

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

## Amend Section 360 and 708.5

# Title 14, California Code of Regulations

Re: Chronic Wasting Disease: Mandatory Testing and Late Season D-7 Buck Hunt

## I. Dates of Statements of Reasons

- (a) Initial Statement of Reasons: January 28, 2025
- (b) Pre-adoption Statement of Reasons: April 4, 2025
- (c) Final Statement of Reasons: April 29, 2025

## I. 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

## II. Update

At its April 16, 2025 meeting, the Fish and Game Commission (Commission) adopted the proposed changes that focus on mandatory chronic wasting disease testing and a late season buck hunt in D-7, as provided in the Adopted Regulatory Text, attached.

### III. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations

For comments from April 8, 2025 to present, please see Attachment 1.

#### 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.

(c) Consideration of Alternatives

In view of information currently possessed, no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

(d) Description of Reasonable Alternatives that Would Lessen Adverse Impact on Small Business

None identified.

V. 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 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 ~~\$475,900~~\$649,856 to maintain the proposed mandatory testing of deer carcasses for CWD (**see the STD. 399 Addendum**). 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 United States Fish and Wildlife Service grant for the 2025-26 hunting season and imposes no additional costs to the Department (see ~~table 1 and 2~~ table 1 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 STD 399 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.