

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

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

I. Dates of Statements of Reasons

- (a) Initial Statement of Reasons: Date: January 8, 2026
- (b) Pre-adoption Statement of Reasons: Date: March 17, 2026
- (c) Final Statement of Reasons: Date: April 24, 2026

II. Dates and Locations of Scheduled Hearings

- (a) Notice Hearing
 Date: December 10, 2025 Location: Sacramento, CA
- (b) Discussion Hearing
 Date: February 12, 2026 Location: Sacramento, CA
- (c) Adoption Hearing
 Date: April 16, 2026 Location: Sacramento, CA

III. Update

The original proposed regulatory language provided a range of tag quota allocations for Nelson bighorn sheep hunting and provided a range of possible zones for single zone fundraising tag 2 as surveys and data analysis had not been completed by the administrative deadline for notice.

Following completion of surveys and data analysis, the proposed regulatory language was updated in the Pre-adoption Statement of Reasons to provide the California Department of Fish and Wildlife (Department) final recommendations for tag quotas and the zone for single zone fundraising tag 2.

At its April 16, 2026 meeting, the Fish and Game Commission (Commission) adopted the proposed changes, including the Department final recommendations, that focus on Nelson bighorn sheep tag quotas under subsection 362(d).

Non substantive changes were made to remove underline formatting from commas in subsections (b)(1)(A), (b)(2)(A), (b)(3)(A) and closing parenthesis in subsection (b)(4); replace “subsection” with “subsections” in subsection (b)(4); replace hyphens with em dashes and correct spacing between zone numbers and zone names for zones 11 through 13 in subsection (d) for consistency with the format used in the rest of the table.

There have been no other changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.

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

Please see Attachment 1, Summary and Responses to Public Comments.

V. 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, no new hunting zones would be added, **tag quotas would not be adjusted**, and the outstanding issues concerning the regulations currently governing bighorn sheep hunting would remain unaddressed. The no change alternative would not be consistent with hunting opportunity objectives and maintaining bighorn sheep populations within desired population objectives. Subdivision (b) of **Fish and Game Code** Section 4902 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.

(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.

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 **approved** 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 **approved** action **will add five** tags in three new hunting zones across a large geographic region and will adjust tag quotas for existing hunts **for a total net increase of three tags across all hunt zones**. Given the number of tags available and the area over which they are distributed, **the adopted regulations** 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 within the state, the creation of new business, the elimination of existing businesses, or the expansion of businesses in California because the expected economic impacts of the **adopted** regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to Nelson bighorn sheep hunting. If greater numbers of hunters visit the areas in the state with increased opportunities, businesses that provide goods and services to Nelson bighorn sheep hunters could benefit from small increases in sales. **If fewer hunters visit Zone 7, which is allocated two fewer tags under the adopted regulations,** businesses that provide goods and services to Nelson bighorn sheep hunters could be negatively affected from small decreases in sales. Anticipated benefits to the environment include, but are not limited to, the maintenance of populations of Nelson bighorn sheep to ensure their continued existence and supporting recreational opportunity, and funding wildlife conservation through the fees that hunters pay for licenses and tags. While there are no anticipated benefits to worker safety, hunting is an outdoor activity that can provide several health and welfare benefits to California residents, including the benefits of fresh game to eat and exercise from outdoor recreation.

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

The total **number** of tags across all zones **will** increase **by three** across a large geographic area, so no net economic impacts to individuals or to businesses that support Nelson bighorn sheep hunts are anticipated. As such, 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:

The Commission does not anticipate any new costs or savings to state agencies or costs/savings in federal funding to the state. However, Department revenue will potentially increase with **the adopted increase in available** bighorn sheep tags (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

Updated Informative Digest/Policy Statement Overview

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

Background

The California Fish and Game Commission (Commission) periodically considers recommendations from the California Department of Fish and Wildlife (Department) to amend bighorn sheep hunting regulations. Considerations include recommendations for adjusting tag quotas, setting hunt periods, modifying area boundaries, and authorizing methods of take, among others, to help achieve management goals and objectives for bighorn sheep.

Current regulations in Section 362 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 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 specific 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 Changes

Amend subsections 362(a) and (b) to add three new hunt areas in San Bernardino County for bighorn sheep: Granite and North Bristol Mountains (Zone 11), Providence, Woods, and Hackberry Mountains (Zone 12), and Castle Mountains and Piute Range (Zone 13). The season for all three zones would match the other zones in the area starting the first Saturday in December and extending through the first Sunday in February.

Bighorn sheep are widespread in San Bernardino County, and these populations have been monitored for over 5 years. The proposed changes would increase the number of tags available and the geographic areas, or hunt zones, available for hunting.

Amend subsections 362 (b)(2) and (3) to identify new zones 11, 12 and 13 for the Single Zone Fundraising tags.

Existing regulations provide for allocation of two Single Zone fundraising tags and specify the season for each zone. This proposal allows for the possible reallocation of these tags to the new zones based on population survey results to maintain biologically sound hunting opportunities and continue to generate revenue.

Amend Subsection 362(d) to modify hunt tag quotas for each hunt zone (Table 1 in the Initial Statement of Reasons).

Periodic adjustments of tag quotas in response to dynamic environmental and biological conditions are necessary to maintain sustainable populations of Nelson bighorn sheep, provide hunt opportunities, and ensure consistency with statutory authorities and management recommendations. Due to the timing of administrative procedures and requirements of the California Fish and Game Code, the Department submits proposed regulatory changes to the Commission prior to completion of

all surveys. The Department will recommend final tag quotas for each zone and the zone for single zone fundraising tag 2 based upon analyses and findings from 2025-2026 surveys, scheduled for completion by March 2026.

Benefit of the Regulations:

The proposed regulations will provide Nelson bighorn sheep hunting opportunities while maintaining sustainable population sizes in accordance with management recommendations in existing unit plans, and so as not to exceed the 15 percent threshold identified in subdivision (b)(2) of Fish and Game Code Section 4902.

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 Nelson bighorn sheep. No other state agency has the authority to adopt regulations governing hunting of Nelson bighorn sheep. 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 hunting of Nelson bighorn sheep; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. **The Commission has searched the Code of Federal Regulations (CFR) and, pursuant to subdivision (b)(6) of California Government Code Section 11346.2, has determined that the proposed regulations avoid unnecessary duplication and do not conflict with federal regulations contained in the CFR.**

Update

The original proposed language provided a range of tag quota allocations for Nelson bighorn sheep hunting and provided a range of possible zones for single zone fundraising tag 2 as surveys and data analysis had not been completed by the administrative deadline for notice in winter 2025.

Following completion of surveys and data analysis, the Department's final recommendations for many of the tag allocations remain the same as those for 2025/2026 hunt year. However, the Department recommended decreasing the tag allocation for Zone 7 (Period 1) -- White Mountains from 3 to 2 and decreasing the tag allocation for Zone 7 (Period 2) -- White Mountains from 2 to 1. The Department's final recommendations for tag allocations for new zones 11 -- Granite and North Bristol Mountains, 12 -- Providence, Woods, and Hackberry Mountains, and 13 -- Castle Mountains and Piute Range were 1, 2, and 2, respectively. The Department's final recommendation for single zone fundraising tag 2 was Zone 12 -- Providence, Woods, and Hackberry Mountains. The Commission adopted the proposed changes, including the Department's final recommendations, that focus on Nelson bighorn sheep tag quotas under subsection 362(d). The adopted tag quotas for each zone are provided in Table 1, below.

Non substantive changes were made to remove underline formatting from commas in subsections (b)(1)(A), (b)(2)(A), (b)(3)(A) and closing parenthesis in subsection (b)(4); replace "subsection" with "subsections" in subsection (b)(4); replace hyphens with em dashes and

correct spacing between zone numbers and zone names for zones 11 through 13 in subsection (d) for consistency with the format used in the rest of the table.

There have been no other changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.

Table 1. Adopted Nelson Bighorn Sheep Tags by Hunt Zone

<i>Nelson Bighorn Sheep Hunt Zones</i>	<i>Tag Allocation 2025</i>	<i>Adopted Tag Allocation 2026</i>
Zone 1 – Marble/Clipper Mountains	1	1
Zone 2 – Kelso Peak/Old Dad Mountains	3	3
Zone 3 – Clark/Kingston Mountain Ranges	4	4
Zone 4 – Orocopia Mountains	1	1
Zone 5 – San Gorgonio Wilderness	1	1
Zone 6 – Sheep Hole Mountains	1	1
Zone 7 (Period 1) – White Mountains	3	2*
Zone 7 (Period 2) – White Mountains	2	1*
Zone 8 – South Bristol Mountains	1	1
Zone 9 – Cady Mountains	2	2
Zone 10 (Period 1) – Newberry, Rodman, Ord Mountains	4	4
Zone 10 (Period 2) – Newberry, Rodman, Ord Mountains	4	4
Zone 11 – Granite and North Bristol Mountains	--	1*
Zone 12 – Providence, Woods, and Hackberry Mountains	--	2*
Zone 13 – Castle Mountains and Piute Range	--	2*
Open Zone Fundraising Tag	1	1
Single Zone Fundraising Tag 1: Zone 10: Newberry, Rodman, Ord Mountains	1	1
Single Zone Fundraising Tag 2: Zone 12: Providence, Woods, and Hackberry Mountains*	1	1
Total:	30	33*

*Denotes a change from the 2025/2026 hunt year.