

TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections **200, 203, 203.1, 219, 265, 325, 331, 332, 460, 1050, 3051, 3452, 3453, 3953, 4334, and 4902** of the Fish and Game Code and to implement, interpret or make specific Sections **33, 200, 203, 203.1, 255, 265, 331, 332, 458, 459, 460, 713, 1050, 1570, 1571, 1572, 1573, 1574, 3051, 3452, 3453, 3950, 3953, 4334, 4336, and 4902** of said Code, proposes to **amend** Sections **360, 362, 363, 364, 364.1, and 708.5** Title 14, California Code of Regulations, relating to **big game hunting for 2025-2026 seasons and chronic wasting disease testing.**

Informative Digest/Policy Statement Overview

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

Background

Big Game Hunting Tags

The Fish and Game Commission (Commission) periodically considers the recommendations of the Department of Fish and Wildlife (Department) in amending big game 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 big game species management. To maintain appropriate harvest levels and hunting quality, tags and seasons must be adjusted periodically in response to dynamic environmental, biological, and social conditions.

Current regulations in section 360, 362, 363, and 364 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 deer, bighorn sheep, pronghorn antelope, and elk hunting, respectively. Harvest of a deer, bighorn sheep, pronghorn antelope, or elk is authorized for an individual with a tag for a respective hunt zone or area and season or specific property.

Individuals are awarded general hunting tags for deer, bighorn sheep, pronghorn antelope, and elk through the California Department of Fish and Wildlife (Department's) Big Game Drawing. Deer and elk tags are also distributed through: (1) Cooperative Hunting Area "Landowner" tags, and (2) Private Lands Wildlife Habitat Enhancement and Management Area (PLM) tags. Lastly, the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program, also distributes elk tags through a lottery following the Department's Big Game Drawing.

For all big game species, a limited number of fundraising tags are also available for purchase, usually by auction, via non-governmental organizations that assist the Department with fundraising.

Chronic Wasting Disease

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 deer 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.

Periodic adjustments of tag quotas in response to dynamic environmental and biological conditions are necessary to maintain sustainable populations of elk, provide public hunt opportunities, alleviate conflict, and keep with mandates and management recommendations. Unfortunately, administrative procedures and the Fish and Game Code require the Fish and Game Commission to receive proposed changes to existing regulations prior to the completion of surveys and analyses, thus necessitating a range of numbers. Analyses for all big game species are scheduled for completion by March 2025.

Proposed Changes

The proposed changes are as follows:

Section 360 Deer

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

Add subsection (c)(16) to establish a late season buck hunt in the portion of hunt zone D-7 that is in Madera County and to set a tag quota range of 0-50 tags.

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.

Renumber subsections (16) through (44).

Section 362 Nelson Bighorn Sheep

Amend section 362(a) to redefine the north and western boundaries for Zone 6 (Sheep Hole Mountains)(Figure 1). The 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.

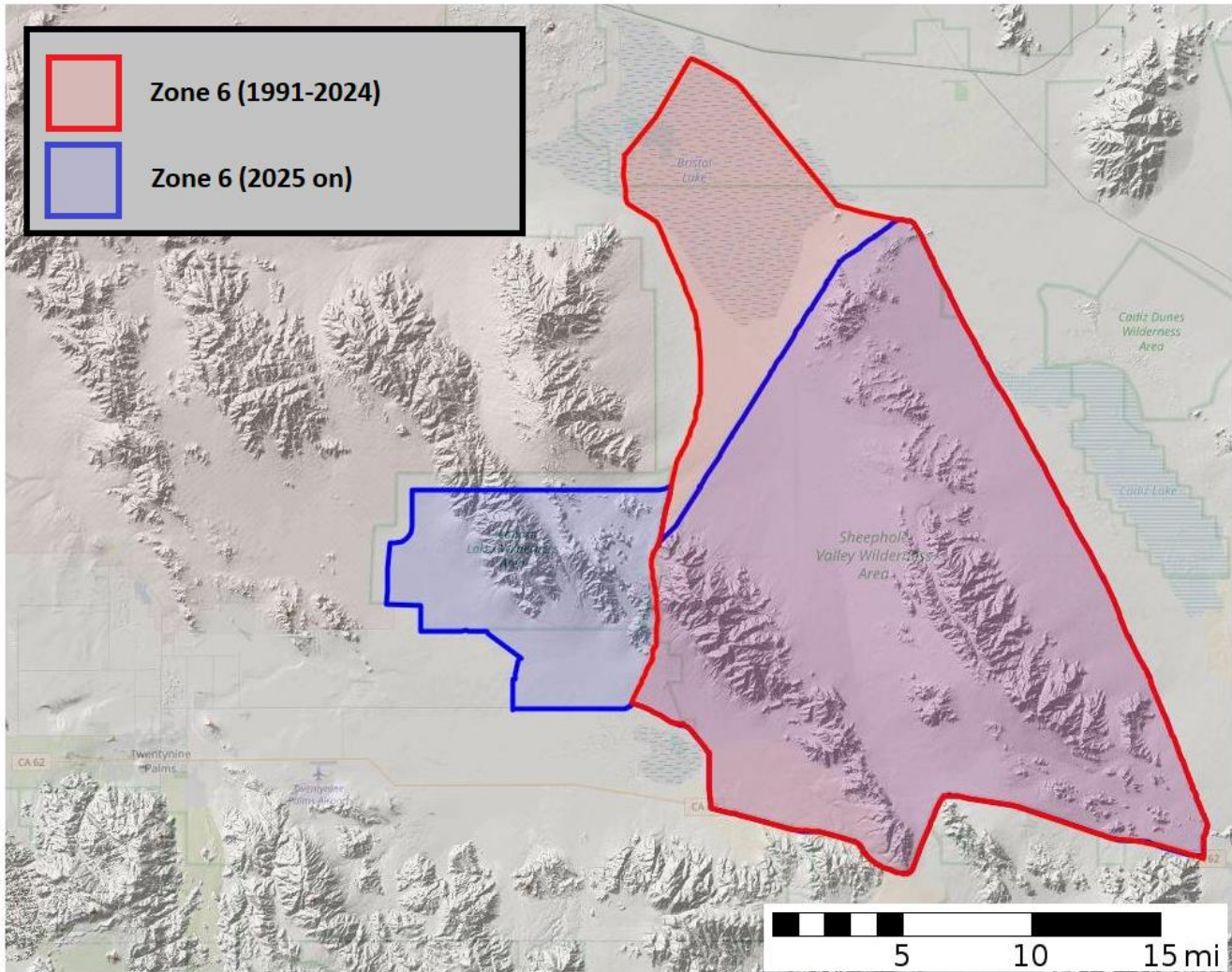


Figure 1. Map of current and proposed Zone 6 boundaries.

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 subsections 362(b)(1), 362(b)(2), and 362(b)(3) to correct citations of Fish and Game Code from “subsection” to “subdivision.”

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 new winter season dates. 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 can 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 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]

<i>Nelson Bighorn Sheep Hunt Zones</i>	<i>Tag Allocation 2024</i>	<i>Proposed Tag Allocation 2025</i>
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 Gorgonio 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.

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 2. Section 363(m)

<i>Hunt Area</i>	<i>Archery-Only Season Buck</i>	<i>Archery-Only Season Doe</i>	<i>General Season Period 1 Buck</i>	<i>General Season Period 1 Doe</i>	<i>General Season Period 1 Apprentice Either-Sex</i>	<i>General Season Period 2 Buck</i>	<i>General Season Period 2 Doe</i>	<i>Fundraising</i>
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

Section 364 Elk Hunts, Seasons, and Number of Tags

Add 364(f)(7), 364(f)(8), and 364(f)(9) to add archery only elk hunts in the Central Coast (364(d)(3)(A)), La Panza (364(d)(2)(A)), and Siskiyou (364(a)(1)(A)) hunt areas to manage increasing populations and provide hunter opportunity. 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 2018 Elk Conservation and Management Plan. 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 2018 Elk Conservation and Management Plan.

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 2018 Elk Conservation and Management Plan.

Table 3. Section 364(s)(2)(A)

Section	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(2)(A)	Tehachapi	5 [5-10]	10	0	0	Shall open on the first Saturday in September and continue for 30 consecutive days.

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 to up to 10 bull tags to manage the increasing population and reduce elk conflict.

Table 4. Section 364(u)(4)(A)

Section	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(4)(A)	Gabilan	4 [4-10]	6	0	0	Shall open on the second Saturday in November and continue for 23 consecutive days.

Amend 364(u)(18) to add new periods and increase the Lake Pillsbury bull and antlerless tag quotas. 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. 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.

Table 5. Section 364(u)(18)(A)

Section	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 last Saturday in August and continue for seven consecutive days.
(18)(B)	Lake Pillsbury Period 2	2 0	0 [0-4]	0	0	Shall open on the first Saturday in September and continue for seven consecutive days.
(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.

Add 364(w)(7), 364(w)(8), 364(w)(9) to identify novel archery only elk hunts, tag allocations, and seasons. The proposal is necessary to identify tag allocations and seasons for the proposed archery hunts.

Table 6. Section 364(w)(7)-(9)

Section	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(7)	Central Coast Archery Only Tule Elk Hunt	[0-5]	[0-5]	0	0	Shall open on September 1 and continue until September 30.

Section	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(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>

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 (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. 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 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 up to 5 antlerless tags (total of 6 tags). The proposal 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.

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.

Table 7. Section 364(l)(17).

Section	(A) Hunts	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	(B) Area
(17)	Bear Valley	2	<u>[0-6]</u>	0	0	The tag shall be valid in the area described in subsection 364(d)(17)(A).

Section 708.5 Deer Tagging, Reporting, and Testing Requirements

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) 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 (g) 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 (h) to indicate how and where the Department will provide current information on CWD detections in California.

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.

Benefit of the Regulations

The goals and benefits of the regulations are to help maintain sustainable populations of deer, bighorn sheep, and elk, provide hunting opportunities where feasible, alleviate human-wildlife conflict, and achieve management recommendations in existing unit plans.

Consistency and Compatibility with Existing Regulations

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to adopt regulations governing deer hunting, bighorn sheep hunting, pronghorn antelope hunting, elk hunting, SHARE elk hunting, and deer tagging, reporting, and testing requirements (California Fish and Game Code Section 200). No other state agency has the authority to adopt regulations governing deer hunting, bighorn sheep hunting, pronghorn antelope hunting, elk hunting, SHARE elk hunting, and deer tagging, reporting, and testing requirements. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding the adoption of deer hunting, bighorn sheep hunting, pronghorn antelope hunting, elk hunting, SHARE elk hunting, and deer tagging, reporting, and testing regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

Public Participation

Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before **5:00 PM on Thursday, April 3, 2025** at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office, must be received before **12:00 noon on Friday, April 11, 2025**. If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, PO Box 944209, Sacramento, CA 94244-2090.

Meetings

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the **California Natural Resources Headquarters Building, Second Floor, 715 P Street, Sacramento, California**, which will commence at **8:30 a.m.** on **February 12, 2025** and may continue at **8:30 a.m.**, on **February 13, 2025**. This meeting will also include the opportunity to participate via webinar/teleconference. Instructions for participation in the webinar/teleconference hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling 916-653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing,

relevant to this action at a hearing to be held in **Sacramento, California**, which will commence at **8:30 a.m.** on **April 16, 2025**, and may continue at **8:30 a.m.** on **April 17, 2025**. The exact location of this meeting has not yet been determined. As soon as this information is available but not less than ten days before the hearing, a continuation notice will be sent to interested and affected parties providing the exact location. The continuation notice will also be published on the Commission's website. This meeting will also include the opportunity to participate via webinar/teleconference. Instructions for participation in the webinar/teleconference hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling 916-653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

Availability of Documents

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikethrough format can be accessed through the Commission website at www.fgc.ca.gov. The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Melissa Miller-Henson, Executive Director, Fish and Game Commission, 715 P Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Melissa Miller-Henson or David Haug at FGC@fgc.ca.gov or at the preceding address or phone number. **Mario Klip, Game Conservation and Wildlife Connectivity Program Manager, Department of Fish and Wildlife, mario.klip@wildlife.ca.gov, has been designated to respond to questions on the substance of the proposed regulations.**

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 265 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in sections 11343.4, 11346.4, 11346.8 and 11347.1 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Assessment

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 Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

360 and 708.5: 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.

362: 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.

363: 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.

364 and 364.1: 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:

360 and 708.5: 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.

362: 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.

363: 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.

364 and 364.1: 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:

360 and 708.5: 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. 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.

362: 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.

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

364: 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:

360 and 708.5: 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.

362: 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).

363: 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).

364: 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:

All: None.

(f) Programs Mandated on Local Agencies or School Districts:

All: 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:

All: None.

(h) Effect on Housing Costs:

All: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Melissa Miller-Henson
Executive Director

Dated: 12/30/2024