased animals are seen on the landscape. Once established in an area, eradication of CWD has proven to be infeasible, if not impossible.

The detection of CWD in California will require changes of the Department's deer and elk management strategies. As CWD prevalence increases in a population, population growth rates (λ) can decrease and lead to population declines. Human dimensions research suggests that hunter participation may decrease in areas where CWD has been detected, particularly as CWD prevalence increases in a population. Decreasing hunter participation and tag sales, coupled with increasing costs to manage this disease could compound and significantly affect the Department's ability to manage CWD, deer, elk, and other species in California.

While CWD has never been linked to any human diseases, significant public health concerns remain due to many unknowns when it comes to prion diseases. For instance, increasingly sophisticated diagnostic and molecular assays have shown that there are multiple strains of CWD and that CWD prions can differentiate when passed through multiple hosts, creating new strains with altered host susceptibilities and disease characteristics. Indeed, the predominant CWD prion strain in Norway is different than the predominant strain in North America, with different characteristics. Additionally, CWD is in the same class of diseases as bovine spongiform encephalopathy (aka BSE or Mad Cow Disease), a prion disease of cows that was linked to variant Creutzfeldt-Jakob disease (vCJD), a neurodegenerative disease in people, through the consumption of BSE-tainted meat. Public health officials are recommending

individuals and agencies do whatever possible to keep the agents of all known prion diseases from entering the human food chain.

The Department has been monitoring California deer and elk populations for CWD since 2000, testing over 6,500 deer and elk, and has been working to increase surveillance efforts with the voluntary help of hunters, taxidermists, and meat processors since 2018. Tests are done on postmortem samples and the majority of those come from hunter-harvested deer and elk, though we are only sampling and testing a small proportion of the deer and elk harvested in California. The first response action, following communication of the detections, is to enhance surveillance in the areas of the detections to determine the prevalence of CWD in the affected populations and the geographic extent of the infections. Hunter-harvested deer from the affected hunt zones is by far the most scalable and accessible source of samples for CWD testing. The Department will also increase its response to and sampling of other mortality sources or take. Enhanced surveillance in the affected populations is the necessary first step to providing better information to hunters, partners, and decision makers following these first detections of CWD in California. Knowing the prevalence and geographic extent will allow the Department to make informed decisions on CWD and deer management where CWD is detected.

Late Season (D7) Buck Hunt

Now that CWD has been detected in California, additional measures are essential to manage and mitigate its spread. The Department proposes a late-season buck hunt as a strategic tool to increase sampling of high-risk individuals, particularly mature bucks. This demographic is more likely to be CWD-positive and engage in high levels of social interaction during the rut, increasing transmission and disease spread risk. By targeting this segment of the population, we can better detect CWD cases and increase the likelihood of removing infected animals.

The hunt will enhance biological sampling efforts and target animals most likely to be CWD-positive, i.e. adult bucks. Collecting samples (e.g., retropharyngeal lymph nodes) from harvested animals is critical to:

- 1) meet the state's surveillance objectives,
- 2) better define an outbreak once CWD has been detected to inform management decisions, and
- 3) monitor that outbreak to assess management actions,

as outlined in [California's Chronic Wasting Disease Management Plan \(Munk et al. 2024\)](#).

Targeting mature bucks later in the hunt season and closer to peak breeding season increases the likelihood of removing infected individuals, decreasing transmission and decreasing disease prevalence within the population ([Conner et al. 2021](#)).

Finally, this hunt is being proposed in response to [Petition 2021-017](#) and public requests for additional hunting opportunities, as voiced during Commission meetings. These requests included calls for expanded hunts, and this proposed regulatory change will act as a pilot to evaluate both hunter interest and harvest success. Additionally, it provides the Department with a practical opportunity to refine its approach to establishing new hunts through the formal regulatory framework.

Existing Authorities

Current statutory authorities focus mostly on regulating the take, possession, or movement of animals and their parts and include:

FGC Section 200 provides the Commission with the power to regulate the take or possession of birds, mammals, fish, amphibians, and reptiles.

FGC Section 2118 provides that animals of the order Artiodactyla are considered wild animals. Animals of the family Cervidae are of the order Artiodactyla.

FGC sections 2120 and 2122 authorize the Commission, in cooperation with CDFA, to adopt regulations regarding the entry, importation, possession, transportation, keeping, or confinement of wild animals that are “not normally domesticated in this state as determined by the Commission.”

FGC Section 3950 provides a definition for game mammals: deer, elk, prong-horned antelope, black and brown or cinnamon bears, mountain lions, jackrabbits, and varying hares, brush rabbits and pygmy rabbits, and tree squirrels. Nelson bighorn sheep are game mammals only for the purposes of sport hunting as described in FGC section 4902.

FGC sections 4301-4371 provide guidelines for deer management, including taking of deer, possession and importation, hunting license tags, and archery hunting.

Current Regulations

Current Title 14, CCR regulations governing deer hunting and management and mitigation of disease transmission are as follows:

Section 264 provides conditions for the use of lights while hunting.

Section 265 prohibits the use of dogs for the take of deer during archery seasons and provides criteria and limitations for the use of dogs for the take of deer during general methods seasons.

Sections 350 and 351 provide definitions for big game and forked-horn buck, antlerless, and either-sex deer.

Section 352 provides hunting and shooting hours on big game.

Section 353 provides methods that are authorized for taking big game.

Section 354 provides definitions and regulations for methods of taking big game.

Sections 360 and 361 provide regulations for general methods and archery deer hunting.

Sections 450-460 provide general regulations for the management of deer, including conservation, hunting seasons, deer herd management units, management plans, and annual deadlines for Department recommendations (December 15) regarding deer hunting.

Section 681 provides regulations for the importation of live cervids.

Section 712 explicitly includes all members of the family Cervidae and defines “skull plate.”

Section 714 makes it unlawful to import or possess any material that contains or is labeled or advertised as containing any biological fluid derived from a cervid.

Emergency Regulations Adopted

The Commission adopted emergency regulations on June 19, 2024, which became effective on July 22, 2024, and will expire on January 22, 2025. The [emergency regulations](#) enacted the following changes:

Section 708.5; Deer Tagging, Reporting, and Testing Requirements.

Added subsection 708.5(e): Added a new subsection defining CWD Management Zones (CMZ) for purposes of implementing mandatory deer sampling in deer hunt zones where CWD has been detected in deer or is expected based on recent CWD detections in deer. (Figure 1).

Added subsection 708.5 (f): Added a new subsection requiring hunters who take a deer within a CMZ to provide the Department with samples for CWD testing. This subsection also prescribes the permissible methods for hunters to provide the Department with samples.

Added subsection 708.5 (g): Added a new subsection establishing the minimum amount of information that hunters subject to subsection (f) must provide the Department to accompany CWD samples.

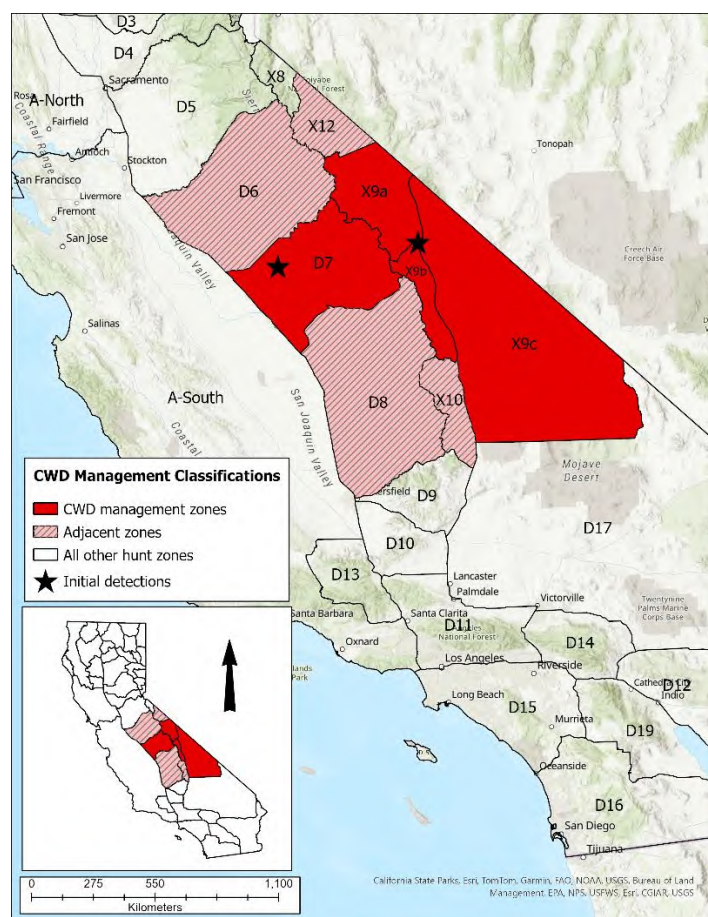


Figure 1. CWD Management Classifications

These emergency regulations will be allowed to expire on January 22, 2025, as the final deer season closure occurs at the end of November 2024. The following proposed regulations will provide a framework for mandatory testing for CWD (as in the previous emergency regulations), with amended language to enumerate the criteria for a hunt zone to be a CMZ.

Proposed regulations

Proposed regulations comply with the Department's Deer Management Plan and California's Chronic Wasting Disease Management Plan.

Section 360 Deer

No changes to subsections (a) through (b).

Add subsection (c)(16) G-40 to establish a late season buck hunt in a portion of D-7.

Renumber subsections (16) through (44).

Establishing a late season buck hunt in deer hunt zone D-7, where CWD was recently detected, will serve as a strategic tool to increase sampling of mature bucks, the demographic most likely to be CWD-positive. These animals engage in high levels of social interaction during the breeding season, increasing transmission risk. By targeting this segment of the population, we can better detect CWD cases, aiding early detection and response efforts. This action aligns with objectives identified in California's Chronic Wasting Disease Management Plan (Munk et al. 2024) and public requests for expanded hunting opportunity submitted in Petition 2021-017 and at Commission meetings.

Section 708.5 Deer Tagging, Reporting, and Testing Requirements

No changes to subsections (a) through (d).

The proposed changes add subsections 708.5(e)-(h), as did the emergency regulations (2024-0712-02E) promulgated following the first CWD detections in California.

Add subsection (e) to define Chronic Wasting Disease (CWD) Management Zones (CMZs).

Based on the history and current understanding of CWD, it is likely, if not certain, that CWD will be detected in areas outside of the four hunt zones identified in the emergency regulations (D7, X9a, X9b, and X9c). In this proposal, what defines a CMZ is reframed to allow for new CMZs if CWD is detected outside of the currently affected zones to prevent delays in management actions. Adding a definition of a CMZ is necessary to adaptively manage the CWD outbreak in California over time, as target zones for mandatory testing will be variable based on current detections. Adaptive management is a cornerstone of the definition of "credible science" as defined in FGC Section 33.

The defining criteria for inclusion as a CMZ are:

- (1) any deer hunt zones, excluding Zone A, in which a CWD-positive animal has been taken,

- (2) any deer hunt zones, excluding Zone A, within five miles of the location from where a CWD-positive animal was taken, and
- (3) any county within Zone A where a CWD-positive animal was taken, or is within five miles of where a CWD-positive animal was taken. The specified distance of five miles is necessary to create a biologically reasonable boundary for detections that fall on or near county or hunt zone boundaries. Zone A is too large and must be broken up into counties to create manageable CMZ boundaries.

Add subsection (f) define a “Testing CMZ” designated by the Department’s Director. This subsection allows for the Director to designate any CMZ for the mandatory testing requirement listed in subsection 708.5(g). As a CMZ is defined by 708.5(e)(1) through (3), rather than having the default of every CMZ requiring the submission of samples, it is of benefit to both the Department and to hunters to initiate or stop the mandatory submission of samples prior to the start of all hunt seasons (July 1 annually). Following identification of (a) hunt zone(s) as a CMZ (or a county in the case of Zone A), the Department can then determine if mandatory sampling is warranted based on the factors listed in proposed subsection (f). In situations where the Department has collected enough disease surveillance information to define a CWD outbreak and additional mandatory testing would not contribute any novel information to inform decision making, it would be beneficial for the Director to un-designate a Testing CMZ, which would result in a reduced burden on the hunter to cease submitting samples and a reduced cost on the Department for funding and staff time associated with receiving, processing, and analyzing samples. Other situations could include whether new sampling data is needed from a particular CMZ, and support management actions, such as direct sampling and targeted removal of CWD-positive animals, or adjustment to hunt zones for harvest, towards the overall protection of natural resources.

Add subsection (g) to establish a mandatory sampling requirement.

Mandatory testing is needed to enhance CWD surveillance within CMZs to determine prevalence and the geographic extent in affected areas, to clearly define the initial outbreak, and is one of the main objectives when responding to initial CWD detections as outlined in California’s Chronic Wasting Disease Management Plan (Munk et al. 2024). Knowing the prevalence and geographic distribution of a CWD outbreak informs decision makers and directs management actions. Tests are done on postmortem samples and the majority of those come from hunter-harvested deer and elk. Hunter-harvested deer from the affected hunt zones is by far the most scalable and accessible source of samples for CWD testing. The Department will also increase its response to and sampling of other mortality sources or take. Enhanced surveillance in the affected populations is the necessary first step to providing better information to hunters, partners, and decision makers following these first, and any future detections, of CWD in California. Knowing the prevalence and geographic extent will allow the Department to make informed decisions on CWD and deer management where CWD is detected.

Add subsection (h) to describe the minimum information that hunters must provide with their sample.

This is necessary so that the Department obtains essential information for monitoring

the spread of CWD, such as the geographic location of the take, and to ensure the Department can contact hunters if CWD is detected in their harvest.

Add subsection (i) to indicate how and where the Department will provide current information on CWD detections in California, and current Testing CMZs as designated by the Director.

This is necessary to ensure hunters have a place to find appropriate and up-to-date information on CWD, and the status of their hunt zone to comply with mandatory testing.

(b) Goals and Benefits of the Regulation

The proposed regulations will contribute to the surveillance of deer populations in California CMZs. The proposed regulations will provide additional deer hunting opportunities.

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

Section 360:

Authority: Sections 200, 203, 265, 460, 3051, 3452, 3453, 3953 and 4334, Fish and Game Code. Reference: Sections 200, 203, 203.1, 255, 265, 458, 459, 460, 3051, 3452, 3453, 3953 and 4334, Fish and Game Code.

Section 708.5:

Authority: 200, 203, 265, and 1050

Reference: 1050, 2118, 3950, 4302, and 4336, Fish and Game Code

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

(e) Identification of Reports or Documents Supporting Regulation Change

- Association of Fish and Wildlife Agency (AFWA) Best Management Practices for Prevention, Surveillance, and Management of Chronic Wasting Disease Summary - [AFWA CWD BMPS 12 September 2018 FINAL.pdf \(fishwildlife.org\)](#)
- New York State Dept. of Environmental Conservation, Management Plan for White-Tailed Deer in New York State, 2021-2030, Appendix 3: Recommendation to Prohibit Cervid Biofluids in New York. - [Management Plan for White-tailed Deer in New York State 2021-2030 \(ny.gov\)](#)
- Escobar, L. E., S. Pritzkow, S. N. Winter, D. A. Grear, M. S. Kirchgessner, E. Domingues-Villegas, G. Machado, A. Townsend Peterson, C. Soto. 2019. The ecology of chronic wasting disease in wildlife. *Biological Reviews* 95(2):393-408. <https://doi.org/10.1111/brv.12568>
- Zabel, M. and A. Ortega. 2017. The ecology of prions. *Microbiology and Molecular Biology Reviews* 81:e00001-17. <https://doi.org/10.1128/MMBR.00001-17>
- Chiavacci, S. 2022. The economic costs of chronic wasting disease in the United States. *PLoS ONE* 17(12):e0278366. <https://doi.org/10.1371/journal.pone.0278366>
- Chronic Wasting Disease (CWD) | Prion Diseases | CDC. <https://www.cdc.gov/prions/cwd/index.html>

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- Numerous other states’ CWD management plans accessible online through each state agency’s website, including but not limited to, New York, Montana, Idaho, and Washington.

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

- Wildlife Resources Committee, May 2024
- Wildlife Resources Committee, September 2024

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative

Without the proposed changes, the mandatory testing in CWD Management Zones, currently deer hunt zones D7, X9a, X9b, and X9c, would expire and the number of deer sampled and tested for CWD in affected areas would decrease significantly. A single year of robust disease surveillance data is insufficient to manage this disease effectively. Additionally, continued

surveillance for this disease will be required to keep hunters informed, to adaptively manage, and to inform species management. Without the late season D7 hunt, we would decrease our ability to selectively remove deer more likely to be CWD-positive. Removing infected deer has the benefit of decreasing transmission, decreasing environmental contamination, decreasing prevalence, and mitigating the spread of the disease.

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. This proposal is economically neutral to businesses.

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

The Commission anticipates no impact on the creation or elimination of jobs within the state, no impact on the creation of new business, the elimination of existing businesses, or the expansion of businesses in California as minor variations in hunting regulations are, by themselves, unlikely to provide a substantial economic stimulus to the state. The Commission does not anticipate direct benefits to the general health and welfare of California residents or to worker safety but anticipates benefits to the environment through the preservation of the deer population.

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

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action. However, in complying with the reporting requirements for CWD in the CMZs hunters may incur a cost related to the transportation of a deer carcass, head, or lymph nodes to a testing facility. While the Department has limited information and data regarding how far hunters drive to reach a sampling station, meat processor, or taxidermist, the estimated range that a hunter is likely to drive to and from the facility is expected to be between 5-100 miles with an average expected driving distance of 52.5 miles. Applying the average California gas price of \$4.678 per gallon to the average expected driving distance of 52.5 miles, with the expectation that most hunters drive a truck or SUV with an average gas mileage of 18 miles per gallon in order

to haul their gear and carcass(es), gives an estimated individual cost of \$13.64 in transportation costs for delivering a sample to a testing facility, meat processor, or taxidermist.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State

No new costs/savings or changes to federal funding are anticipated for state agencies.

The Commission anticipates that the proposed regulatory action will require additional expenditures of approximately \$465,456.22 to maintain the proposed mandatory testing of deer carcasses for CWD. The proposed action will require additional expenditures for a position to implement the proposed CWD testing program in the Wildlife Health Lab; however, this position is fully funded under a USDA grant for the 2025-26 hunting season and imposes no additional costs to the Department (see tables 1 and 2 in the STD. 399 and Addendum). These costs are expected to be absorbed within the Department's existing budget and performed by staff currently operating in the capacities described in Table 1 of the STD 399 Addendum. However, the Department is projected to experience higher deer tag sales that may result in revenue increases (see STD399 and Addendum). No other state agencies are anticipated to be affected by the proposed emergency regulatory action.

(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

This regulatory action is not anticipated to induce the creation or elimination of jobs within the state.

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

The Commission does not anticipate impacts on the creation of new businesses, the elimination of existing businesses within the state because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to stimulate demand for goods or services related to deer hunting.

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

The Commission does not anticipate impacts on the expansion of businesses currently doing business within the state because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to stimulate demand for goods or services related to deer hunting.

(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, and can be a family tradition and a bonding activity. Further, given the potential implications for California's hunting and outdoor recreation economies, and for public consumption, tracking positive detections is necessary to keep known sources of infectious prions, e.g. CWD, out of the human food chain.

(e) Benefits of the Regulation to Worker Safety

The Commission does not anticipate impacts on worker safety.

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

As set forth in Fish and Game Code section 1700, it is the policy of the state to encourage the conservation, maintenance, and utilization of fish and wildlife resources for the benefit of all the citizens of the state. The Commission anticipates benefits to the State's environment, in addition to those screening actions the Department is already taking, by taking this regulatory step to require testing of harvested animals from affected hunt zones. This regulatory action aims to help determine the prevalence and geographic extent of the outbreak for Department staff to provide updates to hunters. It is imperative to understand the prevalence and geographic distribution of this outbreak to better advise and implement effective management strategies. Finally, the adoption of scientifically based deer seasons and tag quotas provides for the maintenance of deer populations to ensure their continued existence and supporting recreational opportunity. The fees that hunters pay for licenses and tags help fund wildlife conservation.

(g) Other Benefits of the Regulation

The Commission does not anticipate other benefits from the proposed regulation.

Proposed Regulatory Language

Section 360, Title 14, California Code of Regulations, is amended as follows:

§ 360. Deer.

...

[No change to subsections (a) and (b)]

...

(c) Additional Hunts.

...

[No change to subsections (c)(1) through (c)(15)]

...

(16) G-40 (D-7 Late Season Buck Hunt).

(A) Area: That portion of Madera County within the area described as D-7 (see subsection 360(a)(6)(A)).

(B) Season: The season for additional hunt G-40 (D-7 Late Season Buck Hunt) shall open on the fourth Saturday in November and extend for nine consecutive days.

(C) Bag and Possession Limit: One buck, forked horn (see subsection 351(a)) or better, per tag.

(D) Number of Tags: [0-50].

...

[Subsections (c)(16) through (c)(44) are renumbered accordingly]

...

Note: Authority: Sections 200, 203, 265, 460, 3051, 3452, 3453, 3953 and 4334, Fish and Game Code. Reference: Sections 200, 203, 203.1, 255, 265, 458, 459, 460, 3051, 3452, 3453, 3953 and 4334, Fish and Game Code.

Proposed Regulatory Language

Section 708.5, Title 14, CCR, is amended to read:

§ 708.5. Deer Tagging, Reporting, and Testing Requirements.

...

[No change to subsections (a) through (d)]

...

(e) Chronic wasting disease (CWD) management zone (CMZ) is defined as:

- (1) Any deer hunt zone in which a CWD-positive animal has been taken, excluding Zone A, using sampling and testing methods based on credible science as defined in Fish and Game Code Section 33.
- (2) Any deer hunt zone, excluding Zone A, within 5 miles of the location where a CWD-positive animal was taken, using sampling and testing methods based on credible science as defined in Fish and Game Code Section 33.
- (3) Any county within Zone A where a CWD-positive animal has been taken or is within 5 miles of where a CWD-positive animal was taken, using sampling and testing methods based on credible science as defined in Fish and Game Code Section 33.

(f) A CMZ does not automatically require testing of harvested deer. Annually, and prior to July 1, the director of the department shall identify and designate any CMZ that will be a “testing CMZ.” Testing CMZs shall be designated based on the need to better define new or ongoing CWD outbreak(s) pursuant to subsection (e), the department’s capacity to collect and test samples, and/or support management actions for protecting natural resources.

(g) All hunters who harvest and possess a deer from a testing CMZ shall provide the department with a sample, using a permissible method, for the purpose of CWD testing within 10 days of harvest. Permissible sampling methods are:

- (1) Bring the deer, or just the head, to a California CWD sampling station (see wildlife.ca.gov/CWD/Sampling-Station for locations);
- (2) Bring the deer head to a participating meat processor or taxidermist (see wildlife.ca.gov/CWD/Meat-Processors-Taxidermists); or
- (3) Self-sample the deer and bring the retropharyngeal lymph nodes directly to a California CWD sampling station. The department maintains on its website a how-to-guide and data card for CWD sampling, data collection, and self-sample submissions (see wildlife.ca.gov/CWD/Collect-Submit-Samples).

(h) When submitting a sample pursuant to subsection (g), hunters shall also provide the hunter's name, GO ID number, deer tag or document number, and harvest location (GPS coordinates preferred).

(i) The department shall maintain and update a website detailing current CMZs as defined in subsection (e), testing CMZs, and current CWD surveillance information, including general locations and deer hunt zones where CWD-positive animals have been detected (see wildlife.ca.gov/CWD).

NOTE: Authority cited: Sections 200, 203, 265 and 1050, Fish and Game Code. Reference: Sections 33, 1050 and 4336, Fish and Game Code.

**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 360 and 708.5, Title 14, CCR, Re: Chronic Wasting Disease Testing & Late Season D7 Buck Hunt			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:

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

*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.***Fish and Game Commission**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: 0Describe the types of businesses (Include nonprofits): N/A, impacts individuals turning in samples, see addendum.Enter the number or percentage of total businesses impacted that are small businesses: 04. Enter the number of businesses that will be created: 0 eliminated: 0Explain: N/A, impacts individuals turning in samples, see addendum.5. Indicate the geographic extent of impacts: Statewide
 Local or regional (List areas): In affected hunting zones like D7, see addendum.6. Enter the number of jobs created: 0 and eliminated: 0Describe the types of jobs or occupations impacted: No private sector job losses, gains, or impacts are expected. These regulations only affect individuals hunting in areas designated as CWD Management Zones, such as D7.7. 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? \$ 68,200
- 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: \$ \$13.64 Annual ongoing costs: \$ \$13.64 Years: 5
- d. Describe other economic costs that may occur: The costs described for c. individuals is the estimated per sample transportation cost of taking samples to a testing facility, meat processor, or taxidermist. See addendum.
2. If multiple industries are impacted, enter the share of total costs for each industry: N/A only impacts individual hunters who are hunting in a Chronic Wasting Disease Management Zone.
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. \$ 0
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: The proposed regulations will contribute to the surveillance of deer populations in California Chronic Wasting Disease Management Zones (CMZs). Removing infected deer has the benefit of decreasing transmission, decreasing environmental contamination, decreasing prevalence, and mitigating the spread of the disease. The proposed regulations will provide additional deer hunting opportunities.
2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority?
Explain: FGC § 453 requires development of deer management plan and FGC §1008 directs CDFW to investigate diseases.
3. What are the total statewide benefits from this regulation over its lifetime? \$ 2,991,846/year, see add.
4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: None.
This regulation only affects individual hunters who are hunting within Chronic Wasting Disease Management Zones (CMZ).

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: No alternatives were identified by or brought to the attention of FGC staff that would have the same desired regulatory effect. Without the changes mandatory testing for CWD would expire and surveillance for CWD wouldn't be able to be conducted, which would limit CDFW's ability to manage CWD and the affected deer populations per statutory requirements.

**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: \$ 2,991,846/year Cost: \$ 13,640/year

Alternative 1: Benefit: \$ 0 Cost: \$ 0

Alternative 2: Benefit: \$ 0 Cost: \$ 0

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: Costs are the estimated annual transportation costs described in Section A. 1.g. of the Economic Impact Statement, benefits are from Section C. 3. See addendum for calculations.

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: Performance standards are not applicable to the detection of CWD in the deer population, as sampling is done via specimens turned in by hunters. Thus, they were not considered as an alternative.

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: None. The regulations only affect individual hunters hunting in areas designated as CMZs, such as zone D7.

The incentive for innovation in products, materials or processes: Not applicable. The regulations only affect individual hunters hunting in areas designated as CMZs, such as zone D7.

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: Removing infected deer has the benefit of decreasing transmission, decreasing environmental contamination, decreasing prevalence, and mitigating the spread of the disease. Increased hunting opportunities are beneficial to hunters.

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)

\$ 475,906.61

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 The Department has secured USDA grant funding to fund additional positions to monitor CWD if it is detected in additional zones. See addendum.

FISCAL OFFICER SIGNATURE

DATE



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

DATE



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 Sections 360 and 708.5
Title 14, California Code of Regulations
Re: Chronic Wasting Disease: Mandatory Testing and Late Season D7 Buck Hunt
Economic and Fiscal Impact Statement

Background

Chronic wasting disease (CWD) is a fatal neurological disease caused by prions, posing significant risks to cervid populations in North America. It leads to herd declines, altered age structures, and threatens hunting opportunities due to concerns over disease transmission. With CWD now present in California, focused efforts are needed to manage and mitigate its spread.

The primary purpose of a late-season buck hunt is to increase sampling of individuals at highest risk of CWD infection—mature bucks. These animals are more likely to contract and spread CWD due to their behavior, particularly during the rut when they engage in increased social interactions. By targeting these high-risk individuals, the hunt enhances the likelihood of detecting positive cases, which is crucial for effective surveillance and management. The state's goal is to detect CWD at a 1% prevalence with 95% confidence across five sampling units, and this hunt would significantly contribute to that effort.

Additionally, removing infected bucks reduces environmental prion contamination, slowing transmission and helping maintain healthier deer populations. This targeted hunt complements ongoing surveillance, providing a proactive strategy to detect and manage CWD while supporting conservation and hunting opportunities in California.

Proposed Regulations

- **Add 360(c)(16) G-40** to establish a late season buck hunt in a portion of D7.
- **Add 708.5(e) through (h)** to define chronic wasting disease (CWD) Management Zones (CMZ), establish a mandatory sampling requirement, and describe the information that hunters must provide with their sample. Samples may be submitted by bringing the whole deer or deer head to a CA CWD sampling station, bringing the deer head to a participating meat processor or taxidermist, or bringing a retropharyngeal lymph node directly to a CA CWD sampling station (self-sample submission guidelines can be found here <https://wildlife.ca.gov/Conservation/Laboratories/Wildlife-Health/Monitoring/CWD/Collect-Submit-Samples>)

The hunt in D7 will enhance biological sampling efforts and target animals most likely to be CWD-positive, i.e. adult bucks. Collecting samples (e.g., retropharyngeal lymph nodes) from harvested animals is critical to:

- 1) meet the state's surveillance objectives,
- 2) better define an outbreak once CWD has been detected to inform management decisions, and

3) monitor that outbreak to assess management actions, as outlined in [California's Chronic Wasting Disease Management Plan \(Munk et al. 2024\)](#). Targeting mature bucks later in the hunt season and closer to peak breeding season, increases the likelihood of removing infected individuals, decreasing transmission and decreasing disease prevalence within the population ([Conner et al. 2021](#)).

Periodic adjustments of tag quotas in response to dynamic environmental and biological conditions are necessary to maintain sustainable populations of deer and hunt opportunities, as well as keeping with mandates and management recommendations. Fish and Game Code requires the Fish and Game Commission (Commission) to receive proposed changes to existing regulations prior to the completion of surveys and analyses, thus necessitating a range of numbers. Analyses are scheduled for completion by March 2025.

The recommended tag quotas will be adopted by the Commission at its April 2025 meeting. The proposed tag quota is 0-50 in total for the new D-7 hunt.

The proposed increase in hunt quotas by up to 50 additional tags is anticipated to add to the demand for goods or services related to deer hunting. If greater numbers of hunters visit the areas in the state with increased opportunities, businesses that provide goods and services to deer hunters could benefit from small increases in sales.

Section A. Estimated Private Sector Cost Impacts

Answer 1.g. Impacts Individuals (Explain below):

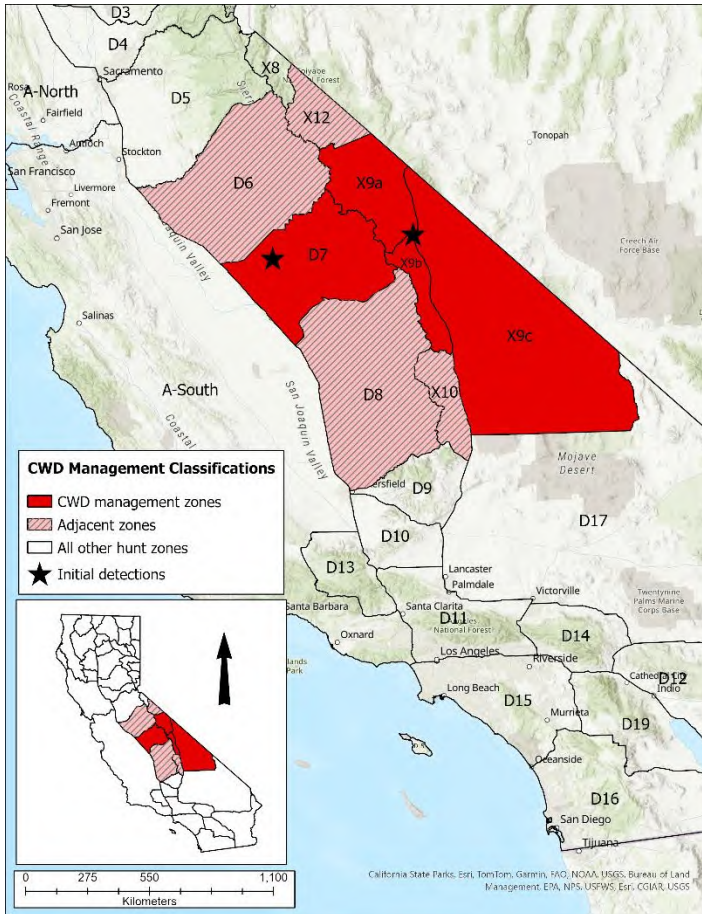
The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action because the proposed amendments are to adjust hunt quotas which is expected to result in a net increase in deer hunt opportunities with no changes to individual or businesses fee, and equipment requirements.

Under the proposed regulations hunters taking deer from a CMZ, such as in D7, are required to send in retropharyngeal lymph nodes or head from a harvested deer within 10 days of take for CWD testing, and can do so by bringing a deer carcass or its head to a California CWD sampling station, meat processor, or taxidermist. In complying with the reporting requirements for CWD in the CMZs hunters may incur a cost related to the transportation of a deer carcass, head, or lymph nodes to a testing facility. While the Department has limited information and data regarding how far hunters drive to reach a sampling station, meat processor, or taxidermist, the estimated range that a hunter is likely to drive to and from the facility is expected to be between 5 and 100 miles with an average expected driving distance of 52.5 miles. Applying the average California gas price of \$4.678 per gallon to the average expected driving distance of 52.5 miles, with the expectation that most hunters drive a truck or SUV with an average gas mileage of 18 miles per gallon in order to haul their gear and carcass(es), gives an estimated individual cost of \$13.64 in transportation costs for delivering a sample to a testing facility, meat processor, or taxidermist.

Answer 5. Indicate the geographic extent of impacts:

The areas proposed for the CMZs and the D7 hunting zone can be seen in Figure 1 below:

Figure 1: Chronic Wasting Disease Zones and D7 Hunt Zone



Section B. Estimated Costs

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

Answer 1.c. Initial and ongoing costs for individuals:

Hunters may incur a cost related to the transportation of a deer carcass, head, or lymph nodes to a testing facility from compliance with the reporting requirements for CWD in the CMZs. As stated in Section A of the Economic Impact Statement, the Department has limited information and data regarding how far hunters drive to reach a sampling station, meat processor, or taxidermist, the estimated range that a hunter is likely to drive to and from the facility is expected to be between 5 and 100 miles with an average expected driving distance of 52.5 miles. Applying the average California gas price of \$4.678 per gallon to the average expected driving distance of 52.5 miles, with the expectation that most hunters drive a truck or SUV with

an average gas mileage of 18 miles per gallon in order to haul their gear and carcass(es), gives an individual cost of \$13.64 in transportation costs for delivering a sample to a testing facility, meat processor, or taxidermist.

It is difficult to estimate how many samples may be delivered to the Department for testing, as hunters performing home taxidermy or processing their own meat may not elect to send in a sample. Given the limited data of how many samples may be turned in, one way of estimating the total statewide dollar costs of compliance is to apply the \$13.64 in transportation cost to the samples that the Department estimates it may receive in the 2025-26 period. Department staff currently estimate about 1,000 samples to be turned in from the CMZs, including those from the expanded hunt in zone D7. Applying the 1,000 samples to the average transportation cost of \$13.64 gives a total estimated annual cost of \$13,640. Assuming a five-year lifespan of the current zones due to changing conditions and disease management, the total cost is estimated to be \$68,200.

Section C. Estimated Benefits

Answer 3. What are the total statewide benefits from this regulation over its lifetime:

Without the proposed changes, the mandatory testing in CWD Management Zones, currently deer hunt zones D7, X9a, X9b, and X9c, would expire, and the number of deer sampled and tested for CWD in affected areas would decrease significantly. A single year of robust disease surveillance data is insufficient to manage this disease effectively. Additionally, continued surveillance for this disease will be required to keep hunters informed, to adaptively manage, and to inform species management. Without the late season D7 hunt, the Department would decrease its ability to selectively remove deer more likely to be CWD-positive. Removing infected deer has the benefit of decreasing transmission, decreasing environmental contamination, decreasing prevalence, and mitigating the spread of the disease, which if left unchecked could eventually shut down deer hunting opportunities within the state.

The benefits from the regulation over its lifetime are difficult to calculate, but a rough estimate could be extrapolated from the value hunters provide to the economy. The latest [National Survey of Fishing, Hunting, and Wildlife-Associated Recreation \(FHWR\)](#) issued by U.S. Fish & Wildlife in 2022 estimated that the average expenditure per hunter across all hunting types (big game, small game, migratory birds, and other animals) was \$3,146, with expenditures including food, drink, refreshments, lodging, public and private transportation, airfare, charter, guide, package, pack trips, public and private land use, heating and cooking fuel, equipment rental, and boating expenses. Applying this number to the number of deer tags that Department issued in 2023 for those zones (901) and including the 50 additional tags for zone D7 could yield a combined estimated annual expenditure value of up to \$ 2,991,846 from deer hunters into the state's economy. The proposed regulations can be said to provide an annual benefit equal to this amount by maintaining healthy deer populations through management and monitoring of CWD, thus preserving California's deer populations and the continued access of this resource for hunters to use. Without the proposed regulations, CWD could potentially decimate the deer population and reduce hunting opportunities.

Section D. Alternatives to the Regulation

Answer 3. As noted above, estimating the total statewide dollar costs is to apply the \$13.64 in transportation cost to the samples that the Department estimates it may receive in the 2025-26 period x 1,000 samples to be turned in from the CMZs, gives a total estimated annual cost of \$13,640. Assuming a five-year lifespan of the current zones due to changing conditions and disease management, the total cost would be \$68,200.

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

There is \$475,906 in expenditures that are absorbable within existing budgets and resources, and \$362,715.75 that would be the Department’s share of the costs to cover for the proposed positions that would carry out additional testing if CWD was detected in other zones and additional CMZs needed to be created.

Explanation:

The California Department of Fish and Wildlife (Department) anticipates that the proposed regulatory action will require additional expenditures of approximately \$475,906 to maintain the proposed mandatory testing of deer carcasses for CWD. No other state agencies are anticipated to be affected by this regulatory action. These costs are expected to be absorbed within the Department’s existing budget and performed by staff currently operating in the capacities described in Table 1.

CWD Testing Program Implementation Costs [JB1]

Table 1a. Startup Costs

Cost Description	Hours	Rate	Total
<i>ALDS IT support: Item setup/configuration/reporting</i>			
(1405) Information Technology Manager I	4	\$ 97.54	\$ 390.16
(1401) Information Technology Associate	3	\$ 67.76	\$ 203.28
Total Startup Costs:			\$ 593.44
<i>Amortized over 5 years:</i>			\$ 118.69

Table 1b. Ongoing Costs

Category	Cost Description	Units/ Hours	Rate	Total
Communications, Outreach & Media Response	(5595) Information Officer II	20	\$ 74.67	\$ 1,493.40
	(1405) Information Technology Manager I	2	\$ 97.54	\$ 195.08
ALDS IT support: Item Review CWD Testing Program Personnel & Equipment	(0174) Veterinarian Managing	400	\$ 90.61	\$ 36,244.00
	(0764) Senior Environmental Scientist Supervisor	200	\$ 108.11	\$ 21,622.00
	(0756) Environmental Program Manager I	100	\$ 125.71	\$ 12,571.00
	(5577) Research Scientist I	400	\$ 66.80	\$ 26,720.00
	(0762) Environmental Scientist	2000	\$ 65.41	\$ 130,820.00
	(1934) Scientific Aide	6000	\$ 19.39	\$ 116,340.00
	Refrigerator/Freezers	10	\$ 450.00	\$ 4,500.00
	Sampling kit materials	2000	\$ 0.39	\$ 780.00
	Shipping per kit package	1000	\$ 5.00	\$ 5,000.00
	Outsourced Lab Costs	1000	\$ 36.00	\$ 36,000.00
	Travel Costs (Mileage)	3000	\$ 0.65	\$ 1,950.00
	Ongoing Costs Total:			

Table 1c. Total Costs

Cost	Units/Hours	Rate	Total
Amortized startup costs (<i>Table 1a</i>):			\$ 118.69
Ongoing Costs Total (<i>Table 1b</i>):			\$ 394,235.48
Overhead:		20.68%	\$81,552.44
Total Program Costs:			\$475,906.61
Item Startup and ongoing cost per CWD test:	1000		\$475.91

Notes: CalHR California State Civil Service Pay Scales by Classification; Rate is the median hourly salary including benefits (staff benefit rates= 50.63%). Overhead for non-federal projects of 20.68% is applied to program subtotal costs.

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 with regards to the expanded deer hunt in zone D7. However, Department revenue

is expected to increase with a proposed increased number of available deer tags. If up to 50 more deer tags are available at the 2025 price of \$38.25 for a resident and \$343.50 for a non-resident, the projected increase in revenue could be up to \$1,912.50 (assuming an increase of 50 tags and all tags sold to residents) in 2025-2026. It is difficult to estimate the ratio of resident to nonresident tags due to the randomized nature in which tags are issued, therefore for this analysis we assume that all tags are going to residents with the understanding that for every tag that is sold to a nonresident the projected increase in revenue per tag is \$305.25 on top of the \$1,912.50 projected total revenue.

Section C. Fiscal Effect on Federal Funding of State Programs

Answer 4. Other. Explain:

The Department has secured funding for a USDA-APHIS funded CWD outreach and education project to monitor CWD within the state’s deer population and has created a grant proposal outlining how additional positions to help manage CWD would be created in the event that additional CWD samples necessitated the expansion of CMZs under the proposed regulations. The proposal’s expenditures are outlined in Table 2 Proposed Pittman-Robertson Grant Expenditures for CWD Testing and break down the share of costs covered by the state and from grant funding. The Department’s share of the costs to cover for the proposed positions that would carry out additional testing if CWD was detected in other zones and additional CMZs needed to be created is \$362,715.75. The remaining \$1,088,147.26, which represents 75% of the proposed costs, are covered by the USDA grant.

Proposed Pittman-Robertson Grant Expenditures for CWD Testing

Table 2a: Personnel Costs

Cost Description	Personal Years	Salary	Grant Salary	Benefits	MSA % Increase	Total
<i>CWD Permanent Staff</i>						
LT Research Scientist I	1	\$87,630.00	\$87,630.00	50.63%	5.04%	\$138,645.12
LT Senior Laboratory Assistant	1	\$51,438.00	\$51,438.00	50.63%	5.04%	\$81,383.40
LT Environmental Scientist	1	\$72,426.00	\$72,426.00	50.63%	5.04%	\$114,589.88
LT Associate Gov't Program Analyst	1	\$80,424.00	\$80,424.00	50.63%	5.04%	\$127,244.04
Temporary Scientific Aides	18000	\$19.39	\$349,020.00	51.942%	0%	\$530,308
Total Personnel Costs:		\$291,918.00	\$640,938.00	\$336,519.74	\$14,712.67	\$992,170.41

Department staff estimated a pool of 18,000 hours for a scientific aid, as the position is expected to be staffed by temporary employees and who would need to be replaced once their tenures end.

Table 2b. Operating Expenses

Cost Description	Total
General Expenses	\$ 12,000.00
Facilities	\$ 0.00
Minor Equipment - Equipment under \$5K per item	\$ 43,400.00
Travel/Training	\$ 68,000.00
C&PS - Interdepartmental	\$ 0.00
C&PS - External	\$ 144,500.00
Waste Removal	\$ 5,000.00
Electricity	\$ 0.00
Water	\$ 0.00
Utilities	\$ 0.00
Major Equipment - Equipment over \$5K per item	\$ 20,000.00
Capital Expenditures	\$ 0.00
Gas/Diesel Fuel	\$ 10,000.00
Vehicle/Equipment Maintenance & Repair	\$ 0.00
Vehicle/Equipment Parts & Supplies	\$ 0.00
Operating Expenses Total:	\$ 302,900.00

Table 2c. Total Costs

Cost Description	Total
Ongoing costs total (<i>total of Table 2a and 2b</i>)	\$ 1,295,070.41
*Indirect cost rate: 13.78%	\$ 155,792.60
Total Program Costs	\$ 1,450,863.01
Federal Share (75%)	\$ 1,088,147.26
State Share (25%) (FUND)	\$ 362,715.75

***Indirect cost rate:** Approved FY24/25 ICRP. The FY25/26 proposed ICRP will be submitted to the U.S. Department of the Interior and is subject to change.

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

Amend Section 362
Title 14, California Code of Regulations
Re: Nelson Bighorn Sheep Hunting

I. Date of Initial Statement of Reasons: November 25, 2024

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: December 12, 2024

Location: Sacramento

(b) Discussion Hearing:

Date: February 12, 2025

Location: Sacramento

(c) Adoption Hearing:

Date: April 16, 2025

Location: Sacramento

III. Description of Regulatory Action

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

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

The California Fish and Game Commission (Commission) periodically considers the recommendations of the California Department of Fish and Wildlife (Department) in amending Nelson bighorn sheep regulations. Considerations include recommendations for adjusting tag quotas, setting hunt periods, modifying zone boundaries, authorizing methods of take, among others, to help achieve management goals and objectives for Nelson bighorn sheep (*Ovis canadensis nelsoni*). Section 362 provides descriptions of hunt zone boundaries, season opening and closing dates, and tag quotas (total number of hunting tags to be made available) for Nelson bighorn sheep. To maintain appropriate harvest levels and hunting quality, tags must be adjusted periodically in response to dynamic environmental, biological, and social conditions.

The proposed changes focus on redefining a hunt zone boundary under subsection 362(a), amending language to fundraising tags and adjusting season dates under subsection 362(b), adjusting bighorn hunting tag quotas under subsection 362(d), and a non-substantive change to removing a nonfunctioning phone number under subsection 362(e). The last time these regulations were subject to major amendment was for the 2023-2024 hunting season. The proposed amendments represent the cumulation of the Department's internal discussions as well as stakeholder engagement. These proposed amendments were presented at the Sheep Summit in April 2024, at the Big Game Management Account (BGMA) Advisory meeting in

August 2024, as well as at a stakeholder meeting at which board members from the California Chapter of the Wild Sheep Foundation and bighorn sheep outfitters in California provided input and feedback on proposed changes. The proposed changes are necessary to maximize hunter opportunity while also maintaining sustainable hunt opportunities, consistency with management unit plan recommendations, and Fish and Game Code (FGC). FGC subdivision 4902(b)(2) states the Commission may not adopt regulations authorizing the sport hunting in a single year of more than 15 percent of the mature Nelson bighorn rams in a single management unit. The following management recommendations are consistent with this mandate.

Background

Current regulations in Section 362 specify Nelson bighorn sheep tag quotas for each hunt zone and establish hunt zone boundaries in accordance with management goals and objectives described in the management unit plans. The Department's goal is to increase bighorn sheep hunting opportunities where feasible and compatible with population objectives, in which case recommendations will be offered to the Commission.

Per FGC subdivision 4902(d) the number of tags authorized for the purpose of raising funds shall not exceed 15 percent of the total number of tags authorized and the commission shall direct not more than three of the tags available for issuance for the purpose of raising funds. All revenue from the sale of fundraising tags shall be deposited in the Big Game Management Account. Since the first Nelson bighorn sheep fundraising tag was sold in 1987, the Department has raised over \$5.5 million for the management of big game species and habitats. Over the last ten years, Nelson bighorn sheep fundraising tags have raised an average of \$222,795 per year for big game management. The current regulations allow for one open zone fundraising tag, one fundraising tag in the Cady Mountains (Zone 9), and one fundraising tag in the Marble/Clipper/South Bristol Mountains (Zones 1 and 8). However, in recent years, the population level in Zone 1 has declined such that the 2023/2024 season could only biologically support one tag through the general lottery. The fundraising tag for that zone was not issued and substantial revenue was lost. The proposed regulation changes are intended to allow the Department to name which zone for the Single Zone fundraising tags on an annual basis, if needed. This flexibility will allow the Department to continue to manage hunting opportunities compatible with population objectives, while also maximizing fundraising opportunities and revenue.

Existing Authorities

Current statutory authorities focus mostly on the take and possession of animals and include:

FGC Section 200 provides the Commission with the power to regulate the take or possession of birds, mammals, fish, amphibians, and reptiles.

FGC Section 203 specifies that the Commission has authority to promulgate regulations concerning open and closed seasons, bag and possession limits, hunt zones, methods of take, and restrictions based on physical distinctions.

FGC Section 203.1 requires the Commission to consider populations, habitat, food supplies, animal welfare, and other pertinent facts.

FGC Section 325 provides conditions by which the Commission may adopt special hunting seasons, provide for increased bag limits, or remove sex restrictions.

FGC Section 1050 describes the process and procedure for assigning fees to hunting entitlements.

FGC Section 3950 provides a definition for game mammals: deer, elk, prong-horned antelope, black and brown or cinnamon bears, mountain lions, jackrabbits, and varying hares, brush rabbits and pygmy rabbits, and tree squirrels. Nelson bighorn sheep are game mammals only for the purposes of sport hunting as described in FGC section 4902.

FGC Section 4700 defines fully protected mammals as Morro Bay kangaroo rat, Bighorn sheep, except Nelson bighorn sheep as provided by FGC section 4902., Northern elephant seal, Guadalupe fur seal, ring-tailed cat, Pacific right whale, salt-marsh harvest mouse, Southern sea otter, and wolverine.

FGC sections 4900-4904 provide guidelines for Nelson bighorn sheep management, including the development and maintenance of management unit plans, hunting fees, tag allocations, and hunter orientation.

Current Regulations

Current Title 14, CCR regulations governing bighorn sheep hunting are as follows:

Section 264 provides conditions for the use of lights while hunting.

Section 265 prohibits the use of dogs for the take of bighorn sheep.

Section 350 defines big game species.

Section 352 provides hunting and shooting hours on big game.

Section 353 provides methods that are authorized for taking big game.

Section 362 provides definitions, hunting zone descriptions, season opening and closing dates, tag quotas (total number of hunting tags to be made available), and bag and possession limits for bighorn sheep hunting.

Individuals are awarded a bighorn sheep hunting tag through the Department's Big Game Drawing. A limited number of fundraising tags are also available for purchase, usually by auction, via non-governmental organizations that assist the Department with fundraising. Harvest of a bighorn sheep is authorized for an individual with a tag for a respective hunt zone and season. Tag quotas are established based on a variety of factors, including population density and abundance, age and sex composition, and distribution.

Proposed Regulations

The proposed changes to Section 362 have been developed to increase hunter opportunity while allowing the Department to manage for sound biological levels by updating zone boundaries, allowing hunt zone flexibility for fundraising tags, and adding additional hunt periods. The proposed regulations comply with the 2019 Environmental Document Regarding Bighorn Sheep Hunting and the [Draft Conservation and Management Plan for Bighorn Sheep in California \(September 2024\)](#).

Section 362 Nelson Bighorn Sheep

Amend section 362(a) to redefine the north and western boundaries for Zone 6 (Sheep Hole Mountains) (Figure 1). These proposed adjusted zone boundaries more accurately reflect the home range of bighorn sheep in this unit, based on recent GPS collar data. It is anticipated that the new boundary will increase hunter opportunity.

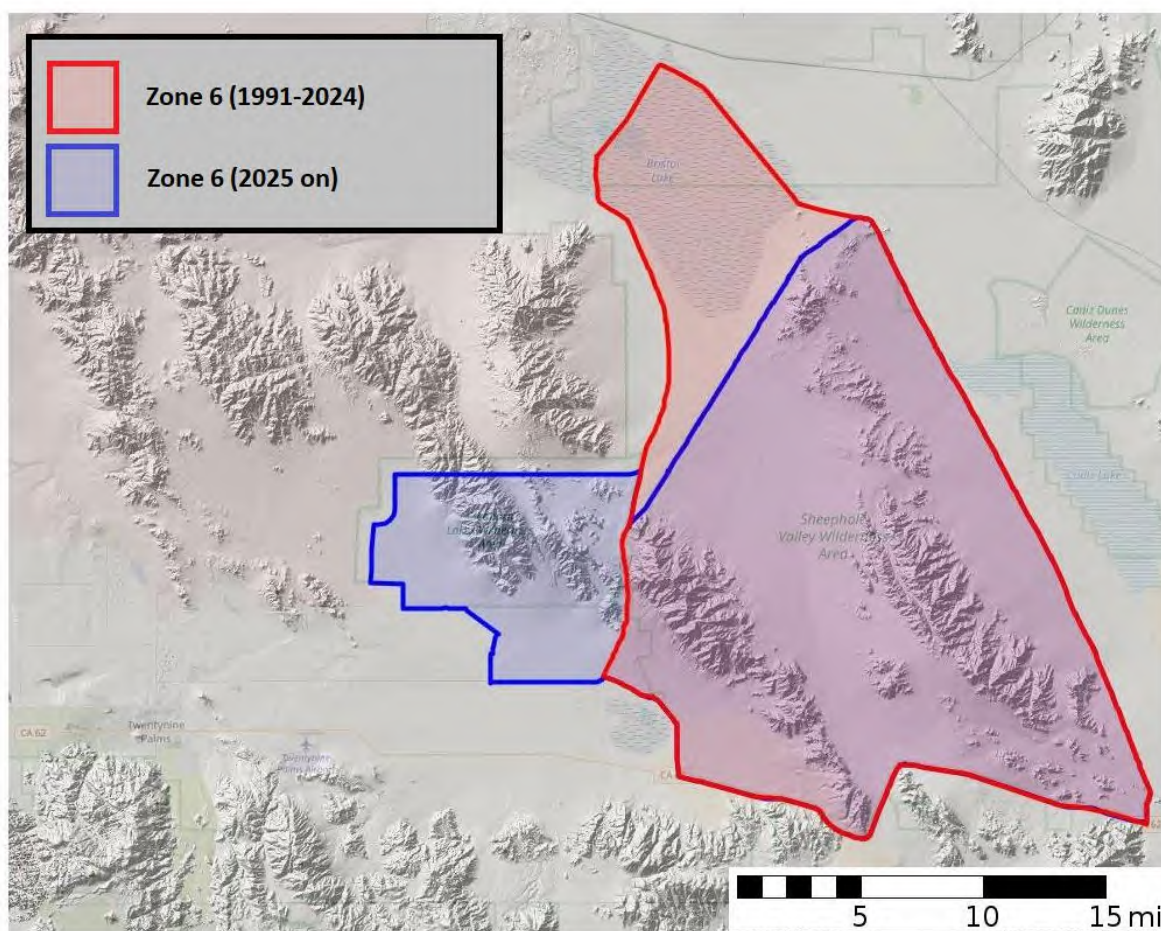


Figure 1. Map of current and proposed Zone 6 boundaries.

Amend subsection 362(b)(1) to specify that the Open Zone Fundraising Tag can only be used to hunt in zones that are allocated at least one general public tag. This will ensure that if a Zone is not issued general tags due to biological or environmental concerns, the Open Zone Fundraising Tag may not be used to harvest in a zone with zero tags allocated.

Amend subsection 362(b)(1)(A) to include Zone 10 in the Open Fundraising Tag. Zone 10 was created in 2019 but was never incorporated into the Open Zone Fundraising Tag language.

Amend subsection 362(b)(2)(A) and add subsections 362(b)(2)(B) and (C) to rename the Marble/Clipper/South Bristol Mountains Fundraising Tag to Single Zone Fundraising Tag 1 and following season information.

Amend subsection 362(b)(3)(A) and add subsections 362(b)(3)(B) and (C) to rename the Cady Mountains Fundraising Tag to Single Zone Fundraising Tag 2 and following season information.

During the regulatory change process for the 2022-2023 license year, the Department proposed a quota of zero for the Marble/Clipper/South Bristol Mountains Fundraising Tag. The Wild Sheep Foundation expressed concern at this loss of Department revenue and hunter opportunity. Increasing flexibility in the Fundraising Tags by renaming them to decouple them from specific hunt zones is intended to mitigate that issue in the future. Decoupling from a specific zone also allows managers the ability to assign the fundraising hunting opportunity to hunt zones that hold hunter interest and fundraising value.

Amend subsection 362(b)(4)(A) to remove Zone 10 and add subsection 362(b)(4)(D) to add Zone 10.

Amend subsection 362(b)(4)(C) Zone 7.

Amend subsection 362(b)(4)(C) 1. to create a Period 1 hunt season with the existing summer season dates and **add subsection 362(b)(4)(C)2.** to be the new Period 2 hunt season with a pilot winter season. Zone 7 is an extremely difficult area to hunt and has the lowest hunter success rates for any of the Nelson bighorn sheep hunt zones; adding a winter season to this zone is intended to increase hunter opportunity and potentially hunter success. Period 1 and Period 2 are two separate hunts with two separate tag allocations. As such, hunters will have to choose a season (i.e. Period 1 or Period 2) when they apply during the Big Game Drawing.

Add subsection 362(b)(4)(D) Zone 10.

Add subsection 362(b)(4)(D) 1. to create a Period 1 hunt season with the existing season dates and **add subsection 362(b)(4)(D)2.** to be the new Period 2 hunt season as a late winter season. Zone 10 hosts one of the largest populations of Nelson bighorn sheep in California and by splitting the season in half we are able to maximize hunter opportunity and experience while reducing crowding. Period 1 and Period 2 are two separate hunts with two separate tag allocations. As such, hunters will have to choose a season (i.e. Period 1 or Period 2) when they apply during the Big Game Drawing.

Amend subsection 362(d) to modify hunt tag quotas for each zone (currently shown as ranges) and to reflect increased zone ranges Zone 2, Zone 7 (Period 1), Zone 7 (Period 2), Zone 10 (Period 1), and Zone 10 (Period 2). The rest of the ranges will conform to the 2019 Environmental Document on Bighorn Sheep Hunting. Periodic adjustments of tag quotas in response to dynamic environmental, and biological conditions are necessary to maintain sustainable populations of bighorn sheep and hunt opportunities, as well as keeping with mandates and management recommendations. Unfortunately, administrative procedures and

the Fish and Game Code require the CA Fish and Game Commission to receive proposed changes to existing regulations prior the completion of surveys and analyses, thus necessitating a range of numbers with this Initial Statement of Reasons. Analyses are scheduled for completion by March 2024 and final numbers would be provided with the Final Statement of Reasons.

Amend Subsection 362(d) to modify hunt tag quotas to ranges for each hunt zone.

Table 1. Section 362(d)

<i>Nelson Bighorn Sheep Hunt Zones</i>	<i>Tag Allocation 2024</i>	<i>Proposed Tag Allocation 2025</i>
Zone 1 -- Marble/Clipper Mountains	1	[0-5]
Zone 2 -- Kelso Peak/Old Dad Mountains	2	[0-4]
Zone 3 -- Clark/Kingston Mountain Ranges	3	[0-4]
Zone 4 -- Orocopia Mountains	1	[0-2]
Zone 5 -- San Geronio Wilderness	0	[0-3]
Zone 6 -- Sheep Hole Mountains	1	[0-2]
Zone 7 (Period 1) -- White Mountains	4	[0-4]
Zone 7 (Period 2) – White Mountains	-	[0-4]
Zone 8 -- South Bristol Mountains	1	[0-3]
Zone 9 -- Cady Mountains	2	[0-4]
Zone 10 (Period 1) -- Newberry, Rodman, Ord Mountains	6	[0-7]
Zone 10 (Period 2) – Newberry, Rodman, Ord Mountains	-	[0-7]
Open Zone Fundraising Tag	1	1
Single Zone Fundraising Tag 1: Zone [1-10] (formerly Marble/Clipper/South Bristol Mountains Fundraising Tag)	0	[0-1]
Single Zone Fundraising Tag 2: Zone [1-10] (formerly Cady Mountains Fundraising Tag)	1	[0-1]
Total:	23	[0-52]

Amend subsection 362(e)(4) to remove a nonfunctioning phone number.

(b) Goals and Benefits of the Regulation

The goals and benefits of the regulations are to help maintain sustainable populations of Nelson bighorn sheep, maintain sustainable hunt opportunities, achieve management recommendations in existing unit plans, and so as not to exceed the 15 percent threshold identified in Fish and Game Code subdivision 4902(b)(2).

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

Authority: 200, 203, 203.1, 265, 1050, and 4902 Fish and Game Code

Reference: 1050, 3950, and 4902 Fish and Game Code

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

(e) Identification of Reports or Documents Supporting Regulation Change

- 2019 [Environmental Document Regarding Bighorn Sheep Hunting](#)
- [Draft Conservation and Management Plan for Bighorn Sheep in California](#) (September 2024)

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

- Wildlife Resources Committee, May 2024
- Wildlife Resources Committee, September 2024

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified or brought to the attention of the Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative

Without the proposed changes, the outstanding issues concerning the regulations currently governing bighorn sheep hunting would remain unaddressed. The no change alternative was considered and rejected because it would not be consistent with maintaining bighorn sheep populations within desired population objectives. FGC subdivision 4902(b) and management unit plans specify desired harvest levels. Retaining the current tag quota for each zone may not be responsive to environmental and biological changes in the status of various herds. The no-change alternative would not allow for adjustment of tag quotas in response to changing environmental and biological conditions.

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 action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

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

The Commission does not anticipate impacts on the creation or elimination of jobs or businesses within the State; no significant impacts to the creation of new business, the elimination of existing businesses, or the expansion of businesses in California are anticipated because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to bighorn sheep hunting. As previously mentioned, periodic or annual adjustments of tag quotas in response to dynamic environmental, and biological conditions are necessary to maintain sustainable populations of bighorn sheep and hunt opportunities, as well as keeping with mandates and management recommendations. If greater numbers of hunters visit the areas in the state with increased annual opportunities, businesses that provide goods and services to Nelson bighorn sheep hunters could benefit from small increases in sales for that license year. The Commission does not anticipate direct benefits to the general health and welfare of California residents or to worker safety but anticipates benefits to the environment.

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

The total net number of tags is anticipated to increase from the previous year, so no adverse economic impacts to individuals or to businesses that support bighorn sheep hunts are anticipated. The Commission does not anticipate significant impacts on the representative private persons or businesses.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

No new costs/savings or change to federal funding are anticipated for state agencies. However, the Department is projected to experience higher bighorn sheep tag sales that may result in revenue increases (see STD399 and Addendum).

(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 Commission does not anticipate impacts on the creation or elimination of jobs within the state.

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

The Commission does not anticipate impacts on the creation of new businesses or the elimination of existing businesses within the state because the potential economic impacts of the proposed regulations vary annually as tag quotas change, and are unlikely to be substantial enough to stimulate demand for goods or services related to Nelson bighorn sheep hunting in the long run due to annual variability.

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

The Commission does not anticipate impacts on the expansion of businesses currently doing business within the state because the potential economic impacts of the proposed regulations vary annually as tag quotas change, and are unlikely to be substantial enough to stimulate demand for goods or services related to Nelson bighorn sheep hunting in the long run due to annual variability.

(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, and can be a family tradition and a bonding activity.

(e) Benefits of the Regulation to Worker Safety:

The Commission does not anticipate impacts on worker safety.

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

As set forth in FGC Section 1700, it is the policy of the state to encourage the conservation, maintenance, and utilization of fish and wildlife resources for the benefit of all the citizens of the state. The objectives of this policy include, but are not limited to, the maintenance of populations of bighorn sheep to ensure their continued existence and supporting recreational opportunity. Adoption of scientifically-based tag quotas provides for the maintenance of

bighorn sheep populations to ensure those objectives are met. The fees that hunters pay for licenses and tags help fund wildlife conservation.

(g) Other Benefits of the Regulation:

The Commission does not anticipate other benefits from the proposed regulation.

Proposed Regulatory Language

Section 362, Title 14, CCR, is amended as follows:

§ 362. Nelson Bighorn Sheep.

(a) Areas:

(1) Zone 1 (Marble/Clipper Mountains)

(A) Area: In that portion of San Bernardino County beginning at the intersection of Kelbaker Road and the National Trails Highway; north on Kelbaker Road to the junction with Interstate Highway 40; east on Interstate Highway 40 to the intersection with National Trails Highway; southwest on National Trails Highway to junction with Kelbaker Road.

(2) Zone 2 (Kelso Peak and Old Dad Mountains)

(A) Area: In that portion of San Bernardino County beginning at the intersection of Kelbaker Road and the Union Pacific Railroad in Kelso; southwest along the Union Pacific Railroad to intersection with unnamed road at Crucero; north on unnamed road to the merging with Mojave Road; northeast on Mojave Road to the junction with Zzyzx Road; north on Zzyzx Road to intersection with Interstate Highway 15; northeast on Interstate Highway 15 to the intersection with Cima Road; south on Cima Road to the intersection with the Union Pacific Railroad in Cima; southwest on the Union Pacific Railroad to the intersection with Kelbaker Road in Kelso.

(3) Zone 3 (Clark and Kingston Mountain Ranges)

(A) Area: In that portion of San Bernardino and Inyo counties beginning at the intersection of Interstate Highway 15 and California State Highway 127 in Baker; north on California State Highway 127 to the junction with Old Spanish Gentry Road at Tecopa; southeast on Old Spanish Gentry Road to the junction with Furnace Creek Road; southeast on Furnace Creek Road to the junction with Mesquite Valley Road; north on Mesquite Valley Road to Old Spanish Trail Highway; north and east on Old Spanish Trail Highway to the California-Nevada state line; southeast along the California-Nevada state line to the intersection with Interstate Highway 15; southwest on Interstate Highway 15 to the junction with California State Highway 127.

(4) Zone 4 (Orocopia Mountains)

(A) Area: In that portion of Riverside County beginning at the intersection of Interstate Highway 10 and Cottonwood Springs Road; east on Interstate Highway 10 to the junction with Red Cloud Mine Road; south on Red Cloud Mine Road to the junction with the Eagle Mountain Mining Railroad; southwest on the Eagle Mountain Mining Railroad to the junction with the Bradshaw Trail; southwest on the Bradshaw Trail to the Intersection with the Coachella Canal; west along the Coachella Canal to the junction with Box Canyon Road; northeast on Box Canyon Road to the junction with Cottonwood Springs Road; north on Cottonwood Springs Road to the intersection with Interstate Highway 10.

(5) Zone 5 (San Gorgonio Wilderness)

(A) Area: In that portion of Riverside and San Bernardino counties beginning at the intersection of Interstate Highway 10 and California State Highway 62, west on Interstate Highway 10 to the junction with California State Highway 30; north on California State Highway 30 to the junction with California State Highway 38; east and north on California State Highway 38 to the junction with Forest Service Route 1N01; east on Forest Service Route 1N01 to its joining with Pipes Road; east on Pipes Road to the junction with Pioneertown Road; southeast on Pioneertown Road to the junction with California State Highway 62; southwest on California State Highway 62 to the intersection with Interstate Highway 10.

(6) Zone 6 (Sheep Hole Mountains)

~~(A) Area: In that portion of San Bernardino County beginning at the junction of California State Highway 62 and Ironage Road; northwest on Ironage Road to the intersection with Amboy Road; north on Amboy Road to the intersection with National Trails Highway; east on National Trails Highway to the junction with Saltus Road; southeast on Saltus Road to the junction with unnamed road in Saltus that runs through Cadiz Valley; southeast on unnamed road to the intersection with California State Highway 62; west on California State Highway 62 to the junction with Ironage Road.~~

(A) Area: In that portion of San Bernardino County within a line, excluding any area within 1 km of the Twentynine Palms Marine Corps Air Ground Combat Center, beginning at the intersection of California State Highway 62 and Ironage Road; northwest on Ironage Road to the intersection with Amboy Road; west on Amboy Road to the intersection of Naborly Road; north on Naborly Road to the intersection of Pole Line Road; west on Pole Line Road to the intersection of Shelton Road; north on Shelton Road to the junction of the southern boundary of Cleghorn Lakes Wilderness Area; west along the southern boundary of Cleghorn Lakes Wilderness Area to the western boundary of Cleghorn Lakes Wilderness Area; north along the western boundary of Cleghorn Lakes Wilderness Area to the northern boundary of Cleghorn Lakes Wilderness Area; east along the northern boundary of Cleghorn Lakes Wilderness Area to the junction of Amboy Road; south on Amboy Road to the intersection of BLM NS443; northeast on BLM NS443 to the intersection of BLM NS458; southeast on BLM NS458 to the intersection of California State Highway 62; west on California State Highway 62 to the point of beginning.

(7) Zone 7 (White Mountains)

(A) Area: In that portion of Mono County within a line beginning at U.S. Highway 6 and the Mono-Inyo county line; northward on Highway 6 to the California-Nevada state line; southeasterly along the California-Nevada state line to the Mono-Inyo county line; westward along the Mono-Inyo county line to the point of beginning.

(8) Zone 8 (South Bristol Mountains)

(A) Area: In that portion of San Bernardino County beginning at the junction of Kelbaker Road and the National Trails Highway; west on the National Trails Highway to the intersection with Interstate Highway 40; east on Interstate Highway 40 to the junction with Kelbaker Road; south on Kelbaker Road to the point of beginning.

(9) Zone 9 (Cady Mountains)

(A) Area: In that portion of San Bernardino County beginning at the junction of Interstate Highway 40 and Newberry Road; north on Newberry Road to intersection with Riverside Road; east on Riverside Road to junction with Harvard Road; north on Harvard Road to junction with Interstate Highway 15; northeast on Interstate Highway 15 to junction with Basin Road; south on Basin Road to intersection with Union Pacific Railroad; east along Union Pacific Railroad to intersection with Crucero Road; south on Crucero Road to intersection with Interstate Highway 40; west on Interstate Highway 40 to the point of beginning.

(10) Zone 10 (Newberry, Rodman, and Ord Mountains)

(A) Area: In that portion of San Bernardino County beginning at the junction Interstate 40 and Barstow Road; south on Barstow Road to the junction with Northside Road; east on Northside Road to the intersection with Camp Rock Road; northeast on Camp Rock Road to the intersection with Powerline Road; east on Powerline Road to Transmission Line Road to the intersection with Interstate 40; west on Interstate 40 to the point of the beginning.

(b) Seasons:

(1) Open Zone Fundraising Tag: The holder of the fundraising license tag issued pursuant to subsection 4902(d) of the Fish and Game Code may hunt in Zones with at least one general public tag:

(A) Zones 1 through 4, 6, 8, ~~and 9,~~ and 10: Beginning the first Saturday in November and extending through the first Sunday in February.

(B) Zone 5: Beginning the third Saturday in November and extending through the third Sunday in February.

(C) Zone 7: Beginning the first Saturday in August and extending through the last Sunday in September. Beginning, again, the third Saturday in December and extending through the first Sunday in February.

(2) ~~Marble/Clipper/South-Bristol Mountains~~ Single Zone Fundraising Tag 1: The Based on the Zone issued, the holder of the fundraising license tag issued pursuant to subsection 4902(d) of the Fish and Game Code may hunt:

~~(A) Zones 1 and 8: Beginning the first Saturday in November and extending through the first Sunday in February.~~

(A) Zones 1 through 4, 6, 8, 9, and 10: Beginning the first Saturday in November and extending through the first Sunday in February.

(B) Zone 5: Beginning the third Saturday in November and extending through the third Sunday in February.

(C) Zone 7: Beginning the first Saturday in August and extending through the last Sunday in September. Beginning, again, the third Saturday in December and extending through the first Sunday in February.

(3) ~~Cady Mountains~~ Single Zone Fundraising Tag 2: The Based on the Zone issued, the holder of the fundraising license tag issued pursuant to subsection 4902(d) of the Fish and Game Code may hunt:

~~(A) Zone 9: Beginning the first Saturday in November and extending through the first Sunday in February.~~

(A) Zones 1 through 4, 6, 8, 9, and 10: Beginning the first Saturday in November and extending through the first Sunday in February.

(B) Zone 5: Beginning the third Saturday in November and extending through the third Sunday in February.

(C) Zone 7: Beginning the first Saturday in August and extending through the last Sunday in September. Beginning, again, the third Saturday in December and extending through the first Sunday in February.

(4) Except as provided in subsection 362(b)(1), the Nelson bighorn sheep season in the areas described in subsection 362(a) shall be defined as follows:

(A) Zones 1, 2, 3, 4, 6, 8, and 9, and 10: Beginning the first Saturday in December and extending through the first Sunday in February.

(B) Zone 5: Beginning the third Saturday in December and extending through the third Sunday in February.

(C) Zone 7:

1. Zone 7 (Period 1): Beginning the third Saturday in August and extending through the last Sunday in September.

2. Zone 7 (Period 2): Beginning the first Saturday in January and extending through the first Sunday in February.

(D) Zone 10:

1. Zone 10 (Period 1): Beginning the first Saturday in December and extending through the first Saturday in January.

2. Zone 10 (Period 2): Beginning the first Sunday in January and extending through the first Sunday in February.

(5) Except as specifically provided in section 362, the take of bighorn sheep is prohibited.

(c) Bag and possession Limit: One mature ram defined as follows: a male Nelson bighorn sheep (*Ovis canadensis nelsoni*) having at least one horn, the tip of which extends beyond a point in a straight line beginning at the front (anterior) edge of the horn base, and extending downward through the rear (posterior) edge of the visible portion of the eye and continuing downward through the horn. All reference points are based on viewing the ram directly from a 90 degree angle from which the head is facing. A diagram showing the correct viewing procedure shall be distributed by the department to each successful applicant.

(d) Number of License Tags:

Nelson Bighorn Sheep Hunt Zones	Tag Allocation
Zone 1 -- Marble/Clipper Mountains	4 [0-5]

Zone 2 -- Kelso Peak/Old Dad Mountains	2 [0-4]
Zone 3 -- Clark/Kingston Mountain Ranges	3 [0-4]
Zone 4 -- Orocopia Mountains	4 [0-2]
Zone 5 -- San Gorgonio Wilderness	0 [0-3]
Zone 6 -- Sheep Hole Mountains	4 [0-2]
Zone 7 (<u>Period 1</u>) -- White Mountains	4 [0-4]
<u>Zone 7 (Period 2) – White Mountains</u>	[0-4]
Zone 8 -- South Bristol Mountains	4 [0-3]
Zone 9 -- Cady Mountains	2 [0-4]
Zone 10 (<u>Period 1</u>) -- Newberry, Rodman, Ord Mountains	6 [0-7]
<u>Zone 10 (Period 2) – Newberry, Rodman, Ord Mountains</u>	[0-7]
Open Zone Fundraising Tag	1
Marble/Clipper/South Bristol Mountains Fundraising Tag Single Zone Fundraising Tag 1: Zone [1-10]	0 [0-1]
Cady Mountains Fundraising Tag <u>Single Zone Fundraising Tag 2: Zone [1-10]</u>	4 [0-1]
Total:	23 [0-52]

(e) Conditions:

(1) Nelson bighorn rams shall only be taken between one-half hour before sunrise and one-half hour after sunset.

(2) Only methods specified in sections 353 and 354, Title 14, CCR, for taking bighorn sheep may be used.

(3) Each tagholder shall possess a spotting telescope capable of magnification of 15 power (15X), which is not affixed to a rifle, while hunting.

(4) Successful general tagholders shall present the head and edible portion of the carcass of a bighorn ram to the department's checking station within 48 hours after killing the animal. All successful tagholders shall notify the department's Bishop office by telephone at (760) 872-1171 or ~~(760) 872-1346~~ within 24 hours of killing the animal and arrange for the head and carcass to be examined.

(5) All successful bighorn sheep tagholders shall make the horns of each ram available to the department to be permanently marked in the manner prescribed by the department for identification purposes within 48 hours of killing the animal. The purpose of the permanent marking shall be to identify Nelson bighorn rams which were legally taken and which may be transported and possessed outside the areas described in subsection 362(a).

(6) The department reserves the right to take and use any part of the tagholder's bighorn ram, except the horns, for biological analysis as long as no more than one pound of edible meat is removed.

Note: Authority cited: Sections 200, 203, 203.1, 265, 1050 and 4902, Fish and Game Code.

Reference: Sections 1050, 3950 and 4902, Fish and Game Code.

**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 Section 362, Title 14, CCR: Re: Bighorn Sheep hunting 2025-26			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 e. Imposes reporting requirements
 b. Impacts small businesses f. Imposes prescriptive instead of performance
 c. Impacts jobs or occupations g. Impacts individuals
 d. Impacts California competitiveness h. None of the above (Explain below):

Proposed annual updates to Bighorn sheep hunting regulations have no new private sector costs. See Fiscal Impact Statement below.

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.

Fish and Game Commission2. 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 NOExplain: _____
_____**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 The tag limit is expected to increase by 10 for the 2025-26 season and bring in an additional \$6,852 in revenue, see addendum.**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

DATE

*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

DATE

*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 362
 Title 14, California Code of Regulations
 Re: Nelson bighorn sheep Hunting

Economic and Fiscal Impact Statement**Proposed Regulations**

Amend Subsection 362(d) to modify hunt tag quotas to ranges for each hunt zone.

Periodic adjustments of tag quotas in response to dynamic environmental and biological conditions are necessary to maintain sustainable populations of Nelson bighorn sheep and hunt opportunities, as well as keeping with mandates and management recommendations. Administrative procedures and the Fish and Game Code require the Fish and Game Commission (Commission) to receive proposed changes to existing regulations prior to the completion of surveys and analyses (completed by March 2025), thus necessitating the proposal of a range of numbers. Some non-substantive text edits are also proposed.

The California Department of Fish and Wildlife (Department's) goal is to increase bighorn sheep hunting opportunities where feasible and compatible with population objectives, in which case recommendations will be offered to the Commission.

The total net number of tags and hunting periods are anticipated to increase from the previous year, so no adverse economic impacts to individuals or to businesses that support Nelson bighorn sheep hunts are anticipated from a loss of hunting opportunities. The proposed increase in hunt quotas by up to 10 additional tags is anticipated to add to the demand for goods or services related to bighorn sheep hunting. If greater numbers of hunters visit the areas in the state with increased opportunities, businesses that provide goods and services to bighorn sheep hunters could benefit from small increases in sales for that license year.

Table 1. Proposed Tags by Hunt Zone

<i>Nelson Bighorn Sheep Hunt Zones</i>	<i>Current Tags</i>	<i>Proposed Tags</i>
Zone 1 – Marble/Clipper Mountains	1	0-5
Zone 2 – Kelso Peak/Old Dad Mountains	2	0-4
Zone 3 – Clark/Kingston Mountain Ranges	3	0-4
Zone 4 – Orocopia Mountains	1	0-2
Zone 5 – San Geronio Wilderness	0	0-3
Zone 6 – Sheep Hole Mountains	1	0-2
<u>Zone 7 – (Period 1) White Mountains</u>	4	0-4

<i>Nelson Bighorn Sheep Hunt Zones</i>	<i>Current Tags</i>	<i>Proposed Tags</i>
<u>Zone 7 – (Period 2) White Mountains</u>	-	0-4
Zone 8 – South Bristol Mountains	1	0-3
Zone 9 – Cady Mountains	2	0-4
Zone 10 – (Period 1) Newberry, Rodman, Ord Mountains	6	0-7
<u>Zone 10 – (Period 2) Newberry, Rodman, Ord Mountains</u>	-	0-7
Open Zone Fundraising Tag	1	0-1
Marble/Clipper/South Bristol Mountains Fundraising Tag <u>Single Zone Fundraising Tag 1: Zone 1-10</u>	0	0-1
Cady Mountains Fundraising Tag <u>Single Zone Fundraising Tag 1: Zone 1-10</u>	1	0-1
Anticipated Totals:	23	0-52

Section A. Estimated Private Sector Cost Impacts

1.h. No new Private Sector costs are necessarily incurred with the proposed bighorn sheep regulatory amendments.

(If box in Item 1.h. is checked, skip the remaining Economic Impact Statement, and complete the Fiscal Impact statement as appropriate.)

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 will set hunting quotas in specific areas throughout the state without imposing new private sector costs. The net increase in bighorn sheep hunting opportunities is expected to have no changes to individual or businesses fees, equipment, and reporting requirements.

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 4. Other.

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. However, Department revenue is expected to increase with a proposed increased number of available bighorn sheep tags. If up to 10 more bighorn sheep tags are available, at the 2025 price of \$537.50 for a resident and \$2,014.50 for a non-resident, the projected increase in revenue could be up to \$6,852 (assuming an increase of 9 resident tags and 1 non-resident tag sold due to non-resident tags being limited to 10% of tags issued) in 2025-2026.

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.

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

Amend Sections 363
Title 14, California Code of Regulations
Re: Pronghorn Antelope Hunting

I. Date of Initial Statement of Reasons: November 25, 2024

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: December 12, 2024

Location: San Diego, CA

(b) Discussion Hearing:

Date: February 12, 2025

Location: Sacramento, CA

(c) Adoption Hearing:

Date: April 16, 2025

Location: Sacramento, 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

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

The Fish and Game Commission (Commission) periodically considers the recommendations of the Department of Fish and Wildlife (Department) in updating pronghorn antelope regulations. Considerations include recommendations for adjusting tag quotas, setting hunt periods, modifying zone boundaries, authorizing methods of take, among others, to help achieve management goals and objectives for pronghorn antelope. Section 363 provides descriptions of hunt zone boundaries, season opening and closing dates, methods of take (e.g., general methods, archery only, apprentice), tag designations (buck, doe), tag quotas (total number of hunting tags to be made available), bag and possession limits, and special conditions for pronghorn antelope. To maintain appropriate harvest levels and hunting quality, tags must be adjusted periodically in response to dynamic environmental, biological, and social conditions.

The proposed changes focus on pronghorn antelope tag quotas under section 363(m). The last time these regulations were subject to major amendment was 2023-2024. The proposed amendments here represent the culmination of the Department's internal discussion regarding pronghorn antelope population status. The proposed changes are necessary to maintain sustainable hunt opportunity and manage harvest for the population size.

Background

The goal of the Department's pronghorn antelope program is to maintain viable, healthy pronghorn populations, provide a variety of recreational activities, including harvest opportunity, and to minimize conflicts with humans (Pyshora 1982, California Department of Fish and Game [CDFG] 2004). A limited number of pronghorn antelope hunting tags are offered annually via the Big Game Drawing, and public demand for pronghorn antelope hunting tags has annually exceeded tag availability for the last ten years. In addition to harvest opportunity, public pronghorn antelope hunting also provides data that enhances the Department's ability to monitor pronghorn antelope populations including spatial, age, genetic, and disease information.

Existing Authorities

Current statutory authorities focus mostly on the take and possession of animals and include:

FGC Section 200 provides the Commission with the power to regulate the take or possession of birds, mammals, fish, amphibians, and reptiles.

FGC Section 203 specifies that the Commission has authority to promulgate regulations concerning open and closed seasons, bag and possession limits, hunt zones, methods of take, and restrictions based on physical distinctions.

FGC Section 203.1 requires the Commission to consider populations, habitat, food supplies, animal welfare, and other pertinent facts.

FGC Section 325 provides conditions by which the Commission may adopt special hunting seasons, provide for increased bag limits, or remove sex restrictions.

FGC Section 331 provides guidelines for the issuance of pronghorn antelope hunting tags, fundraising tags, a non-resident tag, and applicable tag fees.

FGC Section 1050 describes the process and procedure for assigning fees to hunting entitlements.

FGC Section 3950 provides a definition for game mammals: deer, elk, prong-horned antelope, black and brown or cinnamon bears, mountain lions, jackrabbits, and varying hares, brush rabbits and pygmy rabbits, and tree squirrels. Nelson bighorn sheep are game mammals only for the purposes of sport hunting as described in FGC section 4902.

Current Regulations

Section 350 defines big game species.

Section 352 provides hunting and shooting hours on big game.

Section 353 provides methods that are authorized for taking big game.

Section 363 provides definitions, hunting zone descriptions, season opening and closing dates, tag quotas (total number of hunting tags to be made available), and bag and possession limits for pronghorn antelope hunting.

Proposed Regulations

The proposed regulations amend subsection 363(m) to potentially adjust hunting tag numbers for each of the six hunt zones (currently shown as ranges). Previous surveys have suggested declines in population of pronghorn antelope, and the Department reduced tag allocations for the 2023-24 hunt year. Periodic adjustments of tag quotas in response to dynamic environmental, and biological conditions are necessary to maintain sustainable populations of pronghorn antelope and hunt opportunities, as well as keeping with management recommendations. The Department is prioritizing additional surveys in January and February of 2025 to continue to assess pronghorn antelope population status and will make a final recommendation following the completion of surveys and data analysis. Unfortunately, administrative procedures and the Fish and Game Code require the Commission to receive proposed changes to existing regulations prior the completion of surveys and analyses, thus necessitating a range of numbers with this Initial Statement of Reasons. Final proposed tag quotas would be provided with the Final Statement of Reasons.

Section 363 Pronghorn Antelope

Amend subsection 363(m) to modify tag quotas for archery-only season and general season pronghorn antelope Period 1 and Period 2 for buck hunts. Tag allocations may need to be adjusted to manage harvest following the completion of population surveys.

Table 1. 363 (m)

Hunt Area	Archery-Only Season Buck	Archery-Only Season Doe	General Season Period 1 Buck	General Season Period 1 Doe	General Season Period 1 Apprentice Either-Sex	General Season Period 2 Buck	General Season Period 2 Doe	Fundraising
Zone 1 -- Mount Dome	0	0	2 [0-2]	0	N/A	0	0	0
Zone 2 -- Clear Lake	4 [0-1]	0	12 [0-12]	0	N/A	0	0	0
Zone 3 -- Likely Tables	5 [0-5]	0	5 [0-5]	0	5 [0-5]	5 [0-5]	0	0
Zone 4 -- Lassen	5 [0-5]	0	35 [0-35]	0	5 [0-5]	35 [0-35]	0	0
Zone 5 -- Big Valley	4 [0-1]	0	5 [0-5]	0	4 [0-1]	0	0	0
Zone 6 -- Surprise Valley	4 [0-1]	0	10 [0-10]	0	4 [0-4]	0	0	0
Zones 1-6	0	0	0	0	0	0	0	2

(b) Goals and Benefits of the Regulation

The proposed regulations will contribute to the sustainable management of pronghorn antelope populations in California. Population objectives are maintained and managed in part by periodically modifying the number of hunting tags distributed.

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

Authority: 200, 204, 219, 331, and 1050, Fish and Game Code

Reference: 331, 1050, 10500, and 10502, Fish and Game Code

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

(e) Identification of Reports or Documents Supporting Regulation Change

- Report to follow completion of winter surveys in February 2025

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

- Wildlife Resources Committee, May 2024
- Wildlife Resources Committee, September 2024

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative

Without the proposed changes, the outstanding issues concerning the tag quotas in subsection 363(m) would remain unaddressed. Retaining the current number of tags for the hunts listed would not be responsive to changes in pronghorn population status. The pronghorn antelope management plan specifies objective levels for pronghorn numbers and the proportion of bucks in the herds. These numbers and ratios are maintained and managed in part by modifying the number of tags allocated for hunting. The “no change” alternative would not allow management of the desired proportion of bucks stated in the Pronghorn Antelope Management Plan (Pyshora 1982).

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. The maximum number of tags available in the proposed range is at or below the number of tags analyzed in the 2004 Final Environmental Document Regarding Pronghorn Antelope Hunting.

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 action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

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

The Commission does not anticipate impacts on the creation or elimination of jobs or businesses within the State; no significant impacts to the creation of new business, the elimination of existing businesses, or the expansion of businesses in California are anticipated because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to pronghorn antelope hunting. As previously mentioned, periodic or annual adjustments of tag quotas in response to dynamic environmental, and biological conditions are necessary to maintain sustainable populations of pronghorn antelope and hunt opportunities, as well as keeping with management recommendations. If greater numbers of hunters visit the areas in the state with increased annual opportunities, businesses that provide goods and services to hunters could benefit from small increases in sales for that license year. The Commission does not anticipate direct benefits to the general health and welfare of California residents or to worker safety but anticipates benefits to the environment.

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

The Commission does not anticipate significant impacts on the representative private persons or businesses.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

No new costs/savings or changes to federal funding are anticipated for state agencies. However, the Department may experience a change in tag sales that may prompt change to Department revenue (see STD399 and Addendum).

(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 Commission does not anticipate impacts on the creation or elimination of jobs within the state.

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

The Commission does not anticipate impacts on the creation of new businesses or the elimination of existing businesses within the state because the potential economic impacts of the proposed regulations vary annually as tag quotas change, and are unlikely to be substantial enough to stimulate demand for goods or services related to pronghorn antelope hunting in the long run due to annual variability.

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

The Commission does not anticipate impacts on the expansion of businesses currently doing business within the state because the potential economic impacts of the proposed regulations vary annually as tag quotas change, and are unlikely to be substantial enough to stimulate demand for goods or services related to pronghorn antelope hunting in the long run due to annual variability.

(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, and can be a family tradition and a bonding activity.

(e) Benefits of the Regulation to Worker Safety

The Commission does not anticipate impacts on worker safety.

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

As set forth in Fish and Game Code Section 1700, it is the policy of the state to encourage the conservation, maintenance, and utilization of fish and wildlife resources for the benefit of all the citizens of the state. The objectives of this policy include, but are not limited to, the maintenance of populations of pronghorn antelope to ensure their continued existence and supporting recreational opportunity. Adoption of scientifically-based pronghorn antelope seasons and tag quotas provides for the maintenance of pronghorn antelope populations to ensure those objectives are met. The fees that hunters pay for licenses and tags help fund wildlife conservation.

(g) Other Benefits of the Regulation:

The Commission does not anticipate other benefits from the proposed regulation.

Proposed Regulatory Language

Section 363, Title 14, CCR, is amended as follows:

§ 363. Pronghorn Antelope.

The Lava Beds National Monument and Federal and State Game Refuges lying within a given pronghorn hunt boundary are closed to pronghorn antelope hunting, except for the state's Hayden Hill (1S) and Blacks Mountain (1F) game refuges in Lassen County and the Clear Lake National Wildlife Refuge in Modoc County. Refer to subsection 363(b)(5) for special conditions for permission to enter and hunt pronghorn antelope in the Clear Lake National Wildlife Refuge.

(a) Zone 1 (Mount Dome):

[No change to subsection (a). . .]

(b) Zone 2 (Clear Lake):

[No change to subsection (b). . .]

(c) Zone 3 (Likely Tables):

[No change to subsection (c). . .]

(d) Zone 4 (Lassen):

[No change to subsection (d). . .]

(e) Zone 5 (Big Valley):

[No change to subsection (e). . .]

(f) Zone 6 (Surprise Valley):

[No change to subsection (f). . .]

(g) Big Valley Pronghorn Antelope Apprentice Hunt:

[No change to subsection (g). . .]

(h) Lassen Pronghorn Antelope Apprentice Hunt:

[No change to subsection (h). . .]

(i) Surprise Valley Pronghorn Antelope Apprentice Hunt:

[No change to subsection (i). . .]

(j) Likely Tables Pronghorn Antelope Apprentice Hunt

[No change to subsection (j). . .]

(k) Fundraising Hunt:

[No change to subsection (k). . .]

(l) Conditions:

[No change to subsection (l). . .]

(m) Pronghorn Antelope Tag Allocations Table.

Hunt Area	Archery-Only Season Buck	Archery-Only Season Doe	General Season Period 1 Buck	General Season Period 1 Doe	General Season Period 1 Apprentice Either-Sex	General Season Period 2 Buck	General Season Period 2 Doe	Fundraising
Zone 1 -- Mount Dome	0	0	2 [0-2]	0	N/A	0	0	0
Zone 2 -- Clear Lake	4 [0-1]	0	12 [0-12]	0	N/A	0	0	0
Zone 3 -- Likely Tables	5 [0-5]	0	5 [0-5]	0	5 [0-5]	5 [0-5]	0	0
Zone 4 -- Lassen	5 [0-5]	0	35 [0-35]	0	5 [0-5]	35 [0-35]	0	0
Zone 5 -- Big Valley	4 [0-1]	0	5 [0-5]	0	4 [0-1]	0	0	0
Zone 6 -- Surprise Valley	4 [0-1]	0	10 [0-10]	0	4 [0-4]	0	0	0
Zones 1-6	0	0	0	0	0	0	0	2

Authority cited: Sections 219, 265, 331 and 1050, Fish and Game Code. Reference: Sections 331, 713 and 1050, Fish and Game Code.

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 Section 363, Title 14, CCR: Re: Pronghorn hunting 2025-26			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:

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

Proposed annual updates to Pronghorn hunting regulations have no new private sector costs. See Fiscal Impact Statement below.

***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.***

Fish and Game Commission

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 NOExplain: _____
_____**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 _____

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 No change in costs or savings are anticipated. The Department's proposed range allows for no change or a decline in pronghorn tag sales, which may result in a revenue drop in FY 2025 -2026. See addendum.

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

DATE



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

DATE



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 363
 Title 14, California Code of Regulations
 Re: Pronghorn Hunting

Economic and Fiscal Impact Statement**Proposed Regulations**

The Fish and Game Commission (Commission) periodically considers the recommendations of the Department of Fish and Wildlife (Department) in updating pronghorn antelope regulations. Considerations include recommendations for adjusting tag quotas, setting hunt periods, modifying zone boundaries, authorizing methods of take, among others, to help achieve management goals and objectives for pronghorn antelope. The proposed regulations amend subsection 363(m), Title 14, California Code of Regulations, to potentially adjust hunting tag numbers across all six hunt zones. Previous surveys have suggested declines in population of pronghorn antelope, and the Department reduced tag allocations for the 2023-24 hunt year. The Department is prioritizing additional surveys in January and February of 2025 to continue to assess pronghorn antelope population status and will make a final recommendation following the completion of surveys and data analysis. Administrative regulatory procedures require the notice and proposal of regulation prior to completion of population surveys and data analysis.

Table1. Current buck tag quota struck-through (2024), proposed buck tag quota range in brackets (2025) for pronghorn antelope tag quota adjustments.

<i>Hunt Area</i>	<i>Archery-Only Season Buck</i>	<i>General Season Period 1 Buck</i>	<i>General Season Period 1 Apprentice Either-Sex</i>	<i>General Season Period 2 Buck</i>	<i>Fundraising</i>
Zone 1 -- Mount Dome	0	2 [0-2]	N/A	0	0
Zone 2 -- Clear Lake	4 [0-1]	12 [0-12]	N/A	0	0
Zone 3 -- Likely Tables	5 [0-5]	5 [0-5]	5 [0-5]	5 [0-5]	0
Zone 4 -- Lassen	5 [0-5]	35 [0-35]	5 [0-5]	35 [0-35]	0
Zone 5 -- Big Valley	4 [0-1]	5 [0-5]	4 [0-1]	0	0
Zone 6 -- Surprise Valley	4 [0-1]	10 [0-10]	4 [0-4]	0	0
Zones 1-6	0	0	0	0	2

The proposed ranges do not reduce the overall number of available tags but do allow for a reduced number of tags to be issued if surveys in January and February of 2025 recommend a decrease in available tags due to declining populations.

Section A. Estimated Private Sector Cost Impacts

1.h. No new Private Sector costs are necessarily incurred with these annual mammal regulatory amendments.

(If box in Item 1.h. is checked, skip the remaining Economic impact Statement, and complete the Fiscal Impact statement as appropriate.)

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 may result in the same or a small drop in the number of available tags with no change in fees, equipment, or reporting requirements.

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 4. Other.

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, as the proposed changes only introduce a range of 0-139 for available tags that includes the current tag quota, two of which are fundraising tags. However, Department revenue is expected to decline if a reduced number of pronghorn tags are made available after the January and February 2025 survey results. Revenue for 2025-2026 would be expected to fall by \$185.75 per resident tag and \$577.25 per non-resident tag if fewer tags were issued after the 2025 survey. If up to 25 fewer pronghorn tags are available, at the 2025 price of \$185.75 per resident tag and \$577.25 per non-resident tag, the projected decline in revenue would be (assuming the loss of 24 resident tags and 1 nonresident tag sold) in 2025-2026 would be \$5,035.25.

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.

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

Amend Sections 364 and 364.1
Title 14, California Code of Regulations
Re: Elk Hunting

I. Date of Initial Statement of Reasons: November 25, 2024

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: December 12, 2024

Location: Sacramento, CA

(b) Discussion Hearing:

Date: February 12, 2025

Location: Sacramento, CA

(c) Adoption Hearing:

Date: April 16, 2025

Location: Sacramento, 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

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

The California Fish and Game Commission (Commission) periodically considers the recommendations of the California Department of Fish and Wildlife (Department) in amending elk hunting regulations. Considerations include recommendations for adjusting tag quotas, setting hunt periods, modifying area boundaries, authorizing methods of take, among others, to help achieve management goals and objectives for elk. Section 364 provides descriptions of hunt area boundaries, season opening and closing dates, methods of take (e.g., general methods, archery only, apprentice), tag designations (bull, spike bull, antlerless, either-sex), tag quotas (total number of hunting tags to be made available), bag and possession limits, and special conditions for elk. To maintain appropriate harvest levels and hunting quality, tags must be adjusted periodically in response to dynamic environmental, biological, and social conditions.

Elk populations have been steadily increasing, especially in the northwestern areas of the state. In some Elk Management Units (EMUs) elk conflict has reached intolerable levels causing property damage and loss. Additionally, in the Lake Pillsbury EMU the local carrying capacity is estimated to be reduced following a planned dam removal.

The proposed changes focus on adding three archery-only elk hunts in Section 364(r), identifying corresponding tag quotas and hunt seasons for each in Section 364(w), amending existing tag quotas and seasons in Section 364 (u), extending a hunt season for SHARE elk hunts in conflict zones in Section 364.1, and expanding the Bear Valley SHARE elk hunt tag allotment. The last time these regulations were subject to major amendment was 2023-2024. The proposed amendments here represent the cumulation of the California Department of Fish and Wildlife's (Department) internal discussion as well as input from hunting constituents. The proposed changes expand on and maintain sustainable hunt opportunities, and are consistent with management unit plan recommendations and Fish and Game Code.

Background

Current regulations in Section 364 specify elk tag quotas for each hunt area and establish hunt area boundaries in accordance with management goals and objectives described in the Department's Elk Conservation and Management Plan (2018). Similarly, current regulations in Section 364.1 specify elk tag quotas for each hunt area that may be distributed to the public to allow access to hunt elk on specific properties that enter the Shared Habitat Alliance for Recreational Enhancement (SHARE) program. A limited number of public elk hunting tags are offered annually via the Big Game Drawing and SHARE program drawing, and public demand for elk hunting tags (as indicated by elk tag draw applications) has annually exceeded tag availability for the last ten years. Regulated hunting is the recommended primary method of population control to alleviate elk conflict, as described in the Department's Elk Conservation and Management Plan (2018). In addition to harvest opportunity, public elk hunting also provides data that enhances the Department's ability to monitor elk populations including spatial, age, genetic, and disease information. As described in the Department's Elk Conservation and Management Plan (2018), the Department's goal is to increase elk hunting opportunities where feasible and compatible with population objectives, in which case recommendations will be offered to the Commission.

A central theme in Commission Petition 2021-017 is to increase hunting opportunities where feasible, including archery only opportunities. The Commission adopted the Department's recommendation to grant in part and deny in part by the Commission on February 8, 2023, and the Department has incorporated some of the granted requests into this rulemaking. The department has received various public comments (President of the California Bowmen Hunters/State Archery Association (CBH/SAA), Chris Bowles, and Bill Gaines speaking on behalf of the Rocky Mountain Elk Foundation and CBH/SAA, Fish and Game Commission Meeting, December 2023) from constituents to apply hunting, including archery only methods, to address elk conflict, a concept which is consistent with the Elk Conservation and Management Plan (CDFW 2018). Comments also appealed that the Department consider temporally spacing opportunities to manage crowding and enhance hunter satisfaction (Fish and Game Commission Meeting, February 2024).

Existing Authorities

Current statutory authorities focus mostly on the take and possession of animals and include:

FGC Section 200 provides the Commission with the power to regulate the take or possession of birds, mammals, fish, amphibians, and reptiles.

FGC Section 203 specifies that the Commission has authority to promulgate regulations concerning open and closed seasons, bag and possession limits, hunt zones, methods of take, and restrictions based on physical distinctions.

FGC Section 203.1 requires the Commission to consider populations, habitat, food supplies, animal welfare, and other pertinent facts.

FGC Section 325 provides conditions by which the Commission may adopt special hunting seasons, provide for increased bag limits, or remove sex restrictions.

FGC Section 332 provides guidelines for the issuance of elk hunting tags, fundraising tags, a non-resident tag, and applicable tag fees.

FGC Section 1050 describes the process and procedure for assigning fees to hunting entitlements.

FGC Sections 1570-1577 establish the SHARE program and SHARE account, provide definitions, and permit voluntary agreements with landowners.

FGC Section 3950 provides a definition for game mammals: deer, elk, prong-horned antelope, black and brown or cinnamon bears, mountain lions, jackrabbits, and varying hares, brush rabbits and pygmy rabbits, and tree squirrels. Nelson bighorn sheep are game mammals only for the purposes of sport hunting as described in FGC section 4902.

FGC Section 3951 grants the Commission authority to promulgate regulations regarding the take and relocation of tule elk and mandates that the number of tule elk in the Owens Valley may not increase beyond 490.

FGC Ssection 3952 directs the Department to develop a statewide management plan that considers: geographic range of each elk subspecies, habitat conditions, human-wildlife conflict, alleviation of property damage, population viability; identifies high priority areas; and describes requirements for individual herd management plans.

FGC section 4180 provides guidelines for the taking of fur-bearing mammals injuring property.

Current Regulations

Section 265 provides criteria and limitations for the use of dogs for the take of deer during general methods seasons.

Section 350 defines big game species.

Section 352 provides hunting and shooting hours on big game.

Section 353 provides methods that are authorized for taking big game.

Section 364 provides definitions, hunting zone descriptions, season opening and closing dates, tag quotas (total number of hunting tags to be made available), and bag and possession limits for elk hunting.

Section 364.1 provides season opening and closing dates, methods of take, application instructions, tag quotas (total number of hunting tags to be made available), and bag and possession limits for Department administered Shared Habitat Alliance for Recreational Enhancement (SHARE) elk hunts.

Individuals are awarded an elk hunting tag through the Department's Big Game Drawing or SHARE hunt program drawing. Harvest of an elk is authorized for an individual awarded a tag for a respective hunt or SHARE property, and season. Tag quotas are established based on a variety of factors including population density and abundance, age and sex composition, elk distribution, and human-elk conflict levels, among other population objectives, factors, and considerations.

Proposed Regulations

The Department has identified several EMUs where increased public elk hunting opportunities under Section 364 and Section 364.1 are feasible and are supported by management objectives.

The proposed changes to sections 364 and 364.1 have been developed to increase hunter opportunity while allowing the Department to manage for sound biological levels by adding archery-only hunts, adjusting tag quotas (most shown as ranges), and extending the SHARE hunt season in identified conflict areas. The proposed regulations comply with the Department's Elk Conservation and Management Plan (CDFW 2018). Periodic adjustments of tag quotas or addition of hunts in response to dynamic environmental and biological conditions, and human-wildlife conflict are necessary to maintain hunt opportunities and keep with management ratios and recommendations. Surveys through the winter would continue to assess population status and will help inform final quota recommendations upon completion of data analysis. Unfortunately, administrative procedures and the Fish and Game Code require the Commission to receive proposed changes to existing regulations prior the completion of surveys and analyses, thus necessitating a range of numbers with this Initial Statement of Reasons. Final proposed tag quotas would be provided with the Final Statement of Reasons.

Section 364 Elk Hunts, Seasons, and Number of Tags

Add subsection 364(f)(7) to add an archery only elk hunt in the Central Coast Hunt area (CDFW Region 4). The elk population in the Central Coast EMU exceeds the population objective per the Elk Conservation and Management Plan (CDFW 2018) and is continuing to grow. The proposal is necessary to manage the increasing population and provide hunter opportunity, consistent with management objectives. The proposal is also responsive to hunter requests for new hunting opportunities.

Add subsection 364(f)(8) to add an archery only elk hunt in the La Panza Hunt area (CDFW Region 4). The elk population in the La Panza EMU exceeds the population objective per the Elk Conservation and Management Plan (CDFW 2018) and is continuing to grow. The proposal is necessary to manage the increasing population and provide hunter opportunity, consistent with management objectives. The proposal is also responsive to hunter requests for new hunting opportunities.

Add subsection 364(f)(9) to add an archery only elk hunt in the Siskiyou Hunt area (CDFW Region 1). The Siskiyou EMU elk population can sustain additional harvest. The proposal is necessary to add additional hunt opportunities supported by the Elk Conservation and Management Plan (CDFW 2018) objectives. The proposal is also responsive to hunter requests for new hunting opportunities.

Amend 364(s)(2)(A) to increase bull tags in the General Methods Tehachapi Hunt (CDFW Region 4). The current tag allocation is 5 bull tags and 10 antlerless tags. The Tehachapi Hunt was established in the 2023 hunting season to mitigate increased abundance of non-native Rocky Mountain elk. These non-native elk were introduced as part of a fenced game farming operation in 1967; elk subsequently escaped the enclosure and have since increased in abundance and expanded their range beyond Tejon Ranch into surrounding communities in Kern County and the Southern Sierras.

Human-elk conflict has exceeded tolerable levels in some areas. Current abundance levels are above objectives outlined in the Elk Conservation and Management Plan (CDFW, 2018). Observed bull:cow ratios (47mm:100ff) are also above the Elk Conservation and Management Plan objective (25mm:100ff). Continued range expansion may result in non-native Rocky Mountain elk overlapping with endemic tule elk in the Owens Valley, resulting in hybridization between the two subspecies. This presents a threat to genetic integrity of the endemic tule elk population, and it is desirable to prevent hybridization between these subspecies from occurring as described in the Elk Conservation and Management Plan (CDFW, 2018).

To help address these concerns for the Tejon Elk Management Unit, the Department recommends increasing bull tags and reduce the likelihood of dispersing bulls in the Tehachapi Rocky Mountain General Methods Hunt to help achieve goals and objectives outlined in the Elk Conservation and Management Plan (CDFW, 2018).

Amend subsection 364(u)4(A) to increase the bull tags in the General Methods Gabilan Hunt (CDFW Region 4). The current tag allocation is 4, the proposal would increase the allocation by up to 6 bull tags. Continued population monitoring suggests the population can sustain increased take. A final tag quota recommendation will follow the completion of surveys and data analysis. The proposal is supported by Elk Conservation and Management Plan (CDFW, 2018) objectives and is necessary to pace harvest levels with population size. The proposal is also responsive to hunter requests for new hunting opportunities.

Amend subsection 364(u)(18) to add new periods and increase the Lake Pillsbury bull and antlerless tag quotas (CDFW Region 2). There are currently two hunt periods: the first period (u)(18)(A) with 4 antlerless tags, and the second period (u)(18)(B) with 2 bull tags. The proposal would adjust the 2 bull tags to 0-4 antlerless tags, and adjust the season accordingly to fit in the hunts without overlap, and add 3 hunt periods (u)(18)(C), (u)(18)(D), and (u)(18)(E) for Lake Pillsbury.

New subsections (u)(18)(C), (u)(18)(D), and (u)(18)(E) add 0-8 antlerless tags, and add 0-2 bull tags in succession from second Saturday in September through October as additional hunt opportunities. Scott Dam, which creates Lake Pillsbury, will be decommissioned and reduce carrying capacity in the EMU. The proposal is necessary to reduce elk population size as dam removal approaches. The proposal is also responsive to hunter requests for new hunting opportunities.

Add subsection 364(w)(7)-(9) to identify the novel archery only elk hunts described above for 364(f) for Central Coast Archery Only Tule Elk Hunt, La Panza Archery Only Tule Elk Hunt, and Siskiyou Archery Only Roosevelt Elk Hunt. These amendments are necessary to identify tag allocations and seasons for the proposed archery hunts.

Section 364.1 Department Administered Shared Habitat Alliance for Recreational Enhancement (SHARE) Elk Hunts

Amend 364.1(a) to extend the SHARE elk hunt season in two conflict zones (subsections 364(a)(2)(A) Northwestern Hunt Zone and 364(c)(1)(A) Mendocino Hunt Zone), as described in Section 555.1. The existing season opens August 15 and continues through January 31. The proposal would extend this season from July 1 to June 30, extending it from 4.5 months to year-round. The proposal is necessary to address intolerable levels of elk conflict in conflict zones. The proposal is also responsive to hunter requests for new hunting opportunities.

Amend subsection 364.1(l)(17) to increase the antlerless tags SHARE tag allotment for the Bear Valley Hunt (CDFW Region 2). There is currently 1 SHARE antlerless tag for Bear Valley, and the proposal would add 0-6 antlerless tags. This change is necessary to add veritable hunt opportunities to the Bear Vally EMU, where the elk population heavily occupies private land versus public land. The proposal is also responsive to hunter requests for new hunting opportunities.

Other changes

FGC Section 325 is proposed to be added to the authority section cited for Section 364 and as a reference for Section 364.1 to support the need to reduce elk numbers in certain areas.

(b) Goals and Benefits of the Regulation

The proposed regulations will contribute to the sustainable management of elk populations in California. Population objectives are maintained and managed in part by periodically modifying the number of hunting tags distributed. The proposed regulations will provide additional elk hunting opportunities and alleviate elk conflict.

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

Section 364

Authority: 200, 203, 203.1, 265, 325, 332, and 1050, Fish and Game Code
Reference: 332, 1050, 1570, 1571, 1573, and 1574, Fish and Game Code

Section 364.1

Authority: Sections 332 and 1050, Fish and Game Code.
Reference: Sections 332, 1050 and 1574, Fish and Game Code.

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

(e) Identification of Reports or Documents Supporting Regulation Change

- California Department of Fish and Wildlife. (2018). Elk Conservation and Management Plan:
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=162912&inline>
- Petition 2021-017: [January 13, 2022 Wildlife Resources Committee Meeting Binder](#)

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

- Petition 2021-017 Elk Workshop, January 2022
- Wildlife Resources Committee, May 2024
- Wildlife Resources Committee, September 2024

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative

Without the proposed changes, the outstanding issues concerning the regulations currently governing 364 and 364.1 would remain unaddressed. Retaining the current number of tags for the hunts listed would not be responsive to changes in population status or levels of human-elk conflict.

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 action adjusts tag quotas for existing hunts and expands certain hunt opportunities. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

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

The Commission does not anticipate impacts on the creation or elimination of jobs or businesses within the State; no significant impacts to the creation of new business, the elimination of existing businesses, or the expansion of businesses in California are anticipated because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to elk hunting. As previously mentioned, periodic or annual adjustments of tag quotas in response to dynamic environmental, biological, or social conditions are necessary to maintain hunt opportunities, as well as keeping with management recommendations. If greater numbers of hunters visit the areas in the state with increased annual opportunities, businesses that provide goods and services to elk hunters could benefit from small increases in sales for that license year. The Commission does not anticipate direct benefits to the general health and welfare of California residents or to worker safety but anticipates benefits to the environment.

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

The Commission does not anticipate significant impacts on the representative private persons or businesses.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

No new costs/savings or changes to federal funding are anticipated for state agencies. However, the Department is projected to experience higher elk tag sales that may result in revenue increases (see STD399 and Addendum).

(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 Commission does not anticipate impacts on the creation or elimination of jobs within the state.

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

The Commission does not anticipate impacts on the creation of new businesses or the elimination of existing businesses within the state because the potential economic impacts of the proposed regulations vary annually as tag quotas or hunts change, and are unlikely to be substantial enough to stimulate demand for goods or services related to elk hunting in the long run due to annual variability.

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

The Commission does not anticipate impacts on the expansion of businesses currently doing business within the state because the potential economic impacts of the proposed regulations vary annually as tag quotas or hunts change, and are unlikely to be substantial enough to stimulate demand for goods or services related to elk hunting in the long run due to annual variability.

(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, and can be a family tradition and a bonding activity. Where feasible, regulated hunting is also a direct means of addressing elk conflict on private lands and meeting hunter requests for new hunting opportunities.

(e) Benefits of the Regulation to Worker Safety

The Commission does not anticipate impacts on worker safety.

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

As set forth in Fish and Game Code section 1700, it is the policy of the state to encourage the conservation, maintenance, and utilization of fish and wildlife resources for the benefit of all the citizens of the state. The objectives of this policy include, but are not limited to, the maintenance of populations of elk to ensure their continued existence and supporting recreational opportunity. Adoption of scientifically-based elk seasons and tag quotas provides for the maintenance of elk populations to ensure those objectives are met. The fees that hunters pay for licenses and tags help fund wildlife conservation.

Proposed Regulatory Language

Section 364, Title 14, California Code of Regulations, is amended as follows:

§ 364. Elk Hunts, Seasons, and Number of Tags.

[No changes to subsections (a) through (e). . .]

(f) Department Administered Archery Only Elk Hunts:

(1) Northeastern Archery Only Rocky Mountain Elk Hunt:

(A) Area: The tag shall be valid in the area described in subsection 364(b)(1)(A).

(B) Special Conditions: Elk may be taken with Archery Equipment only as specified in Section 354.

(2) Owens Valley Multiple Zone Archery Only Tule Elk Hunt:

(A) Area: The tag shall be valid in Bishop, Independence, Lone Pine, and Goodale, as described in subsections 364(d)(5)(A), (d)(6)(A), (d)(7)(A) and (d)(12)(A).

(B) Special Conditions: Elk may be taken with Archery Equipment only as specified in Section 354.

(3) Lone Pine Archery Only Tule Elk Hunt:

(A) Area: The tag shall be valid in the area described in subsection 364(d)(7)(A).

(B) Special Conditions: Elk may be taken with Archery Equipment only as specified in Section 354.

(4) Tinemaha Archery Only Tule Elk Hunt:

(A) Area: The tag shall be valid in the area described in subsection 364(d)(8)(A).

(B) Special Conditions: Elk may be taken with Archery Equipment only as specified in Section 354.

(5) Whitney Archery Only Tule Elk Hunt:

(A) Area: The tag shall be valid in the area described in subsection 364(d)(11)(A).

(B) Special Conditions: Elk may be taken with Archery Equipment only as specified in Section 354.

(6) Fort Hunter Liggett General Public Archery Only Tule Elk Hunt:

(A) Area: The tag shall be valid in the area described in subsection 364(d)(14)(A).

(B) Special Conditions:

1. See subsection 364(p).

2. Elk may be taken with Archery Equipment only as specified in Section 354.

(7) Central Coast Archery Only Tule Elk Hunt:

(A) Area: The tag shall be valid in the area described in subsection 364(d)(3)(A).

(B) Special Conditions: Elk may be taken with Archery Equipment only as specified in Section 354.

(8) La Panza Archery Only Tule Elk Hunt:

(A) Area: The tag shall be valid in the area described in subsection 364(d)(2)(A).

(B) Special Conditions: Elk may be taken with Archery Equipment only as specified in Section 354.

(9) Siskiyou Archery Only Roosevelt Elk Hunt:

(A) Area: The tag shall be valid in the area described in subsection 364(a)(1)(A).

(B) Special Conditions: Elk may be taken with Archery Equipment only as specified in Section 354.

[...No changes to subsections (g) through (r). . .]

(s) Department Administered General Methods Rocky Mountain Elk Hunts

§	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(1)(A)	Northeastern Bull	15	0	0	0	Shall open on the Wednesday preceding the third Saturday in September and continue for 12 consecutive days.
(1)(B)	Northeastern Antlerless	0	10	0	0	Shall open on the second Wednesday in November and continue for 12 consecutive days.
(2)(A)	Tehachapi	5 [5-10]	10	0	0	Shall open on the first Saturday in September and continue for 30 consecutive days.

[. . . No changes to subsection (t). . .]

(u) Department Administered General Methods Tule Elk Hunts

§	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(1)(A)	Cache Creek Bull	2	0	0	0	Shall open on the second Saturday in October and continue for 16 consecutive days.

§	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(1)(B)	Cache Creek Antlerless	0	2	0	0	Shall open on the third Saturday in October and continue for 16 consecutive days.
(2)(A)	La Panza Period 1	6	5	0	0	Shall open on the second Saturday in October and continue for 23 consecutive days.
(2)(B)	La Panza Period 2	6	6	0	0	Shall open on the second Saturday in November and continue for 23 consecutive days.
(3)(A)	Central Coast	10	10	0	0	Shall open on the first Saturday in October and continue for 60 consecutive days.
(4)(A)	Gabilan	4 [4-10]	6	0	0	Shall open on the second Saturday in November and continue for 23 consecutive days.

[. . . No changes to subsections (u)(5) through (u)(17). . .]

§	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(18)(A)	Lake Pillsbury Period 1	0	4 [0-4]	0	0	Shall open on the Wednesday preceding the second Saturday in September and continue for ten consecutive days. <u>Shall open on the last Saturday in August and continue for seven consecutive days.</u>
(18)(B)	Lake Pillsbury Period 2	2 0	0 [0-4]	0	0	Shall open on the Monday following the fourth Saturday in September and continue for ten consecutive days. <u>Shall open on the first Saturday in September and continue for seven consecutive days.</u>

§	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(18)(C)	Lake Pillsbury Period 3	0	[0-4]	0	0	Shall open on the second Saturday in September and continue for seven consecutive days.
(18)(D)	Lake Pillsbury Period 4	[0-2]	0	0	0	Shall open on the fourth Saturday in September and continue for seven consecutive days.
(18)(E)	Lake Pillsbury Period 5	[0-2]	0	0	0	Shall open on the first Saturday in October and continue for seven consecutive days.

[. . . No changes to subsections (u)(19) through (u)(20). . .]

(w) Department Administered Archery Only Hunts

§	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(1)(A)	Northeastern Archery Only	0	0	10	0	Shall open on the Wednesday preceding the first Saturday in September and continue for 12 consecutive days.
(2)(A)	Owens Valley Multiple Zone Archery Only	3	0	0	0	Shall open on the second Saturday in August and continue for nine consecutive days.
(3)(A)	Lone Pine Archery Only Period 1	0	1	0	0	Shall open on the second Saturday in September and continue for 16 consecutive days.
(4)(A)	Tinemaha Archery Only Period 1	0	0	0	0	Shall open on the second Saturday in September and continue for 16 consecutive days.
(5)(A)	Whitney Archery Only Period 1	0	0	0	0	Shall open on the second Saturday in September and continue for 16 consecutive days.

§	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(6)(A)	Fort Hunter Liggett General Public Archery Only Either Sex	0	0	6	0	Shall open on the last Saturday in July and continue for nine consecutive days.
(6)(B)	Fort Hunter Liggett General Public Archery Only Antlerless	0	8	0	0	Shall open on the first Saturday in November and continue for nine consecutive days.
(7)	<u>Central Coast Archery Only Tule Elk Hunt</u>	<u>[0-5]</u>	<u>[0-5]</u>	<u>0</u>	<u>0</u>	<u>Shall open on September 1 and continue until September 30.</u>
(8)	<u>La Panza Archery Only Tule Elk Hunt</u>	<u>[0-5]</u>	<u>[0-5]</u>	<u>0</u>	<u>0</u>	<u>Shall open on September 1 and continue until September 30.</u>
(9)	<u>Siskiyou Archery Only Roosevelt Elk Hunt</u>	<u>[0-10]</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>Shall open on the fourth Wednesday in August and continue until the second Tuesday in September.</u>

Authority cited: Sections 200, 203, 203.1, 265, 325, 332 and 1050, Fish and Game Code.

Reference: Sections 332, 1050, 1570, 1571, 1572, 1573 and 1574, Fish and Game Code.

Proposed Regulatory Language

Section 364.1, Title 14, California Code of Regulations, is amended as follows:

§ 364.1. Department Administered Shared Habitat Alliance for Recreational Enhancement (SHARE) Elk Hunts.

(a) Season: The overall season shall open on August 15 and continue through January 31. The season in conflict zones, as identified in Section 555.1 with the exception of 364(b)(2)(A), shall open on July 1 and continue through June 30. Individual SHARE properties will be assigned seasons corresponding with management goals.

[No change to subsections (b) through (k)...]

(l) Department Administered SHARE Tule Elk Hunts

§	(A) Hunts	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	(B) Area
(1)	Cache Creek	2	1	0	0	The tag shall be valid in the area described in subsection 364(d)(1)(A).
(2)	La Panza	5	10	0	0	The tag shall be valid in the area described in subsection 364(d)(2)(A).
(3)	Central Coast	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(3)(A).
(4)	Gabilan	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(4)(A).
(5)	Bishop	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(5)(A).
(6)	Independence	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(6)(A).
(7)	Lone Pine Period 2	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(7)(A).
(8)	Tinemaha	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(8)(A).

(9)	West Tinemaha	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(9)(A).
(10)	Tinemaha Mountain	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(10)(A).
(11)	Whitney	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(11)(A).
(12)	Goodale	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(12)(A).
(13)	Grizzly Island	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(13)(A).
(14)	Fort Hunter Liggett	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(14)(A).
(15)	East Park Reservoir	1	1	0	0	The tag shall be valid in the area described in subsection 364(d)(15)(A).
(16)	San Luis Reservoir	2	3	0	0	The tag shall be valid in the area described in subsection 364(d)(16)(A).
(17)	Bear Valley	2	4 <u>[0-6]</u>	0	0	The tag shall be valid in the area described in subsection 364(d)(17)(A).
(18)	Lake Pillsbury	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(18)(A).
(19)	Santa Clara	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(19)(A).
(20)	Alameda	0	0	0	0	The tag shall be valid in the area described in subsection 364(d)(20)(A).

Note: Authority cited: Sections 332 and 1050, Fish and Game Code.
Reference: Sections 332, 1050 and 1574, Fish and Game Code.

**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 Section 364 and 364.1, Title 14, CCR: Re: Elk hunting 2025-26			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 e. Imposes reporting requirements
 b. Impacts small businesses f. Imposes prescriptive instead of performance
 c. Impacts jobs or occupations g. Impacts individuals
 d. Impacts California competitiveness h. None of the above (Explain below):

Proposed annual updates to Elk hunting regulations have no new private sector costs. See Fiscal Impact Statement below.

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.

Fish and Game Commission2. 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 NOExplain: _____
_____**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 No change in costs or savings are anticipated. The Department's proposed increase in elk tags may result in up to \$33,637.50 in additional tag revenue in FY 2025 -2026, see addendum.

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

DATE



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

DATE



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 Sections 364 and 364.1
Title 14, California Code of Regulations
Re: Elk Hunting

Economic and Fiscal Impact Statement**Background**

Current regulations in Section 364, Title 14, California Code of Regulations provide definitions, hunting zone descriptions, season opening and closing dates, tag quotas (total number of hunting tags to be made available), and bag and possession limits for elk hunting administered by the California Department of Fish and Wildlife (Department). Currently, elk tags are distributed through four issuance types governed by different sections under Title 14. Issuance types for elk tags include Section 364 General Public tags awarded via the Big Game Drawing, Section 364.1 Shared Habitat Alliance for Recreational Enhancement (SHARE) tags, Section 555 Cooperative Elk Hunting Area “Landowner” tags, and Section 601 Private Lands Wildlife Habitat Enhancement and Management Area (PLM) tags. A limited number of fundraising tags are also available for purchase, usually by auction, via non-governmental organizations that assist the Department with fundraising.

Summary of Proposed Regulations

- **Add 364(f)(7), 364(f)(8), and 364(f)(9)** to add archery only elk hunts in the Central Coast, La Panza, and Siskiyou hunt areas.
- **Amend 364(s)(2)(A)** to increase bull tags in the General Methods Tehachapi Hunt (CDFW Region 4). The current tag allocation is 5 bull tags and 10 antlerless tags, the proposal would increase the allocation by up to 10 additional bull tags to 15 total bull tags.
- **Amend 364(u)(4)(A)** to increase the bull tags in the General Methods Gabilan Hunt. The current tag allocation is 4, the proposal would increase the allocation by up to 6 bull tags to 10 total.
- **Amend 364(u)(18)(A)** to add new periods and increase the Lake Pillsbury bull and antlerless tag quotas. There are currently two hunt periods, the first with 4 antlerless tags, and the second period with 2 bull tags. The proposal would add 3 hunt periods consecutive to the existing ones, together adding 0-8 antlerless tags, and adding 0-2 bull tags.
- **Add 364(w)(7)-(9)** to identify the novel archery only elk hunts, tag allocations, and seasons. The proposal will increase the total tags by up to 30 additional tags (20 bull tags, 10 antlerless tags).

- **Amend 364.1(a)** to extend the SHARE elk hunt season in conflict zones. The existing season opens August 15 and continues through January 31. The proposal would extend this season from July 1 to June 30.
- **Amend 364.1(l)(17)** to increase the antlerless tags SHARE tag allotment for the Bear Valley Hunt. There is currently 1 SHARE antlerless tag for Bear Valley. The proposal would add 0-6 antlerless tags.

Periodic adjustments of tag quotas in response to dynamic environmental and biological conditions or human-wildlife conflict concerns are necessary to maintain sustainable populations of elk and hunt opportunities, as well as keeping with mandates and management recommendations. Fish and Game Code requires the Fish and Game Commission (Commission) to receive proposed changes to existing regulations prior to the completion of surveys and analyses, thus necessitating a range of numbers. Analyses are scheduled for completion by March 2025. Table 1 below summarizes the changes to elk tags proposed with this package.

Table 1. Summary of Elk tag quotas from 2024 and proposed tag quota range (2025).

T14 section	Hunt Zone	2024	2025	Potential Net Change
364(s)(2)(A)	Tehachapi (bull tag)	5	5-10	0, +5
364(u)(4)(A)	Gabilan (bull tag)	4	4-10	0, +6
364(u)(18)(A)	Lake Pillsbury Pd 1 (antlerless tag)	4	0-4	-4, +0
364(u)(18)(B)	Lake Pillsbury Pd 2 (bull tag)	2	0	-2, +0
364(u)(18)(B)	Lake Pillsbury Pd 2 (antlerless tag)	0	0-4	-0, +4
364(u)(18)(C)	Lake Pillsbury Pd 3 (antlerless tag)	-	0-4	-0, +4
364(u)(18)(D)	Lake Pillsbury Pd 4 (bull tag)	-	0-2	-0, +2
364(u)(18)(E)	Lake Pillsbury Pd 5 (bull tag)	0	0-2	-0, +2
364(w)(7)	Central Coast Archery Only Tule Elk Hunt (bull tag)	-	0-5	-0, +5
364(w)(7)	Central Coast Archery Only Tule Elk Hunt (antlerless tag)	-	0-5	-0, +5
364(w)(8)	La Panza Archery Only Tule Elk Hunt (bull tag)	-	0-5	-0, +5
364(w)(8)	La Panza Archery Only Tule Elk Hunt (antlerless tag)	-	0-5	-0, +5
364(w)(9)	Siskiyou Archery Only Tule Elk Hunt (bull tag)	-	0-10	-0, +10
364.1(l)(17)	Bear Valley SHARE (antlerless tag)	1	0-6	-1, +5
	Total General Tags	16		-7, +58

The recommended tag quotas will be adopted by the Commission at its April 2025 meeting.

The proposed increase in hunt quotas by up to 58 additional tags is anticipated to add to the demand for goods or services related to elk hunting. If greater numbers of hunters visit the areas in the state with increased opportunities, businesses that provide goods and services to Elk hunters could benefit from small increases in sales.

Section A. Estimated Private Sector Cost Impacts

1.h. No new Private Sector costs are necessarily incurred with these annual mammal regulatory amendments.

(If box in Item 1.h. is checked, skip the remaining Economic impact Statement, and complete the Fiscal Impact statement as appropriate.)

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 are to adjust hunt quotas which is expected to result in a net increase in elk hunt opportunities with no changes to individual or businesses fee, equipment, and reporting requirements.

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 4. Other.

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. However, Department revenue is expected to increase with a proposed increased number of available Elk tags. If up to 58 more elk tags are available, at the 2025 price of \$559.75 for a resident and \$ 1,731.75 for a non-resident, the projected increase in revenue could be up to \$33,367.50 (assuming an increase of 57 resident tags and 1 nonresident tag sold due to CCR, T14 708.11(b)(8) limiting nonresident tags to 1 each year) in 2025-2026.

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.



BIG GAME REGULATORY PROPOSALS

Presentation to the Fish and Game Commission

December 12, 2024
Mario Klip & Paige Prentice
Wildlife Branch, California Department of Fish and Wildlife

Presentation Overview

- Black-tailed deer/ Mule deer
 - Late season hunt
 - Chronic Wasting Disease
- Desert bighorn sheep
 - Fundraising tag amendments
 - Zone boundary change proposal
 - Tag quota proposals
- Pronghorn proposal
- Elk tag quota and season proposals and SHARE elk hunt season





Columbian Black-tailed Deer, *Odocoileus hemionus columbianus* – Wild Columbia County



BLACK-TAILED AND MULE DEER

Regulatory Proposals

Deer

- Deer D-7 Late Season Buck Hunt (Pilot)
- Chronic Wasting Disease (CWD) – transition emergency regulation into “standard” regulation



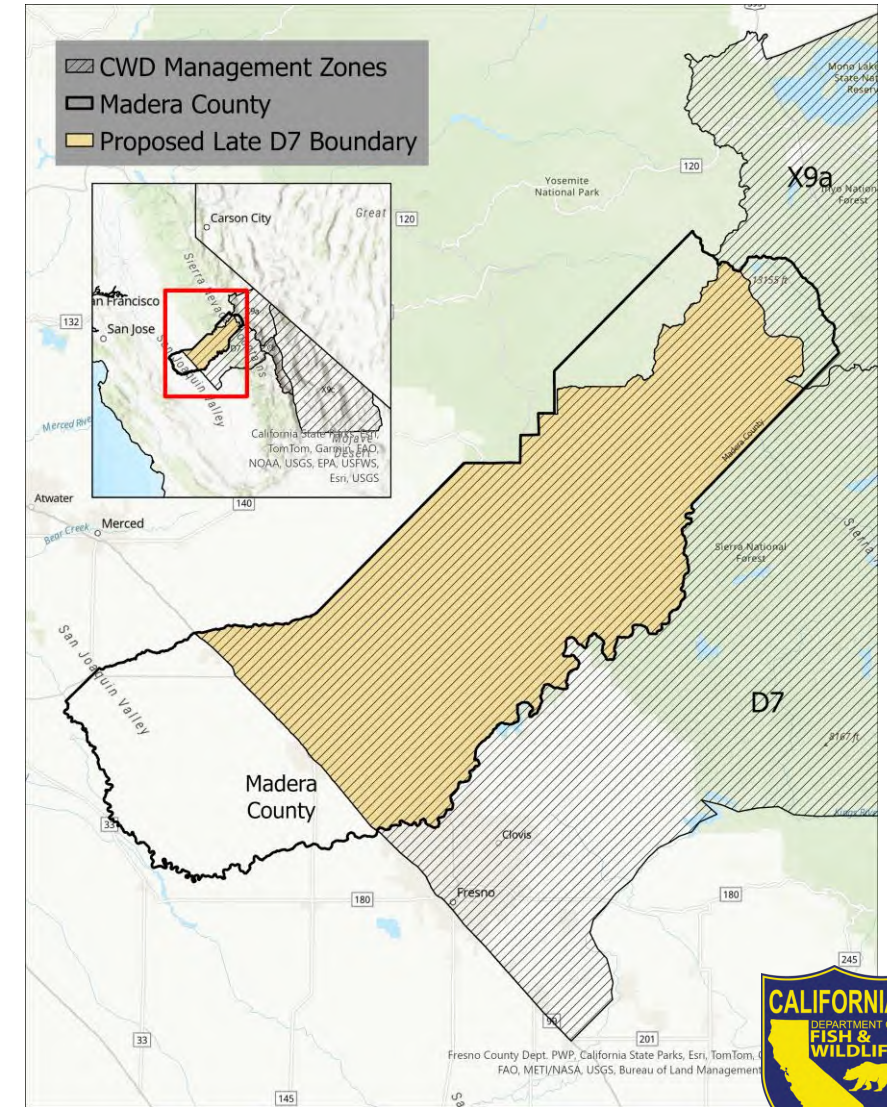
Deer D7 Late Season Buck Hunt (Pilot)

Summary of existing and proposed hunts in D-7

Season	2025 Hunt Dates	Tags	Hunt Area
Current Archery	Aug. 16 – Sep. 7	9,000	D7
Current General	Sep. 20 – Nov. 2		
<i>Proposed G-40</i> (D-7 Late Season Buck Hunt)	Nov. 22 – 30	0-50	That portion of Madera County within D7

Chronic Wasting Disease in D-7

- Detection first confirmed in May 2024
- Mature bucks are more likely to be CWD positive, where CWD has been detected
- Additional harvest will aid with detection and understanding prevalence



Chronic Wasting Disease

- Emergency regulations expiring, proposing a standard regulation to maintain reporting
- Will allow for the inclusion of additional CMZs with new detections:
 - Any deer hunt zones in which a CWD-positive animal has been taken, excluding Zone A
 - Any deer hunt zone, excluding Zone A, within 5 miles of the location where a CWD-positive animal was taken
 - Any county within Zone A where a CWD-positive animal has been taken or is within 5 miles of where a CWD-positive animal was taken
- CMZs will not automatically require testing, Director will designate Testing CMZs by July 1
- This discretion by the Director to name Testing CMZs is meant to benefit hunters and the Department in removing the burden of testing when it does not contribute any novel information to inform management decisions

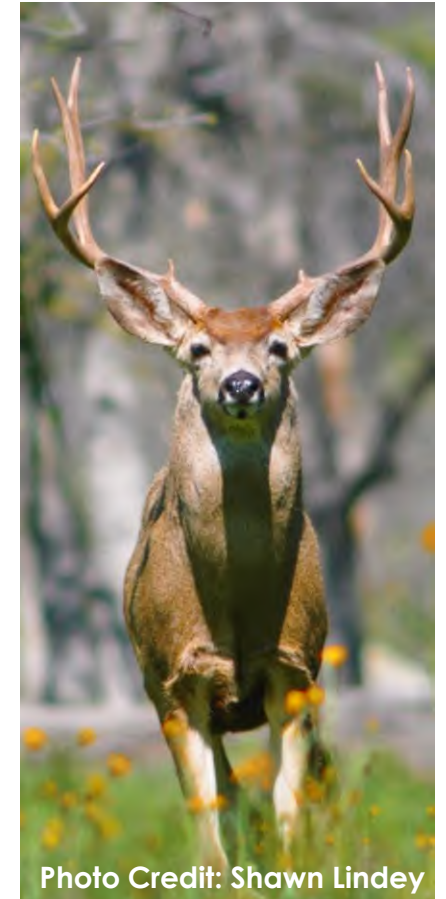




Photo by Pat Woods



BIGHORN SHEEP

Regulatory Proposals

Section 362 Bighorn Sheep

- Modify fundraising tag designations
- Modify a zone boundary
- Split seasons into two periods for two hunt zones
- Modify tag quotas



Photo credit: Pat Woods

Section 362 Bighorn Sheep

Open Zone Tag

Section 362(b)(1):

- Clarify that the OZ tag can only hunt in zones that are issued a general tag
- Add Zone 10

Marble/Clipper/S. Bristol and Cady Fundraising Tags

Section 362(b)(2 & 3):

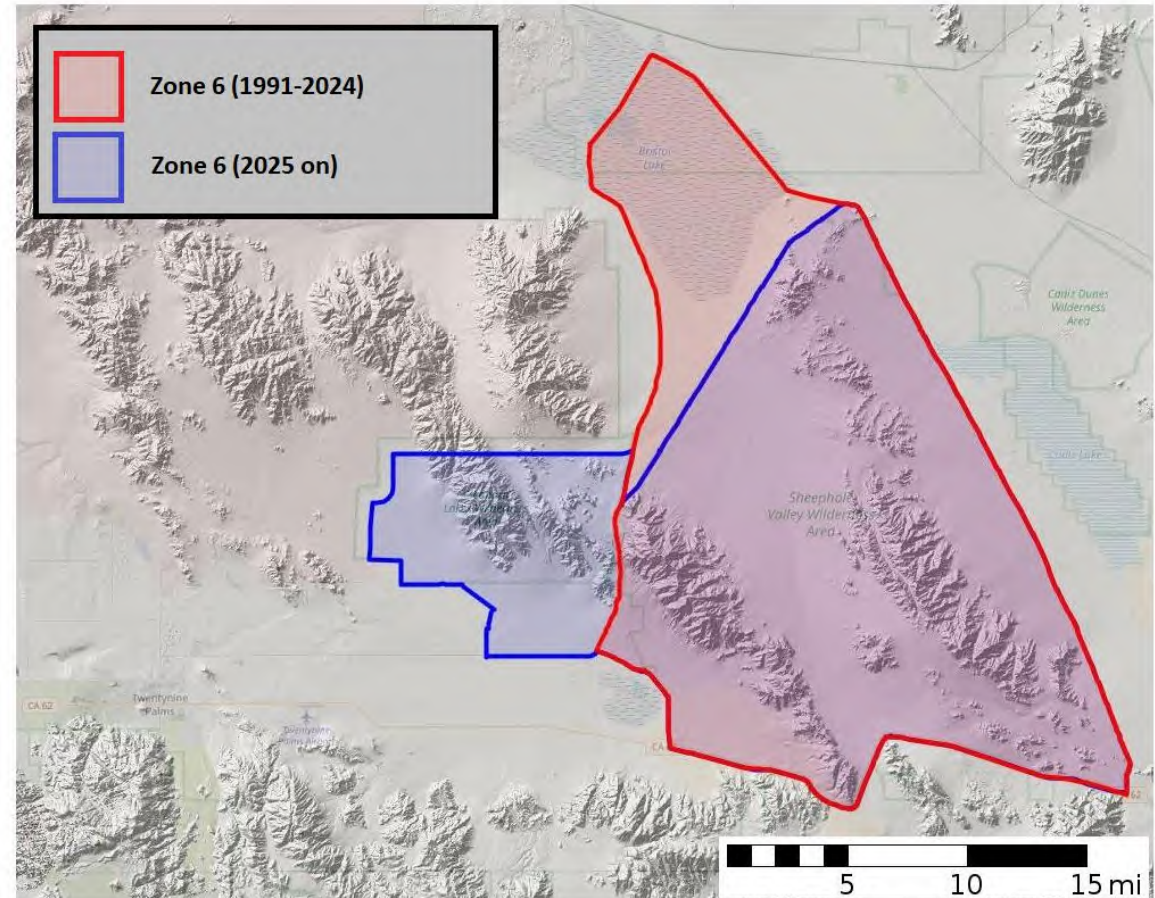
- Change to “Single Zone Tag” and adjust wording to allow CDFW to choose the zone each year, if needed.



Section 362 Bighorn Sheep

Sheep Hole (Zone 6): Boundary Adjustment *Section 362(6)(A)*

- Adjust the boundary (from red to blue) to better reflect habitat use of rams in this area.
- Adjustment is based on GPS data and home range analyses.
- Zone adjustment will likely increase hunter opportunity.



Section 362 Bighorn Sheep

White Mountains (Zone 7):

- Maintain summer season and pilot a winter season
 - Period 1: August 16 – September 28, 2025
 - Period 2: January 3 – February 1, 2026
- Increase tag allocation between both periods
 - Current season [0-6]
 - Period 1 [0-4]
 - Period 2 [0-4]



Photo: O. Brown

Section 362 Bighorn Sheep

Newberry/Rodman/Ord (Zone 10):

- Split the winter season into two periods
 - Period 1 December 6 – January 3, 2025
 - Period 2 January 4 – February 1, 2026
- Increase the tag allocation
 - Current [0-6]
 - Period 1 [0-7]
 - Period 2 [0-7]



Photo: E. Lindo

Section 362 Bighorn Sheep

Section 362(d) Bighorn sheep general tag quota adjustments based on population data

Nelson Bighorn Sheep Hunt Zones	24/25 Tag Allocation	Former Tag Quota Ranges	Proposed Tag Quota Range
Zone 1 – Marble/Clipper Mountains	1	0-5	0-5
Zone 2 – Kelso Peak/Old Dad Mountains*	2	0-2	0-4
Zone 3 – Clark/Kingston Mountain Ranges	3	0-4	0-4
Zone 4 – Orocopia Mountains	1	0-2	0-2
Zone 5 – San Geronio Wilderness	0	0-3	0-3
Zone 6 – Sheep Hole Mountains	1	0-2	0-2
Zone 7 – White Mountains*	4	0-6	-
Zone 7 – White Mountains Period 1*	-	-	0-4
Zone 7 – White Mountains Period 2*	-	-	0-4
Zone 8 – South Bristol Mountains	1	0-3	0-3
Zone 9 – Cady Mountains	2	0-4	0-4
Zone 10 – Newberry, Rodman, Ord Mountains*	6	0-6	-
Zone 10 – Newberry, Rodman, Ord Mountains Period 1*	-	-	0-7
Zone 10 – Newberry, Rodman, Ord Mountains Period 2*	-	-	0-7
Total:	20	0-37	0-49

* Denotes changes that are being proposed for 25/26

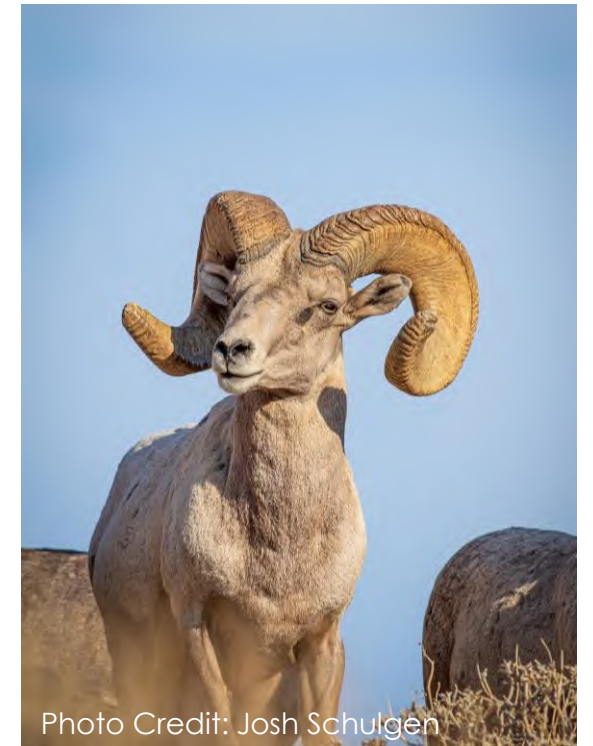


Section 362 Bighorn Sheep

Section 362(d) Bighorn sheep fundraising tag quota adjustments based on population data

Nelson Bighorn Sheep Hunt Zones	24/25 Tag Allocation	Former Tag Quota Ranges	Proposed Tag Quota Range
Open Zone Fundraising Tag	1	0-1	1
Marble/Clipper/S. Bristol Fundraising Tag*	0	0-1	-
Single Zone Fundraising Tag 1*	-	-	0-1
Cady Mountains Fundraising Tag*	1	0-1	-
Single Zone Fundraising Tag 2*	-	-	0-1
Total:	2	0-3	0-3

* Denotes changes that are being proposed for 25/26





PRONGHORN

Update

Pronghorn

- Prioritize annual population surveys in northeastern California due to population declines in northeastern California.
 - Scheduled for January – February 2025
 - Decreasing population estimate may require reduction of tags





ELK

Regulatory Proposals

Section 364 Elk and 364.1 SHARE Elk

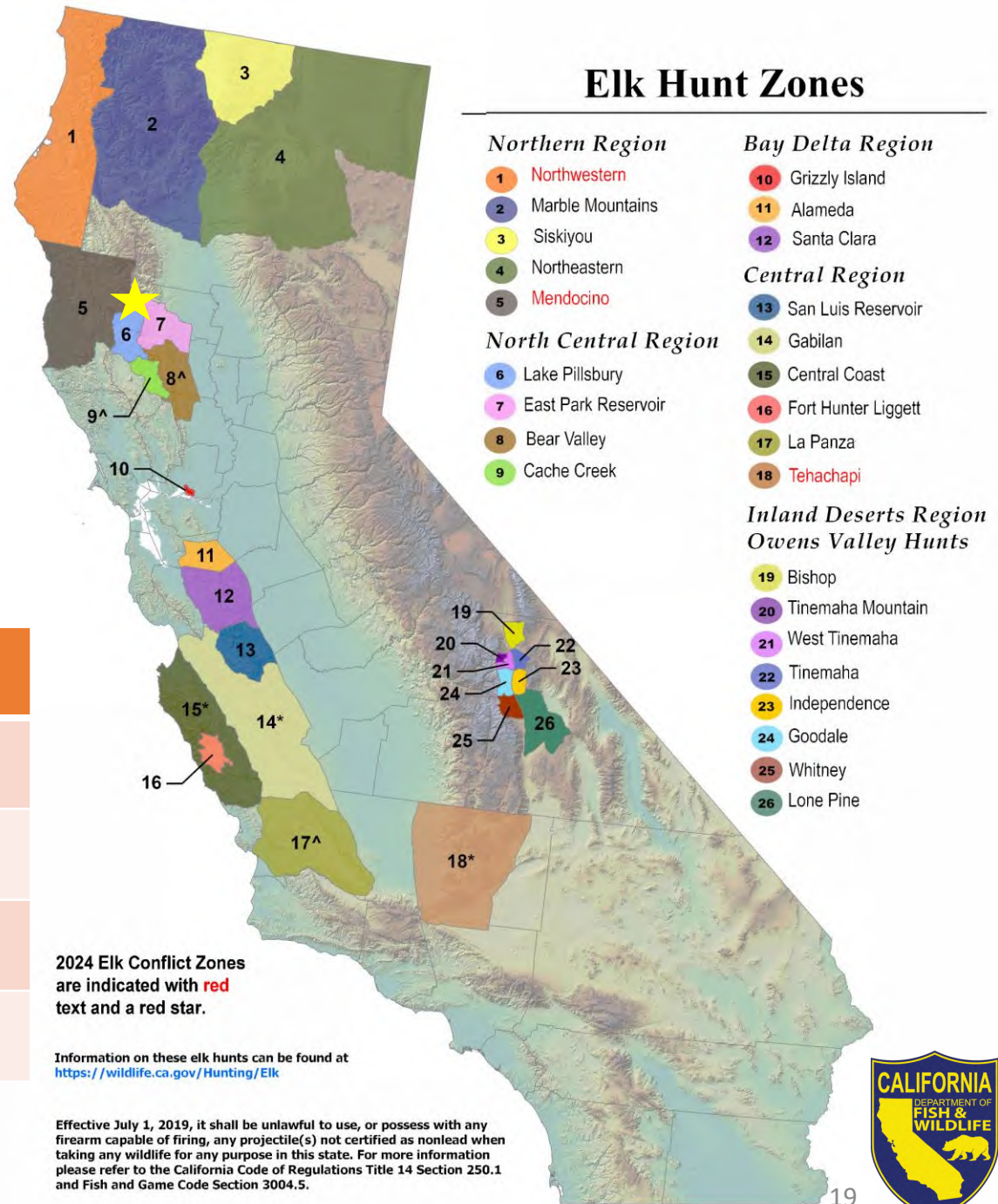
- General & SHARE Hunt Opportunities
 - Lake Pillsbury EMU
 - Bear Valley EMU
 - Gabilan EMU
 - Tehachapi EMU
- Archery Only Opportunities
 - Siskiyou EMU
 - Central Coast EMU
 - La Panza EMU
- Expand SHARE hunt season for coastal conflict zones



Lake Pillsbury Hunt Zone

- Scott Dam removal, potential significant loss of carrying capacity
- Consider increasing tags to 25% last minimum count, no more than 10% bulls
- Potential translocation source

Unit	Number
Population Objective	100 - 250
2024 Minimum Count	160
Bull:Cow Ratio Objective	1:4 (25%)
2024 Bull:Cow Ratio	3:20 (15%)
	Below goal



Lake Pillsbury Hunt Zone

- Stagger seven-day hunt periods before and after bull hunt with no more than 4 tags issued per period

Tag Type	2024 Bull	2024 Cow	2025 Bull	2025 Cow
General	2	4	[2-4]	[4-12]
PLM	0	0	0	0
SHARE*	-	-	-	-
Total	2	4	2-4	4-12

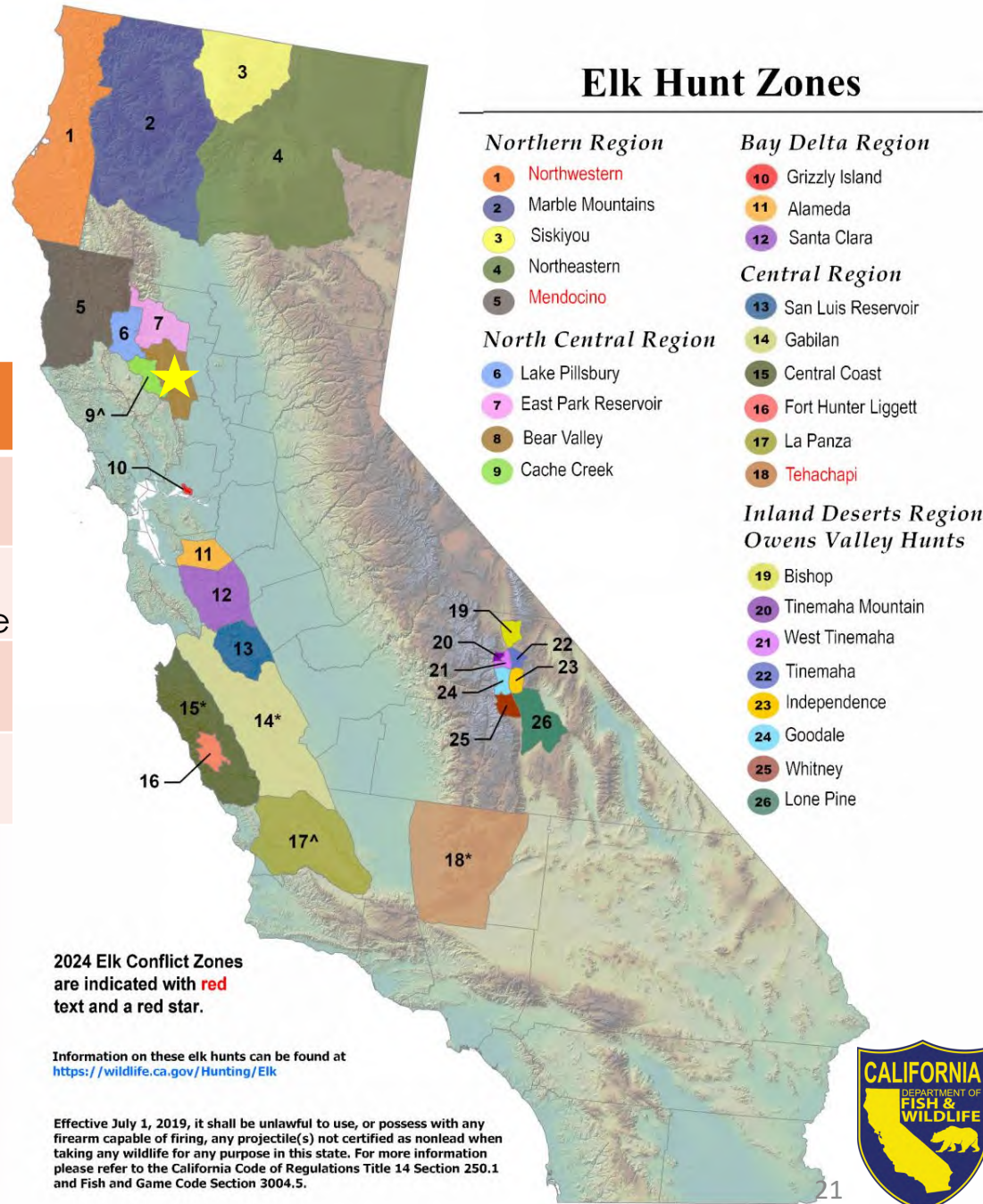
**Net Change: 0-2 additional bull tags,
0-8 additional cow tags**

*No SHARE elk tags in Lake Pillsbury Hunt Zone



Bear Valley Hunt Zone

Unit	Number
Population Objective	150-450 Includes Cache Creek
2024 Minimum Count	400 215 in Bear Valley alone
Bull:Cow Ratio Objective	1:4 (25%)
2024 Bull:Cow Ratio	21:100 (21%)



Bear Valley Hunt Zone

- Propose additional SHARE properties
 - Unit almost entirely private
 - Allow landowner to offset cost of damage caused by elk

Tag Type	2024 Bull	2024 Cow	2025 Bull	2025 Cow
General	2	1	2	1
PLM	0	0	0	0
SHARE	2	1	2	[1-6]
Total	4	2	4	2-7

Net Change: 0-5 additional cow tags



Gabilan Hunt Zone

- Populations increasing
- Access is limited due to private property

Unit	Number
Population Objective	150 - 250
2024 Minimum Count	> 250
Bull:Cow Ratio Objective	1:4 (25%)
2024 Bull:Cow Ratio	> 25%



Gabilan Hunt Zone

- Proposes to increase current tag allocation by adding 0-6 general bull tags
- Tag increase will be based on upcoming surveys (January – February 2025)

Tag Type	2024 Bull	2024 Cow	2025 Bull	2025 Cow
General	4	6	4-10	6
PLM	0	0	0	0
SHARE	-	-	-	-
Total	4	0	4-10	6

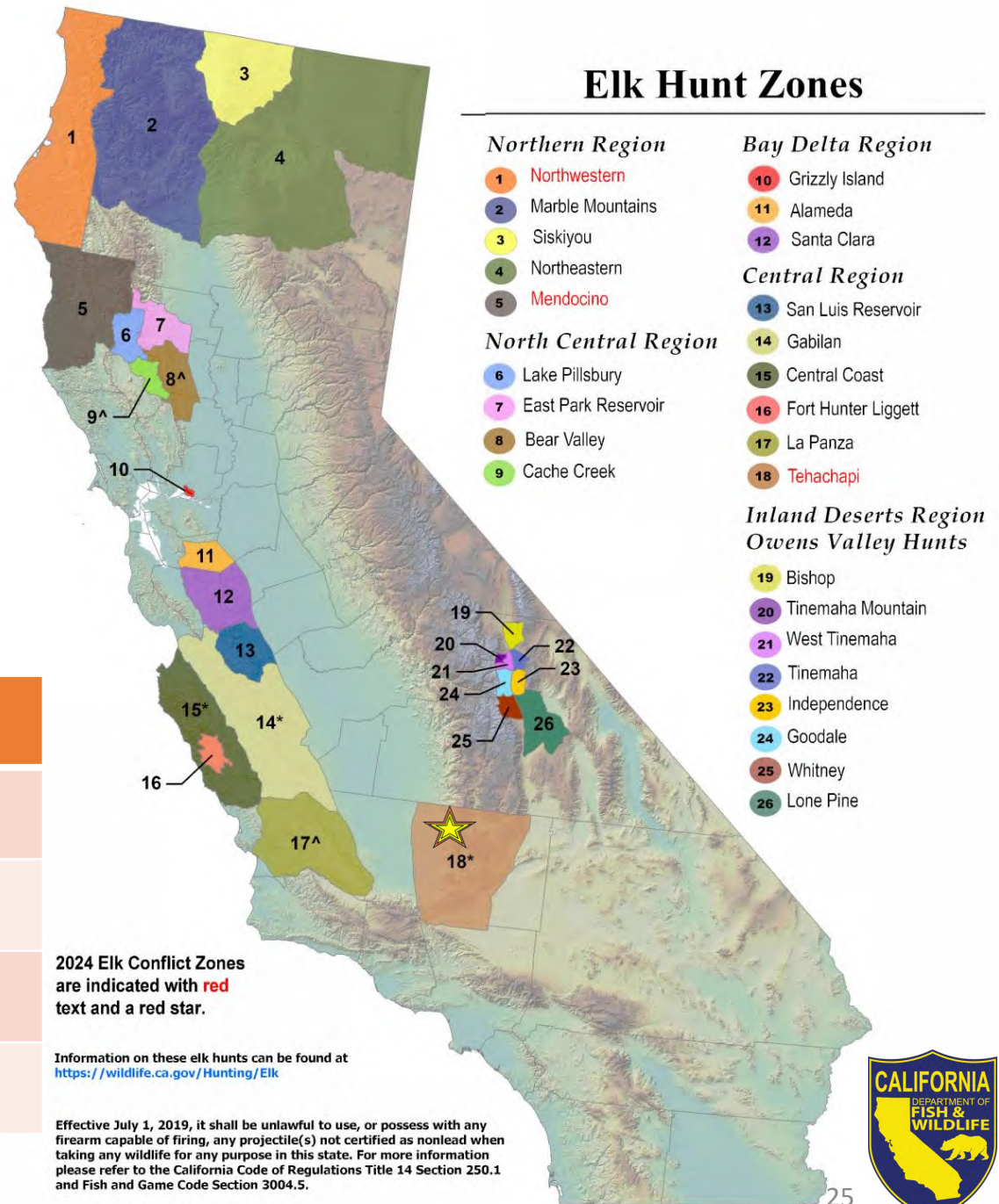


Net Change: 0 - 6 additional bull tags

Tehachapi Hunt Zone

- Population increasing
- Potential genetic incursion into neighboring tule elk herds
- Private access fees have discouraged full utilization of cow tags (7/10 used)

Unit	Number
Population Objective	150 - 350
2024 Minimum Count	> 350
Bull:Cow Ratio Objective	1:4 (25%)
2024 Bull:Cow Ratio	47%

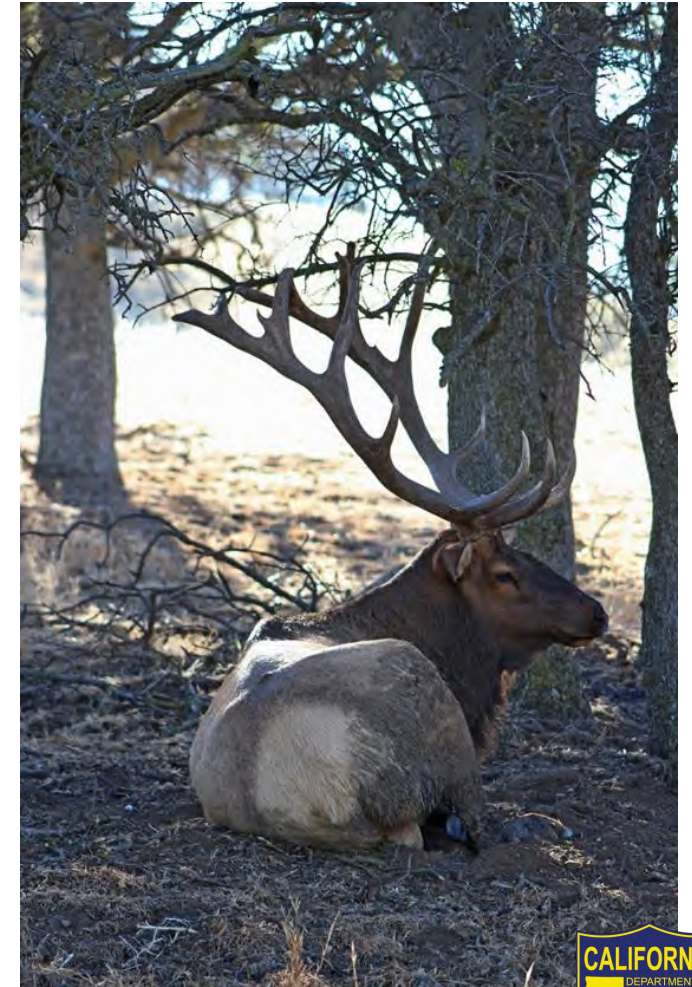


Tehachapi Hunt Zone

- Proposes to increase current tag allocation by adding 0-5 general bull tags

Tag Type	2024 Bull	2024 Cow	2025 Bull	2025 Cow
General	5	10	5-10	10
PLM	0	0	0	0
SHARE	-	-	-	-
Total	5	10	5 - 10	10

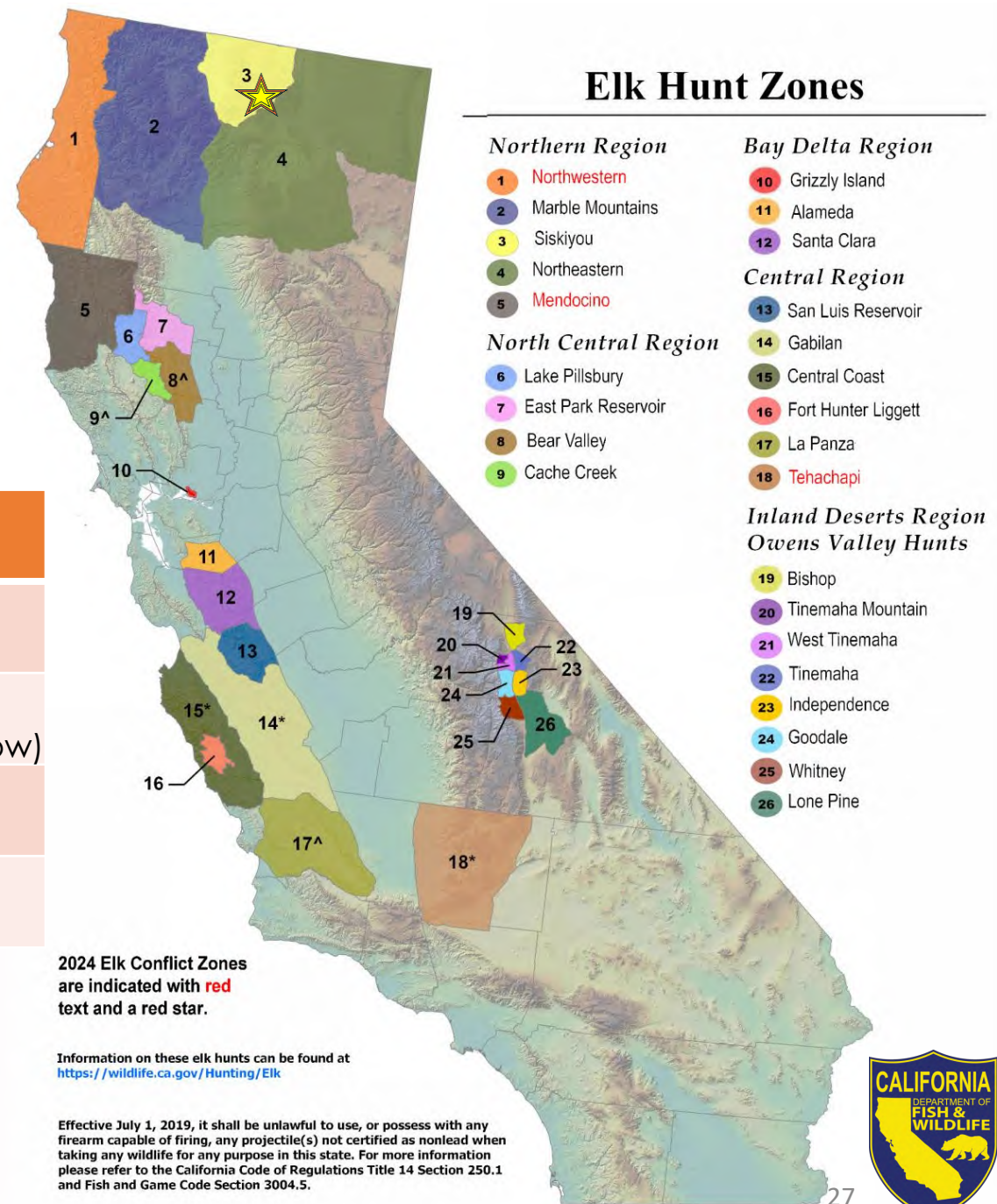
Net Change: 0-5 additional bull tags



Siskiyou Hunt Zone

- Previously considered as conflict zone
- County expressed desire to have general tags instead

Unit	Number
Population Objective	600-1000
2024 Minimum Count	506 Road survey count (low)
Bull:Cow Ratio Objective	1:4 (25%)
2024 Bull:Cow Ratio	17:100 (17%) Below objective



Siskiyou Hunt Zone

- Proposes to add 0-10 **archery-only** bull tags
- Current Season: Wednesday preceding the second Saturday in September and continue for 12 consecutive days (Section 364(r)(1)(A)-(B))
- Proposed Season: 4th Wed Aug to 2nd Tues Sept
- Winter survey to complete census

Tag Type	2024 Bull	2024 Cow	2025 Bull	2025 Cow
General	20	30	20	30
Archery	0	0	[0-10]	0
PLM	4	2	4	2
SHARE	2	2	2	2
Total	26	34	26-36	34

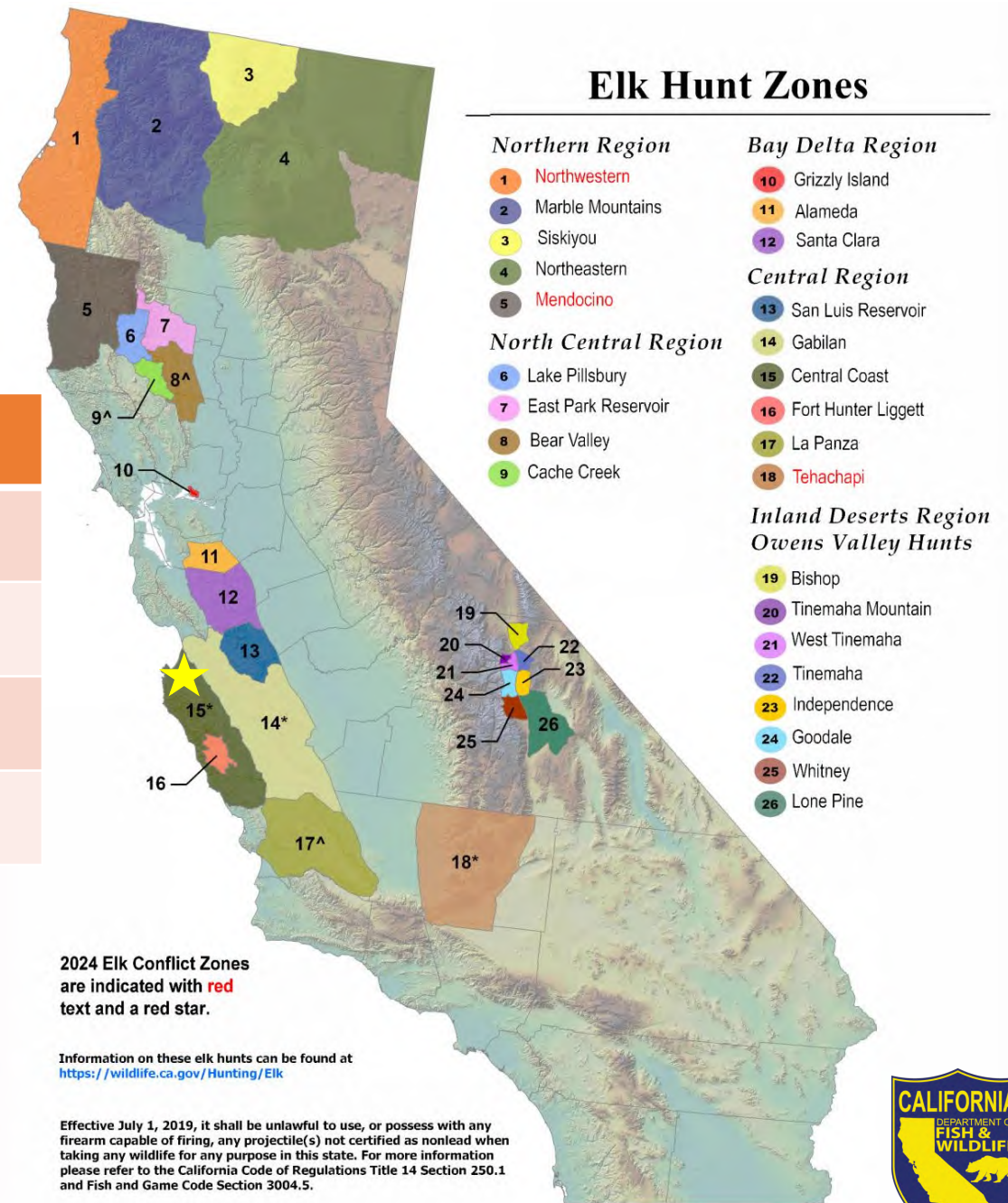
Net Change: 0-10 additional bull tags



Central Coast Hunt Zone

- Populations increasing and causing conflict

Unit	Number
Population Objective	100-300
2024 Minimum Count	650 Above (2x) objective
Bull:Cow Ratio Objective	1:4 (25%)
2024 Bull:Cow Ratio	3:10 (30%) Above objective

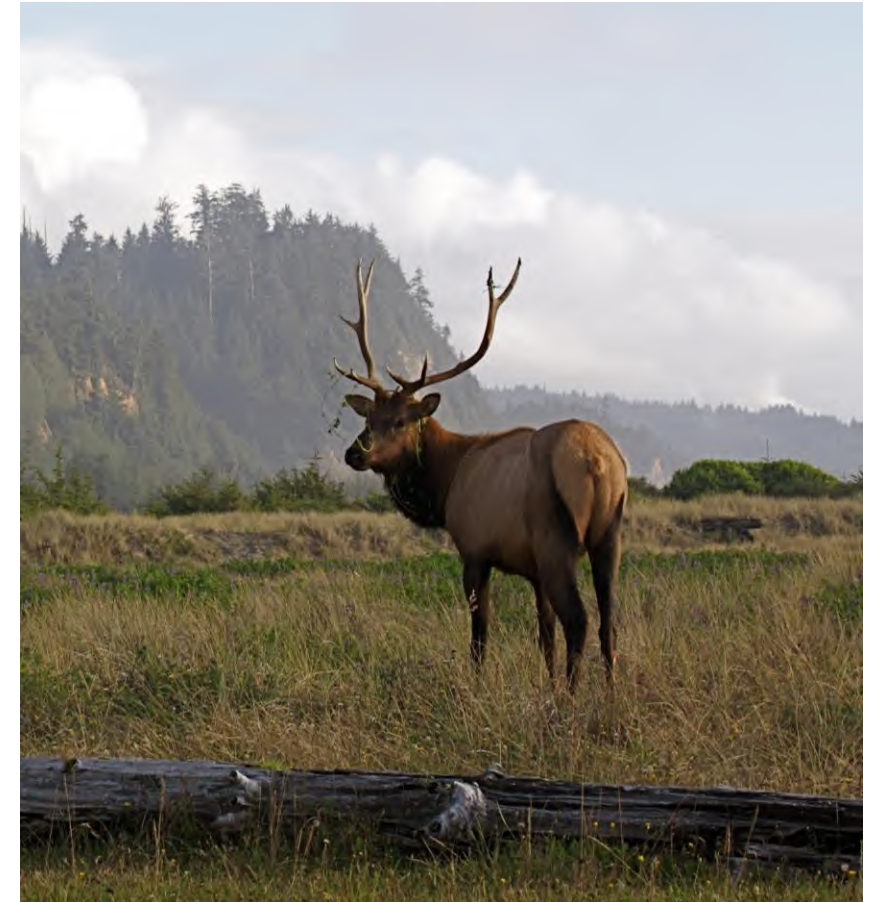


Central Coast Hunt Zone

- Additional archery season opportunity proposed

Tag Type	2024 Bull	2024 Cow	2025 Bull	2025 Cow
General	10	10	10	10
Archery	0	0	[0-4]	[0-2]
PLM	30	25	28	25
SHARE*	-	-	-	-
Total	40	35	38-42	35-37

Net Change: additional 0-2 bull & 0-2 cow tags

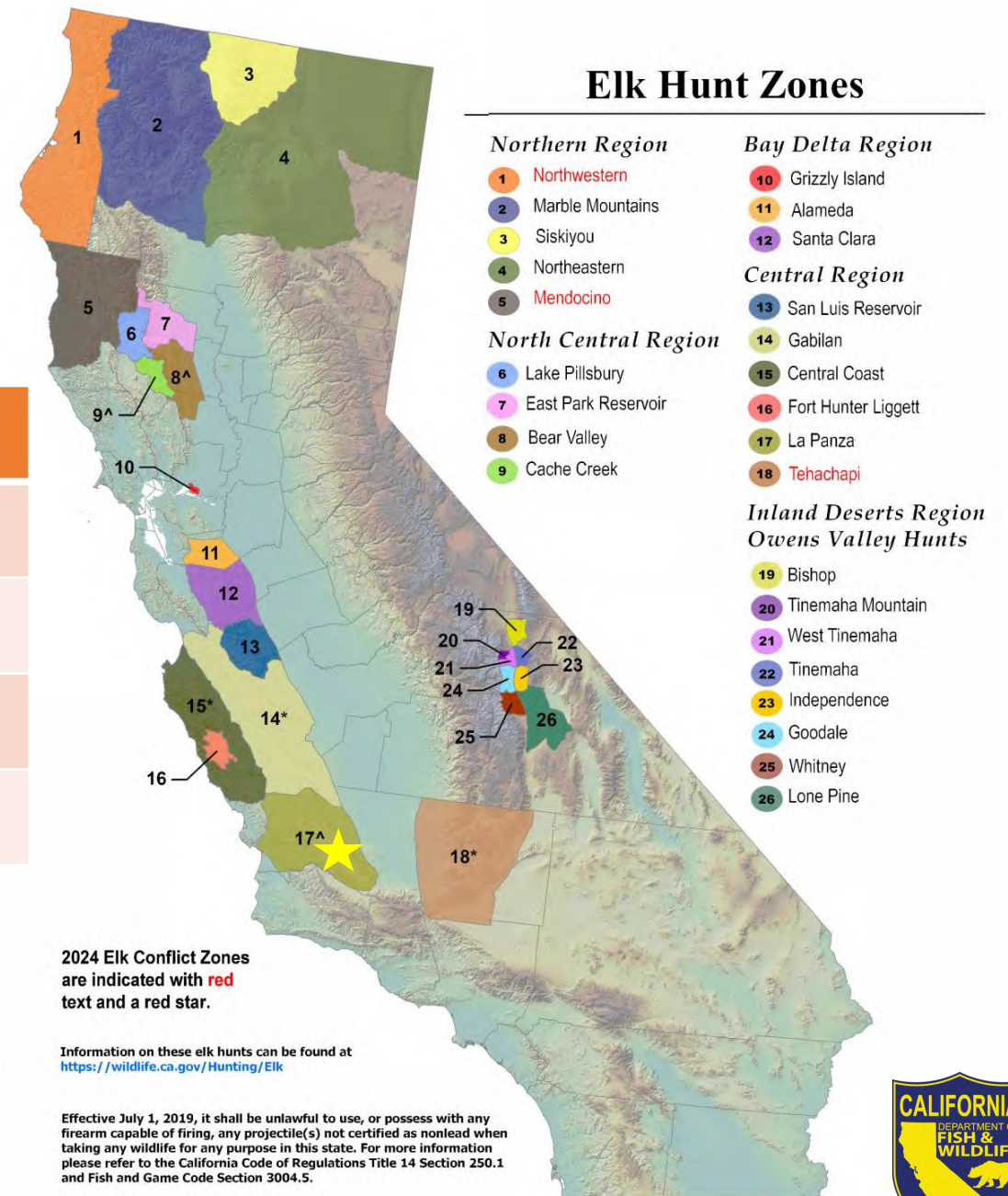


*No SHARE elk tags in the Central Coast Hunt Zone

La Panza Hunt Zone

- Populations increasing - limited public lands

Unit	Number
Population Objective	500-1200
2024 Minimum Count	890 Within objective
Bull:Cow Ratio Objective	1:4 (25%)
2024 Bull:Cow Ratio	31:100 (31%) Above objective

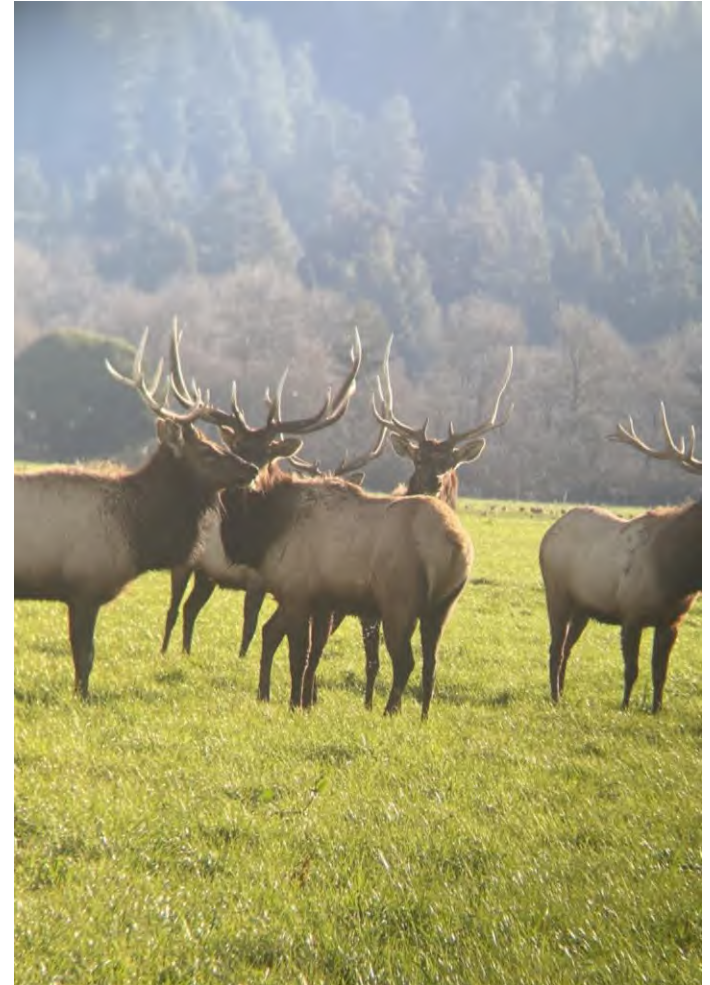


La Panza Hunt Zone

- Additional archery season opportunity proposed Sept 1 – Sept 30

Tag Type	2024 Bull	2024 Cow	2025 Bull	2025 Cow
General	12	12	12	12
Archery	0	0	[0-4]	[0-2]
PLM	27	21	27	21
SHARE*	0	0	0	0
	39	33	39-43	33-35

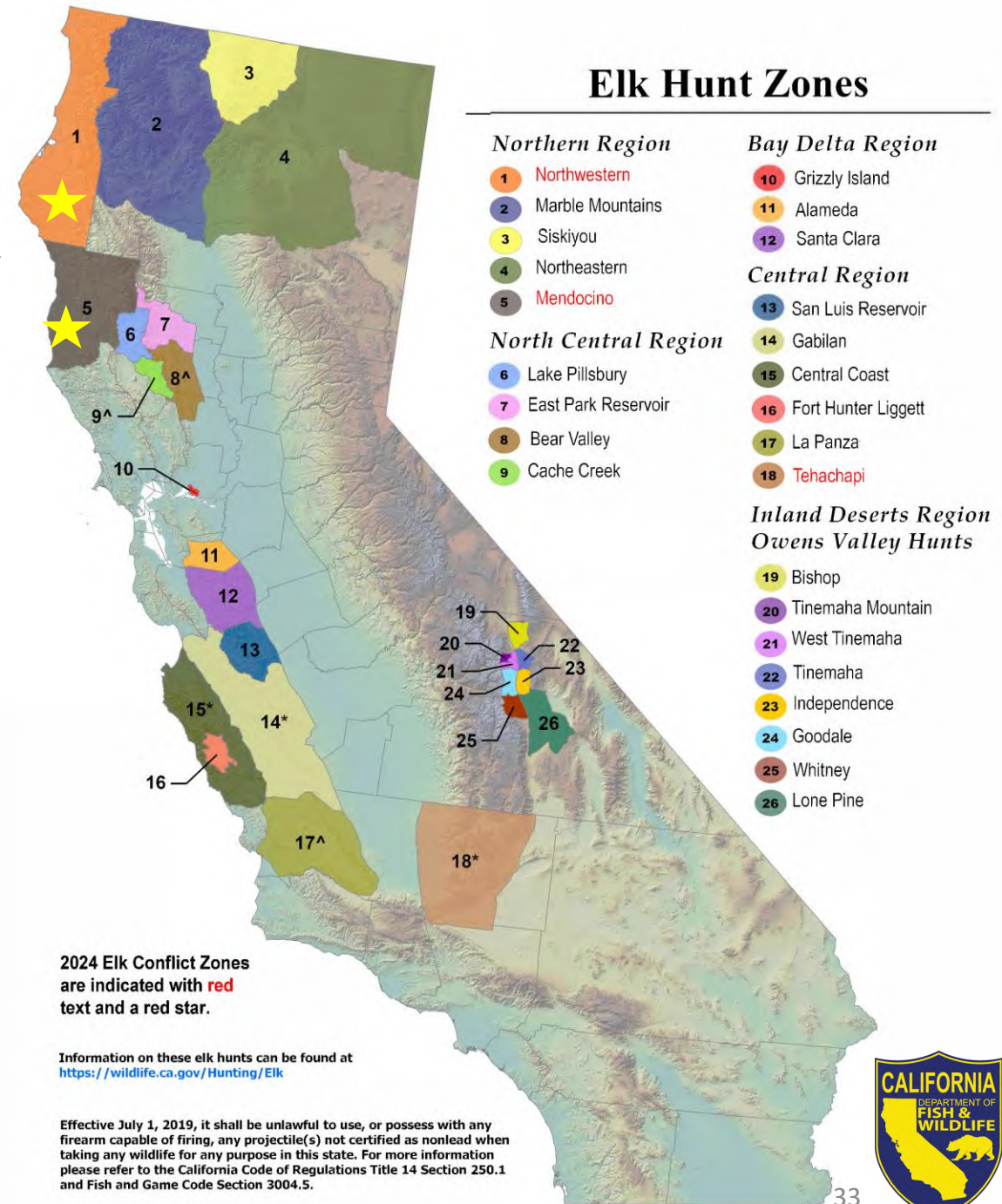
Net Change: additional 0-4 bull & 0-2 cow tags



*No SHARE *properties* in the La Panza Hunt Zone

Northwestern and Mendocino Hunt Zones

- Conflict occurring outside existing hunting season
 - Adjust season timing on SHARE properties to account for conflict timing
 - Propose to have year-round season in NW and Mendo conflict zones
 - Spring hunts to target bulls as conflicts arise
 - Amend Title 14 Section 364.1 (a) required
- New SHARE properties for 2024:
 - 1 in Northwestern zone
 - 3 in Mendocino zone



Emergency Action to Amend Section 708.5 Title 14, California Code of Regulations. Re: Testing for Chronic Wasting Disease

From Han Bui [REDACTED]
Date Mon 11/25/2024 09:44 PM
To FGC <FGC@fgc.ca.gov>

Introduction

I am a marine biology student at Pasadena City College. I am writing to provide my commentary on the proposed Testing for Chronic Wasting Disease. As a concerned student, I worried about the overall health of the public. By increasing these testing, we can prevent disease in animals and humans. Locating the diseased and stopping it from spreading can have a huge impact on the food webs of biodiversity.

Background

The purpose of this proposal is to detect infectious diseases (CWD) in animals and prevent further spreading. By locating the diseases, this can help predict the future effects of the surrounding environment. The mission is objectively admirable and should be further invested. However, it is important to look into the regulations and the full potential of the agendas. This is to ensure the plans are following through with its goals.

1. **Ecological Impact** : The stopping of the disease spreading will decrease negative impacts on species. The animals that have been infected can be treated and prevent them transmitting to others. The disease is always fatal due to prion ecology, if prevented late, there will be irreversible damage to the biodiversity. Yet, it is still noted that the focus of this proposal are deer and elk.
2. **Social and Economic Impact** : It is undeniable that the cost of testing can go up tens of millions dollars per year. The expenditure in sampling, testing, traveling, etc can put a financial burden on the government. However, to ensure the safety of wildlife as well as the ecosystem service that it provides for humans. It is best to eradicate more potential disease to prevent the cost of an outbreak. If we let an outbreak happen, it will damage our economy even more.

Recommendation

1. Clearly define the CWD Management Zone for deer sampling. These areas are targeted as the deer hunting zones where we have seen traces of CWD.
2. Required the hunters who hunt deer within the zone to provide testing and sampling. This helps the Department navigate the health of these animals.
3. Hunters must provide minimum information about themselves and the samples they are providing. This is to ensure the geographic location of where the potential disease is coming from

Conclusions

There is a huge need to expand CWD with better and proper protocols in place. Our environment is getting damaged further day by day and it is not only humans that are living on this planet. We have a huge responsibility to ensure the safeness of animals. It is undeniable

that the lasting impact of infectious disease outweighs the amount of money that's going into this project.

References

Burgess, K. (2022, March 29). *Chronic wasting disease: How wildlife disease is shaping wildlife management*. National Caucus of Environmental Legislators. [Internet]

Chiavacci, S. J. (2023, January 30). *New USGS study offers roadmap to the economics of chronic wasting disease: U.S. geological survey*. New USGS Study Offers Roadmap to the Economics of Chronic Wasting Disease | U.S. Geological Survey. [Internet]